



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: July 11, 2023
Placement: Administrative
Estimated Time:
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department
Director(s) Scott D. McGolpin, Public Works Director, (805) 568-3010
Contact Info: Walter Rubalcava, Deputy Director – Water Resources, (805) 568-3436
SUBJECT: Annual Routine Maintenance Plan, Fiscal Year 2023-24 - All Supervisorial Districts

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Directors:

- a) Approve the Fiscal Year 2023-24 Annual Routine Maintenance Plan, including the individual maintenance projects described in the Plan; and
- b) For the purposes of the California Environmental Quality Act:
 - i. Find that the Fiscal Year 2023-24 Annual Routine Maintenance Plan is within the scope of the Program Environmental Impact Report (PEIR) for the Updated Routine Maintenance Program [01-EIR-01; State Clearinghouse No. 2001031043] and subsequent annual addenda which adequately describe this activity for the purposes of the California Environmental Quality Act (CEQA);
 - ii. Find that pursuant to the State CEQA Guidelines Sections 15168(c)(2) and 15162(a), after considering the PEIR certified by the Board of Directors in November 2001, and subsequent annual addendums, that no subsequent EIR or Negative Declaration is required because: i) no substantial changes are proposed which require major revisions of the PEIR; ii) no substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the PEIR; and iii) no new information of substantial importance concerning the project's significant effects or mitigation measures,

which was not known and could not have been known with the exercise of reasonable diligence at the time that the PEIR was certified, has been received;

- iii. Find that the proposed actions described in the Exempt Facilities Section of the Fiscal Year 2023-24 Annual Routine Maintenance Plan are for the operation and maintenance of existing public structures, facilities or topographical features, involving negligible or no expansion of use beyond that which presently exists and that the proposed actions are therefore exempt from CEQA pursuant to State CEQA Guidelines Section 15301, and direct the Clerk of the Board to file the California Environmental Quality Act Notice of Exemption for each exempt facility project described in the Fiscal Year 2023-24 Annual Routine Maintenance Plan;
- iv. Determine that the Addenda to the previously certified Program Environmental Impact Report (01-EIR-01) contained within the Fiscal Year 2023-24 Annual Routine Maintenance Plan have been completed in compliance with the California Environmental Quality Act and adopt the mitigation measures included for each project as the Mitigation and Monitoring Plan pursuant to the State's California Environmental Quality Act Guidelines Section 15168 (c)(3); and
- v. Adopt the California Environmental Quality Act Findings included in the Fiscal Year 2023-24 Annual Routine Maintenance Plan.

Summary Text:

This item is on the agenda in order to approve the FY 2023-24 Annual Routine Maintenance Plan (Annual Plan – Attachment A) which consists of the California Environmental Quality Act (CEQA) exempt projects and projects defined within the scope of impacts identified by the Program Environmental Impact Report (PEIR – Attachment B) requiring addenda for FY 2022-23.

The CEQA exempt projects are based on State CEQA Guidelines Section 15301, Existing Facilities. Projects that are exempt fall into one of the following five categories:

- Maintenance activities in existing non-perennial, fully concrete-lined stream channels,
- Removal of obstructive material,
- Clearing, repair, and replacement of flood control devices such as check structures, drop structures, levees, sediment basins, weirs, or stream flow measuring stations,
- Maintenance activities on access ways outside of estuaries and riparian corridors, and
- Maintenance activities on earthen channels, which have been developed to convey urban storm water agriculture storm water, or agriculture tail water and have little or no vegetation in them.

All projects are in areas where there are no impacts to any significant resource at the site, downstream, or adjacent to the site. The described FY 2023-24 exempt projects have been exempted in prior years with the Planning and Development Department's concurrence.

Projects within the scope of the PEIR are described in individual Addenda to the PEIR specific to the named drainages where they will occur within the Annual Plan. Each of the thirty-one drainage projects are presented as an Addendum to the PEIR utilizing appropriate maintenance practices described and

analyzed in the PEIR. The mitigation measures incorporated in each of these projects become the mitigation and monitoring program to ensure that impacts are mitigated to the fullest extent feasible.

Once the Board has approved projects described in the Annual Plan, applications can be made to the appropriate regulatory agencies for notices to proceed on the approved projects.

Long Term Permits

The District has current long-term permits with the Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Wildlife (CDFW).

Background:

In December 2001, the Board of Directors adopted a revised Annual Routine Creek Maintenance Program which included: a) Maintenance Practices and Mitigation Measures; b) Associated Flood Control Policy Statements; and c) An annual planning and project approval process.

Development of the Annual Plan provides multiple benefits. The plan serves as a basis for demonstrating need, analyzing alternatives, proposing mitigation, and selecting the most effective and least environmentally damaging Flood Control District (District) maintenance practices. The plan also allows the District to prioritize maintenance efforts and expenditures which also helps in the management of individual projects.

The annual planning process, as adopted by the Board, requires that the District conduct a public workshop to hear the public and other agencies' input and concerns about the proposed Annual Plan.

Letters and emails announcing the workshops and the availability of the summary were emailed on May 2, 2023 to individuals and organizations who have previously expressed an interest in this maintenance program. The District also provided notice of workshops in the Santa Maria Times, Lompoc Record, and Santa Barbara News Press. A summary of the proposed Annual Plan was available in our office and was posted on the Water Resources website on May 13th.

The public workshop was held virtually via the Teams app on May 19th, 2022. One member of the public requested access and participated in the meeting. District staff remained available for public comment and questions through June 2, 2022.

The proposed Final Annual Plan has been posted on the District's website at <https://www.countyofsb.org/2384/Environmental-Group>.

Mandates have been discussed in previous Board letters regarding the Revised Creek Maintenance Program. The District's authority under state law allows the District to undertake these projects for the public's benefit. Several projects constructed in cooperation with the federal government have mandated levels of maintenance associated with them. The District's projects are subject to compliance with environmental laws and regulations.

Performance Measure:

The Annual Plan is crucial to perform the District’s annual maintenance work and completing this work is a performance measure.

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Annualized On-going Cost:</u>	<u>FY 2023-24</u>
FC Funds - All Zones		\$ 5,603,300.00
State		
Federal		
Fees		
Other:		
Total	\$ - \$ -	\$ 5,603,300.00

Narrative:

The costs associated with the work identified in the Annual Plan are included in the adopted FY 2023-24 budget under the Water Resources Division of the Public Works Department as shown in the budget book on page D-331.

As in past years, prioritization and scope of maintenance projects are aligned with available funding. Those drainages that are most in need of work appear in each year’s Annual Maintenance Plan. Maintenance of facilities is not a mandated activity except for engineered or improved facilities including most federally funded projects that are now owned and maintained by the District.

Generation of the FY 2023-24 Annual Plan, as with each prior Annual Plan, provides a significant cost savings to the District through a single package of projects. Producing individual environmental documentation for each maintenance project is significantly more expensive. However, the greatest benefit derived from the Annual Plan is measured by the District's ability to streamline the state and federal environmental permit process which in turn allows the District to provide needed maintenance prior to the next storm season.

Special Instructions:

Direct the Clerk of the Board to post the attached CEQA NOE (Attachment C) and to email a copy of the minute order of these actions along with a copy of the stamped NOE to the Flood Control District, Attn: Christina Lopez at clopez@countyofsb.org.

Attachments:

- Attachment A: 2023-24 Annual Routine Maintenance Plan
- Attachment B: 2001 Program EIR for the Updated Routine Maintenance Program
- Attachment C: CEQA Notice of Exemption

Authored by:

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