



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:** Planning &  
Development  
**Department No.:** 053  
**For Agenda Of:** February 27, 2024  
**Placement:** Administrative  
**Estimated Time:** N/A  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**TO:** Board of Supervisors

**FROM:** Department Lisa Plowman, Director, (805) 934-6559  
Director(s)  
Contact Info: Travis Seawards, Deputy Director, (805) 934-6559

**SUBJECT:** Report on Case No. 23EMP-00015: Emergency Permit – Santa Maria River Debris Removal – Guadalupe, Flood Control Easement Area along the Santa Maria River west of Guadalupe, Guadalupe area, Fifth Supervisorial District

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**County Counsel Concurrence**

As to form: Yes

Other Concurrence: N/A

As to form: N/A

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

That the Board of Supervisors:

- a) Receive and file this report on Emergency Permit Case No. 23EMP-00015, approved by the Director of Planning and Development on November 3, 2023, which authorized the removal of vegetation and siltation debris within the boundaries of a Flood Control easement along the Santa Maria River from State Route 1 towards the Pacific Ocean; and,
- b) Determine that receiving and filing this report is not a project pursuant to CEQA Guidelines Section 15378(b)(5) as it is an administrative government activity that will not result in direct or indirect physical changes in the environment.

**Summary Text:**

This Board item is a report on the Santa Maria River Debris Removal Emergency Permit for work to remove vegetation and siltation debris near the center of the Santa Maria River footprint from State Route 1 towards the Pacific Ocean following the 2023 winter storms. Section 35-171 of the Article II Coastal Zoning Ordinance authorizes the Director of the Planning and Development Department (P&D) to

temporarily defer standard permit requirements of Article II and issue an Emergency Permit when an emergency action is warranted. Pursuant to Article II Section 35-171.6, the Director of P&D is required to report in writing to the Board of Supervisors the nature of the emergency and the work involved. This report satisfies that requirement.

**Discussion:**

The January and March 2023 storm events left significant debris within the Santa Maria River channel, which reduced the capacity of the river to move high water flows and caused the Santa Maria River to flow outside its southern bank, outside of the 100-year floodplain, and outside of the historical known path of the river. Sediment build-up caused the Santa Maria River to re-align and erode beyond the southern bank along a 5-mile stretch between State Route 1 and the Pacific Ocean. The deviated flowing water pathway resulted in flooding and damage to public facilities, including the City of Guadalupe's wastewater treatment plant, West Main Street, and the road used by the public to access the coast at Guadalupe Dune County Park. In addition, the debris and river realignment placed private structures in the area, including homes, under imminent threat of flooding and property damage with the forecasted El Nino winter season.

Verbal authorization for emergency work was given by the Director of Planning and Development on September 18, 2023. The debris removal work was completed by Vince Lopez, RW Scott, and the County Fire Department between September 18, 2023, and November 1, 2023. The Emergency Permit application, filed by Santa Barbara County Flood Control District, was approved by Planning and Development on November 3, 2023.

The permit allowed the removal of vegetation and siltation debris near the center of the Santa Maria River footprint within a four mile stretch, 3.2 miles of which are located within the Coastal Zone boundary, from State Route 1 towards the Pacific Ocean. Debris removal ranged from 200 to 330 feet in width, and 6 feet in depth along the river. Suitable material that was removed from the river was placed along the southern and northern margin of the river corridor outside of the ordinary high water mark to create a 10 to 15 foot berm to direct flows into the historic river pathway. Flood Control District biologists monitored the project area during equipment work and performed pre-project surveys of vegetation/habitat where special status species may have the potential to occur. Special status species were not encountered in the work area. District biologists also monitored for special status wildlife during construction operations. Special status wildlife was not encountered in the work area. Contractors were informed of any special status wildlife observed outside the work area and were instructed to avoid those areas. District biologists provided an environmental training session for contractors and staff working onsite. Pursuant to Article II Section 35-171.5.1, a notice was mailed to the surrounding property owners and residents. Additionally, notice placards were placed in three locations on the subject property. P&D did not receive any public comment regarding issuance of the Emergency Permit.

Pursuant to Article II Section 35-171.5.3, an Emergency Permit does not constitute an entitlement to erect permanent structures, and an application for the applicable follow-on planning permit is required. In this case, a Coastal Development Permit with Hearing (CDH) is required in order to permit the work described in the Emergency Permit. The applicant submitted the required follow-on application on December 6, 2023.

Issuance of the Emergency Permit was consistent with Article II, as the action provided an immediate response to an emergency situation in the interest of health, safety, and public welfare. The Department granted the Emergency Permit based on a statutory exemption for emergency situations (CEQA

Guidelines Section 15269(c)) due to clear and imminent risk to life and property posed by debris within the Santa Maria River channel, and reduced the capacity of the river to move high water flows. A copy of the filed CEQA Notice of Exemption is included herein as Attachment 2. The Board's receiving and filing of this report on Emergency Permit Case No. 23EMP-00015 is an administrative action under State CEQA Guidelines Section 15378(b)(5) that does not constitute a separate project for purposes of environmental review.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

County staff costs for preparing the Emergency Permit are reimbursed by the applicant in conformance with the current Board-adopted fee ordinance. The estimated total cost to process this Emergency Permit is approximately 55 staff hours, which equates to \$15,510.00. Funding for this project is budgeted in the Planning & Development's Permitting Budget Program, on Page 313 of the County of Santa Barbara Fiscal Year (FY) 2023-24 Adopted Budget. Future permitting costs associated with this project will be borne completely by the applicant.

**Attachments:**

1. Emergency Permit 23EMP-00015
2. CEQA Notice of Exemption - Section 15269(c)

**Authored by:**

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