



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: Flood Control
Department No.: 054
For Agenda Of: 12/13/11
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: **Approve Amendment No. 1 to the Agreement with Caltrans for the Las Vegas/San Pedro Creeks Improvement Project, Second Supervisorial District**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: Yes

Other Concurrence: Risk Management

As to form: Yes

Recommended Actions:

- a) Approve and authorize the Chair to execute Amendment No. 1 to the Agreement with Caltrans for the Las Vegas/San Pedro Creeks Improvement Project by extending the Agreement period expiration date from December 31, 2011 to instead terminate upon completion of the project; and
- b) Determine, pursuant to 14 CCR 15162, that a Mitigated Negative Declaration was adopted for the Las Vegas-San Pedro Creeks Capacity Improvement Project on October 4, 2011, that no substantial changes are proposed in the project, no substantial changes have occurred with respect to the circumstances under which the project is undertaken, and no new information of substantial importance has been received with respect to the project or the mitigation measures, and therefore no new EIR or Negative Declaration is required for the recommended actions.

Summary Text:

Las Vegas/San Pedro Creeks Capacity Improvement Project is located primarily between Fairview Avenue and Los Carneros Road on each side of and including HWY 101 in the Cities of Goleta and Santa Barbara. The project proposes hydraulic capacity improvements along Las Vegas and San Pedro Creeks under Calle Real, US 101, and the UPRR. The proposed project would increase the hydraulic capacity of the two creek systems (culvert and channel improvements) from approximately a 10-year to approximately a 25-year flood event. Additional benefits of the project include the removal of several barriers to steelhead migration.

To facilitate the project's development, the District agreed to coordinate and prepare the necessary CEQA documentation for the entire project for all agencies involved. On June 19, 2007, the Board executed a Cooperative Agreement with the California Department of Transportation (Caltrans) for the project to define roles and responsibilities for the environmental review process for the project.

The CEQA document (a Mitigated Negative Declaration) was completed and approved in October 2011. The associated National Environmental Policy Act (NEPA) document, a Categorical Exemption being completed by Caltrans, is not complete and the Agreement expires on December 31, 2011. It is desired to amend the Agreement as follows:

1. *The termination date specified in Article 15 of Section III of said Agreement is replaced in its entirety to read as follows:*

"This Agreement will terminate upon completion of PROJECT that all parties have met all scope, cost, and schedule commitments included in this Agreement and have signed a cooperative agreement closure statement, which is a document signed by parties that verifies the completion of PROJECT.

However, all indemnification, document, retention, audit, claims, environmental commitment, legal challenge, hazardous material, operation, maintenance and ownership articles will remain in effect until terminated or modified in writing by mutual agreement."

Caltrans will execute the Amendment after execution by the County,

Background:

The Las Vegas/San Pedro Creeks Improvement Project is a multi-jurisdictional project with the Flood Control District assuming the lead agency responsibility for the proposed capacity improvements. The Flood Control District has worked with a multi-agency team with various jurisdictional authorities over the proposed project components. The other agencies involved in the project are the Cities of Goleta and Santa Barbara, Caltrans, the Union Pacific Railroad and possibly the Goleta Sanitary District.

San Pedro and Las Vegas Creeks, in the City of Goleta, have experienced episodic flooding during major storm events over the course of the last decade. Flooding has typically occurred at the HWY 101 and Calle Real crossings for both creeks. Several businesses and residences as well as HWY 101 became inundated during these events. The project will increase capacity of these drainage facilities and significantly reduce flooding to the area.

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			
South Coast FZ			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

This project was included in the 2011-12 Adopted Budget under the Design cost center of the Water Resources Division of the Public Works Department as shown on page D-352 in the budget book. However, this amendment to the agreement does not allocate any funding for this project, it only extends the term of the existing cooperative agreement with Caltrans which defines roles and responsibilities for the environmental review process for the project

This project is also included in the County’s Capital Improvements Program on page B-163. This project will be included in the budget over the next several years.

Staffing Impacts:

Legal Positions:

FTEs:

Special Instructions:

Direct the Clerk of the Board to send 4 originals of signed Amendment No. 1 to the Agreement with Caltrans and a copy of the minute order to the Flood Control District office, Attn: Christina Lopez. The Flood Control District will return an original signed amendment to the Clerk of the Board after the amendment has been executed by the State.

Attachments:

Amendment No. 1 to the Agreement with Caltrans (4 originals)

Authored by: Maureen Spencer, Environmental Manager, 568-3437
Jonathan S. Frye, Engineering Manager, 568-3444



February 1998 Storm - Calle Real @ Fairview