



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: Flood Control
Department No.: 054
For Agenda Of: 06/21/11
Placement: Administrative
Estimated Tme:
Continued Item: No
If Yes, date from:
Vote Required: Majority

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

FROM: Department Scott D. McGolpin, Public Works Director, 568-3010
Director(s)
Contact Info: Thomas D. Fayram, Deputy Public Works Director, 568-3436

SUBJECT: **Mission Creek Fish Passage Project: adoption of CEQA and approval of plans;
First and Second Supervisorial Districts**

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

- a) Acting as a Responsible Agency under CEQA, approve the Mission Creek Fish Passage Project and find that the proposed modification of the Mission Creek channel is exempt under California Environmental Quality Act (CEQA) guidelines, Section 15333 Small Restoration Projects and Section 15301(B) Existing Facilities, pertaining to the modification of the concrete channel to allow for fish passage for steelhead and that this project will not result in adverse significant impacts on endangered, rare or threatened species or their habitat, that this modification is within an existing concrete lined channel which is not environmentally sensitive, and that the project will not result in the expansion of the existing use of this facility. Direct staff to file the Notice of Exemption with the Clerk of the Board (POST); and
- b) Approve Phase 1 and Phase 2 plans for the project.

Summary Text:

On April 14, 2009, the Board executed a Real Property Agreement for Secondary Use of Flood Control Land with the City of Santa Barbara for the Mission Creek Fish Passage Project along a portion of Mission Creek. The City is taking the lead on the design, construction and long-term maintenance responsibilities of the constructed project.

One of the conditions of the Agreement is that the Board approves the plans subsequently developed by the City of Santa Barbara for the Mission Creek Fish Passage Project. The City has secured funding to construct Phase 1 of the Project this summer. The City will construct Phase 2 upon securing the necessary funding.

Background:

The primary goal of the Mission Creek Fish Passage Project is to improve upstream migration of the federally endangered steelhead trout by providing access to their historic spawning grounds in Mission Creek while at the same time maintaining the channel’s existing conveyance capacity. The project will modify the existing concrete channel to allow steelhead trout to freely migrate between the ocean and spawning habitat in the mid and upper watershed.

The project will be along the area of Mission Creek known as the “Caltrans Channel” which includes two concrete sections. The upstream channel is approximately 0.3 miles long between Los Olivos and Pedregosa Streets, and the downstream channel is approximately 0.8 miles long between Arrellaga and Canon Perdido Streets. Although this project was constructed by Caltrans for expansion of Highway 101, the Flood Control District was given ownership and maintenance responsibility of the channel.

The City of Santa Barbara Creeks Division has been working with the Flood Control District, the Environmental Defense Center (EDC), and resources agencies such as the California Department of Fish & Game (DFG) and National Oceanic and Atmospheric Administration (NOAA) to develop a steelhead trout passage project within the Caltrans Channel portion of Mission Creek. The City has completed design for the project and secured funding to construct Phase 1 this summer.

The Secondary Use Agreement allows the City to construct their fish passage project within Flood Control District owned property and it also indemnifies the District from both responsibility of maintenance of the project and liability of the secondary use.

Fiscal and Facilities Impacts:

Budgeted: No

Fiscal Analysis:

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

Narrative:

There are no fiscal impacts associated with this action. The agreement indemnifies the Flood Control District from any and all liability associated with the proposed secondary use of this facility. The maintenance of the fish passage project will be the City's responsibility.

Special Instructions:

Post the attached CEQA Notices of Exemption
Direct the Clerk of the Board to send a copy of the minute order of this action to the Flood Control District office: Attn: Christina Lopez.

Attachments:

CEQA Notice of Exemption: Mission Creek Fish Passage Project
Phase 1/Phase 2 Plans

Authored by: Jon Frye, Civil Engineering Manager, 568-3444

