



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: Public Works
Department No.: 054
For Agenda Of: October 13, 2009
Placement: Set Hearing
Estimated Tme: 45 minutes (20 min Staff)
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director Scott McGolpin, Director of Public Works, 568-3010
Contact Info: Dacé Morgan, Deputy Director - Transportation, 568-3064
SUBJECT: Union Valley Parkway Extension/Interchange Project, Fourth Supervisorial District, County Project No. 863011 and 864010

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: Real Property

As to form: Yes

Recommended Actions:

That the Board of Supervisors:

- A. Set a Public Hearing for October 27, 2009, to discuss the recommendations listed below (Estimated Time 20 minutes Staff; 45 minutes total);
- B. Consider the environmental effects set forth in the Environmental Impact Report/Environmental Assessment (05-463800) in this matter pursuant to CEQA Guideline 15096(f). (Exhibit A);
- C. Approve the portion of the project within County jurisdiction and pursuant to CEQA Guideline 15096(g)(1), determine that the EIR adequately mitigates or avoids the direct or indirect environmental effects of the portion of the project undertaken by the County, including County actions necessary for roadway construction and acquisition of right of way within the County's jurisdiction, and for the execution of an easement deed;
- D. Determine that the attached subset of the environmental mitigation monitoring program is adequate and adopt this portion of the program that is subject to County action to construct roadway within County jurisdiction pursuant to CEQA Guideline 15096(g)(2) (Exhibit B);
- E. Adopt the attached findings, consistent with the above determinations, pursuant to CEQA Guidelines 15091, 15093 and 15096(h) (Exhibit C);

- F. Direct issuance of a Notice of Determination that the EIR prepared by the City of Santa Maria has been considered by your Board pursuant to CEQA Guideline 15096(i);
- G. Authorize the County Public Works Department to proceed with negotiations for the acquisition of permanent easements and temporary rights-of-entry with adjacent property owners; and
- H. Execute the attached Easement Deed (Permanent Easement) conveying to the City of Santa Maria a portion of land located on the property known as Santa Barbara County Assessor Parcel No. 111-231-004 (Exhibit D).

Summary Text:

For the purposes of this hearing, the Union Valley Parkway (UVP) corridor is defined as the multi-jurisdictional area containing both the existing and planned segments of Union Valley Parkway between US 101 (easterly terminus) and Blosser Road (westerly terminus). The corridor falls under the jurisdiction of the California Department of Transportation (Caltrans), the City of Santa Maria, and the County of Santa Barbara. The existing segment of UVP is functionally classified as a major arterial which runs east to west from Boardwalk Lane to Hummel Drive in the unincorporated area of Orcutt in the County of Santa Barbara. The planned segments of UVP and their associated project name, project limits, and jurisdiction are described as follows (See Attachment 1):

- UVP Interchange Project (Caltrans and County jurisdiction): US 101 to Boardwalk Lane
- UVP Extension Project (City of Santa Maria and County jurisdiction): Hummel Drive (east terminus) to Blosser Road (west terminus); and is future subdivided into the following segments:
 - County of Santa Barbara Portion – from Hummel Drive to SR 135
 - City of Santa Maria Portion - from SR 135 to Blosser Road (west terminus)
- Future Widening to Four Lane (Caltrans, City of Santa Maria and County jurisdiction): US 101 to Blosser Road (or SR1)

Both the existing and planned segments have been reviewed in the Environmental Impact Report /Environmental Assessment (05-463800). To date, the majority of the corridor, with the exception of the areas within the County's jurisdiction, has received environmental and project approval. Within the Environmental Impact Report/Environmental Assessment (05-0463800) there are five (5) roadway alternatives for the UVP Extension Project and three (3) variations to the UVP Interchange Project, but it is important to note that each of the identified alternatives and variations, with the exception of the "No Action" alternative, provide the same layout or alignment through the County's jurisdiction. Thus, it is not necessary for the County to select a preferred alternative. However, as part of the Project Development Team (PDT), Public Works did provide support for the "Locally Preferred Alignment" of the Extension Project and the "Interchange Design Variation 2" (skewed alignment) of the Interchange Project. Public Works agreed that this alternative and interchange variation provided the most benefit to the community.

The UVP corridor has been envisioned by the County as an east to west connection from US 101 to State Route (SR) 1 since the mid-1960's. It is described as a key roadway link in both the City of Santa Maria's Circulation Plan and the County's Orcutt Community Plan. Originally named the East-West

Expressway, this connection was to be a multi-lane, grade separated, access-controlled freeway with interchanges at SR 1, SR 135, and US 101. As development has occurred, several at grade connections have been constructed and more at-grade connections are planned along its reach including the connections at SR 135, California Boulevard, Foxenwood Lane, and Orcutt Road. Consequently, UVP can no longer be considered a freeway and the roadway is now considered a major arterial within the current Circulation Element for the Orcutt Community Plan.

Another planned segment, not previously described, is known as the Future UVP. This segment, which falls under both the City of Santa Maria and County jurisdiction, extends UVP from Blosser Road to SR 1 (See Attachment 2). It is identified in various County Planning and Circulation documents. However, it was not reviewed as part of the Environmental Impact Report/Environmental Assessment because the current traffic model does not indicate a need for this segment and due to the environmentally sensitive area that the planned roadway would traverse. Based on the sensitivity of the area, the City of Santa Maria has removed this segment of roadway from their General Plan Circulation Element. At this time, there is no plan to remove the Future UVP segment from the County Planning or Circulation documents. County staff will revisit the need for this segment during the next update to the Orcutt Community Plan.

Although the previously described segments within the UVP corridor are identified in many County documents, the County only has the authority to act on those segments that are within, or will encroach into, County Jurisdiction (See Attachment 3). These include a short portion of the UVP Interchange Project from US 101 to approximately 400 feet west of Boardwalk Lane; the portion of the UVP Extension Project between Hummel Drive and SR 135; and portions of the Future Widening to Four Lane between SR 135 and HWY 101. The Future Widening to Four Lane is not currently scheduled for construction but was included in the environmental review in order to adequately determine the cumulative impacts of the planned corridor. The Board of Supervisors is being requested to approve all portions of the project within County jurisdiction.

Pursuant to CEQA guidelines, as a Responsible Agency, it is the County's responsibility to consider the environmental effects set forth in the Environmental Impact Report/Environmental Assessment (05-463800) in this matter pursuant to CEQA Guideline 15096(f); determine that the EIR adequately mitigates or avoids the direct or indirect environmental effects of the portion of the project undertaken by County, including County actions necessary for roadway construction and acquisition of right of way within County jurisdiction, and for the execution of an easement deed pursuant to CEQA Guideline 15096(g)(1); determine that the attached subset of the mitigation monitoring program is adequate and adopt that portion of the program that is subject to County action to construct roadway within County jurisdiction pursuant to CEQA Guideline 15096(g)(2); adopt the attached findings, consistent with the above determinations, pursuant to CEQA Guidelines 15091, 15093 and 15096(h), and direct issuance of a Notice of Determination that the environmental document prepared by the City of Santa Maria has been considered by your Board pursuant to CEQA Guideline 15096(i).

Based on an agreement with the City of Santa Maria, the County is also responsible for the right of way acquisition associated with the UVP Extension Project within our jurisdiction. This includes negotiating permanent easements and if needed, temporary rights-of-entry with adjacent property owners to facilitate the construction of the improvements. The following parcels will likely be affected: APN 107-210-35, APN 107-250-11, APN 107-250-12, and APN 107-250-13. It will also be necessary for the County to grant a roadway easement to the City of Santa Maria for the portion of UVP that crosses a County owned parcel (APN 111-231-004) within the City limits (See Attachment 4). For these actions to

proceed it is also necessary for your Board to authorize the County Public Works Director to proceed with negotiations for the acquisition of permanent easements and temporary rights-of-entry with adjacent property owners, and to execute the attached Easement Deed (Permanent Easement) conveying to the City of Santa Maria a portion of land located on the property known as Santa Barbara County Assessors Parcel No 111-231-004. The two additional Assessors Parcel Nos. 107-750-070 and 107-300-032 near the future UVP/US 101 Interchange are County owned parcels that will be acquired by Caltrans as part of the Interchange project.

The City of Santa Maria, Caltrans, and the County have worked jointly on the development of both the UVP Extension and Interchange projects since 2000. Public Works continues to work jointly on the development and design with the City of Santa Maria as the lead agency on the extension project and with Caltrans as the lead agency on the interchange project.

The majority of the concerns raised by the community regarding this project have been done so by County residents within the development known as Foxenwood Estates and by County residents near Boardwalk Lane. However, their concerns are mainly associated with the planned segments under the City of Santa Maria and Caltrans jurisdictions. Concerns associated with County jurisdiction segments have mainly been generated by individuals or groups that disagree with the need for the project.

The planned segments of the UVP corridor have been identified in various County Planning and Circulation documents since the 1960's; have received support from both the public and past County officials; and have an Environmental Document deemed adequate by the Federal Highway Administration, Caltrans, and the City of Santa Maria. Therefore, it is staffs' recommendation that the actions before you today be approved.

Background:

As previously discussed, the segments of the UVP corridor have been described in the County Planning documents for over 40 years. Union Valley Parkway is included in the following documents:

- 1963 – The “Amended General Plan for the Santa Maria-Orcutt Area” was completed. This Plan included the location of the East West Expressway (Union Valley Parkway) through Orcutt from US 101 to SR 1.
- 1976 – The Board of Supervisors approved the first Comprehensive Plan for the County. This plan included the East West Expressway (Union Valley Parkway) in the land use and circulation sections of the plan. In addition, this plan included a citizens' community group to help prepare this plan, and included several public hearings.
- 1979 – During this year there were over 30 projects proposed in the Orcutt Area. The County clustered these projects into several master Environmental Impact Reports (EIR). All these EIRs make reference to East West Expressway (Union Valley Parkway) as part of the major circulation for the community.
- 1979 – The North Point Condominium Project was approved. This project included the intersection of Hummel Drive with the East West Expressway (Union Valley Parkway). It was the first project to require dedication of right of way to the UVP project as part of their project. This project had several Planning Commission and Board of Supervisors public hearings before it was adopted.
- 1980 – The Board of Supervisors approved the Santa Barbara County Comprehensive Plan. This work was a follow up to the 1976 plan and it included the first EIR report for this level of planning. The East West Expressway (Union Valley Parkway) was included in the Land

Use and Circulation section of the plan. The 1980 Plan was reviewed by the Orcutt General Plan Advisory Committee on numerous occasions. The Comprehensive Plan also underwent Planning Commission and Board of Supervisors public meetings and hearings for adoption.

- 1984-1989 – During these years, there were a number of projects approved and constructed that included sections of the East West Expressway (Union Valley Parkway). The projects included Edgewood (81-EIR-14) and Creekside (83-EIR-26 and 87-SD-4). These two projects built the section of East West Expressway that would connect to US 101 when the interchange was built. Porter-Highland Estates built the section to Bradley Road. The Woodmere project built the section from Bradley to the North Point Project. In 1989, the remaining connection to Hummel Drive was completed. All these projects were required to go before the Planning Commission and the Board of Supervisors for approval and each project was conditioned to build this road and/or dedicate right-of-way for the future construction.
- 1987 – The County wanted to devise a better name than the East West Expressway. A contest was held to rename this road. After receiving 30 suggestions, a committee was formed. Union Valley Parkway was chosen as the name to represent and acknowledge the major businesses in the area. Union Oil and Union Sugar. It was also intended to be the roadway that would unite the City and the County areas. The road has been known as Union Valley Parkway ever since.
- 1989 – The first version of the Airport Specific Plan was adopted and the project EIR included the extension of Union Valley Parkway from SR 135 to Blosser Road. This project would have helped fund the Interchange Project at US 101. As part of the approval of the Airport Research Park Specific Plan, a number of citizens asked for a review of Union Valley Parkway with an option of the road being directed north to Foster Road. A full traffic study was prepared and many public hearings were held to discuss this alternative. The Airport District, the City Council, and the Board of Supervisors all held public hearings and determined that the original alignment was still the preferred route for Union Valley Parkway.
- July 1997 – Board of Supervisors adopts Orcutt Community Plan (OCP) which included Union Valley Parkway as an arterial road.
- July 1998 – Board adopts Orcutt Transportation Improvement Plan (OTIP) which again includes Union Valley Parkway as an arterial road.
- 2000 and 2004 – Board updates the OCP, which continues to identify Union Valley Parkway as a planned arterial roadway.

Due to the growing need and desire of each agency to complete this project, in March of 2000 an interdepartmental Project Development Team was formed to develop the UVP project from a plan into a viable project.

On March 5, 2009 Rick Krumholz, Caltrans District 5 Director, signed and approved the Final Environmental Impact Report/Environmental Assessment. On March 17, 2009 the Santa Maria City Council, as the lead agency on the Extension Project and the CEQA document, adopted a Resolution to certify the Final Environmental Impact Report/Environmental Assessment (FEIR/EA), made CEQA findings, adopted a statement of overriding considerations, and approved a mitigation monitoring program for the UVP Extension and Interchange Projects. The City Council also approved the UVP Locally Preferred Alignment Alternative, amended the General Plan Circulation Element to delete the segment of UVP west of South Blosser Road to SR 1, authorized City staff to acquire County right of

way, authorized acquisition of mitigation lands required pursuant to the Biological Opinion, and authorized a call for construction bids on the plans and specifications for the City of Santa Maria portion of the UVP Extension project from SR 135 to South Blosser Road.

On April 15, 2009, Orcutt Citizens for Better Environment (“OCBE”) filed a lawsuit against City of Santa Maria (Lead Agency). The lawsuit claims that the EIR: (1) failed to adequately address the environmental impacts of the project; and (2) failed to properly analyze alternatives to the project. The County of Santa Barbara (Responsible Agency) was named as a Real Party in Interest, but not as a Respondent. As a real party in interest, the County was not required to appear in court or file any documents. OCBE and the City of Santa Maria are currently working on a settlement agreement which is anticipated to be complete in the near future.

If a settlement agreement is not reached between the City of Santa Maria and OCBE and all necessary documents (as determined by County Counsel) are not provided to County Counsel by the City of Santa Maria in time for the October 27, 2009 Board of Supervisors hearing, the item will be continued. If this situation occurs Public Works will contact both the Clerk of the Board and the City of Santa Maria to inform both parties that the item will be continued to the next Santa Maria Board hearing date. This aforementioned process will continue until adequate documentation has been provided to County Counsel from the City of Santa Maria.

There are no other pending or anticipated legal challenges to the EIR or the project.

At this time the Plans, Specifications, and Estimates are complete for the UVP Extension and are being developed for the Interchange Project.

The current construction schedules for the UVP Extension and Interchange Projects are as follows:

	Begin	End
UVP Extension Project – City Portion	December 2009	June 2011
UVP Extension Project – County Portion	*October 2010	October 2011
<i>*staged project due to need for Right of Way acquisition on County Portion</i>		
UVP Interchange Project	July 2011	November 2012

The Union Valley Parkway Extension and Interchange Projects are included in the Five-Year Capital Improvement Plan for Fiscal Year 2009-2013.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State:			
Federal			
Fees: OTIP	\$ 642,878.00		\$ 825,000.00
Other: R-STP	\$ 793,122.00		\$ 837,000.00
Total	\$ 1,436,000.00	\$ -	\$ 1,662,000.00

Narrative:

The total estimated project cost to be incurred by the County for both the UVP Extension and Interchange Projects is \$1,662,000. The Extension Project is estimated to be \$1,488,000 and the Interchange Project is estimated to be \$174,000.

The \$1,488,000 for the Extension Project is funding project development, design review, and right of way acquisition.

The \$174,000 for the Interchange Project is funding project development, and design review.

The Regional Surface Transportation Program (RSTP) will provide \$837,000 for the necessary right of way acquisition, and the OTIP will fund the remaining \$825,000, to reach the total cost of \$1,662,000

The total FY 2009-10 costs for both projects is \$1,436,000, which is funding project development, design, and the right of way acquisition. The \$1,436,000 will be funded by the Orcutt Transportation Improvement Program (OTIP) and the State Transportation Improvement Program (STIP). Funds have been budgeted in Department 054, Fund 0017, Organizational Unit 0600, Program 2830, Accounts 7668 7460, and 8100.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

After Board action, distribute as follows:

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|----|--------------|---|
| 1. | Minute Order | Public Works 123 E. Anapamu
Attn: Beverly Cross |
| 2. | Minute Order | General Services 1105 Santa Barbara St
Attn: Ronn Carlentine |

Attachments:

- (1) Attachment 1 – UVP Corridor: Proposed Segments
- (2) Attachment 2 – Future UVP
- (3) Attachment 3 – UVP Corridor: Proposed Segments under County Jurisdiction
- (4) Attachment 4 – Affected Parcels
- (5) Exhibit A – Environmental Assessment/Environmental Impact Report (05-463800)
- (6) Exhibit B – Environmental Mitigation Monitoring Program for County Portion
- (7) Exhibit C – Report of Findings
- (8) Exhibit D – Easement Deed (Permanent Easement)

Authored by:

Walter Rubalcava, P.E., Project Manager, Public Works Transportation, Engineering Section 739-8775

Cc