



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: Public Works  
Department No.: 054  
For Agenda Of: September 6, 2011  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Directors, Flood Control and Water Conservation District  
**FROM:** Department Scott D. McGolpin, Director of Public Works Department 568-3010  
Director(s) 3010  
Contact Info: Thomas D. Fayram; Deputy Director, Public Works 568-3436  
Flood Control and Water Conservation District  
**SUBJECT: Accept Easement From the Land Trust for Santa Barbara County  
First Supervisorial District**

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

**Recommended Actions:** Authorize the Chair of the Flood Control & Water Conservation District Board of Directors to:

- A. Find that there is no possibility that the activity in question may have a significant effect on the environment, and that pursuant to 14 CCR 15061(b)(3), the proposed action is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Direct staff to file the Notice of Exemption with the Clerk of the Board (POST); and
- B. Accept a permanent easement from The LAND TRUST FOR SANTA BARBARA COUNTY, by authorizing the Clerk of the Board of Directors to sign the Certificate of Acceptance attached thereto.

**Summary Text:**

The LAND TRUST FOR SANTA BARBARA COUNTY is a California Nonprofit Public Benefit Corporation, and is the owner of all that real property in the County of Santa Barbara, State of California, described as County Assessor's Parcel Numbers 004-031-005, -009, -010 and -011 which parcels are located near Franklin Creek and comprise a portion of the Carpinteria Salt Marsh (herein the "Property"). The Santa Barbara County Flood Control and Water Conservation District (herein the "District") maintains the portion of Franklin Creek which is located on the Property. The subject easement will codify the District's right to use a portion of the Property for its creek maintenance operations thereon. The District's maintenance operations within the easement area consist of removing sediment and rocks from the creek and depositing them within the easement area to dry. Once dry the

materials are moved off site. The easement also allows the County to maintain an earthen berm which was constructed on the Property by the County to help direct flood waters.

The maintenance and earth berm easement areas are described and shown on the exhibits attached to the Easement Deed.

Acceptance of the subject easement was addressed in CEQA FEIR 03-EIR-02 and is required to implement the plan studied therein.

**Background:**

The Carpinteria Salt Marsh Enhancement Plan FEIR 03-EIR-02 (CSM Enhancement Plan) is a combined flood control and wetland restoration project. The CSM Enhancement Plan/EIR contemplated the proposed easements and was certified in 2003 by the Flood Control District Board of Directors. It is currently on file with the State Clearinghouse as file No. 2003021016. This is a cooperative project between the Santa Barbara County Flood Control District (District), the Land Trust for Santa Barbara County and the University of California Natural Reserve System, with the District acting at the Lead Agency for this project. The project includes actions to contain flood flows through the Carpinteria Salt Marsh to the ocean, as well as enhancement and restoration of several areas throughout the marsh. Santa Monica and/or Franklin Creeks fill with sediment and need to be desilting for a distance of approximately 1,500 feet approximately every 3-5 years. If accepted and recorded, the subject easement will codify the ongoing maintenance along Franklin Creek which requires desilting and temporary stockpiling of the sediment along the access road so the material can dewater prior to being hauled off site. Additionally, the District accesses the east side of the creek to maintain a berm that was constructed by the District on Land Trust Property to help direct flood waters. The land surrounding the portion of Franklin Creek that is desilted and upon which the sediment is stockpiled is owned by the Land Trust for Santa Barbara County while the land surrounding Santa Monica Creek is owned by the University Natural Reserve System. This easement only impacts the land owned by the Land Trust.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

**Fiscal Analysis:**

Narrative: There is no charge for the easement. Santa Barbara County Flood Control and Water Resources compensates the Land Trust for the easement by maintaining the portion of Franklin Creek located on the Trust owned Property.

**Staffing Impacts:** NA

**Special Instructions:**

After Board action, distribute as follows:

- |                           |  |
|---------------------------|--|
| 1. Original Easement Deed | Surveyor's Division, Attn: Jeff Havlik |
| 2. Copy of Easement Deed  | Clerk of the Board Files               |
| 3. Minute Order           | Flood Control, Attn: Christina Lopez   |
| 4. Minute Order           | Surveyor's Division, Attn: Jeff Havlik |

The Real Property Section of the Surveyor's Division will deliver the original Easement Deed to the County Recorder's office for recordation. Once the Easement Deed has been recorded, Real Property C:\Documents and Settings\kbrennan\Local Settings\Temporary Internet Files\OLK63\Bd Ltr- Land Trust to Flood 8-15-2011 (2).doc

will return the recorded original Easement to the Clerk of the Board. Real Property will keep copies of the Easement in its files and provide copies to the Land Trust for Santa Barbara County, and to the Flood Control District.

**Attachments:**

Easement Deed

**Authored by:**

J. Jeffery Havlik 568-3073

**cc:** Maureen Spencer