



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
South Coast Region  
3883 Ruffin Road  
San Diego, CA 92123  
(858) 467-4201  
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



June 27, 2014

Santa Barbara County  
Board of Supervisors  
105 E. Anapamu Street  
Santa Barbara, CA 93101  
EMAIL: [SBCOB@Co.santa-barbara.ca.us](mailto:SBCOB@Co.santa-barbara.ca.us)

Re: Trail access for 2825 Padaro Lane, Carpinteria, Number 13APL-00000-00029

Dear Chair Lavagnino and Supervisors:

The California Department of Fish and Wildlife (Department) is writing in response to the Tom and Reeve appeal of the County of Santa Barbara's Planning Commission action Number 13APL-00000-00029, for the original Planning Commission Approvals (Numbers 12TPM-00000-00006, 11CDH-00000-00006, and 11CDH-00000-00054).

The Department has authority as a Trustee Agency with jurisdiction over natural resources affected by a project (California Environmental Quality Act [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 et seq.) and Fish and Game Code section 1600 et seq.

The Department has regulatory authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction's (Lead Agency) CEQA document for the project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring, and reporting commitments for issuance of the LSA.

The project as originally approved avoided impacts to Toro Creek. However, the project as proposed in the appeal would include a trail through Toro Creek. Any work within Toro Creek would fall within a stream subject to the Department's jurisdiction pursuant to California Fish and Game Code section 1600, et seq. If the project is carried out those activities would require the applicant to submit a notification for a Streambed Alteration Agreement to the Department prior to the commencement of any work.

Chair Lavagnino and Supervisors

June 27, 2014

Page 2 of 2

If you have any questions about the process, please contact Environmental Scientist Natasha Lohmus at 805-684-6281.

Sincerely,

A handwritten signature in black ink, appearing to read "Gail Sevens", with a long horizontal flourish extending to the right.

Gail Sevens  
Acting Regional Manager  
South Coast Region

ec: Erinn Wilson, Sr. Environmental Scientist (Supervisor)