



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 20, 2011  
Placement: Administrative  
Estimated Tme:  
Continued Item: No  
If Yes, date from:  
Vote Required: Majority

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**TO:** Board of Supervisors  
**FROM:** Department Scott D. McGolpin, Director Public Works: 568-3010  
Director(s)  
Contact Info: Dacé Morgan, Deputy Director, Transportation; 568-3064  
Michael Emmons, County Surveyor: 568-3020  
**SUBJECT:** Authorization to Proceed with Negotiations for Purchase of Easements in Support  
of the COMB Quiota Creek Crossings Improvement Project; Third Supervisorial  
District: APNs 137-320-002 & -004, 141-280-014 & -036, 141-290-008

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: NA

**Other Concurrence:** NA

**Recommended Actions:**

That the Board of Supervisors:

- A. Authorize the Santa Barbara County Public Works Department to proceed with right-of-way negotiations for the potential purchase of right-of-way easements in support of the Cachuma Operations Management Board’s construction of vehicle crossing sites on Refugio Road/ Quiota Creek to improve public safety, water quality, fish passage and wildlife habitat; and
- B. Approve the filing of a Notice of Exemption pursuant to the California Environmental Quality Act (CEQA) guidelines Section 15301 (c), pertaining to maintenance and operation of existing facilities.

**Summary Text:**

The potential easements are associated with the Lower Santa Ynez River Fish Management Plan and Cachuma Project Biological Opinion for Southern Steelhead Trout (the “Plan”). The Cachuma Operations Management Board (“COMB”) is the lead agency in implementing the Plan and is currently moving forward with designs and plans to repair or replace the low flow vehicle crossing sites on Refugio Road/ Quiota Creek to improve public safety and habitat conditions, (herein the "Project"). The Project will require minor realignment of the Refugio Road right-of-way to accommodate the new and

improved creek crossings. That realignment will necessitate the purchase of additional right-of-way (“ROW”).

Authorization to negotiate from your Board will allow Public Works to proceed with internal research and to contact/ negotiate with impacted property owners as needed. If negotiations result in an owner agreeing to sell, we will return to your Board with a request for approval of the transaction via the acceptance of an Easement Deed for each site. Recordation of the Easement Deed(s) with the supporting legal description and Board Acceptance will consummate the transaction.

**Background:**

As part of its ongoing efforts to improve fish passage and habitat in and around the Santa Ynez River and downstream of Bradbury Dam, COMB, in accordance with the Lower Santa Ynez River Fish Management Plan and Cachuma Project Biological Opinion for Southern Steelhead Trout, is moving forward with plans to rebuild or replace all nine Quiota Creek low flow vehicle crossings on Refugio Road. The portion of Refugio Road in question is located on the north slope of the Santa Ynez mountains.

COMB is paying for the surveying, design and construction of the new crossings. In support of COMB’s efforts, Public Works has agreed to pay for County staff time and for any additional right-of-way needed to accommodate the new and improved creek crossings.

Pursuant to the County’s California Environmental Quality Act (CEQA) guidelines the Final Mitigated Negative Declaration for the crossings improvement project was approved and has been filed with the State Clearing House as file No. 2003071160. Unfortunately that report did not study the County act of accepting the right-of-way easement(s). The Notice of Exemption which is the subject of this Board action corrects that oversight.

**Fiscal and Facilities Impacts:**

**Budgeted:** Yes- funding for the staff time needed for research and negotiations is budgeted.

Funds for land acquisition were not included in this year’s budget. This Board action does not commit any funding for acquisition; Transportation will request such commitment via a separate Board approval.

**Fiscal Analysis:**

<b><u>Funding Sources</u></b>	<b><u>Current FY Cost:</u></b>	<b><u>Annualized On-going Cost:</u></b>	<b><u>Total One-Time Project Cost</u></b>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

**Narrative:** Although the exact cost of the additional right-of-way is not known at this time, the areas proposed for purchase are small and land costs in the area are relatively low. As such the total purchase

costs are expected to be minor. Funding for the proposed purchases is budgeted in Fund 0015, Program 2210, Department 054, and Account 7705.

**Special Instructions:**

After Board action, distribute as follows:

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|-----------------|---|
| 1. Minute Order | Public Works, Real Property, Attn: Jeff Havlik    |
| 2. Minute Order | Public Works, Transportation, Attn: Chris Sneddon |

**Attachments:**

CEQA NOE

Map showing the approximate location of the proposed river crossings and the Assessor Parcel numbers of the impacted parcels.

**Authored by:**

Jeff Havlik, Real Property Agent, Public Works - Surveyors Division, 568-3073

**cc:**

Chris Sneddon; Public Works - Transportation, 568-3047