

Gaviota Coast Conservancy
Appeal of Caltrans Highway 101
Gaviota Culvert Replacement

Speakers:

Doug Kern, GCC Executive Director

Ana Citrin, Law Office of Marc Chytilo APC

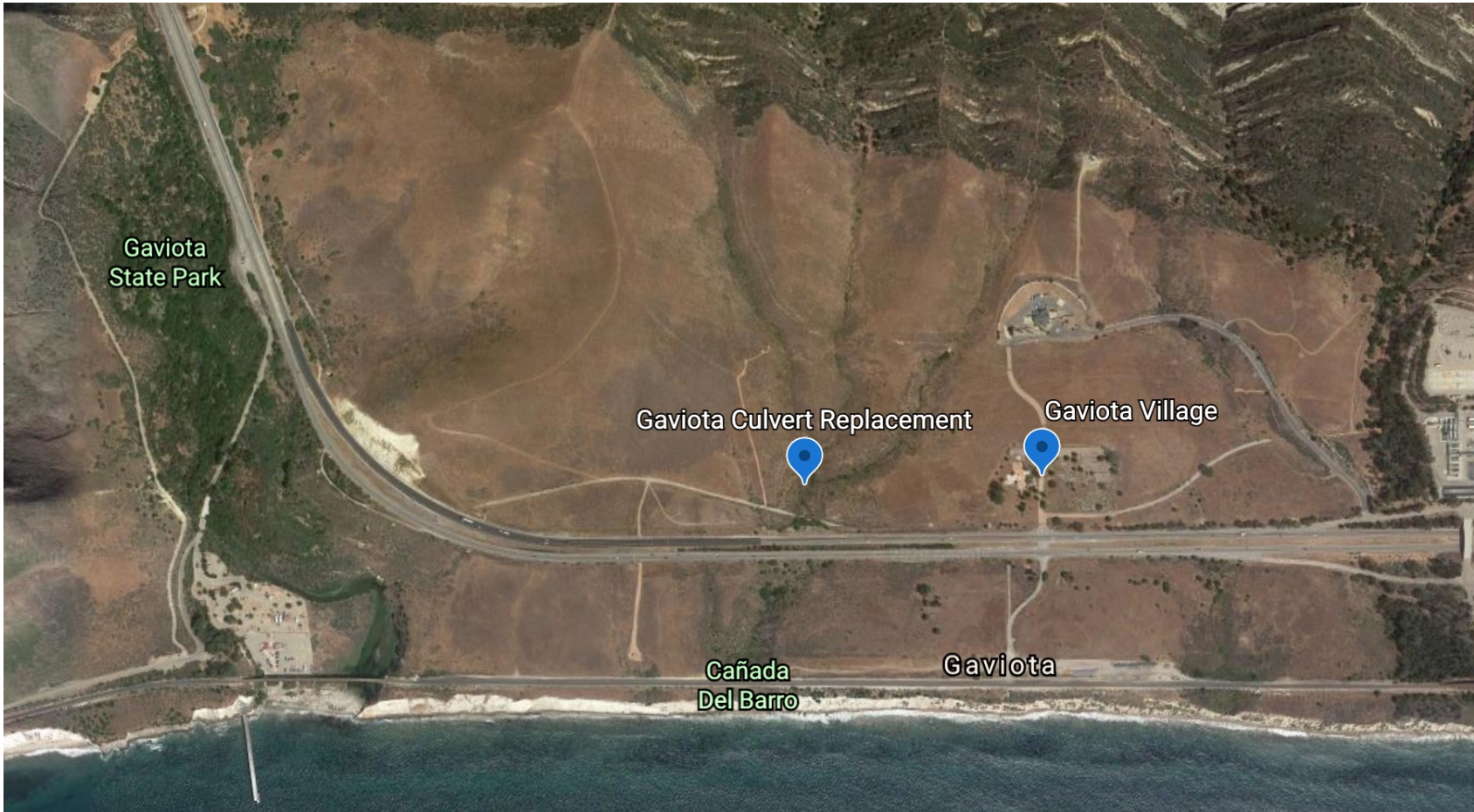


Image source: Google Earth

CCBER Wildlife Corridor Project Report

Wildlife Observation Data

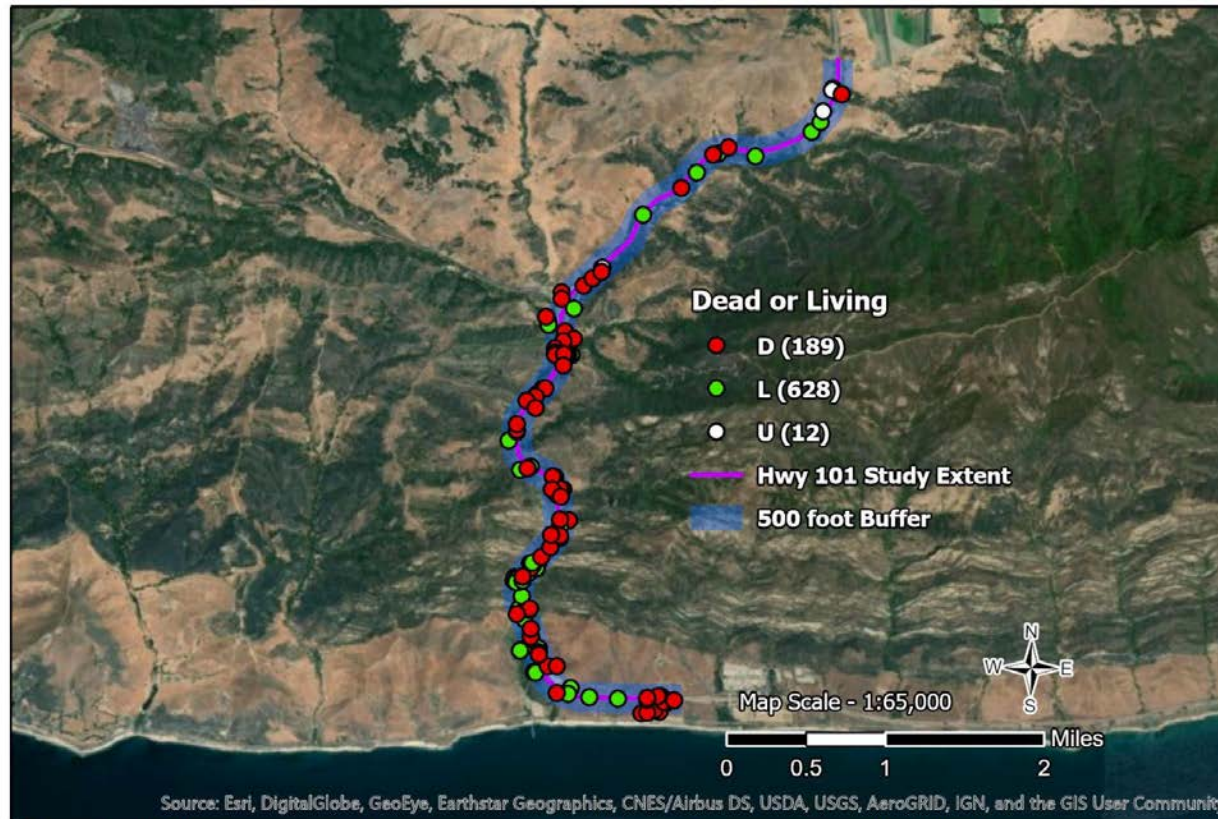


Figure 5: Wildlife observation data categorized by observed status: dead (D), living (L), or unknown (U).



Wildlife Crossings Guidance Manual

California Department of Transportation



www.dot.ca.gov/hq/env/bio/wildlife_crossings

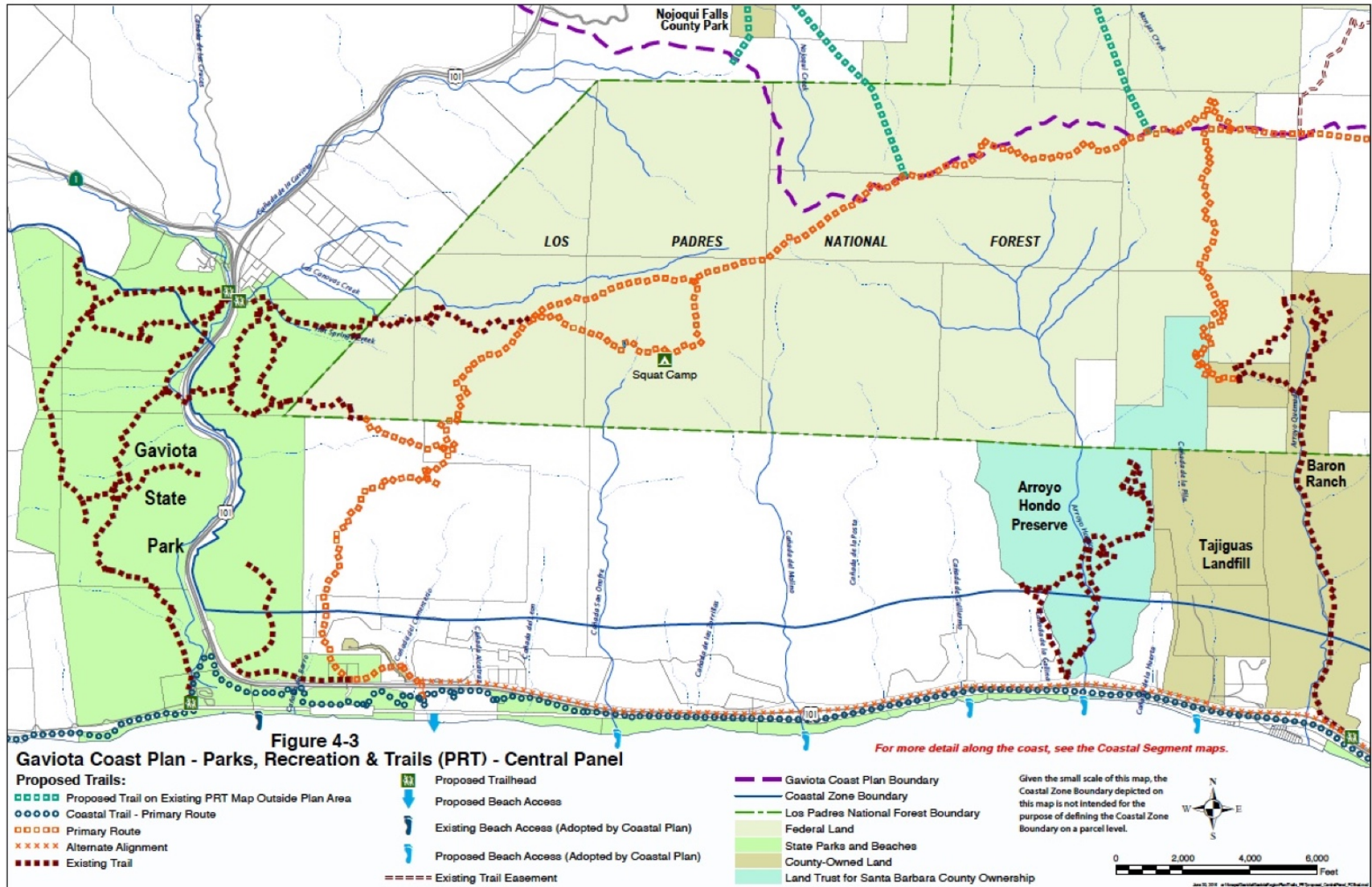
3.3.1 Change in Infrastructure

Changes to infrastructure may affect rates of wildlife passage, and the potential magnitude of these effects depends upon the: 1) type of infrastructural change, 2) species of interest, and the 3) existing rate of crossing in the project area. Infrastructural changes may present both opportunities and barriers to wildlife passage in the project region. For example, if the infrastructural changes are or include culvert modifications, the new culverts may provide an opportunity to enhance existing rates of crossing and decrease rates of vehicle-animal collisions if the new culverts are larger than the existing culverts and include wildlife ledges, fencing, and vegetation to enhance their use. In contrast, if the infrastructural changes include the addition of median barriers or guardrails, and these are to be installed in an area of known animal crossing, these may substantially increase the risk of vehicle-animal collision, inadvertently trap animals inside the right-of-way, and decrease rates of crossing, resulting in the need to mitigate these potential impacts. Similarly, if the change in infrastructure increases the number of lanes of traffic, this change, too, may be expected to increase crossing conflicts and may require mitigation measures to offset the anticipated effects.

3.2 Potential Direct and Indirect Effects

It is essential to consider how your project may effect wildlife movement within, along, and across the right-of-way, especially when special status species may be involved. Be sure to consider both the potential for roads to attract wildlife, and thereby increase its susceptibility to effects (e.g., desert tortoise attracted to vegetation growing in the right-of-way; Boaman, Sazaki, and Jennings 1997) and the potential for the road to repel wildlife, and to serve as a physical or behavioral barrier to movement (e.g., coyotes and bobcats in Ventura county; Riley et al. 2006). Your considerations should include both direct and indirect effects. Direct effects include loss of habitat and blocking of movement corridors, while indirect effects include the growth of vegetation preferred by herbivorous species, indirectly increasing their susceptibility to vehicle strikes or an increase in traffic-related noise levels, with consequent effects on birds and some mammals (Figure 19). Also consider the larger picture – evaluate how your project may interact with other existing and planned projects and habitat alterations in the region to add to effects on wildlife and result in cumulative effects as per CEQA (see Section 3.5, below). Especially consider whether you may have a “source habitat” in the project region (sensu Pulliam 1988), as these habitats may be especially important for regional population persistence. Source habitats are those with a surplus of reproductive output, from which the surplus individuals may disperse to “sink habitats” which may have a deficit of reproduction. Although difficult to document in nature, your consultations with agency and other biologists may reveal habitat areas that are known to be especially important to regional persistence of species of management importance, and effects on these habitats may have widespread deleterious consequences.

You must make a determination as to whether the project is or is not likely to effect wildlife movement by estimating pre-project rates of crossing by species of management interest and comparing these estimates to those expected given the project specifications. Where effects are expected to be substantial, you must suggest an avoidance, minimization, or compensatory mitigation strategy.



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STATE OF CALIFORNIA
Department of Parks and Recreation
Acquisition and Real Property Services Division
One Capitol Mall, Suite 500
Sacramento, CA 95814

2009-0039846

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Official Records
County of
Santa Barbara
Joseph E. Holland
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08:00PM 06-Jul-2009 Page 1 of 7

OFFICIAL STATE BUSINESS - EXEMPT FROM RECORDING FEES PURSUANT TO GOVT. CODE §27393 AND DOCUMENTARY TRANSFER TAX PURSUANT TO REVENUE AND TAXATION CODE SECTION §11922

Corporation Grant Deed

Agency: Department of Parks and Recreation
Project: Gaviota State Park, Gaviota Village
Parcel(s): 14797 DGS: 10546

APN(S): 081-130-72 & 081-130-73 County of Santa Barbara

THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation,

organized under the laws of the State of California hereby GRANTS to THE STATE OF CALIFORNIA, acting by and through the Department of Parks and Recreation, the following described real property situated in the County of Santa Barbara, State of California, described in Exhibit "A" consisting of four (4) pages attached hereto and by this reference made a part hereof and subject to the conditions set forth in the National Oceanic and Atmospheric Administration (NOAA) Grant Agreement No. NA07NOS4190011; the Santa Barbara County Agreement, dated February 3, 2009; the Goleta Valley Land Trust Agreement dated December 15, 2008; and more specifically subject to the following provisions:

This property has been acquired in part with funds from a Federal financial assistance award through the Coastal and Estuarine Land Conservation Program (CELCP), a grant from the Santa Barbara County Coastal Resource Enhancement Fund (CREF) and a grant from the Goleta Valley Land Trust. Title to the property conveyed by this deed shall vest in the State of California, acting by and through the Department of Parks and Recreation, subject to certain conditions that the property shall be managed for conservation purposes and consistent with purposes for which it was entered into under the CELCP and in adherence with the CELCP Guidelines. Its use shall be for open space protection, habitat restoration and conservation, passive recreation, a trail, trailhead, parking area and signage consistent with NOAA CELCP, Santa Barbara County CREF and Goleta Valley Land Trust Guidelines. The Department of Parks and Recreation shall not dispose of, exchange, encumber its title or other interests in, or convert the use of this property without the approval of NOAA, the County of Santa Barbara, and the Goleta Valley Land Trust, or their respective successor agencies.

In Witness Whereof, said corporation has caused its corporate name and seal to be affixed hereto and this instrument to be executed by its Sr. Vice President and Assistant Secretary thereunto duly authorized.

Dated: June 18th, 2009

THE TRUST FOR PUBLIC LAND, a California nonprofit public benefit corporation

By *Nelson J. Lee*
Nelson J. Lee, Senior Vice President

By *Gilman Miller*
Gilman Miller, Assistant Secretary

Deed restriction on Gaviota Village property Encumbers Project parcel APN 081-130-072

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Monarch aggregation site adjacent to off-site mitigation in Refugio Creek



Source: Caltrans MMP



Photo 22. Native plant habitat consisting of sycamore, willow, and cottonwood trees where monarchs aggregate, January 30, 2017.



Monarch Butterfly Overwintering Sites, Santa Barbara County

Source: Meade et al., 2018

Request

- Uphold the appeals, and deny the Project or direct additional environmental review, based on the following:
 - The inability to make required findings of consistency with the Gaviota Coast Plan.
 - The inability to make required findings that adverse impacts are mitigated to the maximum extent feasible.
 - The need for subsequent environmental review of the Project's impacts to wildlife and roadway safety based on new information presented by experts at CCBER and UC Davis, and recent wildlife observations reported by CRC.
 - The need for subsequent environmental review of the Project's impacts to public access and recreation based on new information about the proposed jurisdictional transfer, deed restriction, and changed circumstances from implementation of the Gaviota Coast Plan.
- Encourage Caltrans to revise their Project to accommodate wildlife passage, trail connectivity, and passive recreational use.