

EMERGENCY PERMIT

23EMP-00011

**Coastal Zone:**

Subject to the requirements of Section 35-171.2 of the Article II Coastal Zoning Ordinance and the policies of the Coastal Land Use Plan.

Case Name: Hollister Ranch Owner's Association – Emergency Permit

Case Number: 23EMP-00011

Site Address: Hollister Ranch Road ROW, near 88 Hollister Ranch Road

APN: Hollister Ranch Road ROW, near 88 Hollister Ranch Road

Agent Name: Eva Turenchalk of Turenchalk Planning Services

Applicant/Owner Name: Hollister Ranch Owner's Association

PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for:

The proposed project is a request by Hollister Ranch Owner's Association (HROA) to allow for an Emergency Permit for the demolition of an existing failed bottomless arch corrugated metal pipe culvert and the construction of an approximately 21-foot wide x 70-foot long prefabricated steel girder single-span bridge founded on cast-in place concrete spread footings, appurtenant abutments, and associated channel restoration along Santa Anita Creek. A 14-foot-wide temporary access road will be constructed along an alignment upstream of the existing road, using earth fill material surfaced with base rock. Project elements include the following:

- Perform sensitive species surveys.
- Install dewatering system to maintain creek channel dry during all phases of project.
- Install temporary access road with culvert to allow for dewatering and potential low flows to pass.
- Demolish the existing culvert and concrete abutments.
- Excavate for new bridge abutments/wingwalls.
- Form rebar and pour concrete for new abutments/wingwalls.
- Regrade creek channel to allow for fish passage.
- Backfill abutments/wingwalls.
- Place rock slope protection for abutments/wingwalls and install willow stakes.
- Set new bridge and rails.
- Build new road approaches to match bridge elevation and lay asphalt.
- Remove temporary access road and dewatering from creek.
- Install erosion control measures.
- Revegetate project site with native riparian plantings.

Grading will include approximately 1,325 cubic yards of cut and 168 cubic yards of fill. The project is located on the Hollister Ranch Access Road near 88 Hollister Ranch Road, in the Gaviota Coast Plan area, Third Supervisorial District.

The Director has determined that the situation constitutes an emergency in accordance with the applicable Development Code indicated above and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This Emergency Permit is exempt from environmental review pursuant to CEQA Guidelines Section 15269(c), which exempts "specific actions necessary to prevent or mitigate an emergency" (see Attachment C). This permit is not valid until signed by the owner/applicant and subsequently issued by the Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,



Lisa Plowman, Director

APPROVAL DATE: July 28, 2023

OWNER/APPLICANT AGREEMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit, Building Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County of Santa Barbara to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County of Santa Barbara to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.

Eva Turenchalk

Print Name



Signature

8/8/2023

Date

PERMIT ISSUANCE:

Kathleen Volpi

Print Name



Signature

8/8/2023

Date

BACKGROUND:

A series of heavy storms and atmospheric rivers in January 2023 caused widespread flooding and elevated creek levels throughout Santa Barbara County, resulting in storm damage and a failed bottomless corrugated metal arch culvert at the Santa Anita Creek crossing on the main Hollister Ranch access road, located near 88 Hollister Ranch Road (APN 083-690-006). As a result of the intense rain, Santa Anita Creek jumped its banks and scoured the side of Hollister Ranch Road to the east of the existing culvert crossing. A portion of the culvert's concrete footing collapsed, causing the pipe to deform and the road to partially collapse. At present, there is only one lane of travel available for vehicles. If repairs are not implemented prior to the coming winter, the culvert is considered likely to fail completely. Additionally, the existing culvert impairs upstream migration of anadromous fish due to several factors, including an approximately 24-inch vertical drop over a concrete wall that was constructed between the footings. Replacement of the culvert arch with a new free-span bridge has been identified as a high priority to prevent full failure in the upcoming winter and to restore anadromy to upper Santa Anita Creek, which is the largest watershed on the Hollister Ranch. The Emergency Permit will allow work on the Santa Anita Creek crossing to quickly restore access for residents and emergency vehicles while removing an existing barrier to migration of adult and juvenile steelhead trout. Designs are prepared in accordance with fish passage standards established by the California Department of Fish and Wildlife (CDFW).

FINDINGS OF APPROVAL:

1. **The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State Law.**

The approval of this Emergency Permit will not permit or approve any violation of County Ordinance or State Law. Condition of Approval No. 2 requires that an application for the required permits necessary to validate the emergency work as permanent be submitted by the applicant no later than 30 days following the issuance of the Emergency Permit. Processing of the required follow-on permit will ensure that the project is reviewed for, and completed in compliance with, applicable regulations.

2. **In compliance with Section 35-171.5.2 of the Article II Zoning Ordinance, prior to the approval or conditional approval of an application for an Emergency Permit the Director shall first make all of the following findings, as applicable:**

- a. An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit.*

A series of heavy storms and atmospheric rivers in January 2023 caused widespread flooding and elevated creek levels throughout Santa Barbara County, resulting in storm damage and a failed bottomless corrugated metal arch culvert at the Santa Anita Creek crossing on the main Hollister Ranch access road, located near 88 Hollister Ranch Road (APN 083-690-006).

As a result of the intense rain, Santa Anita Creek jumped its banks and scoured the side of Hollister Ranch Road to the east of the existing culvert crossing. Upon inspection, a portion of the culvert's concrete footing collapsed, causing the pipe to deform and the road to partially collapse. The engineer concluded the culvert will not withstand another rainy season and recommended removal of the failing culvert and replacement with a new free-span bridge.

b. Public comment on the proposed emergency action has been reviewed.

No public comment on the proposed emergency action has been received. Noticing to surrounding properties was mailed on June 26, 2023, and three notice placards have been posted on-site.

c. The action proposed is consistent with the requirements of the Coastal Land Use Plan and Coastal Zoning Ordinance.

A summary of Key Coastal Land Use Plan and Coastal Zoning Ordinance policies is included below:

Water Quality Policies

Coastal Act Policy 30231: *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Plan Policy 3-19: *Degradation of the water quality of groundwater basins, nearby streams, or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste, shall not be discharged into or alongside coastal streams or wetlands either during or after construction.*

Coastal Plan Policy 9-41: *All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.*

Consistent: The proposed project will implement measures that will ensure that the biological quality of coastal waters and streams is protected and that impacts from runoff, and sedimentation are minimized. The project will include implementation of abutments, slope protection fabric, a minimum of 4.5 feet of Caltrans Class VIII RSP and temporary silt fencing. Additionally, temporary diversion dams will be installed to prevent backwatering and capture silt from backwater. The free span bridge will remove an existing barrier to migration of adult and juvenile steelhead trout and restore anadromy to upper Santa Anita Creek. The EMP is conditioned to require the applicant to obtain the requisite permits and clearances from all applicable resource agencies, including the US Army Corps of Engineers Regional under General Permit 63, the Regional Water Quality Control Board, US Fish and Wildlife, California Fish and

Wildlife, and NOAA for protection of water quality and sensitive species (such as red-legged frogs and steelhead) habitat.

Riparian Corridor Policies

Coastal Plan Policy 9-37: *The minimum buffer strip for major streams in rural areas, as defined by the land use plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the Department of Fish and Game and Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams 1) soil type and stability of stream corridors; 2) how surface water filters into the ground; 3) slope of the land on either side of the stream; and 4) location of the 100-year flood plain boundary. Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the reestablishment of riparian vegetation to its prior extent to the greatest degree possible.*

Coastal Plan Policy 9-38: *No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.*

Coastal Plan Policy 9-40: *All development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of uses specified in Policy 9-38. When such activities require removal of riparian plant species, revegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.*

Gaviota Coast Plan Policy NS-2: *Environmentally Sensitive Habitat (ESH) Protection. (COASTAL) Environmentally Sensitive Habitat (ESH) areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas. A resource dependent use is a use that is dependent on the ESH resource to function (e.g., nature study, habitat restoration, public trails, and low-impact campgrounds). Resource-dependent uses shall be sited and designed to avoid significant disruption of habitat values to ESH through measures including but not limited to: utilizing established disturbed areas where feasible, limiting grading by following natural contours, and minimizing removal of native vegetation to the maximum extent feasible. Non-resource dependent development, including fuel modification and agricultural uses, shall be sited and designed to avoid ESH and ESH buffer areas. If avoidance is infeasible and would preclude reasonable use of a parcel or is a public works project necessary to repair and maintain an existing*

public road or existing public utility, then the alternative that would result in the fewest or least significant impacts shall be selected and impacts shall be mitigated. Development in areas adjacent to ESH areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Gaviota Coast Plan Dev Std NS-2: ESH Setbacks and Buffers. (COASTAL) Buffers shall be provided between ESH and new development to serve transitional habitat and to provide distance and physical barriers to human intrusion. Riparian ESH areas shall have a minimum development area setback buffer of 100 feet from the edge of either side of the top-of-bank of creeks or the edge of riparian vegetation, whichever is further. Wetland ESH areas shall include a minimum development area setback buffer of 100 feet from the edge of the wetland. All other ESH areas shall have a minimum development area setback buffer of 100 feet from the outer edge of the habitat area. Monarch butterfly trees shall include a minimum development area setback buffer of 50 feet from the edge of the tree canopy. Development shall be required to comply with these buffer zones as part of the proposed development, except where setbacks or buffers would preclude reasonable use of the parcel consistent with applicable law. Appropriate public recreational trails may be allowed within setbacks or buffer areas. Required buffers may be adjusted upward on a case-by-case basis given site specific evidence provided by a biological report prepared by a qualified biologist. Where adjusted upward where necessary in order to prevent significant disruption of habitat values, the required minimum buffer shall not preclude reasonable use of a parcel consistent with applicable law. Adjustment of the riparian or stream ESH buffer shall be based on an investigation of the following factors and after consultation with the Department of Fish and Wildlife and Regional Water Quality Control Board. All buffers shall be sufficient to protect the biological productivity and water quality of streams, to avoid significant disruption of habitat values, and to be compatible with the continuance of the habitat area: 1) Existing vegetation, soil type and stability of stream and riparian corridors; 2) How surface water filters into the ground; 3) Slope of the land on either side of the stream; 4) Location of the 100 year flood plain boundary; and, 5) Consistency with adopted Gaviota Coast Plan, Coastal Land Use Plan, and Comprehensive Plan policies. In all cases listed above, buffer areas on sites within the Coastal Zone may be adjusted downward only in order to avoid precluding reasonable use of property.

Consistent: The proposed project includes installation of a prefabricated steel girder single-span bridge in order to prevent potential loss of the main Hollister Ranch access road, located near 88 Hollister Ranch Road. Consistent with Coastal Plan Policy 9-38 and Gaviota Coast Plan Policy NS-2, the bridge is necessary for public safety, and to protect existing infrastructure. The bridge will replace an existing, failed, corrugated metal culvert within the Santa Anita Creek corridor and must be placed in the proposed location in order to stabilize the roadway. Consistent with Gaviota Coast Plan Policy NS-2, the proposed alternative would result in the least significant impacts over the long term when compared to other alternatives that could result in multiple disruptions to the creek, creek channelization, or failed repair measures and will

restore anadromy to upper Santa Anita Creek. Consistent with Coastal Plan Policy 9-37 the applicant is working with the Regional Water Quality Control Board and US Fish and Wildlife, California Fish and Wildlife and will determine new buffer strips based on the final creek bed design with the understanding that the current work within the creek bed is required given the nature of the emergency work. Consistent with Coastal Plan Policy 9-40, all development, including dredging, filling, and grading within stream corridors, shall be limited to activities necessary for the construction of the bridge. In addition, Condition of Approval No. 2 requires application for a Coastal Development Permit with Hearing (CDH) within 30 days of Emergency Permit issuance. Biological impacts will be further analyzed through the processing of the CDH.

Riparian Vegetation and Restoration

Gaviota Coast Plan Policy NS-11: Restoration. (COASTAL) In cases where adverse impacts to biological resources as a result of new development cannot be avoided and impacts have been minimized, restoration shall be required. A minimum replacement ratio of 3:1 shall be required to compensate for adverse impacts to native habitat areas or biological resources, except that mitigation for impacts to wetlands shall be a minimum 4:1 ratio. Where onsite restoration is infeasible, the most proximal and in-kind offsite restoration shall be required. Preservation in perpetuity for conservation and/or open space purposes of areas subject to restoration shall be required as a condition of the CDP and notice of such restriction shall be provided to property owners through a recorded deed restriction or Notice to Property Owner.

Gaviota Coast Plan Policy NS-7: Riparian Vegetation. (COASTAL) New development, including fuel modification, shall be sited and designed to protect riparian ESH, consistent with Policy NS-2 and all other applicable policies and provisions of this Plan and the LCP.

Consistent: Adverse impacts to the Santa Anita Creek corridor cannot be completely avoided as the proposed single-span bridge will replace a failed corrugated metal culvert within the Santa Anita Creek corridor and must be placed in the proposed location in order to stabilize the roadway. The proposed project will result in the least significant impacts over the long term when compared to other alternatives that could result in multiple disruptions to the creek, creek channelization, or failed repair measures. The EMP is conditioned to require the applicant to obtain the requisite permits and clearances from all applicable resource agencies, including the US Army Corps of Engineers, the Regional Water Quality Control Board, US Fish and Wildlife, California Fish and Wildlife, and NOAA for protection of water quality and sensitive species (such as red-legged frogs and steelhead) habitat. In addition, Condition of Approval No. 2 requires application for a Coastal Development Permit with hearing (CDH) within 30 days of Emergency Permit issuance. Biological impacts will be further analyzed through the processing of the CDH and any impacts to native habitat areas identified during processing will be required to be restored consistent with the requirements of Gaviota Coast Plan Policy NS-11.

Wildlife Policies

Coastal Plan Policy 9-39: Dams or other structures that would prevent upstream migration of anadromous fish shall not be allowed in streams targeted by the California Department of Fish and Game unless other measures are used to allow fish to bypass obstacles. These streams include: San Antonio Creek (Los Alamos area), Santa Ynez River, Jalama Creek, Santa Anita Creek, Gaviota Creek, and Tecolote Creek.

Gaviota Coast Plan Dev Std NS-1: Wildlife Corridors. (COASTAL) Where avoidance of wildlife corridors is infeasible, development, including fences, gates, roads, and lighting shall be sited and designed to not restrict wildlife movement. Fences and gates shall be wildlife-permeable, unless the fence or gate is associated with an approved agricultural use, is located within an approved development area, or where temporary fencing is required to keep wildlife away from habitat restoration areas.

Gaviota Coast Plan Dev Std NS-4: Sensitive Wildlife Species. (COASTAL) If potentially suitable habitat or critical habitat exists for sensitive wildlife species on or adjacent to a project site, prior to approval of Coastal Development Permits for any projects in the Gaviota Coast Plan Area, presence/absence surveys focused on the area to be disturbed and/or affected by the project shall be conducted in accordance with applicable county and resource agency protocols to determine the potential for impacts resulting from the project on these species.

Consistent: The project is consistent with applicable policies pertaining to protection of sensitive wildlife species. Santa Anita Creek has the potential to support sensitive wildlife species such as Steelhead Trout and Red Legged Frog. The proposed single-span bridge was chosen as the repair option as opposed to other options, in part, to restore anadromy to upper Santa Anita Creek, which is the largest watershed on the Hollister Ranch. The EMP is conditioned to require the applicant to obtain the requisite permits and clearances from all applicable resource agencies, including the US Army Corps of Engineers, the Regional Water Quality Control Board, US Fish and Wildlife, California Fish and Wildlife, and NOAA in regards to fish passage, protection of wildlife corridors, and wildlife surveys. In addition, Condition of Approval No. 2 requires application for a Coastal Development Permit with hearing (CDH) within 30 days of Emergency Permit issuance. Biological impacts will be further analyzed through the processing of the CDH and any impacts to native habitat areas and wildlife identified during processing will be required to be mitigated consistent with Coastal Plan and Gaviota Coast Plan Policies.

Article II, Section 35-97.19 Development Standards for Stream Habitats

1. The minimum buffer strip for streams in rural areas, as defined by the Coastal Land Use Plan, shall be presumptively 100 feet, and for streams in urban areas, 50 feet. These minimum buffers may be adjusted upward or downward on a case-by-case basis. The buffer shall be established based on an investigation of the following factors and after consultation with the California Department of Fish and Game and California Regional Water Quality Control Board in order to protect the biological productivity and water quality of streams:

- a. *Soil type and stability of stream corridors.*
- b. *How surface water filters into the ground.*
- c. *Slope of land on either side of the stream.*
- d. *Location of the 100-year flood plain boundary.*

Riparian vegetation shall be protected and shall be included in the buffer. Where riparian vegetation has previously been removed, except for channelization, the buffer shall allow for the re-establishment of riparian vegetation to its prior extent to the greatest degree possible.

2. No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects; flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development; and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.

3. Dams or other structures that would prevent upstream migration of anadromous fish shall not be allowed in streams targeted by the California Department of Fish and Game unless other measures are used to allow fish to bypass obstacles. These streams include: San Antonio Creek (Los Alamos area), Santa Ynez River, Jalama Creek, Santa Anita Creek, Gaviota Creek, and Tecolote Creek.

4. All development, including dredging, filling, and grading within stream corridors shall be limited to activities necessary for the construction of uses specified in paragraph 2 of this Section, above. When such activities require removal of riparian plant species, re-vegetation with local native plants shall be required except where undesirable for flood control purposes. Minor clearing of vegetation for hiking, biking, and equestrian trails shall be permitted.

5. All permitted construction and grading within stream corridors shall be carried out in such a manner as to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.

6. Other than projects that are currently approved and/or funded, no further concrete channelization or other major alterations of streams in the Coastal Zone shall be permitted unless consistent with the provisions of Public Resources Code Section 30236 of the Coastal Act.

Consistent: The proposed project would be consistent with the development standards of Article II, Section 35-97.16. The proposed project requires installation of a single-span bridge in order to prevent potential loss of main access road, Hollister Ranch Road, located near 88 Hollister Ranch Road. The bridge is necessary for public

safety and to protect existing infrastructure. The bridge will replace an existing, failed, corrugated metal culvert within the Santa Anita Creek corridor and must be placed in the proposed location in order to stabilize the roadway. The proposed alternative will result in the least significant impacts over the long term when compared to other alternatives that could result in multiple disruptions to the creek, creek channelization (and associated impacts to anadromous fish) or failed repair measures. The applicant is working with the Army Corps Regional under General Permit 63, the Regional Water Quality Control Board, Fish and Wildlife, and NOAA to minimize impacts from increased runoff, sedimentation, biochemical degradation, or thermal pollution.

All work will comply with measures required by the Army Corps Regional General Permit 63 including measures from the Regional Water Quality Control Board, Fish and Wildlife, NOAA pertaining to water quality protection, fish passage, protection of wildlife corridors, and wildlife surveys. In addition, Condition of Approval No. 2 requires application for a Coastal Development Permit with Hearing (CDH) within 30 days of Emergency Permit issuance. Biological impacts will be further analyzed and mitigated through the processing of the CDH.

3. **This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects, which exempts “specific actions necessary to prevent or mitigate an emergency.”**

Emergency action is warranted because due to extreme flows, the Santa Anita Creek jumped its banks and scoured the side of Hollister Ranch Road to the east of the existing culvert crossing. A portion of the culvert's concrete footing collapsed, causing the pipe to deform and the road to partially collapse. The Emergency Permit will allow replacement of the culvert arch with a new prefabricated steel girder single-span bridge founded on cast-in place concrete spread footings to prevent full failure in the upcoming winter and to restore anadromy to upper Santa Anita Creek. Repair of the creek crossing is necessary to be completed in less time than normally required during standard permit processing to ensure continued access to existing residential development.

EMERGENCY PERMIT CONDITIONS OF APPROVAL

1. This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Planning Commission.

The project description is as follows:

The proposed project is a request by Hollister Ranch Owner's Association (HROA) to allow for an Emergency Permit for the demolition of an existing failed bottomless arch corrugated metal pipe culvert and the construction of an approximately 21-foot wide x 70-foot long prefabricated steel girder single-span bridge founded on cast-in place concrete spread footings, appurtenant abutments, and associated channel restoration along Santa Anita Creek. A 14-foot-wide temporary access road will be constructed along an alignment upstream of the existing road, using earth fill material surfaced with base rock. Project elements include the following:

- **Perform sensitive species surveys.**
- **Install dewatering system to maintain creek channel dry during all phases of project.**
- **Install temporary access road with culvert to allow for dewatering and potential low flows to pass.**
- **Demolish the existing culvert and concrete abutments.**
- **Excavate for new bridge abutments/wingwalls.**
- **Form rebar and pour concrete for new abutments/wingwalls.**
- **Regrade creek channel to allow for fish passage.**
- **Backfill abutments/wingwalls.**
- **Place rock slope protection for abutments/wingwalls and install willow stakes.**
- **Set new bridge and rails.**
- **Build new road approaches to match bridge elevation and lay asphalt.**
- **Remove temporary access road and dewatering from creek.**
- **Install erosion control measures.**
- **Revegetate project site with native riparian plantings**

Grading will include approximately 1,325 cubic yards of cut and 168 cubic yards of fill. Project construction is expected to be complete by winter 2023. The project is located on the Hollister Ranch Access Road near 88 Hollister Ranch Road, in the Gaviota Coast Plan Area, Third Supervisorial District.

2. **Proj Des-02 Project Conformity.** The grading, development, use, and maintenance of the property, the size, shape, arrangement, and location of the structures, parking areas and landscape areas, and the protection and preservation of resources shall conform to the project description above and the hearing exhibits and conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved hearing exhibits and conditions of approval thereto. All plans (such as Landscape and Tree Protection Plans) must be submitted for review and approval and shall be implemented as approved by the County.
3. **Follow Up Permits Required.** An application(s) for the required permits necessary to validate the emergency work as permanent shall be submitted by the applicant to the Planning and Development Department no later than 30 days following the issuance of this Emergency Permit. The permits required for the proposed emergency work include a Coastal Development Permit with hearing pursuant to Section 35-169.2 of the Article II Coastal Zoning Ordinance.
4. **Completeness Items.** Any materials required for a completed application, as identified in the initial review of the original application required pursuant to Condition #2 above, shall be submitted within 90 days after written notification of the application deficiencies is provided to the applicant. This time period may be extended by the Director of Planning and Development.
5. **Authorized Work Only.** Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 30 days of the date of issuance of the permit and completed within 30 days after the beginning of construction. If construction activities are proposed by the applicant to commence after 30 days, separate authorization by the Director of P&D is required.
6. **Additional Permits Required.** This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
7. **Stop Work Order.** The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction.
8. **Not Valid Until Signed.** This Emergency Permit is not valid until signed by the applicant and subsequently issued by Planning and Development.
9. **WatConv-04 Equipment Storage-Construction.** The Owner/Applicant shall designate a construction equipment filling and storage area(s) to contain spills, facilitate clean-up and proper disposal and prevent contamination from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. The areas shall be no larger than 50 x 50 foot unless

otherwise approved by P&D and shall be located at least 100 feet from any storm drain, waterbody or sensitive biological resources.

PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Building Permits.

TIMING: The Owner/Applicant shall install the area prior to commencement of construction.

MONITORING: Building and Safety staff shall ensure compliance prior to and throughout construction.

10. **WatConv-05 Equipment Washout-Construction.** The Owner/Applicant shall designate a washout area(s) for the washing of concrete trucks, paint, equipment, or similar activities to prevent wash water from discharging to the storm drains, street, drainage ditches, creeks, or wetlands. Note that polluted water and materials shall be contained in this area and removed from the site as needed. The area shall be located at least 50 feet from any storm drain, waterbody or sensitive biological resources.
PLAN REQUIREMENTS: The Owner/Applicant shall designate the P&D approved location on all Building Permits.
TIMING: The Owner/Applicant shall install the area prior to commencement of construction.
MONITORING: P&D zoning enforcement shall ensure compliance prior to and throughout construction.
11. **SolidW-03 Solid Waste-Construction Site.** The Owner/Applicant shall provide an adequate number of covered receptacles for construction and employee trash to prevent trash & debris from blowing offsite, shall ensure waste is picked up weekly or more frequently as needed, and shall ensure site is free of trash and debris when construction is complete.
PLAN REQUIREMENTS: The site is to remain trash-free throughout construction.
12. **Rules-05 Acceptance of Conditions.** The Owner/Applicant's acceptance of this permit and/or commencement of use, construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the Owner/Applicant.
13. **Rules-23 Processing Fees Required.** Prior to issuance of Emergency, the Owner/Applicant shall pay all applicable P&D permit processing fees in full as required by County ordinances and resolutions.
14. **Rules-31 Mitigation Monitoring Required.** The Owner/Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, the Owner/Applicant shall:
 - a. Contact P&D compliance staff as soon as possible after project approval to provide the name and phone number of the future contact person for the project and give estimated dates for future project activities;
 - b. Sign a separate Agreement to Pay for compliance monitoring costs and remit a security deposit prior to issuance of Emergency Permit as authorized by ordinance and fee schedules. Compliance monitoring costs will be invoiced monthly and may include costs for P&D to hire and manage outside consultants when deemed necessary by P&D staff (e.g. non-compliance

situations, special monitoring needed for sensitive areas including but not limited to biologists, archaeologists) to assess damage and/or ensure compliance. In such cases, the Owner/Applicant shall comply with P&D recommendations to bring the project into compliance. The decision of the Director of P&D shall be final in the event of a dispute. Monthly invoices shall be paid by the due date noted on the invoice;

c. Note the following on each page of grading and building plans “This project is subject to Condition Compliance Monitoring and Reporting. All aspects of project construction shall adhere to the approved plans, notes, and conditions of approval;

d. Contact P&D compliance staff at least two weeks prior to commencement of construction activities to schedule an on-site pre-construction meeting to be led by P&D Compliance Monitoring staff and attended by all parties deemed necessary by P&D, including the permit issuing planner, grading and/or building inspectors, other agency staff, and key construction personnel: contractors, sub-contractors and contracted monitors among others.

15. **Rules-33 Indemnity and Separation.** The Owner/Applicant shall defend, indemnify and hold harmless the County or its agents or officers and employees from any claim, action or proceeding against the County or its agents, officers or employees, to attack, set aside, void, or annul, in whole or in part, the County's approval of this project.
16. **Bio-03 Onsite Arborist/Biologist.** The Owner/Applicant shall designate a P&D-approved biologist to be onsite throughout all grading and construction activities which may impact Environmentally Sensitive Habitat (ESH). Duties include the responsibility to ensure all aspects of a pre-construction protection survey are carried out.
MONITORING: The Owner/Applicant shall submit to P&D compliance monitoring staff the name and contact information for the approved arborist/biologist prior to commencement of construction / pre-construction meeting. P&D compliance monitoring staff shall site inspect as appropriate.
17. **Bio-09 Fish and Wildlife Jurisdiction Advisory.** The project site is within the range of red-legged frogs and steelhead, a species listed as Threatened by the U.S. Fish and Wildlife Service, National Marine Fisheries Service and/or California Department of Fish and Wildlife. The issuance of this permit does not relieve the permit-holder of any duties, obligations, or responsibilities under the federal or California Endangered Species Act or any other law. The permit-holder shall contact the necessary jurisdictional agencies to ascertain his or her level of risk under the federal and California Endangered Species Act in implementing the project herein permitted.
18. **Bio-23 Nesting Bird Survey.** To avoid disturbance of nesting birds, including raptorial species, protected by the Federal Migratory Bird Treaty Act (MBTA) and Sections 3503, 3503.5, and 3513 of the California Fish and Game Code (CFG), the removal of vegetation, ground disturbance, exterior construction activities, and demolition shall occur outside of the bird nesting season (February 1 through August 31) whenever feasible. If these activities must occur during the bird nesting season, then a pre-construction nesting bird survey shall be performed by a County-qualified biologist. Pre-construction surveys for nesting birds shall occur within the area to be disturbed and shall extend outward from the disturbance area by 500 feet. The

distance surveyed from the disturbance may be reduced if property boundaries render a 500-foot survey radius infeasible, or if existing disturbance levels within the 500-foot radius (such as from a major street or highway) are such that project-related activities would not disturb nesting birds in those outlying areas. If any occupied or active bird nests are found, a buffer shall be established and demarcated by the biologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. The buffer shall be 300 feet for non-raptors and 500 feet for raptors, unless otherwise determined by the qualified biologist and approved by P&D. Buffer reductions shall be based on the known natural history traits of the bird species, nest location, nest height, existing pre-construction level of disturbance in the vicinity of the nest, and proposed construction activities. All construction personnel shall be notified as to the location of the buffer zone and to avoid entering the buffer zone during the nesting season. No ground disturbing activities or vegetation removal shall occur within this buffer until the County-qualified biologist has confirmed that nesting is completed, the young have fledged and are no longer dependent on the nest, or the nest fails, and there is no evidence of a second nesting attempt; thereby determining the nest unoccupied or inactive. If birds protected under MBTA or CFGC are found to be nesting in construction equipment, that equipment shall not be used until the young have fledged and are no longer dependent on the nest, and there is no evidence of a second nesting attempt.

PLAN REQUIREMENTS AND TIMING: If construction must begin within the nesting season, then the pre-construction nesting bird survey shall be conducted no more than one week (7 days) prior to commencement of vegetation removal, grading, or other construction activities. Active nests shall be monitored by the biologist at a minimum of once per week until it has been determined that the nest is no longer being used by either the young or adults, and there is no evidence of a second nesting attempt. Bird survey results and buffer recommendations shall be submitted to County Planning and Development for review and approval prior to commencement of grading or construction activities. The qualified biologist shall prepare weekly monitoring reports, which shall document nest locations, nest status, actions taken to avoid impacts, and any necessary corrective actions taken. Active nest locations shall be marked on an aerial map and provided to the construction crew on a weekly basis after each survey is conducted. Active nests shall not be removed without written authorization from USFWS and CDFW.

MONITORING: P&D shall be given the name and contact information for the biologist prior to initiation of the pre-construction survey. Permit Compliance and P&D staff shall review the survey report(s) for compliance with this condition prior to the commencement of ground-disturbing activities and perform site inspections throughout the construction period to verify compliance in the field.

19. **CulRes-07 Cultural Resource Monitor.** The Owner/Applicant shall have all earth disturbances including scarification and placement of fill within the archaeological site area monitored by a P&D approved archaeologist and a Native American consultant in compliance with the provisions of the County Archaeological Guidelines.

TIMING: Prior to grading, the Owner/Applicant shall submit for P&D review and approval, a contract or Letter of Commitment between the Owner/Applicant and the archaeologist, consisting of a project description and scope of work, and once approved, shall execute the contract.

MONITORING: The Owner/Applicant shall provide P&D compliance monitoring staff with the name and contact information for the assigned onsite monitor(s) prior to grading/building permit issuance and pre-construction meeting. P&D compliance monitoring staff shall confirm monitoring by archaeologist and Native American consultant and P&D grading inspectors shall spot check field work.

20. **CulRes-09 Stop Work at Encounter.** The Owner/Applicant and/or their agents, representatives or contractors shall stop or redirect work immediately in the event archaeological remains are encountered during grading, construction, landscaping or other construction-related activity. The Owner/Applicant shall immediately contact P&D staff, and retain a P&D approved archaeologist and Native American representative to evaluate the significance of the find in compliance with the provisions of the County Archaeological Guidelines and conduct appropriate mitigation funded by the Owner/Applicant.

PLAN REQUIREMENTS: This condition shall be printed on all building and grading plans.

MONITORING: P&D permit processing planner shall check plans prior to issuance of Emergency Permit.

21. **Geo-02 Erosion and Sediment Control Plan.** Where required by the latest edition of the California Green Code and/or Chapter 14 of the Santa Barbara County Code, a Storm Water Pollution Prevention Plan (SWPPP), Storm Water Management Plan (SWMP) and/or an Erosion and Sediment Control Plan (ESCP) shall be implemented as part of the project. Grading and erosion and sediment control plans shall be designed to minimize erosion during construction and shall be implemented for the duration of the grading period and until re-graded areas have been stabilized by structures, long-term erosion control measures or permanent landscaping. The Owner/Applicant shall submit the SWPPP, SWMP or ESCP) using Best Management Practices (BMP) designed to stabilize the site, protect natural watercourses/creeks, prevent erosion, convey storm water runoff to existing drainage systems keeping contaminants and sediments onsite. The SWPPP or ESCP shall be a part of the Grading Plan submittal and will be reviewed for its technical merits by P&D. Information on Erosion Control requirements can be found on the County web site re: Grading Ordinance Chapter 14 (<http://sbcountyplanning.org/building/grading.cfm>) refer to Erosion and Sediment Control Plan Requirements; and in the California Green Code for SWPPP (projects < 1 acre) and/or SWMP requirements.

PLAN REQUIREMENTS: The grading and SWPPP, SWMP and/or ESCP shall be submitted for review and approved by P&D prior to approval of land use clearances. The plan shall be designed to address erosion, sediment and pollution control during all phases of development of the site until all disturbed areas are permanently stabilized.

TIMING: The SWPPP requirements shall be implemented prior to the commencement of grading and throughout the year. The ESCP/SWMP requirements shall be implemented between November 1st and April 15th of each year, except pollution control measures shall be implemented year round.

MONITORING: P&D staff shall perform site inspections throughout the construction phase.

Attachments:

A. Site Plan

B. CEQA Exemption

cc: P&D Deputy Director
Supervising Planner, P&D
P&D Planner

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