



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: 08/19/14
Placement: Administrative
Estimated Tme: N/A
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: CEQA Section 15164 Addendum to the Mitigated Negative Declaration for the Las Vegas-San Pedro Creeks Capacity Improvement Project, Second Supervisorial District

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions:

- A. Consider Addendum #2, pursuant to California Environmental Quality Act (CEQA) Guideline Section 15164, to the Mitigated Negative Declaration #11-NGD-00000-00008, for the Las Vegas-San Pedro Creeks Capacity Improvement Project has been completed in compliance with CEQA;
- B. After considering the Mitigated Negative Declaration (MND) that the Board of Directors of the Santa Barbara County Flood Control and Water Conservation District adopted on October 4, 2011, and the Addendum to that MND that the Board of Directors received and considered on April 10, 2012 and August 19, 2014, determine pursuant to 14 CCR § 15162(a) that no subsequent EIR or Negative Declaration is required for this project because of the following: 1) No substantial changes are proposed in the project which require major revisions of the 2011 MND; 2) No substantial changes have occurred with respect to the circumstances under which the project is undertaken which require major revisions of the 2011 MND; and 3) No new information of substantial importance concerning the project's significant effects or mitigation measures, which was not known and could not have been known with the exercise of reasonable diligence at the time that the MND was adopted in 2011 has been received; and

- C. Approve the amended project as described in Addendum #2 to MND #11-NGD-00000-00008, approved on October 4, 2011. These documents can be found at: <https://santabarbara.legistar.com/LegislationDetail.aspx?ID=1103714&GUID=F3ACBE62-BDEE-41C5-94D7-EB0E733B7BC8>

Summary Text:

The project area is located in the Cities of Goleta and Santa Barbara north of Hollister Avenue between Fairview Avenue and Los Carneros Road. Both Las Vegas Creek and San Pedro Creek run north to south and pass under the local City of Goleta Street Calle Real, US 101, and the Union Pacific Railroad (UPRR). The project proposes hydraulic capacity improvements along Las Vegas and San Pedro Creeks under Calle Real, US 101, and the UPRR. The proposed project would increase the hydraulic capacity of the two creek systems (culvert and channel improvements) from approximately a 10-year to approximately a 25-year flood event. The project is a multijurisdictional project with the Flood Control District, Caltrans, the Union Pacific Railroad (UPRR), the City of Goleta, and the City of Santa Barbara. Additional benefits of the project include the removal of several barriers to steelhead migration. Project improvements are as follows:

- Sub-element A is the replacement of the U.S. 101 culverts on Las Vegas and San Pedro Creeks with bridges. This element also includes extension of these improvements under Calle Real on San Pedro Creek. This work is funded by Caltrans and construction has commenced.
- Sub-element B is the replacement of the UPRR bridges over San Pedro and Las Vegas Creeks. This element also removes a vertical drop fish passage barrier at the San Pedro Creek UPRR Bridge. This work is funded by the District. This work may commence in the late fall of 2014, but is more likely to commence in fall 2015.
- Sub-element C consists of channel improvements downstream of the UPRR Bridges on San Pedro and Las Vegas Creeks and the construction of a floodwall along the west side of San Pedro Creek to compensate for water surface elevation increases resulting from upstream capacity improvements. This work is funded by the District. The channel work will immediately follow sub-element B and construction of the floodwall is likely to occur in the fall of 2015.
- A fourth element of the project is referred to as the "Transition Structure," and is a component of both sub-elements A and B. The timing of the work will be coordinated with Caltrans and related to when Caltrans is constructing San Pedro Creek at Calle Real. This work is funded by the District and is likely to occur in the summer of 2016.

A vicinity map and the location of each project improvement are shown on Exhibit A.

On October 4, 2011, the Board certified the Final MND for the Las Vegas-San Pedro Creeks Capacity Improvement Project and on April 10, 2012 the Board certified an Addendum to the MND for the inclusion of a fish passage transition structure on San Pedro Creek that was added to the project.

Because ground disturbance requirements associated with the fiber optic relocations (needed due to the replacement of the two UPRR Bridges) were not yet identified at the time of the MND approval in 2011, ground disturbances outside of the Area of Potential Effect (APE) to the east of Las Vegas Creek were

not included in the Cultural Resource impact assessment in 2011. Addendum #2 for MND #11-NGD-00000-00008 is written to address potential cultural resource impacts outside of the original APE and is being brought to the Board of Directors for approval. The fiber optic relocations will not result in any new or additional impacts to all other resource areas (i.e. aesthetics, air quality, biological resources, etc) analyzed in the 2011 MND.

Impacts to Cultural Resources within the APE were analyzed in the 2011 MND. Investigations determined that a known archeological site extends within a portion of the APE near Las Vegas Creek. Extended Phase I backhoe trench excavations within the previously recorded site within the APE determined that this portion of the site was clearly disturbed. Mitigation measures developed in the 2011 MND require a County-qualified archeologist and Chumash Representative be present when excavation is occurring within the site boundaries or within 50' of the site boundaries.

In order to support Addendum #2, David Stone, Cultural Resources Manager for Dudek, Inc., completed an updated cultural resources assessment. Mr. Dudek also wrote the original 2011 MND. His updated assessment is as follows: Based on the review of as-built plans for fiber optic line development, inspection of landforms, and exposed ground surfaces, the proposed fiber optic relocation activities would not result in impacts to intact CA-SBA-60 deposits. Previously identified mitigation measures associated with the Las Vegas-San Pedro Creeks Capacity Improvement Project required that all ground disturbances within and adjacent to the CA-SBA-60 site boundary be monitored by a County-qualified archaeologist and Chumash representative. This measure would be applicable to the fiber optic relocation activities described in Addendum #2. Compliance with the previously adopted measures, including addressing the presence of any redeposited human remains pursuant to Public Resources Code 5097.98 and isolated artifacts that could help to understand the periods of CA-SBA-60 occupation pursuant to County Cultural Resources Guidelines would reduce any potentially significant impacts on cultural resources to less than significant.

Background:

Serious flooding in the Goleta area occurred in 1995 and again several times since on Las Vegas and San Pedro Creeks, above U.S. 101. This flooding was a result of the culverts at Calle Real and U.S. 101 being overwhelmed and flood waters backing up into the adjacent residential areas. In addition to the flooded homes and businesses, U.S. 101 has been closed several times due to flooding. U.S. 101 is a critical transportation facility for the County, especially during flood emergencies, for moving equipment, material, and general emergency response.

As a result, the District led a multi-agency coordinated effort to address the issue. As a part of the effort, the District was the lead agency for initiation and completion of CEQA for all elements of the project. On October 4, 2011, your Board certified a Mitigated Negative Declaration (MND) #11-NGD-0000-00008 for the project and on April 10, 2012 an Addendum to the MND was approved. Concurrently, Caltrans was the lead agency for NEPA, secured funding for the work to replace the culverts under U.S. 101, and is currently under construction.

Final design of the UPRR replacement railroad bridges has been completed and District staff has secured the regulatory permits needed for the work.

There are five fiber optic carriers located along the UPRR railroad tracks however at the time the MND was being written it was not known what type of relocation of fiber optic lines would be required for the UPRR Bridge replacements. Since that time, plans have been developed and relocation will be required to the east of Las Vegas Creek outside of the original APE described and analyzed in the 2011 MND. The environmental consulting firm, Dudek, Inc. provided updated field work and an evaluation of the potential impacts to cultural resources outside of the APE associated with the relocation efforts. Conclusions made by Dudek, Inc. are supported by the archeologist on staff in the Santa Barbara County Planning and Development Department.

Fiscal and Facilities Impacts:

Budgeted: Yes

Narrative:

Fiscal Analysis:

| <u>Funding Sources</u> | <u>Current FY Cost:</u> | <u>Annualized On-going Cost:</u> | <u>Total One-Time Project Cost</u> |
|-------------------------------|--------------------------------|---|---|
| South Coast FZ | \$ 6,200.00 | | |
| State | | | |
| Federal | | | |
| Fees | | | |
| South Coast FZ | | | |
| Total | \$ 6,200.00 | \$ - | \$ - |

This project has been ongoing and has been included in budget for the past several of years. This year's costs were included in the adopted budget under the Water Resources Division of the Public Works Departments as shown on page D-226. Costs associated with the Addendum include consultant and monitoring costs. No General Fund monies will be utilized for this project.

The project is also included in the County's Capital Improvement Program on page D-142.

Special Instructions:

Direct the Clerk of the Board to send a copy of the minute order to the Flood Control District office, Attn: Christina Lopez.

Attachments:

Attachment 1: MND #11-NGD-00000-00008 (on the Clerk of the Board's website)

Attachment 2: Addendum #1 to MND #11-NGD-00000-00008 (on the Clerk of Board's website)

Attachment 3: Addendum #2 to MND #11-NGD-00000-00008

Attachment 4: Figure 1 for Addendum #2

Authored by: Maureen Spencer, Operations and Environmental Manager, 568-3437.

EXHIBIT A

