

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:

Prepared on: 11/11/03
Department Name: PW/Laguna Sanitation District
Department No.: 054
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TO: Board of Supervisors
and
Board of Directors
Laguna County Sanitation District

FROM: Phillip M. Demery
Director, Public Works Department

STAFF CONTACT: Mark A. Schelich, Deputy Director
Martin J. Wilder, District Manager, x8750
Tom Fayram, Deputy Director
Dale Weber, Development Engineer, 3446

SUBJECT: Bradley-Solomon Trunk Line Extension - Fourth Supervisorial District
Orcutt Regional Retention Basin B – Fourth Supervisorial District

Recommendation(s):

That the Board of Supervisors:

- A. Find that the execution of the Cooperative Agreements described below is not a project subject to CEQA because it is only an administrative action that is not a change to the physical environment.
- B. Approve and authorize the Chair to execute on behalf of the County the Cooperative Agreement by and among the County of Santa Barbara, the Laguna County Sanitation District and Wellmack, LLC regarding the acquisition of easements for off-site improvements related to the Bradley-Solomon trunk sewer line extension as set forth in Attachment A hereto.
- C. Approve and authorize the Chair to execute on behalf of the County the Cooperative Agreement by and between the County of Santa Barbara and Wellmack, LLC regarding the acquisition of easements for off-site improvements related to Regional Retention Basin B and a related trail as identified in the Orcutt Community Plan as set forth in Attachment B hereto.

That the Board of Directors of Laguna County Sanitation District:

- D. Find that the execution of the Cooperative Agreement is not a project subject to CEQA because it is only an administrative action that is not a change to the physical environment.
- E. Approve and authorize the Chair to execute on behalf of the Sanitation District, the Cooperative Agreement by and among the County of Santa Barbara, the Laguna County Sanitation District and Wellmack, LLC regarding the acquisition of easements for off-site improvements related to the Bradley-Solomon trunk sewer line extension as set forth in Attachment A hereto.

Alignment with Board Strategic Plan:

The recommendation(s) are primarily aligned with Goal No. 1, "An Efficient Government Able to Anticipate and Respond Effectively to the Needs of the Community," and Goal No. 2, "A Safe and Healthy Community in Which to Live, Work, and Visit."

Executive Summary and Discussion:

The Sewer Trunk Line

The Solomon trunk sewer line in its entirety exists or is planned per the District's 1959 master planning map. The Solomon trunk line is backbone infrastructure that extends from the reclamation plant to Stillwell Road more or less adjacent to Orcutt (Solomon) Creek and collects wastewater from the southern portion of the District. Initial facilities (1960) constructed to serve the southern area included a lift station at Clark Avenue and Blosser Road, which was used to pump wastewater northern trunk line. The lift station was an incremental and temporary collection facility that was planned for replacement with a permanent gravity trunk line in 1990. An additional pump was added extending the replacement date to 2002 when the first segment, the Dutard-Solomon trunk line from the plant to the lift station was completed. This project further extends the trunk line from Bradley Road to Stillwell Road.

The District has been collecting trunk line fees as adopted by the board since 1993 to reimburse the District for constructing the Dutard-Solomon trunk line extension. Development has been conditioned to construct the Bradley-Solomon trunk line extension. The Orcutt Community Plan (OCP) conditions include the requirement that both trunk line extensions must be in place before development can be approved. To date the District has completed the Dutard-Solomon trunk line and the removal of the Clark Avenue lift station. This project involved the acquisition of fifteen separate easements. The Bradley-Solomon project involves the construction of a new trunk line from an existing District manhole located in Bradley Road to Stillwell Road all on the north side of Orcutt (Solomon) Creek and involves seven separate parcels. This extension will primarily serve the southeastern portion of the District. The project was included in the Orcutt Community Plan EIR dated December 1995 and approved by your board July 22, 1997 (Clerk of the Board file No. 20,536).

As outlined in the 1993 trunk line fee study, the construction of both trunk lines was to be sponsored by the District. However, significant capital was required for the Dutard-Solomon segment and for plant upgrades to comply with Regional Water Quality Control Board (RWQCB) Waste Discharge Requirements (WDRs). For this reason, private interests have been conditioned to construct the Bradley-Solomon segment of the trunk line for dedication to the District. At this time, pipeline design has identified the route for the project.

Wellmack LLC (the “developer”) owns the Jensen’s Crossing/Cobblestone Creek subdivision (Key Site 5 in the Orcutt Community Plan) which is dependent upon the sewer line for sewer service. The route of the Bradley-Solomon segment extends through five parcels that are not currently owned by the District or the developer. To date the developer has been unsuccessful in acquiring the necessary easements. As allowed under Section 66462.5 of the Subdivision Map Act, the sewer line extension Cooperative Agreement before you (Attachment A) requires the developer to pay for necessary right-of-way and to construct the Bradley-Solomon segment sewer line extension.

The sewer line extension Cooperative Agreement does not commit the County or District to proceed with the extension project or obligate the County or District to adopt a resolution of necessity for the real property interests for the extension. If the County or District decides not to move forward with the project, the developer must obtain an alternative access to sewage transmission facilities.

Recommendations B and D requests that your Board, acting on behalf of the County and the District respectively, approve and execute the attached cooperative agreement regarding the Bradley-Solomon Trunk line extension. The agreement authorizes the District to proceed with negotiations with the property owners to acquire easements for the project and to proceed with acquisition. All costs will be paid by the developer.

Regional Retention Basin B

Basin B was identified in the Orcutt Community Plan as a regional retention Basin that would serve multiple subdivisions. Development of this regional basin will eliminate the need for each subdivision to handle retention of its storm water on-site, resulting in more efficient land use. Development of Basin B will implement Orcutt Community Plan Policy FLD-O-4 which directs the County to construct and maintain a regional retention basin system in Orcutt if feasible.

As identified in the Orcutt Community Plan, Basin B is located on property that is not owned by either the County or the developer. To date the developer has been unsuccessful in acquiring the necessary easement to construction Basin B. As allowed under Section 66462.5 of the Subdivision Map Act, the Basin Cooperative Agreement before you (Attachment B) requires the developer to pay for necessary right-of-way and to construct the Basin and related trail.

The Basin Cooperative Agreement does not commit the County to proceed with the Basin project or obligate the County to adopt a resolution of necessity for that project. If the County decides not to move forward with the project, the developer must obtain alternative floodwater retention capabilities.

Recommendation C requests that the Board approve and execute the attached cooperative agreement regarding regional retention Basin B and a related trail. The agreement authorizes the County to proceed with negotiations with the property owners to acquire easements for the project and to proceed with acquisition. All costs will be paid by the developer.

CEQA

The cooperative agreements before you concern the administration and funding of the sewer extension and basin projects. They do not obligate the County to move forward with either project. As such, your recommended action of executing the agreements is not a project subject to CEQA pursuant to CEQA Guideline 15378(b)(5). In addition, CEQA analysis has already been conducted on both the sewer line extension and the regional basin. If additional CEQA review is required it will be conducted prior to property acquisition.

Mandates and Service Levels:

There are no changes to service levels with this action. Staff and consultant time will be paid by the developer

Fiscal and Facilities Impacts:

Funding is available through a deposit from the developer placed into a County trust account as detailed in the agreement.

Special Instructions:

Please forward a certified copy of the minute order and three of the four original copies of the sewer trunk extension agreement to the Solid Waste & Utilities Division, attention Sheila Engellenner in Santa Maria, extension 8750. Please forward a certified copy of the minute order and three of the four original copies of the Regional Retention Basin B agreement to Flood Control/Water Conservation District, attention Dale Weber. Please forward a copy of each executed agreement to Mary McMaster in the Office of the County Counsel.

Concurrence:

County Counsel
General Services
Public Works