



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:** June 16, 2015  
**Placement:** Administrative  
**Estimated Tme:**  
**Continued Item:** No  
**If Yes, date from:**  
**Vote Required:** Majority

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**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:** Annual Maintenance Plan, Fiscal Year 2015/16 - All Supervisorial Districts

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**County Counsel Concurrence**

As to form: Yes

**Auditor-Controller Concurrence**

As to form: N/A

**Other Concurrence:** N/A

**Recommended Actions:**

That the Board of Directors:

- A. Find that the proposed actions described in the Exempt Facilities Section of the Fiscal Year 2015/16 Annual Routine Maintenance Plan are for the operation and maintenance of existing public structures, facilities or topographical features, involving negligible or no expansion of use beyond that which presently exists and that the proposed actions are therefore exempt from the California Environmental Quality Act (CEQA) pursuant to 14 CCR 15301, and direct the Clerk of the Board to file the CEQA Notice of Exemption (NOE) for each of exempt facilities described in the Fiscal Year 2015/16 Annual Routine Maintenance Plan;
- B. Find that pursuant to CEQA Guidelines Section 15162, no new effects will occur and no new mitigation measures would be required as a result of the project and therefore pursuant to CEQA Section 15168 (c)(2), that the Fiscal Year 2015/16 Annual Routine Maintenance Plan is within the scope of the project covered by the Program Environmental Impact Report (PEIR) for the Updated Routine Maintenance Program (01-EIR-01) approved in 2001 and no new environmental document is required;
- C. Consider the addenda to the previously certified Program EIR (01-EIR-01) and determine that the addenda contained within the Fiscal Year 2015/16 Annual Routine Maintenance Plan have been completed in compliance with CEQA and adopt the mitigation measures included for each project as the Mitigation and Monitoring Plan pursuant to State CEQA Guidelines Section 15168 (c)(3);

- D. Adopt CEQA Findings included in the Fiscal Year 2015/16 Annual Routine Maintenance Plan; and
- E. Approve individual projects described in the Fiscal Year 2015/16 Annual Routine Maintenance Plan.

**Summary Text:**

The Annual Routine Maintenance Plan consists of CEQA exempt projects and projects defined within the scope of impacts identified by the Program EIR requiring addenda for FY 2015/16.

The CEQA exempt projects are based on CEQA Section 15301, Existing Facilities. Projects that are exempt fall into one of the following five categories:

- Removal of rubbish or other unnatural material from riparian corridors,
- Maintenance activities in existing non-perennial, fully concrete-lined stream channels,
- Clearing, repair, and replacement of such flood control devices such as check structures, drop structures, levees, sediment basins, weirs, or stream flow measuring stations,
- Maintenance activities on access ways outside of estuaries and riparian corridors, and
- Maintenance activities on earthen channels, which have been developed to convey urban storm water agriculture storm water, or agriculture tail water and have little or no vegetation in them.

All projects are in areas where there are no impacts to any significant resource at the site, downstream, or adjacent to the site.

The described FY 2015/16 exempt projects have been exempted in prior years with Planning and Development Department's concurrence.

Projects within the scope of the PEIR are described in individual addenda to the PEIR and specific to the named drainage where they will occur within the Annual Plan. Each of the 32 projects are presented as an addendum to the Program EIR utilizing appropriate maintenance practices described and analyzed in the Program EIR. The mitigation measures incorporated in each of these projects become the mitigation and monitoring program to ensure that impacts are mitigated to the fullest extent feasible.

Once the Board has approved projects described in the Annual Maintenance Plan, applications can be made to the appropriate regulatory agencies for environmental permits or approvals.

**Long Term Permits**

Staff continues to work on permit renewal with the Army Corps of Engineers (ACOE). The ACOE, on behalf of the District, has been in consultation under the Federal Endangered Species Act (FESA) with the National Marine Fisheries Service (NMFS) for the Southern California steelhead for several years. ACOE has completed the consultation with the U.S. Fish and Wildlife Service (Service) for the California Red-Legged Frog, Tidewater Goby, Least Bell's Vireo, Southwestern Willow Flycatcher, La Graciosa Thistle, and Gambell's Watercress.

The District finalized the No-Jeopardy Biological Opinion with the United States Fish and Wildlife Service (USFWS) in June, 2014 and continues to work with NMFS to finalize the Jeopardy Biological Opinion

(B.O.). The NMFS B.O. for steelhead is centered on 21 South Coast drainages and 2 North County drainages.

It is anticipated that the NMFS B.O. will be finalized within the next several months and a 10-year ACOE permit in place by the end of 2015, to be used beginning with the FY 16/17 Annual Routine Maintenance Plan.

The District is also in the process of renewing the California Department of Fish and Wildlife (CDFG) 1600 Stream Alteration Agreement Maintenance Permit and this permit will be finalized prior to the start of the FY 15/16 Maintenance Season which begins in August 2015.

The District has a current Regional Water Quality Control Board (RWQCB) Water Quality Certification for the Annual Routine Maintenance Plan.

All work in this year's Annual Maintenance Plan will receive the necessary permits from the applicable permit agencies.

### **Background:**

In December 2001, the Board of Directors adopted a revised Annual Routine Creek Maintenance Program which included: a) Maintenance Practices and Mitigation Measures; b) associated Flood Control Policy Statements; and c) an annual planning and project approval process.

Development of the Annual Routine Maintenance Plan provides multiple benefits. The plan serves as a basis for demonstrating need, analyzing alternatives, proposing mitigation, and selecting the most effective and least environmentally damaging District maintenance practices. The plan also allows the District to prioritize maintenance efforts and expenditures which also helps in the management of individual projects.

The annual planning process, as adopted by the Board, requires that the District conduct public workshops to hear the public and other agencies' input and concerns about the proposed Annual Plan. The District provided notice of workshops in the Santa Maria Times, Lompoc Record, and Santa Barbara News Press on May 17th for the workshops that were held on May 19, 2015 in Santa Barbara and May 20, 2015 in Santa Maria.

A summary of the proposed Annual Plan was available in our office, at the workshops, and was posted on the Water Resources website on May 14th. Letters announcing the workshops and the availability of the summary were mailed or emailed on May 14th to individuals and organizations who have previously expressed an interest in this maintenance program. There were no attendees at the Santa Barbara and Santa Maria Workshops. The Final Annual Routine Maintenance Plan is also posted on the District's website.

Mandates have been discussed in previous Board letters regarding the Revised Creek Maintenance Program. The District's authority under state law allows the District to undertake these projects for the public's benefit. Several projects constructed in cooperation with the federal governments have mandated levels of maintenance associated with them. The District's projects are subject to compliance with environmental laws and regulations.

**Performance Measure:**

The Flood Control Annual Routine Maintenance Plan is crucial to perform the District’s annual maintenance work and completing this work is a performance measure.

**Fiscal and Facilities Impacts:**

Budgeted: Yes

<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>
FC Funds (all zones)	\$3,920,000.00		
State			
Federal			
Fees			
Other:			
<b>Total</b>	<b>\$ 3,920,000.00</b>	<b>\$ -</b>	<b>\$ -</b>

**Narrative:**

The costs associated with the work identified in the annual maintenance plan are included in the proposed FY 2015/16 budget under the Water Resources Division of the Public Works Department.

As in past years, prioritization and scope of maintenance projects are aligned with available funding. Those drainages that are most in need of work appear in each year’s Annual Maintenance Plan. Maintenance of facilities is not a mandated activity except for engineered or improved facilities including most federally funded projects that are now owned and maintained by the Flood Control District.

Generation of the FY 2015/16 Annual Plan, as with each prior Annual Plan, provides a significant cost savings to the District through a single package of projects. Producing individual environmental documentation for each maintenance project is significantly more expensive. However, the greatest benefit derived from the Annual Plan is measured by the District's ability to streamline the state and federal environmental permit process which in turn allows the District to provide needed maintenance prior to the next storm season.

**Special Instructions:**

Direct the Clerk of the Board to post the attached CEQA NOE and to send a copy of the minute order of these actions along with a copy of the stamped NOE to the Flood Control District, Attn: Christina Lopez.

**Attachments:**

- CEQA Notice of Exemption
- 2015/16 Annual Routine Maintenance Plan
- 2001 Program EIR for the Updated Routine Maintenance Program

**Authored by:**

Maureen Spencer, Operations and Environmental Manager, 568-3437