



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

Submitted on:
(COB Stamp)

Department Name: Public Works
Department No.: 054
For Agenda Of: 6/20/06
Placement: Departmental
Estimate Time: 45 Minutes
Continued Item: NO
If Yes, date from:
Vote Required Majority

TO: Board of Directors, Flood Control and Water Conservation District

FROM: Department Director: Phillip M. Demery, X-3010
Contact Info: Thomas Fayram, Deputy Public Works Director, X-3436

SUBJECT: Annual Maintenance Plan, Fiscal Year 2006/07 - All Supervisorial Districts

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

That the Board of Directors:

- a. Approve the individual CEQA exempt projects and direct the Clerk of the Board to file the attached CEQA Notice of Exemption for each of the projects described in Section 1 of the Fiscal Year 2006/07 Annual Maintenance Plan (POST);
- b. Certify that the addenda to Program EIR (01-EIR-01) contained within Section 2 of the Fiscal Year 2006/07 Annual Maintenance Plan have been completed in compliance with the California Environmental Quality Act (CEQA);
- c. Certify that the Board has reviewed and considered the information contained in the Final Program EIR and individual addenda contained within the Fiscal Year 2006/07 Annual Maintenance Plan as well as information presented during the public hearing prior to the approval of the individual projects presented in Section 2 of the Fiscal Year 2006/07 Annual Plan;
- d. Adopt CEQA Findings and Statement of Overriding Considerations included in Section 4 of the Fiscal Year 2006/07 Annual Maintenance Plan;
- e. Adopt the Mitigation and Monitoring Programs attached to the addenda for individual projects described in Section 2 of the Fiscal Year 2006/07 Annual Maintenance Plan; and
- f. Approve individual projects described in Section 2 of the Fiscal Year 2006/07 Annual Plan.

Summary:

The Annual Maintenance Plan summary listing (Attachment No. 2) consists of CEQA exempt projects (EXEMPT), projects defined within the scope of impacts identified by the Program EIR requiring addenda (PEIR) for FY 2006/07.

The CEQA exempt projects are described in Section 1 of the Annual Plan and are based on CEQA Section 15301 (b) "Maintenance of existing facilities" or Section 15061 (b)(3) "No significant effect on the environment". Projects that are exempt fall into one of the following five categories:

- * Removal of rubbish or other unnatural material from riparian corridors or estuaries, but only where there is no impact to any significant resource at the site, down-stream, or adjacent to the site.
- * Maintenance activities in existing non-perennial, fully concrete-lined stream channels, but only where there is no impact to any significant down-stream or adjacent resource.
- * Clearing, repair, and replacement of such flood control devices as check structures, drop structures, levees, chute structures, culverts, weirs, or stream flow measuring stations, but only where there is no impact to any significant resource at the site, down-stream or along access routes.
- * Maintenance activities on access ways outside of estuaries and riparian corridors, but only where there is no impact to any significant resource.
- * 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.

The described fiscal year 2006/07 exempt projects have been exempted in prior years with Planning and Development Department concurrence.

Projects within the scope of the Program EIR are described in Section 2 of the Annual Plan. Each of the 33 projects is presented as an addendum to the Program EIR, utilizing appropriate maintenance practices described and analyzed in the Program EIR. Each of these Program EIR projects has a mitigation and monitoring program attached to the addendum to ensure that impacts are mitigated to the fullest extent feasible.

Once the Board has approved projects described in Sections 1 and 2 of the Annual Maintenance Plan, applications can be made to the State Department of Fish and Game, U.S. Army Corps of Engineers, California Coastal Commission, and other regulatory agencies for environmental permits or approvals. Applicable permits will be obtained from local, state and federal regulatory agencies prior to project implementation.

Background:

In December 2001, the Board of Directors adopted a revised 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 (identified on Attachment No.1).

Generation of the annual maintenance plans 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 District maintenance practices. The plan also allows the District to prioritize maintenance efforts and expenditures early on, which not only helps in preparation of budgets but also helps in the management of individual projects.

The annual planning process as adopted by the Board requires that the District assess the maintenance needs, prepare preliminary project descriptions with appropriate engineering analysis, and conduct public workshops to hear public/agency input and concerns about the proposed Annual Plan.

The District provided notice of workshops in the "Santa Maria Times", "Lompoc Record", and the "Santa Barbara News-Press" for the workshops on May 24, 2006 in Santa Barbara and May 25, 2006 in Santa Maria.

A summary of the proposed Annual Plan projects was available at the workshops and copies had been mailed to individuals and organizations in the community who had previously expressed an interest. No one attended either workshop.

There are several projects described in this year's Annual Plan that will be undertaken by agencies, private property owners or groups other than the Flood Control District. The District has agreed to use the vehicle of its Updated Program EIR and Annual Planning process to assist these groups in complying with CEQA and acquiring necessary permits. The impacts and mitigation measures in the District's EIR are applicable to these projects and use of this EIR is much more efficient and cost effective that would be the case if each entity had to do its own EIR for these small projects.

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 Governments have mandated levels of maintenance associated with them. The District's projects are subject to compliance with environmental laws and regulations.

This is the fifth year that the Annual Plan is being prepared using the Updated Program EIR that was adopted in December of 2001.

Pursuant to the annual planning process outline (Attachment No. 1), the next step requires a public hearing regarding projects included in the Annual Plan.

Fiscal and Facilities Impacts:

Budgeted: Yes No

Fiscal Analysis

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized Cost:</u>	<u>Total Project Cost</u>
General Fund	\$0.00	\$0.00	\$0.00
State	\$0.00	\$0.00	\$0.00
Federal	\$0.00	\$0.00	\$0.00
Fees	\$0.00	\$0.00	\$0.00
Other: Flood Control District	\$2,691,850	\$0.00	\$0.00
Other:	\$0.00	\$0.00	\$0.00
Total:	\$2,691,850.00	\$ 0.00	\$ 0.00

Narrative: The costs for this annual maintenance plan are in the 2006/07 Proposed Budget under the Maintenance cost center of the Water Resources Division of the Public Works Department as shown in the Proposed Budget book page D-322. If there is heavy rainfall, emergency work will be required and these costs will be much higher as was the case with the District's expenditures in the 1995, 1998 and 2005 floods. This will result in a

reprioritization and will undoubtedly defer additional maintenance projects to future years or result in a release of emergency reserves.

As in past years, costs of maintenance projects exceed available funding in certain Flood Zones. In this fiscal year, there are significant differences between available funds and maintenance needs in the Bradley, Guadalupe and Orcutt flood zones.

In the Bradley zone funding is habitually below the costs associated with the work needs in that area. Those channels that are most in need of work will be addressed as funds allow. Maintenance of these facilities is not a mandated activity.

After the start of the new fiscal year the District will immediately work on the highest priority projects in the Guadalupe and Orcutt Flood Zones. Lower priority needs will be deferred until future years.

The cost to implement the FY 2006/07 annual plan does not include projects outside the scope of the Annual Plan such as work in the Carpinteria Salt Marsh or Goleta Slough.

Generation of the FY 2006/07 Annual Plan has saved the District an estimated \$348,000 in environmental documentation costs. 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.

Staffing Impact(s):

Legal Positions:

FTEs:

N/A

Special Instructions:

Direct the Clerk of the Board to post the attached CEQA Notice of Exemption and to send a copy of the minute order of these actions to the Flood Control District, Attn: Christina Lopez.

Attachments: (list all)

2005/06 Annual Maintenance Plan

Attachments Nos. 1 & 2

Authored by: Larry Fausett

cc: