



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: October 17, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Lisa Plowman, Director, (805) 934-6559
Director
Contact Info: Travis Seawards, Deputy Director, (805) 934-6559

SUBJECT: Report on Case No. 23EMP-00004: Guadalupe Dunes Road Repair Emergency Permit, 6350 West Main Street, Guadalupe area, Fifth Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

As to form: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 23EMP-00004, approved by the Director of Planning and Development on July 7, 2023, which authorized the repair and replacement of segments of an existing road to access the Rancho Guadalupe Dunes County Park; and,
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines Section 15378(b)(5) as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

Summary Text:

This Board item is a report on the Guadalupe Dunes Road Repair Emergency Permit for work to repair access to Rancho Guadalupe Dunes County Park following the 2023 winter storms. Section 35-171 of the Article II Coastal Zoning Ordinance authorizes the Director of the Planning and Development Department (P&D) to temporarily defer standard permit requirements of Article II and issue an Emergency Permit

when an emergency action is warranted. Pursuant to Article II Section 35-171.6, the Director of P&D is required to report in writing to the Board of Supervisors the nature of the emergency and the work involved. This report satisfies that requirement.

Discussion

The January 2023 storm event destroyed a portion of the Rancho Guadalupe Dunes County Park access road and damaged a portion of the road, interfering with access to the park. Without access to the park, Santa Barbara County Parks Division staff is unable to protect the western snowy plover nesting habitat and the Santa Barbara County Public Health Department is unable to monitor water quality.

The Emergency Permit application, filed by Santa Barbara County Public Works, Transportation Division, was approved by Planning and Development on July 7, 2023. Repairs to the road are in progress and will be completed in three phases. The work was put out to bid and each phase will be completed by different third-party contractors. The first phase was completed by R. Burke Construction. The second phase will be completed by Seamair General Engineering. The contractor for the third phase of construction, expected to commence in mid-November, has not yet been determined.

The permit allowed the replacement of a 600-foot-long segment of the road and the repair of a 1,400-foot-long segment of the road. The project includes the repair of an existing drainage ditch along the road and the installation of nine (9) new culverts. The permit authorized grading for the road replacement, including approximately 420 cubic yards of road base fill and approximately 150 cubic yards of cut and 408 cubic yards of fill for road contouring. The permit also authorized grading for the road repair, including approximately 1,380 cubic yards of road base fill and 5,200 cubic yards of excavation of flood spoils. The conditions of approval require that a qualified biologist conduct a survey for California least tern and western snowy plover prior to construction, monitor all construction activities, and provide training for construction staff. The conditions of approval also require that a qualified archaeologist conduct a pedestrian survey prior to commencement of construction, and monitor all construction activities. The road replacement and repair will reconnect the Rancho Guadalupe Dunes County Park entrance road to the Guadalupe Dunes public parking lot.

Pursuant to Article II Section 35-171.5.1, a notice was mailed to the surrounding property owners and residents. Additionally, notice placards were placed in three locations on the subject property. Public comment by phone, email, and mail was accepted up until the date of the decision for the Emergency Permit project. P&D did not receive any public comment regarding issuance of the Emergency Permit.

Pursuant to Article II Section 35-171.5.3, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable follow-on planning permit is required. In this case, a Development Plan Amendment or Revision is required in order to permit the work described in the Emergency Permit. The applicant submitted the required follow-on application on September 27, 2023.

Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption (CEQA Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by the damage to the Rancho Guadalupe Dunes County Park access road. A copy of the filed CEQA Notice of Exemption is included herein as Attachment 2. The Board's receiving and filing of this report on Emergency Permit Case No. 23EMP-00004 is an

administrative action under State CEQA Guidelines Section 15378(b)(5) that does not constitute a separate project for purposes of environmental review.

Fiscal and Facilities Impacts:

County staff costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 20 staff hours, which equates to \$5,640.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on Page 313 of the County of Santa Barbara Fiscal Year (FY) 2023-24 adopted budget. Future permitting costs associated with this project will be borne completely by the applicant.

Attachments:

1. Emergency Permit 23EMP-00004
2. CEQA Notice of Exemption - Section 15269(c)

Authored by:

Kylie Brown, Planner (805) 568-2507