

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: 2/15/05
Department Name: Planning and Development
Department No.: 053
Agenda Date: February 22, 2005
Placement: Administrative
Estimate Time: N/A
Continued Item: NO
If Yes, date from: N/A
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TO: Board of Supervisors

FROM: Valentin Alexeeff, Director of Planning and Development

STAFF CONTACT: Abe Leider, Planner, 568-3508
Anne Almy, Supervising Planner, 568-2053

SUBJECT: Rincon Bridge Replacements and Highway 150 Realignment, 05EMP-00000-000010, Informational Report on Issuance of an Emergency Permit. Carpinteria Area, APNs 001-200-023, 001-200-024, 001-440-006, 001-450-002, and 001-450-007, First Supervisorial District.

Recommendation:

That the Board of Supervisors:

Receive the Director's report regarding an Emergency Permit issued to Caltrans on February 15, 2005, to authorize replacement of two bridges on Highway 150, realignment and upgrading of a .7-mile segment of Highway 150, reconfiguration of Highway 150's intersection with Highway 192, and associated improvements. The Emergency Permit will alleviate the existing hazards and restore service to Highway 150.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with Goal No. 2., A Safe and Healthy Community in Which to Live, Work and Visit.

Executive Summary and Discussion:

Pursuant to Section 35-171 of Article II of the County's Zoning Ordinance, when an Emergency Permit is issued, the Director of the Planning and Development Department must report the nature of the emergency and the work involved to the Board of Supervisors in writing. This notification fulfills the ordinance requirement. The California Coastal Commission has also been notified of the issuance of this Emergency Permit.

The subject Emergency Permit, approved and issued on February 15, 2005, authorized replacement of two bridges on Highway 150, realignment and upgrading of a .7-mile segment of Highway 150, reconfiguration of Highway 150's intersection with Highway 192, and associated improvements.

Background Information

The winter storms of December 2004 and January 2005 caused severe erosion and flooding in the foothill areas of the South Coast of Santa Barbara and Ventura counties. On January 15, Governor Schwarzenegger declared a State of Emergency. Shortly thereafter, President Bush declared a "major disaster" for California, via the Federal Emergency Management Agency (FEMA). Both of these declarations allow for use of state and federal emergency funds to help people and communities recover from the storms. The declaration covers damage to private and public property from severe storms, flooding, debris flows and mudslides that occurred over the period of December 27, 2004 through January 11, 2005.

The subject stretch of Highway 150 and the associated stretch of Rincon Creek experienced flooding and erosion that inundated the road, destroyed the western of the two bridges (#51-140) and exacerbated the existing substandard condition of the eastern of the two bridges (#51-141). Without replacement of the washed-out bridge, Highway 150 would remain closed to through traffic. Without repair of the road and remaining bridge, future storms would have the potential to result in loss of life and/or property and additional interruptions in service. Reconfiguration of the Highway 150/192 intersection is necessary to match the new alignment resulting from road and bridge repair and to bring the intersection up to current safety standards. Therefore, this situation constitutes an emergency in accordance with the Article II Zoning Ordinance and immediate action is warranted. (Starting work right away also allows Caltrans to use the state and federal funds available only to emergency projects.) Work on the project would occur in both Santa Barbara and Ventura counties, as the Creek roughly delineates the County boundary; Ventura County staff has indicated their intention to issue an emergency permit for their jurisdiction by February 23.

On Thursday, February 10, Planning and Development staff met with County Counsel, Caltrans staff and counsel, Ventura County staff and counsel, and Coastal Commission counsel to confirm that an emergency permit would be consistent with the Coastal Act and local coastal ordinances and policies. All parties to that meeting agreed that the project could legally be approved under emergency permits and further agreed to coordinate on this effort.

The project approved under the Emergency Permit is virtually identical to the one approved by the Santa Barbara County Zoning Administrator on June 21, 2004. (One difference is the inclusion of additional measures proposed by Caltrans towards historic resources, including providing as-built plans and archival-quality photographs of the bridges to the two jurisdictions, as well as the existing bridge railings themselves if requested.) That project was subsequently appealed to the Board of Supervisors, and the appeal hearing is scheduled for March 1 (the Board Letter for that hearing will be docketed on February 16). All Emergency Permits require the follow-up discretionary and ministerial permits that would otherwise have been required; in this case the March 1 appeal hearing will be the Board of Supervisors' opportunity to make a decision on the follow-up permit to the Emergency Permit for the project. The Board will have the option of upholding the Zoning Administrator's approval, and approving, on a *de novo* basis, the Conditional Use Permit, which will be staff's recommendation, or overturning the Zoning Administrator's approval and denying the project. The Board will have the option to make changes to the Zoning Administrator's conditions of approval; at a

minimum, staff will recommend the inclusion of additional historic resources protection measures offered by Caltrans in response to the appeal and recommendations of the Historic Landmarks Advisory Commission.

For a thorough project description, please see the Conditions of Approval in the attached Emergency Permit.

Mandates and Service Levels:

None

Fiscal and Facilities Impacts:

County costs for the preparation of the Emergency Permit are reimbursed by the applicant in conformance with the current Board-approved fee resolution. These funds are budgeted in the Permitting and Compliance Program of the Development Review South Division, as shown on page D-290 of the adopted 04/05 fiscal year budget.

Special Instructions:

None

Concurrence:

County Counsel

Attachments:

Emergency Permit (05EMP-00000-000010 issued 2/15/05)

EMERGENCY PERMIT

05EMP-00000-00010



- Coastal Zone:**
Subject to the requirements of Section 35-171.2 of the Article II Coastal Zoning Ordinance and the policies of the Coastal Land Use Plan.
- Inland Area:**
Subject to the requirements of Section 35-322 of the Article III Inland Zoning Ordinance and the policies of the County Comprehensive Plan.

Case Name: **Rincon Bridge Replacements and Highway 150 Realignment**

Case Number: 05EMP-00000-000010

Site Address: Highway 150 just south of the Highway 192 intersection

APNs: 001-200-023, 001-200-024, 001-440-006, 001-450-002, and 001-450-007

Applicant/Agent Name: Caltrans

Owner Name: Caltrans (Project is on private property, completely within Caltrans right-of-way.)

South County Office
123 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2000

Energy Division
30 E. Figueroa St.
Santa Barbara, CA 93101
(805) 568-2040

North County Office
624 W. Foster Road
Santa Maria, CA 93454
(805) 934-6250

PERMIT APPROVAL:

This is to inform you that an Emergency Permit has been approved for emergency actions to repair, restore service and prevent further storm damage to portions of Highway 150, including two bridges over Rincon Creek, and the highway's intersection with Highway 192. The work would be begin approximately one mile north of Highway 101 and end just past the intersection of Highway 150 with Highway 192, and would include the following:

1. *Replace two 75-year old steel pony truss bridges.* The two bridges (Caltrans #51-140, the western bridge, and #51-141, the eastern bridge), deemed substandard by Caltrans in both width and load capacity, would be replaced by two wider and longer concrete box girder bridges. The proposed new single span bridges would not have any piers located in the active stream channel, and would be sited to minimize disturbance to the creek while adhering to Caltrans and Federal Highway Administration guidelines. As the bridges would almost double in length, the new abutments would be farther from the creek bed, at the outer portion of the banks. The creek channel would be made slightly wider and the steep creek banks would be recontoured to gentler slopes. Remnant concrete in the creek channel would be removed.
2. *Horizontally and vertically realign and upgrade the roadway.* The roadway would be made wider, straighter and more uniformly level to increase lane width and shoulder width. The operational speed of the new roadway would increase from minimum 15 MPH, maximum 35 MPH, to 35 MPH average. Portions of the roadway would be moved up and out of the most flood-prone areas.
3. *Reconfigure the intersection of highways 150 and 192.* Highway 192 currently feeds into Highway 150 at an acute angle coupled with a steep grade change. The project would reduce the grade from four percent to two percent and the angle from 24° to 90° with a wider, rounded connection. Caltrans would also improve an existing driveway that outlets on Highway 150 to the west of the intersection and realign it to outlet to the north on Highway 192.

Please see the Conditions of Approval, below, for a more complete project description.

Sincerely,

VALENTIN ALEXEEFF

Director

APPROVAL DATE: February 15, 2005

OWNER/APPLICANT AGREEMENT:

The undersigned permittee acknowledges receipt of this permit and agrees to abide by all terms and conditions of approval incorporated herein. The undersigned also acknowledges and agrees that:

- This Emergency Permit provides only temporary authorization for the proposed action and other applicable permits (such as a Conditional Use Permit, Coastal Development Permit, Land Use Permit) are required by law to validate the emergency work as permanent.
- Any evidence or findings contained herein, or upon which this permit relies, shall not constitute any limitation on the authority of the County of Santa Barbara to issue, grant, deny, rescind, or revoke this permit or any future permit(s) required for the activities described herein, or on the authority of the County of Santa Barbara to analyze, mitigate, or condition any future permit(s) required for the activities described herein.
- This permit does not authorize any work or construction activities outside of the scope of the project as indicated in the project description, conditions of approval and approved plans.
- This permit shall not be construed to authorize any violation of County ordinance or policy, or the violation of any State or Federal regulation.

Print Name

Signature

Date

PERMIT ISSUANCE:

Print Name

Signature

Date

(For Valentin Alexeeff, Director)

BACKGROUND:

The winter storms of December 2004 and January 2005 caused severe erosion and flooding in the foothill areas of the South Coast of Santa Barbara and Ventura counties. The subject stretch of Highway 150 and the associated stretch of Rincon Creek experienced flooding and erosion that inundated the road, destroyed the western of the two bridges (#51-140) and exacerbated the existing substandard condition of the eastern of the two bridges (#51-141) to the extent that Caltrans engineers believe the bridge could fail in another major flood event. Without replacement of the washed-out bridge, Highway 150 would remain closed to through traffic. Without repair of the road and remaining bridge, future storms would have the potential to result in loss of life and/or property and additional interruptions in service. Reconfiguration of the Highway 150/192 intersection is necessary to match the new alignment resulting from road and bridge repair and to bring the intersection up to current safety standards. Therefore, this situation constitutes an emergency in accordance with the Article II Zoning Ordinance and immediate action is warranted. As the required findings (listed below) can be made, the emergency work is hereby approved, subject to compliance with the attached conditions of approval. This permit is not valid until signed by the owner/applicant and subsequently issued by the Planning and Development Department upon verification that all conditions of approval requiring action prior to permit issuance are satisfied.

FINDINGS OF APPROVAL:

1. The approval of this project shall not be held to permit or to be an approval of a violation of any provision of any County Ordinance or State Law.
2. Pursuant to Section 35-171.5 of Article II, an Emergency Permit may be granted if the Director of the Planning and Development Department makes the following findings:
 - a. *An emergency exists and requires action more quickly than provided for by the procedures for permit processing, and the action will be completed within 30 days unless otherwise specified by the terms of the permit.*

The winter storms of December 2004 and January 2005 caused severe erosion and flooding in the foothill areas of the South Coast of Santa Barbara and Ventura counties. On January 15, Governor Schwarzenegger declared a State of Emergency. Shortly thereafter, President Bush declared a “major disaster” for California, via the Federal Emergency Management Agency (FEMA). Both of these declarations allow for use of state and federal emergency funds to help people and communities recover from the storms. The declaration covers damage to private and public property from severe storms, flooding, debris flows and mudslides that occurred over the period of December 27, 2004 through January 11, 2005.

During and immediately after the storms, the subject portion of Highway 150 and the adjacent stretch of Rincon Creek experienced flooding and erosion that inundated the road, destroyed the western of the two bridges (#51-140) and further weakened the existing substandard condition of the eastern of the two bridges (#51-141). An emergency permit was requested for the repairs because normal permit processes in both counties, including potential appeals to the Boards of Supervisors and Coastal Commission, could take many months to complete, the final outcomes of those processes are uncertain, and the road is currently impassable.

Bridge #51-140 requires replacement in order to restore service to Highway 150, which is impassable at Rincon Creek where the bridge previously stood. All repairs must meet current safety standards, which necessitate upgrade of road and bridge widths and vertical and horizontal alignment. Repair of sections of the road between the bridges and replacement of Bridge #51-141 are necessary to prevent loss of life and/or property and additional interruptions in service, as future storms could inundate the road again and/or undermine Bridge #51-141. Reconfiguration of the Highway 150/192 intersection and upgrading of other associated sections of the road not directly affected by the storms must be constructed at the same time so that those components are able to tie into the new alignment of the repaired bridges and repaired road sections, which must be built at a slightly higher and straighter alignment to meet current safety standards.

The permit allows construction to commence while regular permit processing is underway. Full buildout will take approximately one year.

- b. The action proposed is consistent with the policies of the Coastal Land Use Plan and the requirements of the Article II Coastal Zoning Ordinance (for projects in the Coastal Zone), or the action is consistent with the policies of the Comprehensive Plan and the requirements of the Article III Zoning Ordinance (for projects in the Inland Area).*

As discussed thoroughly in the staff report for the Conditional Use Permit for the project, which the Zoning Administrator approved in June of 2004 (but is currently pending appeal to the Board of Supervisors), the proposed project may be found consistent with the policies of the Coastal Land Use Plan and the requirements of the Article II Coastal Zoning Ordinance.

- c. Public comment on the proposed emergency action has been reviewed if time allows. (Coastal Zone only)*

The nature and existence of the emergency situation is known to the public through the Governor's declaration and well as the coverage by virtually every media outlet. In the case of the current project, immediate action is necessary to restore the washed-out bridge. Thus, time does not allow for public comment specific to this proposed project prior to taking action.

3. This action is not subject to the provisions of the California Environmental Quality Act, pursuant to State CEQA Guidelines Section 15269, statutory exemption for emergency projects.

EMERGENCY PERMIT CONDITIONS OF APPROVAL

1. This Emergency Permit is based upon and limited to compliance with the project description, and the conditions of approval set forth below. Any deviations from the project description or conditions must be reviewed and approved by the County for conformity with this approval. Deviations without the above-described approval will constitute a violation of permit approval. If it is determined that project activity is occurring in violation of any or all of the following conditions, the Director of Planning and Development may revoke this permit and all

authorization for development. The decision of the Director to revoke the Emergency Permit may be appealed to the Planning Commission.

The project description is as follows:

- *Replace two 75-year old steel pony truss bridges.* The two bridges (Caltrans #51-140, the western bridge, and #51-141, the eastern bridge), deemed substandard by Caltrans in both width and load capacity, would be replaced by two wider and longer concrete box girder bridges. The proposed new single span bridges would not have any piers located in the active stream channel, and would be sited to minimize disturbance to the creek while adhering to Caltrans and Federal Highway Administration guidelines. As the bridges would almost double in length (see Table 2, below), the new abutments would be farther from the creek bed, at the outer portion of the banks. The creek channel would be made slightly wider and the steep creek banks would be recontoured to gentler slopes. Remnant concrete in the creek channel would be removed.
- *Horizontally and vertically realign and upgrade the roadway.* The roadway would be made wider, straighter and more uniformly level to increase lane width and shoulder width. The operational speed of the new roadway would increase from minimum 15 MPH, maximum 35 MPH, to 35 MPH average. Portions of the roadway would be moved up and out of the most flood-prone areas.
- *Reconfigure the intersection of highways 150 and 192.* Highway 192 currently feeds into 150 at an acute angle coupled with a steep grade change. The project would reduce the grade from four percent to two percent and the angle from 24° to 90° with a wider, rounded connection. Caltrans would also improve an existing driveway that outlets on Highway 150 to the west of the intersection and realign it to outlet to the north on route 192.

The following table summarizes the proposed changes to the sizes of the road and bridges:

Table 2: Proposed Changes to the Subject Section of Highway 150 and Rincon Bridges

Structure	Existing Dimensions	Proposed Dimensions
Western Bridge (#51-140)	16.5' wide, 52' long	36' wide (12' lanes, 4' shoulders and 2' guardrails); 105' long (abutments moved outwards)
Eastern Bridge (#51-141)	18' wide, 52' long	36' wide (12' lanes, 4' shoulders and 2' guardrails); 100' long (abutments moved outwards)
Highway 150	22' wide (no paved shoulder)	32' wide (12' lanes and 4' shoulders)

The schedule would accommodate seasonal restrictions on both work within Rincon Creek for California red-legged frog protection and tree removal for protection of the yellow warbler.

Total area of disturbance would be approximately 6.74 acres: 2.76 acres in Santa Barbara County and 3.98 acres in Ventura County. The project would require approximately 7,230 cubic yards

(cy) of cut (3,200 cy in Santa Barbara County) and 25,020 cubic yards of fill (12,470 cy in Santa Barbara County). The extra fill is necessary to raise the bridges and portions of the road to improve the vertical alignment, and to improve the driveway to the parcel where the Highway 150/192 intersection reconfiguration would occur. Within the Highway 150 right-of-way, Caltrans proposes to construct fill slopes of up to approximately 22' and cut slopes of up to approximately 3'. (Diagrams of typical roadway cross sections and vertical profiles of the existing and proposed roadway grade are included in the project plans; the full set of grading sections may be viewed at Planning and Development's Santa Barbara offices.) Paved areas would increase from 1.9 acres to 2.8 acres (Santa Barbara County paved areas would increase from 0.83 acres to 1.2 acres). Drainage from the roadway and offsite areas would collect in vegetation-lined V-ditches along the sides of the road where the water would enter inlets to cross-culverts that outlet at an angle into the creek. Near the bridges, drainage outlets would be positioned over the bank protection rock structures. Caltrans would abandon areas of right-of-way that would no longer be needed after realignment to agricultural, open space and riparian habitat uses.

The project would require removal of 15 native and five nonnative trees, for which replacement planting is proposed (Table 4). The project would also involve disturbance of approximately 12,600 square feet (sf) of riparian wetland area, for which restoration is proposed (Table 5). One very old and specimen-sized (~14" diameter at breast height, or DBH) native elderberry (*Sambucus Mexicana*) would also be removed. Fifteen elderberry shrubs would be planted as part of the project. In addition to elderberry and the trees listed in Table 4, the revegetation plan includes toyon (*Heteromoles arbutifolia*) and western blackberry (*Rubis ursinus*).

Specific wetland and riparian impact and restoration quantities break down as follows: approximately 4,000 sf of wetland area would be temporarily disturbed by construction and restored at a 1:1 area ratio. Approximately 2,600 square feet of wetland area would be removed and replaced at a 2:1 area ratio. This restoration would largely be accomplished on the new area created by recontouring of the creek bed and banks to a more natural, less steep configuration under the bridges. Approximately 6,000 square feet of riparian habitat would be removed and replaced at a 4:1 area ratio. Approximately 4,300 square feet of oak woodland habitat would be removed and replaced at a 3:1 area ratio. Most of the revegetation efforts would be focused on the roadway areas to be abandoned, the areas surrounding the bridges and the area around the Highway 192/150 intersection. Virtually all of the revegetation would be located within the Caltrans right-of-way except for approximately four oak trees proposed as "sentry" oaks next to new or improved driveways to private parcels and a dense planting of oaks and walnut trees in the conservation easement area (located in Ventura County). Tree removal and wetland/habitat impacts would occur on both sides of the county line, as would restoration efforts. For more information, please see the proposed revegetation plan, included in the project plans.

Caltrans has acquired approximately 6.7 acres of agricultural land, by fee and easements, to accomplish the project. Of those, 2.49 acres are in Santa Barbara County: 1.56 acres are in Williamson Act contract and 1.83 acres are used for agriculture, as shown in Table 3. (Agricultural production would also cease on an additional 1.8 acres in Santa Barbara County

and 1.1 acres in Ventura County that are owned by Caltrans and currently farmed by the adjacent landowners.)

Table 3: Santa Barbara County Land Acquired by Caltrans by Fee and Easement

Assessor's Parcel Number	Area and Type of Acquisition	Remaining Acreage	Williamson Act?	Description
001-200-23	.52 acres; fee	22.08 acres	No	Orchards
001-200-24	.25 acres (.14 in fee, .11 in easement)	25.94 acres	Yes	Steep slope, native vegetation
001-440-06	.25 acres; fee	.57 acres	No	Existing driveway and riparian vegetation
001-450-02	1.12 acres, fee (after .32 acres relinquished back to owner)	6.14 acres	Yes	Orchards
001-450-07	.16 acres, fee	14.7 acres	No	Native vegetation

Table 4: Tree removal and Replacement*

Species and Size Range	Number to be Removed	Number to be Planted
Coast live oak (<i>Quercus agrifolia</i>), 6 – 48 inches DBH*	8	90
Sycamore (<i>Platanus racemosa</i>), 12 – 48 inches DBH	5	50
Eucalyptus, 26 – 48 inches DBH	5	0
California Walnut (<i>Juglans Californica</i>), 12 inches DBH	2	40
Western Cottonwood (<i>Populus fremonti</i>)		10
White Alder (<i>Alnus rhombifolia</i>)		24
Arroyo Willow (<i>Salix ssp.</i>)		80
Total	20	294

*Per Caltrans Highway Planting Plan dated May 7, 2004

**Diameter at Breast Height

Table 5: Habitat Impacts and Proposed Mitigation

Habitat Type	Area of Impact	Area to be Restored	Mitigation Ratio
Riparian	6,000 square feet (sf)	24,000 sf	4:1
Wetland	4,000 sf	4,000 sf	1:1

	(temporary impact only)		
Wetland	2,600 sf	5,200 sf	2:1
Oak Woodland	4,300 sf	12,900 sf	3:1

The operational speed of the new roadway would increase from minimum 15 MPH, maximum 35 MPH to 35 MPH average. Caltrans designed for the 35 MPH speed, an exception from the typical 50 MPH minimum, to help maintain the scenic and rural nature of Highway 150.

Other aspects of the project are:

- Construction of approximately 16,461 square feet of rock slope protection (RSP) on the recontoured stream banks beneath the two bridges for bank stabilization. The RSP would be approximately 4.5 feet thick and would be constructed at a 1:1½ slope. Rocks would be approximately one ton each, or three to four feet in diameter. To minimize damage to the bed and banks, placing of rocks by dumping would not be permitted.
- Construction of ten rock weir grade control structures, six under the western bridge and four under the eastern bridge, to facilitate the passage of steelhead trout upstream. The control structures would span the creek bed between the RSP on each bank, would be approximately 5 feet wide, 1.5 feet high and 40 feet long, and would be spaced roughly 15 to 20 feet apart.
- Purchase of a conservation easement over less than one acre of land in Ventura County. This is land that Caltrans will no longer need if the project goes forward. The land was to be relinquished to the adjacent landowner, who in turn agreed to grant a permanent conservation easement to Caltrans for revegetation/restoration purposes.
- Six private driveways within the project limits would be paved and rebuilt to meet the new roadway elevations. One, in Ventura County (Barnard property), would also be moved approximately 135 feet to the west to achieve safe separation from the new eastern bridge. Two of the driveways proposed for improvement are in Santa Barbara County; one of these, serving APN 001-440-006, is at the Highway 150/192 intersection.
- Per Caltrans' standard specifications and the Clean Water Act, a Storm Water Pollution Prevention Plan (SWPPP) would be filed with the Regional Water Quality Control Board by the contractor prior to construction.

Mitigation Measures from Environmental Documents

2. Caltrans shall ensure that air quality impacts are minimized by requiring the contractor to comply with mitigation measures Section 71-.01F (exhaust emissions from construction equipment) and Section 10 (Dust Control) of Caltrans' Standard Specifications. The contractor shall also be required to comply with the Air Pollution Control District's standard dust control measures. **Plan Requirements and Timing:** This measure shall be stated on all grading plans prior to approval of a Coastal Development Permit (CDP). **MONITORING:** Planning and Development (P&D) shall check plans and Caltrans shall monitor in the field.

3. Fill slopes shall be as flat as possible within the right-of-way corridor. Cut and fill slopes shall be rounded where feasible to appear as natural as possible, and shall be no greater in angle than 2:1 except for those required for private driveways which may be at 1.5:1 where necessary. **Requirements and Timing:** This measure shall be stated on all grading plans prior to approval of a CDP.
MONITORING: Planning and Development (P&D) shall check plans and Caltrans shall monitor in the field.
4. Caltrans shall determine the extent of avocado root rot fungus within the project limits. To prevent the spread of the fungus during construction, work shall be staged to minimize the possibility of work occurring in infected and non-infected areas simultaneously. Caltrans or the contractor shall test fill material for presence of the fungus prior to importation, and spray construction equipment with an effective fungicide prior to leaving infected areas.
Plan Requirements/Timing: This condition shall be printed on all building and grading plans prior to approval of a CDP.
MONITORING: P&D shall check plans. Caltrans shall spot check in the field.
5. Caltrans shall ensure that construction related water quality impacts are minimized by requiring the contractor to adhere to the provisions contained in the project's NPDES permit, Caltrans' Standard Specifications and the contract Special Provisions.
Requirements and Timing: This measure shall be stated on all grading plans prior to approval of a CDP.
MONITORING: Planning and Development (P&D) shall check plans and Caltrans shall monitor in the field.
6. Construction noise shall be mitigated through compliance with Standard Specifications Section 7-1.01I (Sound Control Requirements). All internal combustion engines used on the job shall be equipped with a muffler of the type recommended by the manufacturer. The contractor shall comply with all local noise control rules, regulations and ordinances. All work, including equipment warm-up, shall be accomplished between 7:00 a.m. and 4:30 p.m., Monday through Friday. No construction shall occur on State holidays (e.g. Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours.
Requirements and Timing: This measure shall be stated on all grading plans prior to approval of a CDP.
MONITORING: Planning and Development (P&D) shall check plans and Caltrans shall spot check and respond to complaints.
7. Caltrans shall return existing road areas no longer needed to adjacent farmers, where feasible.
8. Caltrans shall apply aesthetic treatments to the bridge rails as approved by the Santa Barbara County Board of Architectural Review. Project shall be in strict conformance with 01BAR-152 (final approval March 26, 2004).

Project-Specific Conditions

9. A tree protection and replacement program, subject to review and approval by a P&D arborist/biologist or P&D-approved arborist/biologist, shall be implemented. The program shall include but not be limited to the following components:
 - A. **Program elements to be graphically depicted on final grading and building plans:**
 - 1) The location and extent of critical root zone for all native trees whose critical root zones (CRZs) extend within 25 feet of the area of potential effect and the type and location of proposed protective fencing.

- 2) Equipment storage and staging areas shall be designated on approved grading and building plans outside of CRZs areas of any native tree and 100 feet from the riparian vegetation along Rincon Creek, except within work zones.
- 3) Permanent tree wells or retaining walls shall be specified on approved plans. A qualified arborist or biologist shall oversee such installation.
- 4) Drainage plans shall be designed so that native tree trunk areas are properly drained to avoid ponding.
- 5) All utilities shall be placed within or directly adjacent to the roadway and driveways or in a designated utility corridor in order to minimize impacts to trees.

B. Program elements to be printed as conditions on final grading and building plans:

- 1) Grading or development shall occur only within the critical root zones of oak trees specifically identified on plans.
- 2) All native trees whose critical root zones (CRZs) extend to within 25 feet of the area of potential effect shall be temporarily fenced with chain-link or other material throughout all grading and construction activities. The fencing shall be as far as possible outside the critical root zone of each native tree as feasible to accommodate construction of the roadway. Fencing shall be staked every six feet.
- 3) No construction equipment shall be parked or stored within the critical root zone of any native tree or within 100 feet of the riparian vegetation along Rincon Creek.
- 4) No fill soil, rocks, or construction materials shall be stored or placed within the critical root zone of any native tree or within 100 feet of the riparian vegetation along Rincon Creek, except within the existing paved roadway area.
- 5) Any trenching for drainage outlet structures or utilities required within the critical root zone of any native tree or within 100 feet of the riparian vegetation along Rincon Creek shall be done by hand where feasible and monitored by Caltrans.
- 6) Only the 20 trees designated for removal on project plans shall be removed.
- 7) Non-native species shall be removed from Rincon Creek within areas of disturbance.
- 8) Any native trees or wetland/riparian vegetation which are removed and/or damaged shall be replaced with locally gathered or sourced seed and cutting stock, consistent with the Caltrans revegetation plan (Exhibit B). Seedling walnut, oak, sycamore, elderberry, sugar bush and other native species shall be lifted, boxed, maintained, and replanted whenever possible to retain the gene pool, to reduce unnecessary destruction of vegetation, and to facilitate revegetation efforts. Trees shall be planted during the fall following construction in order to take advantage of the winter rains and maintained until established (five years). The plantings shall be protected from predation by wild and domestic animals and from human interference by the use of gopher fencing during the maintenance period.
- 9) Any unanticipated damage that occurs to trees or sensitive habitats resulting from construction activities shall be mitigated in a manner approved by P&D. This mitigation may include but is not limited to tree replacement on a 10:1 ratio or revegetation. The required mitigation shall be done immediately under the direction of Caltrans, upon completion of final grading.

Plan Requirements: Prior to approval of a CDP, the applicant shall submit a copy of the grading, construction and revegetation plans to P&D for review and approval. Construction storage areas shall be designated on plans. All aspects of the plan shall be implemented as approved. Timing: Timing on each measure shall be stated where applicable; where not otherwise stated, all measures must be in place throughout all grading and construction activities.

MONITORING: Caltrans shall conduct site inspections throughout all phases of development to ensure compliance with and evaluate all tree and habitat protection and replacement measures.

10. All conditions, mitigation measures and recommendations provided by the USFWS (letter dated October 19, 2003) and NMFS (letter dated April 12, 2002) shall become part of this Conditional Use Permit. In the event that any measure conflicts with County conditions of approval, the applicant shall receive approval of a substantial conformity determination, amendment, or revision to this Conditional Use Permit from the County of Santa Barbara. **Plan Requirements and Timing:** A copy of all relevant permits, agreements and determinations shall be submitted to P&D prior to approval of a CDP.
11. No alteration to stream channels or banks shall be permitted until all required permits and/or agreements are obtained from the California Department of Fish and Game (CDFG). All conditions, mitigation measures and recommendations in such permits and/or agreements shall become part of this Conditional Use Permit. In the event that any measure conflicts with County conditions of approval, the applicant shall receive approval of a substantial conformity determination, amendment, or revision to this Conditional Use Permit from the County of Santa Barbara. **Plan Requirements and Timing:** Prior to approval of a CDP, the applicant must receive all required permits and/or agreements from the CDFG. **MONITORING:** Prior to approval of CDP, a copy of the streambed alteration agreement or any other required CDFG permit or agreement, or documentation of exemption, shall be submitted to P&D.
12. Prior to approval of CDP for grading, the applicant shall obtain a U.S. Army Corps of Engineers 404 permit for any grading or fill activity within Rincon Creek. **Plan Requirements and Timing:** A copy of the 404 permit or waiver shall be submitted to P&D prior to approval of a CDP.
13. Caltrans shall conduct protocol-level surveys for the California red-legged frog in the project vicinity each year until the project is constructed, consistent with the requirements of the US Fish and Wildlife Service (USF&WS).
14. If California red-legged frogs are discovered after the start of construction, all work shall cease, the USF&WS shall be contacted, and formal consultation shall begin. **Plan Requirements and Timing:** This condition shall be printed on all grading and construction plans. **MONITORING:** Caltrans shall monitor in the field.
15. Caltrans shall begin construction that has the potential to adversely affect the California red-legged frog pursuant to Department of Fish and Game direction to avoid the breeding season for the species. **Plan Requirements and Timing:** Prior to approval of a CDP, a project schedule including this restriction shall be submitted to P&D for review and approval. This requirement shall be shown on all grading plans prior to approval of the CDP. **MONITORING:** Caltrans shall monitor in the field.
16. All disturbance to trees, including willows, shall be prohibited in Rincon Creek from March 1 through July 15 to avoid the nesting season for native birds. **Plan Requirements and Timing:** Prior to approval of a CDP, a project schedule including this restriction shall be submitted to P&D for review and approval. This requirement shall be shown on all grading plans prior to approval of the CDP. **Monitoring:** Caltrans shall monitor in the field.
17. Disturbance within or adjacent to sensitive habitats including native trees shall be avoided to the maximum extent feasible. Where excavation must be performed within sensitive areas (i.e. within the critical root zones of native trees and within 100 feet of the riparian vegetation along Rincon Creek), it shall be performed with hand tools only. If the use of hand tools is deemed infeasible, excavation work may be completed with the smallest practical equipment. **Plan requirements and Timing:** The above measure shall be noted on all grading and construction plans and checked by P&D prior to approval of the CDP. **MONITORING:** Caltrans shall ensure compliance on site during construction.

18. In order to record pre-construction conditions, establish mitigation objectives and evaluate mitigation success for the areas under and around the new bridges pursuant to CEQA Section 21081.6 (Monitoring and Reporting), Caltrans is recommended to use the County Water Agency's hydrogeomorphic (HGM) assessment model or a similar riparian system assessment model such as the California Rapid Assessment Method (CRAM) as a monitoring tool. The assessment tool may be used to record pre-construction conditions, establish mitigation objectives, evaluate mitigation and potentially prescribe follow-up restoration work. The post-project assessment component should be carried out after two and again after five years.
Timing: The HGM or similar model shall be developed by Caltrans prior to submittal of planting and restoration plans and CDFG/USACE agreements and permits so that it may be used to finalize design/ plans. Caltrans shall forward copies of the assessment to P&D when completed.
19. A grading plan shall be designed to minimize erosion and shall include the following:
- Methods such as retention basins, drainage diversion structures and spot grading shall be used to reduce siltation into Rincon Creek during grading and construction activities.
 - Graded areas shall be temporarily stabilized with soil binders or other methods suitable to Caltrans as work progresses. Permanent revegetation efforts shall occur immediately upon completion of grading activities with deep rooted, native, drought-tolerant species using locally occurring seed and cutting stock to minimize slope failure and erosion potential. Geotextile binding fabrics shall be used if necessary to hold slope soils until vegetation is established.
- Plan Requirements:** The grading plan shall be submitted for review and approved by P&D prior to approval of CDP.
MONITORING: Caltrans will photo document revegetation and ensure compliance with plan. Grading inspectors shall monitor technical aspects of the grading activities.
20. Erosion control measures shall be implemented to prevent runoff into the creek bottom. Silt fencing, straw bales or sand bags shall be used in conjunction with other methods to prevent erosion and siltation of the stream channel. To minimize the release of fine sediments from the active channel after excavation activities cease, water diversion is terminated and flow through the channel is restored, Caltrans shall place one to two inches of gravel on the creek bed in locations where excavation or contouring has taken place and is completed, as recommended by the National Marine Fisheries Service (letter dated 4/12/02). **Plan Requirements:** An erosion control plan shall be submitted to and approved by P&D, Grading Division and Flood Control prior to approval of a CDP. **Timing:** The plan shall be implemented prior to the commencement of grading/construction.
MONITORING: Caltrans shall perform site inspections throughout the construction phase.
21. Temporary berms and sediment basins shall be constructed as Phase I of the grading project to avoid siltation into Rincon Creek during construction activities. **Plan Requirements:** Photos showing berm and basin installation shall be provided to P&D prior to commencement of major grading activities. **Timing:** Berms and basins shall be constructed when grading commences.
MONITORING: Caltrans shall inspect to ensure installation during initiation of grading.
22. Outlet structures shall minimize disturbance to the natural drainage and avoid use of hard bank structures. Where such structures must be utilized, natural rock or steel gabions shall be used for bank retaining walls. If concrete must be used, then prefabricated crib wall construction shall be used rather than pouring concrete. Rock grouting shall only be used if no other feasible alternative is available as determined by P&D. **Plan Requirements:** Plans shall be submitted for review and approval by P&D prior to approval of a CDP. **Timing:** Structures shall be installed during grading operations.
MONITORING: Caltrans shall ensure construction according to plan.

23. The creek bottom shall not be disturbed or altered by installation of any drain or outlet structure. Undisturbed natural rocks imbedded in the stream bank shall be utilized as a base to tie in rip-rap if available. Outlets shall be designed to end at the edge of the creek bank rather than entering the stream channel. **Plan Requirements:** Applicant shall submit outlet design and final plans to P&D prior to approval of a CDP. **Timing:** Outlet to be installed during site grading.
MONITORING: Caltrans shall ensure construction according to plan.
24. Drainage shall be designed to avoid eddy currents that would cause opposite bank erosion. **Plan Requirements:** Design shall be shown on final plans for review and approval by P&D and County Flood Control. **Timing:** Plans shall be submitted prior to approval of CDP.
MONITORING: Caltrans shall field check.
25. During construction, washing of concrete, paint, or equipment shall occur only in areas where polluted water and materials can be contained for subsequent removal from the site. Washing shall not be allowed near sensitive biological resources. An area designated for washing functions shall be identified. **Plan Requirements:** The applicant shall designate a wash off area, acceptable to P&D, on the construction plans. **Timing:** The wash off area shall be designated on all plans prior to approval of a CDP. The washoff area shall be in place throughout construction.
MONITORING: P&D shall check plans prior to commencement of construction and Caltrans shall site inspect throughout the construction period to ensure proper use.
26. Excavation and grading shall be limited to the dry season of the year unless an erosion control plan is provided. Timing and method of excavation and grading shall be conducted in full compliance with species preservation guidelines as required by the U.S. Fish and Wildlife Service and the California Department of Fish and Game. In addition, to reduce the effects of dust generation resulting from grading, the soil shall be kept damp during grading activities. All exposed graded surfaces shall be stabilized with soil binders or other methods to minimize erosion. **Plan Requirements:** This requirement shall be noted on all grading and building plans. **Timing:** Graded surfaces shall be temporarily stabilized with soil binders or other suitable methods as grading progresses. Permanent revegetation efforts shall begin immediately after completion of final grading in compliance with Condition #13.
MONITORING: Caltrans shall site inspect during grading to monitor dust generation and 60 days after grading to verify soil stabilization.
27. In the event hazardous wastes are encountered during grading and construction, the area shall be fenced off and work shall be stopped immediately or redirected until the wastes and appropriate measures to remove the wastes are evaluated by the Caltrans District Hazardous Waste Coordinator. If necessary, a Hazardous Waste consultant shall be hired by Caltrans to clean up the site. **Plan Requirements/Timing:** This condition shall be printed on all building and grading plans.
MONITORING: P&D shall check plans prior to approval of CDP. Caltrans shall spot check in the field.
28. In the event archaeological remains are encountered during grading, work shall be stopped immediately or redirected until a P&D or Caltrans qualified archaeologist and Native American representative are retained by the applicant to evaluate the significance of the find pursuant to Phase 2 investigations of the County Archaeological Guidelines. If remains are found to be significant, they shall be subject to a Phase 3 mitigation program consistent with County Archaeological Guidelines and funded by the applicant.
Plan Requirements/Timing: This condition shall be printed on all building and grading plans.
MONITORING: Caltrans shall check plans prior to commencement of construction and shall spot check in the field.
29. Compliance with Departmental letters:

- a. Air Pollution Control District dated May 3, 2004, attached
 - b. Carpinteria-Summerland Fire Protection District dated June 4, 2004, attached
30. Caltrans shall include financial incentives in their request for proposal and in their construction contracts to encourage expedient construction of the project by private contractors. Contractors shall include a revised schedule in proposals for a one year construction period ensuring adequate access between the bridges.
 31. Temporary signage shall be erected on Highway 192 throughout construction to reduce speed and ensure safety for detour traffic, particularly at truck crossings.
 32. Caltrans shall provide copies of the bridges' as-built plans and archival-quality photographs, consistent with the Department of the Interior's Historic American Engineering Record Guidelines, of the existing bridges to the Ventura County Museum of History and Art, the Santa Barbara Historical Society, and the Carpinteria Valley Museum of History. Caltrans shall make the railings of the existing bridges available to the Ventura County Museum of History and Art, the Santa Barbara Historical Society, or the counties of Ventura or Santa Barbara, at their request.
 33. Only that emergency work specifically requested and deemed an emergency for the specific property mentioned is authorized. Any additional emergency work requires separate authorization from the Director of Planning and Development. The work authorized by this permit must be commenced within 45 days of the date of issuance of the permit. If construction activities are proposed by the applicant to commence after 45 days, separate authorization by the Director of P&D is required.
 34. This permit does not preclude the necessity to obtain authorization and/or permits from other County Departments or other agencies.
 35. The Director of Planning and Development may order the work authorized under this emergency permit to stop immediately if it is determined that unanticipated and substantial adverse environmental effects may occur with continued construction.
 36. The project is subject to the terms and conditions of any Grading Permit required and issued by the County Building and Safety Division.
 37. This Emergency Permit is not valid until signed by the applicant and subsequently issued by Planning and Development.

Attachments: Project Plans

cc: Salud Carbajal, First District Supervisor
Dianne Meester, P&D
Jackie Campbell, P&D
Mike Zimmer, P&D
Anne Almy, P&D
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