ATTACHMENT E- NOTICE OF EXEMPTION

TO: Santa Barbara County Clerk of the Board of Supervisors

FROM: Ciara Ristig, Planning and Development

The project or activity identified below is determined to be exempt from further environmental review requirements of the California Environmental Quality Act (CEQA) of 1970, as defined in the State and County Guidelines for the implementation of CEQA.

APNs: Two nets installed in Cold Spring Canyon (APNs 011-010-027, 011-010-028), two nets installed in San Ysidro Canyon (APNs 151-180-019, 007-020-003) and two nets installed in Buena Vista Canyon (APN 007-020-009).

Case No.: 19EMP-00000-00003

Location: Cold Spring Canyon, San Ysidro Canyon, and Buena Vista Canyon, Montecito, CA

Project Title: Montecito Debris Flow Mitigation – Debris Nets

Project Applicant: The Partnership for Resilient Communities (TPRC)

Project Description: The project consists of a temporary debris flow prevention and mitigation system that will be located in three canyons north of the community of Montecito, including Cold Spring Canyon, San Ysidro Canyon, and Buena Vista Canyon. The Emergency Permit involves one year of maintenance and removal of 6 Geobrugg flexible debris control nets (Attachments A, C, D, and E to the Emergency Permit).

The basic debris flow protection system consists of a steel ring net engineered to resist the velocities and dynamic and static pressures unique to debris flows (Attachment A to the Emergency Permit). Support ropes are installed into channel banks and transfer debris impact and pressure loads from ring nets to the ground. Excessive energy is absorbed by net braking elements in the wire support ropes.

The nets are installed at a minimum elevation ranging from three to five feet above the water surface of the low-flow channel to allow for natural stream processes and wildlife use. This space between the water surface and the bottom of the net will be maintained, such that debris will not restrict the low-flow channel, except during high-flow or debris flow events.

Subject to project conditions, this Emergency Permit authorizes two existing nets to be maintained in Cold Spring Canyon (APNs 011-010-027, 011-010-028), two existing nets to be maintained in San Ysidro Canyon (APNs 151-180-019, 007-020-003) and two existing nets to be maintained in Buena Vista Canyon (APN 007-020-009). Each net was previously installed under 18EMP-00000-00007 and 19DVP-00000-00005.

The nets are pre-fabricated to specification for each location. The debris nets range in height from 10-20 feet. The bottom length of each net ranges from 14 – 98 feet wide, the middle length of each net ranges from 26 – 134 feet wide, and the top length of each net ranges from 37 – 150 feet wide.

A "Storm Event" is an event consistent with the triggering thresholds developed by the United States Geological Survey and used by the National Weather Service for post-burn areas as guidance for issuing watches and warnings of possible flash floods and debris flows (http://www.scag.ca.gov/programs/Documents/Earthquake/RAFwebinar_NWSdebrisFlowWarningSystem.pdf). A Storm Event ends when no further precipitation is forecasted and entry is permitted by public safety officials.

Maintenance:

Intense and localized rainfall events as occurred on January 9, 2018 have potential to mobilize soil and debris. The timing of the need for removal of debris will depend on frequency, intensity and the amount of precipitation experienced in the surrounding watershed (Attachment D to the Emergency Permit, Section 1.1.3). The nets will be inspected routinely for repairs each year outside of the rainy season by Kane GeoTech, Inc., the applicant's geotechnical engineer firm.

Annual and post-event inspections will be conducted (Attachments B and C to the Emergency Permit). After a Storm Event ends, each net will be inspected within 24 hours for repairs or debris removal. Should the nets accumulate sufficient material to block the channel, equipment will be mobilized to the location via aerial transport once stream flow has subsided sufficiently to allow safe access. If the inspection indicates that a repair is required and/or that there is debris in a net, repair and/or removal of debris shall commence as soon as possible, preferably within 48 hours but no later than 72 hours after the net inspection, unless an earlier time period, if any, is required in authorizations issued by the California Department of Fish and Wildlife (CDFW).

In addition, every two weeks year-round the applicant will informally inspect each net.

Minor repairs and debris removal may be done using tools and materials transported by hand (Attachments D and E to the Emergency Permit). Major damage may require equipment and materials to be delivered in the same manner as installation (via helicopter) (Attachments D and E to the Emergency Permit).

A biologist will be onsite to conduct wildlife surveys, monitor for permit compliance, and provide oversight during construction and maintenance work (Attachments D and E to the Emergency Permit). All measures identified in the Biological Resources Assessment, including Site Specific and Sensitive Habitat Avoidance and Minimization Measures, General Construction Avoidance and Minimization Measures, and the Invasive Plant Management Program (i.e., Attachment D to the Emergency Permit, Sections 6.1, 6.2, and 7.0, p. 45-48) will be implemented.

Major Debris Flow Maintenance:

After a major debris flow, excavators and operators will be air-lifted via helicopter to the net locations. Attachment C identifies the landing zones and staging areas. The crew size will average four personnel per net. The contractor will use heavy-lift helicopters and a Spyder

excavator or a 10-ton class excavator depending on the specific characteristics of the debris flow (Attachment C to the Emergency Permit, Equipment Datasheets, pages 1 through 11.).

The first action will be to restore the low-flow channel to pre-event elevation to permit fish passage (Attachment D to the Emergency Permit, Section 1.1.3).

Under the supervision of biologists, the contractor will immediately re-establish the low flow channel upstream of the net using an excavator once stream flows have subsided sufficiently to allow safe access and working conditions (Attachment D to the Emergency Permit, Section 1.1.3). Restoring the low-flow channel to pre-event elevation will begin from the back of the debris flow working towards the net. The excavators used will be as small as practical to perform the work. Any management of the stream flow and associated best management practices (BMPs) necessary to minimize turbidity from the debris management activities will be installed in coordination with biologists prior to and during the work activities.

Depending on the characteristics of the debris flow, the net may be disconnected from the top support ropes, laid on the ground, and the excavator could distribute the material down channel (Attachment B to the Emergency Permit, Section 8.2). Under the supervision of biologists, the material excavated during re-establishment of the low flow channel will be placed downstream in a manner that does not impede the low flow channel and maximizes the potential for habitat restoration. This would include assurance that flow conditions are maintained and creation of pools or eddies that mimic natural deposition of material. The distance downstream depends on the biologist's professional judgment given the amount of debris material and precise down channel topography.

If the nets are substantially full and are under tension, the biologist in consultation with the contractor may decide in their professional judgment to not disassemble the net. The debris will in such case be moved by the excavator over the net.

The materials will remain in the riparian area.

If large boulders are in the debris that cannot be lifted by the excavator, they will be broken in place using a hydraulic excavator mounted hammer or by using hydraulic splitters to enable management with the excavator. They will be placed outside the low-flow channel or as directed by the biological monitor (Attachment C to the Emergency Permit, Section 3.3).

If large organic (woody) debris is present and poses an issue to reestablishing the low-flow channel, a portable wood chipper can be mobilized to the work area to chip the organic debris and place outside of the stream channel or as directed by the biological monitor (Attachment C to the Emergency Permit, Section 3.3).

<u>Minor Debris Maintenance:</u>
After minor debris accumulation, the hand cleaning method may be used to allow immediate rectification of low flow channel fish passage. The hand cleaning will be performed with picks,

shovels and small hydraulic splitters if necessary. Otherwise, the same methods and protocols used for full debris flow maintenance will apply to minor debris flow maintenance.

Grouting at Installation:

The grout plant will be located in coordination with biologists away from surface water and inside of appropriate containment vessels. When an anchor hole is drilled and the anchor is inserted with a tremie tube, grout will be pumped through a hose into the tremie tube. The grout will flow from the bottom of the hole to the top without pressure.

This operation requires a crew member to operate the grout pump valve and a crew member to monitor the grout placement at the hole. The crew coordinates to send and shut off grout delivery. A valve on the hose end where it connects to the tremie tube prevents leaking between placement operations.

In addition to these safeguards, thick plastic sheeting will be used around the anchor holes to prevent any errant placement of grout. The anchors are located a sufficient distance from the stream flows to allow ample distance for the containment measures (Attachment C to the Emergency Permit, Equipment Datasheets).

This Emergency Permit authorizes the monitoring and maintenance of the nets for one year only. The Emergency Permit also authorizes and requires removal of the debris nets after one year. The permittee may apply for a subsequent permit to authorize the monitoring, maintenance, and removal of the nets beyond the initial one year term authorized under this Emergency Permit. The nets shall be removed within one year of the Emergency Permit approval date if a subsequent permit or new Emergency Permit is not obtained. The net systems will be removed entirely, generally by helicopter, under the supervision of biologists.

The project occurs on parcels zoned RMZ-40, RMZ-100, and RMZ-320 (Resource Management Zone, 40-320 minimum acre parcel size), located in creeks and canyons in the Montecito Community Plan Area, First Supervisorial District.

Name of Public Agency Approving Project: County of Santa Barbara

Name of Person or Agency Carrying Out Project: The Partnership for Resilient Communities (TPRC), Attn: Pat McElroy (applicant/financially responsible party)

Exempt Status:

_____ Ministerial
_X_ Statutory Exemption
_____ Categorical Exemption
_X_ Emergency Project
_____ Declared Emergency

Cite specific CEQA and/or CEQA Guideline Section: Cal. Pub. Res. Code Section 21080(b)(4) and CEQA Guidelines Section 15269(c) [Emergency Projects]

Reasons to support exemption findings: CEQA Guideline Section 15269 (c) exempts *specific actions necessary to prevent or mitigate an emergency*. The January 9, 2018 debris flow was catastrophic- in addition to the loss of 23 lives in the Montecito area, approximately 470 structures were damaged and/or destroyed.

As stated by Chief Kevin Taylor, the Incident Commander for the 1/9 Debris Flow, "the Montecito Fire Department and the XSB IMT3 [the Santa Barbara County Operational Area Incident Management Team] both consider the community of Montecito to be at imminent risk for debris flow should we experience short duration, high intensity rainfall. Given the damage to the watershed from the Thomas Fire, this condition is expected to persist for at least the next 4-5 years."

The County of Santa Barbara Public Works Department, Flood Control District, has stated that the threat of debris flow from the Thomas Burn area continues to represent a clear and imminent danger. Specifically, the Public Works Department stated that it is:

> "*as we enter the third winter following the Thomas Fire, a serious condition still exists in Montecito relating to flooding and risk for debris flow. As evidenced by last winter, a significant amount of debris was transported down from the fire area after each storm. While this situation still exists, we also note that we are still a few years away for complete regrowth in the Thomas Fire area, and a few years from the construction of capital improvements facilities by the Flood Control District. As such, a continued state of emergency exists and as well as the need for all treatments*".

Further, on August 31, 2018, BGC Engineering provided an analysis authored by a team of professional engineers, including Dr. Matthias Jakob, P.Geo, which concluded: "Debris flows in California are most likely to occur within the first several winter seasons following a fire… [and] Recovery of watershed vegetation will diminish debris-flow hazard with time, but will not eliminate it."

The clear and imminent risk to life and property posed by the threat of debris flow events during the upcoming winter rain season constitutes an emergency under CEQA. The temporary, removable nets project provides immediate action to prevent or mitigate the loss of, or damage to, the lives, health, and property of county residents, should another debris flow event occur in Montecito. The debris control nets consist of a steel ring net engineered to resist the velocities and dynamic and static pressures unique to debris flows, and excessive energy is absorbed by net braking elements in the wire support ropes. The Emergency Permit authorizes one year of maintenance, and it requires that the nets be removed at the end of one year unless a subsequent permit is approved. As such, the project approved under the Emergency Permit is a short-term project meant to prevent or mitigate the immediate threat to the Montecito area. Therefore, this statutory exemption applies to the proposed project.

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Department/Division Representative: _____ Date: February 27, 2020

Acceptance Date: _____

Distribution: Hearing Support Staff

Date Filed by County Clerk: _____.