



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: PW/Flood Control
Department No.: 054
For Agenda Of: February 28, 2023
Placement: Administrative
Estimated Time: N/A
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Directors, Flood Control and Water Conservation District
FROM: Department
Director(s) Scott D. McGolpin, Public Works Director, (805) 568-3010
Contact Info: Walter Rubalcava, Deputy Director-Water Resources, (805) 568-3436
SUBJECT: Buena Vista Debris Basin – Final Mitigated Negative Declaration,
First Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

That the Board of Directors:

- a) Approve the Buena Vista Debris Basin Project after considering the proposed Final Mitigated Negative Declaration (State Clearinghouse SCH 2022100177) for the Project, included as Attachment A, including comments received during the public review process;
- b) Make the California Environmental Quality Act Findings for the Buena Vista Debris Basin Project, included as Attachment B;
- c) Adopt the Final Mitigated Negative Declaration (SCH 2022100177) for the Buena Vista Debris Basin Project, included as Attachment A, and adopt the Mitigation Measures therein as the Mitigation Monitoring Program for the Project;
- d) Authorize the Public Works Director to advertise and receive bids for the Project; and
- e) Authorize the Santa Barbara County Flood Control and Water Conservation District to proceed with negotiations for potential property acquisitions by the Flood Control District needed to construct and operate improvements associated with the Buena Vista Debris Basin Project.

Summary Text:

This item is on the agenda to adopt the Buena Vista Debris Basin Project (Project) Mitigated Negative Declaration (MND) under the California Environmental Quality Act (CEQA); make Findings under CEQA; and approve the Project and associated mitigation measures for the Project. With the adoption of the MND, the Public Works Director requests authorization to proceed with advertising and receiving bids for the Project and to proceed with land acquisitions negotiations.

The Flood Control District (District) has prepared an MND pursuant to the requirements of CEQA and the County of Santa Barbara Guidelines for the Implementation of CEQA. The MND prepared for the Project identifies and discusses potential impacts and associated mitigation measures for identified subject areas that reduce all potential impacts to a less than significant level. Mitigation measures that have reduced an effect from a potentially significant impact to a less than significant impact occur in the following subject areas: Aesthetics/Visual Resources, Biological Resources, Geologic Processes, Hazardous Materials, Noise, Recreation, and Water Resources.

Public/Regulatory Outreach

The State Clearinghouse released the Draft MND on October 10, 2022, which started the State Clearinghouse 30-day review period. The local review period also allowed the same 30 days for public comment. Notices of document availability were sent to parcels within 1,000 feet of the Project site, noticed in the Santa Barbara News Press, and sent to regulatory agencies and interested parties. A public hearing was held on October 27, 2022 during the public comment period, with both in-person and online attendance options. The local and State Clearinghouse review period ended on November 14, 2022 (to account for the Veterans' Day holiday, the comment period was extended to 34 days).

Twelve comments were received via letter and/or email from members of the public; along with one verbal comment at the public hearing. Ten of the comment letters were expressions of support for the Project from neighbors and members of the community. One comment from the Santa Barbara County Air Pollution Control District indicated that no changes to the MND relative to air quality were needed. One comment letter from a property owner, along with verbal comment at the public hearing, included objections and questions on the project and certain aspects the MND, as well as comments that are outside the scope of environmental review for the project.

Staff considered the comments and have included the comment letters and the District's responses as an appendix in the Final MND. The District has continued separately in good faith discussion concerning the items raised in public comment that are not within the scope of the environmental review for the project. Based on the comments received, the District provided additional discussion of aesthetic/visual resources and additional detail relative to the Site Restoration Plan. The comments and revisions to the MND do not result in any change in the impact analysis, relevant thresholds of significance, or mitigation measures as described in the Public Draft MND.

Background:

The District proposes construction and operation of a new flood control debris basin on Buena Vista Creek at Park Lane in Montecito, California. The Project involves excavation of the channel of Buena Vista Creek upstream of Park Lane to widen the creek channel into a debris basin. The debris basin would be

comprised of: vertical retaining walls, access road, rock-slope protection, channel grading, debris rack, culvert repairs, and native habitat restoration.

The Buena Vista Creek watershed was severely burned during the 2017/2018 Thomas Fire. The creek crossing at Park Lane over Buena Vista Creek suffered severe damage within the 1-9 Debris Flow disaster zone. The volume and speed of the debris flow, following just behind a massive wildfire, overwhelmed the existing culvert under Park Lane, resulting in debris accumulation and damage to adjacent properties. This project would construct a new debris basin facility in the area of Buena Vista Creek immediately upstream of Park Lane. This site was identified as a location for a flood control facility following the January 9, 2018 debris flow, which caused extensive damage to the community. A new debris basin at this location would improve debris control and help protect Park Lane and nearby infrastructure and properties.

The District is now proceeding with final engineering designs and has completed environmental documentation for approval of the Project. Discussions with the neighboring property owners is ongoing. Upon Board authorization; the District intends to proceed with right-of-way negotiations for acquisition of any property interests needed to construct and operate the facility . Upon Board adoption of the MND and completion of the design package, the District intends to present the Project for public bids, consistent with requirements of the Public Contract Code. Major construction is targetted for 2024, with some site preparation occuring in fall 2023.

Fiscal and Facilities Impacts:

Budgeted: Yes

Narrative:

Environmental and design costs were included in the adopted FY 2022-23 budget in the Water Resources Division of the Public Works Department as shown on page D-424 in the budget book. Construction of the basin is scheduled to start in 2024 and this project is also included in the County’s 2022-27 Capital Improvement Program.

No General Fund monies will be used for this project.

Attachments:

Attachment A: Proposed Final Buena Vista Debris Basin Project MND SCH 2022100177

Attachment B: CEQA Findings for the Proposed Final MND

Authored by:

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