

## DEPARTMENT OF TRANSPORTATION

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Making Conservation  
a California Way of Life.

August 7, 2020

Santa Barbara County Board of Supervisors  
105 E. Anapamu Street, Suite 407  
Santa Barbara, CA 93101

Dear Chair Hart, Supervisor Adam, Williams, Hartmann & Lavagnino:

Caltrans is reaching out to address the recent appeals of the Santa Barbara County Planning Commission's approval of a Highway 101 culvert replacement project along the Gaviota Coast at postmile 45.5 (Case No. 19-DVP-00000-00034, 19CUP-00000-00054, 19CDP-00000-00133). In addition to the detailed project analysis provided in the Planning Commission's Coastal Zone Staff Report (May 19, 2020), we would like to provide information specific to the grounds for appeal. Appeals of the decision were filed by the Gaviota Coast Conservancy and the Coastal Ranches Conservancy.

The Gaviota Coast Conservancy contends two grounds of appeal.

1. *The project fails to incorporate relevant Gaviota Coast Plan Policies.*

In response, Caltrans would like to highlight that the Planning Commission Coastal Zone Staff Report (May 19, 2020) provides detailed project analysis of the Gaviota Coast Plan policies. As noted in the Staff Report, the project meets and exceeds the requirements of the plan's policies. As the lead State Agency, Caltrans' CEQA analysis provided an Initial Study in July 2018 with a Final Mitigated Negative Declaration (MND) in February 2019. The Gaviota Coast Plan was approved by the Coastal Commission and became effective in November of 2018, well after the CEQA analysis was completed. The MND included detailed policy analysis of Coastal Act and the Santa Barbara County Land Use Plan (2014) that was the applicable plan at the time, before the final approval and implementation of the Gaviota Coast Plan.

To address the specific Gaviota Coast Plan policies identified in the appeal, the following shows that this Culvert Replacement Project is consistent with Policies REC-2, RE-4, and REC-12 as follows-

- *Policy REC-2: Promote Expansion of the Trails, Coastal Access, and Recreational Opportunities*– The project supports this policy by repairing a sinkhole above the inlet of the culvert which serves as a component of an “Other Existing Trail” identified in the Gaviota Coast Plan. Furthermore, Caltrans District 5 served as key partner and commenting agency in development of the Gaviota Coast Plan.
- *Policy RE-4: Protect and Preserve Trail Alignments* – The project protects and preserves the existing trail by repairing a sinkhole above the inlet of the culvert which is designated as an “Other Existing Trail” in the Gaviota Coast Plan. This project will not preclude any trail development.
- *Policy REC-12: Interagency Coordination* – Caltrans continues to work collaboratively with all its agency partners on long-range planning, programming, and project development efforts in Santa Barbara County and on the Gaviota Coast. Specifically, Caltrans served as a key partner and commenting agency in development of the Gaviota Coast Plan. *Caltrans is also a member of the Transportation Technical Advisory Committee for SBCAG and participates in all regional planning and active transportation planning efforts including trails.*

The first ground of appeal also raises concerns over wildlife corridors and Caltrans would like to highlight the following facts-

Field studies, research and collaboration with the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service for this project concluded that the Canada del Barro is not an important wildlife corridor for coastal access from the inland side of US-101.

The project action area was studied extensively and the project has been approved through permitting by the California Department of Fish and Wildlife (CDFW), the U.S. Fish and Wildlife Service (USFWS), the U.S. Army Corps of Engineers (ACOE), and the Regional Water Quality Control Board (RWQCB). Caltrans biologists conducted 100+ hours of onsite field studies during project planning, which included wildlife surveys (visual observations, track and sign surveys), nesting bird surveys, botanical

surveys, and jurisdictional delineations. The surveys concluded that there is a lack of animal tracks or indications of wildlife use of the area. The existing culvert is clogged at the outlet and completely unpassable by large mammals.

The culvert is excessively long (500 feet), too steep (up to 27.1% slope), and too dark to support viable passage for most wildlife. There are limited opportunities for wildlife to travel beyond the culvert outlet due to the deep incision of Canada del Barro creek, a surrounding network of fences, the railroad fill slope, and the steep cliff at the coastline. No locally or regionally unique habitat (breeding areas, foraging opportunities, designated critical habitat) exists near the culvert outlet or inlet.

In addition to field studies, Caltrans biologists conducted an extensive research/GIS review to assess the project site as a potential wildlife corridor. Reviews included the California Essential Habitat Connectivity database, the California Connectivity Opportunity Areas model, the California Roadkill Observation System (CROS), and California Highway Patrol (CHIPs) roadkill data. Thorough review confirmed the initial field assessment that Canada del Barro is not a regionally or locally important wildlife corridor. (Please see attachments)

2. *The project failed to fully comply with CEQA.*

As the lead State Agency, Caltrans' CEQA analysis provided an Initial Study for the required public circulation and comment in July 2018, concluding with a Final MND in February 2019. The Gaviota Coast Plan was approved by the Coastal Commission and became effective in November 2018, well after the CEQA analysis for the project was completed. The MND included detailed policy analysis of Coastal Act and the Santa Barbara County Land Use Plan that was the applicable plan at the time.

The Coastal Ranches Conservancy contends one ground of appeal based on the County's role as a Responsible Agency per CEQA.

1. *The appeal contends that an additional MND or EIR must be prepared because new information of substantial importance is found, or if mitigation measures previously found not to be feasible would in fact be*

*feasible, or if mitigation measures...which are considerably different from those analyzed...would substantially reduce one or more of the significant effects of the project.*

In response, Caltrans would like to highlight the fact that none of above conditions that would result in an additional MND or EIR being prepared have occurred. No new information has been identified. The project is in full compliance with all applicable Federal, State and Local laws, regulations and policies.

- *The appeal raises questions about the culvert as a wildlife corridor. It states that new information of substantial importance has been found and contends that the wildlife corridor analysis was not considered by the Caltrans, County Staff, or the Planning Commission except briefly during the hearing.*

New information of substantial importance has not been found and the wildlife corridor analysis was considered by the Caltrans, County Staff, and the Planning Commission during the project approval. Field studies, research and collaboration with the CDFW and USFWS for this project concluded that the Canada del Barro is not an important wildlife corridor for coastal access from the inland side of US-101.

The project action area was studied extensively and the project has been approved through permitting by the CDFW, USFWS, the ACOE, and the RWQCB. Caltrans biologists conducted 100+ hours of onsite field studies during project planning, which included wildlife surveys (visual observations, track and sign surveys), nesting bird surveys, botanical surveys, and jurisdictional delineations. The surveys concluded that there is a lack of animal tracks or indications of wildlife use of the area. The existing culvert is clogged at the outlet and completely unpassable by large mammals. The culvert is excessively long (500 feet), too steep (up to 27.1% slope), and too dark to support viable passage for most wildlife. There are limited opportunities for wildlife to travel beyond the culvert outlet due to the deep incision of Canada del Barro creek, a surrounding network of fences, the railroad fill slope, and the steep cliff at the coastline. No locally or regionally unique habitat (breeding areas, foraging opportunities, designated critical habitat) exists near the culvert outlet or inlet.

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With regard to the data sets (CROS, CHIPs) noted in the appeal and curated by Dr. Frasier Schilling of the U.C. Davis Road Ecology Center (REC), Caltrans acknowledges their value and applied them to the planning of this project. Attachment 1 displays the CROS and CHIPs data available to Caltrans in 2017 (2010-2016 data). At that time there were five known road kills within ½ mile of the project location, and none were associated with Canada del Barro. Attachment 2 displays the currently available CROS and CHIPs data (2010-2019). Five additional road kills were documented within ½ mile of the project in those three years, and still none of them were associated with Canada del Barro. When viewed at a regional scale, the CROS and CHIPs data do suggest that the Gaviota Creek corridor is an area that is seeing increased levels of vehicle/wildlife conflict. Attachment 3 displays the full, current CROS and CHIPs dataset for the Gaviota Creek corridor and Gaviota Coast. According to the U.C. Davis Road Ecology Center, roadkill "hot spots can vary in length from one to several miles" and are relative at the "State scale". Taken in this context, the entire corridor from the Nojoqui Summit to Calle Mariposa could be defined as a "hot spot", but when viewed at this scale the data suggest absolutely no correlation with the existing culvert or Canada del Barro in general.

- *The appeal argues that measures previously found not to be feasible would in fact be feasible, or if mitigation measures...which are considerably different from those analyzed...would substantially reduce one or more of the significant effects of the project.*

Mitigation options were explored extensively. The analysis shows that with the associated mitigation, there are no significant effects. There is no change in land use with the project. Onsite restoration will occur. Off-site compensatory mitigation will also occur because the Canada del Barro drainage is highly

confined, leaving minimal opportunity to enhance or rehabilitate jurisdictional areas.

Additionally, the CDFW expressed reservations about permanent mitigation within the Caltrans ROW and a preference for sites with permanent legal protections, like conservation easements. Caltrans did not consider offsite mitigation elsewhere within its ROW because of this preference from CDFW.

Caltrans investigated the following offsite mitigation opportunities in August of 2019.

- University of California Santa Barbara (UCSB), Cheadle Center for Biodiversity & Ecological Restoration Director, Lisa Stratton, identified a potential mitigation area within the UCSB campus in Goleta. When Caltrans discussed this option with regulatory agencies, the Corps of Engineers Liaison, Theresa Stevens, suggested Caltrans consider opportunities closer to the impacts, including Gaviota State Park/Gaviota Creek, Refugio State Park/Refugio Creek, El Capitan State Park/Beach, and Santa Barbara Land Trust properties.
- California State Parks Biologist, Nat Cox, indicated that State Parks did not have any appropriate mitigation opportunities within Gaviota State Parks including Gaviota Creek or elsewhere along the Gaviota Coast.
- The Land Trust of Santa Barbara County Director, Bruce Reitherman, and Land Steward, Alison Petro, suggested the potential to contribute to mitigation at Refugio Creek. The organization, South Coast Habitat Restoration, recently began restoration work to eradicate invasive vegetation in the area, but the completion of restoration remained unfunded. The area is within the same hydrologic unit as Canada del Barro, and it has a similar ecological setting along the Gaviota Coast. Refugio Creek provides habitat for steelhead and red-legged frog. Representatives from the ACOE, RWQCB, and CDFW supported this approach. As proposed, Caltrans is proposing to fund over two acres of restoration, which above and beyond what would be required for jurisdictional compensatory mitigation for the Gaviota Culvert project.

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Caltrans appreciates the concerns for the environment that have been expressed and values public input. Please consider the environmental analysis conducted for this highway maintenance and uphold the findings of approval provided by the Santa Barbara Planning Commission.

Sincerely,



Richard Rosales  
Deputy District Director  
Program/Project Management and Asset Management  
District 5 Caltrans  
(805) 549-3065

Enclosures

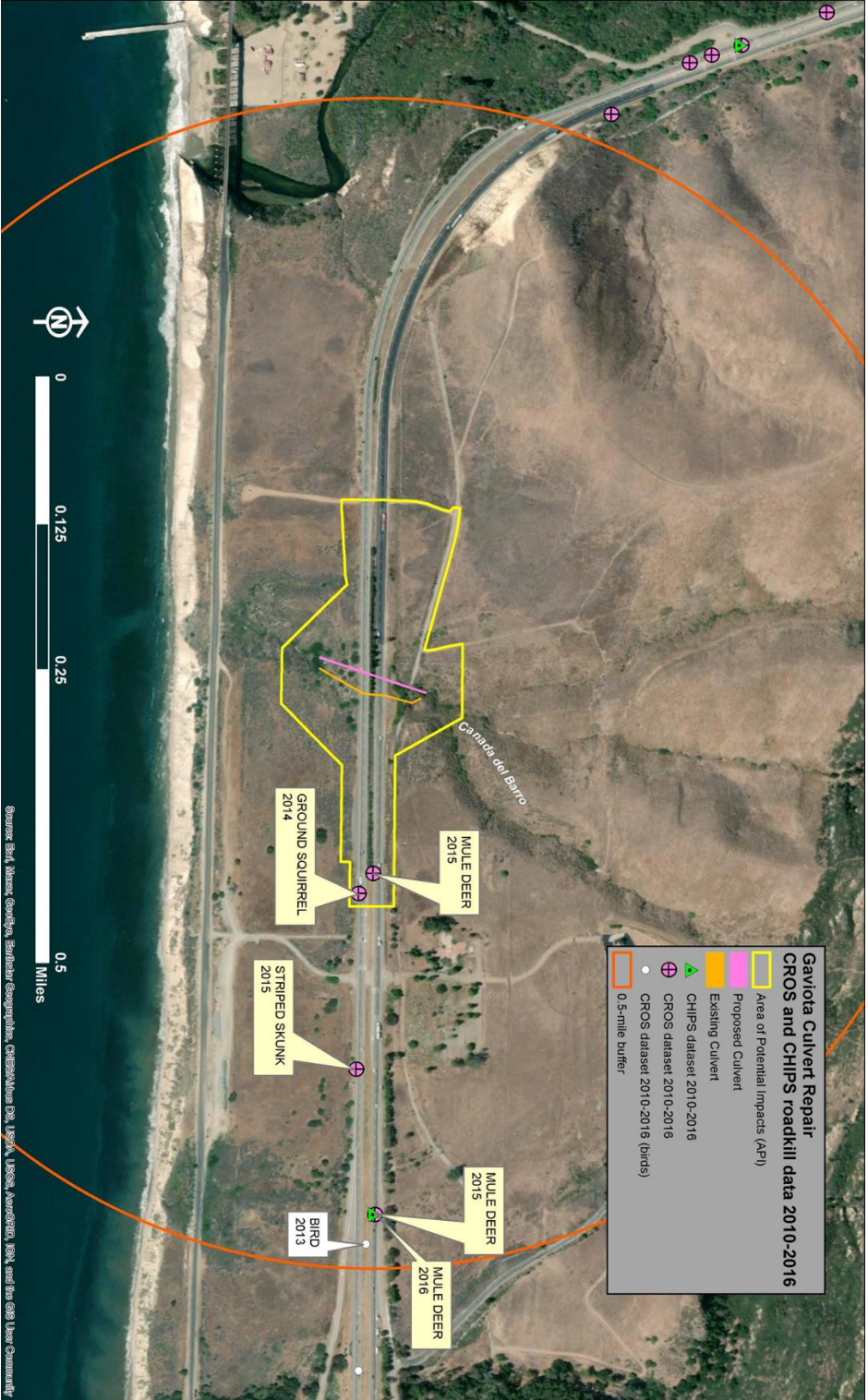
Attachment 1- CROS and CHIPs data available to Caltrans in 2017 (2010-2016 data)

Attachment 2- CROS and CHIPs data available to Caltrans in 2020 (current 2010-2019 data)

Attachment 3 - Current CROS and CHIPs dataset for the Gaviota Creek corridor and Gaviota Coast

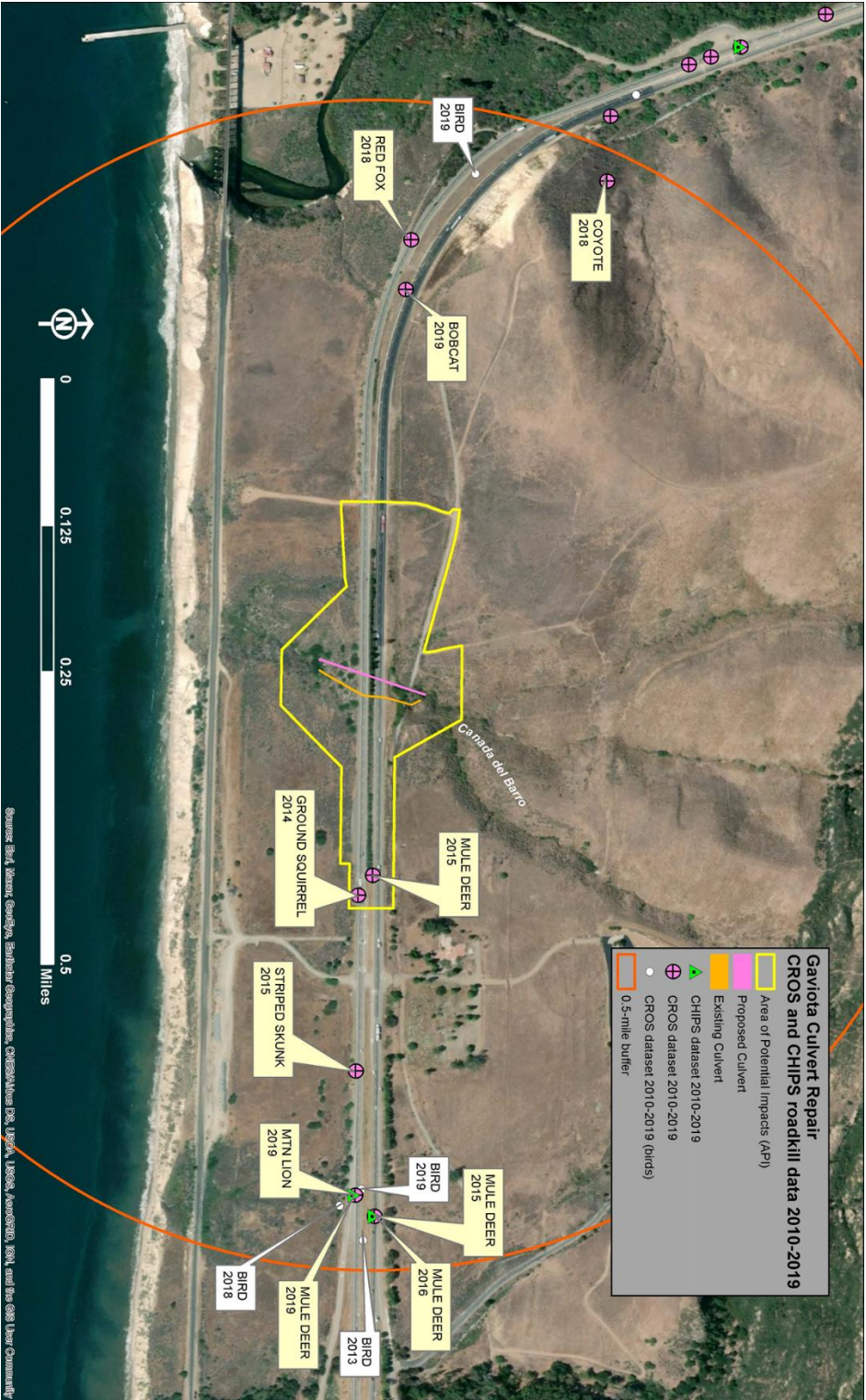
Attachment 4 - Aerial photo of the project location

Attachment 1. CROS and CHIPS data available to Caltrans in 2017 (2010-2016 data)

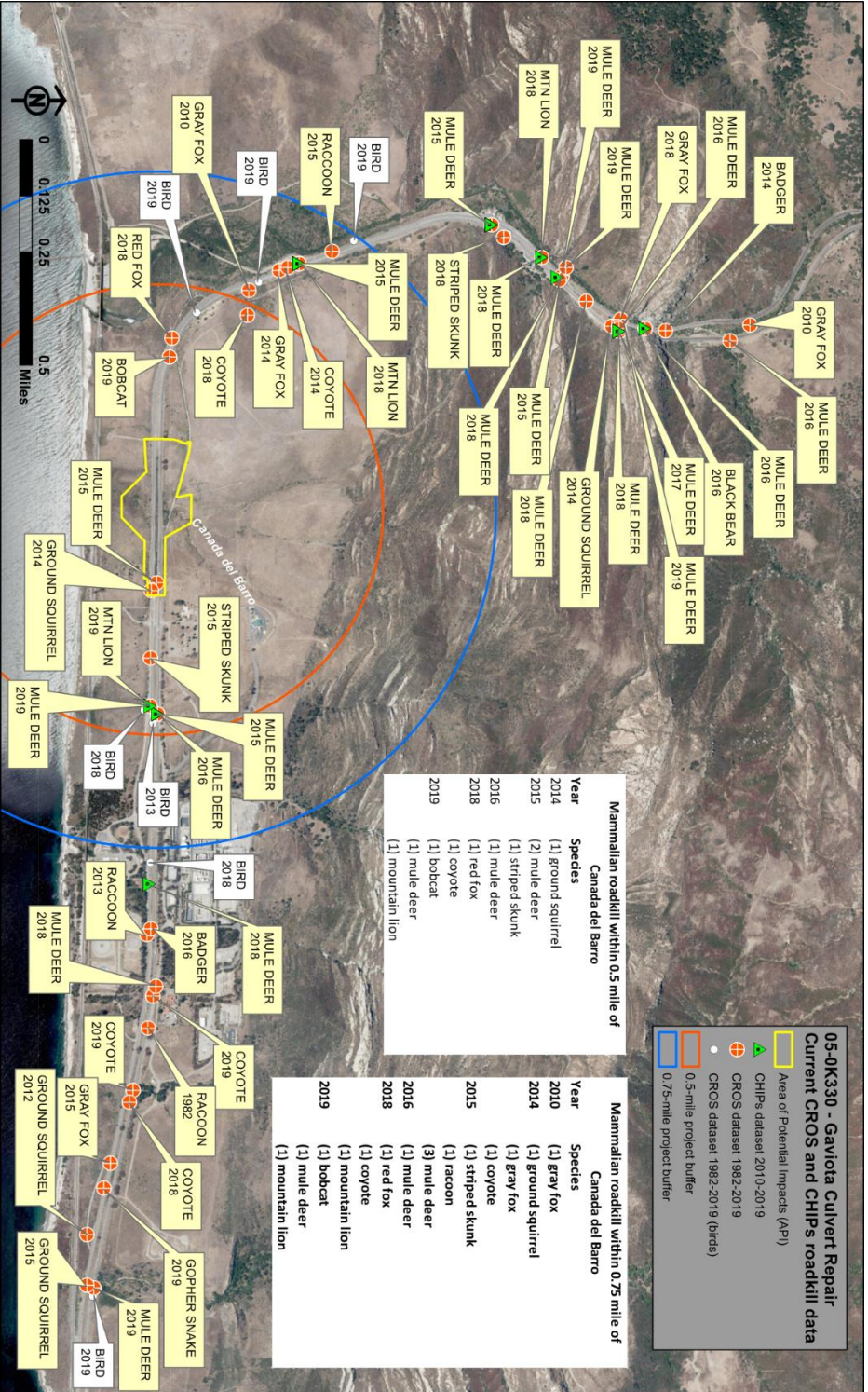




Attachment 2. CROS and CHIPS data available to Caltrans in 2020 (current 2010-2019 data)



## Attachment 3: Current CROS and CHiPs dataset for the Gaviota Creek corridor and Gaviota Coast



Attachment 3: Aerial photo of the project location

