



EMERGENCY PERMIT

11EMP-00000-00003



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: Flood Control Goleta Slough Dredging/Desilting
Case Number: 11EMP-00000-00003
Site Address: none
APN: 071-200-022 & 071-200-023
Applicant/Agent Name: Seth Shank, Santa Barbara County Flood Control District
Owner Name: Santa Barbara County Flood Control District

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000

Energy Division
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2040

North County Office
624 W. Foster Road
Santa Maria, CA 93454
(805) 934-6250

PERMIT APPROVAL:

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

The project consists of the emergency removal of approximately 9,000 cubic yards of sediment from the San Pedro Basin within the Goleta Slough. Due to the recent storms in Santa Barbara County and upcoming predicted rain events, the Santa Barbara County Flood Control District is preparing for an emergency desilting operation of several basins within the Goleta Slough; the San Pedro Basin is within the jurisdiction of Santa Barbara County. San Pedro is approximately 70% full for a length of 1,000 feet downstream of James Fowler Road with approximately 9,000 cubic yards of sediment to be removed. The sediment will be stockpiled in the upland area adjacent to the basin; samples will be tested for use as beach replenishment material at Goleta Beach County Park.

Due to the recent storms, the basins have the potential to become full of sediment, potentially flooding Highway 217, the airport, and surrounding properties. Tidal influence does not allow for typical sediment transport in these areas and any further sediment in these basins has the potential to continue filling in upstream into the concrete lined channel and creek and cause overtopping of banks and flooding.

Therefore, this situation constitutes an emergency in accordance with the applicable zoning ordinance 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 permit is not valid until signed by the owner/applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

Sincerely,



DIANNE BLACK
Director of Development Services

APPROVAL DATE: March 25, 2011

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.

Maureen Spencer Maureen Spencer 3-25-11
Print Name Signature Date

PERMIT ISSUANCE:

Julie L. Harris Julie L. Harris 3/25/2011
Print Name Signature Date

BACKGROUND:

The project consists of the emergency removal of approximately 9,000 cubic yards of sediment from the San Pedro Basin within the Goleta Slough. Due to the recent storms in Santa Barbara County and upcoming predicted rain events, the Santa Barbara County Flood Control District (District) is preparing for an emergency desilting operation of several basins within the Goleta Slough; the San Pedro Basin is within the jurisdiction of Santa Barbara County. San Pedro is approximately 70% full for a length of 1,000 feet downstream of James Fowler Road with approximately 9,000 cubic yards of sediment to be removed. The sediment will be stockpiled in the upland area adjacent to the basin; samples will be tested for use as beach replenishment material at Goleta Beach County Park.

Due to the recent storms, the basins have the potential to become full of sediment, potentially flooding Highway 217, the airport, and surrounding properties. Tidal influence does not allow for typical sediment transport in these areas and any further sediment in these basins has the potential to continue filling in upstream into the concrete lined channel and creek and cause overtopping of banks and flooding.

On November 18, 2010, the District submitted an application for a Minor Conditional Use Permit (10CUP-00000-00041) and Coastal Development Permit (10CDP-00000-00102) to allow the continuance and update of its ongoing flood control maintenance activities within the Goleta Slough and its tributary creeks. A decision by the County Zoning Administrator on this application is anticipated on May 2, 2011. The activities permitted by this emergency permit will be incorporated into the Minor Conditional Use Permit; therefore the District has already complied with the permit submittal requirements of Article II Section 35-171.5.3.

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.
2. Pursuant to Section 35-171.5 of Article II, an Emergency Permit may be granted if the Director of the Planning and Development Department makes the following findings:
 - 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.*
 - b. *The action proposed is consistent with the policies of the Coastal Land Use Plan and the requirements of the Article II Coastal Zoning Ordinance.*
 - c. *Public comment on the proposed emergency action has been reviewed if time allows.*
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.

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:

Approximately 9,000 cubic yards of sediment will be removed from the San Pedro Creek Basin of Goleta Slough using a crane equipped with a dragline bucket (dragline desilting). The sediment will be stockpiled on site to allow for dewatering before being transported by truck to Goleta Beach County Park for beach nourishment (i.e., replenishment) upon Agency approval. Beach nourishment will take place on the west end of Goleta Beach towards the UCSB campus. The trucks will dump the sediment and a dozer will push the sediment into the surf zone. A small portion of the parking lot will be closed in order to allow truck traffic to navigate the area. Desilting activities are expected to be completed by April 22, 2011. Beach nourishment activities will take approximately 2-3 weeks. Dragline desilting will occur Monday through Friday, 7:00 am to 5:00 pm.

During past maintenance activities, prior to desilting and/or discharge, sediments within the creek have historically been sampled in accordance with a pre-approved Sampling Analysis Plan (SAP) that includes sampling for various constituents (including but not limited to total petroleum hydrocarbons, pesticides, Polychlorinated Biphenyls (PCBs), metals, and coliform bacteria) as well as grain size to determine the appropriate disposal alternative. The results have shown that sediment removed from the Goleta Slough tributaries has predominantly been suitable (fines < 25%) for beach replenishment. Grab samples will be collected from each site and sent to a lab for the necessary chemical and grain size analyses. Results will be forwarded to regulatory agencies upon receipt.

The desilting area is devoid of any instream vegetation and any vegetation on the banks will be left in place. Tidewater gobies have not been found in the San Pedro Basin. This is a Flood Control facility that has been desilted many times in the past with no adverse effects to vegetation. Goleta Beach County Park is accessed via paved reinforced roads.

2. 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.

3. This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
4. 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.
5. The Flood Control District shall comply with all conditions required by the Army Corps of Engineers, dated March 22, 2011.

Attachments:

- A. Index Map
- B. Site Plan

cc: Janet Wolf, Supervisor, Second District
Alice McCurdy, P&D Deputy Director
Anne Almy, Supervising Planner, P&D
Julie Harris, P&D Planner
Coastal Program Analyst, California Coastal Commission, 89 S. California Street, Ventura CA 93001