

Cc:

Mr. Rodney R. McInnis, National Marine Fisheries Service  
Mr. James H. Lecky, National Marine Fisheries Service  
Mr. Craig Wingert, National Marine Fisheries Service  
Ms. Korie Johnson, National Marine Fisheries Service  
Mr. Charles Raysbrook, Dept. of Fish and Game  
Mr. Dennis McEwan, Dept. of Fish and Game  
Mr. Mauricio E. Cardenas, Dept. of Fish and Game  
Mr. Glen Greenwald, U.S. Fish and Wildlife Service  
Mr. John Moeur, U.S. Army Corps of Engineers  
Mr. Maeton Freel, U.S. Forest Service

Santa Barbara City Council

Marty Blum, Gil Garcia, Gregg Hart, Elinor Langer, Tom Roberts, Dan Secord,  
Mayor Harriet Miller

Santa Barbara County Board of Supervisors

Naomi Schwartz, Gail Marshall, Susan Rose, Joni Gray, Tom Urbanske





REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
P.O. BOX 532711  
LOS ANGELES, CALIFORNIA 90053-2325

December 15, 1999

Office of the Chief  
Environmental Resources Branch

To Interested Parties:

Enclosed for your review and comment is a copy of the Draft Feasibility Report and Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Lower Mission Creek Flood Control Project, Santa Barbara, Santa Barbara County, California. The study is limited to the final 1.2 miles of the creek, between Canon Perdido Street and Cabrillo Boulevard. This study does not extend to lagoon. The proposed project would provide 3400 cubic feet per second (cfs) of capacity and approximately a 20-year level of flood protection.

The Environmental Impact Statement/Environmental Impact Report (EIS/EIR) evaluates four feasible alternatives for the environmental evaluation. They are Alternative 12, 6, 8 and No Action Alternatives (see details in the EIS/EIR Section 3). Alternative No. 12 is the National Economic Development (NED) and tentatively Recommended Plan. This alternative is also the environmentally superior plan compared to all other alternatives evaluated for the environmental analysis.

Alternative 12 consists of constructing a soft bottom creek, stabilizing the creek banks with a combination of short vertical walls along the lower banks and vegetated riprap along the upper banks, replacement of five bridges; installation of a bypass culvert, and streamlining the bedslope. This alternative provides an opportunity for construction of a wetland and habitat expansion zones. The habitat expansion zones would provide a dual benefit by expanding riparian habitat along the creek and creating passive park areas for use by area residents. Future maintenance of the constructed channel is essential to retain the form and design capacity of the creek. Impacts related to future maintenance are addressed in this document. Chapters 6 through 19 provide existing conditions and address impacts related to this proposed project. Environmental commitments and mitigation measures are included to avoid/reduce or minimize impacts to natural and cultural resources.

The U.S. Army Corps of Engineers is the Federal lead agency responsible for complying with the National Environmental Policy Act (NEPA). Santa Barbara County Flood Control District (SBCFCD) and the City of Santa Barbara are the local responsible agencies for complying with the California Environmental Quality Act (CEQA). The SBCFCD is a project proponent responsible for the future maintenance of the constructed project. This environmental document is written in compliance with NEPA, CEQA and other applicable environmental laws and regulations.



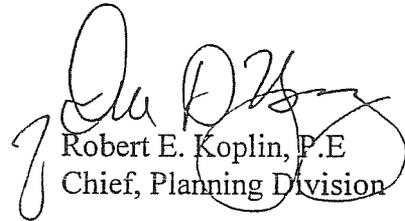
A public hearing on the Draft Feasibility Report and Draft EIS/EIR is scheduled for January 19, 2000, at 6:30 pm.; in Santa Barbara City Hall, Council Chambers; 730 Anacapa Street, Santa Barbara, California.

Should you have any comments on the proposed project, please respond within forty-five (45) days. The comment period begins December 27, 1999, and extends through February 10, 2000. Please address your comments to:

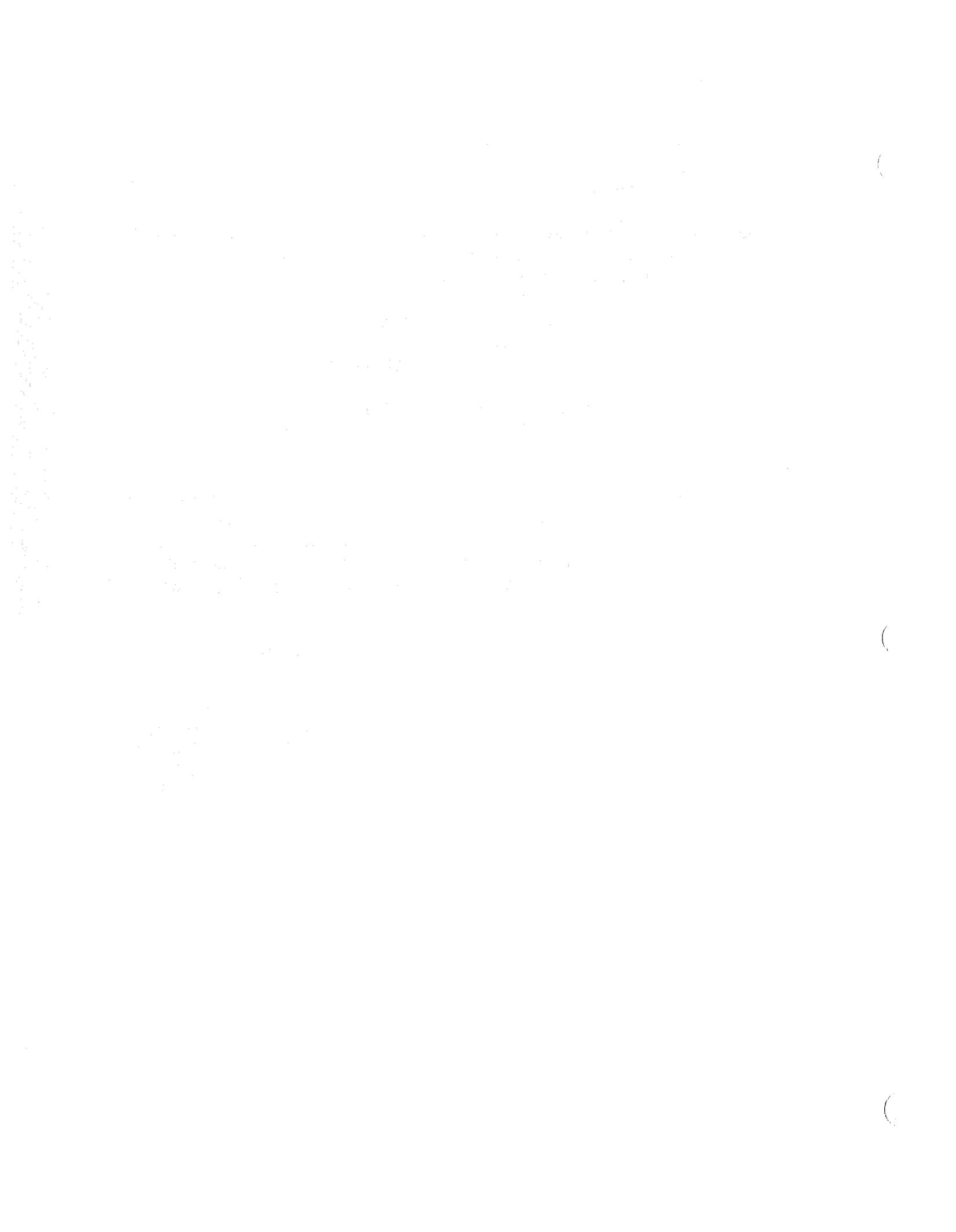
U.S. Army Corps of Engineers  
Los Angeles District  
ATTN: Ms. Joy Jaiswal (CESPL-PD-RL)  
and  
Mr. Ed Demesa (CESPL-PD-WA)  
P.O. Box 532711  
Los Angeles, California 90053-2325

Comments must be received by February 10, 2000. Please direct your comments to the attention of Ms. Joy Jaiswal of my staff at (213) 452-3871 or FAX (213) 452-4219. If you have questions on the Draft Feasibility Report, please contact Mr. Ed Demesa, (213) 452- 3796. Ms. Janice M. Hubbell, AICP, Project Planner is a point of contact at the City of Santa Barbara. Ms. Hubbell can be reached at (805) 564-5470. Thank you for your review of this document.

Sincerely,

  
Robert E. Koplin, P.E.  
Chief, Planning Division

Enclosure





August 9, 2000

Pat Kelly  
City of Santa Barbara  
Public Works Department  
630 Garden Street  
Santa Barbara, CA 93101

RE: LOWER MISSION CREEK SHADE ANALYSIS, FEBRUARY 25, 2000

Dear Pat,

The Environmental Defense Center (EDC) has reviewed the Lower Mission Creek Shade Analysis performed by Penfield and Smith and submitted to you under a February 25, 2000 cover letter. This letter represents EDC's comments in response to the shade analysis.

The Analysis Assumes Trees will be Planted by the Community

In its first sentence, the February 25, 2000 letter to you states that "this analysis was performed in response to questions regarding how much of the water in Lower Mission Creek would be shaded after completion of the project proposed by the Army Corps of Engineers." However the letter also states, on page 2, that the analysis "assumes that some sycamore and willow trees will be planted by the community adjacent to the creek bank on private property." This assumption renders the analysis flawed because "the project" undergoing environmental review does not include the planting of trees by "the community" or by anyone else along any of the banks where only vertical walls will be installed (e.g., no sloped vegetated bank).

Throughout the lengthy project reach, 35% of the banks will be vertical walls with no vegetated side slopes and no trees or shrubs planted on top of the vertical walls. This percentage of unvegetated banks is at least twice as high for the section of the project below Highway 101, where vertical walls with no trees will dominate the creek corridor. Since the analysis assumes planting of the extensive reaches of creek bank, particularly south of Highway 101 and along the lagoon that will not be planted as part of this project, the analysis only misrepresents the project impacts relating to water, biological and aesthetic resources.

The analysis should be redone with no dangerous assumptions about what "the community" may plant on "private property" in speculative future efforts distinct from the project.

The Analysis Assumes Extremely High Tree Growth Rates

The model also assumes very rapid plant growth. Sycamore trees are assumed to reach heights of 20 to 30 feet after 5 to 10 years. The analysis does not account for the fact the trees are proposed to be of local stock and origin that are typically not available in large container sizes. Even if 5-gallon and 10-gallon trees were available to plant, expecting them to reach heights of 20 to 30 feet in 5 to 10 years is unrealistic. Based on my extensive experience conducting and managing habitat restoration efforts along local creeks and reviewing and







August 9, 2000

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City of Santa Barbara  
Public Works Department  
630 Garden Street  
Santa Barbara, CA 93101

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**OFFICE OF HISTORIC PRESERVATION  
DEPARTMENT OF PARKS AND RECREATION**

P.O. BOX 942896  
ACRAMENTO, CA 94296-0001  
(916) 653-6624 Fax: (916) 653-9824  
calshpo@ohp.parks.ca.gov



August 3, 2000

Reply To: COE000106A

Mr. Robert E. Koplin, P.E.  
Chief, Planning Division  
Attn: Mr. Richard Perry (CESPL-PD-RN)  
U.S. Army Corps of Engineers  
P.O. Box 832711  
Los Angeles, CA 90053-2325

Re: Lower Mission Creek Flood Control Study, Santa Barbara, CA

Dear Mr. Koplin:

Thank you for your letters of June 27 and August 1, 2000, requesting my review and comments in regard to the Corps of Engineer's (COE) efforts to determine whether the project described above may affect historic properties. You have done this, and are consulting with me, in order to comply with Section 106 of the National Historic Preservation Act and implementing regulations codified at 36 CFR Part 800.

The COE has determined that the following properties are not eligible for the National Register of Historic Places (NRHP):

- Bridge 51C0246 – the Mission Creek Bridge between Bath and Dela Vina Street
- Bridge 51C0247 – the Mission Creek Bridge at the intersection of Dela Vina and Haley Street
- Bridge 51C0287 – the Mission Creek Bridge between Chapla and State Street
- Bridge 51C0301 – the Mission Creek Bridge between Castillo and Bath Street
- 116 Chapala Street, Santa Barbara, CA
- 134 Chapala Street, Santa Barbara, CA
- 29 State Street, Santa Barbara, CA
- 15 W Mason Street, Santa Barbara, CA
- 129 W Haley Street, Santa Barbara, CA
- 208 W Haley Street, Santa Barbara, CA
- 434 De La Vina Street, Santa Barbara, CA
- 221 W Cota Street, Santa Barbara, CA
- 230 W Cota Street, Santa Barbara, CA
- 532 Bath Street, Santa Barbara, CA
- 536 Bath Street, Santa Barbara, CA
- 631 Bath Street, Santa Barbara, CA
- 633 Bath Street, Santa Barbara, CA
- 303 W Ortega Street, Santa Barbara, CA
- 306 W Ortega Street, Santa Barbara, CA
- 308 W Ortega Street, Santa Barbara, CA
- 326 W De la Guerra, Santa Barbara, CA

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Dear Mr. [Name],  
I have received your letter of the 15th and am glad to hear from you.  
I am sorry that I cannot give you a more definite answer at this time.  
I will be in touch with you again as soon as I can.

I am sure that you will understand my position.  
I am very busy at the moment and have a lot of work to do.  
I will try to get back to you as soon as possible.

I am sure that you will be satisfied with my answer.  
I am very sorry that I cannot give you a more definite answer.  
I will be in touch with you again as soon as I can.

I am sure that you will understand my position.  
I am very busy at the moment and have a lot of work to do.  
I will try to get back to you as soon as possible.

Mr. Koplín  
August 3, 2000  
Page 2

In addition the COE has determined that the following are eligible for the NRHP under Criterion C:

- 118 Chapala Street, Santa Barbara, CA
- 120 Chapala Street, Santa Barbara, CA
- 20 W Mason Street, Santa Barbara, CA
- 309 W Ortega Street, Santa Barbara, CA
- 311/313 W Ortega Street, Santa Barbara, CA
- Chapala Street Pony Truss Bridge
- Mission Creek Diversion

The COE has also determined that the Lower Mission Creek Flood Control Project will have no adverse effect on historic properties. Based on review of the submitted documentation, I concur with the foregoing determinations.

Thank you for considering historic properties during project planning. If you have any questions, please contact Natalie Lindquist of my staff at (916) 654-0631 or e-mail at [nlind@ohp.parks.ca.gov](mailto:nlind@ohp.parks.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "D. Abeyta" with a stylized flourish at the end.

Daniel Abeyta, Acting  
State Historic Preservation Officer



Mr. Koplin  
August 3, 2000  
Page 2

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- 20 W Mason Street, Santa Barbara, CA
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Sincerely,

Original Signed By

Daniel Abeyta, Acting  
State Historic Preservation Officer





REPLY TO  
ATTENTION OF:

**DEPARTMENT OF THE ARMY**  
LOS ANGELES DISTRICT, CORPS OF ENGINEERS  
P. O. BOX 532711  
LOS ANGELES, CALIFORNIA 90053-2325

December 20, 1999

Office of the Chief  
Environmental Resources Branch

Mr. Peter Douglas  
Executive Director  
California Coastal Commission  
Attn: Mr. Jim Raives  
45 Fremont, Suite 2000  
San Francisco, California 94105

Dear Mr. Douglas:

The U.S. Army Corps of Engineers (USACOE), submits this Coastal Consistency Determination (CCD) for the Lower Mission Creek Flood Control Project, Santa Barbara, California for your review and consideration. The USACOE has initiated coordination with Mr. Jim Raives of your staff to determine the need for a CCD. A copy of the Draft Feasibility Report and Draft Environmental Impact Statement/Environmental Impact Report is also provided for detailed analysis for each environmental resources.

The study is limited to the final 1.2 miles of the creek, between Canon Perdido Street and Cabrillo Boulevard This study does not extend to the lagoon. The proposed project would provide 3400 cubic feet per second (cfs) of capacity and approximately a 20-year level of flood protection. A project description is provided in enclosure 1 of the CCD. Environmental commitments or mitigation measures have been developed for each environmental resource to avoid or minimize project related impacts (enclosure 2). Information for the biological resources can be found in the HEP analysis report, Biological Assessment and USFWS's Coordination Act Report (enclosure 3, 4 and 5).

Your timely concurrence of this CCD would be greatly appreciated to allow project construction to commence on the scheduled date. If you have any questions regarding this project please contact Ms. Joy Jaiswal, Environmental Coordinator at (213) 452-3871, or Dr. John Moeur, project biologist at (213) 452-3874.

Thank you for your time and attention to this request.

Sincerely,

Robert E. Koplin, P.E  
Chief, Planning Division

Enclosures

THE UNIVERSITY OF CHICAGO  
DEPARTMENT OF CHEMISTRY

PHYSICAL CHEMISTRY



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PHYSICAL CHEMISTRY

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**APPENDIX - K**

**PUBLIC COMMENTS AND RESPONSES**  
**ON**  
**DRAFT EIS/EIR**  
**LOWER MISSION CREEK FLOOD CONTROL**  
**PROJECT**  
**SANTA BARBARA, CALIFORNIA**

**PREPARED BY**

**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**

**SEPTEMBER 2000**

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street  
San Francisco, CA 94105-3901

February 7, 2000

U.S. Army Corps of Engineers  
Los Angeles District  
Environmental Resources Branch  
P.O. Box 532711 (CESPL-PD-RL)  
Los Angeles, CA 90053-2325

Attention: Ed Demesa, Study Manager

Dear Mr. Demesa:

The Environmental Protection Agency (EPA) has reviewed the U.S. Army Corps of Engineers' (COE) Draft Environmental Impact Statement (DEIS) for the Lower Mission Creek Flood Control Project, Santa Barbara County, CA. Our comments are being provided pursuant to the National Environmental Policy Act (NEPA), Council on Environmental Quality (CEQ) Regulations (40 CFR 1500-1508), and Section 309 of the Clean Air Act.

The DEIS evaluates no action (alternative number 1) and three action alternatives (numbers 6, 8, and 12) to address elements of flood control and channel restoration along Lower Mission Creek in Santa Barbara County. These four alternatives are those carried forward from the broader array of alternatives considered in the COE's Feasibility Study. Under the no action alternative, the existing channel, with a capacity of approximately 1500 cubic feet per second (cfs) would remain in place and flooding would remain problematic. Each of the three action alternatives would result in an increase of channel capacity to 3400 cfs, providing a 20 year level of flood protection. The three action alternatives being evaluated in the DEIS are physical variants of one another, each having subtle, but sometimes significant, differences in construction configuration.

The COE has identified alternative 12 as their "tentatively recommended plan," further describing that alternative as being environmentally superior to the other alternatives. In addition, alternative 12, according to the COE meets National Economic Development (NED) status. Implementation of the COE's "tentatively recommended plan" would result in establishing a natural bottom for the last mile of the creek below Canon Perdido Street Bridge at the upstream end, replacing five bridges; streamlining bedslope; installing a culvert that bypasses the oxbow; stabilizing creek banks with vertical walls and riprap sideslope; incorporating native plantings along the riprap; and constructing six small habitat expansion zones and a wetland.

Responses to the comments from:

U.S. Environmental Protection Agency  
Region IX

75 Hawthorne Street  
San Francisco, CA 94105

The Corps of Engineers, the Santa Barbara  
County Flood Control District, and the City of Santa  
Barbara appreciates your comments vital to the success  
of this flood control project.

The proposed project, as designed, has been  
formulated with the cooperation of the County and the  
City and represents a balance to provide the residents  
of this area with a higher level of flood protection and  
improve the riparian community along the creek. In  
order to provide that increase in flood protection while  
maintaining the natural creek bottom and restoring the  
riparian corridor, widening the Creek is required.

In determining a rating for the document and proposed project, we have assumed that alternative 12, the COE's "tentatively recommended plan" is also the COE's preferred alternative as defined in CEQ Regulations. As such, we have assigned a rating of EC-2, Environmental Concerns - Insufficient Information. For a detailed explanation of our rating system, please refer to the Ratings Summary, attached.

While we concur that alternative 12 will increase biological, visual, and water resource values associated with Mission Creek, the concerns and recommendations we've outlined below should be addressed in the Final EIS.

Com. # 1

1. Alternative 12 would result in an overall expansion of channel width in lower Mission Creek. However, in the few areas with significantly narrower channel widths, stream velocities could result in scouring and undermining of bridge structures and retaining walls. Between Cota Street and Halet Street, the channel width is reduced to 55 feet to accommodate existing structures. This narrowing is associated with a vertical channel wall. Energy dissipation structures, such as large boulders already in place elsewhere up and down-gradient of this area should be considered.

Com. # 2

2. The wetlands area proposed for the entrance to the oxbow diversion channel would be subjected to periodic flooding. The impact of periodic flooding on this wetland is not fully addressed. The design of the created wetland should maximize the use of this area as a retention basin for flood events and be constructed so as to protect the area from wash-outs.

Com. # 3

3. The FEIS should fully address the issue of how the COE plans to prevent the oxbow diversion culvert from being clogged with debris during storm events. We recommend that the COE consider a debris catchment or dam as part of the design for the oxbow diversion culvert.

Com. # 4

4. Habitat for the endangered Tidewater Goby (*Eucyclogobius newberryi*) was not fully addressed. This is the subject of previous comments from EPA (1988) and the U.S. Fish and Wildlife Service (USFWS). EPA concurs with the USFWS in that a survey of the Tidewater Goby in the existing environment should be completed prior to implementation of the proposed project. The design for the tidal inflow area between Yanomali Street and the Cabrillo Street bridge should insure that existing conditions of temperature and salinity are met. Although the DEIS/Feasibility Study suggests that widening of the channel in this area would be beneficial to the species by increasing the amount of habitat, no scientific validation is provided. The FEIS should provide such validation and should also discuss the potential adverse results of widening the stream channel such as potentially decreasing available water depth and increasing water temperatures which could adversely affect the Tidewater Goby.

1-1. Hydraulic modeling reveals that the expected velocities of stormwater flows from the Cota Street Bridge to Haley Street Bridge would be slower compared to velocities across De la Guerra Street Bridge and hence no stream bed armoring is required between Cota and Haley Streets.

1-2. Due to the abundance of concerns with expected maintenance needed for a wetland to survive at this location, the area initially proposed as a wetland has been redesigned into a proposed expanded habitat zone similar to several sites already in the project.

1-3. To address concerns about potential blockage of the culvert, the culvert has been redesigned into a pair of 15' X 6' boxes. Furthermore, the splitter wall will be designed into a "bullnose" to help minimize the potential of getting debris hung up in the divider wall.

1-4. During the evaluation of the biological resources affected by the proposed project, the Corps coordinated extensively with USFWS. In April and May 1999, representatives of the Corps and USFWS surveyed the estuary and could not confirm the presence of the Tidewater goby. However, literature review found that previous surveys have confirmed the presence of tidewater gobies in this area (Lafferty and Altstatt, 1995). The Corps agrees that scientific validation has not been provided.

Thank you for the opportunity to review the DEIS. Please send two (2) copies of the FEIS to my attention (mailcode CMD-2) at the letterhead address at the same time that copies are filed with EPA Headquarters. Should you have questions, please contact Rosalyn Johnson at 415-744-1574 or Shirin Tolle at 415-744-1898

Sincerely,



David Farrell, Chief  
Federal Activities Office

cc: J. Jaiswal (LA COE)  
R. Leidy (WTR-8)  
S. Tolle (WTR-5)

Attachment: EPA Ratings Summary

003189

However, hydrologic studies of the project show that the project as designed would double the surface area and maintain the existing depth of the water in the estuary. In addition, there would be no change in the amount of shade from the existing conditions; therefore, no change in temperature is expected.



# United States Department of the Interior

OFFICE OF THE SECRETARY  
Office of Environmental Policy and Compliance  
600 Harrison Street, Suite 515  
San Francisco, California 94107-1376



March 3, 2000

ER 00/0040

U.S. Army Corps of Engineers  
Colonel John Carroll  
District Engineer, Los Angeles District  
Attn: CESPL-PD-RL, CESPL-PD-WA  
P.O. Box 532711  
Los Angeles, California 90053-2325

Dear Colonel Carroll,

The Department of the Interior (Department) has reviewed the Draft Environmental Impact Statement and Environmental Impact Report (DEIS/EIR) and Draft Feasibility Report for the Lower Mission Creek Flood Control Project, Santa Barbara, California. The Department's comments center on the potential for the project to restore and enhance habitat for listed fish species-- steelhead and tidewater goby. The U.S. Fish and Wildlife Service (Service) has substantially commented on this proposed Project in a draft Fish and Wildlife Coordination Act Report (DCAR) which was sent to your office in December of 1999. The DCAR is included in the DEIS as Appendix B.

### GENERAL COMMENTS

The Santa Barbara community has a history of endorsement of its natural riverine systems dating from at least the 1960's (Feasibility Report, Chapter III, page 4) through recent times (Appendix I, Public Scoping - Comment Letters). For example, the City's General Plan Conservation Element (Feasibility Report, Chapter III, page 71) stipulates:

- The riparian resources, biological productivity, and water quality of the City's coastal creeks shall be maintained, preserved, enhanced, and where feasible, restored.
- The habitat of rare and endangered species shall be preserved.
- Intertidal and marine resources shall be maintained or enhanced.

The report indicates (page 72, first two lines): "These goals and polices will be used as the evaluation criteria for the assessment of with-project biological impacts and mitigation." Yet, the Draft EIS gives only cursory reference to any type of ecological restoration to the Mission Creek

Letter from:

Patricia Sanderson Port  
Office of Environmental Policy and Compliance

U.S. Department of Interior  
600 Harrison St., Suite 515  
San Francisco, CA 94107-1376

2-1

The flood control project would require modification to the creek upstream of the lagoon. Modification to his area is not needed in order to achieve the design conveyance capacity. The project expects to have no impacts to this area. In the estuary upstream of the lagoon up to the extent of tidal interface, the project proposes to create a wider channel, which would consequently, more than double the size of the estuary habitat. Additionally physical features in the form of fish baffles, fish ledges, textures walls as goby refuge, which would mitigate and contribute to the restoration and enhancement of the estuary.

In the future, if a non-Federal sponsor is interested in the restoration of the degraded ecological resources of the lagoon the Corps could pursue a study under other existing restoration type of authority, such as Sections 1135 and 206 programs.

2-2

The USACOE has prepared a long term mitigation monitoring plan for the planted vegetation and for the listed endangered and threatened species. Criteria and goals have been developed for the success of the planted vegetation and minimizing impacts to the aquatic habitat. See details in appendix B (Biological Assessments, and Biological Opinion for steelhead) and appendix H and Chapter 10 for details.

project site. No mention was made of the mouth of Mission Creek and its tidal interface. We recommend that the Mission Creek project include more proposed restoration or enhancement of the degraded ecology.

#### SPECIFIC COMMENTS

Feasibility Report, Chapter V. DESCRIPTION OF THE SELECTED PLAN. B. Locally-Preferred Plan, page 98. Although the Feasibility Report mentions biological resources of concern (pages 38-39), the Report dismisses ecological restoration of Mission Creek with one paragraph (page 98, third full paragraph), saying "Planting along the riprap and planting of native trees in habitat expansion zones are an integral part of the project design." No further explanation of restoration techniques or measures is indicated, and the paragraph continues, "Therefore, no biological mitigation will be required."

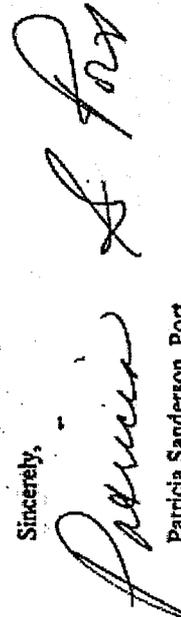
We suggest that several ecological considerations could be made:

- Incorporating revegetation, especially of the native southern cottonwood-willow riparian forest, into the proposed construction project might provide a cost-effective opportunity for enhancing the proximal environment while developing the channel for flood control purposes. Because of public concern about use of native vegetation rather than non-indigenous weedy species, we would like to bring to your attention the work of the Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW). The FICMNEW is an active committee that identifies and monitors invasive non-indigenous plant species. The Committee's initial report is referenced:

Westbrooks, R., 1998, Invasive plants: changing the landscape of America: Fact book. Federal Interagency Committee for the Management of Noxious and Exotic Weeds (FICMNEW), Washington, D.C. 109 pp.

Further information on weedy species can be accessed at <http://refuges.fws.gov/FICMNEWFiles/FICMNEWHomePage.html>

- Proposing specific measures in the Report for steelhead and the tidewater goby habitat restoration. The U.S. Fish and Wildlife Service will be providing detailed information on the tidewater goby during formal consultation under Section 7 of the Endangered Species Act. Additional recommendations from the Service on enhancing aquatic habitat is found in Appendix B of the Report. For further information on these species' habitat requirements, we would like to suggest several research projects done by the USGS Biological Resources Division. These can be researched at the USGS URL: <http://biology.usgs.gov/> under "Current Projects", "BRD Centers", or "Cooperative Research Units". Samples of these research projects include the following: (BRD Centers and Cooperative Research Units are in parentheses.)

<p>Com.#2-5</p>	<ul style="list-style-type: none"> <li>• Biological assessment (steelhead trout) of streams in the King Range Conservation Area (California Cooperative Fishery Research Unit).</li> <li>• Status of the tidewater goby and assessment of environmental variables associated with its abundance and distribution in California lagoons and estuaries (Western Fisheries Research Center).</li> </ul> <p>Further references include:</p> <p>Lafferty, K. D., Swift, C. C., and Ambrose, R. F., 1999, Postflood persistence and recolonization of endangered tidewater goby populations. <i>North American Journal of Fisheries Management</i>, v. 19, p. 618-622.</p> <p>Lafferty, K. D., Swift, C. C., and Ambrose, R. F., 1999, Extirpation and recolonization in a metapopulation of an endangered fish, the tidewater goby. <i>Conservation Biology</i> v. 13, p. 1-8.</p> <ul style="list-style-type: none"> <li>• The Department also recommends that the Corps apply the recommendations found on page 28 in Appendix B, <i>AVOIDANCE OF IMPACTS TO BATS AND NESTING BIRDS</i> to protect resident bats.</li> </ul> <p>We thank you for the opportunity to comment on this EIS.</p> <p>Sincerely,</p>  <p>Patricia Sanderson Port Regional Environmental Officer</p> <p>cc: Director, OEPC, w/original incoming Regional Director, FWS, Portland Director, USGS, Reston, VA</p>	<p>2-3</p> <p>All planting materials will be local native species, preferably collected from the coastal portion of Mission Creek and nearby creeks. See appendix H (Monitoring Plan) for the species list, and removal of exotic vegetation is incorporated into the mitigation monitoring plan.</p> <p>2-4</p> <p>Please see Biological Resources Section for additional measures to improve steelhead and tidewater goby habitat, including a weir at the upper end of the oxbow to assure that low flows continue to flow through the oxbow, fish ledges, boulder fields, vertical ribbing for goby refugia and other mitigations. The USACOE has coordinated with NMFS and USFWS for developing mitigation measures to minimize impact to the federally listed species. Conditions identified in the Biological Opinion from the NMFS for steelhead in appendix B-1 (Biological Opinion for steelhead) will be followed to minimize impacts to steelhead. Mitigation measures identified in the biological assessments in section 10 and 24 of the EIS will be followed to minimize impacts to the federally listed species. Thank you for your recommendation to obtain additional information from the USGS URL.</p> <p>2-5</p> <p>Project area does not support bats according to a biological survey of the project area.</p>
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Commander (com-2)  
Eleventh Coast Guard District

Coast Guard Island  
Alameda, CA 94501-5100  
Phone: (510) 437-3514  
FAX: (510) 437-5886

16591/3  
Lower Mission Creek  
Ser: 043-08  
February 4, 2000

Mr. Ed Demesa  
Plan Formulation Branch  
U. S. Army Corps of Engineers  
P. O. Box 532711  
Los Angeles, CA 90053-2325

Dear Mr. Demesa:

I received your Notice of Public Review and Public Meeting but am unable to participate directly in Santa Barbara's Feasibility Study. The Coast Guard's jurisdiction for bridge administrative functions encompasses waters under the influence of tides, along with those with potential for development into navigable waterways.

Com. # 3-1

I have not seen the current study, but it was proposed in 1986 to remove the sand bar from the mouth of Lower Mission Creek. Sand bar removal would allow navigation past all 7 bridges, and the Coast Guard would authorize any changes to vertical or horizontal clearances at those bridges under advance approval (33 CFR 115.70). We would similarly consider an advance approval for any new bridge location or design. Mission Creek is listed as Advance Approval from the its mouth to the limit of tidal effect from the mouth of the waterway.

Please forward us the final environmental document.

If you need further information if future modifications to bridges occur, I will prepare advance approval correspondence. Please contact Bridge Administrator, Susan Worden, or myself at the above phone or fax numbers.

Sincerely,

R. G. BRUNKE  
Commander, U. S. Coast Guard  
Chief, Aids to Navigation  
and Waterways Management Branch  
By direction of the District Commander

Copy: CG Marine Safety Office Los Angeles/Long Beach  
U. S. Army Corps of Engineers, Los Angeles District

Responses to the comments from:

US Dept. of Transportation  
US Coast Guard  
Coast Guard Island  
Alameda, CA 94501-5100  
R.G. Brunke, Commander

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

3-1

The Corps will coordinate with your office any modification and reconstruction of bridges crossing lower Mission Creek. During the next phase of the project, wherein detailed plans will be developed for the bridges identified to be replaced, the Corps, the City and the County will coordinate a review with your office and seek Advance Approval IAW 33 CFR 115.70. End



Gray Davis  
GOVERNOR

STATE OF CALIFORNIA

Governor's Office of Planning and Research  
State Clearinghouse

February 11, 2000

JANICE M. HUBBELL  
CITY OF SANTA BARBARA, PLANNING DIVISION  
P.O. BOX 1990  
SANTA BARBARA, CA 93102-1990

Subject: LOWER MISSION CREEK FLOOD CONTROL PROJECT  
SCH#: 1998101061

Dear JANICE M. HUBBELL:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on February 10, 2000, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the eight-digit State Clearinghouse number when contacting this office.

Sincerely,  
*Terry Roberts*

Terry Roberts  
Senior Planner, State Clearinghouse

Lorette  
DIN

RECEIVED

FEB 16 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

Responses to the comments from:

Terry Roberts  
State Clearinghouse  
Governor's Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

Com.# 4-1

4-1

Receipt acknowledged. Thank you for distributing the Draft EIS/EIR to the concerned resource agencies. Your comment is noted.

State Clearinghouse Data Ba

SCH# 1998101061  
 Project Title LOWER MISSION CREEK FLOOD CONTROL PROJECT  
 Lead Agency Santa Barbara, City of

Type eir Draft EIR

Description

The EIS/EIR specifically addresses Alternatives 12, 6, and 8. These alternatives would increase the channel capacity to 3,400 cubic feet per second (cfs), providing a 20-year level of protection. Channel improvements would occur on approximately the last mile of the creek between the Canon Perdido Street Cabrillo Boulevard Bridges. Alternative 12, the National Economic Development (NED) tentatively recommended plan, includes: natural creek bottom; replacement of five bridges; streamlining beddops; installing a culvert that bypasses the oxbow; stabilizing creek banks by using a combination of short vertical walls and vegetated riprap in most places with vertical walls at bridges and at other constrained locations; and construction of habitat zones and a wetland. Alternative 6 consists of: natural creek bottom; stabilized creek banks with vertical walls and vegetated stepped banks; replacement of seven bridges; streamlining beddops; construction of habitat zones and a wetland; and the oxbow would widened to contain higher flows. Alternative 8 consists of: natural creek bottom; stabilization of creek banks with vertical concrete walls; replacement of five bridges; streamlining beddops; installing a culvert that bypasses the oxbow; and construction of habitat zones and a wetland. Future maintenance is an integral part of the project design for all alternatives identified above, and is included in the project description for the life of the project. Project design incorporates planting of vegetation along upper banks, within vacant remnant land parcels, and construction of a wetland. In addition, Alternative 1, the No Action alternative, is considered in the EIS/EIR.

Lead Agency Contact

Name JANICE M. HUBBELL  
 Agency CITY OF SANTA BARBARA, PLANNING DIVISION  
 Phone (805)684-5470  
 Address P.O. BOX 1980  
 City SANTA BARBARA State CA Zip 93102-1980  
 Fax

Project Location

County Santa Barbara  
 City Santa Barbara  
 Region  
 Cross Streets BETWEEN CARRILLO ST. AND THE OCEAN  
 Parcel No. SEVERAL DOZEN  
 Township  
 Range Section Base

Proximity to:

Highways US 101, SR 225, SR 192-SR 144  
 Airports  
 Railways UPRR  
 Waterways MISSION CREEK, LAGUNA CHANNEL  
 Schools SANTA BARBARA CITY COLLEGE, FRANKLIN, MCKINLEY & HARDING SCHOOLS  
 Land Use The area of project is partially in the following zones: Commercial (C-2); Multiple Family Residential (R-3); Multiple Family Residential/Hotel (R-4); project is partially within the following General Plan Designations: Buffer(Stream); Residential, 12 units/acre; Hotel and Related Commerce I and II; General Commerce.

State Clearinghouse Data Ba.

**Project Issues** Aesthetic/Visual; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Noise; Recreation/Parks; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Wildlife; Cumulative Effects; Air Quality; Archaeologic-Historic; Economics/Job; Geologic/Seismic; Population/Housing Balance; Public Services; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Water Supply; Growth Inducing; Landuse

**Reviewing Agencies** Department of Boating and Waterways; California Coastal Commission; Department of Fish and Game, Region 5; Office of Historic Preservation; Department of Parks and Recreation; California Highway Patrol; Department of Water Resources; Caltrans, District 5; Regional Water Quality Control Board, Region 3; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Department of Conservation

**Date Received** 12/28/1999    **Start of Review** 12/28/1999    **End of Review** 02/10/2000



# City of Santa Barbara California

## HISTORIC LANDMARKS COMMISSION MINUTES

January 5, 2000 David Gebhard, Public Meeting Room: 630 Garden Street 1:30 P.M.

### COMMISSION MEMBERS:

- DONALD SHARPE, Chair, Present
- LOUISE BOUCHIER, Vice-Chair, Present
- ROBERT ADAMS, Present, Left at 4:20 p.m., Returned at 4:24 p.m.
- TOM BOLLAY, Present at 1:42 p.m.
- EDWARD CELLA, Present
- PETER EHLEN, Present
- WILLIAM LAVOIE, Absent
- HENRY LEMMY, Present
- ANTHONY SPANN, Present

### ADVISORY MEMBER:

DR. MICHAEL GLASSOW, Absent

### CITY COUNCIL LIAISON:

GIL GARCIA, Absent  
GREGG HART, Absent

### PLANNING COMMISSION LIAISON:

BARBARA CHEN LOWENTHAL, Present

### STAFF:

- JAMES LAMON, Design Review Supervisor, Present, Left at 1:46 p.m.
- CHRISTINE SAVAGE PALMER, Associate Planner/Urban Historian, Present, Left at 4:03 p.m.
- CYNTHIA CHAMBERS, Planning Technician II, Present
- SUZANNE JOHNSTON, Recording Secretary, Present

Historic Landmarks Commission  
Responses to the comments from:

City of Santa Barbara

Note: The City of Santa Barbara had presented brief status of various projects to the Historic Landmarks Commission. Only Lower Mission Creek Project related concerns are addressed or included in this letter.

\*\* All approvals made by the Historic Landmarks Commission (HLC) are based on compliance with Municipal Code Chapter 22.22 and with adopted HLC guidelines. Some agenda items have received a mailed notice and are subject to a public hearing.

\*\* The approximate time the project will be reviewed is listed to the left of each item. It is suggested that applicants arrive 15 minutes early. The agenda schedule is subject to change as cancellations occur. Staff will notify applicants of time changes.

\*\* The applicant's presence is required. If an applicant is not present, the item will be postponed indefinitely. If an applicant cancels or postpones on item without providing advance notice, the item will be postponed indefinitely and will not be placed on the following HLC agenda. In order to reschedule the item for review, the applicant must fill out and file a Supplemental Application Form at 630 Garden Street (Community Development Department) and submit appropriate plans.

\*\* The Commission may grant an approval for any project scheduled on the agenda if sufficient information has been provided and no other discretionary review is required. Substitution of plans is not allowed, if revised plans affecting from the submittal sets are brought to the meeting, motions for preliminary or final approval will be contingent upon staff review for code compliance.

\*\* Preliminary and Final Historic Landmarks Commission approval is valid for one year from the date of the approval unless a time extension or Building Permit has been granted.

\*\* The Commission may refer items to the Consent Calendar for Preliminary and Final Historic Landmarks Commission approval.

\*\* In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (805) 564-5470. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.

CONCEPT REVIEW - NEW

5. LOWER MISSION CREEK  
Assessor's Parcel Number: 033-120-015  
Application Number: MST92-00465  
Agent: Pat Kelly

Applicant: City of Santa Barbara

(Construction of flood control channel for 1.2 mile stretch of Mission Creek. The flood control project realignment of portions of the creek channel, widening to 60 feet, and construction of an overflow box culvert US 101. This is a review of the draft Environmental Impact Statement report.)

(3:36)

Jan Hubbell, Project Planner, Diane Gabriel, Principal Civil Engineer, and Bruce Burnworth, agent, present.

Public comment opened at 4:08 p.m.

Kellern de Forrest, 2651 Todos Santos Lane, asked if the large projects that were previously approved (i.e. California Hotel, etc.) were considered in this proposal.

Gabrielle Boucher, 116 Chapala Street, wanted to thank the Commission for their efforts in trying to protect her home as well as others in the neighborhood.

Kate Lundry, 116 Chapala Street, requested to know what the proposed time frame is.

Public comment closed at 4:14 p.m.

Motion: Recommendation to the Planning Commission that the Draft Environmental Impact Statement be accepted with the following comments: 1) The Commission is continually concerned about historic housing, especially historic housing in the waterfront neighborhoods. 2) The DEIS/EIR does not address the historic district potential with regards to the properties along Chapala Street. 3) Along both sides of Chapala Street should be studied to create a Landmark District. 3) Incorporate use of interpretative signs along the Mission Creek corridor to provide information and education regarding its natural and historic resources. 4) Significant skyline trees should not be removed. 5) There should be a balance between the creation of a natural habitat, historic resources, and environment. 6) The overall effect of the project should be an improvement to the neighborhood. This is represented in the presentation drawings but may not be reflected in the Corp of Engineers preferred proposal. 7) The City's option is the preferred option. 8) The Commission supports and encourages that the Potter Foot Bridge and the Chapala Street Bridge be preserved through creative engineering.

Action: Cella/Boucher, 7/0/0.

Historic Landmarks Commission Responses to the comments from:

City of Santa Barbara

Note: The City of Santa Barbara had presented brief status of various projects to the Historic Landmarks Commission. Only Lower Mission Creek Project related concerns are addressed or included in this letter.

Historic Landmarks Commission Responses to the comments from:

City of Santa Barbara

5-1 As the result of several design refinements proposed by the City and County, several structures, including historic and non-historic\* housing will no longer be removed. These structures include 116 Chapala Street, 536 Bath Street, 308 W. Ortega Street,\* and 324 De la Guerra Street.\*

5-2 A mitigation measure has already been included requiring that this neighborhood be further studied to determine its eligibility for designation as a landmark District.

5-3 See Response to Comment 5-2. The City will be installing interpretive signs as part of project embellishments paid for by the City.

5-4 Additional design refinements will result in lesser number of skyline trees being removed. The feasibility of saving other significant trees will be revisited during the final design.

5-5 The recommended plan attempts to create balance between providing increased flood

		<p>protection while restoring and saving environmental values including both biological and historic resources. A significant amount of habitat will be created through the creative structural design of the toe wall and vegetated riprap slope. Additional refinements have been incorporated into the plan to minimize impacts to historic structures.</p> <p>5-6 The project now incorporates the changes requested by the City and the County.</p> <p>5-7 See Response to Comment 5-6.</p> <p>5-8. The new design incorporated into the recommended project results in the preservation of Chapala Street Bridge and the Potter Hotel Footbridge.</p>
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# City of Santa Barbara California

## ARCHITECTURAL BOARD OF REVIEW MINUTES

January 10, 2000 David Gebhard Public Meeting Room, 630 Garden Street 3:08 P.M.  
BOARD MEMBERS: KARL EBERHARD, Chair, Present, Left at 4:42 p.m., Returned at 5:10 p.m.

JEFFREY CORRELL, Vice-Chair, Present  
DEREK EICHELBERGER, Present  
CAROL GROSS, Present  
ANNIE GUILLETTE, Present, Left at 5:35 p.m.  
JOHN HUTCHINGS, Present  
STELLA LARSON, Present  
ALEX PUO, Present  
RICHARD SIK, Present  
DAN SECORD, Present, Left at 4:30 p.m.  
MAYOR HARRIET MILLER, Absent

### CITY COUNCIL LIAISON:

DAN SECORD, Present, Left at 4:30 p.m.

### PLANNING COMMISSION LIAISON:

BARBARA CHEN LOWENTHAL, Present, Left at 6:15 p.m.  
JAMES LIMÓN, Design Review Supervisor, Present, Left at 3:18 p.m.  
DANNY KATO, Associate Planner, Present, Left at 3:18 p.m.  
TRISH ALLEN, Planning Technician, Present  
MYLEA D. YOST, Recording Secretary, Present

\*\* All approvals made by the Architectural Board of Review (ABR) are based on compliance with Municipal Code Chapter 22.68 and with adopted ABR guidelines. Some agenda items have received a mailed notice and are subject to a public hearing.

\*\* The approximate time the project will be reviewed is listed to the left of each item. It is suggested that applicants arrive 15 minutes early. The agenda schedule is subject to change as cancellations occur. Staff will notify applicants of time changes.

\*\* The applicant's presence is required. If an applicant is not present, the item will be postponed indefinitely. If an applicant cancels or postpones on item without providing advance notice, the item will be postponed indefinitely and will not be placed on the following ABR agenda. In order to reschedule the item for review, the applicant must fill out and file a Supplemental Application Form at 630 Garden Street (Community Development Department) and submit appropriate plans.

\*\* The Board may grant an approval for any project scheduled on the agenda if sufficient information has been provided and no other discretionary review is required. Substitution of plans is not allowed, if revised plans differing from the submittal sets are brought to the meeting, motions for preliminary or final approval will be contingent upon staff review for code compliance.

\*\* Preliminary and Final Architectural Board of Review approval is valid for one year from the date of the approval unless a time extension or Building Permit has been granted.

\*\* The Board may refer items to the Consent Calendar for Preliminary and Final Architectural Board of Review approval.

\*\* In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Planning Division at (805) 564-5470. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements.

\*\* Some projects may be referred to the Disabled Advisory Committee on Access (DACAC) for review.

Responses to the comments from:

Architectural Board of Review  
City of Santa Barbara

Note: The City of Santa Barbara had presented brief status of various projects to the Architectural Board of Review Only Lower Mission Creek Project related concerns are addressed or included in this letter.

\*\* Many of the items before the Board may be appealed to the City Council. For further information on appeals contact the Planning Division Staff or the City Clerk's office. Said appeal must be in writing and must be filed with the City Clerk at City Hall within ten (10) calendar days of the meeting at which the Board took action or rendered its decision. The scope of this project may be modified under further review.

\*\* If you have any questions, wish to review the plans, or wish to be placed on a mailing list for future agendas for an item, please contact Trish Allen at (805) 564-5470 between the hours of 8:30 a.m. to noon and 1:00 p.m. to 4:00 p.m., Monday through Friday.

#### **LICENSING ADVISORY:**

The Business and Professions Code of the State of California and the Municipal Code of the City of Santa Barbara restrict preparation of plans for certain project types to licensed professionals. Applicants are encouraged to consult with Land Use Controls or Planning Staff to verify requirements for their specific projects.

Unlicensed persons are limited to the preparation of plans for:

- Single or multiple family dwellings not to exceed four (4) units per lot, of wood frame construction, and not more than two stories and basement in height;
- Non-structural changes to storefronts; and,
- Landscaping for single family dwellings, or projects consisting solely of landscaping of not more than 5,000 square feet.

#### **NOTICE:**

That on January 6, 2000 at 4:00 p.m., this Agenda was duly posted on the Community Development bulletin board, in the office of the City Clerk, and on the bulletin board on the outside of City Hall.

#### **GENERAL BUSINESS:**

##### **A. Public Comment:**

Any member of the public may address the Architectural Board of Review for up to two minutes on any subject within their jurisdiction that is not scheduled for a public discussion before the Board on that day. The total time for this item is ten minutes. (Public comment for items scheduled on today's agenda will be taken at the time the item is heard.)

No public comment.

##### **B. Approval of the minutes of the Architectural Board of Review meeting of January 3, 2000.**

**Motion:** Approval of the minutes of the Architectural Board of Review meeting of January 3, 2000, with corrections.

**Action:** Six/Larson, 6/0/3. Eberhard, Gross and Pujo abstained.

##### **C. Consent Calendar.**

**Motion:** Ratify the Consent Calendar. The Consent Calendar was reviewed by Richard Six with the exception of Item Nos. I, N, and P reviewed by Karl Eberhard, and Item No. E which was referred to the full Board.

**Action:** Correll/Pujo, 9/0/0. Eberhard stepped down on Item L.

##### **D. Announcements, requests by applicants for continuances and withdrawals, future agenda items, and appeals.**

- i. Ms. Allen distributed a memo to the Board from Helene Buchman, Transportation Planning Manager regarding tips for on-camera communication.

2. Mr. Jaime Limón, Design Review Supervisor, reported to the Board that it was Staff's understanding that the Board had a long-standing policy that only allowed a licensed Architect to review projects on the Consent Calendar. However, he stated that the Board is able to set their own rules and procedures on who is able to review the Consent Calendar; this may be done by an unlicensed person if the Board so desires. A discussion will be scheduled on this subject next week.
  3. Mr. Pujo announced that he has been appointed by the County Board of Supervisors to a new committee that will be working with CalTrans regarding design issues for the unincorporated areas of the South Coast.
  4. Mr. Hutchings announced that he would not be attending the next meeting on January 18, 2009.
- Z.** Subcommittee Reports.
- F.** No subcommittee reports.
- Possible Ordinance Violations.
- No reported violations.

Com.# 6-1

To  
6-9

**CONCEPT REVIEW - NEW ITEM**

1. **LOWER MISSION CREEK** P-R Zone  
 Assessor's Parcel Number: 033-120-015  
 Application Number: MST92-00465  
 Agent: Pat Kelly  
 Applicant: Jan Hubbell  
 City of Santa Barbara  
 (Construction of flood control channel for 1.2 mile stretch of Mission Creek. The flood control project involves realignment of portions of the creek channel, resulting in a 60 foot width, and construction of an overflow box culvert under US Highway 101. This is a review of the draft Environmental Impact Statement report.)

(3:27)

Jan Hubbell, Project Planner, Bruce Burnworth, agent, and Diane Gabriel, Principal Civil Engineer, present.

**Motion:** Recommend that the Draft Environmental Impact Statement/Report be accepted with the following comments: 1) The Board appreciates City Staff's sensitivity and intensive effort on this project. 2) The City's option is the preferred option. 3) The overall effect of the project should be an improvement to the neighborhood. 4) The Board regrets the lack of pedestrian and visual access along the creek corridor so far in the project and would like it to be expanded. 5) The wall design should be varied. 6) The railing and fencing at the top of the wall should be simple and screened out with landscaping. 7) The engineering features of the vertical walls should be unusual in character wherever possible. 8) Preserve the skyline trees. 9) The Board recognizes the importance of the details and wants to be fully involved in their review as a mitigation measure.  
 Pujo/Hutchings, 9/09.

**Action:**

**CONCEPT REVIEW - CONTINUED ITEM**

2. **900 BLOCK CARRILLO ST.**  
 Assessor's Parcel Number: 035-012-ROW  
 Application Number: MST1999-01017  
 Owner: City of Santa Barbara  
 Agent: Greg Knudsen  
 (Proposal for a new wall along the south side of Carrillo at La Coronilla. The project includes new sidewalk and pathway on both corners.)

Responses to the comments from:

Architectural Board of Review  
 City of Santa Barbara

- 6-1 Comment Acknowledged.
- 6-2 See response to comment 5-6.
- 6-3 See response to comment 5-6. The local Lower Mission Creek Design Subcommittee will also be involved in the final project design.
- 6-4 Due to real estate constraints, providing a pedestrian walkway and visual access along the creek corridor could be part of project embellishments paid for by the City and will be considered by the City during final design.
- 6-5 See response to comment 6-3.
- 6-6 See response to comment 6-3.
- 6-7 See response to comment 6-3.
- 6-8 See response to comment 5-4.
- 6-9 See response to comment 6-3.

CITY OF SANTA BARBARA  
PARKS AND RECREATION DEPARTMENT  
Parks Division

MEMORANDUM

TO: Pat Kelly, Assistant Public Work Director  
Jan Hubbell, Project Planner

FROM: Richard C Johns, Parks and Recreation Director

DATE: February 10, 2000

SUBJECT: COMMENTS FROM CITY OF SANTA BARBARA PARKS AND RECREATION DEPARTMENT ON LOWER MISSION CREEK FLOOD CONTROL FEASIBILITY STUDY

The following comments have been compiled from the Parks and Recreation Commission and Parks and Recreation Department staff members including the City Arborist, the Assistant Parks and Recreation Director, the City Landscape Architect and the Park Planner working on Open Space issues on the Feasibility Study for the Lower Mission Creek Flood Control Project.

1. Tree Related Issues:

No tree list was included for the plantings in the feasibility study, and in most public presentations, the trees identified for plantings have been willows, sycamore trees and california live oaks. Parks and Recreation staff understand this study is conceptual but at this point the Department would like to voice the need for inclusion of other appropriate riparian trees such as bay trees, poplars, toyon, red bud, elderberry and alders. These trees would add biological diversity and visual diversity to the creek corridor.

Staff would also like to emphasize the need for using localized stock for plantings. It is a commonly accepted practice to use locally collected and propagated plant materials in restoration projects in order to retain genetic integrity.

Our staff has substantial concerns related to the use of concrete vertical cylinders for the tree plantings. The first concern being that these cylinders will most likely prevent lateral root development which is vital for long term tree stability. The purpose for the use of the vertical cylinders is not clear in the project description; however, if it is to promote deep rooting we recommend the use of a cylinder that allows lateral root development.

The second concern related to concrete cylinders is that the diameter of the cylinders is not large enough. The City Arborist recommends that the diameter of the cylinder be four (4) times the diameter of the root ball. A small diameter cylinder, such as 36", will cause root/crown girdling which can be fatal to the long term health and stability of a mature tree.

Responses to the comments from:

Parks and Recreation Department  
City of Santa Barbara

Com.#7-1

Com.#7-2

Com# 7-3

7-1

Except for poplars and red bud, all other species mentioned are proposed to be included in the project planting. The final species list will be coordinated with concerned resource agencies.

7-2

See response to comment 7-1. The text in the EIS/R has been clarified to reflect the intent of using local stock.

7-3

See response to comment 7-1. The cylinders are no more than 30 inches in depth and should allow lateral root development. The Current plan is to use one-gallon stock, which can easily be accommodated within the breakaway cylinder. If the City embellishes with larger tree planting, an alternative planting method may be used.

<p>Com.#7-4</p> <p>Com.#7-5</p>	<p>Staff recommends saving as many of the historic sycamores and oaks along the creek as possible including the multi and large trunked sycamore specimens located near most of the bridge crossings and the exceptional specimen located near the gabions on the Funke property.</p> <p><b>2. Understory Composition</b>  There is little to no discussion about understory composition. Staff recommends a diverse and appropriate cover of midstory shrubs (where appropriate based on security issues), and a ground cover canopy composed of blackberries, appropriate native grasses, etc.</p> <p>It is unclear how deep the soil depth will be above the rip-rap, and if this soil is to be used for plantings. There is one reference to a depth of 6 inches on a 1.5:1 slope, and planting pockets for various trees and shrubs in the Draft Maintenance Plan. Are plantings going to occur on the soil covered rip-rap, or are they only occurring in planting pockets? If the soil covered rip-rap is to be used for plantings Parks and Recreation staff recommend a deeper soil depth be allowed for considering the steep slopes and the movement of soil by gravity, and for rooting capabilities.</p> <p>Parks and Recreation staff would like clarity on this issue. Especially related to "habitat expansion areas".</p>	<p>7-5</p> <p>7-6</p>	<p>Your comment is noted. The final species list will be coordinated with concerned resource agencies.</p> <p>Approximately 6 inches of topsoil would cover the riprap. Planting will occur on the riprap slope in addition to planting in the cylinders. Some plants will be placed between the riprap. Greater soil depth could be considered during the preconstruction and engineering design phase.</p>
<p>Com.#7-7</p>	<p><b>3. The Wetlands Creation Area</b>  The Parks and Recreation staff views the proposal of a created wetland as an opportunity for environmental education and open space, and as a concern because of the following:</p> <ul style="list-style-type: none"> <li>• increased maintenance responsibilities</li> <li>• the potential for human encampments, associated security issues, and increased trash</li> <li>• the viability of a created wetland</li> </ul> <p>A created wetland in the middle of the urban framework is an excellent opportunity for environmental interpretation both for visitors and locals. However, the Parks and Recreation staff is concerned about the maintenance responsibility of the created wetland. After preliminary discussions with County Flood Control, City staff understood that Flood Control had no intentions of maintaining this area except related to water conveyance. However, it has been stated at public presentations that the City will have discretion as to which habitat enhancement areas they will maintain. The maintenance component, therefore needs clarification. The Parks and Recreation Department will require the completion of a cost analysis to evaluate financial impacts to the Department related to staffing and related materials/equipment for additional open space areas</p> <p>Additionally, it was understood from Flood Control representatives that they will require access to this site. If the site is designed as a created wetland, vehicular access should be prohibited as much as possible. An access road on the site could dissect the open space and be counterproductive to wetland habitat function and value. The ideal access for maintenance or water conveyance would be from the north or south of the site which most likely would require a flood control easement from another property.</p>	<p>7-7</p> <p>7-8</p>	<p>The wetland area has been redesigned to a habitat expansion area. Comment no longer applicable.</p> <p>See response to comment 1-2. Thank you for your suggestion and recommendation.</p> <p>An additional access ramp will be included on the easterly side next to the culvert. The ramp on the west side will be relocated to the southerly side of the parcel to minimize interruption of the habitat expansion zone.</p>
<p>Com.#7-8</p>			

Com.#7-9	<p>The creation of this open space area has the potential to create both a viable human encampment area and a site for trash collection. Design to discourage human encampments will require actively encouraging public use of the space - (an excellent setting for environmental education purposes), regular reconnaissance by enforcement staff, and maintenance procedures that reduce the means for human habitation. A program for regular trash removal and a means to reduce litter will need to be incorporated to the plan.</p>	7-9	<p>The design for this area will be similar to the proposed habitat expansion areas already included in the recommended plan. The final design will consider features to discourage encampment or human habitation.</p>
Com. #7-10	<p>Staff recommends a detailed analysis of the viability of a created wetland on this site be completed before final approval. Staff questions whether there will be enough ground water supplied to this area year round, because high flows during the winter will be diverted away through a culvert, and our normal summer flow is low. What type of wetland is being created and has a study been completed to evaluate existing ground water storage?</p>	7-10	<p>The wetland area has been redesigned to a habitat expansion area. Comment no longer applicable.</p>
Com.#7-11	<p><u>4. Increased Width of Creek Bed at Cabrillo Area</u>  Staff has concerns about the increased width of the creekbed at the Cabrillo and State St. area. These concerns are related to spreading the flow of water over a wider area. Although staff understands the historic context of an estuary, the current water quality and its relationship to nutrient loading, low summer flows, and a lack of vegetation to absorb nutrients causes concern both from a hydrologic and aesthetic perspective. Warm water temperatures and increased algae blooms reduce available oxygen and contribute to unpleasant odors associated with unnatural nutrient loading in the creek. The shade provided by tree canopies and the nutrient absorption properties of other vegetation can moderate nutrient loading, warm water temperatures.</p> <p>Staff would like assurances that a hydrologic study has been completed to evaluate the successful function of the creek under the new design parameters.</p>	7-11	<p>See response to comment 1-4. A hydrologic study has been completed. The width of the area from State Street to the ocean will remain unchanged. Additional modeling will occur during final design.</p>
Com. 7-12	<p><u>Shade Study</u>  Staff concurs with the Planning Commission's recommendation that a shade study should be completed for the tree plantings and vertical walls. The increased width of the creek raises concerns about shading the creek corridor and moderating water temperatures. The ratio of shade, to depth of the creek has a large impact on water temperature which directly affects algal growth, available oxygen and quality habitat for aquatic species.</p>	7-12	<p>A shading study has been completed and included in the EIS/R. Extensive shading would be realized within five years and after ten years, coverage of the wider creek would nearly be complete. Currently, at the lowest reach hardly any shading is available.</p>
Com.#7-13	<p><u>Tot Lot Opportunities Within Expanded Habitat Zones</u>  The Parks and Recreation staff has evaluated the habitat expansion sites for small tot lot opportunities. The Bath and Ortega Street site appears to be the only appropriate location. Green space and tot lots are severely lacking in this densely urbanized portion of Mission Creek. Security, safety and habitat issues would need resolve at the design level of evaluation.</p>	7-13	<p>Final design of the City embellishments, including tot lots, will include features for safety, security and habitation issues.</p>
Com.#7-14	<p><u>Trails</u>  To the maximum extent possible both the Commission and staff believe trail opportunities should be developed. Although a contiguous "river walk" is not possible with existing constraints, opportunities do exist at bridge crossings, habitat expansion</p>	7-14	<p>See response to comment 6-4. Additionally, environmental education and historical interpretive signs would be part of City embellishments.</p>

areas and other view points for environmental education and historical interpretation. Staff suggests that at the waterfront area where vertical walls would require a ten (10) foot height for the incorporation of a trail, that it might be possible to design a perched path at 8 feet (the height currently planned for at this location), and that a stepped back wall of 2 feet could be added for the 10 foot height that would be required. During high flows the trail would be submerged. Staff believes that there are other areas where this type of trail design could be incorporated to the vertical walls across public land sites.

**Draft Maintenance Plan**

The Draft Maintenance Plan makes reference to several methods and processes that will be required for regular maintenance. As stated earlier in this memo, it is not clear who will have the responsibility for the habitat expansion areas, the created wetland, and additionally for monitoring. Will it be County or City responsibility?

**City Parks and Recreation Commission Comment**

The Parks and Recreation Commission emphatically embraces the idea of making the creek more visible to build respect for this natural feature of our city. They believe the ability to expand the riparian habitat should be done to the maximum extent. However, their concerns echo staff's related to encampments, enforcement, trash collection, and financial impacts. Further, they believe that the creeks have not received appropriate respect and hope the opportunities and costs associated with habitat expansion, provision of visual access and environmental education will be undertaken by the sponsors of this project.

Cc: Dan Condon, City Arborist  
Billy Goodnick, Landscape Architect  
Jeff Cope, Assistant Parks and Recreation Director  
Allyson Biskner, Associate Park Planner  
Parks and Recreation Commission

Com.#15

7-15 The Corps will maintain the habitat expansion areas until such time that the project is turned over to the County and City. Henceforth, maintenance will be based on their agreement

Responses to comments from:

*Draft*

Parks and Recreation Commission  
City of Santa Barbara

8-1 Comment acknowledged. See responses to comments 7-1 through 7-15.

City of Santa Barbara  
**PARK COMMISSION**  
and  
**RECREATION COMMISSION**

Regular Monthly Meeting

January 26, 2000

**MINUTES**

The regular meeting of the Park Commission and Recreation Commission was called to order by Chair Hughes at 5:45 p.m. in City Hall Council Chambers.

**12. KOLL CALL**

Commissioners Present

- Linda Hughes Park/Recreation Commissioner
- Bebe Longstreet Park/Recreation Commissioner
- Mary Frink Park/Recreation Commissioner
- Rather Baum Park Commissioner
- David Gress Park Commissioner

Commissioners Absent

- Michael Megne Recreation Commissioner
- Ada Connor Recreation Commissioner
- Andrew Schwartz Recreation Commission Intern

Staff Present

- Richard Johns Parks and Recreation Director
- Molly Carrillo-Walker Assistant Parks and Recreation Director
- Jeff Cope Assistant Parks and Recreation Director
- Jean Feigenbaum Recreation Supervisor
- TK

**13. APPROVAL OF MINUTES**

a. Regular Meeting of December 15, 1999

Commissioner Longstreet moved, seconded by Commissioner Gress, and passed 5/5 that the Commission approve the minutes of these three meetings.

b. Special Meeting - Hours

Chair Hughes concurred and said TK was an excellent spokesperson for the City of Santa Barbara Parks and Recs.

**d. Informational Items**

**(1) Application Schedule - Commission Appointments**

Mr. Johns advised that Commissioner Gress' and Commissioner Friak's terms are coming up for renewal as well as the DFPAC. (SEE THE FORM FOR THE COMMITTEES THEY SERVE ON) He said deadline is January 31<sup>st</sup> for applications.

**(2) Proposition 12 Informational Meeting. January 27, 2000, 7:00 p.m.**

Mr. Johns advised the Commission about the meeting regarding Prop 12 and 13. He explained Proposition 13. He encouraged Commissioners to attend. Chair Hughes asked who is presenting. CPRS and other organizations statewide.

20.

**UNFINISHED BUSINESS**

**ii. Public Works Department  
Presentation Regarding  
Environmental Review -  
Lower Mission Creek**

Mr. Cope advised that the Lower Mission Creek plan is currently in the comment phase of environmental review. He pointed out that the project offers several recreational habitat enhancement areas opportunities and also poses some issues that are of concern to staff regarding continued management of the project after its initial completion. Mr. Cope explained that the project offers possible recreational opportunities in the form of trails, neighborhood parks, interpretive opportunities, restoration. He further commented on staff's concerns which are encampments, management, and maintenance. He advised the Commission that this is their opportunity to provide comments on the plan to the Planning Commission. He said that the Public comment period closes on February 10, 2000.

Mr. Pat Kelly, Assistant Public Works Director, and Jan Hubbell, Community Development.

Mr. Pat Kelly provided a brief history and background of the project and then presented the current plan, which is currently in the comment phase of environmental review.

Chair Hughes asked whether a hard wall is legal, so the property lines vary in different locations. Mr. Kelly said that part of it is private. He said that the COE, County and City are part of the project.

Ms. Jan Hubbell interjected stating that some of the hard walls are legal; they have been there a long time. It is tough and unattractive. She said there are walls that are illegal and interfere with the County Flood Control.

Ms. Hubbell briefly explained the Environmental Review process. (SEE TAPE)

Mr. Kelly said the key element of the design process is that the sub-committee review the design.

Chair Hughes asked whether Public Works plans to do this same type of project on other creeks. Mr. Kelly responded saying this project is based on a long-term need for flood control. He said as far as following up the creek the first step is to do an inventory of all the creeks. Once completed, opportunity projects for enhancements will be identified.

Commissioner Longstreet asked whether we are looking at five years out for the project moving forward. Mr. Kelly said yes. (SEE TAPE) She further clarified that once the land has been acquired, the Commission could look at recreational opportunities. She asked a question regarding trees (SEE TAPE). Jan Hubbell said seven to fifteen major trees would need to be removed. She said there is no way to avoid those removals. She also said there are some large sycamore trees that they might be able to save, commenting that they may be able to reduce the number of trees requiring removal to seven. Finally, she expressed her appreciation for the efforts made towards this project.

Commissioner Gress expressed his concern for maintenance of the plantings and pathways once the project is complete. Mr. Kelly said the County Flood control will be responsible for maintenance. (SEE TAPE RE Riparian Habitat) For the most part it will be a self-scouring channel. Gress stated he was curious as to the impact on the City Parks and Recreation maintenance staff.

Commissioner Fritsch asked whether this project will improve the

water quality coming up from the ocean. Mr. Kelly said that this project will simply be the annual maintenance by the COS to remove the feces in the creek. He further said the allowance of vegetation in the channel will have little impact on water quality.

Ms. Hubbell said there is benefit in that as the vegetation grows and shades the area the water temperature will be lower, lower water temperature, better water quality.

Chair Hughes asked if this project will address what the creek looks like near \_\_\_\_\_ Mr. Kelly said (SEE TAPE)

Ms. Hubbell said that the estuary will be muddy, smelly, and unsightly sometimes. (SEE TAPE)

Mr. Johns interjected that the Commission should comment on the plan. Ms. Hubbell said that the Commission could submit their comments individually to Mr. Cope or Ms. Blakner. Ms. Blakner encouraged the Commission to make their comments tonight.

Commissioner Longstreet asked if there is an ordinance prohibiting drinking alcoholic beverages in that area and whether the tools are available to enforce and cite. She further expressed that if there were no enforcement capability, it may become a human habitat. Mr. Kelly was unsure and said that currently it is private property.

Commissioner Longstreet also said that the Commission would like public comment regarding the recreational activities in the area.

Commissioner Cress said this is an opportunity to enhance the creek and expand the habitat and it should be done to the maximum extent possible. He further said that if there were opportunities to expand the property, we should.

Chair Hughes concurred and stated that Mission Creek is a creek that we have long turned our back on and since we are addressing the issue, we should embrace it. (SEE TAPE FOR CLARIFICATION) Ms. Blakner suggested we amend this to clarify her comment (SEE TAPE) Chair Hughes clarified stating that she did not want to sound as though she had not respect for private property. She simply feels visual access would be good.

Mr. Kelly said the County intends to allow public access.  
(CHECK THE TAPE)

Ms. Biskner said that San Luis Obispo has limited access to creeks. She stated it does need to be limited for water quality issues.

Commissioner Baum asked for clarification since much of the project impacts private property. Will the trees that need to be removed be from private property.

Chair Hughes also said that if we have the opportunity we should make every attempt to provide this to the community and further that the Parks and Dept should absorb the cost.

Mr. Johns suggested we adjourn this and take rec 28A

**b. Create Strategic Plan  
Inventory and Assessment -  
Meeting Schedule**

Mr. Cope provided a brief summary of the status of this Inventory and Assessment. He said the City has hired URS Woodward-Clyde as a consulting team for this project. He provided an overview of the meeting schedule, and stated that at the first meeting, there was little attendance; however, at the Arroyo Buero Creek meeting there was a large turnout. He further said the Mission Creek meeting was well-attended.

Commissioner Baum asked if the Lower Mission Creek project ends at Cabrillo Boulevard. Mr. Cope said yes but that staff is looking at the beach area in terms of (SBE TAPE)

**c. Commission Projects and  
Priorities**

Mr. Johns suggested that he meet with a Commissioner with respect to these projects and priorities. He said we could discuss this and report back to the Commission in February.

Chair Hughes encouraged each Commissioner to contact Mr. Johns to discuss this matter.

Commissioner Longstreet said the presentations regarding the grant were helpful and applied to Families and Healthy Living - a goal.

**d. Commission tour Schedule  
2000**

Mr. Johns highlighted the schedule and said the recommended schedule rounded out the departments include both recreation and park areas.

Chair Hughes expressed interest in having tours of the soccer fields listed in the inventory as we get into the soccer issue.

Mr. Johns said he would try to set up some dates for the next meeting.

Mr. Johns advised the Commission that this meeting was Ms. Carrillo-Walker's last Commission Meeting and provided notice of her going away party. Mr. Johns highlighted Ms. Carrillo-Walker's services to the City and the positive impact she has had on the services and programs provided by the Department. He expressed his appreciation for her dedication, commitment and acknowledged the contribution she made to the Department and the City of Santa Barbara.

Chair Hughes echoed Mr. Johns comments. She expressed the Commissions appreciation for the quiet, calming affect she had on the Commission, and thanked her for her contribution.

Ms. Carrillo-Walker responded by thanking Mr. Johns and the Commission for the support they have provided to her and her staff.

**21. NEW BUSINESS  
a. Ellings Park Foundation  
Annual Report**

Mr. Johns introduced Joan Russell, Executive Director, Ellings Park Foundation. He said that the Commission requested this report.

Ms. Russell provided a brief history of the Ellings Park Foundation. Gift of 10 million dollars to the City, not purchased with tax dollars. She said it consists of 230 acres. She said it is home to BMOX, hang gliders, dogs off-leash, and (SEE TAPE).

Chair Hughes asked re: Dec 98 financial form \$500,000 note. She asked if it was paid off. Ms. Russell said yes.

She further stated that they realized a good financial year in 1999 and asked if they have financial flexibility now (SEE

**22.  
ADJOURNMENT**

At 8:10 p.m., there being no further business to come before the Commission,

Commissioner Longstreet moved, seconded by Commissioner Commissioner Baum and passed 5/0 that the meeting be adjourned.

Respectfully submitted,

Richard C. Johns  
Parks and Recreation Director

To: Army Corps of Engineers, Attn: Ed Demess 1-21-2000

Subject: Lower Mission Creek--Flood Control Feasibility Study

This project, which is way overdue, should proceed in a way that will have the least impact on our taxes in the long run and provide the best safety for the citizens of Santa Barbara. Creekside plantings should hold the last place of importance for any project design considerations.

Often the highest costs are the after construction maintenance costs and policing problems. We feel that the project should be extended to the upper end of Oak Park, past De La Vina, Alamar and State Street.

Our first proposal is to enclose the creek in a concrete structure which would form a rectangular shaped pipe. At State and Cabrillo, the pipe would be recessed under water much as the sewer pipe is and the water from the creek would be released several hundred yards from the coast. The top of the structure would be covered and planted with trees and shrubs and a bicycle path through Santa Barbara to the ocean, or from the Mission to the ocean. The advantages of this approach are:

1. Eliminating a major eyesore and cesspool which presently runs throughout the city.
2. Eliminating all the bridge work since the roads would be paved over the "pipe".
3. Eliminate all the maintenance along the creek due to shrub and tree clearance from the open creek.
4. Reclaim hundreds of acres of land for new homes, businesses, parks and open space.
5. Eliminate the homeless and safety problems with those that presently live under the bridges and in the creeks.
6. Eliminate the tepid pool of water at State and Cabrillo.
7. Provide a bike path through the city without condemning new land.
8. Eliminate the safety problems of property damage and loss of life during flooding conditions.

Our alternate proposal is to line the creek with concrete, and widen it. Place a bicycle path along each side and low shrubs along the bicycle path. The bicycle paths would go under the bridges. Plantings which could cause congestion in the creek would not be placed near the creek.

The advantages of this proposal are:

1. Some people may like it better.
2. Remove the eyesore of the present creek.
3. Provide a bike path without condemning new land.
4. Keep plantings away from the creek so maintenance costs will be minimized over the years.

We are totally opposed to the suggestions in your flier. They do not solve any of the problems which the creek presently has and the maintenance and safety costs will continue to be high. From a taxpayers efficiency point of view, this is NOT the way to go! The creek will still be a cesspool and an eyesore but a more expensive one!

Concerned Taxpayers INC  
Justin M. Ruhge, President P.O.Box 8216 Goleta, CA 93118 805-7379536

Com#9-1

Responses to the comments from:

Concerned Taxpayers Inc.  
Justin M. Ruhge, President  
P.O. Box 8216  
Goleta, Ca 93118  
805-737-9536

9-1

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments which are vital to the success of this flood control project.

Your suggestion to either enclose the creek in a concrete structure or line the creek with concrete to increase the conveyance capacity is somewhat similar to earlier flood control designs developed during earlier studies for this creek. Earlier proposals were either rejected locally or were too expensive. In the case of the concrete lined channel, technical issues would have to be overcome in order to convey sediment laden stormwater flows. The proposed solution to this technical issue would involve building additional sediment basins upstream of the project reach (sites considered included debris basins at Rocky Nook and Oak Parks). Based on earlier efforts, there is strong opposition to building any such basins.

Your proposal to enclose the creek in a culvert and extend a pipeline into the ocean would be extremely expensive. This approach would be very unlikely to meet the cost-benefit criteria used by the Corps. In addition, since the last Corps study, the tidewater goby has been found to be present in the lagoon and the estuary near the mouth of Mission Creek. Also, the National Marine Fisheries Service has identified this creek as a periodic migratory corridor for

		<p>the Southern California Evolutionary Steelhead. Both species are listed as endangered. In consideration of the Endangered Species Act, the alternatives formulated during this feasibility study were designed to maintain the existing natural creek bottom and, as further enhancement, hardened sections of the creek bottom will be restored to natural conditions.</p> <p>In accordance with Federal requirements, this project has been found to be economically viable. The expected benefits derived from the increase in the level of flood protection and the inherent environmental outputs of the flood control design features and their appurtenances will exceed the cost of building and maintaining this project by roughly 20 percent, making it economically justified according to appropriate Federal guidelines.</p>
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Responses to the comments from:

SB Bicycle Coalition  
Robert Bernstein  
488 Mills Way #B  
Goleta, Ca 93117  
805-685-1283

10-1 Thank you for your comment. Comment acknowledged.

10-2 See response to comment 6-4. Similarly, this would apply to your suggestion regarding the bike path.

10-3 The restored creek will include riparian corridor along the banks. Also, some type of recreational feature would be included in the habitat expansion areas as embellishment paid for by the City.

SANTA BARBARA BICYCLE COALITION

Robert Bernstein  
488 Mills Way #B  
Goleta, CA 93117  
(805) 685-1283  
Email: rbb@silcom.com

February 5, 2000

Digital Instruments Inc  
112 Robin Hill Road  
Santa Barbara, CA 93117  
(805) 967-2700 x239  
(805) 967-7717 FAX

RECEIVED

FEB 07 2000

CITY OF SANTA BARBARA  
PLANNING DIV

Jan Hubbell  
Project Planner  
Planning Division  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

I am writing regarding the plans for restoration of Mission Creek both as an individual and as the president of the Santa Barbara Bicycle Coalition.

As an individual, I would like to give my enthusiastic support to any plans to restore Mission Creek to be a thriving habitat for wildlife. I grew up in the East and had never seen a paved creek until I came to Santa Barbara. In the East, where rain is a year-round expectation, there is a recognition that water needs a place to go. And that means that you respect creek areas and don't build near them.

From that practical consideration, urban creek areas in the East are natural linear park areas. In Washington, DC where I mostly grew up, Rock Creek Park is a perfect example. It is a place where families can have a picnic and yet it is also a place right in the heart of the city where wildlife can thrive. And children grow up seeing those natural habitats with an easy walk, bike ride or short bus ride.

Leaving creek areas as natural linear parks provides natural interconnected habitat areas which is crucial to wildlife survival. It is not just the size of the habitat that matters, but also the fact that it allows free wildlife movement along interconnected paths.

I now wish to speak as the president of the Santa Barbara Bicycle Coalition. The plans to restore Mission Creek to a natural area is consistent with providing a bicycle path which follows the creek. Again, the creek areas I grew up with in Washington, DC and in Boston always had trails for hiking and bicycling along them.

Any plans to restore Mission Creek must include trails for bicycling. This is an opportunity that will not come again.

As an individual and as Bicycle Coalition president, I am excited to see the vision of a restored Mission Creek that serves as both natural habitat and as natural recreation for local residents.

Sincerely,



Robert Bernstein

Com.#10-1

Com#10-2

Com#10-3

**RECEIVED**

**FEB 09 2000**

**CITY OF SANTA BARBARA  
PLANNING DIVISION**

De La Guerra Square Homeowners Association  
314 C. West De la Guerra  
Santa Barbara, CA 93101

Jan Hubbell  
c/o Lower Mission Creek Flood Control Project  
Planning Division  
PO Box 1990  
Santa Barbara, CA 93102

February 7, 2000

Dear Jan:

As representative of De La Guerra Square Homeowners Association, I am writing to express the Associations support for the current iteration of improvement for Mission Creek.

The Association wholeheartedly supports the project, as it will reduce the potential for flooding along the length of the creek. Furthermore, the Association supports the preferred project's recommendation for bank treatments in the vicinity of our property. We encourage the City to acquire properties along the upper creek that provide for expanded wildlife enhancements and neighborhood enhancements. Hopefully, the mature Sycamore trees and mature Canary Island palms in our area will be protected during the project and not be destroyed. We encourage the City to supplement the Core of Engineer's project with addition trees and plantings. These proposed green areas would enhance the livability of this neighborhood.

Lastly, the Board of Directors would like to inquire as to nature of the acquisition of any further easements and or property rights by the regional flood control agency that may affect the valuation of our parcel that currently crosses the creek. Please inform us of any further easements or takings that may affect the value of our property.

Thank you for your consideration.

Sincerely,



Edward Cella, President  
De La Guerra Homeowners Association

Writing on behalf of:

- Lance R. Ignon
- Jack Eardard
- Genevieve Bauer
- Ann Bryant
- Vijay and Tricia Kapur
- Charles Tob Plough
- Francine and Michael Rand

Com.#11-1

Com.#11-2

Responses to the comments from:

De la Guerra Square Homeowners Assn.  
314 C. West De la Guerra  
Santa Barbara, CA 93101

11-1

The project includes features to restore the riparian corridor along much of the project reach. Additionally, expanded habitat areas with recreational features will be created that would add to the enhancement of nearby neighborhood. The project proposes to create a special design in order to save the Sycamore tree next to the De la Guerra Bridge. We do not anticipate any impacts to the Palm trees located on the sidewalk or elsewhere nearby. In addition, the City is pursuing a program to provide native trees and other plants to property owners along Mission Creek to further expand the riparian forest and improve aesthetics.

11-2

The City and the County would be notifying property owners during acquisition of the affected properties.



**Santa Barbara Audubon Society, Inc.**

A Chapter of the National Audubon Society

5679 Hollister Avenue, Suite 5B, Goleta, CA 93117

(805) 964-1468

Janice Hubbell, Project Planner  
City of Santa Barbara  
PO Box 1990  
Santa Barbara, CA 93102

RECEIVE  
FEB 08 2000  
CITY OF SANTA BARBARA  
PLANNING DIVISION

Dear Ms. Hubbell,

On behalf of the Santa Barbara Audubon Society, we thank you for the opportunity to review the December 1999 Mission Creek Flood Control Feasibility Study and to give both our verbal (at the public hearing on 19 Jan, 2000) and these written comments regarding the study. We concur that Alternative 12 is the best of those presented, but we would like to voice our concerns about several issues, and suggest alterations to the plan in specific instances.

The format of each section of comment will be as follows: We will list one or two goals for the project, as stated in the Feasibility Study, and then discuss why we think these goals are not fully achievable under current conditions of the proposed project. We will suggest alternative strategies which we believe, if adopted, will increase the probability of successfully reaching these goals. A summary sentence at the end of each section will serve as our opinion and suggestion "in a nutshell".

**Project Boundaries**

First, we would like to challenge the downstream "boundary" of the proposed project. As the project boundaries are currently delineated, the project ends just short of where the creek ends -- plans for improvements terminate at Cabrillo Blvd., and fail to include the mouth of the creek and beach area, where the creek flows into the Pacific. One of the goals of the project, as are stated in the Study, is to increase the flood capacity of the creek. We believe that in order to successfully reach both of these goals, the project must be extended to include the entire creek -- all the way to the Pacific. While the flood capacity of the mouth and Cabrillo bridge may be adequate, for maintenance purposes, the mouth of the creek must be included in the project area. Due to potential increased sediment deposits at the mouth of the creek (no one really knows how the new stream design will affect downstream sediment deposition), the pattern of channel obstruction and breaching could be altered, leading to decreased flood capacity in the event of heavy rains. In addition, the channel on the ocean-side of Cabrillo directly influences -- and is influenced by -- the estuary just upstream; the tidewater goby is known to inhabit the estuary and could suffer adverse effects (due to altered salinity, water temperature, turbidity, or a build-up of toxins in the water) if the lagoon characteristics are significantly altered. We ask you to please refer to the California Coastal Act, Section 30231 (p. 4-38 in the draft EIS/EIR) to help you make an informed decision regarding the importance of the project's responsibility for protecting biological productivity and water quality throughout the entire lower reach of the creek.

We feel that the project boundary should extend past Cabrillo Blvd. all the way to the Pacific in order to include the mouth of the creek in critical monitoring and maintenance plans.

Comm 12-1

Responses to the comments from:

Santa Barbara Audubon Society, Inc.  
5679 Hollister Avenue, Suite 5B  
Goleta, CA 93102

12-1

The presence of the Endangered Species in the lagoon limits the activities affecting this area. Based on information gathered from the Santa Barbara Waterfront Department and observation by the County Flood Control Staff, the sand plug is not seasonal, and is active year-round. The sand plug usually gets washed out during flows greater than typical low flows from Mission Creek. This was evident during the February 1998 flood event where the sand plug was washed away and did not have any impact on conveyance near the mouth of the creek. Instead, constrictions at the Railroad area forced the storm water to overflow and eventually flood the downstream areas. Additionally, see response to comment 1-4.

The biology section of the EIS/R has been updated to include evaluation for tidewater gobies in the lagoon. Most biologists believe that the lagoon could be a spawning area for the tidewater gobies.

12-2

Although the goals you have identified would have been desirable, specific planning objectives for this project include to:

- provide increased flood protection;
- restore the major species of a native riparian community along the project reach;

Creek Banks: Vertical Walls, Graduated Slopes, and Riparian Vegetation

Two more goals of the project, relevant to this topic of comment, are: 1) restoration of contiguous riparian habitat along the project reach, and 2) restoration and conservation of as many "natural stream processes" as possible.

We believe that goals #1 and #2 cannot be met with the many concrete vertical walls as are in the project plan at present. We are especially concerned about the City of Santa Barbara's recommended changes in order to preserve some of the historic structures--more vertical walls which were not in the Dec. '99 Study. These buildings which will be "saved" from flooding on average every five years, will be anything *but* saved, when a flood comes along which cannot be contained within the 3400cfs capacity of the creek! They would be flooded in a 25 year flood, 50 year flood, 100 year flood. The ecological conditions of the creek and the potential for restoration of natural stream processes are equally important, and each structure in the floodplain which is "saved" reduced the continuity of riparian vegetation and opportunity for expanded habitat areas. Therefore, we support The Environmental Defense Center's suggestion at the January 19th hearing that the \$2.5 million which has been set aside by the City Redevelopment Agency to be used on Mission Creek should be used to supplement the appropriation of more property along the creek banks, freeing up more of the natural floodplain and allowing for both the widening of the creek, and construction of sloped, vegetated banks. This should be given serious consideration because it would decrease flooding problems by removing structures from the roadway and would facilitate restoration of the riparian corridor and natural stream and floodplain processes.

The Study tries to focus the reader's attention on the thousands of feet of sloped, vegetated banks which will be installed, while in effect, drawing attention away from the fact that *more than 1/3* of the creek will be lined with vertical concrete walls. Even with a natural creek bottom, vertical concrete walls will not allow critical natural stream processes -- such as the growth of native bank vegetation for canopy cover and creekside wildlife habitat, and improve habitat for listed steelhead trout, as well as biofiltration of the creek waters -- to occur. In the estuary area -- a known habitat of the tidewater goby -- sloped, vegetated banks are critical on at least one side.

Regarding the first goal, above, we also would like to comment on the plan for the placement of one canopy tree every 40 feet along the banks of the stream. We understand that a space can be made in the riprap and concrete foundation of the short wall lining the creek only every 40 feet -- due to issues of stability. However, the suggested cover of canopy trees, understory trees and shrubs, and groundcover are inadequate. We would like to recommend that additional canopy trees be planted (perhaps in less systematic groupings) closer to the tops of the banks, underneath which the foundation of the wall does not extend -- thereby avoiding that engineering constraint and creating a more lush, contiguous riparian environment. We also would like to suggest that an alternative be considered to the concrete cylinders which were proposed as "place-holders" in the riprap and which would serve as "planters" for the trees. *Cardboard form tubes* used in the making of large cement pipes should be evaluated; the heavy wall tubes may be sturdy enough to serve as place-holders, the trees roots would have a much easier time of breaking through thick cardboard than cement as they grew, and the cardboard would eventually break down into fibers which would be incorporated into the soil.

Comm 12-2

Comm 12-3

Comm 12-4

Comm 12-5

- move and suppress invasive non-native vegetation and replace with native plants;  
- move man made construction materials along the creek bottom and restore to natural creek; and enhance the aquatic habitat by changing the streambed characteristics.

12-3

City of Santa Barbara has undertaken a Clean Water and Creek Restoration Program. This program includes a complete re-evaluation of the existing City creek-related policies and ordinances. One of the items under consideration is an increase in creek setback requirements that will prevent new construction within the setback and, over time, prevent reconstruction of structures that exist within the setback area. Such a policy may include transfer of the lost units to other properties in the area. These changes to City policies and ordinances will be considered as part of the larger program. We encourage your participation in that process.

In order to maintain Federal participation based on the project cost-benefit analysis, additional buildings were saved in place to reduce the cost of real estate acquisition. If the \$2.5 million set aside to increase native plantings, enhance the habitat expansion zones, provide interpretive signing and improve the appearance of bridges is used to purchase property, it will not be possible to provide the other proposed embellishments. City policies to project historic resources must also be met, where possible.

Comm 12-6

Lastly, also on the subject of canopy trees, we are confused by the arithmetic which was used to calculate the minimum number of trees needed to line the creeksides. If one tree will be placed every 40 feet along both sides of the creek for the 1.2 mile (6336 foot) stretch of the project, then 158 trees (6336/40) will be needed to line one side of the creek -- 316 trees to *minimally* cover both sides; the Study states that "105 at a minimum" will be needed to line the "sloped stream banks". The Study then goes on to require 210 trees for "habitat expansion zones" -- which sounds reasonable, until further reading reveals an estimate of 80 survivors from those original 210 by the end of 5 years. Why will the trees in these "expansion zones" not be replaced as they die, as is the plan for those along the banks? If the project truly is aiming for a "contiguous canopy" of trees in a healthy riparian habitat, we need to plant (and initially maintain) a *minimum* of 526 canopy trees along the reach of this project.

Comm 12-7

So, in order to create and preserve a healthy riparian habitat and natural stream processes, the project needs to reduce the number of vertical concrete walls (consequently increasing the amount of vegetated slope) and increase the number (and vary the placement) of canopy trees planted, considering the use of cardboard forms instead of concrete cylinders as planters.

#### **Maintenance**

The goal we would like to focus on in this section is: to maintain the creek channel for flood-preparedness while preserving as much of the creek's natural/ecological integrity as possible.

Unfortunately, we were not able to compare the proposed maintenance plan to the goal stated above, because *there was no proposed maintenance plan included in the EIS/EIR*. Though we were told of the recent formulation (and initial discussions) of a Maintenance Committee at the January 19th hearing, we want to impress upon you that the eventual plan for creek maintenance needs to be as carefully thought out as the rest of the project -- as the maintenance of the stream will effect every aspect of the completed project. We realize that some of the following issues may have already arisen in the discussions of the Maintenance Committee, but we will mention our concerns here to insure that they are addressed.

Comm 12-8

The EIS/EIR suggested vaguely in several places that maintenance of the completed project would occur essentially as it is conducted presently; we would like to propose some alterations to that plan. First, we recommend consideration of a *flexible threshold for silt removal* -- instead of the fixed, low 15% threshold, as stated in the feasibility study -- to stress the importance of a minimal/only-when-necessary plan, as opposed to a frequent/ruine plan. Silt build-up can be monitored annually or semi-annually, and plans can be made to clear the channel when the accumulation is deemed too obstructive. We feel it is crucial that the maintenance plan focus on *silt removal*, and *not* the removal of *vegetation*, as scraping the entire creek bottom clear of all vegetation not only will reduce biofiltration benefits to the creek, but has the potential to severely disrupt the habitat of the tidewater goby and steelhead trout (in addition to other organisms using the bottom vegetation). If some plants must be removed in order to clear away silt accumulations, we propose that the maintenance crew clear the channel bottom in a *mosaic pattern*, leaving scattered, undisturbed areas to provide propagules for regrowth in the disturbed areas. We also suggest that any naturally-formed pools or riffles be left alone during maintenance (and not filled in with silt from other sites of accumulation), so that the biota of the creek may continue to benefit from the variation of microhabitat they provide.

This study shows that the 3400-cfs design would result in reduction of flooding from higher but infrequent events. The effects of flooding from higher flows are shown on the inundation maps found near the end of the main report. The map shows the reduction in flooding for the 50, 100, and 500-year floods.

12-4

The project anticipates some reduction in the amount of hardened banks as they are replaced with the toe wall and vegetated riprap slope banks. In some places, full height vertical walls are needed to avoid additional property acquisition.

See response to comment 12-2.

Additionally, the existing hardened banks already impair the critical natural stream processes. It is expected that the growth of vegetation along the banks and in the expansion habitat areas will increase canopy cover and improve creek side wildlife habitat.

We anticipate overall improvements of stream conditions that are important to the migration of steelhead. These improvements include features such as soft bottom, boulder fields as energy dissipaters, and eventually more shade throughout the creek. A combination toe wall and vegetated riprap slope for a section just below Mason Street Bridge is already part of the project design.

12-5

The placement of the trees will be varied between the last six feet from the back of the riprap slope. The interval of 40 feet between canopy trees could be reduced; however, the local sponsors would share the expected additional costs. A typical mature sycamore tree would have a canopy that exceeds a radius of 20 feet.

Comm 12-9

The project plan (Alternative 12) calls for "energy dissipators" in the form of collections of boulders embedded in strategic places along the bottom of the creek, to slow down rushing currents and redistribute their energy into riffles and swirls. We are in support of these "energy dissipators" and the microhabitat alterations they will provide, however, maintenance of these boulder fields, as stated in the EIS/EIR, will include removal of all trees and herbaceous plants which become established among the rocks (the reason stated is that vegetation would encourage sediment build-up). It seems as though sediment accumulation in these areas would be caused mainly by the boulder fields, themselves, and not any plants which may be among them. Some canopy trees should be allowed to establish in the creek channel, which can be "limbed up" to reduce roughness; these are important in such a wide creek (as this will be, when the project is completed), providing critical shade for the creek waters, to help regulate water temperatures, discourage growth of harmful bacteria, and reduce the growth of willows, (which can be obstructive vegetation in the active channels).

Comm 12-10

The maintenance plan should be similar to Santa Barbara County Flood Control's Annual Maintenance Plan, in that it should be subject to the Programmatic EIR as it is updated over time. This was alluded to by Karl Treiberg at the hearing, but the EIR suggested that this initial Environmental Impact Study would serve for maintenance, and that the Mission Creek Maintenance Plan would not be subject to further review. This would not be feasible, since the maintenance plan is not complete, and not presented in the EIR. We support inclusion of Ann Riley's recommendations for development of the maintenance plan.

Comm 12-11

We propose that the project emphasize minimal maintenance (with a flexible threshold for silt removal and a focus upon silt removal, as opposed to the removal of vegetation), using a mosaic pattern for clearing the bottom, and allowing at least some canopy trees which establish themselves among the boulders of the "energy dissipators" to grow without being disturbed. The maintenance plan must be subject to the Program EIR. Maintenance is as crucial as every other part of the project.

#### Widening of the Estuary

Not only will the project activities in the estuary focus on increased flood capacity, but they must be guided by the need to protect and restore this known habitat for the endangered Tidewater goby.

Comm 12-12

The wording of the EIS/EIR is such that one of the reasons given for widening the estuary area from 15/30 feet to 60 feet is to "increase goby habitat area". A larger area of natural mud bottom (and its associated bottom-dwelling plants) upon which to forage may, indeed, temporarily benefit the goby, but over the long term -- particularly in the event of a flood of any magnitude -- the goby is likely to suffer with the proposed widening of the estuary. As discussed above, in the "Concrete Walls..." section, the estuary area is slated to be confined by vertical, concrete walls along its entire stretch. As Kevin Lafferty, a local expert on Tidewater goby ecology, has informed us (personal communication, 2 Feb 2000), the goby requires bank vegetation in which to seek shelter when fast-moving flood waters rush through the channel, or else they will be swept up and washed out to the Pacific and their deaths. Vertical walls will provide no protection against rushing flood waters, and the goby population could potentially be greatly reduced. If a 50' estuary width can be considered instead of 60', then there should be space for a vegetated bank on the east side. The Tidewater goby habitat and survival cannot be degraded by the project, and should be improved. A wider swath of "natural creek bottom" is not likely to benefit the goby if the bank vegetation, which it uses for cover and as a refuge during flood events, is absent. In fact, the widening of this area and combined construction of vertical, concrete walls in place of sloped, vegetated banks will negatively affect the

The design already includes the maximum amount of understorey and ground cover. The additional purpose of the concrete cylinders aside from being a planter is to augment the riprap that would otherwise support and keep the integrity of the riprap slope. Cardboard form tubes, if found structurally adequate, could be considered.

12-6

Based on the amount of plantable areas (not including those areas with full-height vertical walls), canopy trees will be planted on a 40-foot spacing along the vegetated riprap slope. At a minimum, 115 trees will be planted in the five habitat expansion areas. If possible, canopy forming trees will be planted closer to all for more. Based on project standards, the number of trees expected to be alive after five years would be at least 85 percent of the initial number of trees. This information is found in the biology section of the EIS/EIR.

12-7

See responses to 12-2 through 12-6. Additionally, the existing hardened banks already impair the critical natural stream processes. It is expected that the growth of vegetation along the banks and in the expansion habitat areas will increase canopy cover and improve creek side wildlife habitat.

12-8

Your recommendation has been taken into consideration. The maintenance plan identified in the EIS/R has been revised. The new proposed maintenance plan is to clear half of the creek bottom on a mosaic pattern every year to allow growth of non-obstructive vegetation in the creek bottom. However, the entire creek bottom would be cleared and returned to its design and form when wet season is anticipated. The periodic maintenance activities will be scheduled at specific time of the year to avoid impacts to Endangered Species.

gobies and their habitat. Please reference the Tidewater Goby Biological Assessment (top of p. 12), for further support of this statement, as given by the Corps of Engineers, themselves. Do not allow the "lack of experimental data" and the consequential ignorance of any "significant effect" to serve as permission to impact the estuary and its gobies so severely. This may be an area where the proposed development cannot occur and meet the requirements of flood control and mandated protection of the listed tidewater goby.

We propose that the estuary section of Mission Creek to be redesigned to include sloped, vegetated banks (*not* vertical, concrete walls) on at least one side, which will provide critical microhabitat for the Tidewater goby.

Comm 12-13

Wetland Construction

The goal is to construct an expanded area contiguous with the creek at the oxbow bend where wetland flora and fauna can thrive, and where critical biofiltration of the creek & water can occur.

The addition of a wetland section to Mission Creek would be a great benefit to all involved, and we strongly support its inclusion in the project; our concern here is whether it will actually be built. The wording of the EIS/EIR suggests that the construction of the wetland will depend upon the successful clean-up of soil contamination on the site. We would like to know who is responsible for coordinating this de-contamination effort (City, County, Army Corps, ...), and whether it could feasibly be completed in time for the projected construction of the wetland. If the area cannot be decontaminated by the time the project is completed, will the wetland be created at a later date, or will it be forgotten and left out of the project? Are there plans in place for how to deal with the area slated for the wetland if it cannot be constructed? Will there be ecological mitigation elsewhere in the city or county to replace what could have been gained by building a wetland at this site?

Comm 12-14

We are also concerned by the statement at the bottom of page 4-37 of the EIS/EIR reading, "...there may be an inadequate buffer for habitat purposes at the top of the bank". What, exactly, does this mean? This statement seems to imply that the plans for the wetland construction are not completely worked out, and that perhaps it would not be ecologically feasible to create a wetland at this site. We hope that the proper research can be undertaken to accurately determine whether this potentially beneficial part of the project will be able to be included in the construction plans.

Several passages in the draft EIS/EIR regarding the possibility that the wetland planned between Gutierrez St. and Hwy 101 may not be built concern us, and we ask that further research be conducted to explore likely outcomes, and the results be detailed in the final document.

Comm 12-16

It should be noted that, if vegetation is allowed to grow in the stream bed for more than one to two years, it will be necessary, under both State and Federal law, to mitigate the loss of habitat that results from its necessary removal to preserve creek capacity.

The project design included a streamlined creek bed. Pools and ripples created by scouring will be filled in to maintain the design and form of the project. However, three bolder fields are included in the project design. These will form ripples.

12-9

Vegetation within the creek bed will be mowed in a mosaic pattern for the future maintenance. Shade study has been performed to analyze growth of vegetation and shade created by the growth of vegetation. Within 5-7 years vegetation would reach a height of approximately 10 feet which would provide shading for the creek bottom. See appendix A (Shade Study) for details.

12-10

The initial permit for project maintenance will be good for ten (10) years and incorporates the mitigation requirements from the Programmatic EIR by reference. However, proposed maintenance for any particular year will be included in the Annual Maintenance Plan.

12-11

See responses to comments 12-8 through 12-10.

Water Quality

Unfortunately -- as we pointed out at the January 19th hearing -- the Plan did not specifically address the critical issue of water quality in Mission Creek. The most fundamental goals would be to improve the current polluted state of the creek's waters, and at the very least, to not allow the problem to worsen. Only short-term, construction-related water quality issues are addressed in the EIR.

We have already discussed -- in other sections of these comments -- biofiltration measures which should be implemented to improve water quality in the creek; vegetation growing in the creek bottom and among the boulders of the "energy dissipaters", and vegetation along the sloped banks of the stream should be encouraged to act as biofilters and sources of shade. In addition to these "natural" cleaning methods, we also recommend that filters be installed on all storm drain outputs into the creek in the project area, to prevent a great deal of pollution from entering the creek in the first place. Grates should be installed to catch large trash items, and the installation of oil/grease traps would protect the creek from runoff containing road-based toxins, which flow into storm drains at particularly high concentrations after the first storm of each season.

The issue of water quality in Mission Creek is a critical one; it should be a very high priority of the Project, especially given the history of this creek's contribution to beach closures due to high levels of toxins carried downstream to the Pacific. We urge you to recognize the importance and potential of biofiltration to improve water quality, and of filters at drain outlets to protect it.

Summary

As a local conservation organization, Santa Barbara Audubon is concerned about the ecological integrity not only of the Santa Barbara area, but of the entire South Coast. We have taken this opportunity to make comments on a plan which will ultimately affect us locally, and hopefully -- when it is complete -- serve as a precedent regionally. We believe the design for this project is significantly improved upon designs submitted in past reviews, but that it is in need of more work. We hope you will carefully consider our comments and the final Mission Creek Flood Control Project will be better for inclusion of some of our recommendations.

Thank You,

*Darlene Chirman*

Darlene Chirman  
President, SB Audubon Society

and

*Kendy Radasky*

Kendy Radasky  
Conservation Intern, SB Audubon Society

Copies:  
Jill Zachary, Planner, City of Santa Barbara  
Brian Trautwein, EDC

12-12 The USACOE believes that widening of estuary would not have adverse impact on tidewater goby, during construction short-term temporary impacts may occur. Mitigation measures have been developed to minimize impacts related to project construction to tidewater gobies. No future maintenance would be performed within this reach of the project area. In existing condition the creek banks partially stabilized by a vertical wall.

12-13 See response to comment 12-12.

12-14 See response to comment 1-2. In addition, the owner of the property, the California Department of Transportation, is responsible for site clean-up. It is unclear if decontamination can be completed. However, it is the intent to pursue this project.

12-15 See response to comment 1-2.

12-16

Water quality along Mission Creek and other creeks in the City is being handled by looking at the entire creek. Mission Creek was studied as part of the South Coast Watershed Characterization Study, completed in August 1999. That study concluded that, for Mission Creek, bacteria are the principal pollutants of concern. As you indicated, much of the upper watershed has acceptable levels of bacteria. It appears that storm drains and creek encampments are probable sources of high bacteria levels in the middle part of the watershed. In the lower part of the watershed, storm drains and lagoon fauna, such as birds, are probable sources of high bacteria levels. Subsequent investigations by the City have confirmed that encampments in the lower watershed are primarily source of high bacteria levels. In addition, Old Mission Creek, the abandoned former channel of Mission Creek, West of Highway 101, is also a significant contributor to elevated bacteria levels below its confluence with Mission Creek's main channel.

The City and County of Santa Barbara are working cooperatively to clean up local creeks, although because most of Mission Creek's problem areas are within the City, the city is taking the lead. However, the cooperative public education and information program is a joint effort that is key to gaining public improvements necessary to improve Mission creek water quality.

Both the Creek Strategic Planning Process (See Response to Comment 12-3) and the Clean Water and Creek Restoration Program should result in improvements to Mission Creek water quality. Elements of the Program include: monitoring water quality, especially "hot spots;" increased enforcement City

ordinances prohibiting contaminated water discharges; public information and education, municipal government good housekeeping; increase clean-up of catch basins and creeks; removal of illegal encampments in creek corridors; and enhanced street sweeping. The City is also investigating a pilot project for installation of one or more storm water interceptors for storm drains that flow into Lower Mission Creek. In addition, the City will be pursuing installation of catch basin filters in the State street commercial area (which drains to Mission Creek) and clean-up of Old Mission Creek hotspots. Construction of the flood control project will not inhibit these efforts.

12-17 See response to comment 12-16.

12-18 See response to comment 12-17. The Corps of Engineers authority in this flood control project does not allow direct participation in water quality improvement measures. Although it may have minimum effect, the current re-vegetation of the creek banks and the creation of habitat expansion areas may provide a natural cleaning opportunity as surface flows cross these areas.

Responses to the comments from:

Richard A. Stromme  
Railroad Advocates  
PO Box 162  
Santa Ynez, CA 93460  
805-688-3145

Comment acknowledged. The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek. Copies of the Draft EIS/EIR are, and have been, available for loan or review on site at the City of Santa Barbara Planning Division office and the main City Library.

Killing the Fig Tree. The alignment of the box culvert was selected to be as far away from the Fig Tree as possible in order to minimize potential impacts to the root system. Based on the investigations conducted by the Corps and the City, the box culvert will be outside the area utilized by the main root system of the Fig

8/2/00

Dear Santa Barbara Mayor & Councilmembers, and the Concrete Corps of Engineers:  
RE: MISSION CREEK DETOURS

The fictional, fanciful, and fraudulent Draft Main Report & Environmental Impact Statement/Environmental Impact Report (EIR) for the proposed project, No. 98101061, dated December 1999, contains the usual fallacious and big lies concocted to justify and promote the project under review - this one being the Lower Mission Creek Flood Control Project in Santa Barbara, California, proposed by the Concrete Corps of Engineers (CCE) and the City Hall Gang.

There is NO reason why any member of the public should waste time and money analyzing this 7 1/2" thick tome, because the Consultants and Politicians have already, with massive effort, decided to run. Attempts to clean the tarping suckers' reiterations before the document was completed. Why waste the taxpayers' money compiling any EIR - except as a pork barrel, malarky, waste money exercise, to occupy numerous' overpaid Consultants?

Consider the concept, incompetent, carpetbagging City Hall Criminals cannot construct a dog house! They SURRENDER everything they attack at enormous cost! Some recent debacles include: \$14,500,000 destroying the Railroad Station and wrecking the Depot and Fig Tree Landmark; \$70,000,000 wasted on the badly designed and conceived Crestview 101 Waterway - complete with wonderful Gate and Garden Swimming Pools; \$35,000,000 wasted on the unneeded and unused Investigation Plant, now being given away; \$6,000,000 wasted on unneeded new brick sidewalks and landscaping for downtown State Street (there are miles of city streets with worn deteriorated sidewalks); \$4,000,000 wasted on the Hilgen Brick-Block - Chain; and tens millions of dollars wasted on useless parkland, meadows, waterway scenic and year to pay off the General City Hall Flooders and Contractors in turn back to the City Hall Carpetbaggers mismanaging the public's interests, ad nauseam.

The Concrete Corps of Engineers, another out-of-control, overpaid bureaucracy. Being no doubt being paid off by the Cement Industry and assorted parasite Contractors to pave over the Planet with Concrete unless derided by the public, have proved in thousands of instances (i.e., Mississippi and Los Angeles River debacles) to be destructives, anti-environmental maniacs running amok with too much money to play with and no sense whatsoever.

These Government debacles prove the copying of Mark Twain's trenchant, brilliant, immortal analysis of government in his or any age: POLITICIANS (AND BUREAUCRATS) ARE AMERICA'S ONLY NATIVE CRIMINAL CLASS! How true! The only solution is to CUT OFF THE MONEY and let the Criminals Starve!

The City Hall Criminals refused to provide the unadorned with a copy of this EIR - raising the suspicion that they have something to hide. The non-intents of this inadequate, incomplete, erroneous, illegal EIR reveals that the rats are hiding plenty about this badly conceived and designed Fiasco in violation of the National Environmental Policy and Historic Preservation Acts (NEPA & NHPA) and the California Environmental Policy Act (CEQA) and common sense. This analysis relates to the Railroad Station and Fig Trees attacks caused by their relationship to Mission Creek. Time produces complete exposure of every element of the projects.

Cmt#13-1

13-1

13-2

Tree and is anticipated to have no impact to the health of the tree. The Corps plans to have a qualified arborist to monitor construction along this area and provide appropriate assistance if the root system is encountered.

13-3 Plugging the Box Culvert. The culvert has been redesigned into a pair of 15' X wide high 6' boxes in an effort to decrease the potential blockage by large debris. Furthermore, the splitter wall will be designed to a "bullnose" to help minimize the potential of getting debris trapped by this divider wall.

13-4 Railroad Bridge. The Recommended Plan (Alternative 12) will not require any work associated with the Railroad Bridge.

13-5 Mission Creek Channel. The new design included in the recommended plan will minimize loss of the sandstone walls along the railroad tracks. The box culvert will run alongside the sandstone wall and the Chapala Bridge, and will terminate at the downstream face of the bridge. This design will avoid any impacts to the sandstone wall along the railroad tracks.

A) KILLING OFF THE FIG TREE. One of the goals surrounding the City Hall Criminals is killing or damaging the Fig tree - another source of "problems". The proposed box culvert for Alternatives 8-12 mislabeled only 50' from the Fig Trees discipline (40-45' during construction) will destroy major portions of this arboreal monument / root structure which extends over 100' from the discipline into the irrigated lawn area. There is at least one 6"-8" diameter root in this area and no doubt numerous other roots. The Bureaucrats by the lying Bureaucrats is that the culvert will not impact the tree (75/12, 13-21/12, 99/12; refers to page/paragraph of the EIR). Yet the Bureaucrats admit temporary impacts during construction will occur (Table 26/d). What are they?

B) PLUGGING THE BOX CULVERT. The badly designed 350'-long, 6' x 30"-wide, tripartite box culvert will become clogged with debris during floods (99/12, 102/13). Naturally, the Bureaucrats ignore this issue! Just as they do not inform the analyst how this 6'-high plugged culvert will be cleaned out. A plugged culvert will only create more flooding! Here is another "problem" which only the Bureaucrats can solve! How many "Bums" will be living in the clogged culvert?

C) THE RAILROAD BRIDGE. The Bureaucrats do not mention the historic significance of Southern Pacific (SP) three-track railroad bridge across Mission Creek which will be unnecessarily destroyed by Alternative 3-7.

D) THE MISSION CREEK CHANNEL. The sandstone walls of the Mission Creek Channel constructed by SP around 1905 are in perfect condition in contrast to the deteriorated state reinforced concrete walls now being proposed. The efficiency of planned obsolescence. These walls will be partially or entirely destroyed with Alternatives 2-12 and no doubt replaced by weak reinforced concrete (76/14, 5). Elsewhere, the Bureaucrats propose to move the south wall of the Channel 20' southward (61/13) or 25' (PLAN Alternatives 4-7). Which is it? The Bureaucrats also falsely claim that the 30'-wide Channel is 40' wide (61/12, 15-16/14). Better get out the tape measure folks! Do the destructive Bureaucrats know what they are doing?

Any alteration of these historically significant sandstone walls which are an important element of the Railroad Station must be done with sandstone blocks. The sandstone boiler tube railing must also be rebuilt in kind. The Bureaucrats ignore the historic significance of the Channel (18-17/12).

Sandstone blocks must also be used in place of reinforced concrete elsewhere in the project for aesthetic and longevity reasons.

E) COST/BENEFIT BALDERDASH. The Bureaucrats claim that the box culvert will cost \$46,520 (TABLE 28/109). Sets ground it off to \$1,700,000! The Bureaucrats failed to inform the analyst about the costs of widening the Mission Creek Channel and the Railroad bridge because they are so intent upon railroading Alternative 12 through the corrupt approval process. How else they tell us what the Railroad Detour and \$114,000 (really \$250,000) cost are all about. How else they reveal the circa \$500,000 cost of destroying the recently planted concrete parking lot and train platforms on the Station site.

F) STAGNANT DEBACLE. The Bureaucrats hast to destroy the recently landscaped Station area at Chapala / Panama Streets is not acceptable (PLAN-Alternative 7).

Cmt#13-2

Cmt#13-3

Cmt#13-4

Cmt#13-5

Cmt#13-6

Cmt#13-7

Cmt#13-8

G) ALTERNATIVE 13. As the Bureau and the City Hall Design have botched the task of flowing Mission Creek through the Station property and SP screwed up in 1905 by failing to construct the Channel and bridge twice as wide (50'-60') as they should have done, and suffered the consequences of numerous Station floodings over since, Alternative 13 is offered to save the Fig Tree and Station from mindless destruction and at no doubt lower cost.

Alternative 13 features the following elements (see enclosed plan):

- 1) Move the south wall of the Channel 20'-30' southward retaining some block sections;
- 2) Move palm tree and Station Water Treatment Building westward (near Junipers);
- 3) Double the length of the Railroad and Montezuma Street Bridges (only one new pier needed);
- 4) Use new sandstone blocks for piers and longer wall sections;
- 5) Restore locomotive boiler, tube railing across Mission Creek;
- 6) Plant large rocks on bed of Creek for more natural appearance.

13-6. Cost/Benefit. Your comment is duly noted.

13-7. Staging Debaclé. The portion of Chapala Street fronting the tracks and the area that will be needed to build the box culvert will be used as the staging area to support construction activities below Highway 101. Impacts to landscaping in this area are anticipated.

13-8. Alternative 13. The features of your suggested Alternative 13 are similar to that of Alternatives 4-7 found in the report. Economic reasons precluded these alternatives from being recommended.

For more information about this Debaclé contact:

Richard A. Strome  
 Railroad Advocate  
 P.O. Box 167  
 Santa Ynez, California, 93460  
 PH 805-678-3145

# THE SOUTHERN PACIFIC PASSENGER STATION HISTORIC SITE AT SANTA BARBARA, CALIFORNIA

MISSION CREEK ALTERNATIVE 13

J J I DOUBLE BRIDGE LENGTH

MONTECITO

ST

STATION PARK

FIG TREE

## KEY:

- HISTORIC SITE BOUNDARY
- 8.9 ACRES ENCLOSED
- ① WESTBOUND PLATFORM AND TRACK
- ② EASTBOUND PLATFORM AND TRACK
- ③ CREW QUARTERS
- ④ NOW BIKE SHOP
- ⑤ NOW PARKING LOT
- ⑥ NOW RENTAL CAR AGENCY
- ⑦ CUT STONE RETAINING WALL
- ⑧ PRIVATE CAR STORAGE TRACK (ABANDONED)
- ⑨ STATION SIDING (ABANDONED)
- ⑩ MAINLINE CROSSOVER (ABANDONED)
- ⑪ WATER TANK SITE, NOW PARKING LOT
- ⑫ WATER COLUMN SITE
- ⑬ NOW CITY-OWNED FIG TREE PARK
- ⑭ NOW USED CAR LOT
- ⑮ PARK DESTROYED
- ⑯ NOW CHICO'S RESTAURANT/NIGHT CLUB
- ⑰ WATER TREATMENT PLANT, NOW STORAGE

MISSION CREEK  
MOVE SANDSTONE BLOCK WALL  
26'-30' SOUTHWARD

RAILWAY EXPRESS

DR

DEPOT  
STATION PARK

YANONALI

CHAPALA ST

STATE PARK

SOUTHERN REST

SCALE: 3/4" = 100' 0' 50' 100' 150' 200'

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916 A Necepa Street • Santa Barbara, California 93101 • (805) 966-8979 • Fax (805) 966-8970



Attn: Janice M. Hubbell, Project Planner  
City of Santa Barbara Planning Division  
Post Office Box 1990  
Santa Barbara, CA 93102-1990

2/8/2000

CITIZENS PLANNING ASSOCIATION OF SANTA BARBARA COUNTY, INC.

RE: Draft Main Report & EIR/EIS, December 1999, Santa Barbara County  
Streams Lower Mission Creek Flood Control Feasibility Study

Dear Interested Parties:

We wish to congratulate the City of Santa Barbara and the Army Corps of Engineers for putting forth a vastly improved project for the lower Mission Creek flood control area. We, as well as other members of the community, are pleased to see that the present plan is more environmentally sensitive and shows much more interest in the restoration and enhancement of the Creek itself. We appreciate the time and care that has gone into the "greening" of the project.

We believe that additional project improvements can be gained from the changes that are being put forth by the public. We support a wider riparian corridor than the one that is currently proposed by the City and the Army Corps of Engineers. At a minimum, this proposal should create a long-term 50-foot-buffer zone from the top of the bank along Mission Creek, which designates property within that zone as legal non-conforming. Within the buffer zone, the City should make use of the \$2.5 million Redevelopment Agency funds as well as other available and prospective funds to remove or relocate structures located along the Creek. In determining which properties to remove from the buffer zone area, prime consideration should be given to preserving historical structures and affordable housing. Infringement of new projects into the buffer zone should be prohibited. This prohibition should be put in place immediately so as to apply to current projects under consideration. The City needs to establish firm policies and redesignate existing structures to be legally non-conforming so that they cannot be replaced. We now have a wonderful opportunity to provide both long-term protection from dangerous flooding as well as restoration and long term protection of Mission Creek's riparian corridor and water quality. In fact, we may never again have such an opportunity.

We encourage the use of more sloping banks in order to reduce the height and use of vertical walls. We also urge that the proposal include more trees, especially large canopy trees to shade the creek in order to protect the riparian habitat and improve water quality. Great care must be taken in improving the estuary. It must be designed to avoid impacts on the coastal wetland and endangered species, while at the same time maintaining water quality and improving aesthetics.

Further, the EIR/EIS should include a full analysis of the impacts of future creek maintenance. The public needs to know how the proposed and necessary maintenance will be accomplished. This flood control project should, from its inception, anticipate and account for the long-term impacts of silt removal and other necessary maintenance measures.

Again, we appreciate the long hours and dedication that so many have put into this project. Staff's commitment to public input and a quality project deserves community recognition. Thank you for this opportunity to provide our comments to you.

Sincerely;

Louise Boucher, President  
Citizens Planning Association

Responses to the comments from:

Citizen Planning Assn  
Louise Boucher

14-1 Comment acknowledged. The proposed project as designed has been formulated with cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek.

14-2 See response to comment 12-3.

14-3 To balance the need for flood control improvements and environmental considerations while trying to minimize impacts to adjacent properties, the sloped riprap must begin halfway up the bank. Otherwise, many more complete property acquisitions will be needed to accommodate wider sloping banks. This added cost would likely increase the project cost significantly and render the project uneconomical in accordance with Federal requirements. This could result in non-participation by the Corps to implement this flood control project. Additionally, see responses to comments 1-4 and 12-5.

14-4 See responses to comments 12-8 and 12-10.

14-5 Comment acknowledged.

Cmt#14-1

Cmt#14-2

Cmt#14-3

Cmt#14-4

Cmt#14-5

# SANTA BARBARA URBAN CREEK COUNCIL

P.O. Box 1053, Carpinteria, CA 93014 (805) 968-3000

February 9, 2000

City of Santa Barbara  
Planning Division  
Attn: Jan Fluthbell  
Project Planner

Re: Draft EIS/EIR, Lower Mission Creek Flood Control Project

Dear City Planners:

The Santa Barbara Urban Creeks Council is a non-profit group with 3000 members, whose mission is to preserve, protect, restore and enhance creeks and aquatic systems throughout the south coast. Long range economic health, community and social values, water quality, environmental values, and quality of life greatly depend on the health of our coastal streams. We have concerns about the Lower Mission Creek project, as it will have lasting and profound impacts on Santa Barbara's future and on the health of coastal aquatic resources.

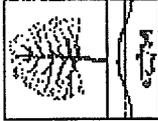
Throughout the long history of the Army Corps of Engineers' planning for this important flood control project, there has never been a studied focus on water quality. Water quality is an important health and safety component of any planning within the Mission Creek area of influence. The EIS/EIR needs a more in depth analysis of the potentials for enhancement of water quality that may be derived through alternative designs.

Restoration of habitat and riparian aesthetics are also among the concerns of the Urban Creeks Council in making these comments and contributions to the discussions of the Army Corps proposal. Some efforts are being directed towards addressing habitat and aesthetics in the current Army Corps proposal. We are pleased to see this movement towards a solution that will ultimately provide for environmental health as well as flooding protection. It is noted that there have been flaws in past project proposals. Some proposals have been rejected by the public as being inappropriate, for environmental reasons. Another proposal was rescinded over the realization that the project would have sediment transport problems that would defeat its floodwater conveyance capacity. Given the existing urban encroachments within the riparian corridor, and understanding the complexities that these encroachments create with respect to natural stream balance and safe release of floodwaters, it is not surprising that the process has protracted itself over the past 35 years or more. It is realized that this is a difficult piece of planning that requires a

Cmt#15-1

Cmt#15-2

Cmt#15-3



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CITY OF SANTA BARBARA  
PLANNING DIVISION

Responses to the comments from:

Urban Creek Council  
Eddie Harris

15-1 Comment acknowledged.

15-2. See response to comment 12-18.

15-3 In our effort to balance the need for flood control improvements and environmental considerations while trying to minimize the impacts to adjacent properties, the sloped riprap must begin halfway up the bank. Otherwise, numerous additional complete property acquisitions will be needed. This additional cost would likely increase the project cost significantly as to render the project uneconomical in accordance with Federal requirements and could result in non-participation by the Corps to implement this flood control project. Additionally, see responses to comments 1-4 and 12-5.

15-4 The decision to proceed with a project, which provides approximately a 20-year level of flood protection, is based on several reasons. During the work of the Mission Creek Consensus

visionary design solution, and a change in the land use ethic. We are very encouraged to see that design proposals now include a natural streambed, and are evolving towards a solution that allows for inclusion of other design elements that are essential to aquatic health. However, we feel that the current proposal does not adequately address the important elements of stream hydrology and sediment balance. Shading and water temperatures, and vegetation transitions within the creek boundaries are also essential elements that need to be defined in a more natural context. These elements need to be more clearly specified in the EIS/EIR.

We also note that the preferred alternative in the current proposal provides for only a 20 year flood protection design. In the past six years, there have been three storm events that have exceeded this level of design protection. Climatic changes, along with increases in impervious land cover within the watershed, have resulted in statistical analyses of flooding risk that must be viewed as approximations, and a generous allowance for error must be assumed.

In light of the above points, we ask that the Lower Mission Creek project be considered only in the context of a long range plan to restore all reaches of Mission Creek to near natural conditions. Such a long range plan would establish adequate buffer zones. It would acquire properties over time, and gain easements and rights of way. It would compel property owners to remove encroachments and impervious surfaces from the creek and from the buffer zones, by providing incentives for gradual retreat. Rather than continuing to use the creek as a back alley and disposal conduit for trash, we promote the idea that the riparian areas can be a visual asset, and views should be focused on the creek. The use of density transfers, and other incentives to encourage retreat and enhancement are currently being discussed by the policies working group that is working with city staff to develop meaningful watershed protections and policies. Such long range planning would ultimately result in addressing 50 to 75 year flood risks, and would restore the riparian buffers to function at near full capacity, as the natural biofilter that is essential to good water quality. Habitat and aesthetics would be greatly enhanced along with this change in the land use ethic. Yes, it would take many years to accomplish this work. The Army Corps project should be considered as just a start for all of the work that is necessary to adequately address flooding and quality of life concerns.

With this restoration ethic, and the need for long range commitment in mind, the Urban Creeks Council urges that more work be done to make the Army Corps Proposal conform to a configuration that will ultimately be compatible with hydrology and correct stream dynamics that may one day be returned to Mission Creek. We ask that each reach of the project be designed to provide for the "bankfull" or "active" channel that would efficiently carry sediment in a manner that neither excessively erodes or deposits sediment. In keeping with principles of sediment balance, this would greatly reduce maintenance costs and the associated disturbance of stream vegetation. In the long range view, flood waters above the capacity of this active channel would one day be carried in terraced riparian buffer zones as adjacent land is acquired, resulting in a significant increase in flooding protection.

Cmt#15-4

Cmt#15-5

Cmt#15-6

Group (of which the Urban Creek Council is a member), it was determined that 100-year flood protection is infeasible, due to the cost and the number of properties directly affected by project construction. The only project that provided 100-year flood protection and was potentially feasible from a cost standpoint would have been a wide concrete-lined channel with vertical walls. This would have resulted in permanent habitat loss and impacts on endangered species, as well as significant aesthetic impacts. For these and cost reasons, this alternative was abandoned.

Several study objectives as well as constraints were developed and identified early in the feasibility phase to help guide the formulation of alternative plans. Most notably, at the request of the City, three bridges (Cabrillo, State, and Bath) were identified as project constraints with minimal modifications allowed. The conveyance capacity of State Street Bridge established (with minimal improvements) at 3400 cfs, essentially sets the maximum conveyance design considered in this feasibility study. It is important to note that 3400 cfs was established assuming the creek bottom remains natural (as opposed to concrete lined). Maintaining the natural creek bottom is an effort to avoid potential impacts to endangered species in the

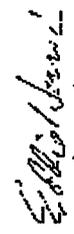
<p>Cmt#15-7</p>	<p>To help with understanding these elements of the design, the EIS/EIR should contain overlay comparison of these four contours, for each reach within the project boundary:</p> <ol style="list-style-type: none"> <li>1. Existing stream contour.</li> <li>2. The natural bankfull channel, derived from hydrogeomorphic data, field based reference sites, and historical data, if available.</li> <li>3. The Army Corps design channel.</li> <li>4. Future opportunities for flood plain restoration in terraced buffer zones.</li> </ol> <p>We also want to stress that preservation of historic or other buildings should not take priority over health and safety considerations, in the design of this important project. Planning that addresses both flooding and water quality concerns should provide for moving the important historic buildings out of the creek buffer, to locations where they would be safe from damage. This would allow the creek banks to be laid back to accommodate proper restoration of the terraced flood plain and buffers.</p>	<p>bottom is an effort to avoid potential impacts to endangered species in the area, as well as to meet local Sponsor's design criteria. See responses to comments 38-1 through 38-4.</p>
<p>Cmt#15-8</p>	<p>In addition, the Urban Creeks Council suggests that conditions at Cabrillo Blvd and below be made a part of the project study and EIS/EIR. Obstructions in this lower reach may be contributing to upstream flood water surface elevations</p>	<p>15-5 See comment 12-3. Additionally, the Corps has other authorities which could be utilized for a comprehensive watershed management study. This type of long term comprehensive watershed master planning can be performed for the local watershed at the request of the local sponsors who are willing to cost-share such study.</p>
<p>Cmt#15-9</p>	<p>More specific detail in the EIS/EIR is needed on the project interface with the Estrada de Santa Barbara. This concurrent planning cannot be ignored. An adequate buffer and bioswale outside of the Lower Mission Creek Project boundary is called for here.</p>	<p>15-6 The computer program SAM was used to develop a sediment budget type of analysis. The creek geometry was not optimized for greatest sediment carrying capacity due to the width constraints of the available right-of-way. Instead, the geometry dictated by the available right-of-way, i.e., the recommended plan was analyzed.</p>
<p>Cmt#15-10</p>	<p>We also want to discourage the use of concrete and vertical walls throughout the project. Vertical walls and concrete have contributed to the existing poor biological function within Mission Creek. The EIS/EIR should more specifically address this reduction.</p>	
<p>Cmt#15-11</p>	<p>These comments are submitted with the hope that they will help to chart a course of action that is rooted in correct science and sound principles of watershed stewardship. There is a restoration ethic evolving out of the city and county funded project clean water studies and the subsequent focus on watershed master planning. We would like to see this emerging ethic translated into planning that brings about fundamental change in land use practices. The image that the city of Santa Barbara enjoys as a world leader in implementing environmental protections does not hold up well when the essential components of our watersheds are put to scrutiny, as evidenced by conditions in the lower reaches of Mission Creek. Planning lapses and piecemeal development for short term gain have incrementally created those conditions over many years. A comprehensive solution must also take place incrementally over many years, but must focus on long term benefit for the community. We view the Lower Mission Creek Flood Control Project as an essential part of recovery within the watershed, and ask that planners also adopt this view</p>	

Cmt#15-12

The Draft Feasibility Report and the Draft EIS/FIR both contain descriptions of the location and setting of the project. These descriptions, in their brevity, have omitted an important aspect of Santa Barbara's geographic setting. Being situated on a narrow coast shelf with the crest of the Santa Ynez Mountains defining the upper reaches of Mission Creek, the setting is rare among coastal cities in California. Mission Creek, like all streams on the south coast, is not impacted by pollution from urban conditions in upstream municipalities. Most coastal cities on the Southern California light receive polluted runoff from highly degraded watersheds through channelized drainage systems. The runoff in Mission Creek, in contrast, is delivered to us unadulterated, from pristine origin. Land use practices within our own urban boundary, (along with pollutant loads from our surface runoff), determine the water quality changes that occur as runoff approaches the Pacific shore. Our setting gives us inherent and arbitrary control over conditions in Mission Creek. Along with this inherent and arbitrary control comes responsibility for overseeing the conditions that exist there. Positive change will result from the exercise of that responsibility through decisions that respect the health of the aquatic systems.

It is hoped that these comments are helpful in providing a perspective for framing the Lower Mission Creek Flood Control Project. The Urban Creeks Council urges that planners consider all of the community values and the long range economic benefit that will be derived through embracing the restoration ethic in this project. Healthy habitat, clean water, greater flood protection, and the aesthetics of planned open space all influence the spiritual and social connections that link people with their city and their environment. These amenities are all dependent on local government addressing the needs of citizens. We think it is possible to address all of these needs. We know it won't be easy, but we believe that positive change can take place over time. And we want you to know that we will be there to help you in all of these efforts, in working towards authentic and correct solutions to the problems in Mission Creek. Thank you for considering this input.

Sincerely,



Eddie Harris

For the Board of Directors

Santa Barbara Urban Creeks Council

- cc. South Coast Watershed Alliance
- 2<sup>nd</sup> District Natural Resources Advisory Committee
- Environmental Defense Center
- Waterways Restoration Institute

15-7

In order to maintain Federal participation based on the project cost-benefit analysis, additional buildings were saved to reduce property acquisition costs. Because of the City of Santa Barbara's strong policies supporting historic preservation and retention of housing, historic resources and housing were those buildings that the City recommended to be saved. It should be noted that relocating a structure off the site where it was originally placed usually results in its historic significance being substantially reduced.

15-8

See responses to comments 1-4 and 12-1.

15-9

No bioswale is proposed in this area of Mission Creek. There are existing buildings between the La Entrada project and the creek. See also response to comment 17-30.

15-10

See responses comment 14-3.

15-11

Comment acknowledged. See response to comment 15-5 above.

15-12

See responses to comments 12-16 and 12-17. Additionally, the City has a Clean Water and Creek Restoration Program to improve the water quality of the City's creeks and beaches. This effort will include many of the Best Management

Cmt#15-13

		<p>Practices such as public education/outreach, public participation, elicit discharge detection/inspection, construction site runoff inspection/control, and many other water quality improvement measures.</p> <p>15-13 Comment acknowledged.</p>
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Small Wilderness Area Preserves, Inc.  
 Santa Barbara Chapter • P.O. Box 91160 • Santa Barbara, CA 93190-1160  
 803-687-0687

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Please reply to: Maria Gordon  
 2815 Murrell Road  
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 Tel/Fax: (805) 962-0034  
 Email: mrgordon@swain.org

FEB 11 2000

CITY OF SANTA BARBARA  
 PLANNING DIVISION

FAX

Fax: (805) 897-1904

Attn: Jan Hubble, City of Santa Barbara,  
 Community Development Department

February 10, 2000

Re: Lower Mission Creek Flood Control Project Feasibility Study  
 Draft Report/Draft EIR

Dear Ms. Hubble:

We are pleased to see the City's efforts to conserve and enhance our local creeks. We strongly support the City's General Plan policy that the creeks are to be regarded as a "scenic open space resource," and we welcome the opportunity to comment on the above project. We would like to raise the following points:

**1. Full and equal consideration is still needed for alternatives**  
 We are concerned to see that the impacts of several alternatives have not been studied on the grounds of relative costs. However, a full review of the potential costs of damaging impacts of Alternative 12 that do not appear to have been considered (some are raised below) must throw doubt on these grounds. In addition, the full benefit of alternative measures does not appear to have been taken into account. Such measures include the possible avoidance of bridge building and the use of sloped, vegetated banks instead of vertical walls.  
 A full study of alternatives seems merited also in light of the dual aim of habitat restoration and flood control. Given the proposed creek widening, likely impacts on the estuary, the removal of vegetation (including many mature trees), and the addition of concrete vertical walls, it is difficult to believe a conclusion that the amount of restoration planned will offset the amount and quality of habitat lost. Flood control seems to be the major benefit of Alternative 12, but project assessment needs to be based on a much more thorough investigation of habitat restoration impacts given restoration as one of the principal project goals.  
 We are also surprised that the study has not factored City Redevelopment Agency (RDA) funds already approved for this project. Although the aim of these funds may be to reduce blight, this would be the automatic result of many of the project measures so there can be no reason why the approved \$2.5 million cannot offset the cost of relevant project components. These funds would lower the cost of any alternative, but their most appropriate application would be toward those that involve greater environmental protection and less channelization than that offered by the favored proposal. RDA funds would also remove the (mistaken) disqualification on grounds of cost.

INCORPORATORS (1971)  
 Ansel Adams (1902-1984) • Margaret Owings • Emily Polk • Dr. Edgar Wayburn

Responses to the comments from:

Small Wilderness Area Preserves, Inc.  
 Maria Gordon

16-1

The primary objective of this project is to provide an increase in flood protection for the residents of the lower Mission Creek. Secondly, restoration and enhancement opportunities are explored within the features used to improve the creek, whenever feasible. A total of twelve alternatives with varying designs and features were developed. Two alternatives were focused on minimizing creek widening and replacing only the most constricted bridges. These alternatives were found to be uneconomical based on Federal requirements. In other words, the cost of the project does not equal or exceed the benefits that the project would provide. Therefore, they were eliminated from further consideration. The rest of the alternatives developed differ mainly in the manner in which the banks would support vegetation. Alternatives 4 - 11 would use vertical walls and/or stepped-wall bank protection wherein planting would be supported on the step. Vertical walls were used for alternatives 4 and 8, while varying amounts of stepped walls were designed for the rest. For the latter, vertical walls were then used where right-of-ways are constricted. Alternative 12 would use the vegetated riprap slope with a vertical and in constricted areas, vertical walls would be applied. Other alternatives that were considered, but not pursued are included

Comm 16-1

Comm 16-2

Comm 16-3

in Section 3.3 of the EIS/EIR. The cost-benefit criteria used by the Corps are focused on construction and maintenance costs and the benefits of avoided flood damage. The criteria are not set up to evaluate the economic benefits of improved biological habitats and other environmental improvements.

See above response. Additionally, the Biology section and the Appendices present the habitat evaluation procedure (HEP), which shows that the expected project impacts would be offset by the benefits provided by the project and its features.

The City RDA funds approved for this project can not be used to cost-share part of the project cost, but will be used to pay for additional betterments to the project that are beyond the Federal cost-sharing authority. State Law and related case law indicate that flood control projects are not included in the list of projects for which RDA funds may be used. See also response to comment 12-3.

See responses to comment 1-2, 1-4, 8-12, 12-4, 15-7 and 16-1. Additionally, project impacts are addressed in the Biology Section and Appendix C of the EIS/EIR. Finally, herbicides are not proposed for use in the maintenance plan, except for limited use on the banks to remove invasive plants.

Impacts to aesthetics and visual resources are discussed in Section 13 of the EIS/EIR.

**2. Full analysis of biological impacts is still needed**  
 The proposed alternative includes considerable channelization and concrete lining, including some wall extension in order to protect buildings. Again, the emphasis seems to be on flood control and protection of buildings rather than the restoration, or even preservation of habitat.  
 Widening the creek will erode buffer zones, increase exposure to sunlight, remove vegetation, create new bankside topography, disrupt creek ecology, and possibly change crucial creek levels. None of these impacts appears to have been fully studied. In addition, attention is needed to the effects of an increased herbicidal program and the extensive removal of silt that would be necessary due to any widening. Increased herbicide use in particular needs a more thorough assessment of its effects on water quality.  
 The negative impact of replacing natural creek walls with vertical concrete has not been fully considered. Again, a proper analysis of alternatives is still needed.  
 The study does not extend to the viability of other uses of created wetlands and simply presumes they will be successfully established.  
 We are very concerned that the impacts to the biological resources associated with the Lower Mission Creek have been seriously underestimated. We believe a more thorough investigation of issues such as the aforementioned should occur before any proposal is adopted.

**3. Visual impacts need to be studied**  
 The proposals to fence certain areas and to remove mature trees must entail a loss to the aesthetic resource of the Lower Mission Creek. An assessment of the impacts to this resource is surely required given the City's policies in this area.

**4. Recreational impacts need to be reassessed**  
 If certain areas are to be fenced and access to others prevented by planting, then a loss must be caused. An examination of the kind of impact seems to be lacking in the study to date.

**5. Impacts from existing and planned infrastructure needs analysis**  
 The path of Lower Mission Creek takes it through highly developed areas. It seems wise to determine if the Creek is or would be at risk from associated infrastructure such as sewer pipes.  
 Also, we would like to see further examination of the possible impacts of future development such as parking lots that could be sited in or near the estuary zone. Given that changes are planned in the vicinity, it remains unclear how they can be considered compatible with creek restoration.

We feel the Lower Mission Creek Project is an opportunity to showcase the environmental and community benefits that can come from thorough and sensitive planning and we are pleased to be involved in the process. We would be pleased to learn the Planning Department's response and that of the US Army Corps of Engineers to the above concerns.

Yours sincerely,  
  
 Maria Gordon  
 Correspondence Secretary

cc: Santa Barbara City Council; Santa Barbara County Board of Supervisors

Comm 16-4

Comm 16-5

Comm 16-6

Comm 16-7

Comm 16-8

16-2

16-3

16-4

16-5

16-6

Impacts to recreation are discussed in Section 14 of the EIS/EIR. Representatives from the county Flood Control District have indicated that access to the creek will not be prohibited. In addition, the habitat expansion areas will provide for passive recreational opportunities.

16-7

The location of and effects on existing utilities are discussed in Section 19 of the EIS/EIR.

16-8

No new parking lots are proposed south of Cabrillo Boulevard. All new parking lots in the City are required to include catch basins and filters. Development of the area will occur with or without the construction of the flood control project.

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CITY OF SANTA BARBARA  
PLANNING DIVISION



February 10, 2000

Jan Hubbell  
City of Santa Barbara  
Community Development  
630 Garden Street  
Santa Barbara, CA 93101

RE: LOWER MISSION CREEK FLOOD CONTROL PROJECT FEASIBILITY STUDY  
DRAFT MAIN REPORT AND DRAFT EIR/EIS

Dear Jan:

The Environmental Defense Center (EDC) is a non-profit environmental law firm working to protect and to facilitate the restoration and enhancement of native habitats and natural resources in Santa Barbara and surrounding Counties. We have carefully reviewed the draft EIR/EIS, including those of the technical appendices that were attached, and have prepared the following comments for consideration by the City and Corps of Engineers.

Executive Summary

Project Location

The proposed project would extend to the upstream side of Cabrillo Boulevard, but would exclude the area downstream from this road. Thus, the project would exclude the existing pedestrian- and/or bike-bridge located south of and parallel to Cabrillo. This downstream-most bridge was referred to by Dr. Ann Riley (please refer to Attachment #1) as a potential constriction of the creek and floodplain. She recommends considering "removing or redesigning these obstructions," to lower "upstream flood water surface elevations..." This "could represent a significant increase in project benefits to the City." How would removal of this likely constriction effect the project and its ability to convey water all the way to the ocean at the design level of protection (e.g., 3400 cfs and 22500 cfs), or would removal increase flood protection? Would removal reduce upstream water levels at flood stage? Specifically, why was the bike-bridge excluded from the project? How is this exclusion inconsistent with the Consensus Group's recommendation that the project extend to the ocean?

Need for Project / Planning Objectives

The DEIR/EIS states that the main purpose of this project is to provide flood protection. In public, however, the project has been presented as having a dual objective that included habitat restoration. Please modify these sections to reflect this dual objective.

The Planning Objectives are stated as: "to analyze the flooding and associated problems along Lower Mission Creek, to consider solution to the ... problems, and to recommend, for implementation, a solution to these problems." However, the objective of any CEQA/NEPA document is to analyze the impacts of a proposed action and to evaluate the relative impacts of feasible alternatives. It is not the objective of a CEQA/NEPA document to analyze the

Letter from:

Brian Trautwein  
Environmental Defense Center  
906 Garden St.  
Santa Barbara, CA 93101

17-1 Widening the Cabrillo Boulevard bridge (and the bike bridge) was analyzed, however, the capacity of the State Street bridge and lower Mission Creek as a whole did not increase.

17-2 On page 14 of the Main Report, the Planning Objectives for the project are outlined as follows:

- Provide increased flood protection for the residents and businesses of Santa Barbara
- Restore the major species of a native riparian community along the project reach "
- Remove and suppress invasive non-native vegetation and replace with native plants
- Remove man-made construction materials along the creek bottom and restore to natural creek
- Enhance aquatic habitat by changing the streambed characteristics

These objectives are in addition to the basic objective of contributing to the overall National Economic Development (NED) by increasing the value of the national output of goods and services (expressed in monetary units), while protecting the nation's environment, pursuant to national environmental statutes, applicable Executive Orders and other Federal planning requirements. It should be noted that, in order to qualify as a NED project, a project that includes Federal funding must have a minimum benefit:cost ratio of 1:1. This benefit:cost ratio, while not called out as a separate objective, is an important objective (and constraint) of the project.

Comm 17-1

Comm 17-2



of feasible alternatives. It is not the objective of a CEQANEP document to analyze the problem that an action is proposed to reduce, in this case flooding, but to analyze the impacts of the proposed action. How could this objective be reworded to capture the intent of a CEQANEP document? Please modify the text to reflect objectives accurately.

The project purpose stated on page 11-9, "is to provide flood control to the City of Santa Barbara and to protect life and property located with the 15 to 20 year floodplain." EDC concurs with the project purpose. This project purpose's wording as written in the DEIR/EIS (on page 11-9) should not now be changed to accommodate the currently preferred plan. It should remain as stated so that more alternatives will then meet those project objectives. Some alternatives may meet the objectives as clearly presented, may reduce significant impacts to less than significant, and be feasible. The goal of CEQA is to identify less impacting feasible alternatives and mitigation measures for approval and implementation. Other alternatives exist which are feasible, meet the objectives and reduce impacts. This affects many of the policy and Coastal Act consistency determinations regarding least damaging feasible alternative, as well as CEQA findings that will have to be made. Therefore, if the City elects to modify the project purpose as written, it will have to reevaluate a new DEIR/EIS with the new objective. Currently, however, the objective is to provide a 15 to 20 year level of protection, and this means that a 2500 cfs channel would be consistent with the objectives of the project.

#### ALTERNATIVES

While the DEIR/EIS touts twelve alternatives that are considered, in reality, only one alternative flow capacity, 3400 cfs, is analyzed in the document. No other alternative channel capacities were carried forward for detailed analysis of impacts and policy consistency. Table ES-1. CEQA requires that a reasonable range of alternatives be evaluated in an EIR, but this EIR only compares the impacts of three very closely designed alternatives: #6, #8 and #12, and #1, the token no-project alternative. These three alternatives result in essentially the same level of impacts for all impact areas, vary only in the method of bank stabilization, and are exactly the same capacity as each other (3400 cfs).

A smaller alternative, such as the 3210 cfs-sized channel agreed to by the Consensus Group, should have been carefully evaluated in the EIR/EIS, but was not. Such an alternative could include low vertical walls and sloped, vegetated rip rap banks, as is proposed in Alternative #12, but could have lower vertical walls and wider sloped, vegetated banks. Such an alternative would be feasible, would reduce the significant residual visual and biological impacts, and is consistent with the project goal and primary purpose, which is to "provide flood protection to the City," or worded differently, to provide 15 - 20 years of protection (page 11-9).

Another alternative should have also been carried forward for detailed analysis in the DEIR/EIS, but was not. The 2500 cfs alternatives (#2 and #3) were dismissed for reportedly having a benefit to cost (b:c) ratio of less than 1. However, the EIR/EIS fails to account for the \$2.5 million that the City Redevelopment Agency has approved for enhancements to the Lower Mission Creek Flood Control Project. Use of these funds - not for the flood control

Certainly, flood control is a primary purpose of the project as noted above. However, the statement on Page 11-9 is only a partial and somewhat incorrect statement of the full set of objectives for the project, as noted above. It has been modified to be more consistent with the objectives outlined above.

17-3 Page 3-9 states that Alternatives 2 and 3, which were defined as 2500 cfs capacity alternatives were not considered because they do not meet the required benefit to cost ratio of 1:1 and were, therefore, determined to be economically infeasible.

17-4 The design for the 3210 cfs alternative would essentially be the same as for the 3400 cfs design described in this study. Section 11.5 has been amended to better reflect the project objectives as stated in the Main Report and in the EIS/EIR.

17-5 See Response to Comment 17-3. The title of this subsection should be clarified to be: "Technically Feasible Alternatives Not Evaluated for Environmental Analysis." Project embellishments paid for by the City of Santa Barbara Redevelopment Agency (RDA) cannot, by federal regulation, be considered in the benefit:cost ratio. Even if they were so considered, the costs to the City of using RDA or other funds would also be required to be computed into the benefit:cost formula. Because the benefits provided by the RDA funds are not benefits that are considered in the benefit:cost formula under the federal regulations, only the costs would be added. This would result in increased costs without increased benefits, thus decreasing the benefit:cost ratio, potentially resulting in the cost: benefit being less than 1:1. This would make the project economically infeasible.

Comm 17-3

Comm 17-4

Comm 17-5

project -- but for creek enhancements that fight blight - have the incidental benefit of rendering a 2500 cfs channel within the acceptable b:c ratio. However, the use of these funds to incidentally render a 2500 cfs channel feasible was not considered, despite the close relationship between these funds and the project.

The \$2.5 million approved for the restoration of lower Mission Creek and specifically, as stated by the RDA, to enhance the flood control project, is a known, approved pot of money that will be available at the same time the subject project is constructed. The City, as lead agency, needs to recognize the clear connection between the \$2.5 million for restoration and the flood control project, and needs, in the CEQA document, to analyze how this RDA money could effect the flood control project. One of the effects it has is to potentially render a 2500 alternative within the acceptable b:c ratio, and thus feasible. Such a result of coordinated consideration of these two closely related actions changes the documents finding that Alternatives #2 and #3 are not appropriate for detailed consideration and impact assessment. Alternatives #2 and #3 are thus potentially feasible, they meet the project's primary purpose as well as other purposes, and as discussed below, they reduce significant impacts that are associated with the proposed action (Alternative #12). Therefore, in the FEIR/EIS or in a revised DEIR/EIS, please describe and evaluate the impacts of a 2500 cfs channel and how the \$2.5 million could be used to fight blight and at the same time to incidentally make a 2500 channel meet the b:c ratio

An alternative similar to #2 or #3 but with an oxbow bypass channel would require replacement of only 5 bridges, rather than the six identified for #2 and #3 in the EIR/EIS. This would make a 2500 cfs channel more likely to meet the b:c ratio, and would save about \$3 million in costs compared to a 2500 cfs channel that excluded the oxbow bypass (Alternatives #2 and #3). Please explain how such an alternative might be made to meet the b:c ratio, for instance by including the bypass and/or by utilizing some of the RDA funds in a way that fights blight and reduces project costs (i.e., by buying some of the properties that would have to be removed for a 2500 cfs channel, and restoring those areas.) A modified 2500 cfs channel alternative with a bypass (to reduce costs of bridge replacement) and with low vertical walls and sloped vegetated rip rap banks would avoid some of the significant impacts associated with the proposed project, could meet the b:c ratio, and does meet the clearly stated objectives. In your response, please include a full evaluation of a 2500 cfs channel, as modified by suggestions herein, that meets the b:c ratio by, as an example, including project-related costs that could be covered by the RDA money under the restrictions of redevelopment statutes.

The Consensus Group's approved and recommended alternative, which the County Supervisors and City Council approved for consideration in the feasibility study by the Corps, was not studied. Instead of that 3210 cfs channel, the Corps studied a 3400 cfs channel. Therefore, the locally approved and recommended plan (3210 cfs) is not analyzed in the DEIR at all, and only alternatives with a 3400 cfs capacity are studied in detail. The responses should evaluate the feasibility of a 3210 channel with vertical walls and sloped banks, like Alternative 12, and should estimate the reduced impacts and find the new option consistent with the project objectives of providing between 15 and 20 years protection.

Comm 17-6

Comm 17-7

17-6 See Response to Comment 17-5. Also, please note that the construction of the oxbow culvert is more expensive than bridge replacement. Because the benefit would still be less than the cost, an alternative using the 2500 cfs capacity, providing an oxbow bypass culvert and leaving Montecito Street bridge in place would not be economically feasible.

17-7 The 3210 cfs version included stepped walls, which you admit at the top of page 14 of your letter would not allow the opportunity for larger native trees to grow. As you state, the stepped wall alternatives (including the alternative endorsed by the Consensus Group in 1994) would only allow shrubby species to grow. The water surface elevation for a 3210 cfs alternative design would in general be approximately 4 inches less than the 3400 cfs alternative.

17-8 The Environmental Defense Center is correct in stating that this section of the Municipal Code has not been included in Section 4, Plans and Policies. See Section 4.1.2 for this discussion.

17-9 The terms "potentially consistent" and "potentially inconsistent" have been used in both City and County of Santa Barbara environmental documents for at least the last 20 years. They are also commonly used by other agencies across California. This terminology is based on the fact that the preparers of the environmental document do not make the final determination of policy consistency. The decision-makers, in this case, the Santa Barbara City Council and the Santa Barbara County Board of Supervisors, sitting as directors of the Flood Control District, will make this determination. Because the project often changes in response to issues raised in the environmental analysis and by the public, the determination included in the environmental document can only be a preliminary determination.

Comm 17-8

**POLICY CONSISTENCY ANALYSIS**

Santa Barbara City Municipal Code

The Draft EIR/EIS does not include an analysis of the project's consistency with the Santa Barbara City Municipal Code. The Code requires a setback for all new development from Mission Creek of 25 feet or more. Development, including this project, can only be approved in this area if a variance from the City is granted, and only if findings are made that the project would not increase flooding or erosion threats.

Potentially Consistent versus Potentially Inconsistent

The term of art "potentially consistent" means the exact same thing as potentially inconsistent, because something can either be consistent with a plan or policy or inconsistent; it has to be one or the other. So, for the EIR/EIS to make a preliminary finding that the project is consistent with plans and policies is equivalent to making the finding that it is potentially inconsistent. Thus, the document does not provide information necessary to determine consistency. A CEQA document must contain sufficient information to make a determination regarding consistency with plans and policies because one category of impacts under CEQA is Land Use Impacts. This category includes conflicts with locally adopted plans and policies (CEQA Guidelines Appendix G, the Environmental Checklist). The DEIR/EIS states that the NOP and Initial Study, which would include the environmental checklist, is attached to it, but it is not. Therefore, it is impossible to see if the City utilized the correct checklist format, including an impact line item for such conflicts. In reviewing the DEIR/EIS, it is clear that the preparers did not consider policy inconsistencies as Land Use Impacts, as the Guidelines do. The DEIR identifies many potential inconsistencies, and thus must also find a potentially significant Land Use Impact related to policy inconsistency.

Comm 17-9

Comm 17-10

Charter 1507

The proposed project would be inconsistent with Charter Section 1507 because a solid waste disposal facility is not available for the project construction, which is slated to begin around 2003 and last for four years (worst case scenario), because Tajiguas, the identified disposal site, has only 5 years of capacity in the recently approved bench-fill project. The addition of a substantial amount of material (82,000 cubic yards) to the City's waste stream is a significant impact on City resources because Tajiguas will be completely full by the time construction is in full swing, and there are no approved alternative disposal locations for the City.

City General Plan

Page 4-3 refers to the relationship between the City's General plan and Local Coastal Plan (LCP), and states that the LCP "supercedes and refines the General Plan for those areas of the City which lie within the Coastal zone." Please clarify the role of the LCP versus the General Plan in area impacting coastal zone resources, but that are not directly in the coastal zone. If a project impacts coastal zone resources but is located outside of the zone, it still must comply with LCP policies addressing those resources.

Comm 17-11

Standard language regarding this terminology and process has been added at the beginning of Section 4.

17-10

While the Tajiguas landfill may be closed in five to fifteen years, state and federal laws require the proper disposal of all solid wastes. There will be another location to which materials can be sent. Also, the threshold of significance that the City and the County uses is based on ongoing contributions to the solid waste stream, not one-time construction-related contributions. In addition, the project description will be revised to require that materials not used in the project be recycled to the maximum extent feasible. The contractor will be required to prepare and implement a final recycling plan prior to commencement of construction. It is projected that the project will require 16,000 CY of fill. This amount will be subtracted from the 82,000 CY of material removed from the project area. The remainder of the soil removed from the site will, to the extent feasible, be taken to other construction sites requiring fill. All of the sandstone not used in project construction will either be conserved for use in other City projects or, if badly damaged, recycled. Most of the metal and concrete can also be recycled. The green waste can be composted and recycled as compost and mulch. There are companies that will cut and recycle *arundo* into jute mats. The amount ultimately destined for a landfill will be substantially reduced.

Conservation Element

This element includes a policy that recognizes that sometimes policies in the General Plan can conflict, and requires that in such cases, those policies that are most protective of natural environmental resources would apply and control. By proposing to extend the vertical walls (laterally or vertically) in order to protect houses, the project as significantly modified since the release of the DEIR/EIS, results in lower protection for the creek and natural environmental resources. Thus, contrary to the findings of the DEIR/EIS (page 4-9) the project as proposed with the extension of walls to save buildings in the riparian area is inconsistent with the Conservation Element by failing to place a priority on resource protection over protection of non-natural resources, such as buildings. This is a significant policy inconsistency and thus results in a significant Land Use Impact. CEQA Guidelines Appendix G.

Comm 17-12

On page 4-8, the Draft EIR/EIS makes a troubling statement that calls into question the integrity of the document and the decision-making process. It states, "Given that a flood control project must be completed . . ." This statement undermines the entire CEQA process by discounting the No Project Alternative, and it colors the ultimate decision regarding this project. It is essentially a decision in principle about a future consideration, and belongs in an opinion section not a factual informational document.

Comm 17-13

Visual Resource Policies

FDC agrees with the EIR/EIS that the project as proposed and each alternative is inconsistent with the Visual Resource Policies, including Policy 4.0. Despite this finding in the DEIR, it also states that "Alternative 12 would be potentially consistent with these Visual Resource Goals and Policies." This is an internal contradiction. Clearly, Alternative 12 is not consistent with Policy 4.0, which requires integration of mature existing trees into project designs, and which requires that all feasible options be explored prior to removing trees. This policy (and the Conservation Element as stated above and in the DEIR/EIS) places protection of trees over protection of structures. However, the project is being redesigned substantially to protect structures at the expense of trees. As an example, pilings would be used instead of the inverted "T" footings to protect structures, but the EIR/EIS does not state that pilings should be used to avoid tree removal. Had the project and document placed a higher priority on natural resource protection than on protection of structures potentially threatened by the creek widening, then perhaps it may have been consistent with the Conservation Element. It did not, and thus a significant policy conflict, and thus a significant Land Use impact remains.

Comm 17-14

Visual Resource Policy 1.0, while typically meant to apply to new creek side developments, is pertinent to this project. It requires that setbacks from creeks "should be enforced." However, as discussed more under cumulative impacts, this project results in smaller setbacks than the City requires (a meager 25 feet) for many structures up and down the creek. This reduced buffer resulting from the substantial creek widening places structures considerably closer to the creek than they exist now, and this takes away from the City's visual qualities, and is inconsistent with the intent of the aforementioned policy.

Comm 17-15

17-11

The City's Local Coastal Plan applies only to the Coastal Zone. However, for California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) purposes, the impacts on all resources have been assessed, including the effects of the project, both inside and outside of the Coastal Zone, on coastal resources. In addition, this is a federal project and, therefore, subject to the federal Coastal Zone Management Act (CZMA). The CZMA provides that each Federal agency conducting or supporting activities directly affecting the coastal zone shall conduct or support those activities which is, to the maximum extent practicable, consistent with approved state management programs. The California Coastal Act is an approved state management program. This allows the Coastal Commission to look at federal projects that are, in whole or in part, outside the coastal zone if the project has potential impacts on coastal resources. The avenue of review for such projects is the Coastal Consistency Determination, which is issued by the California Coastal Commission and relies primarily on Coastal Act policies rather than Local Coastal Plan policies.

17-12

The City of Santa Barbara Conservation Element has policies in several categories, including: Cultural and Historic Resources; Visual Resources; Air Quality; Biological Resources; Drainage and Flood Control; and Water Resources. Biological Resources Policy 11.0 states: *Where Biological Resources policies conflict, the policy most protective of the natural environment shall prevail.* The Biological Resources policies include policies regarding protection and expansion of agriculture and use of City-owned vacant parcels for community gardens along with other policies protecting the natural environment. The purpose of Policy 11.0 is

Elimination of fencing from the project, in addition to reducing significant impacts to recreation and access, or modification and planting of the fencing may render the project more consistent with visual resource policies. However, there are other project components, including the tree removal, which renders it inconsistent with the visual policies of the General Plan.

Comm 17-16

Biological Resource Protection Policies  
Policy 6.0 of the Conservation Element's Biological Resources (page 4-14) requires that intertidal resources be maintained or enhanced. In comments below regarding the biological impacts, HDC explains why the estuary would be potentially degraded, and how there is not ample evidence to find that it will not be degraded. Thus, the project is inconsistent with the General Plan's Conservation Element. The statement on page 4-14 that all three alternatives would result in some net improvement to biological resources is false and inaccurate. The simplified HIER model (criticized below) that was used had false assumptions and flaws built in, and it thus incorrectly determined that this project would improve biological conditions in the creek as a whole. While some resources may be enhanced, overall, there will be a net decrease in biological value in this creek including values to listed species, supporting a finding of inconsistency with the Conservation Element.<sup>1</sup>

Comm 17-17

Flooding and Drainage  
Alternative 12 and all alternatives considered in detail (#6 and #8) result in the placement of 2.4 miles of hardbank structures in the creek, and removal of only a fraction of that length of existing bank protection structures. On net, there will be a substantial increase in the amount of structures in the creek. Yet the City's policies for drainage, flooding and open space recognize the importance of keeping structures out of creeks and creek banks because they are a "scenic open space resource." Therefore, due to the increased structures in the creek, the project would be inconsistent with Drainage and Flooding (and Open Space) policies of the General Plan.

Comm 17-18

Implementation Strategy 2.2 in this section of the Conservation Element states, "Encourage light intensity use in the floodway or floodway fringe..." Since the project would fence off the creek to people, the project would not encourage these uses, and it is therefore inconsistent with this Implementation Strategy.

Comm 17-19

Recreation Element  
The discussion on page 4-18 of the Recreation Element focuses only on impacts to the Moreton Bay Fig Tree. However, the City's General Plan also requires protection of existing recreational uses. The proposed project would restrict or preclude access to the creek by erecting fencing or bramble patches that would "keep people out" of the creek. This is an adverse impact to recreation and is inconsistent with the City's General Plan policies that encourage preserving recreational opportunities. If access to the creek were encouraged by this project rather than blocked, then the project would comply with recreational policies.

Comm 17-20

<sup>1</sup> The author of this letter of comment is a Santa Barbara County-approved biologist specializing in riparian ecosystems and habitat monitoring and assessment. Please refer to the attached list of county-approved biologists, and consider this letter to be expert testimony regarding biological issues.

to make it clear that protection of the natural environment and threatened and endangered species is more important than agriculture and community gardens when they conflict. This policy does not apply to other policies in the Conservation Element nor does it apply to the other elements of the General Plan. See Response to Comment 17-203 for discussion of Local Coastal Plan Policies 1.2 and 1.3.

17-13 Given the Conservation Element policy discussed in Response to Comment 17-12, this discussion has been rewritten and the statement of concern to the commentator has been removed.

17-14 See response to comment 17-12 for applicability of Biological Resources Policy 11.0. The discussion regarding loss of skyline trees has been revised. However, please note that Conservation Element Policy 4.0 states that trees should be preserved and protected. Implementation Strategy 4.2 states that *all feasible options should be exhausted prior to the removal of trees* (emphasis added). Policy consistency is based on the policies, not the implementation strategies. However, the project has been revised to preserve some of the trees. Some of the RDA funding will be used to increase the number of trees planted and, if appropriate, increase the size of some of the planted trees.

17-15 City of Santa Barbara staff reviewed the project plans and the existing conditions. Based on an assumed top of bank for the existing creek, it was determined that there are presently 51 buildings within 25 feet of the existing top of bank. After the flood control project is completed, including proposed demolition of 11 structures, 50 buildings would be within 25 feet of the creek. In any case, since the present purpose of the creek

Comm 17-21

Open Space Element  
This section of the General Plan states that "these drainage channels should remain in their natural state, providing recreational facilities ... all such flood control work should be done in a manner that will maintain the natural qualities of the creek open space. Further, artificial channelization and/or lining, in any form, must not occur." (emphasis added) This project, while less unnatural than previous proposals by the Corps, still fails to maintain or enhance the creek's naturalness. Increased use of structures, increased maintenance (as described below) artificial widening, and lining of the banks will diminish the natural qualities that creek, although degraded, still exhibits. The project does not provide recreational facilities, and in fact restricts people from accessing the creek for recreation. Moreover, the project still involves the artificial lining and channelization of the creek, and it reduces the creek's open space buffer size. Though not as extensive as earlier proposals, the project still conflicts with the Open Space Element in addition to the elements described above.

Comm 17-22

The Open Space Element is also violated by any of the alternatives' removal of major skyline trees, as stated at the top of page 4-20. However, the DEIR/EIS contradicts itself by then stating that Alternative 12 would be consistent with the goals of the element but that the other two alternatives would not be. Each would include removal of the trees and would include structures in the creek. Thus, Alternative #12 is not consistent with the Open Space Element. This inconsistency also supports a finding of a significant Land Use impact under CEQA (Guidelines Appendix G).

Comm 17-23

Circulation Element - Goal 2  
EDC concurs that the project and all alternatives that restrict access to the creek, a pedestrian access way, by including fencing or barrier plantings are inconsistent with the Circulation Element (page 4-26).

Comm 17-24

Local Coastal Plan  
This plan and its policies apply not only to projects within the coastal zone, they apply to any project that affects coastal zone resources. This entire project affects coastal zone resources through changing flooding frequencies, access and recreation, and biological and water quality resources which are not controlled by the coastal zone boundary. Please mention this in this section of the document.

Comm 17-25

The LCP incorporates the Coastal Act language, so in addition to compliance with the LCP, the project must comply with the Act, including Section 30240(a) and (b). See below.  
Water and Marine Environments  
Policy 6.6 requires projects to be designed to not impact shoreline sand supply. This project will result in the need to desilt 2,400 cubic yards of sediment each year. The sediment would be placed outside the coastal zone. Currently, the County does not desilt Lower Mission Creek often, and does not remove that quantity of material from the creek annually (Flood Control District Annual Maintenance plans 1992-93 through 1999-00). Therefore, the

setback is for flood control, a project that improves flood control would result in buildings that become legally nonconforming as to their setbacks. This does not necessarily result in a policy inconsistency.

17-16

The fencing is required for safety purposes. However, fences are proposed to be no more than 42 inches high. Fences would be constructed with pipe and cable or a similar approach that would fade into the scenery and be covered with plantings.

17-17

No environmental degradation from existing condition is expected within the estuary. To the contrary, features incorporated into the design to address public comments (after the public review period) would create significant habitat for small fishes within the estuary: The environmental values of these additional mitigation features will appear in the revised HEP analysis. The Corps believes that the project is consistent with Policy 6.0 of the Conservation Element.

17-18

Most of the existing project reach consists of hard banks of varying types. Much of the existing hard banks are also full height; that is, to the top of the bank. In many locations, there is little to no vegetation. Much of the area that is vegetated consists of invasive non-native species that result in no habitat or biological value. Species such as *arundo* and Pampas grass are so dense that they do not contribute to open space values. There will be fewer full height vertical walls than presently exist. Habitat expansion areas may have no walls at all, except at the side away from the creek to protect adjacent structures. Soil and vegetation would hide such walls. In addition, 15,000 square feet of existing hard bottom creek bed would be replaced with natural bottom. While this project does not meet the

proposal to widen the creek, reducing velocities, will cause an increase in sediment deposition in the channel as evidenced by the DEIR/EIS' statements that desilting would need to occur every year and would remove about 2,400 cubic yards annually. This is a substantial increase in the frequency and intensity of desilting, and it would reduce the amount of sand that makes it to the beach.

Policy 6.11 only allows this very type of project when "no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development." In this case, there are less environmentally damaging alternatives that were considered, that are feasible, but that were not carried further for detailed analysis in the document (Section 3.4 DEIR/EIS: Feasible Alternatives not Evaluated for Environmental Analysis.) In addition, coordinated planning of the use of the authorized \$2.5 million in RDA funds with the flood control project would create a wider range of alternatives that are feasible, including feasible alternatives that are less environmentally damaging than the proposed project. Therefore, it cannot be found that the proposed project is the least environmentally damaging alternative when additional money is available for RDA purposes which could have incidental benefits of making more alternatives feasible by paying for, for instance, the additional vegetation and relocation of structures which would incidentally would render project costs lower and would thus render more alternatives feasible (including less damaging alternatives). Alternative 12 is not consistent with LCP Policy 6.11.

It should be noted that the DEIR/EIS states (page 4-31) that "Alternative 12 would come closest to meeting this test." In other words, the proposed project would be the closest to complying with LCP Policy 6.11, but it would not comply. This inconsistency is another reason to find significant Land Use impacts (CEQA Guidelines Appendix G). It should also be noted that other options not considered in the DEIR/EIS' limited alternatives assessment, or considered but dismissed, would comply with the LCP and are feasible. Please see discussion under Alternatives. Page 4-312 states that, "with inclusion of these measures, Alternative 12 would be potentially consistent with these policies." However, the cited measures are not proposed as part of the project and do not override the fact that other options are feasible and would be less environmentally damaging than Alternative 12.

Policies 6.1 and 6.8 require protection and where feasible enhancement of biological resources and water quality in creeks. The discussion states that each of the alternatives would "result in some net improvement to biological resources," and would be "neutral or improve habitat for threatened and endangered species." However, these statement are riddled with inaccurate assumptions. First, for Alternative 12 to result in more than negligible biological improvement, the created wetland and the habitat expansion zones must be built. But both of these features, according to the EIR/EIS are up in the air and dependent on various factors beyond the complete control of the City and Corps at this point in time. CEQA requires a worst case scenario analysis of impacts. This requires that an assumption be made that the wetlands cannot be constructed and that some or all of the habitat expansion zones are unavailable. Second, several project impacts to steelhead were not analyzed in this report, rendering it legally inadequate, and the impact assessment did not address the potential

full goal of having no structures in the creek, it moves toward that goal as much as can be accomplished given the limits of funding.

17-19 See Response to Comment 17-16 above. County Flood Control District staff has indicated that access to the creek bed would remain substantially the same as it is now. Also, the habitat expansion areas would provide additional access to the creek banks, including interpretive signing and some passive recreation, such as pathways and benches, consistent with the primary purpose of expanding the habitat area. Finally, consistency is based on the policies, not the implementation strategies.

17-20 See Response to Comment 17-16 above. Also, the use of California wild rose and blackberry is intended to prevent people from sleeping on the banks. In addition, a discussion of neighborhood parks and riding and hiking trails has been added to Section 4.2.4.

17-21 See Response to Comment 17-18 above.

17-22 Native skyline trees would be removed at two locations, one an individual tree and the other (left hand bank just above Bath Street bridge) a tree with multiple trunks, or a cluster of genetically distinct individuals growing very close together. Prominent sycamores at four locations would be protected. Four eucalyptus and one pine which might be considered by some as skyline trees would be removed. The Corps intends to plant a minimum of 250 native trees, which will eventually grow to a major skyline stature. Assuming 90% percent survivorship in thirty years time, 225 large trees would replace those removed from the project.

for impacts to the goby and steelhead from reduced estuary depth. Based on this reasonable worst case scenario and additional impact issues, each alternative including the proposed project results in net adverse impacts to biological resources. (See additional discussion under biological impacts.) Considering this, a finding of consistency with the LCP Policies cannot be made.

The discussion regarding this issue in the EIR/EIS (page 4-30) assumes the new .6 acre wetland would be constructed. However, there are problems with this that go beyond the soil contamination, which may preclude restoration of this site to wetland. The DEIR/EIS relies on a flawed, simplified HEP Model that did not account for very important factors as discussed below. The finding of potential consistency with this section of the LCP assumes a best case scenario instead of a worst case as required by CEQA. It relies on the earlier finding that there are no other less damaging alternatives - a finding EDC disputes (please refer to Alternatives Section).

Comm 17-28

#### Visual Quality

Page 4-32 asserts that Alternative 12 has "the greatest opportunity for habitat restoration." This statement is limited by the DEIR/EIS' restricted alternatives analysis. Only alternatives with a 3400 cfs capacity were considered in detail. Would an alternative that took advantage of the potential improvements (additional restoration and relocation of riparian structures) associated with the \$2.5 million in RDA funds not have a greater opportunity for restoration? Since the \$2.5 million is known to be dedicated for the enhancement of the flood control project (as presented to the RDA on 12-7-99) then the environmental review and alternatives analysis in this document must account for that information. That information renders further alternatives feasible (meeting the b:c ratio) because can incidentally cover costs of the project alternatives initially declared to be infeasible, raising the b:c ratio to above 1. Such alternatives can reduce significant visual and other impacts (loss of specimen trees) while meeting the basic project purpose and remaining feasible. Alternative(s) that accomplish this must be evaluated and selected as preferred option(s). Thus, since other less visually intruding projects can be found to be feasible, Alternative 12 is inconsistent with the Visual Resource Policies of the LCP.

Comm 17-29

#### Land Use

Alternative 12, by using essentially only vertical walls in the waterfront area (much like Alternative 8, and not including more than negligible revegetation in this area, would fail to maintain the naturalness of Mission Creek at this location. By replacing the existing natural bank on the northwest side of the creek with a vertical wall, the project would violate LCP Policy 12.2. In addition, the combination of this creek-widening project and the La Entrada and Harbor View projects recently approved by the City will eliminate the buffer along portions of the project reach between the approved parking lots and creek bank. The creek at this location is an estuary, habitat for at least two endangered species and is an important "natural" open space/habitat on the crowded waterfront. By placing two parking areas at the top of the east bank of the Mission Creek Estuary -- this combination of several geographically and temporally related decisions by the City have resulted in a serious land use incompatibility. The Mission Creek Estuary - an important ESHA (Public Resources Code

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17-23 Comment acknowledged. See Response to Comment 17-16 above.

17-24 Comment acknowledged. See Response to Comment 17-11.

17-25 To assist in determining future maintenance needs, additional detailed sediment routing will be completed during the Pre-construction Engineering and Design (PED) phase of the study. According to the draft maintenance plan prepared by the County Flood Control District, with the assistance of Dr. Ann Riley, if the silt removed is of beach quality, it will be deposited on the beach, subject to necessary permits.

17-26 Policy 6.11 of the City Local Coastal Plan (LCP) echoes California Coastal Act Policy 30236. Both policies allow for channelization or alteration of streams for flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development. The policy requires that the project incorporate the best mitigation measures feasible. Feasible is defined by the Coastal Act as meaning, capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Flood control is needed to protect both public safety and existing development in the area. There have been at least 20 significant floods since 1900 and substantial damage to existing development has resulted. However, as noted above, both the Coastal Act and the City LCP limit the development of flood control facilities to those where there is no other feasible method for protecting existing structures. The Environmental Defense

Section 30107.5) will not be buffered but will be adjacent to significant new parking areas. Due to this incompatibility, the project will violate the LCP's land use policies.

Coastal Act Consistency

This section of the comment letter will address information in Section 4.4, Appendix D, and other sections of the DEIR/EIS that relate to consistency with the Coastal Act. The City's LCP incorporates the language of the Coastal Act in the certified LCP, and refers to the Act's provisions as the guiding principles of the LCP. Therefore, any inconsistency with the Coastal Act is also an inconsistency with the LCP, and must be evaluated as a Land Use Impact under the CEQA impact analysis.

Recreation, PRC Section 30221

Throughout the DEIR/EIS including page 4-12, the fencing or other mechanisms "to keep people out" of the creek is discussed. However, the document does not address the proposal to limit access to the creek for passive recreation in an area lacking such recreational opportunities. The creek is currently used for recreational purposes because people can access it. This will be precluded as proposed by the project. Therefore, this project reduces opportunity for recreation in this part of the Coastal Zone, and it specifically eliminates the only opportunity for passive recreation associated with creek access in the City. It therefore raises potential conflicts with the Coastal Act, and thus the LCP.

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Marine Environment - Section 30230

The DEIR/EIS repeats that all of the alternatives would result in some net improvement to biological resources. As one of few Santa Barbara County-qualified biologist specializing in riparian habitat and wetland monitoring and restoration, on behalf of the EDC, I am qualified to counter the flawed approach used in the HEP. The document relies on incorrect "best case scenario" assumptions, and the other unproven, unsure or improperly designed features to justify consistency with policies, the Coastal Act and a finding of no significant biological impact. Therefore, EDC disputes these findings. There are inconsistencies and weaknesses in the document as it relates biological habitat and impact assessment that we address throughout this letter.

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The project will not result in a net biological or water quality improvement due to numerous factors including reduced buffer, increased maintenance, unavailable land for restoration of habitats, and other impacts unforeseen in this shallow impact and policy consistency analysis. Therefore, the project would threaten to violate the Coastal Act (PRC Section 30230 and 30231) and LCP.

Wetlands, Estuaries, Coastal Waters and Streams

Section 30233 of the Act prohibits the diking, filling or dredging of coastal wetlands, waters and estuaries except under limited circumstances including only:

1. New or expanded port facilities and commercial fishing facilities
2. Maintaining existing, or restoring previously dredged, depths in existing navigational channels, boat launching ramps, etc.,

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Center has raised the question of why the U.S. Army Corps of Engineers is not proposing to do either a short vertical wall with vegetated riprap slope above or a full vegetated riprap bank below the freeway. There are several reasons why this is not being pursued. Alternative 12 (the Preferred Alternative) is projected to cost approximately \$18 million (this includes revisions to reflect the gross appraisal of acquisition costs prepared for the City and changes to the project design to reduce land acquisition costs). An alternative that consists of a short vertical wall and vegetated riprap slope at 1.5:1 (H:V) above would require an additional 20 feet of width (10 feet on each side) to construct. An alternative that consists solely of vegetated riprap slope at 1.5:1 would require an additional 26 feet of width (13 feet on each side). Because of the location of the existing structures in this area, it would be necessary to remove several structures or portions of such structures. Property acquisition and remodel of the remaining buildings alone is estimated to cost an additional \$4 million. This assumes that, instead of full take of the buildings involved, it would be possible to remove a portion of the buildings and remodel the remainder rather than completely demolish the structures. If it is infeasible to remodel the structure(s), costs could be even higher. In any case, because the benefit from the Corps standpoint would be substantially unchanged, but the costs would substantially increase, it would not be possible to meet the required benefit:cost standard. Therefore, a project alternative that includes riprap side slope for all or part of the length south of the freeway is infeasible.

3. New or expanded boating facilities' entrance channels in wetlands only, and only with substantial restoration,
4. In open coastal waters including new or expanded boating facilities and structural pilings for public recreational piers that provide access,
5. Incidental public services including burying cables and pipes,
6. Mineral extraction, including sand, except in ESHA,
7. Habitat restoration, and
8. Nature study, aquaculture or similar resource dependent activities

The Act does not provide for the installation of vertical concrete wall for flood control or any other purpose in coastal estuaries. Subsection (d) of this section of the Act refers to "flood control facilities constructed on water courses can impede the movement of sediment and nutrients." It goes on to discuss the option of placing sediment that accumulates in flood control facilities onto the shoreline so that it is distributed into the littoral zone. Thus, the Act envisioned maintenance of flood control facilities that collect sediment (e.g., sediment and debris basins) presumably under 5 above, but does not include language regarding allowing the filling, diking and dredging for flood control channel widening and channelization project. Therefore the project would be inconsistent with Section 30233.

If however, it were deemed that a channel widening and vertical wall (channelization) project in a coastal creek may be consistent with the Act despite any language in it to that effect, then the project will still have meet the following test to actually comply with the Act. It has to be the least environmentally damaging feasible alternative, and it has to employ feasible mitigation to minimize the adverse impacts. Alternative 12 does not meet this test because there are less damaging feasible alternatives that were both not analyzed in the DEIR/EIS I detail, or were not considered at all. Since this is EDC's first chance to view the alternatives, we were unable to give earlier guidance (except during scoping EIR period which we did) regarding the need to analyze a wider range of channel capacities. As it stands, there is only one capacity analyzed: the 3400 cfs channel. In addition to being an inadequate range of alternatives from a CEQA perspective, it also undermines the ability to make a finding of consistency with the Coastal Act (PRC Section 30233) because the inadequate alternative analysis did not look at feasible, less damaging alternatives that meet the project objectives.

The further important and related consideration is the \$2.5 million the City has earmarked for restoration of Lower Mission Creek and that RDA has termed "Enhancement of Lower Mission Creek Flood Control Project." With this additional consideration that unfortunately was not addressed in the DEIR/EIS, more alternatives can meet the b:c ratio because this money, while required to be spent on RDA improvements (fighting blight along the creek), these can have incidental benefits to the flood control project that would offset flood control project costs, thereby increasing the b:c ratio. It must be clear that the RDA money can only be used to fight blight and cannot be used for the flood control project. However, in the course of fighting blight by, for instance, relocating a structure from near the creek bank, the RDA creek restoration funds can play into the flood control project in a way that makes feasible additional alternatives that, absent consideration of the \$2.5 million, were considered uneconomical. That is why EDC was disappointed and surprised not to see this closely

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cont.

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17-27

A complete re-evaluation by HEP now incorporates all additional features now planned as mitigation for possible temporary impacts to both endangered fish, and excludes any potential merits of the Caltrans property at the oxbow. Alternative 12 would yield higher habitat values for both the aquatic habitat and the stream bank habitat than that projected for the No Action Alternative.

Future stream channel maintenance (a detailed mitigation monitoring plan has been prepared and included in the EIS/EIR), would impose a mosaic pattern of mowing perennials that get started in the streambed, and creation and preservation of a low-flow pilot channel within the creek. That pilot would be planned in conjunction with mitigation features and the expected natural course of the creek to optimize movement of sediments and create permanent scour pools beneath the ledges. Hydraulic analyses included in the DEIS/DEIR indicated the proposed project would not alter water depth in the estuary in any way. Tidal influence determines water depth in the estuary and the project would not alter that tidal influence. In consequence, neither fish could incur any impact.

17-28

The HEP analysis has been revised to project habitat values without any reference to the property in question. Alternative 12 would yield net increases in habitat units for both aquatic and stream bank habitats. The project would be consistent with the Local Coastal Plan. Please see Section 10, Biological Resources, of the EIS/EIR.

17-29

See responses to comments 17-3 and 17-5.

17-30

First of all, at a minimum, the revegetation that would result from the two habitat enhancement areas immediately above and below the Mason Street Bridge would be larger than the present bank area just upstream of State Street on the northeasterly bank. In

related effort with approved funding discussed in detail or at all in the DEIR/EIS. It is so integrally related to the project that it cannot be viewed separately from a CEQA standpoint, and the DEIR is flawed for not disclosing the RDA funds, discussing how they relate to and can change the project design because of their incidental benefits to the flood control project.

This all relates to consistency with PRC Section 30233 because, if the DEIR/EIS did not disclose, discuss or consider how the \$2.5 million may make other less damaging alternatives now feasible, then there is no way to find that the Alternative 12 is the least damaging feasible alternative. This project can only comply with Section 30233 if it can be shown that there are no other feasible alternatives that are less damaging.<sup>2</sup> Please disclose and discuss how this funding relates to the proposed project. What can this money be used for? To purchase blighted parcels for creekside restoration? Would this have incidental benefits for the flood control project by, for instance, being able to lay back the banks in more places? How can the incidental benefits of this funding to the project make feasible the alternatives discussed in this letter and Alternates #2 and #3, while still only being used on RDA type projects?

The discussion on page 4-41 of the consistency with Section 30233 states that there would be no diking or filling in the estuary. This is a false statement because the installation of vertical concrete walls in placement of fill in the estuary, and is also a form of diking. Furthermore, the project does include dredging, which will also be done. According to the analysis, if one can call it that, the project complies with the Act because there would be no diking, dredging or filling, is completely askew because there will be these activities; they are part of the project. Section 30233 says these activities are not allowed in estuaries. It provides some exemptions, but not for a flood control channelization project. Therefore, the project violates the Act. Furthermore, it violates the Act because there are less damaging feasible alternatives as discussed in this letter, and less damaging alternatives that could be rendered feasible by consideration of the related \$2.5 million for creek restoration.

Also, since there are significant biological impacts in contradiction with the report's findings, there must be mitigation for these impacts, but the project proposes none. Section 30233 requires, in addition to being the least damaging alternative, for projects allowed under this provision, that their impacts also be mitigated. This project proposes no biological mitigation, and its findings of no significant biological impact is incorrect, as discussed below.

Section 30236, which authorizes flood control projects in coastal streams, also requires "best mitigation measures feasible." An important distinction must be made, though. Section 30233 specifies what can be done in coastal estuaries, and through exclusion, it precludes channelization and flood control construction. Section 30236 authorizes flood control projects in streams. Therefore, while channelization may be allowed in coastal streams within the tight restrictions of Section 30236, it is not permitted in the estuary. The proposed

<sup>2</sup> Note: this is a lesser standard than CEQA's provision for requiring denial of a project if there is a feasible alternative that fulfills the main objective(s) of the project but can do so while causing one or more fewer significant impacts.

addition, these habitat expansion areas would consist of native vegetation, while the area just above State Street is vegetated primarily by pampas grass, an invasive non-native plant. The vertical walls between State Street and Cabrillo Boulevard would be either the same height they are now or shorter and the non-native plants would be replaced with native species. In addition, the old pilings between Mason Street and Cabrillo Boulevard would be removed. The buildings would be no closer to the bank than they are now (or are approved to be), thus resulting in no change to the openness that presently exists. In fact, at 15 West Mason Street, where the existing building protrudes into the channel, there would be no building at all. Instead, there would be an expanded habitat area. The parking lot on the easterly side would be landscaped, which is not the case now. The Harbor View Inn expansion was approved in March 1999, based on the 60 foot width. As the Municipal Code allows, the Planning Commission granted a waiver to allow some of the new building on the east side and part of the parking lot on the west side to encroach into the 25 foot setback. However, unlike the existing situation, there would be a native landscape buffer on the westerly side of the creek. In addition, the landscaping in the parking lot on the east side of the creek would also consist of native species, which is not the case at the present time. The La Entrada project was approved by Planning Commission in July 1, 1999, and by the Planning Commission on August 17, 1999. To the extent that plans for the Lower Mission Creek project were known, they were considered in both cases. Each of the individual projects was reviewed against LCP Policy 12.2. Cumulative review of projects under the policies is not required. It will be necessary for decision makers to evaluate the Lower Mission Creek project against this policy at the time final decisions on the City's

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project then has it backwards by proposing almost all of the tall vertical walls in the estuary (channelization) and using more sloped and vegetated banks upstream from the coastal zone. For this reason, unless the project is changed to eliminate channelization from the estuary, it would violate 30232.

Section 30240(a) and (b) - ESHA  
Very similarly, the project would violate Section 30240(a) of the Coastal Act by allowing uses in the ESHA that are dependent on the resources of the ESHA and that threaten to degrade it. The DEIR/EIS refers to the readers for a discussion of the "Biological Resources impacts above." This indicates that the preparers confused the issue of Coastal Act consistency with that of impact and mitigation. While the document finds that there are not significant biological impacts - an assertion EDC strongly contends - this still does not change the fact that a use is proposed in an ESHA that is not dependent on the ESHA's resources. While the DEIR does not discuss this aspect of complying with 30240(a), and while some may argue that Section 30233 must be looked at for more specific guidance on what is allowed in coastal waterways, Section prohibits the diking, filling and dredging of coastal estuaries except for limited purposes that do not include flood control channelization projects.

The project, in a cumulative sense and project specific sense, fail to provide adequate buffers for ESHAs. The creek and estuary both meet the Act's broad definition of ESHA (PRC Section 30107.5) because they are rare habitats threatened and easily disturbed by human activities and development, and because they support listed species. By widening the creek and the estuary, including widening (hopefully without reducing water depth) the goby and trout habitat, the project will reduce buffer areas required under Section 30240(b) between developments and the habitat.

Furthermore, the City has approved at least two projects in the past year which, when combined with the creek widening, totally eliminate the buffer. The City failed to plan these projects in a coordinated fashion, and as here, does not look at specific cumulative impact issues like buffer size in violation of CEQA. As a result, the City approved projects encroaching toward the creek knowing full well the creek would be widened, and is now proposing the widening which will eliminate the rest of the buffer at these two projects. It will also reduce the buffer to every structure not removed along the entire 1.2 miles. Thus, by significantly widening the ESHA and thus reducing the buffer width to an ESHA, this project poses serious concerns regarding Section 30240(b).

Development - PRC 30251  
New development in the coastal zone is supposed to minimize the alteration of natural landforms and to protect views. By reducing or eliminating the buffer to existing development, the project violates this premise. Additionally, changing the northeast lagoon bank from a sloping vegetated bank to a vertical wall with no landscaping above it, the project violates the Coastal Act (PRC Section 30251). Furthermore, with the unconsidered \$2.5 million, the project could be done in a way that reduces landform alteration (maintains more slopes) and impacts to views.

participation are made. As a result of concerns raised by Coastal Commission members and staff, the project applicant has proposed a redesign that would set the new building 25 feet back from the projected creek width. If the project is not built, the removal of the building at 15 West Mason Street would result in the existing building at 35 State Street being outside the 25 foot setback for the flood control project.

Coastal Act Policy 30221 specifically refers to ocean front land. The project area is north of Cabrillo Boulevard; therefore, it is not considered ocean front land and this policy does not apply. See response to comment 17-197 for a discussion of recreation impacts.

The Habitat Evaluation Procedure (HEP) analysis was prepared by a biologist formerly engaged in diverse areas of ecological research, publication, and teaching, and one who by virtue of 25 years ecological expertise is equally well qualified to judge the biological features of Lower Mission Creek.

The HEP analysis approach is used in all Corps documents, as allowed by the Corps guidelines for carrying out NEPA requirements. Section 15226 of the CEQA Guidelines requires that local and state agencies cooperate with federal agencies to the fullest extent possible, including completion of environmental research and the preparation of joint environmental documents. This can include using NEPA standards for impact analysis. We would also note that the California Coastal Commission accepts the use of the HEP analysis for environmental review and policy analysis purposes. A modified HEP analysis need only be as elaborate as environmental conditions and project design warrant. The HEP analysis prepared for the joint DEIS/EIR could not

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**AFFECTED ENVIRONMENT AND IMPACT ANALYSIS**

On page 5.1 the DEIR/EIS repeats a mistake by stating that Alternatives #2, 5-7, 9, 10 and 11 provide some incidental environmental benefit. This is false. These options use the stepped wall that would only allow shrubby species to grow. The ancient native trees could not be replaced. The baseline environmental conditions in terms riparian vegetation is better than what a stepped-wall alternative would provide.

It goes on to say that "Alternative 12 provides the maximum opportunity for providing environmental benefit." While this may be true of the alternatives considered in detail in the document, there are other alternatives presented that would provide more. Furthermore, just because it provides the maximum opportunity for providing incidental environmental benefit does not mean it actually provides it. The inclusion of the "wetland" and the habitat expansion zones in the project without being able to verify their availability is a best case scenario -- the opposite of what CEQA requires in impact assessments.

Section 5.3 of the DEIR/EIS declares that there are only two significant resources in the project reach: biological resources and cultural resources. However, the City's LCP Policies place a high priority on coastal aesthetics, and this project, by removing most or all of the mature trees, significantly impacts views. This scenic resource is in many ways as important to the City as its biological resources within the creek and its historical resources along the creek.

Under Biological Resources (Section 5.3) the DEIR/EIS fails to discuss the role of the estuary in the steelhead lifecycle. This role is essential to steelhead survival. By ignoring this aspect of the lifecycle, the DEIR is flawed in its determination of no impact to steelhead. Steelhead must utilize brackish estuaries to adapt to and from salt water environments. Smolts will stay in estuaries sometimes for months before entering the sea. During this critical time, smolts grow rapidly in the food-rich environment of coastal estuaries in this region. They must grow large enough to reduce their chances of being eaten at sea. Thus, estuaries are vital to the survival of steelhead. Exclusion of this discussion significantly effects the impact assessment.

Lower Mission Creek does have rearing conditions in some reaches. Wherever there is freshwater that flows for long enough for steelhead to hatch and grow to several inches (3 months) there is potential rearing habitat. Steelhead can also over-summer in pools in the project reach, as evidenced by two over-summering adults at Islay Street not far upstream from the project reach in 1998.

**"Two Most Important Resources"**

The DEIR limits its discussion of important resources under biology to two species. Other significant biological resources include the estuary, the aquatic habitat, and the mature trees that are genetically very significant. Please discuss the importance of the trees in light of new information (Wayne Ferren, personal communication, 2-8-00) regarding the genetic integrity of *Platanus racemosa* (Western Sycamore). Most sycamores planted in recent decades are from non-focal seed stock, and are hybridizing with the native sycamores such that sprouts

have included the mitigation features, the mosaic maintenance plan, nor the various environmental commitments, all of which have now been incorporated, because of numerous changes in project design made since December 1999 in direct response to various regulatory agencies and the Environmental Defense Center itself. Use of the Caltrans property between Gutierrez Street and the freeway has been excluded altogether in the revised HEP analysis. Use of five other remnants of private property as habitat expansion zones is not conjectural. They will be created. With all due respect, the revised HEP analysis is a realistic appraisal of existing habitat quality and a conservative estimation for ecological values which can be realized from the recommended alternative. Please refer to the Corps' response to the 28<sup>th</sup> comment.

Coastal Act Policies 30233 and 30236 must be reviewed together to determine what and what is not allowed in coastal streams. Policy 30233 limitations are focused on open coastal waters, wetlands, estuaries and lakes. Policy 30236 is focused on rivers and streams. In discussions with Coastal Commission staff, Policy 30233 is applied to major estuaries and wetlands on lists of such habitats prepared by the California Department of Fish and Game, such as Goleta and Devereux Sloughs and Carpinteria Salt Marsh, and to the open ocean. Where no major estuary is involved, as is the case with Mission Creek, Policy 30236 is generally applied. For discussion of consistency with Coastal Act Policy 30236 and LCP Policy 6.11, see response to comment 17-26.

See response to comment 17-26.

See responses to comments 17-3 and 17-26.

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collected locally are thought to be hybrids. This information renders these specimen trees, which sprouted before non-native sycamores were introduced, as unique sources pure *Platanus racemosa* of the Santa Barbara south coast area.

Assessment of Fig Tree Impacts  
For organizational purposes, the Moreton Bay Fig Tree is not a biological resource. It is a historic, cultural or social resource and should be removed from all biology sections.

Comm 17-50

Section 5.4 Summary of Environmental Consequences of the Preferred Option  
Under biological resources, the DEIR/EIS fails to note that gobies burrow, and thus cannot easily be captured under the scenario described. The scenario will result in taking of gobies because they will be left high and dry in burrows. It also says that the project would avoid all impacts to steelhead by not working in flowing water during December 15 through March, however, steelhead do occur in the creek during the summer and fall too, as evidenced by two adults over-summering at Isle in 1998. Furthermore, steelhead can present in the estuary almost year-round.

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Impact Analysis Improperly Blends Significant Impacts With Positive Impacts to Avoid a Finding of Significant Impact  
We note that the EIR does find that "significant temporary impacts to bank vegetation (page 5-6) will occur. Regardless of other reported beneficial impacts, the biological impacts are significant, and the lead agency cannot find that a beneficial impact cancels or offsets a significant impact. Since a significant impact has been identified, the DEIR/EIS' finding that biological impacts are not significant is flawed. Apparently the DEIR/EIS preparers believe that one can blend significant impacts with beneficial impacts, but this is prohibited by CEQA which requires that if any significant residual impacts result, regardless of the beneficial impacts, that a statement of overriding consideration be made before the project is approved.

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Area of New Concrete Coverage in Creek  
Please specify the total area of concrete bed removal. This is beneficial impact, but is small compared the increased maintenance impacts, as discussed below. In comparison, 2.4 miles of new hard bank stabilization - vertical walls, will be constructed. At one foot thick, this equates to approximately 12,672 square feet of creek bed/hank will be covered by concrete. This is a quarter acre of new concrete. How does this compare to the removal? This is a significant impact not identified in the DEIR/EIS - the placement of 1/4 acre of fill concrete in the creek. If the walls are thicker, then the coverage of creek by concrete is more drastic.

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Geology  
Geotechnical Report  
This reader was dismayed not to have the geotechnical report attached as Appendix B or elsewhere in the report. The DEIR stated that it would be in the back, and the EDC requests a copy of the report and additional time to comment on the it because it is supposed to be part of the DEIR. We also request that the City hold open the period to submit comments regarding the DEIR/EIS as it relates to the geotechnical report, until after EDC has had an opportunity to review it.

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17-36 See responses to comments 17-3 and 17-26.

17-37 See response to comment 17-26.

17-38 Mitigation measures have been proposed in Section 10 of the EIS/EIR. These have been expanded upon, based on the results of the Endangered Species Act Section 7 Consultation with the U.S. Fish and Wildlife Service for the tidewater goby and the National Marine Fisheries Service for the Southern steelhead.

17-39 See response to comment 17-26.

17-40 We concur that Mission Creek qualifies as an environmentally sensitive habitat area (ESHA). A flood control project would be a use that is dependent upon the resources (after all, if there weren't a creek here, there would be no flooding) and, therefore, could be allowed, subject to showing that the habitat values *shall be protected against any significant disruption* (emphasis added). Because this particular policy requires that habitat values will not be significantly disrupted, we believe that it is appropriate to use the similar approach of significant versus adverse, but not significant effect or disruption. As indicated in Response to Comment 17-26, it is not only necessary to look to Coastal Act Policy 30233, but to Policy 30236, as well.

At the recommendation of National Marine Fisheries Service, Fish & Wildlife Service, and California Game and Fish, substantial mitigation measures and environmental commitments have now been incorporated into the proposed project. These additions, since the Draft EIS/EIR, would avoid or minimize impacts to steelhead and tidewater gobies in Mission Creek.

NOP, Initial Study, and Environmental Checklist

The Initial Study and NOP is also in the table of contents of the DEIR/EIS as an Appendix I. Its absence from the report has apparently limited the scope of issues to be addressed in an EIR. According to the relatively new CEQA Guidelines Appendix G, the environmental checklist, there are a series of types of impacts within each impact category. Under geological impacts and processes, for instance, one impact is the modification of any unique or important geological features. The DEIR/EIS, however, does not come close to reflecting the number and variety of impact types found in Appendix G's checklist.

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Impacts to Geological Features, Pools and Banks

This project would, for instance, result in covering of pools during sediment removal or redistribution projects. In fact, the DEIR/EIS indicates that pools would be targeted for filling as "scour" areas in the bed. Pools are a significant geological feature, and uncommon in the City. They are also important biologically. This project will increase sediment deposition and desilting as described under Maintenance Issues. Therefore, there will be increased silt removal compared to baseline conditions.

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The Flood Control District has removed silt from the lower creek once in the last three Annual Plan Cycles. It proposed to remove about 350 cubic yards directly underneath the Highway 101 bridge and the Montecito Street Bridge. Santa Barbara County Flood Control Annual Maintenance Plans 1997-98, 1998-99, and 1999-00. This is compared to the DEIR/EIS proposal that 2,400 cubic yards per year would have to be removed. This substantial increase in expected desilting maintenance would significantly increase impacts to pools and other important geological features on the streambed compared to the baseline conditions which include far less desilting maintenance. The conclusion that future sediment removal "would not have any impact on geological resources" is incorrect considering the figures cited above. Please refer to discussion of Impacts of Increased Maintenance below.

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Replacement of sloped and vegetated banks where they still exist with vertical walls (i.e., at the north east bank of the estuary) is a significant geological impact because it permanently alters a natural landform - the sloped vegetated bank - into a vertical concrete wall.

Comm 17-58

Residual Impacts

The preliminary conclusion of the DEIR/EIS that there are no significant geological impacts and no geological impacts at all, and that therefore no mitigation is needed is flawed. There are two additional examples that illustrate the potential for significant impacts. First, while stockpile areas are proposed to be essentially on top of or immediately adjacent to creek banks, no mitigation is proposed to keep soil out of the creek. Second, although work in the creek's flowing water is not to occur during December 15 through March to protect migrating steelhead, there are no mitigation measures to prevent erosion and siltation in the construction zone during storms, especially since excavation could still occur during these times next to the creek.

Comm 17-59

Additionally, a Biological Opinion written by National Marine Fisheries Service asserts that the proposed flood control project would not jeopardize the continued existence of steelhead in Mission Creek nor would it degrade designated critical steelhead habitat in Mission Creek. The biological assessments for gobies and steelhead have been revised to include recommendations from the resource agencies including NMFS, F&WS, and California Game and Fish. Extensive mitigation measures and environmental commitments have been identified in the biological assessments and the EIS/EIR to minimize impacts to the Federally listed species. Refer to Appendix A (Revised Biological Assessment) of the EIS/EIR.

17-41

We agree with the commentator that the estuary is an Environmentally Sensitive Habitat under the Coastal Act. Where possible, habitat buffers should be provided. However, the project will result in little change to the existing condition in regard to buffers. At present, there is little to no buffer on either side of the creek between State Street and the Yanonali Street Bridge. In most areas, development and/or urban plantings extend nearly to the creek edge. There will be some improvement as a result of the project, especially along the easterly bank immediately up and downstream of the Mason Street Bridge. A full habitat expansion zone will be provided in the portion of property at 15 W. Mason Street that is not required for creek widening. North of the bridge, there will be an area of short toe wall and sloped riprap above, similar to the bank design further upstream. During final project design, the Corps will work closely with the County Flood Control District and the City to provide as much buffer as possible in this area.

Lastly, the greatly increased sediment removal (2,400 cubic yards (cy) per year) compared to baseline conditions results in greatly increased and significant impacts to geological features. In fact, the March 1991 Santa Barbara County Flood Control District Maintenance Program EIR (page 13.5-6) required specific mitigation for geo-morphological impacts from desilting south coast streams. Therefore, the geological impacts from desilting Mission Creek are also significant unless adequately mitigated. Since maintenance is part of this project, the mitigation of maintenance impacts must be included in the EIR for it to be legally adequate and for there to be accountability that the mitigation would occur for these impacts. There is no mitigation for geological impacts of desilting, however now there is evidence entered into the record from the Flood Control Program EIR that such actions cause significant impacts unless specifically mitigated. The Mission Creek Flood Control Project DEIR/EIS merely states that maintenance will have no impacts and included no analysis to support this cursory and inaccurate assertion. By contrast, the 1991 Program EIR (Attachment 2) included experts' studies of the impacts of desilting on geological resources. The DEIR/EIS is flawed in its conclusions considering the level of maintenance proposed (2400 cy desilted per year) compared to the levels of past desilting.

#### Water Quality

##### Incidental Sewer Line Breaks

On page 19-1, the DEIR/EIS states that the locations of utilities, including sewer lines, is approximate, and that some occur in the project construction right-of-way. The potential exists for an inadvertent sewer line break. Some of these sewer lines in the project areas are 6" to 8" in diameter and made of vitrified clay pipes. These pipes could be over 50 years old, but are under 100 years old. They are extremely fragile and can break if the soil around them is shifted or compressed. Please include a provision that all sewer lines in and adjacent to the right of way will be replaced with modern pipes, and provide additional mitigation in the form of training workers about the issue of sewer line breaks, and how to respond if it occurs. If known sewer lines are to be effected, their use should first be terminated so that they can be removed cleanly, if removal is necessary or desired.

##### Water and Sediment Sample Analyses

These were taken in the dry season when pollution would be expected to be lowest, and apparently bacteria was not tested for. There are contaminants found in the sediment, including metals and oils that are problematic. Are these levels within standards for disposal at a landfill? Could runoff from stockpiles become somewhat polluted if the soils are polluted, and could this impact creek water quality? What measures can be implemented to prevent or reduce this impact? During or after maintenance, will the pollutants in the sediment become suspended and become water pollutants? If tens of thousands of cubic yards of sediment is redistributed in the channel as proposed each year to desilt fill scour areas, will water flowing over this sediment pick up its newly exposed pollutants and degrade water quality at all downstream? What is the standard for acceptable degradation in the coastal zone water quality? Is any deterioration acceptable? How can potential impacts from stockpile or potentially polluted sediment runoff be mitigated either as required by mitigated and as a good faith effort to keep the water clean?

Comm 17-60

Comm 17-61

Comm 17-62

17-42 See response to comment 17-30.

17-43 The proposed project does not affect views to and along the ocean. To the degree feasible, as discussed in Response to Comment 17-26, the project has minimized alteration to natural landforms. It could, in fact, be argued that the existing creek banks do not qualify as natural landforms. In addition, as noted in Response to Comment 17-30 above, there will be habitat expansion areas immediately above and below Mason Street. Finally, the Mission Creek Design Review Subcommittee (composed of members of the Historic Landmarks Commission, the Architectural Board of Review, the Parks and Recreation Commission and Planning Commission) will review the project during final design to assure that walls are treated aesthetically so that the views of the creek will be better than is the case now.

17-44 The Corps concurs; this is a false statement. Alternative's 2, 5, 7, 9, 10, and 11 do not yield net incidental benefits. Correction has been made in the EIS/EIR.

Comm 17-63

What units is Table 7.1-2 presented in?

Bio-filtration

Importantly, according to the Flood Control District as cited in the DEIR/EIS on page 7-1, vegetation is removed every few years. In fact, during the past three annual plans, vegetation removal was only proposed once, three years ago. The proposal to keep the entire bed free of vegetation is a substantial change in maintenance of the bed, but is cited in the DEIR/EIS as essential to maintaining design capacity. The EIR says it would be cleared of vegetation annually. Elimination of the herbaceous and immature woody plant species from the channel bed eliminates much of the channel's ability to filter the very pollutants identified in this section of the report. Please refer to the attached report on bio-filtration and the role of wetland and streambed vegetation, as well as bank and buffer plants, in reducing non-point source pollution.

Comm 17-64

By reducing the bio-filtration capabilities of the stream bed through greatly increased maintenance, the project indirectly and significantly degrades water quality. The channel bed must retain vegetation for effective break down and assimilation of pollutants. Currently there is a bad water pollution problem in Mission Creek. If vegetation is routinely sprayed in the creek, won't the dead vegetation add to bacterial counts? Will live plants help to reduce pollution? Does the current maintenance program allow for herbaceous plants in the bed? Does that provide for some bio-filtration? Will that be lost or curtailed as a result of the new proposed maintenance program of keeping all vegetation out, essentially? What can be done to avoid this impact? Can the project include provisions for maintaining herbaceous vegetation in the bed until and only if it becomes a problem?

Comm 17-65

Mitigating Water Quality Impacts - Maintenance of Bed Vegetation

When a problem is as severe as water pollution in Mission Creek and the ocean, any worsening of that is a considerable contribution to the overall problem, especially since the City and County must clean up its waterways to comply with the Clean Water Act. Any loss of bio-filtration, then, is a significant contribution to water pollution. The project results in significant water quality impacts that can be mitigated through maintenance of vegetated beds instead of maintaining no vegetation. Please refer to the attached report for evidence that this impact would result and could be mitigated. It is an acceptable alternative and is consistent with the project objectives to allow for a higher threshold for desilting and vegetation removal, even if this reduces the design capacity of the creek to 3210 cfs or 2500 cfs. If it is necessary to mitigate significant water quality impacts to the maximum extent feasible, then allowing bed vegetation to grow is acceptable because the project objectives is to provide a 15 to 20 year level of protection.

Comm 17-66

Glyphosate and Increased Channel Maintenance

The proposal to increase maintenance duties and vegetation control in the channel will be significant, especially since the bed will now be twice as wide. There will thus be even more roundup and rodoe applied to Mission Creek. This water quality impact is exacerbated by the loss of canopy trees, where they exist, the loss of bank vegetation, and the widening of the creek, all of which increase sunlight penetration to the bed. This will incur more plant

Comm 17-67

17-45

As spoken to in reply to question 28, and others with similar content, the re-evaluation of project impacts and incidental benefits which arise from mitigation features included since release of DEIS/EIR, the prospective wetlands and habitat expansion zone at the oxbow have been withdrawn wholly from the project description and analysis. The yield of environmental benefits anticipated from the alternative project designs is still highest for the recommended plan. Without including the property at the oxbow in any computations, aquatic habitat would have a net beneficial yield of approximately 0.35 HU, and stream bank habitat a correspondingly greater net benefit of approximately 0.6 HU. No residual impacts can be identified with implementation of Alt. 12.

17-46

Although the existing views are inhibited by *arundo*, pampas grass and existing buildings that are part of the bank, there are also many skyline trees along the creek, many of them native trees. The City, County and Corps are working together to retain as many of the larger trees, especially native trees, as possible. While it will not be possible to save all of the trees, their loss will be mitigated by the planting of new native trees as part of the project. While there may be a short-term policy inconsistency, in the long-term, there will be as many, if not more, trees as there are now. The Mission Creek Design Review Subcommittee will also review proposed landscaping placement to assure that views are protected and enhanced.

17-47

The author makes a valid point. Chapter 10 now addresses the importance of physiological changes which occur in saline water. Additionally, the EIS/EIR now treats construction effects of the project as causing incidental impact to both steelhead

growth, especially since the bed is typically wet but not saturated along most of the project reach. These conditions will cause thick stands of willows and other plants, including herbaceous species to grow. These should be maintained. The County will have to remove the willows, and the proposal is to cut and spray this vegetation. As noted, there has only been time vegetation removal was proposed in the last three years in Mission Creek.

The proposed increase in herbicide use will significantly impact water quality in two ways. It will reduce the bio-filtration of the streambed and it will add glyphosate to the stream environment. In recent County creek water testing near Mission Creek, high levels of glyphosate were found. This substance or the surfactant it is applied with can be toxic to salmonids (steelhead). Addition of this substance to the creek environment and reduced bio-filtration are significant water quality impacts, however, the DEIR/EIS did not touch on these issues. The 1991 Program EIR for Flood Control Maintenance (page 13.6-3) identified significant unavoidable water quality impacts associated with spraying streambed vegetation, and recommended very specific mitigation measures for the impacts of spraying herbicides. The high level of glyphosate detected by the County is significant new information pointing to another significant water quality impact of increased maintenance as proposed.

#### Thermal Pollution

The failure to provide a canopy over the creek within 20 years, or so, coupled with the removal of existing bank vegetation and approximately 18 mature native trees (and an unidentified number of non-native trees) and the doubling of the creek bed width will greatly increase sunlight penetration to the water. One of the most life-threatening water pollutants is heat: the artificial warming of water. In this case it will be a result of sunlight radiation. While there is no canopy now over the entire creek, the creek is narrower and the banks are vegetated in some cases providing some shading. For a long time, there will be increased thermal pollution because of increased sunlight penetration. This will be especially true considering the removal of all bed vegetation, which also helps to shade the water. The heated water in Mission Creek will not support aquatic much life because it will too warmed, and this will impact the estuary, including trout in the estuary. How will increased temperatures impact steelhead if they are in the estuary or lower creek?

Related to this, the widening of the creek will also cause more sediment to drop out because the velocity will be lower. This is evidenced by the proposal to desilt 2400 cy of sediment from the channel each year, compared to far less in the three previous years (350 cy total). With increased sedimentation, will pool depth and formation be impacted? Will the estuary, once widened, act more like a sediment trap and reduce the depth of the pool in the lagoon, which would adversely impact water quality by increasing the temperature and possibly causing other adverse physical or chemical changes to the water? The BA for tidewater goby did not address the potential to lower the depth of the estuary pool by widening the estuary. It makes sense that if it is widened, more sediment will drop out there and the pool will become shallower. How would this impact water quality, steelhead smolts, and tidewater gobies?

and gobies. Appropriate mitigation measures have been included as well.

17-48

The description of Lower Mission Creek as lacking in suitable rearing conditions for steelhead fry come directly from field observations by National Marine Fisheries Service. Failure of any fry to come from the redds made by the well-documented female this past March seem to confirm that opinion.

17-49

The author makes a valid and most excellent point. To the extent horticultural techniques allow, every effort will be made to propagate *P. racemosa* from cutting taken from the trees at de la Guerra Street, Bath Street, the oxbow, and Mason Street. Successful vegetative growth of the larger two of the Mason Street stock is most desirable as those trees may, by chance, have genetic traits which predispose them to be more tolerant of saline ground water than sycamores from elsewhere in the watershed. Cuttings from this source would be planted into the two habitat expansion zones planned for the estuary.

17-50

Although the Moreton Bay Fig Tree at Chapala and Montecito Streets is not a native tree, it is an important tree for a variety of reasons. It is both a biological and a cultural resource. The potential impacts involved are primarily biological. Therefore, evaluation of potential impacts to the tree is included in the Biological Resources Section. Biological resources are not necessarily confined to loss of native species. Because of its size and condition, the Fig Tree has value to botanists. However, because it is also a designated Landmark, it is also included in the Cultural Resources Section. Because it is a skyline tree, it is also included in the Aesthetics/Visual Resources Section.

17-51

The DEIS/EIR acknowledge possible take of gobies during de-watering of the construction

Sedimentation

The proposed stockpile locations are adjacent to the creek bank, but no erosion control measures are proposed as mitigation. Similarly, the construction site will be exposed dirt, including the banks and bed. Although work would not occur in the flowing water, rainfall can carry the disturbed soils away as sediment into the creek with proper precautions. Also, the DEIR assumes to increase in turbidity as a result of increased maintenance, but this is inaccurate. See below. No mitigation is proposed for any of these sediment sources, so this impact remains potentially significant.

Future Periodic Maintenance

The document states that "It is assumed that future periodic sediment removal would be similar to the past..." However, as noted, the DEIR/EIS refers to 2400 cy per year of desilting from the channel and redistribution of another several tens of thousands of cubic yards (cy) per year in the channel. In the past three years, the County has only removed 350 cy during its implementation of its maintenance plans. Therefore, the document is very wrong on this point, and impacts are much greater than assumed. Impacts from increased maintenance are not limited to turbidity. They also include reduced bio-filtration, worsened thermal pollution, and increased glyphosate use.

The draft EIR/EIS failed to address bio-filtration, thermal pollution, glyphosate, sedimentation from the construction site and stockpiles, potentially contaminated soil runoff, and increased maintenance impacts on water quality. Its analysis of water quality impacts was quite incomplete.

Since, as proposed, the project would impact water quality, degrading further than it already is, this is a significant impact. On page 7-21, the DEIR/EIS points out that the project would cause a significant impact to water resources if it would be inconsistent with the local water quality regulations of water quality plans. We have established that the project degrades water quality, and thus that the LCP policies would be violated. Also, since LCP Policies for water quality protection require maintenance or enhancement of water quality, this project would violate the LCP and Coastal Act. These serious policy conflicts are impacts under CEQA in the Land Use Section, and should be evaluated there, and classified as significant because of how numerous and serious they are.

Compliance with Environmental Laws and permit Requirements Section 7.6.5

This section fails to recognize the Coastal Act and LCP requirements for no degradation of coastal water quality (PRC Section 30233). The 404(b)(1) analysis was based on a flawed assumption: that the only practicable alternatives were in the DEIR/EIS. In fact, other options not in the document are feasible, and more options can be made feasible through creative, legitimate use of the RDA funds for Lower Mission Creek. Since other less damaging practicable alternatives exist that degrade water resources less, the 404(b)(1) finding reflects this. To comply with the Clean Water Act, this project must be the least damaging practicable alternative. It is not. Please refer to discussions in Alternatives.

exclusion in the estuary. Mitigation for that possible impact has now been included. The consequences of implementation of the proposed project is, properly, the opinion to be written by the Fish and Wildlife Service. National Marine Fisheries Service has already completed a Biological Opinion regarding steelhead (please refer to Appendix A).

17-52 Please refer to reply 17-48.

17-53 In our approximation, there is about 5240 LF of existing hardened banks and 2060 LF (oxbow reach and bridge culverts excluded) of unprotected banks along the project where bank stabilization is anticipated. Roughly 1820 LF of the stream bottom is hardened in some form or another. With the project in place, 4480 LF of the vegetated riprap-toe wall bank and 2395 LF of full height vertical walls would be built. All 1820 LF of hardened streambed would be removed and replace with natural bottom.

17-54 The EIS/EIR indicates that the geotechnical report is in the Main Report as Appendix B. A review of the Main Report indicates that the Geotechnical Study is part of a set of Technical Appendices that is available under separate cover. The Technical Appendices are available at the City Planning and Public Works offices, County Flood Control offices and at the Corps. They have been available since the beginning of the comment period on December 27, 1999.

17-55 Through an error, the Initial Study was not included in EIS/EIR Appendix I, although the Notice of Preparation was included. The Initial Study is now in Appendix I.

Jan Ebbell  
February 10, 2000  
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This section of the DEIR/EIS (Section 7.6.5) includes a statement that, "For the life of the project, impacts related to the future maintenance are included in the EIS/EIR." What is the life of the project? The project description does not specify this, and it is not in the document. Is it 50 years, or 20 years? This affects the amount of impacts to the creek, the amount of vegetation and silt removed, etc. In contradiction of the report and the HEP, the longer the project life, the greater the maintenance impacts. Impacts that are repeated periodically or annually must be tallied, rather than treated as one ongoing impact. After tallying the repeated impacts, how many cumulative acres of streambed will be desilted and / or sprayed during the life of the project?

As noted in the DEIR/EIS, there are stockpile and staging areas "at the edge of the creek on the east and south." (DEIR/EIS at Page 10-28) There is no erosion control planned for stockpiles and for staging areas.

Comm 17-77

#### Water Quality Mitigation

The following measures are needed to reduce significant impacts to the maximum extent feasible:

1. All of the mitigation measures for water quality in the 1991 Program EIR for maintenance;
2. Containment of stockpiles and placement away from stream banks;
3. Specific plans for control of polluted runoff and sediment from staging areas;
4. Location of staging areas away from creek banks;
5. Testing of desilted material for proper disposal;
6. Maintenance of significant areas of herbaceous vegetation in the stream bed during desilting;
7. Reduce or eliminate use of herbicides; have crews cut vegetation or uproot annually for use in habitat restoration projects if possible;
8. Extend banks further into channel to increase bio-filtration on banks and to promote canopy trees to reduce thermal pollution. This will reduce project capacity, but will meet the written project purpose of providing 15 to 25 years of protection from floods;
9. Reduce maintenance frequency by tolerating a higher level of silt and vegetation (herbaceous) in the bed. This will reduce operational capacity, but will fulfill project purpose, and is needed to reduce significant water quality impacts to the maximum extent feasible.
10. Use RDA funds to remove blight (structures) from riparian fringe. This will enable banks to be laid back more for buffering surface runoff into creek, and will expand buffer area beyond what is proposed, reducing non-point pollution.
11. Evaluate the biological impacts of and the benefits and feasibility of pumping tertiary treated water into the creek at different locations. Implement if water quality would benefit and biological resources would be preserved.
12. Prohibit all work in creek channel between 12-15 and 4-15 of each year.

Comm 17-78

17-56

Creek pools are not usually considered significant geological features. In addition, while they are not common in Lower Mission Creek, there are several pools further up the creek, as well as on other creeks in the City, especially Arroyo Burro and Sycamore Creeks.

The pools found along the project reach are created mainly along bridge culverts, which in some cases can not be allowed to exist without risking the stability of the structures and thus, are filled in during maintenance. The fish ledges and side baffles included as mitigation measures are expected to create numerous pools without risking any structures.

17-57

Based on the additional sediment investigation performed to date, the expected sediment deposition along the project reach is expected to be similar to existing conditions. Please see Section 10.5 of the EIS/EIR for the analysis of sediment budgets expected for Alt. 12. The additional sediment analysis compared like events during current conditions and during conditions with project in place. The expected difference in deposition between existing and future with project conditions for the annual average, 5-year, and design (3400 cfs) events are 25 cy, -35 cy, and -385 cy respectively. Based on this comparison, it is reasonable to expect that the future with project sediment related maintenance would be very similar to current requirement similar to County's current activities. Corrections have been made to the EIS/EIR based on the results of the additional sediment analysis.

Residual Impacts

The DEIR/EIS did not address many of the water quality impacts, and underestimated the maintenance impacts. Maintenance impacts can be significant, according to the Program EIR. Therefore, mitigation is required. Implementation of all of these measures may reduce water quality impacts to less than significant, but would not prevent some degradation. Any degradation conflicts with the LCP and Coastal Act. Alternatives that do not rely heavily on widening and maintenance, for instance the new 2500 cfs option presented in this letter, could foster a canopy in a timely manner, avoid the need to desilt and spray herbicides frequently, and comply with the Act, but the proposed project does not comply.

Air Quality

The finding that the project would not have a significant impact on air quality is predicated upon and assumption that disposal can occur at Tajiguas. This assumption is dangerous because Tajiguas has only five years of emergency bench-fill capacity remaining and there is no approved or proposed new disposal site. Under the mandatory reasonable worst case scenario, disposal may have to occur elsewhere, such as in another County, and this would increase air pollution and potentially exceed Thresholds of Significance.

Biological Resources

The project will impact biological resources below the Cabrillo Bridge, but the DEIR/EIS excludes this area from resource discussion and impact assessment.

Creek and Estuary Buffer

How much will the buffer from top of bank to the existing and approved developments be reduced by? Will the project place more structures within 25 and 50 feet of the bank top? How many? Please evaluate the biological impacts, including water quality impacts, of a reduced creek buffer. Refer to the attached report from the Riparian and Wetland Restoration Working Group for evidence of the biological and water quality benefits of buffers.

How has the City, in its approval of other projects, considered this creek widening in determining the final buffer size? The approximate design of the flood control project was known, including specifically which side and about how much the creek would be widened, when the La Entrada project was reviewed and approved. The City cannot claim that the flood control design was speculative. The City approved the La Entrada project knowing, or with the information to know, that the combination of this project and the flood control project would eliminate the buffer around the estuary, habitat for listed steelhead and gobies. We have overlaid the La Entrada Plans with the Flood Control plans, and they eliminate the estuary buffer. How will the flood control project, by reducing / eliminating the riparian buffer, impact the estuary and the species that live in it?

With a smaller buffer, will it be easier for people to dump refuse and plant material in the creek since people will be closer to it? This could facilitate the introduction of non-native plants. As mitigation, the buffers should be wider by narrowing the channel and extending the sloped banks lower. Flood control District should be required to maintain the banks free of non-native invasive species as part of maintenance.

17-58

No banks anywhere in the estuary have native perennials growing from them, and more over all have been altered substantially in the past by repeated realignment of the estuary. Banks there are not natural, but instead a man-made Aland form.

It is reasonable to assume that any lateral erosion of the bank along the subject reach would be reclaimed by the property owner and reclaim the bank to restore use of the parcel. Some might say that the landform in this area has permanently been altered by the close proximity of existing structures to the creek banks. Replacement of the bank with vertical wall would not have significant impacts on geological resources.

17-59

The contractor is required, under the Clean Water Act, to prepare and implement a Storm Water Pollution Prevention Plan using best management practices. This would include such measures as setting the stockpiles back from the creek and placing hay bales, silt fencing or other barriers between the creek and the stockpiles to control drainage. This would also apply to any proposed excavation. These are not geological issues, but water quality issues and are discussed in that section.

17-60

Based on the additional sediment investigation performed to date, the expected sediment deposition along the project reach is expected to be similar to existing conditions. See Biological Assessment, Paragraph 5.6 - Sediment Budget. The additional sediment analysis compared like events during current conditions and during conditions with project in place. The expected difference in deposition between existing and future with project conditions for the annual average, 5-year, and design (3400 cfs) events are 25 cy, -35 cy, and -385 cy respectively.

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Based on this comparison, it reasonable to expect that the future with project sediment related maintenance would be very similar to current activities. Corrections have been made to the EIS/EIR based on the results of the additional sediment analysis.

17-61 Utility relocations replacement if needed to allow for construction of the project, would be performed. Appropriate replacement materials would be used.

17-62 The Watershed Characterization Study sampled Mission Creek on the following dates: August 31, 1998; September 5, 1990 (to measure the first flush samples following a storm, January 28, 1999 and March 16, 1999. Given that the September sampling was completed immediately following a rain storm and there were two samples during the normal wet season for Santa Barbara, the commentator cannot claim that sampling was only done during the dry season. High levels of bacteria were most definitely noted and are outlined in Section 7.2.

In reference to the comment regarding appropriateness of the timing of sampling activities and the sampling results, the following response is offered. Sediment samples were taken during low flow conditions because it is under these conditions that pollutant levels would be most concentrated in the sediments. High flows have a tendency to wash the sediments and actually lower pollutant concentrations of even. Water samples were taken as specified during low flow conditions as well as immediately after the first storm of the season in an attempt to catch "first flush" pollutant runoff. As indicated in section 7.2, the County and City of Santa Barbara sampling effort tested for both Fecal Coliform and Enterococcus.

To mitigate the loss of buffer, the City needs to propose, in the context of this project and document, a backyard tree program to foster the planting of riparian species along the creek in private properties. Without this mitigation, the loss of buffer area is a significant biological, water quality and visual impact.

Widening of Estuary  
The DEIR/EIS states that widening the estuary will provide more habitat for tidewater gobies. However, by widening the estuary, velocities will drop, and sediment will fall out. This is a well-known fluvial hydrology principal. If sediment falls out in the estuary more than it used to, what will be the increased maintenance impacts in the estuary? Will or might it need to be dredged? If so, what are the impacts of dredging?

Also, if sediment builds up here, then how will this impact estuary pool depth? Will the lagoon be wider, but shallower? If so, what impacts will this have on gobies, steelhead, water quality, water temperature, human access/impacts and other resources and issues? The EIR notes that 2400 cy of sediment would be removed, a substantial increase in annual desilting. This points to an increase sediment deposition in the creek and estuary, and reduced pool depths there.

There has been no scientific (fluvial hydrological) assessment of how widening the estuary may reduce its depth. This was not addressed by the BA for steelhead or tidewater gobies, and is not addressed in the DEIR.

Widening of Creek  
If the creek is widened, how will this effect sedimentation. The DEIR "assumes" that maintenance will be the same as in years past, but then estimates that 2400 cy of sediment will need to be removed per year, a huge increase in maintenance. This increase in sedimentation will fill pools and riffles, covering unique geological features which support biota. The potential loss of pools from creek widening and increased sedimentation is a significant impact not addressed in this report.

Widening the creek will also increase thermal pollution, will warm water, and degrade water quality. Warmer water, up to a point, allows bacteria to thrive for longer. Warmer water impacts the fish and other species adversely. This was not considered. How would thermal pollution impact biota? The creek would be wider, there would be extensive vegetation removal on the banks, including native and non-native shade trees. The invert would be kept clear of vegetation. This would increase sunlight penetration and heat the water. In 20 years, this significant impact may be reduced.

Widening would also increase maintenance by increasing sunlight and vegetation growth, and sedimentation. Please refer to discussion of increased maintenance.

There is no scientific analysis (fluvial hydrological or fluvial geo-morphological) of the impacts of creek widening on pool depth and sedimentation. However, it is well established

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Comm 17-92

that widening reduces velocity and causes sediment to drop out of the water column. This will increase impacts on the bed compared to current conditions.

Habitat Expansion Zones

These areas are smaller than is stated in the document, which has contradictory information. They total .36 acres, if they are all available, however the DEIR states that they range in size from .03 to .56 acres. (note: the EIR states that there is some question as to the availability of these areas for expansion zones.) Since the EIR states that they may be unavailable, these expansion zones can not be counted towards beneficial impacts or mitigation. Reliance in the HEP on these areas is also problematic. If they may not all become habitat, or if they are not valuable habitat due to park uses, then this throws off the simplified HEP's conclusion that habitat will be bettered overall.

Comm 17-93

We suggest that these areas be designed in the following way: Narrow the channel bed width at these locations, but create a broad low floodplain above the low vertical wall, then have another bank on the outer edge of the expansion zone. This floodplain restoration will provide passive recreation, but would be a more natural setting that would be subject to periodic flooding and riparian processes including succession. By providing the broad floodplain, capacity at these sites may be increased, or offset by narrowing of the channel. Additionally, the expansion zones would "capture" and detain some flood waters, potentially reducing slightly downstream flood elevations.

Comm 17-94

These habitat expansion zones should be planted with native trees and understory, all from locally collected seed and/or cutting stock. At least 100 large trees should be established in these areas to create a dense woodland. Thus, 200 should be planted and maintained with the expectation that up to half may die.

Comm 17-95

On page E-3 of the DEIR/EIS, the availability of the habitat expansion zones is called into question, thus any finding regarding biological impacts predicated upon availability of these areas is flawed. According to the DEIR, the project sponsors and Corps have yet to "determine the availability of all five of these parcels." According to the DEIR, "If these areas are available, each would be designed ..." Therefore, these areas are in question according to the DEIR, and, in addition to the other reasons outlined in this letter, they cannot be used to justify a finding of no significant impacts.

Comm 17-96

Impacts to Streambed versus Impacts to Banks

The HEP finds that aquatic habitat in the bed will be degraded from .80 habitat units to .30 units, largely due to increased maintenance. Bank vegetation and habitat values would rise though, offsetting the significant impact to the bed habitat, according to the DEIR. However, when a project results in significant impacts to one resource (aquatic habitat) and a beneficial impact to another (reportedly bank vegetation), the lead agency cannot blend the two impacts to find that the overall impact to habitat was (reportedly) positive. Instead, CEQA requires that the significant impact be identified in its own right, separate from any reported beneficial impacts. The City and Corps cannot blend the impacts to two distinct resources and claim that, on par, there is a net gain. Significant adverse impacts stand alone, and the must be

Comm 17-97

The concentrations of metals and non-metals and of petroleum hydrocarbons and oil and grease were well below action thresholds that would require remedial action.

In reference to the comment demonstrating concern that stockpiled soils could erode and contaminate Lower Mission Creek, the following response is offered. Stockpiled soil needs to be placed sufficiently far back from the creek that erosion control measures can be employed. The Corps intends to employ Best Management Practices (BMPs) to control erosion and associated sedimentation of the creek. Measures such as use of sediment control mesh and covering of stockpiles are among possible BMP's that could be employed to protect the creek. A Storm Water Pollution Prevention Plan (SWPP) will be prepared by Corps or the Construction Contractor, which would include methods or conditions for erosion control occurring due to the project construction. This document would be available on the construction site.

In reference to the comment demonstrating concern that maintenance activities could adversely affect the creek water quality, the following response is offered. The effects of maintenance activities within the creek are unknown. Sampling in Lower Mission Creek has shown that turbidity typically increases within the creek during high flow events and then rapidly returns to lower concentrations when flows subside. Maintenance activities will be timed to coincide with low flow periods and BMPs will be employed to avoid excessive impacts to water quality. These BMPs will depend on the alternative selected as the project.

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overridden if the project is to be approved. Therefore, the finding of no significant biological impacts is flawed because it is based on blending a reported positive impact with a significant adverse one.

#### Constructed Wetland

This project feature is not a reliable possibility. The DEIR notes that the site is contaminated and that clean up may not proceed in a timely fashion to allow construction of wetlands. Since this is the case, the DEIR/EIS is flawed to promote this as a valuable project benefit: a new 6 acres of wetlands. This benefit cannot be counted since it is clearly too speculative and riddled with uncertainty.

Also, this area will not function as wetlands unless extensively maintained as such. This would entail regular vegetation removal and desilting. This would not be a functioning healthy wetland; it would essentially be a sedimentation basin that may accumulate some riparian vegetation on the banks. Further, it is proposed that an access road go right through this "wetland" area. This would degrade it further. It thus cannot be relied upon as a project benefit or mitigation.

Instead, the City and Corps should propose a floodplain restoration project (please refer to Dr. Riley's attached memo) in which it is excavated as a wetland initially, but is allowed to accumulate sediment until it is transformed into a riparian habitat adjacent to the creek. It should not be maintained. This could add some value to this particular site, but it is right next to the freeway, and would not be great habitat as a result.

The HEP relies on this wetland to find that the project results in habitat improvement (an assertion we disagree with). Without this wetland, but with all other improvements including the habitat expansion zones which as noted are of questionable reliance, there is an insignificant increase in habitat value, according to the simplified, modified HEP. However, due to the simplified nature of the HEP model, this increase is so negligible, that it really is a break even. There is no improvement in habitat absent the wetlands that cannot be relied upon because its unlikely they would be built.

#### HEP

##### *Fails to Address Temporal Impacts to Habitats*

Continuing along this line, the HEP was flawed in finding that there would be an improvement in habitat. Importantly, the HEP determined that after the trees matured, excluding the speculative wetland, there would be a negligible .04 increase in habitat units. Therefore, the HEP does not allow for identification of temporal impacts to habitat. If it is going to take 30 years (HEP at page 15) to break even in terms of habitat (a 1:1 replacement ratio for habitat values) then there are significant temporal biological impacts that are not mitigated. Therefore, as a qualified biologist, I contest the HEP findings, methodology and the DEIR preliminary conclusion of no biological impacts.

Comm 17-98

Comm 17-99

Comm 17-100

Comm 17-101

In reference to the comment inquiring as to applicable water quality standards, the following response is offered. Applicable water quality standards are referenced throughout Section 7. No separate water quality standards are known which apply specifically to water quality within the coastal zone. It is unclear as to exactly what boundaries the commentator is referring to when referring to the coastal zone.

17-63  
The units are supposed to be Abacteria per 100 ml of water. This addition will be made to the table.

17-64  
The revised maintenance for the creek would now allow the mosaic removal of stream bed vegetation. Mowing equipment, a brush hog, or similar machinery would be use to mow vegetation on half of the creek bed every year on an alternate basis. The mower would pass a foot and a half or more above the surface and side baffles with the intent of cutting back and stunting perennials, such as willows or white alders. Reasonably large herbaceous plants and annuals would not be mown. Systemic herbicides, such Roundup™, would be used only as a last resort, in highly specific applications rather than being applied indiscriminately to large areas, probably against rampant giant reed or similar invasive pest. See Section 10.6 of the EIS/EIR.

Bio-filtration. The Corps is well aware of the literature regarding bio-filtration and its potential applications in varied situations. As stated, the purpose of the project is flood control, not creek water remediation. The carrying capacity of the channel must be sufficient to eliminate the flood damage and risks to human life that has occurred in the project area of lower Mission Creek. Small herbaceous aquatic vegetation will not substantially affect the water carrying capacity of the channel. This type of vegetation also recovers rapidly subsequent to severe disturbances such as severe flood events and possible maintenance activities. Thus it is likely that whatever bio-filtration benefits occur with this type of vegetation, will continue.

Woody vegetation such as willows and *Arundo donax* and large herbaceous vegetation such as cattails and reeds must be kept from colonizing the creek channel.

See response to comment 17-64.

The author correctly identifies one important and valuable function of extensive vegetated beds or wetlands within the channel. Regrettably, a design which would exchange some fraction of the intended conveyance capacity for such biological filtration properties would no longer satisfy the economic requirements for Federal participation. The City of Santa Barbara would be left entirely to its own resources to pay for a lesser amount of flood control.

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*Reliance on Habitat Expansion Zones and Constructed Wetlands*  
The HEP relies on the habitat expansion zones even though the DEIR/EIS states that they may not be available for riparian habitat (page E-3). It relies on the constructed wetlands, but acknowledges the speculative nature of this feature. The EIR determines that without the wetlands there would be a .04 increase in habitat values over the long term. This is a break-even proposition, except that habitat resources are impacted significantly until the landscaping matures.

*Genetic Value of Sycamores*  
The HEP failed to address the biological values of the existing mature sycamores. These trees predate the arrival of non-native sycamores and are thus unique representatives of the true sycamore strain native to this area. There are not many trees that are this old, and that are thus genetically important. Loss of this genetic information will be significant as a biological impact. The HEP did not factor in this value to the existing habitat, and thus determined that the project could improve conditions.

*Expansion of Estuary*  
The HEP relied on expansion of the estuary channel for increased habitat values. However, by widening the estuary, a strong argument can be made (and there is no science to dispute this) that the pool depth will drop. Thus, the volume of the estuary may not be increased, even if the surface area of it is. By doubling the size of the estuary, the project does not necessarily double the habitat value of it. If sedimentation becomes an issue in the estuary, and maintenance is needed, this will further reduce the habitat value of the estuary, even if it is widened. Studies are needed to illustrate what will happen to the estuary if it is widened, but instead of studies, the HEP and DEIR rely on assumptions that the habitat value would be improved.

On page 10-17, the DEIR/EIS speaks to sudden water temperature changes. On page 10-18, it says that this can impact organisms with low tolerances to such fluctuations. Steelhead are one of many such species. Changes in the depth of the estuary from widening it may induce temperature rises because shallow water heats faster than deeper water.

*Arundo Removal and Recolonization*  
The HEP relies on the removal of *Arundo donax* from the creek as an improvement, which it is, but without maintenance of the banks, this species will recolonize the area, and in the long-term without maintenance of the banks, the habitat values will drop due to *Arundo*'s re-establishment.

*Future Maintenance*  
The HEP states that "It is not expected that future maintenance would cause additional impacts." However based upon the foregoing discussions, future maintenance would increase. Desilting would be 2400 cy per year removed from the creek (compared to 350 cy removed in last three annual maintenance plans). Furthermore, vegetation removal will increase also as noted in the DEIR. The bed will be kept free of vegetation under the proposal as described in the DEIR, whereas under current maintenance, vegetation removal has only

Com 17-102

Com 17-103

Com 17-104

Com 17-105

Com 17-106

Com 17-107

See response to comment 17-64. In addition, there are no safer herbicides than Rodeo™ and Roundup™ available. Information about Rodeo™ and Roundup™ is based on the current EPA approved label and Material Safety Data Sheet for the products. The active ingredient in Rodeo™ and Roundup™ is glyphosate, which inhibits the synthesis of amino acids and, therefore, inhibits cell growth and reproduction. These are non-restricted herbicides that are registered for use on aquatic (Rodeo™) and non-aquatic (Roundup™) plants. They can be applied by aerial application. The EPA label for Rodeo™ states: This product may be applied to emerged weeds in all bodies of fresh and brackish water which may be flowing, nonflowing, or transient. This includes lakes, rivers, streams, ponds, estuaries, wildlife habitat restoration and management areas and similar sites. The Roundup™ label includes similar language for dry land applications.

Glyphosate is strongly absorbed by soil. Glyphosate is stable in soil for varying lengths of time, depending upon soil texture and organic matter content. The average half-life of glyphosate in water varies from 35 to 65 days. In water, it is absorbed in bottom or suspended sediment particles.

Glyphosate is rated by the EPA as A practically non-toxic (i.e., requires concentrations in water over 100mg/l) for the following aquatic invertebrates and fish: *Daphnia magna*, mysid shrimp, grass shrimp, fiddler crab, sea urchin, carp, bluegill, sunfish and minnow. It is only slightly toxic (i.e., requires concentrations between 10 and 100mg/l) for rainbow trout and oyster larvae. There is a very low potential for the compound to build up in the tissues of aquatic invertebrates or other aquatic organisms. Acute toxicity in trout

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occurred once in the last three years on parts of the project reach. Therefore, according to the DEIR, although it does contain contradictory information, and based on review past Annual Plans and statements in the DEIR by Flood Control Staff, there will be increased maintenance and increase in habitat from maintenance. Thus, the HEP's statement that maintenance (and associated impacts) would not be increased is false and it effects the quality and conclusions of the simplified HEP.

Treatment of Maintenance Impacts

On page 14, the HEP as part of this DEIR, finds that the project "would have no additional impacts to aquatic habitat beyond those arising from initial construction." EDC takes issues with this finding and approach used to make it. This discounts the impacts of all future maintenance. Future maintenance, which as noted in significantly increased over baseline conditions, will remove the early stages of succession in the riparian community year after year for the project life. This is 20 or 50 (depending the "project life") repeated removals of establishing riparian vegetation. This is an impact each time it occurs. The HEP assumes that the channel can be kept free of habitat values, but this is unrealistic. Plants will begin to grow quickly in the channel after maintenance. So each repeated maintenance episode will have its own impacts. However, the HEP ignores the impacts of future maintenance, and this helps to justify the DEIR's conclusion of no impact to biological resources.

Type of HEP Blending of Impacts to Mask Significance

The HEP used is an oversimplified "modified and abbreviated form" of HEP. The HEP groups all biological resources into one impact category, finds, based on flawed assumptions that the project will benefit the habitat (but only after the trees mature). By not analyzing specific impacts to biological resources separately, for instance the aquatic versus riparian bank habitats, the HEP facilitates the blending of impacts (significant and reportedly positive) and the EIR's wrong conclusion of no significant biological impacts. If, as other EIRs do, this one analyzed impacts to distinct biological resources instead of grouping them together, then a finding of significant impact would be evident. For instance, the substantial degradation of bed habitat is "offset" through balancing with the reported increase in bank habitat. This approach violates CEQA's mandate that significant impacts must be looked at individually, and cannot be blended with beneficial impacts to make the overall impact appear less than significant.

HEP fails to Address Bio-Effects

The HEP and the DEIR/EIS did not address the decrease in bio-filtration that the project would cause, as discussed under Water Resources Impacts. Therefore, since bio-filtration can clean up water and improve habitat conditions, the reduction in it has the opposite effect. This will reduce habitat values in the aquatic habitat and estuary, but the HEP did not address this.

HEP Does Not Address Impacts in Acres

There is no quantification of acres of impacts, although the Habitat Unit is calculated by using this figure. While, based on EDC's independent analysis, the project will reduce habitat values over the long run, as supported herein, the DEIR finds a 3% increase in units after 30

Com 17-107  
cont

Com 17-108

Com 17-109

Com 17-110

Com 17-111

years. The area of impacts, including the area of increased and repeated maintenance, should be provided.

HEP - Conclusion

The HEP contains many flaws and excludes many considerations, as noted above, that undermine its usefulness as an analysis tool. Based on the flawed, simplified HEP, the DEIR/EIS finds that significant impacts to biological resources do not exist and that the biological impacts are beneficial. This is not the case for the reasons outlined above. The project results in significant impacts to biological resources, each of which must be mitigated to the maximum extent feasible. We recommend that additional restoration (removal of concrete, stabilization and revegetation) upstream from Carrillo occur to mitigate this impact. The cost of this necessary mitigation must be factored into the b.c. Optionally, the City could disclose the RDA's \$2.5 million in the DEIR as it must, and use some of this money to remove blight (with the incidental benefit of mitigating project impacts). This would preserve b.c and would provide necessary mitigation of significant impacts to biology.

The HEP without the constructed wetlands (but with the speculative habitat expansion zones (hez)) results in a break-even habitat after 30 years. But it does count the hez, which may not all happen, it does not count maintenance impacts or bio-filtration, it assumes an improved estuary, and it fails to consider temporal impacts. Therefore, the project does not mitigate itself, and habitat values will be lower after project construction, even after 30 years considering these other factors that the HEP excluded consideration of. The HEP assumes that the increase in Habitat Units of .04 overall (a 3% increase) is a benefit. But, considering the simplification of the HEP, and inherent problems with these types of habitat assessment tools, a margin of error is needed. Therefore, the HEP conclusion of .04 more units is essentially break-even after 30 years. The DEIR does not address these temporal significant impacts. The HEP fails to consider certain impacts, including maintenance impacts. The end result is reduced biological values, a less than 1:1 replacement of habitat values, even over the long term. Therefore, mitigation of the significant individual biological impacts to the maximum extent feasible is necessary to comply with CEQA.

Non-native Trees

The DEIR fails to list, identify or discuss the loss of non-native trees. The document does count the native trees that may be impacted, although this number is a real rough estimation, but it fails to address non-native trees, which can provide habitat. How many non-native trees are being replaced?

Steelhead

The DEIR/EIS claims that this species will not be impacted at all, but it wrongly assumes that steelhead would only be in the creek between December 15 and March. This is false. Steelhead can and have over-summered in Lower Mission Creek (including two adults at Isle in 1998 (and they can rear in the lower creek, too).

The fish in this creek are steelhead, as found in the DEIR/EIS. Planted fish in Rattlesnake Canyon did not fare well and died off. They were not the ancestors of the fish there today.

Com 17-112

and bluegill were observed with 96-hour (4-day) dosages of over 1,000 mg/l.

Glyphosate is non-toxic to birds, mammals, and bees. Acute oral toxicity (LD<sub>50</sub>) in mammals is over 4,000 mg/kg, while acute dermal toxicity in mammals is over 800 mg/kg. Glyphosate is slightly toxic to wild birds. The dietary LC<sub>50</sub> in both mallards and bobwhite quail is greater than 4,500 mg/l.

The comment letter included two scientific studies on the effects of glyphosate on salmonids. In the first study, toxicity (LC<sub>96</sub>) in various salmonids and rainbow trout was observed at glyphosate concentrations of 10 to 200 mg/l, depending upon the mineral composition of the water. The threshold concentrations from this study were used, in part, to develop the EPA thresholds for glyphosate-based herbicides. The second study examined the effect of a marker dye on salmonids when mixed with glyphosate-based herbicides. This marker dye is not used in local applications. As such, the results of that study are not applicable.

The comment letter indicates that glyphosate was found in high levels in Mission Creek. The City reviewed the preliminary results of 1999-2000 sampling for various south coast streams. Concentrations of glyphosate were typically less than 0.05 mg/l. This value is significantly lower than the threshold concentrations for acute toxicity.

The application of Rodeo™ to control emergent vegetation or Roundup™ to control other invasive vegetation is not expected to adversely affect steelhead, other fish, or pond turtles for the following reasons:

Com 17-113

Com 17-114

Com 17-115

Com 17-116

The steelhead could be impacted by future increased maintenance including desilting, sediment redistribution (approximately 20,000 cu/y/yr) and herbicide application. Glyphosate and/or the surfactant used in their application (Rodeo, Roundup) are toxic to steelhead, and are beginning to show up in streams maintained in this area. (Please refer to attached information regarding toxicity of roundup and rodeo constituents to salmonids.)

Com 17-117

The increased sunlight penetration and thermal pollution will adversely impact over-summer or rearing trout. Since steelhead can spend much time in estuaries and in fact depend on estuaries, the potential loss of estuary depth impacts steelhead adversely. The loss of buffer area impacts steelhead.

Com 17-118

The potential for increased sedimentation, as pointed out and established in this letter, threatens steelhead in over-summering pools and in the estuary, and in rearing areas, should steelhead use them. The DEIR/EIS is flawed because it did not recognize that steelhead can be in the project reach any time of the year, thus the finding of no impact, even if based on the BA, was flawed. The steelhead BA, on page 15, erroneously states that steelhead would not be present in Mission Creek in August through October, so maintenance would not impact the species. The species is present in the estuary during this time, and increased sedimentation may require maintenance in the estuary (dredging). Therefore, by failing to recognize the presence of steelhead in the creek during these times, the BA underestimated impacts to the species. As an example, there are steelhead adults and smolts and juveniles in the estuary of Arroyo Hondo Creek on an almost year-round basis. Therefore, since Mission Creek and Arroyo Hondo are similar, the Mission Creek estuary likely supports steelhead throughout the year. Also, by not considering the estuary as part of the critical habitat for steelhead (smolts) the BA is scientifically inaccurate.

Com 17-119

Section 10.1.5.2 fails to recognize the critical role of estuaries in the steelhead lifecycle. This is relevant because impacts to water quality, temperature and depth of the estuary impact the species. This can be at any time of the year. Please provide a brief, scientifically-based analysis of these potential significant impacts.

Com 17-120

On the same page, the author of this letter is cited as stating that "Mission Creek was evidently one of a limited number of suitable streams located south of the Santa Ynez River" for steelhead. This is not true. This is one of many creeks south of the Santa Ynez that supported steelhead. Please correct this inaccurate statement, because most sizeable streams in this region supported steelhead, not merely a few.

Com 17-121

Steelhead occur in this creek currently, reproduce here, and swim to the ocean. Another adult steelhead was seen in the harbor this year, near the mouth of Mission Creek.

On page 10-23, the DEIR/EIS states that rainbow trout are "also recognized taxonomically as *Oncorhynchus mykiss*." Elsewhere in the document, it is recognized that steelhead and native coastal rainbow trout are one in the same. This latter explanation is accurate, while the

with herbicide. No herbicide will be directly applied to open water. The herbicide will be applied in a precise and controlled manner in accordance with the EPA label instructions. In most cases, application will be by hand, using backpack sprayers. However, where fecal concentrations are high, it may be necessary to spray by machine. Hence, the amount of herbicide introduced to the channel is minimal.

The expected peak concentrations of Rodeo™ or Roundup™ will be below chronic and acute toxicity levels for fish and aquatic organisms and land-based fauna if the herbicides are applied in accordance with EPA label requirements and at the proper concentrations (i.e., 1%). EPA has approved the use of Rodeo™ in aquatic environments and Roundup™ in dry environments based on scientific studies. No adverse ecological effects are expected if the herbicides are applied in accordance with the label instructions.

A surfactant (e.g., Agri-Dex™) is applied with these herbicides to enhance their effectiveness by spreading and retaining the herbicide on the plant surface, and by promoting absorption. Surfactants are a blend of petroleum-based oils that reduce surface tension on the leaf surface. The do not exhibit toxic effects on fish, aquatic organisms or land-based fauna, and are greatly degraded in the aquatic and land environments.

17-68

Please refer to response 17-64.  
Use of herbicides is strictly regulated in California. Applicators must possess an appropriate chemical applicators

former is technically true but makes it sound like rainbow trout and steelhead are different. In these streams, they are one in the same.

At the bottom of this page, the Santa Barbara News Press is cited. "Small trout feeding, were identified by a specialist ... as steelhead." This fails to cite the rest of the article that referred to the "dozen or so" steelhead about 18" long in the creek, identified by a Fish and Game staff person. The size indicates steelhead, and that was only 15 years ago.

Tidewater Gobies

This species is listed because it is endangered of going extinct. The project threatens to reduce the depth of the estuary and lower creek pools by widening the creek, reducing velocities and inducing sedimentation. Thermal pollution is also an impact of the project, as described above, and this could impact gobies. In combination with the proposed breaching, this project's impacts be exacerbated in some way. What studies have been done to analyze how the creek widening may adversely impact the species in the manner described above? What information is there to base a determination that the estuary and creek pools would be lessened on average, in depth?

The assumption that since the creek would be widened, it would be better for gobies is not supported by analysis or science in the BA or DEIR/EIS. On page 10-49, the document states that habitat benefits for gobies in terms of more bottom surface area may offset impacts of construction. This is a significant impact if the number of gobies is reduced, or if the habitat is degraded. Considering the sensitivity of this estuary and the existing encroachments - which will be worsened, there are unusual circumstances that lend weight to a finding of significant impact in this habitat. Some 90% of coastal wetlands including estuaries have been destroyed, so the remainder are even more ecologically valuable. Impacts here are more severe than in a less sensitive area.

Male gobies burrow into the sediments. Therefore it is infeasible to, as proposed, collect the gobies as one side of the estuary is dewatered to work in preparation of excavation and construction. This would result in a significant loss of the males - they would be left high and dry (see attachment regarding gobies in local estuaries).

The project, by resulting in a restriction in the numbers of a threatened species, which is confirmed in the BA and DEIR, would trigger the CEQA Mandatory Findings of Significance (CEQA Guidelines Section 15065). Specifically, the project would kill tidewater gobies. This mandates a finding of significant biological impact under CEQA - regardless of the BA, which is an Endangered Species Act assessment, and regardless of the HEP, which improperly blends significant, insignificant, and possibly beneficial impacts to find no significant impacts to biology. Since there are significant biological impacts as identified in this letter, they must be mitigated to the maximum extent feasible or to less than significant. As described in this letter, there are additional feasible mitigation measures that can be implemented, and indeed that must be implemented to comply with CEQA. Incidental benefit from the RDA's \$2.5 would be helpful if it helped cover some of these needed mitigation measures, while being used primarily for its purpose of fighting blight. The RDA approved

certification and adhere to all laws and regulations regarding application of these substances. Any use of herbicides to control vegetation along lower Mission Creek will be in strict compliance with the laws and guidelines associated with herbicide application in a riparian environment.

17-69 Willows should cast more shade over the creek within 2 to 4 years than that now present along most segments of the stream. Shading will not have to await formation of the canopy from larger trees.

The mosaic pattern of trimming potentially large plants while leaving intact herbaceous and non-obstructive vegetation is intended to preserve that very shading property as much as possible.

A recent study commissioned by the City clearly indicates water temperatures in June in the estuary are determined by the influx of saline water, not water coming down the creek

17-70 See response to comment 17-57. Calculations show that less sediment would accumulate in the estuary over the course of a year than occurs now. The depth of water in the estuary would not change even with the wider creek. There will be enough water in the ocean to maintain the water surface elevation in the estuary during tidal exchanges.

17-71 See response to comment 17-59. Refer to the revised Biological Assessment for construction schedule and the proposed environmental commitments to avoid and minimize impacts during construction activities. Material will be watered and covered to control erosion and will not be stockpiled within the creek bed. Project construction will occur section by section, so stockpiles will be small. In addition, no construction will occur during the rainy season.

<p>17-72 See response to comment 17-57, 64, 67, and 68.</p> <p>17-73 See response to 17-57, 64, 68, and 69.</p> <p>17-74 The impacts to water quality are identified in the EIS/EIR and the corresponding mitigation to minimize these impacts have been provided. The storm water pollution plan would avoid discharge of pollutants in the water. No construction would occur within flowing water, therefore no degradation is expected to the water quality. See responses to comments 17-64 and 17-68.</p> <p>17-75 See response to comment 12-16 and 12-3. During the plan formulation constraints such as economics, rights-of-way, and existing structures were considered in the development of the proposed practicable and least environmentally damaging alternative. The recommended plan is the least environmentally damaging plan that satisfies the applicable criteria including economics among other things. Project features also include structural mitigation measures to minimize impacts to environmental resources.</p> <p>17-76 In general, the Corps estimates that a flood control project such as this would have an estimated life of 50 years. Thus, both the economic and environmental analyses use this time line.</p> <p>The Revised HEP analysis explicitly includes the mosaic pattern of plant trimming and periodic de-silting.</p> <p>17-77 See response to comment 17-59.</p> <p>17-78 As appropriate mitigation measures recommended would be included in the storm water pollution prevention plan.</p>	<p>17-72 See response to comment 17-57, 64, 67, and 68.</p> <p>17-73 See response to 17-57, 64, 68, and 69.</p> <p>17-74 The impacts to water quality are identified in the EIS/EIR and the corresponding mitigation to minimize these impacts have been provided. The storm water pollution plan would avoid discharge of pollutants in the water. No construction would occur within flowing water, therefore no degradation is expected to the water quality. See responses to comments 17-64 and 17-68.</p> <p>17-75 See response to comment 12-16 and 12-3. During the plan formulation constraints such as economics, rights-of-way, and existing structures were considered in the development of the proposed practicable and least environmentally damaging alternative. The recommended plan is the least environmentally damaging plan that satisfies the applicable criteria including economics among other things. Project features also include structural mitigation measures to minimize impacts to environmental resources.</p> <p>17-76 In general, the Corps estimates that a flood control project such as this would have an estimated life of 50 years. Thus, both the economic and environmental analyses use this time line.</p> <p>The Revised HEP analysis explicitly includes the mosaic pattern of plant trimming and periodic de-silting.</p> <p>17-77 See response to comment 17-59.</p> <p>17-78 As appropriate mitigation measures recommended would be included in the storm water pollution prevention plan.</p>
<p>Jan Hibbell February 10, 2000 Page 31</p> <p>this money for just such a use, and additional mitigation of significant biological impacts is needed for CQA compliance.</p> <p><b>Pond Turtle</b> The reduction in pools from project construction, operation and maintenance, if not mitigated, is a significant impact as noted above. It would preclude the potential re-establishment of pond turtles in the creek.</p> <p><b>Animal Movement and Impact of Walls</b> Please analyze the impact to animals trying to move into and out of the channel in sections with low or high vertical walls. Can this impact be lessened by providing recesses in the wall? Consider creation of small pocket caves and ledges (6" deep) for bird nesting and small animal movement on the vertical walls. Would such pockets be feasible and would they reduce an impact or enhance the walls for wildlife?</p> <p><b>Bed Coverage</b> What is the impact (cubic yards, and footprint in acres) of the new concrete walls in the creek bed and banks?</p> <p><b>Genetic Value of Old Sycamores</b> The DEIR fails to address the biological values of the existing mature sycamores. Referring to them as isolated native trees, the DEIR finds their loss to be insignificant in the context of all biological impact. In addition to being a significant biological impact because of the loss of biomass, the loss of the trees results in more invisible impact. These trees predate the arrival of non-native sycamores and are thus unique representatives of the true sycamore strain native to this area. There are not many trees that are this old, and that are thus genetically important. Loss of this genetic information will be significant as a biological impact. The DEIR did not factor in this value to the existing habitat, and thus incorrectly determined that the project would improve conditions.</p> <p>As mitigation, the City must use the trees that absolutely cannot be avoided as cutting stocks, and should make hundreds of cuttings, with assistance from the Botanical Gardens or a professional nursery.</p> <p>Also to mitigate the potential loss of trees, the project should be redesigned. The proposal to use pilings to support the walls to protect houses (as opposed to inverted "I" footings) can be applied to saved these invaluable trees. Each tree is worth a lot ecologically and genetically, and using pilings or shifting the channel somewhat would avoid taking of them.</p> <p>City staff had informed the public that many of these trees could be avoided. The DEIR indicates that they will all or mostly be removed. How many are proposed to be saved, and how many could be saved by tweaking the design a little? How many could be saved by going with a 2500 cfs channel?</p>	<p>Com 17-127</p> <p>Com 17-128</p> <p>Com 17-129</p> <p>Com 17-130</p> <p>Com 17-131</p> <p>Com 17-132</p> <p>Com 17-133</p>

EDC proposes that the channel at and downstream from Mason can be shifted to the east (there will be no buildings in the way) to protect that valuable heron roost and huge sycamore that City staff indicated could be saved. Please respond.

Com 17-134

Biomass

The project would remove significant native biomass, the large sycamores and oaks. This impact cannot be reasonably mitigated over the short term. What is proposed specifically to reduce the loss of biomass - a stand alone impact? This points to the failure of the DEIR/EIS and HEP to properly include temporal impacts; they are overlooked and this is a major shortcoming of what is supposed to be a reasonably thorough impact analysis document

Com 17-135

Riverine Pools

Loss of the undercut concrete sills and erosion control structures is a loss of the most significant aquatic habitat type in Lower Mission Creek except for the estuary. The HEP and DEIR try to mask this significant impact by blending it with purported positive impacts, which is in violation of CEQA. However, the loss of these pools is a significant stand-alone impact based on their value to many forms of aquatic life, on their relative scarcity, and on their potential to support over-summering or trapped steelhead and to facilitate steelhead migration by providing resting areas. Placement of a smooth, vertical wall along 2.4 miles of creek bank will eliminate the opportunity for any undercut bank habitats to form, and will hinder the formation of other pools. Loss of the concrete sill undercuts further reduces any chances for pools to form. The channel will be too homogeneous to have the diversity of form and habitat type to support a diverse aquatic community. The "differential erosion and sediment patterns" will be eliminated, and the bed will be maintained of silt annually, further adversely affecting aquatic habitat structure and value.

Com 17-136

Yet the DEIR/EIS asserts that impacts from maintenance would not be significant, even though the DEIR/EIS states that sediment removal would be about 2400 cy per year, with another 20,000 cy distributed in the channel at scour points. These are substantial, individual, stand-alone impacts. Blending these impacts through the flawed HEP process with reported beneficial impacts to bank habitat values does not erase the fact that these impacts to aquatic habitat are significant, and must be mitigated to less than significant or to the maximum extent feasible.

Com 17-137

Significant impacts must be mitigated to less than significant if possible, or to the maximum extent feasible. Mitigation of this impact requires replication of these habitat types (e.g., pools and undercut banks). This can include use of lunkers, as proposed by the City during public meetings (though excluded from discussion in the EIR), the creation of overhanging banks along sections of the vertical walls, particularly where pools may form such as the outside of bends, and rock vortex weirs in addition to the only two rock energy dissipaters proposed. These two features do not mitigate the loss of pools or overhanging banks.

Com 17-138

How big will these rocks be? How big will the rock piles be? What size flows are they sized for, and how will they be replaced? This information may be in the maintenance plan that the

Com 17-139

Item 1. It has always been the County's intent to include all applicable mitigation measures from the 1991 Program EIR for Creek Maintenance to this project. This is clarified in the project maintenance description.

Items 2 and 3. See response to comment 17-59.

Item 8. Nowhere in the Project Objectives discussed in either the Main Report or the EIS/EIR that make up the Feasibility Study is the objective stated of 15 to 25 year flood control. The Main Report states that the one of the objectives is to provide increased flood protection for the residents and businesses of Santa Barbara. One of the listed constraints is that the net economic benefits of the proposed project exceed project costs. In addition, the project must contribute to the overall National Economic Development (NED). This requires that the plan maximize benefits to the NED. See response to comment 17-2.

Item 10. See response to comment 17-5.

Item 11. Pumping tertiary treated water into the creek is beyond the scope of this project. However, as the City works to determine what will be necessary to improve the water quality of the estuary as part of developing alternatives to breaching the sandbar at the creek mouth, this approach may be considered.

Item 12. Construction work is already prohibited between December 15 and April 15 of each year. This provision will also be added to the maintenance plan.

See response to comments 17-5, 17-26, 17-33, 17-40 and 17-59.

17-79

<p>17-80</p>	<p>If the disposal site is not available at the time of construction, an alternate site will be identified and appropriate environmental analysis will be performed.</p>	<p>Jan Hubbell February 10, 2006 Page 33</p>	<p>locals sponsors are developing, but it is not in the DEIR/EIS, rendering the project description and impact assessment inadequate.</p>
<p>17-81</p>	<p>The scheme for drying half the estuary at a time will still allow normal flows to pass by the temporary construction enclosure. Water should come and go as normal through the Cabrillo Boulevard bridge. There ought not to be any influence on the lagoon.</p>	<p>In addition, the increased maintenance, including sediment redistribution in the creek (30,000 cy per year) and desilting, will impact pools as noted above. This impact needs to be mitigated. There is no detailed maintenance plan in the DEIR, although it states maintenance is part of the project and document. There is not enough detail about the maintenance to determine its future impacts, although information in the EIR and in the County Flood Control District's recent maintenance plans suggests that maintenance will be greatly increased. Thus a conclusion can be drawn that maintenance impacts on biology will be significant, especially since the 1991 Program EIR for Flood Control Maintenance identifies <u>unavoidable significant unavoidable impacts and 36 other adverse impacts to biological resources from routine maintenance</u>. Coupled with the increased maintenance proposed, including the fact that the creek bed will be doubled in size, doubling the area to be maintained, these previously identified impacts apply to this project, since maintenance is part of this project and document.</p>	
<p>17-82</p>	<p>See response to comment 17-15.</p>	<p>Com 17-140</p>	<p>Also, vegetation removal will adversely impact stream geomorphology and aquatic biology because the channel bed will be less stable, thus pool and riffle sequences will not be able to remain established.</p>
<p>17-83</p>	<p>See response to comment 17-30.</p>	<p>Com 17-141</p>	<p>These significant impacts of maintenance on pools and channel bed morphology must be mitigated. Redistribution of sediments must be minimized to avoid filling scour areas. Scoured areas have pools, and incidentally provide areas of greater capacity. It is a significant impact of maintenance to push a bunch of dirt around in the channel bed, repeatedly and seriously disrupting channel bed stability and aquatic habitat morphology. In addition to avoiding redistribution and desilting whenever possible, when it is necessary to remove sediment, then pools must be reestablished at appropriate locations to provide aquatic habitat, and should be secured with boulders to help stabilize and establish pools at strategic locations where they would be expected to occur.</p>
<p>17-84</p>	<p>See response to comment 17-15. It should also be noted that it does not matter how wide the buffers are, the adjacent land use is what matters. There is no evidence that the width of the buffer makes a substantial difference in how much trash is dumped in the creek. It is worth noting that there are presently 87 structures within 50 feet of the existing top of bank. After project construction, including demolition of 11 structures, there would be 80 structures within 50 feet of the new top of bank.</p>	<p>Com 17-142</p>	<p><b>Breaching and Widening</b> The DEIR/EIS fails to analyze the combined effects of the City's creek mouth breaching program, which it has hired consultants to study and is pursuing permits for, with the flood control project. For instance, what will the biological and water quality impacts be of a creek mouth sandbar breaching program with a widened estuary. Will these factors combine to adversely impact estuary depth.</p>
<p>17-85</p>	<p>Please see the revised maintenance plan. Invasive plants would be removed from the creek banks.</p>	<p>Com 17-143</p>	<p>What is the depth of the estuary now (a range)? What will the depth be after the creek and estuary are widened? How were these figures determined?</p>
<p>17-86</p>	<p>The backyard tree program has been added to the Project Description.</p>	<p>Com 17-144</p>	<p><b>Biological Resource Policies</b> The document states, on page 10-30, that "In the interim before a preferred plan has been selected and explicit details of project design have been formulated, these points of the City of Santa Barbara's environmental policies cannot be addressed. They will constitute an essential</p>
<p>17-87</p>	<p>See response to comment 17-25.</p>	<p>Com 17-145</p>	<p></p>
<p>17-88</p>	<p>See response to comment 17-25.</p>	<p></p>	<p></p>
<p>17-89</p>	<p>See response to comment 17-25.</p>	<p></p>	<p></p>
<p>17-90</p>	<p>Please refer to response 17-69.</p>	<p></p>	<p></p>

element of NEPA and CEQA documentation at a later stage of planning. For a preliminary determination regarding project consistency with these goals and policy [sic], see Chapter 4." To determine Land Use Impacts, specifically, conflict with adopted plans and policies (CEQA Guidelines Appendix G), more than a preliminary determination must be made. While the final policy consistency determination is up to the decision-makers, the document needs to make more than just a finding of potential consistency or potential inconsistency, because as noted above, these mean the same thing. Based on this statement in the DEIR/EIS, it is evident that not enough detail exists in the project to determine policy consistency and environmental impacts.

Title and Description of Alternative 12

Section 10.3.4.1 describes Alternative 12 as using a "predominant combination of planted rip-rap, vertical walls, habitat expansion zones, and wetland construction," but some of these features are potentially not feasible, and cannot be considered as part of the project. This descriptive title must be changed to delete the constructed wetland, as it is riddled with problems as noted, and to only include the habitat expansion zones if they are a proven feasible project component. The document notes that there is a question as to whether or not these areas are all going to be available for these zones, so counting them toward the project's habitat values is inappropriate until their availability are known.

Cylindrical Planters

These features are unnecessary to establish plants, and add to the costs, taking away from other necessary environmental improvements. Mitigation identified in this letter is necessary to reduce significant impact, and will cost. This will effect the b:c ratio. So, using the money for the cylinders to pay for needed biological mitigation is appropriate. Trees can be planted right through the rip-rap.

Rip-Rap

It is vital that the rip-rap only be 15" maximum in diameter to accommodate planting, and be only one layer deep on the banks as proposed by City staff and depicted in diagrams. If the rip-rap size or depth is larger, this will significantly hinder plant establishment, and would further increase project impacts.

Willow Cuttings

Cuttings, in addition to being paced below the rocks, should also be planted deeply through the rip-rap, with the tops of the cuttings exposed. Will this area be wet enough to establish willows? How will they be irrigated. This impacts the success of planting. During maintenance, removed willows would be used for replacement of bank vegetation, or used in other restoration sites.

Jute Netting

Jute netting or some kind of erosion control blanket should be placed over the soils and rip-rap to prevent erosion and protect small plants from soil erosion. This can also help keep weeds down.

17-91 Please refer to response 17-69 and 17-70.

17-92 See response to comment 17-25.

17-93 See response to comment 17-27.

Five remnant properties where habitat expansion zones would be built have changed since the DEIS/EIR. Please see Section 10.5 of the EIS/EIR. The size of each was stated as approximate, and that has not changed. Revised HEP calculations of benefits from habitat expansion zones include only these five.

17-94 The habitat expansion areas unfortunately are far too small to act as floodwater storage and would have negligible consequence to water surface elevation. The slope on the expansion habitat areas would cover the entire parcel and could be terraced to allow more frequent inundation and still support some sort of recreational feature.

17-95 The appropriate number of trees that could be supported by the habitat expansion areas would be planted, monitored and maintained to ensure expected survivability as described in the mitigation monitoring plan.

17-96 See response to comment 17-27. The total acreage of the habitat expansion zone may vary somewhat but is not expected to create imbalance on its mitigation purpose.

17-97 The revised HEP projects net habitat benefits for both aquatic and stream bank habitats.

17-98 Please refer to responses to 17-28 and 1745.

<p>Jan Hubbell February 10, 2000 Page 33</p> <p><u>Topsoil</u> All soils placed on the banks must be free of weed seeds.</p> <p><u>Spacing of Trees</u> The 40 foot spacing is unacceptable from a riparian restoration perspective. There are numerous sycamores on Mission Creek that are ancient (120 years) that are located only ten to 20 feet from each other. There is no justification for this spacing. The EIR refers to the "openings through the foundation of the channel walls" and says that they cannot be too close. However, the tree roots will grow around this footing to the soils and water. Therefore, large trees can and must be planted closely together, and this will not impact the footings. The City has constantly told the public that the large trees will be closer together. Why isn't this in the DEIR?</p> <p>There should be trees at the top and bottom of the slope, including behind each other, so it is not just one row of trees. In rich riparian areas, large trees often grow very close, even almost out of the same point on the bank.</p> <p>Trees should be clustered, but designed to cover most of the creek bed in the future.</p> <p>Some of the trees need to be planted right next to top of the wall to encourage a canopy formation more rapidly. Please respond to each of these points.</p> <p><u>Source of Plants</u> All plants must be from native, local seed or cutting stocks. Sycamores should be grown from cuttings from the old trees to be killed to preserve the genetic character of local sycamore population. We support re use of 1-gallon stock because they can be locally collected plants, whereas 15-gallon trees would be hard to obtain from local stock. The order for these plants should be placed upon local project approvals, so that some larger trees are ready for post construction.</p> <p>Will revegetation occur concurrent with construction to reduce temporal impacts? Please delete the wax myrtle (Table 10.1).</p> <p><u>Number of Trees</u> There are too few trees proposed for planting, and too low of a success criteria for the habitat expansion zones.</p> <p>There needs to be at least one tree on average every 20 feet with understory and willows between for this project to actually restore riparian habitat. There also should be trees high up, at the middle, and low on the sloped banks, for a total of more than 250 large trees on the banks (not including the habitat expansion zones, if they come to be, or the constructed "wetland.")</p> <p>The trees shall not be trimmed for aesthetics in the future, correct? This would reduce habitat values even more.</p>	<p>If this area is made available, then it clearly would provide valuable additional benefits to the project. It should be made clear that the benefits that would be realized from this feature are not included in the calculation of the required mitigation measures to offset project impacts.</p> <p>17-99 See response to comment 17-98. The proposed access road has been relocated to the southerly edge of the property, adjacent to U.S. Highway 101. In addition, another access would be created from the other side of the creek, adjacent to U.S. Highway 101.</p> <p>17-100 The habitat expansion zones are not problematic. They will be built if Alt. 12 is adopted. Increases of aquatic and stream bank habitat quality are credible, and conservative, and worth striving for.</p> <p>17-101 The break even threshold would occur in 3 to 5 years. The Corps regards this as a temporary consequence of the project.</p> <p>17-102 All of the habitat expansion zones, with the possible exception of the area immediately north of U.S. Highway 101 and south of Gutierrez Street, are included in the project description. See response to comment 17-32.</p> <p>17-103 The author makes an insightful and highly pertinent observation. Revision to the EIS/EIR now addresses propagation of these genomes for planting within the project area and elsewhere within Santa Barbara.</p> <p>17-104 Please refer to response to 17-70.</p> <p>17-105 Please refer to response to 17-70. Water temperatures in the estuary would not be affected.</p> <p>17-106 The maintenance plan calls for the ongoing removal of invasive non-native species.</p>
<p>Com 17-151</p> <p>Com 17-152</p> <p>Com 17-153</p> <p>Com 17-154</p> <p>Com 17-155</p> <p>Com 17-156</p> <p>Com 17-157</p> <p>Com 17-158</p> <p>Com 17-159</p> <p>Com 17-160</p>	<p>17-99 See response to comment 17-98. The proposed access road has been relocated to the southerly edge of the property, adjacent to U.S. Highway 101. In addition, another access would be created from the other side of the creek, adjacent to U.S. Highway 101.</p> <p>17-100 The habitat expansion zones are not problematic. They will be built if Alt. 12 is adopted. Increases of aquatic and stream bank habitat quality are credible, and conservative, and worth striving for.</p> <p>17-101 The break even threshold would occur in 3 to 5 years. The Corps regards this as a temporary consequence of the project.</p> <p>17-102 All of the habitat expansion zones, with the possible exception of the area immediately north of U.S. Highway 101 and south of Gutierrez Street, are included in the project description. See response to comment 17-32.</p> <p>17-103 The author makes an insightful and highly pertinent observation. Revision to the EIS/EIR now addresses propagation of these genomes for planting within the project area and elsewhere within Santa Barbara.</p> <p>17-104 Please refer to response to 17-70.</p> <p>17-105 Please refer to response to 17-70. Water temperatures in the estuary would not be affected.</p> <p>17-106 The maintenance plan calls for the ongoing removal of invasive non-native species.</p>

Length of Sloped Vegetated Bank

The DEIA on page 10-36 states that 1400 yards of the creek banks would be sloped. Is this 1400 on each bank, or 1400 total? In either case, it is too short a distance, representing only one- to two-thirds of the banks' length. The sloped treatment must be extended through the estuary to comply with the Coastal Act, as noted.

If 1400 yards (4200 feet) were to be planted at 40-foot intervals this equals 105 trees. This is what the DEIR says. Therefore, the proposal is to revegetate only 1/3 of the total 2.4 miles of banks. 8 miles, unless a math error was made. This means that the sloped area is only along one-third of the total bank length. Thus 2/3 of the 2.4 miles, or 1.6 miles out of 2.4 miles of banks will be only vertical. This is a creek channelization project due to the extensive use of vertical walls.

The mature trees can be avoided by using pilings to stabilize vertical walls instead of inverted "T" footings. Pilings also foster root growth in new trees.

Oxbow Bypass

This feature must be designed to allow fish passage in case steelhead attempt to pass through it, for instance, if the main channel becomes blocked after a storm.

This channel should be as short as possible, unless extending it to the estuary would benefit the estuary and creek. It could provide more buffer area if it enabled the creek to be reduced from 60 to 50 feet. However, this area, if a narrower estuary is biologically beneficial (prevents reduction in depth) must become a buffer, and not be parking lots. Extending the bypass likely has significant impacts on gobies and steelhead in the estuary, and the BA would have to be revised to address this project change. Therefore, unless evidence illustrating how extending the bypass would benefit the ecosystem, EDC would not support this concept. The only way to justify extending an artificial creek bypass in the coastal zone is to find that it would improve habitat, and we do not believe it would despite the fact that it may increase reduce the buffer width. In general, EDC does not support concrete channels.

A slight extension of as proposed by City staff was not discussed in the DEIR, leading to an incomplete project description.

Consider day-lighting a portion of this channel, fenced if necessary, through the park to accommodate riparian trees without compromising capacity.

The bypass should not accept water until flows in the main channel reach 1000 cfs. This will help focus most flows into the "natural" channel. Most of the time, there would not be a high velocity coming out of the bypass, so there may be less of an erosion problem by bypassing less flows (e.g., allowing first 1,000 cfs to stay in creek). More water would be available to recharge the natural habitat in the area of the oxbow, if there is any proposed. Also, since steelhead migrate in flows between several dozen and several thousand cfs, placing flows above 150 cfs into the concrete channel, which steelhead cannot use, would in essence be

17-107 Maintenance procedures have been revised since the DEIS/EIR. Please refer to Appendix H of the EIS/EIR.

17-108 Maintenance procedures have been revised since the DEIS/EIR. Please refer to Appendix H of the EIS/EIR.

17-109 See response to comment 17-32.

17-110 No data about existing bio-filtration properties of Lower Mission Creek have been adduced. Mosaic pattern of managing plants in the stream bed, perpetuation of a pilot channel, and ledges placed on walls to encourage permanent scour pools would facilitate as much bio-remediation of aquatic contaminants as may take place under current conditions.

17-111 See response to comment 17-32.

17-112 While a meritorious suggestion, the flood control project was not authorized to remove that length of trapezoidal channel.

17-113 Four large eucalyptus would be removed.

17-114 Section 10 of the EIS/EIR speaks to incidental impacts to steelhead. Please refer to the Biological Opinion from National Marine Fisheries Service, Appendix A

17-115 Comment noted. Other biologists have different opinions about ancestry of trout extant in upper reaches of Mission Creek.

17-116 Nowhere did the DEIS/EIR entertain annual de-silting of 20,000 yd<sup>3</sup> within the project area. Use of glyphosphate herbicides would be kept to an absolute minimum.

17-117 A shade study has been completed for the project. A discussion of the shade study and its results is now included in the Biological Resources Section.

17-118 No maintenance would be necessary in the estuary at any time. Please refer to the Biological Opinion from National Marine Fisheries Service, Appendix A.

17-119 No change of water depth, flow characteristics, or water temperature would occur in the estuary. The project would not alter physical conditions in the estuary. No indirect impacts to steelhead would occur as a result.

17-120 This statement has been corrected in the EIS/EIR.

17-121 Comment acknowledged. However, it should be noted that a temperature study recently completed for lower Mission Creek concludes that temperatures outside of high flow periods, even in shaded areas, are generally too high to allow for steelhead survival.

17-122 Comment acknowledged.

17-123 The National Marine Fisheries Service (NMFS) has completed a Biological Opinion (BO) on this project related to the Tidewater goby. NMFS has concluded that the project results in No Jeopardy to the Tidewater goby. Conditions related to project construction have been included in the BO and have been incorporated into the biological mitigation measures.

17-124 See response to comment 17-123.

17-125 See response to comment 17-123.

reducing the time available with suitable flows for migration in the natural channel. Therefore, the first 1000 cfs should flow in the open channel.

Piecemealing  
By not including the local enhancements to the project and by not disclosing and considering the RDA's \$2.5 million, the project is chopped up into smaller segments. The main project does not include many of the project features that mitigate impacts, and thus, the DEIR is flawed for not disclosing these project components. Had it done so, more alternatives would have been considered feasible because the money could have incidental benefits of mitigating project impacts, as needed, and thus a larger suite of project options and mitigation measures would have been available within the b:c ratio limits.

Biological Mitigation Measures  
Measure 1: The exclusion should extend through mid April, due to the potential for steelhead to still be moving downstream in rainy years. Delete the phrase, "whenever significant flows pass down Mission Creek." This is vague. The idea is to keep machinery out of the creek during steelhead season. While, as noted, steelhead can occur in the creek year round, they are only likely to move in mid December through April, unless large storms hit sooner than mid-December causing high flows that would facilitate an ocean run. Thus, there should be no heavy equipment in the channel during this time, unless flows are nonexistent or virtually so.

There should be no desilting or dredging of the estuary, ever. Therefore, it is important that Dr. Ann Riley's concern (attached) and Flood Control employees' concerns that the widening will induce sedimentation in the area with a low gradient, below Highway 101 to the ocean. What would the impacts of having to dredge the estuary be? Will this project potentially increase maintenance needs in this area?

Native Plants on Rip-Rap  
These measures should specify with clarity the need to use plants from local genetic pools, rather than introducing non-local "native" plants and their genes to this area, weakening their long-term ability to survive local conditions.

Utilize streambed vegetation in bank revegetation.

Other Mitigation Measures  
Avoid large sycamores by using pilings, realigning channel as needed.

Use tarmacs or other pads for heavy equipment work in creek during maintenance to reduce impacts to biology.

Concurrent consideration of the use of the \$2.5 million (which will be available during construction) in ways that complies with RDA rules and that facilitates the necessary mitigation presented in this letter. Uses could include purchase of properties to lessen use of walls, upstream concrete removal, structure relocation and tree planting. Please include a

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thorough analysis of how the incidental benefits of the RDA funds to this project's mitigation make feasible additional necessary mitigation without impacting the b:c ratio.

Other recommended mitigation measures are presented throughout the text of this letter. These are suggested to mitigate the identified significant impacts to the maximum extent feasible.

Residual Biological Impacts

Due to the flawed use of the HEP, its assumptions and failure to include impacts, including the repeated clearing of maintenance, thermal pollution, cumulative impacts, and impacts on pool depth, the reduction in numbers of gobies, the significant conflicts with LCP and General Plan policies, the loss of biomass and mature, ancient trees of genetic importance, the extensive use of vertical walls covering at least a 1/4 acre of creek bed and bank, impacts to steelhead overlooked in the BA, the questionable nature of the habitat expansion zones, the significant temporal impacts, and other factors not fully explored in the DEIR/EIS, the residual impacts to biological resources are significant. Moreover, there are numerous significant specific biological impacts discussed in EDC's letter, and the EIR cannot mask these by blending them with purported beneficial impacts. Based on the following issues identified and discussed by EDC, and supported by attachments to EDC's letter, the ratio of pre-project HEP with post-project HEP (even after 30 years) is more than one to one. This means that even over the long term, the habitat values will be lessened, not improved by 3% (.04 Habitat Unit) as stated in the DEIR/EIS and HEP.

The EDC is disappointed that after all the discussion of how the project will improve Mission Creek, the Corps own HEP, which we believe underestimates impacts, finds that there will be only a 3% improvement in habitat over 30 years (excluding the speculative wetland construction). EDC expected this project would significantly improve the habitat values, as we had been told, and that our comments would thus need to be less extensive.

Land Use

Section 11.5 states that impacts to land use would be considered significant if the project would result in substantial loss of open space or impacts to biological resources or aesthetic qualities would occur. As noted above, significant impacts to several specific biological resources exist, so Land Use impacts are also significant.

Furthermore, since the project will reduce the buffer between most existing buildings and the creek, in many cases significantly reducing the buffer by less than half, this is significant loss of buffer along 1.2 miles of creek. Many more buildings will now be very close to the creek, posing environmental impacts (night lighting, non-point source pollution, noise, human activities, pets) more significant than before because the many buildings will be closer to the creek. This is a significant land use impact, and it makes more properties non-conforming with the City's 25-foot setback. Homes are not a consistent use near creeks, and this project puts more buildings nearer to the creek.

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17-126

The Mandatory Findings of Significance (CEQA Guidelines Section 15065) are used to determine whether or not an Environmental Impact Report (EIR) will be prepared. These findings do not require that the EIR find that the impact on a threatened or endangered species is significant, only that the potential for significant impacts exists. The EIR includes analysis of the potential impacts and reaches conclusions on the significance of the impacts. The impact may or may not be significant, as determined by expert analysis. See also response to comment 17-5.

17-127

*C. marmorata* has not yet found its way into existing pools within the project area, which disappear periodically with current maintenance practices. Habitat preferences for a species of concern not present in the project area cannot be evaluated.

17-128

Large rocks placed as fish baffles along the sides of the creek would enable most terrestrial quadrupeds to come and go from the stream bed. Those which can climb surfaces would not be hampered at all.

17-129

The preferred design would install a total of approximately 7250 linear feet of walls. Toe walls would amount to approximately 4740 linear feet, and full-height vertical walls would be approximately 2510 linear feet in length.

17-130

See response to comment 17-103.

17-131

See response to comment 17-103.

17-132

Wherever feasible, impacts to significant trees are being avoided by applying the suggested method and other feasible methods.

The DEIR stated that the consistency with the biological policies could not yet be determined because of the unknown project details. This conflicts with page 11-9 which finds the project "consistent with the goals and policies and programs of the" General Plan. EDC finds the project, as vaguely described, inconsistent with many provisions of the General Plan, LCP and Coastal Act, and this is a significant Land Use Impact.

Notably, the Conservation Element and LCP/Coastal Act all call for protection of natural resources over other uses, and favor their respective more protective policies in cases where the policies conflict internally. However, the project (even as further modified but not modified in the DEIR) extends protection to homes and other structures over the creek, including a commercial building, in violation of requirement that the more protective policy controls when conflict amongst policies arise. Violation of this requirement is violation of the LCP and General Plan, and is thus a Land Use impact of a significant nature.

The Finding on page 11-10 that the existing land uses would change from residential / commercial to natural creek bed or open space," is somewhat inaccurate and misleading. The creek bed would be maintained free of vegetation, and will be anything but natural, pending changes to the maintenance plan. Furthermore, there is a substantial loss of buffer. This is a loss, not a gain, under Land Uses.

Section 11.8 Coastal Zone Management Act Consistency  
The proposed project, Alternative 12 is not consistent with the Coastal Act or LCP. These inconsistencies constitute significant Land Use impacts. The project is not the least environmentally damaging alternative, as discussed, and impacts could be further mitigated. Channelization in the estuary and creek violates the LCP and General Plan, respectively

Residual Land Use Impacts  
The Land Use Impacts identified are significant and cannot be mitigated unless the biological impacts are reduced to less than significant and all policy inconsistencies are corrected.

Socio-Economic Impacts  
These are potentially significant if there is a conflict with local policies. As noted, there are policy conflicts. Thus, the socio-economic impacts may be significant. Page 12-12 states that, "Impacts to socio-economics are significant and adverse, but these buildings are subject to flooding and would be damaged by future flooding." Just because these buildings are subject to flooding does not erase the significant impact because the buildings have been used for many years, including times of flooding, and they have remained in use despite the flooding.

Aesthetic and Visual Resources  
The significance criteria on page 13-5 include visibility and number of viewers. The giant trees along the creek stand out, are prominent, and viewed by many. Thus, these significance criteria are met. The project would dominate the view for fewer people than see the trees. The setting, though, is a creek, and a 2.4-mile long series of walls is proposed. We appreciate

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17-133 The EIS/EIR has been revised to clearly state which trees would be removed and which would be saved.

17-134 The project description has been revised to save the sycamore tree immediately downstream from the Mason Street Bridge.

17-135 There is no separate threshold for loss of biomass. However, loss of biomass is one of the factors considered when determining if there is a significant adverse effect on a sensitive habitat.

There is only one oak tree within the project reach that would be affected. It is a relatively small tree immediately upstream of the Ortega Street Bridge. Unfortunately, it cannot be saved. However, the project has been redefined to save as many of the sycamore and other native trees as possible. In addition, several non-native trees would be preserved. Biomass was not considered. A great many other equally relevant parameters also were not considered, e.g. net rates of primary production, turnover rate of phosphorus, frequency of genetic migrants of sycamores, etc. It is not possible, nor ultimately informative, to evaluate all credible parameters in coming to a conclusion.

17-136 The loss of concrete sills and erosion control structures will be mitigated by the construction of fish ledges, Tidewater goby refugia, energy dissipators and boulder fields. Pools will be maintained in areas where there are fish ledges. With the inclusion of these features, differential erosion and sedimentation patterns should continue.

17-137 See revised Project Description of the Operation and Maintenance Plan.

the City's intention to include treatment. EDC strongly supports the planting of native vines on this wall's top.

Removal of 120-year old trees is a significant impact. The DEIR identifies that most of the 18 mature trees onsite will be removed, including the sycamores, oak, willows, and cottonwood. These stately sycamore trees are a significant visual resource, they are remarkable looking, and people always look at and admire the beauty of the old sycamores. There mottled white bark, intermingled branches and large green leaves are aesthetically pleasing, and during the falls, these big sycamores are a sight to behold. The loss of this, as well as there sheer size and biomass, is a significant impact that must be reduced to the maximum extent possible or feasible.

Deletion of the plating culverts may improve aesthetics, as well as deleting a potentially unnecessary cost.

Public concerns are not addressed by this project (page 13-7). If the habitat quality is only increased by 3% according to the flawed HEP (and is actually reduced according to EDC's biologist) then how can visual quality be increased? The naturalness is key to the project, and while making the walls appear as stone is good, it does not mask the fact that there will be 2.4 miles of new vertical walls of about three to ten feet tall. Furthermore, while the HEP concludes (erroneously) that habitat value can be increased with Alternative 12, this is based on a snapshot taken 30 years after project construction and planting: the year 3034. Assuming visual resources parallel biological resources because the main role vegetation plays in both, visual resources would not return to project conditions until after 30 years. This impact analysis fails to consider temporal visual impacts, which are significant.

The impact analysis also relies on the constructed wetland, which cannot be considered because the DEIR/EIS finds it is very speculative; it would represent the best case scenario at this point. It may also be possible that the habitat expansion zones may be unavailable, as noted in the document. Without the wetland, and potentially without the habitat zones (page E-3), aesthetics are reduced further.

The project, as previously noted, violates visual policies in the LCP and General Plan. These policy conflicts help establish the finding of significant visual and land use impacts. Simply because some project aspects may seem to improve the visual qualities of the creek, others degrade it substantially. These good and bad impacts cannot be blended to make it seem like there are no significant visual impacts; the adverse significant impacts stand alone. EDC concludes that widening the creek, increased creek bed maintenance, fencing, walls, and a narrower buffer area between the creek and buildings are all significant adverse impacts. While the DEIR may find long term visual improvement, which EDC disputes, this does not eliminate the shorter-term significant impacts of construction, and the long-term significant impacts of repeated bed desilting and vegetation removal.

The DEIR finds significant impacts associated with channel construction, stockpiling, bridge replacement, and fencing (page 13-9). This impact must be mitigated, but no mitigation is

17-138 See response to comment 17-136.

17-139 Based on a preliminary riprap analysis, the riprap size on the channel bed would need to be 15 maximum. The riprap was sized for the design discharge of 3400 cfs. It would be expected that the locals would provide O&M.

17-140 See responses to comments 17-136 and 17-137.

17-141 Please refer to response to 17-27.

17-142 Please refer to response to 17-27.

17-143 See response to comment 17-78, Item 11.

17-144 Depth of the estuary is dependent on the tidal influence. The depth of the estuary for existing conditions can be as much as five feet. This amount would not change with the project.

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Com 17-191

Com 17-192

Com 17-193

<p>Com 17-194</p>	<p>Ian Hubbell February 10, 2000 Page 41</p> <p>proposed. The DEIR/EIS cannot find that visual impacts are not significant since it identifies significant visual impacts (fencing, bridge replacement, channel construction, and stockpiling). Also, the DEIR finds that loss of existing large trees and vegetation would be a significant impact. No mitigation measures are discussed for the trees or stockpiles.</p> <p><u>Maintenance</u> The DEIR states that maintenance will be similar to past practices. However, the DEIR refers to significant increases in maintenance (2400 cy removed per year, and another 20,000 cy redistributed in the channel – in pool areas). The project includes more frequent vegetation removal in the bed, so the pretty green herbaceous plants, including slender, graceful cattails and tules, bulrushes and sedges, will be eradicated. The DEIR is wrong not to find increased visual impacts of maintenance. Maintenance is increased, and so are its impacts. The area to be maintained will be essentially doubled, and maintenance will be more intense and frequent based on the DEIR, increasing further the significant visual impacts of the project.</p> <p><u>Program EIR Identified Significant Visual Resources From Flood Control Maintenance</u> The 1991 Program EIR for flood control maintenance (impact summary attached) in Santa Barbara identified a significant visual impact from flood control maintenance in south coast streams. Thus, by increasing the maintenance over current practices, this project increases already significant unavoidable impacts identified in the earlier EIR.</p> <p><u>Visual Impact Mitigation and Residual Impacts</u> The proposed mitigation measures do not address the stockpiles, construction impacts, and maintenance impacts. Therefore significant residual impacts remain.</p> <p><u>Recreation</u> Page 4-12 of the DEIR/EIS states that, where feasible, fencing should be ... replaced with native plantings that would keep people out... The project's insistence that access be prevented is a significant recreational impact. Furthermore, since the project violates coastal recreation policies, as discussed previously, this supports a finding of a significant land use and recreational impacts. The entire recreation section, however, fails to mention the fencing or the exclusion of people from the creek they have been able to walk for years. Stopping all recreational access to the creek is a significant impact to recreation.</p> <p><u>HTRW</u> How frequently would soils excavated be tested to determine if they need special disposal? Could contaminated fill be placed back behind the walls or under the slopes?</p> <p><u>Safety</u> How would the reduced setback and provision of vertical walls increase the chances for people falling into the creek, either during high flows or dry times?</p> <p>Currently, there are a lot of things for people to grab onto if they were to be captured in a high flow in the creek. The banks are close to each other, increasing someone's chances of grabbing a pipe, root or branch. However, with low and tall vertical walls the entire project</p>	<p>17-145 The Biological Resources Section has been revised. Also, see response to comment 17-9.</p> <p>17-146 See response to comment 17-27.</p> <p>17-147 The cylinders would be required initially to prevent young trees from being damaged by the riprap as it shifts. Once the trees reach sufficient size, the cylinders would be designed to break apart so that they would no longer be required.</p> <p>17-148 Based on a preliminary riprap analysis, the riprap size on the banks would need to be 1.5" maximum. However, future design changes requested by the local sponsor may require larger and thicker riprap.</p> <p>17-149 The author makes a good point. Willows would be planted as described, in addition to being placed as wattles below the riprap and aggregate filter layer. Please refer to Appendix H for details of maintenance.</p> <p>17-150 The author makes a valid suggestion. A material like a jute mesh would be used on the finished slopes.</p> <p>17-151 The author makes a valid suggestion. It will be included in plans and specifications.</p> <p>17-152 See response to comment 12-5.</p> <p>17-153 In addition to the sycamores, there will be willows and understory shrubs planted on riprap slopes. They can be planted randomly to create a more natural appearance. Additional sycamores will be planted by the City of Santa Barbara.</p> <p>17-154 See response to comment 17-153.</p>
<p>Com 17-195</p>		
<p>Com 17-196</p>		
<p>Com 17-197</p>		
<p>Com 17-198</p>		
<p>Com 17-199</p>		
<p>Com 17-200</p>		

17-155 The design constraint of the openings in the footing of the wall would not allow planting of trees so close the wall

17-156 The project description has been revised to indicate that all plants will be from native, local seed or cutting stocks. We agree that the City should start some seedling, especially of trees, early to encourage some larger trees in the project area.

17-157 Yes. Riprap slopes would be finished and planted concurrently. Habitat expansion zones might be scheduled for winter months when construction cannot occur in the creek.

Wax myrtle is a respectable member of the native coastal flora. Indeed, in some places it grows among dunes habitat and so would probably do well in places along Mission Creek nearer to the estuary.

17-158 Trees have to go over the openings in footers of the walls. That constraint limits the number. Trees in habitat expansion zones would be planted to a spacing of about 100 ft per tree. Success criteria have been restated: 90% healthy and vigorous trees after 5 years.

17-159 The intent of trees and shrubs on the riprap slopes is to put natives back in the setting to which they are (presumably) well adapted. Creation of a bona fide riparian community is not the intent. In truth, that desirable objective cannot be achieved because of the physical separation of trees and understorey from the creek proper by toe walls. The preferred design will not restore riparian ecological processes. On the other hand, it should have the overt growth form of gallery canopy and understorey layers.

17-160 The trees will not be trimmed for aesthetics. However, they may be trimmed for safety purposes and access along public sidewalks.

length, and vertical walls from 101 to the ocean, would the chances of someone not being able to grab hold of something increase? Does the widening make it more difficult for someone getting swept out to sea to grab hold of something on the bank?

Mitigation and Residual Impacts

Why, under mitigation measures, does the DEIR require the installation of bars at the end of the tunnel to restrict passage to people for Alternative 8 only? Should this measure not also apply to Alternative 12 since it also has the oxbow bypass? Without this measure applied to Alternative 12, this significant safety impact remains.

Cultural Resources

The list of things that may qualify as historical landmarks excludes Mission Creek, however Mission Creek itself and the historic sycamore trees along it (those over 200 years old) are eligible for this status. This means that the existing creek should be maintained as much as possible so that the qualities that make it historic are not lost. This project will transform the creek into a modern channel with 2.4 miles of vertical walls, and eliminate most if not all of the historic sycamores. This is a significant cultural impact.

The discussion of cultural resource policies on page 18-22 of the DEIR/EIS fails to mention that the LCP and Conservation Element require that, where policies conflict, the one that is most protective of natural resources controls. Thus, policies that protect the creek, where they conflict with policies for protecting cultural resources, prevail. In this case, there are such conflicts, but the City has elected to extend vertical walls to protect buildings at the expense of the creek and natural resources. There is thus a conflict between the project and policy. Conflicts with locally adopted plans and policies is a land use impact under CEQA (CEQA Guidelines Appendix G).

Residual Impacts

The significant impacts found on page 18-32 are the result of impacts to 9 structures. This figure may have changed as the project continues to shift in shape. The impacts are not mitigated, although it is misleading because the last line of the chapter states, ... are sufficient to reduce impacts to less than significant."

Utilities

Under utilities, the DEIR should include a commitment to replace old sewer vitrified clay lines near the creek in the right of way. This should be done before construction inadvertently breaks them by shifting the soil. Temporary sewer lines could be installed during construction, if need be.

Cumulative Impacts

The Cumulative Impact analysis is also inadequate from a CEQA standpoint. It leaves out mention and cumulative impact analysis of related projects. For instance, the approved project at 410 W. Isle Street includes installation of a new vertical wall in Mission Creek. However, the cumulative impacts of this and other bank hardening projects, including 609

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Junipero Street, were not mentioned, assessed analyzed or mitigated in this section of the DEIR.

Also conspicuously missing were any City projects or County projects. The City's proposal to breach the Mission Creek mouth will have cumulative impacts to the depth and water quality of the estuary combined with this project. This project is known and foreseeable; the City is seeking permits for it.

The City, last year, cleared wetlands near Mission Creek. They are now proposing to restore the wetlands. The cumulative impacts of this clearing and restoration should be included for information.

The County Flood Control District has an ongoing maintenance program that impacts each urban creek. Mission Creek has been maintained once in the past three years, based on a lack of need the other years. Other area creeks are impacted. The Mission Creek project would increase maintenance, and would thus have cumulative impacts with the regular program of maintaining other creeks.

Also absent was a discussion of the specific cumulative impacts of Harbor View Expansion Project, La Entrada, and this project. The two projects were approved last year by the City. Each encroaches toward the creek. Harbor View encroaches on both sides. They reduce the setback such that when the estuary is widened to 60 feet, the Harbor View and La Entrada parking areas will be at the top of the bank.

This is a significant cumulative land use impact.

By failing to consider the cumulative impacts of all three projects when they went independently through review processes, the City ended up giving the creek no buffer. This is a significant cumulative impact, and the flood control project's widening contributes significantly and considerably to this cumulative impact. Related resultant impacts also include water quality degradation, biological resource degradation, and visual degradation from the lack of a buffer. To mitigate these, the City needs to establish a buffer between the already approved projects and the creek bank. This can be done by buying land from the developers, or by narrowing the estuary channel. Incidental benefits from the use of the RDA funds may help the project fund needed enhancements, as it is intended for.

The lack of a buffer that this project, in combination with recently approved projects (approved with the knowledge that the creek would be widened towards them) creates, raises significant LCP and Coastal Act issues (PRC Section 30240(b)). By failing to maintain an adequate buffer to protect the ESHA of the estuary, the project violates the Coastal Act and LCP.

Other cumulative impacts include traffic and historic impacts related to La Entrada, which will likely be built at about the same time.

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17-161 Due to economic and real estate constraints the lowest reach would predominantly use full-height vertical walls.

17-162 Toe walls and riprap slopes will finish 4740 linear feet of the creek, about 65% of the actual length of construction.

17-163 Where applicable, pile walls would be used to avoid all impacts to existing mature trees.

17-164 Based on concerns raised by NMFS, a weir has been added at the upper end of the oxbow bypass to route low flows (640 cfs or less) through the existing oxbow. IF flows are greater than 640 cfs, it is unlikely that steelhead will be moving upstream. Therefore, use of the culvert by steelhead should be minimized.

17-165 NMFS has accepted the proposed culvert length (to the Chapala Street Bridge) with the modification outlined in response to comment 17-164.

17-166 The short extension of the oxbow bypass requested by the City was developed in response to the cultural resources impacts from the loss of the Chapala Street Bridge and the Potter Hotel Footbridge. Therefore, it could not have been included in the Draft EIS/EIR.

17-167 In order to retain capacity and include riparian trees in the channel through the park, it would be necessary to make the culvert wider. Because the existing oxbow will be maintained as the low flow channel, it is not necessary to daylight the culvert.

<p>17-168</p>	<p>Jan Habbell February 10, 2000 Page 44</p> <p><b>ADDITIONAL DESIGN ELEMENTS RECOMMENDED</b></p> <p>Move channel to the east downstream of Mason to preserve the sycamore. Cut into Entrada project parking area, if needed.</p> <p>Everywhere a building is removed - restore habitat.</p> <p>Include overhangs and/or lunkers in the vertical walls at locations where pools might be expected to form.</p> <p>Vary slope angle to avoid uniform appearance.</p> <p>Treat the walls with a high relief texture that looks natural, not blocky. If possible, treat the wall in places to look more natural than a stone wall. Include shallow pockets for habitat value in wall.</p> <p>Narrow the channel bed at all habitat expansion zones, but offset the reduction in capacity by creating wide terraces or flood plains. Allow natural riparian processes to occur in these terraces.</p> <p>Ensure use of locally collected plant materials.</p> <p>Consult with experts to determine if the estuary depth will be decreased and design to avoid geo-morphological and biological impacts to estuary and listed fish.</p> <p>Extend sloping banks down, lower vertical walls, and accept a lesser Q. See alternatives section of letter.</p> <p>Conduct additional restoration / mitigation in channel upstream from Carrillo.</p> <p>Add lunkers as caves in channel bank, submerged, as decried by staff and Dr. Riley. Create more overhanging banks in the concrete wall, and add more instream habitat structures near the upper end of the project reach.</p> <p>Add structural diversity to the bed and banks to foster habitat diversity, and pools formation.</p> <p>Day-light the proposed channel near the Fig Tree, through the grass area, to promote riparian habitat. Two hundred linear feet of creek could be opened up here. How could this be incorporated into the project?</p> <p>If day-lighting the culvert is not pursued, revegetation the culvert right of way with native vegetation appropriate to the area, as a natural area in that park.</p> <p>Add use of cribwalls as appropriate, as recommended by Dr. Ann Riley. This would increase strength, aesthetics and biological resources. Please respond.</p>	<p>The main purpose of the culverts is to convey additional discharge that is beyond the capacity of the oxbow. There are numerous constraints on the design, including the clearance required under the railroad tracks. Because of this low clearance and due to backwater, there may be some flows in the culverts even during flows lower than 1000 cfs.</p>	<p>The RDA funding has not yet been approved, although the RDA board has indicated that they are likely to include funding in one of the next two bond cycles. It is not entirely clear for what the funding would be used. However, early indications are that funds would be used to increase the amount of native vegetation planted on the creek banks and in the habitat expansion areas, expand the edges of habitat expansion areas to provide recreational opportunities, provide for interpretive signing in the habitat expansion areas and adjacent to bridges, improve the aesthetics of the bridges to be replaced and/or improve the appearance of vertical walls. These possibilities have not been completely developed. When they are developed and decisions have been made on where and how the funds would be spent, additional environmental review, if necessary, would be completed.</p>
<p>17-169</p>			
<p>17-170</p>			
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<p>17-172</p>			

<p>Com 17-229</p> <p>Com 17-230</p> <p>Com 17-231</p> <p>Com 17-232</p> <p>Com 17-233</p> <p>Com 17-234</p> <p>Com 17-235</p> <p>Com 17-236</p>	<p>Jan Hubbell February 10, 2000 Page 45</p> <p>Why are the channel retaining walls apparently over-engineered with a 15-foot footings designed for a five-foot high wall?</p> <p><b>Increased Maintenance Impacts</b> EDC has referred to the increased impacts of increased maintenance throughout the letter. To summarize, the County works in the creek fairly infrequently, conducting vegetation removal and desilting on an as needed basis. The DEIR/EIS proposes to increase this frequency to annual removal of all vegetation, and removal of silt likely every year. Flood Control removed silt once in the last three years, 350 cy. The DEIR refers to 2400 cy per year as what is expected. This is a huge increase in heavy equipment work right in the creek bed.</p> <p>Also, since the creek bed will be doubled in width and area, the area to maintain will be doubled, and impacts will be much greater than baseline conditions, contrary to what the DEIR states, that impacts from maintenance will be the same as current maintenance impacts.</p> <p>The HEP, flawed as it is, also supports the notion of increased impacts to the creek bed. It states that the creek bed habitat value will be reduced by .5 habitat units, from .8 to .3. This drastic reduction in aquatic habitat / bed value can be attributed to the fact that the Corps and City know the maintenance will be more frequent and severe. Thus, for the DEIR to state that maintenance impacts will be the same as in the past for biological, water quality, visual resources, geological resources and other impact areas, is wrong. It is also internally inconsistent for identifying the both claiming no maintenance impacts and providing hard numbers (2400 cy/ year) supporting the increased maintenance and impacts.</p> <p>The Program EIR for Flood Control's current maintenance program (impact summary attached) identifies numerous significant unavoidable impacts from maintenance. Since the maintenance activity is proposed to be significantly increased in Mission Creek, the impacts of maintenance will be even more significant, but the DEIR offers no mitigation, and does not even offer to incorporate the County's standard mitigation measures for flood control maintenance.</p> <p>The County has elected to clear vegetation in Mission Creek using heavy equipment to avoid contact with feces. Thus, the impacts in Mission Creek, unless the County commits to not using heavy equipment to clear the creek, will be more significant than just using loppers, weed whackers and herbicides. The DEIR/EIS, however, does not address this.</p> <p>Maintenance is part of this project. Impacts of maintenance are significant. Therefore, this document must outline mitigation measures (from the Program EIR, for example) that will be used to reduce the impacts of maintenance to less than significant or to the maximum extent feasible, as required.</p> <p>On page 10-11, the DEIR refers to a May 1999 site visit in which "considerable growth of herbaceous and also perennial stream-bottom plants was evident. Many plant species had become established after the last channel maintenance." This green, natural creek scene will</p>	<p>17-173 See response to comment 17-156.</p> <p>17-174 Please refer to response 17-163.</p> <p>17-175 Because it will be necessary to excavate below the present grade to put in footings or piers, this is not feasible.</p> <p>17-176 See response to comment 17-3.</p> <p>17-177 Please refer to questions 28 and 45 for responses to this repetitive objection.</p> <p>17-178 See response to comment 17-177.</p> <p>17-179 However, the impacts outlined in your comment will be mitigated. Therefore, there are no significant land use impacts related to these issues.</p> <p>17-180 See response to comment 17-15.</p> <p>17-181 See responses to comments 17-8, 17-10 through 17-43, 17-46, 17-78 (Item 8) and 17-84</p> <p>17-182 See response to comment 17-181.</p> <p>17-183 See response to comment 17-15.</p> <p>17-184 See response to comment 17-181.</p> <p>17-185 There may be some instances where policies conflict. In these cases, it may be necessary to balance these policies. Final decisions on policy consistency will be made by the Santa Barbara City Council and the Santa Barbara County Board of Supervisors.</p>
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<p>Jan Hubbell February 10, 2000 Page 46</p> <p>be removed from the bed of the creek permanently, and over much of the banks' lengths, there will be no sloped vegetated bank to block the views of the barren, silty, unpleasing creek bottom.</p> <p>Flood Control's Environmental, permitting person was quoted in the EIR saying that the lower reaches of Mission Creek are cleared of vegetation every "few years." This reflects the less frequent maintenance currently on going. To increase this to annually will greatly increase impacts to aesthetics, biology and water quality, etc. Now, the herbaceous plants that had been able to establish between maintenance episodes will be cleared before they get big enough to offer biological, water filtration, or visual amenities of any significance. This is a significant, ongoing, repeated impact suite of maintenance as proposed.</p> <p>On page 10-43, the DER sums up EDC's position with regards to future creek maintenance. "Effectively, the stream channel would be stopped from undergoing normal successional changes of plant assemblages and it should retain the bare quality that will exist after construction has been completed, unlike the current maintenance pattern which fosters growth of plants to a larger size before cleaning the stream's channel. ... little growth ... would occur." Any statements in the document that maintenance levels, frequency and intensity will remain essentially unchanged, and that therefore impacts from maintenance remain unchanged, are false and in conflict with other statements in the DEIR/EIS. The significant impacts of the Lower Mission Creek Flood Control Project maintenance component must be mitigated to the maximum extent feasible, or to less than significant if possible.</p> <p>"A 60-foot wide project channel could represent a long-term maintenance liability in this lower section from Highway 101 to the beach," according to Dr. Riley. Widening the creek could well induce increased sedimentation (as indicated in the high desilting requirements in the DEIR/EIS). "A 60 foot wide channel may be too wide for efficient sediment transport." How will this increase sedimentation and maintenance impacts? Why was this not factored into the HEP, which did not include maintenance impacts because it assumed that the bed could be kept sterile and that maintenance would not increase (despite calling for 2400 cy of silt removal each year)?</p> <p>Vegetation clearing should never eliminate all vegetation at once. At least half should remain at all times. The County's maintenance plan for this project - which was inappropriately excluded from the DEIR even though the EIS makes a big point that maintenance is included in the project - includes a provision for leaving half the channel uncleared each year. Additional mitigation measures are needed to offset the significant maintenance impacts EDC has identified, and are identified in the County's 1991 Program EIR.</p> <p>These could also include replanting all areas on the banks where native vegetation becomes sparse, avoiding the use of herbicides by pulling plants up and using them in revegetation if practical. Willows can be planted under the rip-rap or can be plants into or on top of the rip-rap during wet conditions, or if watered.</p>	<p>17-186 The reference in Section 12.3 has been clarified to state that, if the project is inconsistent with the plans and policies discussed under the policies applicable to the resources area (in this case Housing Element policies), then there may be a potential for significant effects.</p> <p>17-187 See responses to comments 17-18, the first part of 17-30, 17-43 and 17-46.</p> <p>17-188 See responses to comments 17-46, 17-113 and 17-135. Also, see Section 13.3.2 for discussion of the individual statelyle trees.</p> <p>17-189 In order to protect young trees while they mature from movement of riprap caused by high flows, it is necessary to include these planters.</p> <p>17-190 See response to comment 17-18.</p> <p>17-191 See responses to comments 17-98 and 17-102.</p> <p>17-192 Section 13.3.2 has been revised to better clarify the short-term impacts.</p> <p>17-193 Construction impacts, by their temporary nature, are not usually considered significant and mitigation is not required. In regard to fencing, see response to comment 17-16. The mitigation measure for fencing has been clarified.</p> <p>17-194 See response to comment 17-137.</p> <p>17-195 As determined in the revised maintenance plan, maintenance will not be increased over existing. Therefore, no significant visual impacts are expected to occur.</p> <p>17-196 See response to comments 17-187 through 17-195.</p>
<p>Com 17-237</p>	
<p>Com 17-238</p>	
<p>Com 17-239</p>	
<p>Com 17-240</p>	
<p>Com 17-241</p>	

The DEIR must include the detailed maintenance plan or else its project description is incomplete (see attached draft maintenance plan). This maintenance plan was supposed to be created in a community format, but the Mission Creek Consensus Group Maintenance subcommittee set up to work on it never met, although the EDC had one meeting with County and City staff. Please establish a real community process to finish the maintenance plan, or ensure that it has adequate environmental safeguards unlike the Corps proposed unmitigated maintenance plan.

Com 17-242

**Changing and Undefined Project Description**  
The City has consistently reported that the use of lunkers for aquatic, under bank habitat refuges, is a part of this project, but they are not referred to in the project (nor are any instream habitat structures except the two rock piles. This is a vague project description, does it include lunkers or not. Are the lunkers part of the local enhancements? Whether they are or are not local enhancements, if they are part of the project or contemplated as reported by the City and Corps of Engineers at public meetings during late 1999 and 2000, then they must be described in the report. Otherwise, there is no accountability to actually include important aquatic habitat features. The project is poorly defined for the purpose of impact assessment, and the project description is shifting.

Com 17-243

The City has consistently reported that, in conjunction with this project, it is pursuing a backyard tree planting program, first proposed by EDC and other local groups, to extend the riparian tree drip-line outward into private properties for the purposes of enhancing the creek's natural values. The City would help to grow saplings of native, locally obtained, genetically appropriate canopy trees for distribution or low cost sale to creek-side homeowners wishing to undertake this "backyard creek restoration."

Com 17-244

Implementation of this thoughtful program is critically important to mitigating some of significant and other adverse impacts of the project, including the impacts of continued but increased maintenance will be substantially increased over the baseline. However, it needs to be described as part of the project or mitigation program in the DEIR/EIS, it is known and being considered by the City which has gone so far as to contact local non-profit groups that it can contract to grow the plants at a nursery. So this is reasonably foreseeable if it is another project. It really is part of this project and has been described as a local enhancement on the flood control project. It thus must be described in the DEIR/EIS, and this will help the project to mitigate some of the significant environmental impacts of the project on biological resources.

Similarly, the City has routinely stated that the 40 foot plant spacing proposed by the Corps is insufficient, a position echoed by many public commentators. City staff has also repeatedly stated that the locals would beef this up to increase the density of native canopy trees, but the DEIR says that the "final spacing" is forty feet based on design constraints. While EDC disputes these design constraints as described herein, this discrepancy must be cleared up. This project as described by the local co-sponsors in public meetings differs greatly from how it is described in the DEIR. This vagueness makes impact assessment impossible because there is no way to know if these added project elements described as part of or related

Com 17-245

17-197 See responses to comments 17-16 and 17-19.

17-198 In reference to the comment inquiring as to how frequently soils could be excavated and tested and the appropriateness of placing contaminated soils behind channel walls or beneath slopes, the following response is offered.

The question of frequency of testing is confusing. If the soils are tested and they show no actionable levels of contamination why would they need further testing? If they are clean they are clean. If they are contaminated and concentrations are at actionable levels, they must be remediated or disposed of at an appropriate facility. In some cases it is acceptable to isolate certain types of contaminants from the elements instead of disposal at a land fill. Examples of this method are paving over a contaminated location, or placing a building over the location. Placement behind retaining walls or under the bank slopes would be unacceptable due to the hydrological characteristics of the lower mission creek area. The shallow groundwater gradient runs into the creek. Ground water is generally high in this area. The channel can be expected to carry large volumes of water periodically. These factors combined create a situation whereby any contaminants located behind retaining walls or beneath the bank slopes are likely to migrate through the saturated soil matrix. This is an unacceptable occurrence in an area adjacent to a perennial stream.

17-199 The setback will not be reduced. There will be a net reduction in full-height vertical walls. In addition, fencing will be provided. Therefore, impacts from people falling in the creek should not increase.

elements to the project are really proposed. The DEIR does not say they are, the leading local agency staff people describe these elements when they describe the project to soften. Indeed As one of only a handful of biologists on the County's list of qualified biologists, I am amply qualified to determine on behalf of EDC that these measures are needed to mitigate significant impacts to the maximum extent feasible.

There is also a fairly large discrepancy between the number of buildings and other structures to be removed as described in the DEIR/EIS and as described by staff at various public hearings and workshops. Which houses and structures are to be removed and which are not? This draft EIR is vague and inaccurate by not including this information. The project has changed and continues to change. More houses are proposed now to be left in place next to the creek with reduced buffers than as described in the DEIR. Impacts to biological resources are increased by this change. Also, policy inconsistency is increased because an emphasis has been placed on cultural and other building preservation over natural resources - in direct violation of the Conservation Element and LCP both of which state that where conflicts between policies exist, the one that is most protective of natural resources controls.

This undefined or now inaccurately defined and constantly evolving project must be specified for accurate impact assessments. In many cases, the issues described in this section are not clearly defined or are inaccurately defined or not included in the DEIR, rendering the project description legally inadequate for the purposes of environmental review. The public and decision makers cannot accurately determine the impacts and policy consistency issues of a project that is not well enough defined to allow assessment. The DEIR/EIS' failure to accurately define all project elements as currently proposed requires a release of a new draft with a complete, accurate, and up to date project description. This will enable the public to know what exactly is proposed so that our experts can comment on specific elements of the project.

Prior to release of the DEIR/EIS, the City proposed and showed diagrams of another project change not described in the DEIR/EIS. An extension of the bypass channel to help foster a better bridge design at Mason, perhaps, has been described as part of the project. This is not described in the document though, even though it is an important design element that affects both policy issues and environmental impacts, including width and coverage of the creek and buffer area. Without fully describing the project, the document's description is flawed.

The use of fences is poorly defined, and this effects the level of visual impact and policy consistency. The DEIR states that the use of fences should be minimized, and suggests the use of brambles to keep people out, but the type of fencing - and whether or not fencing or plants would be used - has been left up in the air in the project description. While this may seem like a technical design detail, it does effect the level of visual impact and visual resource policy consistency, and thus must be described in the DEIR.

The DEIR states how many of the trees will be removed, but not which ones. During public meetings, the City has discussed that design modifications were being considered to avoid some of the trees. In particular, the City has discussed modifications to protect the tree at

Com 17-246

Com 17-247

Com 17-248

17-200 See response to comment 17-199. In addition, the low vertical walls will be between three and five feet in height, low enough for people to hoist themselves out of the creek or for people on the sides to be able to grab people in the creek.

17-201 There will be no bars installed at the end of the overflow culvert.

17-202 Natural features are not normally considered to qualify as cultural resources unless they also have cultural or religious significance. An example of such a landmark would be Rainbow Bridge in Arizona, which is sacred to the Navajo Nation (or Diné). Even if Mission Creek qualified as a cultural resource on its face, it would still not qualify because it lacks historic integrity. It has been substantially modified over time and no longer exists in its historic state.

17-203 In regard to the Conservation Element, see response to comment 17-12. In regard to the Local Coastal Plan (or land use plan), Policy 1.2 states: "Where policies within the land use plan overlap, the policy which is most protective of resources, i.e. land, water, air, etc., shall take precedence" Policy 1.3 states: "Where there are conflicts between the policies set forth in the land use plan and those set forth in any other element of the City's existing General Plan or existing regulations, the policies of the land use plan take precedence". However, see response to comment 17-26, 17-33 and 17-40. When it is determined that it is not economically feasible to carry out a project that would provide more enhancement of the natural resource, then it is important to preserve the cultural resources.

Mason Street, a large heron roost, and other of the giant sycamores. The DEIR does not describe any efforts to avoid any of the significant sycamores. Without defining which significant trees (the DEIR does not state how many of the sycamores would be lost, so a worst case scenario assumes all of them would be) will be removed, the project is not well defined which hinders accurate impact assessment. The project must be better defined for environmental review and policy consistency analysis.

Also, the width of the channel is changing, and has reported differently at different times. In the DEIR, Table 8 describes creek widths that are substantially different than that described in the text of the DEIR. In many cases, the number reported in the table is ten feet (about 20%) or so less than as described in the text. Is the reader supposed to believe the table or the text?

The project is poorly and ambiguously defined, the document contains contradictory information about the basic project design that effects both policy consistency and impact levels.

The project description must be stabilized and complete for public review in a new draft document.

#### Effective Discharge and Bankfull Channel

The City hired Dr. Ann Riley to consult regarding the design and maintenance of the Lower Mission Creek project. In her letter (attached) she states that "given the importance of this bankfull channel to sediment transport, fisheries migration and habitat, channel stability, aesthetics and maintenance needs, a flood damage reduction project needs to address [the bankfull channel and effective discharge concepts] as a central design issue." Adaptation of the project to incorporate a bankfull channel design will thus have potential reductions in impacts to a wide range of environmental issues.

How has the City addressed these comments as a central design issue, and changed the project to incorporate a bankfull channel in the design as recommended by its expert? Why does the DEIR not address this central design issue? The bankfull channel design should be described in the DEIR so the public knows what project it is commenting on.

Dr. Riley reminds the City that the last Corps design was dropped because of sediment transport and deposition problems that would have caused the proposed channel to flood. Thus, sediment transport needs to be addressed. How will the channel be designed to transport silt effectively (i.e., how will a bankfull - sized channel be fit into the project)? This would likely be a channel within the two vertical walls, less in width than the entire bed width. Will a bankfull channel be maintained, after desilting operations, in the bed area? How will this be sized? What is the capacity of an appropriately sized bankfull channel in this reach of the Creek?

The Corps has embraced the concept of bankfull channel and effective discharge. This must be addressed in detail in the DEIR/EIS to address the expert information provided by Dr. Riley to mitigate sediment transport problems that can effect project design capacity and

Com 17-249

Com 17-250

Com 17-251

Com 17-252

Com 17-253

Com 17-254

17-204

It is inappropriate to take a portion of the final sentence in Section 18.4 out of context. As Alternative 12 was originally developed, impacts to seven structures and two neighborhoods would have been significant and unavoidable. The impacts to the remaining historic structures at 134 Chapala Street and 434 De la Vina Street and to the archaeological sites would be significant, but would be mitigated as outlined in Section 18.3.4.2. However, it should be noted that, based on City and County recommendations to reduce costs, the project description would be modified to preserve six of the seven structures in place. The seventh structure, 15 West Mason Street, would be demolished, resulting in a significant unavoidable impact. In addition, because the structures in the West Downtown and Waterfront Neighborhoods would be preserved, there would be no " significant impact to these neighborhoods. Additional language has been added to Section 18.4 to recognize this change to the project.

17-205

Utility lines that would be affected during replacement of bridges would be replaced.

17-206

Neither of the projects at 410 West Islay Street or 609 Junipero Street are within the project area. In addition, they do not have any substantial effects on flow, especially by the time flow reaches the project area. On that basis, they were not included in the cumulative analysis. See Response to Comment 17-30 for information related to La Entrada and the Harbor View Inn. It should be noted that both of these projects were included in Table 20.1-1, List of Reasonably Foreseeable Future Projects, in Section 20 Cumulative Impacts.

17-207

The project description for possible sand bar breaching, as part of a larger plan for beach management, has not been defined at this time. No sand bar breaching is taking

<p>Jan Hubbell February 10, 2000 Page 50</p> <p>environmental resources. This is a central issue, but is not addressed in the DEIR/EIS. The DEIR/EIS states that sediment transport will be essentially unchanged, but widening the creek may cause sedimentation. Furthermore, the DEIR contradicts itself by also stating that desilting will be on the order of 2400 cy removed per year, with much more being redistributed. This vastly exceeds the current maintenance levels established by recent maintenance plans.</p>	<p>17-208 The El Estero Drain is not in the same watershed as Mission Creek so it was not included in the cumulative projects evaluated for this project. In any case, neither project would have any particular effect on the other.</p> <p>17-209 The commentor has presented no evidence to support his statement that increased maintenance of Mission Creek would affect maintenance of other creeks in Santa Barbara County. This statement is speculative and no analysis is necessary.</p>
<p>Com 17-254 cont</p>	<p>17-210 See response to comment 17-30. Some of this discussion has been added to the Cumulative Impacts section.</p> <p>17-211 See response to comment 17-210.</p> <p>17-212 See responses to comments 17-15 and 17-84.</p> <p>17-213 It is somewhat speculative to state when La Entrada and the flood control project would be built. Traffic impacts in the Waterfront Area are based on traffic on peak summer Sundays. Neither project would be doing construction on weekends, so there would be no significant traffic impact. The commentor has also indicated that there would be historic impacts that are not discussed in the EIS/EIR. We are unclear how those could occur.</p>
<p>Com 17-255</p>	<p>How will the project incorporate this expert recommendation to reduce impacts to biology, maintenance frequency, and sediment transport problems (considering the DEIR calls for extensive desilting after project construction)?</p>
<p>Com 17-256</p>	<p>The Corps used a roughness factor of .045, which affords the locals the opportunity to rough up the channel with vegetation without losing the capacity. Did the Corps only model the rectangular cross section or did they include the triangle shaped cross sectional areas above each of the sloped banks too? If they did not model the triangle areas, then the capacity could be more than 3400 cfs, giving more room for ecological improvement.</p>
<p>Com 17-257</p>	<p>How did the Corps model sediment transport? Will there be a hydraulic jump at the ocean?</p>
<p>Com 17-258</p>	<p>Please respond to each distinct point in this letter in as much detail as possible and necessary to explain the response.</p>
<p>Com 17-259</p>	<p><b>Conclusion</b> The proposed project, Alternative 12, is inconsistent with numerous LCP and General Plan policies and Coastal Act provisions. It results in previously unidentified significant impacts to water resources, geological resources, biological resources, visual resources, recreational resources, open space resources, and other resources as described above. Mitigation of significant impacts is not offered in many cases, and does not reduce significant impacts to the maximum extent feasible. The DEIR/EIS did not analyze a reasonable range of alternatives, and included only 3400 cfs capacity alternatives for consideration. It dismissed options that are feasible, or that could be made feasible through necessary consideration of the incidental benefits of the RDA funding, and it failed to consider practical options with lesser significant impacts. Alternatives with fewer significant impacts than Alternative 12 are</p>
<p>Com 17-260</p>	<p>Dr. Riley also suggests that the City "should request that the SAM model be used to compute an effective discharge in which a flow duration curve is numerically integrated with the sediment transport rating curve." Did the City ask for this and what was the Corps response? How has this affected project design and the bankfull channel concept?</p> <p>If the bankfull channel discharges are in the 600 to 900 cfs range, then how does this compare to the channel below the low vertical walls in areas with some sloped banks, generally? Can a bankfull channel (600 - 900 cfs) be integrated into the channel bed, say for instance, after construction and desilting which impacts it? It is very important to maintain such a channel for habitat and stability, for sediment transport, and to prevent sediment accumulation problems or scour.</p>

Ian Hubbell  
February 10, 2000  
Page 51

feasible, or can be made feasible, and are consistent with project objectives. Thus, these options must be further evaluated and pursued.

Thank you in advance for your attention and careful consideration of and response to our suggestions and comments.

Sincerely,



Brian Trautwein  
Environmental Analyst  
Environmental Defense Center

Attachments:

1. List of Santa Barbara County Qualified Biologists
2. Impact Summary from 1991 Program EIR for Flood Control Maintenance
3. County Flood Control Annual Plans, Lists of Projects Undertaken
4. Riparian and Wetland Restoration Working Group Report
5. Studies of the Effects of Glyphosate on Salmonids
6. Letter from Robert Vadas, Jr., Biologist, regarding Tidewater Gobies and Steelhead
7. E-Mail from Kevin Lafferty regarding Tidewater Gobies in Estuaries
8. 1-28-00 Memo from Waterways Restoration Institute to City of Santa Barbara
9. Draft Maintenance Plan for Lower Mission Creek Flood Control Project

cc:

Santa Barbara County Board of Supervisors  
Santa Barbara County Flood Control District  
Santa Barbara County Planning and Development Department  
Santa Barbara City Council  
Santa Barbara City Engineer  
California Coastal Commission  
California Department of Fish and Game  
California Regional Water Quality Control Board  
US Fish and Wildlife Service  
National Marine Fisheries Service  
Congresswoman Lois Capps  
Waterways Restoration Institute

17-214 The City and County have proposed a change which would protect the sycamore tree downstream from Mason Street. This change has been accepted by the Corps.

17-215 In many places where buildings are removed, habitat is restored as part of habitat expansion areas. In a few locations, this is not feasible.

17-216 Overhangs and/or lunkers in the vertical walls would be part of the design.

17-217 A maximum slope angle of 1.5 horizontal to 1 vertical was used to minimize real estate costs. Varying the slope angle would require additional real estate.

17-218 The final wall design will be subject to review by the Mission Creek design Review Subcommittee.

17-219 During the final design, the channel geometry will be optimized. Channel narrowing would be considered.

17-220 The Project Description and the Biological Resources Section have been revised to incorporate use of locally collected plant materials.

17-221 Estuary depth will not be decreased.

17-222 See responses to comments 17-3, 17-4, 17-6 and 17-7.

17-223 This area is outside the scope of the project. NMFS has indicated that mitigation within the project area is satisfactory. However, work in this area may be considered as an opportunity project as part of the City's Clean Water and Creek Restoration Program.

17-224 See responses to comments 17-56 and 136.

<p>17-225 See responses to comments 17-56 and 17-136.</p> <p>17-226 See response to comment 17-167.</p> <p>17-227 The park area will be revegetated to match the existing vegetation.</p> <p>17-228 The suggested type of design would have lower structural integrity than the preferred design. Moreover, it would not support the types of vegetation which are inherent in the current design.</p> <p>If the local sponsors would like to use this design for its aesthetic value, its use would be considered during the final design phase of the project.</p> <p>17-229 The walls were designed according to all applicable engineering criteria.</p> <p>17-230 According to additional sediment analyses, future maintenance requirements would be very similar to existing maintenance requirements. When several low flow years occur sequentially, sediment removal might occur once every two to three years.</p> <p>17-231 See responses to comments 17-25 and 17-78.</p> <p>17-232 See responses to comments 17-17, 17-28 and 17-32.</p> <p>17-233 See response to comment 17-78.</p>	<p>17-234 This is an existing condition and will not change until there is less feces in the creek. Over time, as part of the Clean Water and Creek Restoration Program, feces may decrease. IF it does, the County Flood Control District will reduce the use of heavy equipment.</p> <p>17-235 See response to comments 12-8, 12-9, 17-25</p>
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- and 17-78.
- 17-236 Much of the existing creek is in like condition. This condition will be improved after the project is completed.
- 17-237 See revised Maintenance Plan in the Final EIS/EIR.
- 17-238 See revised Maintenance Plan in the Final EIS/EIR.
- 17-239 See response to comment 17-25.
- 17-240 The revised Maintenance Plan includes a mosaic approach to vegetation clearance.
- 17-241 Maintenance procedures included in Appendix H include these recommendations. Willows would be included in the original planting in precisely the manners described (DEIS/EIR, Final EIS/EIR).
- 17-242 The revised Maintenance Plan is included in the Final EIS/EIR. Final details may be worked out during Pre-construction Engineering and Design.
- 17-243 Items such as lunkers were proposed by the City of Santa Barbara after the release of the Draft EIS/EIR. In addition, changes in design to reduce cost and save historic structures have been made. They will either be added to the Project Description or as Mitigation Measures under the appropriate section of the EIS/EIR. It should be noted that the project description contained in an EIS or EIR is never final. In fact, part of the purpose of an EIS or EIR is to refine the project description through mitigations. Additional refinements to the project description often occur during final design.
- 17-244 See responses to comments 17-85 and 17-243.
- 17-245 See responses to comments 17-14, 17-169 and

17-243.

17-246 See response to comment 17-243.

17-247 See responses to comments 17-16 and 17-193.

17-248 See responses to comments 17-14, 17-22, 17-46, 17-113 and 17-135.

17-249 Table 8 is based on the bottom width of the stream. Other references are based on the top width of the stream, including sloped banks.

17-250 See response to comment 17-243.

17-251 To assist in determining future maintenance needs, detailed sediment routing will be completed during the Preconstruction Engineering and Design (PED) phase of the study. Bankfull, i.e. effective or dominant, discharge curves could be developed from frequency-discharge and sediment discharge rating curves. In addition, stage-discharge and velocity-discharge rating curves would be available from the hydraulic models developed.

The sediment routing process normally takes into account antecedent flows, which are often smaller than the design discharge, as well as the entire design hydrograph, not just the peak discharge.

We will be available to meet with the City, the District, and Ms. Riley prior to the start of the PED phase of the study to discuss the concerns.

Note, however, that lower Mission Creek is a channelized "designed" channel and regime equations may not be applicable. However, we will evaluate the concerns during the PED phase of the study.

17-252 See response to comment 17-251.

<p>17-253 See response to comment 17-251.</p> <p>17-254 See response to comment 17-251.</p> <p>17-255 See response to comment 17-251.</p> <p>17-256 See response to comment 17-251.</p> <p>17-257 See response to comment 17-251.</p> <p>17-258 The Corps modeled the whole cross-section, including the triangular areas above the banks, to minimize the real estate required for conveyance.</p> <p>17-259 The Corps used a sediment budget program to model sediment transport. Since the flow from Mission Creek would be subcritical near the ocean, there would be no hydraulic jump.</p> <p>17-260 See the above responses to comments.</p>	

Responses to the comments from:

Jerome and Gabrielle Boucher  
116 Chapala Street  
Santa Barbara, Ca 93101

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

As you are aware, based on the corrections to the City map used by the Corps in this study, the required clearance for the new creek between 116 Chapala Street and the building directly on the opposite bank is in fact available. Therefore, removal of the subject property would no longer be required.

18-1

January 17, 2000

Dear Jan,

We would like to thank you for the interest and concern in the status of our home at 116 Chapala Street related to the Lower Mission Creek Flood Control Project. Seeing our property targeted for removal in nearly all of the alternative plans, including #12 which is favored by the Corps and the City Staff, of the main report and the EIS/EIR December 1999 was very alarming.

We have received assurances from you and Pat Kelly that you are working on how to save some of the historic properties such as our's along the creek. We never felt that the old aerial maps of our property were accurate. Fortunately, you had Bruce Burnworth of Penfield and Smith Engineers, consultants for the City of Santa Barbara, re-measure. Jerry was present on January 4, 2000 when Bruce and his associate re-measured the width of the creek from the edge of our house, (creekside), to the other side of the creek extending to the edge of the Funke property, (New Orleans/Florida Keys style apartments), on Kimberly Avenue. Bruce told Jerry and announced later that evening at the neighborhood L.M.C.F.C. & C.E.P. that his new on-site accurate measurement, (see attached sketch), delivered more than enough leeway for the widening of Mission Creek to 60 feet including the preservation of our house and the old sea wall. His direct quote was, "your house is saved!"

Comm 18-1

We love being homeowners in Santa Barbara's historic waterfront district. We see hundreds of tourists a day walking up and down Chapala Street from Cabrillo Blvd. admiring our homes and the renovated train depot. If we're outside, they'll question us about our unusual historic home and newly landscaped garden. We really appreciate your efforts to preserve our old property.

Comm 18-2

Additionally, we think the artist's renderings of the creek are lovely, but we're wondering how many tourists are going to love walking along the banks of a cesspool. Unfortunately, Mission Creek is very polluted and when one sees this slimy and smelly contaminated body of water, especially at low tide, that is littered with everything from underwear to furniture, it does not take one a second to look away with disgust.

The wonderful native vegetation, sloped sides, natural bottom and boulders, could look wonderful, but if we can't control Mother Nature and the tides, why do we need to double the size of the creek to insure flood control?

We heard a plan suggested by a very successful Santa Barbara businessman that we hope the Army Corps of Engineers and the City Engineers will seriously explore. It involves adding an additional plan to the mix of alternatives. The suggestion to extend the box culvert from its current outlet point near the Chapala Street Bridge to the end of Mission Creek, has great potential to make all interested parties in this project happy.

Suggesting that a large canopy of trees cannot be planted on top of the culvert needs to be determined by horticultural experts, in addition to substituting other effective vegetation.

We will have a major objection to relocation/removal of our home if the purpose is to allow for the creation of another pocket park. We believe that the calculation process that the city went through to determine whose property is the most cost efficient to

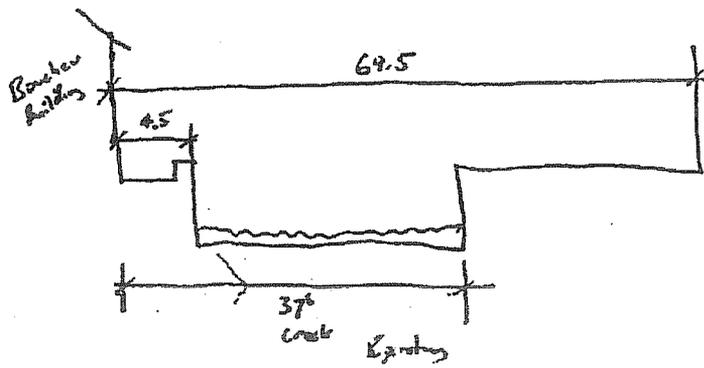
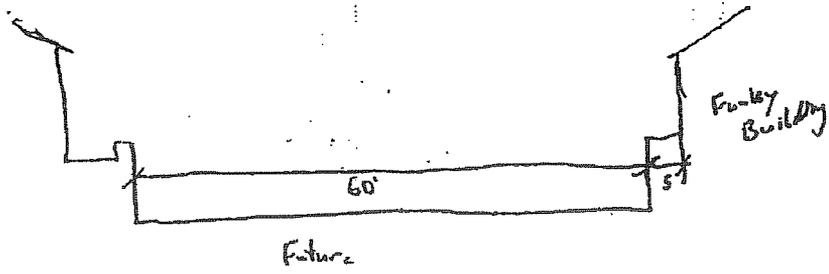
18-2 The maintenance of the creek for flood control purpose would be the County Flood Control's responsibility and they would occasionally remove debris along this reach during their maintenance activities. The City would have to expand their current program to eliminate this problem. See response to comment 12-16 for more discussion of proposals to improve water quality.

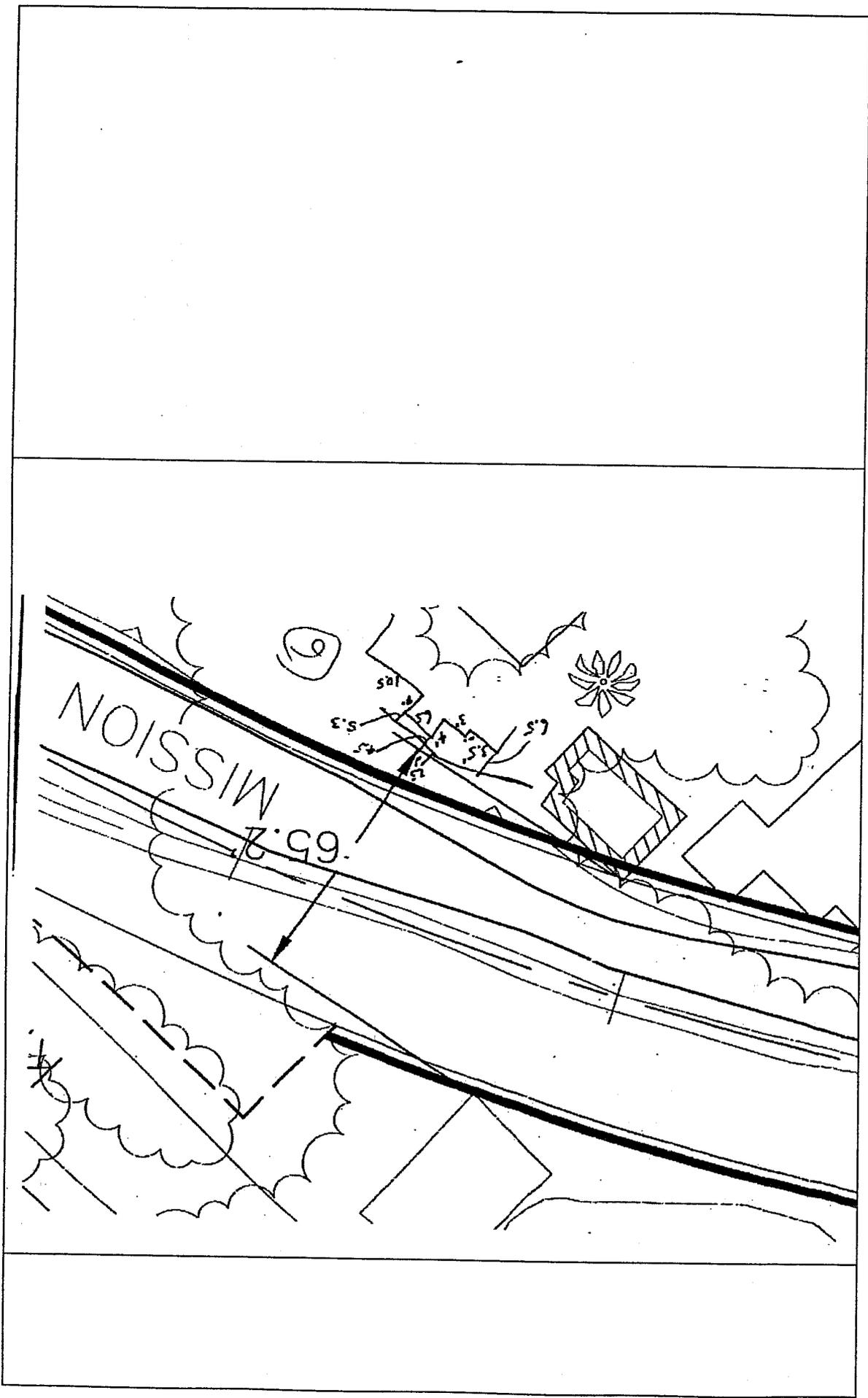
18-3 During the formulation of the alternative solutions, extending the box culvert down to the end of the project was not considered since it is contrary to some of the objectives of this study. However, an opportunity still exists in the future to reconsider this design feature, provided that the City and the County request the Corps to do so. The feasibility of extending the box culvert has not undergone any engineering or environmental analyses; therefore, at this time, the Corps could not present an opinion on whether the culvert would be more advantageous compared to the current design or if at all feasible.

18-4 See response to comment 18-1.

<p>Comm 18-5</p>	<p>eliminate is flawed. We also take offense to the fact that the city hasn't to our knowledge had a team of experts determine whether or not this house is moveable; in fact, we have been advised that due to it's age and construction that it isn't.</p> <p>Regarding the installation of a walkway along the creek, we have concerns regarding lighting, security and the liability issue when someone falls into the creek near our property.</p>	<p>18-5</p> <p>This project does not include walkways along the creek. Your comment refers to another project that the City may or may not pursue separately.</p>
<p>Comm 18-6</p>	<p>We understand that what we have received is a draft and issues need to be settled before you can receive complete environmental and community approval before May 2000.</p>	<p>18-6</p> <p>The Final Report and the EIS/R would also be available for public review before its certification.</p>
<p>Comm 18-7</p>	<p>We are hoping that you will achieve a plan that can preserve the history, charm and beauty of the creek from Chapala Street Bridge to the end of Mission Creek.</p> <p>Best Regards,  <i>Gabrielle &amp; Jerome Boucher</i>  Gabrielle and Jerome Boucher</p> <p>CC: Janice M. Hubbell  CC: Ed DeMesa  CC: Harriet Miller  CC: Barbara Chen Lowenthal  CC: Edward Cella  CC: Sandra Tripp-Jones</p>	<p>18-7</p> <p>Comment acknowledged.</p>

Bruce Burnworth  
Penfield Smith Engineers  
963-9532





Ms. Jani Hubbell,  
Project Planner  
City of Santa Barbara  
Planning Division  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

Jan 20, 2000

RECEIVED  
JAN 24 2000  
CITY OF SANTA BARBARA  
PLANNING DIVISION

Dear Ms. Hubbell:

THE WORD "THRILLED" IS NOT STRONG ENOUGH TO DESCRIBE MY HAPPINESS AND EXCITEMENT OVER THE "RE-CREEKING" OF MISSION CREEK! JUST LAST WEEK, WHILE SEARCHING FOR MY LOST BROTHER COLLIE (STILL MISSING...), I BECAME EXTREMELY INTIMATE WITH THE MISSION CREEK COUNTRIES AND CONCERNED CHANGES. DESPITE MY HEARTACHE OVER MY DEG, I STILL FOUND MYSELF INCREASINGLY ANGRY WITH THE POLITICS THAT ARE IN SANTA BARBARA FOR ALLOWING MISSION CREEK TO BE CONCRETE AND THEREBY DEVOID OF ANY WILDLIFE, WILDLIFE HABITAT OR PRAWNS. IN THE CONCRETE PAGES, WHICH SEEM(EN) TO GO ON FOR MILES, I WAS TRULY DISGUSTED BY ALL OF THE GRASSHOPPER AND OTHER SIGNS OF HUMAN TRASH - MATURESS, ETC. THE VEGETATED NATURAL AREAS OF THE CREEK

Comm 19-1

Responses to the comments from:

Lisa Ann Kelly  
1724 Olive Avenue  
SB, CA 93101

19-1

Your support for the project is acknowledged. The Islay Street bank reconstruction project is outside of the Lower Mission Creek Flood Control Project area and has received permits from all of the necessary agencies. It is being inspected periodically to make sure that all conditions are being met.

CONTAINING MARKED PAIRS OF MALDEN DUCKS (I SAID AT LEAST 10 PAIRS), AN EGRET, FROGS... IT WAS WONDERFUL.

WHILE I AM WRITING THIS LETTER TO YOU I WOULD ALSO LIKE TO EXPRESS MY DISMAY WITH THAT PROJECT AT ISLAY ST (NORTH OF 48WAY) AT MISSION CREEK. SEVERAL MORNINGS (7<sup>AM</sup> & BEFORE) I STOOD ON THE BRIDGE, LOOKING FOR MY DOG I SAW TRUCKLOADS OF DIRT AND CONCRETE USED TO WIDEN THE HOME-DWELLER'S BACK YARD — INTO THE CREEK! SUCH A PROJECT IS ILLEGAL? AND THAT WILL WILL UNDOUBTEDLY CHANGE THE COURSE OF THE CREEK, CAUSING EROSION OF THE EAST BANK? (IS IT TRUE THE CITY DID THIS?)

THANK YOU FOR RESTORING MISSION CREEK. I & MY FAMILY HAVE ALWAYS LIVED IN BREARD OF FURTHER CONCRETE CHANNELIZATION OF MISSION CREEK. HERE'S TO NATIVE PLANTS & MORE WILDLIFE! HURRAH!!!

SINCERELY, Lisa Ann Kelly & Family  
1724 OLIVE AVE  
SANTA BARBARA, CA 93101-1021

RECEIVED

JAN 31 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

TO: CITY COUNCIL / JAN HUBBELL

REGARDING MISSION CREEK FLOOD CONTROL

LOS ANGELES AND SANTA BARBARA HAS FLOOD -  
ED FOR YEARS NATURALLY. LUCKY FOR LOS ANGELES

ES EARLY PLANNERS HAD SOME BRAINS, THEY IN -

STALLED CONCRETE RIVERS & CREEKS. SANTA BARBARA

ONLY SLIGHTLY SLOPES TO THE SEA. WHEN YOU

RESTRICT FLOW WITH BUSHES, TREES & STOPPING CARPS

IN A NATURAL CREEK, WATER WILL GO TO THE

PLACE OF LEAST RESISTANCE - - - INTO THE CITY!

ONCE AGAIN YOU ARE LISTENING TO A

BUNCH OF ENVIRONMENTALIST WHO WANTS EVERY-

THING NATURAL. FOR THEM THEY SHOULD MOVE

TO THE COUNTRY. AND THEN, THEY SHOULD BE

IN A TEEPE ON TOP OF THE MOUNTAINS, LOOKING

DOWN INTO A STREAM. - - OTHERWISE THEY WOULD

BE WIPSHED AWAY IN A STORM. - - DA. - - LIKE

WE WILL BE.

David Bates

Comm 20-1

Responses to the comments from:

David Bates

20-1

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance of providing the residents of this area a higher level of flood protection, while improving the riparian community and aesthetics along the creek.

February 2, 2000

Ed Demetsa  
Study Manager  
Plan Formulation Branch  
US Army Corps of Engineers  
P.O. Box 52711  
Los Angeles, Ca. 90053-2325

Dear Ed,

Gay and I enjoyed meeting you and Col. Carroll at the Army Corps of Engineers Public Meeting in Santa Barbara on Jan. 19, 2000 and at the Chapala Street Bridge before the meeting.

Attached is a letter that we wrote to Jan Hubbell outlining our views of the Lower Mission Creek Flood Control Project.

First of all, we would like to thank you for the good news that you gave us before the start of the meeting regarding the preservation of our house and historic sea wall at 116 Chapala Street. You confirmed what we have been told by the City of Santa Barbara, that there is now plenty of room to expand the creek to 60 feet (if necessary) and leave our side of the creek alone.

We are very interested in hearing more about your plans to build vertical walls in our section of the creek. After talking with Bruce Burnworth of Penfield Smith, we are under the impression that because our retaining wall is so high, that it probably will not be necessary to put a vertical wall in front of our house. Historically, there has never been an overflow onto our patio during flooding.

The box culvert extension plan presented by Mr. Romasanta at the meeting is an interesting one and hopefully will be explored by you and your associates. We were very encouraged by your attitude to do the best thing for this community and your openness to the ideas presented by the public.

Additionally, if the vertical walls collapse during a storm, who is responsible for replacing them and how long will it take to repair the damage? We are also concerned about the creek maintenance issues at the neighborhood meeting on 1-14-00, we were told that cleaning out/cleaning a box culvert was a simple procedure. If this is true, then isn't that one more reason to explore the box culvert extension alternative?

Comm 21-1

Comm 21-2

Comm 21-3

Comm 21-4

Responses to the comments from:

Jerome and Gabrielle Boucher  
116 Chapala Street  
Santa Barbara, Ca 93101

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments vital to the success of this flood control project.

21-1 See response to comment 18-1.

21-2 At this time, the proposal is to replace the sandstone wall with an adequately designed structure. The existing wall would either be removed and replaced or kept in place and used as the back form to be covered by the new structurally adequate wall. Final decisions will be made during project final design.

21-3 See response to comment 18-3.

21-4 The maintenance and repair of the creek would be the responsibility of the County Flood Control District when the project is turned over by the Corps after construction. During the construction period, the Corps would share the maintenance responsibility. Any repair needed that could impair the function of the creek would be accomplished as soon as possible. Refer to the maintenance section of the Main Report for detailed information regarding this subject.

Thanks again for your help in ensuring that the historic Chapala Street neighborhood maintains its character, charm and importance to the City of Santa Barbara.

Regards,

*Jerome and Gabrielle Botchev*  
*+ Gabrielle Botchev*

CC: John Carroll- US Army Corps of Engineers

Janice Hubbell- City of Santa Barbara Planning Dept.

Eva Inbar  
240 Arboleda Rd.  
Santa Barbara, Ca 93110

February 3, 2000

Jen Hobbell  
City of Santa Barbara Planning Division  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

RE: Mission Creek, Draft EIR

Dear Jan:

Here is my idea of what I'd like to see happening at Mission Creek. First and foremost, let's get rid of all that horrid concrete. The creek should have a natural bottom again, the banks planted with native vegetation. On the banks I'd like to see a little park, with a walk/bike trail and benches. It would function as a greenbelt and could one day go up all the way to the Mission. Vic Obern had this idea back in the 70ies, and I think it's wonderful!

A good example of how this could be done is the creek that goes through downtown San Luis Obispo. If they could do it, we can do it, too! Then Mission Creek would be a real asset to our city and not the pathetic, soul smelting embarrassment it is now.

Sincerely Yours,

*Eva Inbar*

Eva Inbar  
Member of the SB Bicycle Coalition and the SB Livable Streets Coalition

Responses to the comments from:

Eva Inbar  
240 Arboleda Road  
SB, CA 93110

22-1

The project would restore the streambed to a natural bottom along most of lower Mission Creek except for the sandstone channel that runs along the railroad tracks. No work is proposed along this reach. Several habitat expansion zones that would include some form of recreational design are already included in this project. These habitat zones would be located: 1) downstream of the Mason Street Bridge, 2) along Kimberly Avenue between the Chapala and Mason Street Bridges, 3) at the north side of Highway 101, 4) at the corner of Haley and De la Vina Streets, 5) between Bath and Cota Streets, and 6) on Castillo Street just downstream of Canon Perdido Street.

Your participation in the City's Creek Strategic Planning process is encouraged. This would be another opportunity to pursue additional betterment towards your vision of the future of this creek.

RECEIVED

FEB 04 2000

CITY OF SANTA BARBARA,  
PLANNING DIVISION

P.O. Box 626  
Santa Barbara, CA  
February 1, 2000

City of Santa Barbara  
Planning Division  
Attn: Jan Hubbell, Project Planner  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

Dear Jan:

Thank you for setting up the Lower Mission Creek Neighborhood Meeting on January 4. All of us appreciate your efforts to keep us well informed.

I was unable to attend the January 19 meeting for the public comment as I was recovering from surgery. However, I did follow the meeting on television.

I urge you to strongly consider amending the present plan by extending the box culvert from the Chapala Street Bridge to Cabrillo Boulevard for several reasons:

1. In the EIS/EIR report of December 1999, Table 26 states under Act 6-8-12:

Category

- a. Public Health & Safety - Long Term: After completion of the project, it could be possible that people could enter within the creek bed and be injured. People may get into bypass tunnel and criminals may live and hide in culvert."

Presently, we do have problems with a transient population spending time under the west side of the Chapala Bridge. If the culvert ends on the east side of the Chapala Bridge, these problems may increase.

2. From all reports I have seen, this project is expected to be very expensive for the city with the strong possibility that unforeseen costs may arise. I believe it was Rich Unterman who spoke and suggested that the culvert run under Chapala Street. If this were a possibility there would be quite an economic advantage to be gained by the city needing to take less right of way.

3. The widening of the lower portion of Mission Creek is needed because the culvert will empty out at the Chapala Bridge. Environmentalists reported that the canopy of trees could not cover this increased width to provide adequate shading needed to keep the stream the proper temperature to protect the endangered species now in the creek.

Comm 23-1

Comm 23-2

Comm 23-3

Responses to the comments from:

Gail Pierce O'Brien  
PO Box 626  
Santa Barbara, Ca 93102

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek. In order to provide that increase in flood protection while maintaining the natural creek bottom and restoring the riparian corridor, widening the Creek is required."

- 23-1 Railing and fencing will be provided for safety reasons and to discourage inappropriate use of the creek. Local policing by the City should continue in order to address this potential problem.

- 23-2 During the Reconnaissance Study for this project, a proposal to divert part of the stormwater flows upstream was eliminated from further consideration since it was found to cost more and the excavation required along the streets could result in significant cultural resource impacts. In addition, it would result in the creek mouth being 500 to 1000 feet closer to the harbor mouth, resulting in greater siltation impacts to the harbor. Earlier attempts by the Corps to build a

Comm 23-4

4. The maintenance report was very unclear about costs to keep the creek clean. The wider width means increased sediment and vegetation. We could end up with an even more polluted creek than we have at present.

Comm 23-5

5. I did attend the January 29 Community Forum on Creek Water Quality and Creek Restoration. At this meeting I did learn that a culvert is much less expensive to maintain than a creek. I also learned that a very expensive plan to maintain all our creeks will probably need to be put before the voters. If this plan does not get voted in, how do we maintain lower Mission Creek so that it is attractive to tourists?

Comm 23-6

- 6. There are two other sections of the proposed plan which I question;
  - a. It was admitted by the engineers that the present type of wall being suggested could trap water behind the wall (in the case of flood condition rains) and the wall would collapse and need to be rebuilt. Will the Army Corps of Engineers cover this cost? If not, is it in the budget?
  - b. The use of one gallon trees for landscaping. We need much bigger trees and more of them.

Comm 23-7

Lastly, there appears to be a desire on the part of several individuals to use the creek to create a "tourist attraction". Some of these individuals wish the city to create public parks, etc. The creekside houses on Chapala Street between Mason and Yananoli were all built in the early 1900's to provide various services for the Potter Hotel and when the hotel burned down were converted to single family homes and multi-family dwellings. Instead of destroying this part of Santa Barbara history, these homes could be included as part of the "tourist attraction". Plaques and a written guide could note the probable history of the structures and the architectural details of note. These guides could be included in a suggested walking tour of the neighborhood. There is a path from the end of Chapala Street to the Railroad Station and this would provide an excellent tie-in.

Many tourists take this walk today and I am sure the walk could be enhanced with the addition of the above material.

Thank you, again for your attention and consideration to the homeowners along Lower Mission Creek. We do need a flood control project and wish to cooperate in every possible way.

Sincerely,

Gail Pierce O'Brien

diversion structure were met with strong opposition, would have increased costs and, at the request of the City and County, the idea was abandoned.

23-3

Creek widening is needed along the entire project reach to convey higher floodwater flows. The advantage of having the overflow culvert across the Oxbow is that it will avoid having to widen the creek across this reach and in the process destroy the historic sandstone wall along the railroad tracks and impact the row of properties south of this historic wall. The existing minimal shading will eventually increase when the new trees have grown to reasonable size and would not have impacts to the endangered species. See the Biological Resources section for a discussion of the shading study.

23-4

The cost of maintaining the creek is based on activities similar to current practices. However, it is anticipated that because of the wider creek and the vegetated features, a more involved maintenance plan will be required. The County has prepared a detailed maintenance plan outlining the activities required to maintain the creek in its design form. The maintenance plan includes trash removal and minimizes polluted materials in the creek.

23-5

A culvert is not necessarily less expensive to maintain than a creek. It sometimes requires specialized equipment and it may be more difficult to clean out when it is very long. The city is looking at ways to fund improved water quality and maintenance for all the creeks.

23-6

In regards to your question about the adequacy of the wall, the depth of the footing for the toe and full height vertical walls were designed to prevent undermining and potentially catastrophic failure of the walls. To avoid undermining of the wall from behind, proper riprap sizes will be used.

In regards to landscaping, it is generally accepted that the resiliency and the mortality of the type trees propose to be planted along the banks could be greatly aided by growing them from nursery stock. For this reason, younger saplings would be used. Studies have shown that smaller, younger trees generally catch up with larger trees planted at the same time and in the same area. The number of trees and their spacing is mainly a function of the ability of the wall structure to allow a notch through the heel of the wall footing for the roots to penetrate through, and avoid potential undermining of the wall structure. The spacing could be reduced to perhaps 20' to 30' instead of 40'. However, modifications to the wall footing will be required and increases in construction costs could be expected. This opportunity could be pursued if the local sponsors would share the additional construction costs.

23-7

The City is completing a historic survey of the entire Waterfront area including both the West Beach and East Beach neighborhoods. One outcome of this survey may be the creation of a Waterfront Area walking tour, similar to

the walking tour, similar to the walking tour pamphlets for Downtown that already exist.

Mr. Alvarez-

Thank you for the information of

this note -

I am attaching a copy of the

letter I sent to you about -

I feel strongly that the U.S. Army

Corp of Engineers must take security

the basis of so many Santa Barbara

requests to amend your present

plan to extend the extent to

the beach.

Thank you

Gar P. Klein

**RECEIVED**

February 7, 2000

FEB 08 2000

City of Santa Barbara  
Lower Mission Creek  
Flood Control Project  
EIR/EIS

CITY OF SANTA BARBARA  
PLANNING DIVISION

**To Whom It May Concern:**

My name is Dennis Hoey, my wife and I are the new owners of the property located at the corner of Ortega and Bath Streets. The proposed revised plan # 12 identifies two structures on my property as possible acquisition sites, the addresses are 306 Ortega and 308 Ortega. It is our intention to make public our concerns and disapproval of the plans to widen the creek at the Ortega Street bridge. We are aware of the need to increase capacity, but feel that a wider creek bed in this area can be avoided by constructing a steeper wall and deeper channel. This modification may help save these two dwellings on our property as well as reduce the area affected on the other side of the bridge. One of the structures in review, 306 Ortega, is possibly an historic structure. If this is the case, then 308 Ortega would not be necessary to remove since it is right next to 306 Ortega and would not gain any real benefit to the creek bed. The other obvious effect of the removal of these dwellings is the impact on the low income families that live in these houses. The family in 306 Ortega has been living there for over ten years raising their children and would face a financial hardship if forced to move. We ask that all consideration be given to constructing a steeper wall to support the creek side embankment along our property.

Thank you for your attention,

Dennis Hoey



Responses to the comments from:

Dennis Hoey

24-1

At the request of the City, the proposed Alternative 12 has been modified to have vertical walls extend from the Ortega Street Bridge northwards across the properties located on 306 and 308 Ortega Street. This modification would preserve the historic 306 Ortega building and reduce project cost by avoiding acquisition of the 308 Ortega Street residence.

February 7, 2000

Jan Hubbell  
Project Planner  
City of Santa Barbara  
P. O. Box 1990  
Santa Barbara, CA 93101

Re: Lower Mission Creek Flood Control Preliminary EIR

Dear Ms. Hubbell,

My wife and I have been residents of the Creekview Apartments at 719 Bath St. #7 for 12 years. Our reason for moving here was Mission Creek. We have a very stressful job as owners of a local moving and storage company, our greatest relief after a long day has been our sanctuary next to the creek. We have survived the storms of 1995 and 1998 when we lost half of our yard during these events.

From the plans that we have looked at, it seems that you want to take our trees and more of our yard from us. This is not acceptable. The trees provide privacy, shade and comfort for all of us living in the apartment complex as well as a habitat for many birds and other wildlife. The yard provides food and mental health for all. The creek provides for frogs, fish, birds, opossums, raccoons, skunks, etc. Please do not take this away from us! We personally go into our creek daily to check for and remove garbage and debris. We feel that it is very important in all of our lives that we protect the natural resources that we have left and do our part to help keep them clean and pristine for generations to come.

If we can help in any way to keep what we have, love and cherish ours, please let us know what we can do. We would be more than glad to help in any way possible.

Thank you very much,  
Eduardo and Marite Gonzalez  
Concerned residents and future homeowners in Santa Barbara

P.s. We've been in Santa Barbara since 1962.  
What about the State and Cabrillo slough?

Cc: Pat Kelley, City of Santa Barbara  
Karl Treiburg, County Flood Control  
Colonel John Carroll, Army Corps of Engineers  
Ed Demesa, Army Corps of Engineers  
Wanda Michalenko, Urban Creeks Council

Responses to the comments from:

Eduardo and Marite Gonzales  
824 Cacique St.  
Santa Barbara, CA 93103

The Corps of Engineers, the Santa Barbara County Flood Control District and the City of Santa Barbara appreciate your comments, vital to the success of this flood control project.

25-1 The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area with a higher level of flood protection and improve the riparian community and aesthetics along the creek. In order to provide an increase in flood protection while maintaining a natural creek bottom and restoring the riparian corridor, widening the creek is required. This will impact numerous properties and resources along the creek. As the riparian corridor begins to establish after construction activities, we expect the resources and wildlife to reestablish and return to the area.

February 7, 2000

Jan Hubbell  
Project Planner  
City of Santa Barbara  
P. O. Box 1990  
Santa Barbara, CA 93101

Re: Lower Mission Creek Flood Control Preliminary EIR

Dear Ms. Hubbell,

As a renter at 719 Bath St. #9 this proposed plan would have direct impact on me.

The top of the bank would run right through the garden that all of us here have spent many years enjoying and cultivating. I see no harm in leaving the yard as is. The channel can handle the water if the bridge crossings are kept clear. I have witnessed this myself.

The environment we have here includes many animals. One: the frogs, every year we have a chorus of song. The heavy equipment necessary to construct the proposed project would kill thousands of frogs and pollywogs. What will you do to prevent the mass murder?

Two: the birds that live here, right here, at this spot, who have been coming here for years will be forever disrupted. Every year we have many pairs of mating ducks that raise their babies right outside of my window. I have enclosed pictures. How will you protect this mating spot?

Three: for years I have come home at night and watched the raccoons wandering up the creek. I've watched the females carrying their babies year after year. What is going to happen to their homes in the creek?

In this small corridor, there is abundance of wildlife right in downtown Santa Barbara and I would like to see the least amount of disturbance to this wonderful habitat.

If you do not get the water out to the sea at the bottom of the channel in the first place, all this work is worthless.

Thank you,  
Peter Gerlach

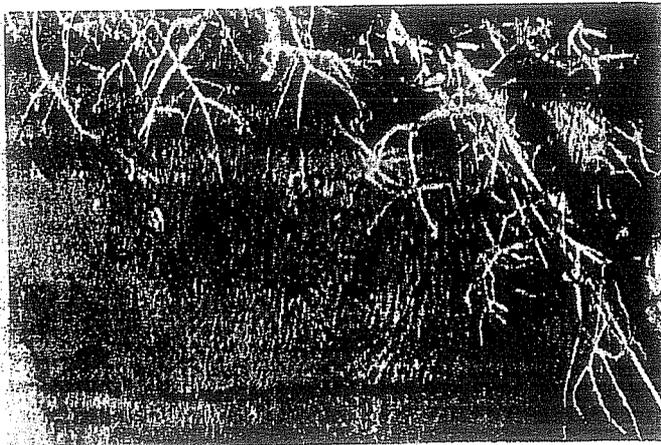
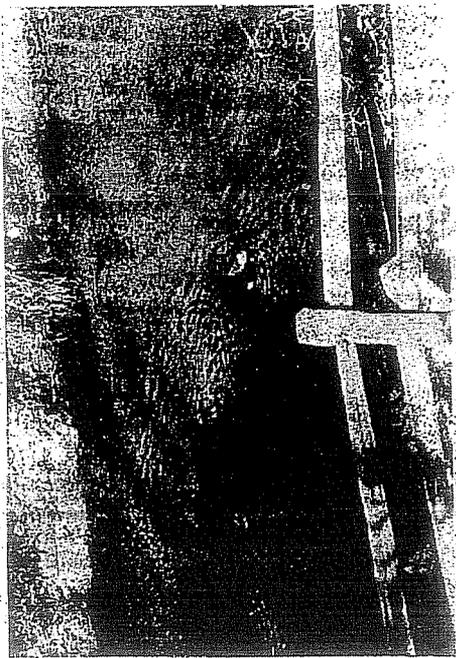
Cc: Pat Kelley, City of Santa Barbara  
Karl Treiburg, County Flood Control  
Colonel John Carroll, Army Corps of Engineers  
Ed Demesa, Army Corps of Engineers  
Wanda Michalenko, Urban Creeks Council

Responses to the comments from:

Peter Gerlach  
719 Bath Street #9  
Santa Barbara, Ca 93101

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

26-1 Please see response to comment 25-1.





February 8, 2000

Mr. Dan Young  
Assistant Chief, Planning Division  
U. S. Army Corps of Engineers  
Los Angeles District  
911 Wilshire Boulevard  
Post Office Box 512711  
Los Angeles, California 90053-2325

Subject: Comments re EIS/EIR December, 1999,  
Lower Mission Creek Flood Control Feasibility Study

Why Double the Size of Sewer Lagoon, the Ugliest  
Thing in Town?

Dear Mr. Young:

**Preliminary Statement**

I am the managing partner of the owner of the property bounded by Cabrillo Boulevard, Chapala, Mason and State Streets. The Mission Creek tide-water lagoon runs through the center of our property. We are the bottom of the funnel, so to speak, of Mission Creek and get the most amount of flood waters generated during heavy rainfall in the Santa Ynez mountains and foothills which drain into Mission Creek and then to the Pacific Ocean.

Because of our location, I have, since 1983, been an ardent supporter of the Corps' numerous and continual efforts to assist the city and county of Santa Barbara in constructing an appropriate flood control project that will minimize flood damage. I believe that, with a slight design modification to Alternative 12, that alternative offers the best flood control protection to my property and the community under all the circumstances that must be considered.

There are three major points that override all others, namely,

*Overlooking Surveys West, Inc.*  
28 West Cabrillo Blvd. • Santa Barbara, CA 93101 • Telephone: (805) 965-0780  
Fax: (805) 965-7965 • Toll Free Reservations: (800) 355-0222

Responses to the comments from:

Antonio Romasanta  
Harbor View Inn  
28 W. Cabrillo Blvd.  
Santa Barbara, Ca

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments vital to the success of this flood control project.

27-1

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek. In order to provide that increase in flood protection while maintaining the natural creek bottom and restoring the riparian corridor, widening the Creek is required. This will impact numerous properties and resources along the creek.

We appreciate your knowledge and understanding of the requirements that led to the design of the recommended plan. The new channel designed to convey stormwater flows up to 3400 cubic feet per second (3400 cfs) will require that the channel to be widened to 60 feet across your property. The top of bank or top of wall for this design (60-ft wide) would generally follow the existing topography of the area. During the Pre-construction Engineering and Design (PED) phase of the project, when additional detailed analyses are performed, design

Mr. Dan Young  
February 8, 2000  
Page 2

1. Whatever capacity is needed through Mission Creek in order to achieve the projected 20-year flood control protection must be provided;
2. The numerous environmental and ecological concerns must be considered; and
3. We do not need to double the size of sewer lagoon, the ugliest thing in town, in order to satisfy items 1 and 2 above.

The continuation of the proposed culvert through the railroad station property down to the Chapala Street bridge, if continued down to the State Street bridge, is the design modification being suggested, and it seems to have wide-spread support from all the boards, commission and City Council of the City of Santa Barbara. I understand that such a design modification, which would extend the culvert from approximately the Chapala Street bridge to the State Street bridge, is an item that can be incorporated into the project as a supplementary design consideration.

#### Discussion

My comments pertain to that section of Mission Creek immediately south of the Santa Barbara city railroad station to the State Street bridge.

First and foremost, this project is and must be a flood control project that meets the cost/benefit ratio objectives established by statute. It has been determined preliminarily that the width from the top of the banks in Mission Creek, from approximately the Chapala Street bridge in the approximate area of the intersection of Yanonali and Chapala Streets south to the State Street bridge, needs to be 60 feet in order to provide the conveyance capacity for flood waters necessary to achieve a 20-year flood control protection. I believe that width can be reduced to approximately 50 feet in the very lower reach from Mason to State Street by raising the height of the vertical walls through that reach. That would be much preferred for reasons cited below.

In any event, whatever is ultimately determined in terms of the width of the channel, property will have to be acquired to provide the necessary flood control protection. I would point out that the cost of condemnation in this highly urbanized setting will be very expensive, and understandably

refinements to reduce the creek width will be reconsidered.

At the request of the local Sponsors, the concept of extending the culvert down to State Street or Cabrillo Boulevard could be investigated during the PED phase as a design refinement. The feasibility of extending the box culvert has not undergone any engineering and environmental analyses at this time; thus, the Corps could not present an opinion on whether the longer culvert would be feasible and more advantageous compared to the current design.

Regarding overall water quality concerns, see response to comment 12-16. Regarding shading, see the shading study incorporated into the Biological Resources Section of the EIS/R.

Mr. Dan Young  
February 8, 2000  
Page 3

so. This area is zoned for hotels. It is a huge income-generating activity for the city of Santa Barbara. Therefore, it is practical to consider reducing unnecessary condemnation costs along with the many other benefits a smaller stream bed will achieve.

#### Environmental Concerns

The policies in the city's Certified Local Plan, section 6.8, provide that the riparian resources, biological productivity, and water quality of the city coastal zone creeks, shall be maintained, preserved, enhanced and, where feasible, restored.

The California Legislature, in the Environmental Quality Act, section 21000, finds and declares in paragraph (b):

"(b). It is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man."

Enclosed as Exhibit A is a statistical analysis of the amount of flood days one could expect at Mission Creek in a 5, 10 and 20 year period. The percentages for each, respectively, are .0438, .00219, and .001136. Therefore, it is obvious that during the vast majority of the time, we are not dealing with a flood situation. It is critically important that the public and the decision makers are aware that the waters that occupy the area from the Pacific Ocean to approximately the Santa Barbara railroad track along Mission Creek consist primarily, probably approximately 95% or more of the time, of brackish ocean water. Furthermore, it is equally important that the EIS/EIR state that this area, and the water contained therein, is subject to and dominated totally by tidalwater fluctuations which occur approximately every 6 hours and 15 minutes. Many times at low tide there is little or no water in Mission Creek, and it is essentially a mud hole, as depicted in Exhibit B.

To the extent that the channel is widened to 60 feet, the mud hole is doubled in size. The current width of the stream bed a short distance north of the State Street bridge and up to the railroad tracks is approximately 25 feet. When there is ocean water in this stretch, it has been historically polluted to the extent that this polluted body of water is currently known as sewer lagoon (depicted in Exhibit C),

Mr. Dan Young  
February 8, 2000  
Page 4

which, when it drains to the beach, causes East Beach at Mission Creek to be posted for bacterial pollution. In fact, in 1998, that area was open to the public only 63 days. See Exhibit D, a report contained in the Santa Barbara News-Press May 30, 1999, page A 16.

Obviously the reasons for such pollution are beyond this letter and the EIS/EIR. Needless to say, the county and city are working on it, must work on it, and hopefully there will be some improvement in the future. However, doubling the size of sewer lagoon of course will make it more difficult to clean up and of course increase the amount of polluted waters which ultimately go to the beach and thereby cause its closure.

Page 10 of the current EIS/EIR points out the necessity of reducing the size of the flood control channel if at all possible in order to maintain the coolest water condition for fish passage with minimum sun exposure. It will be exceedingly difficult, if not impossible, if the width from top of bank is 60 feet, to plant trees that will create the necessary shade and canopy over this stretch of the flood control project.

It is essential that the current environment of the creek, its current width, not be diminished. However, it need not be increased to 60 feet.

**Why Double the Size of Sewer Lagoon,  
the Ugliest Thing in Town?**

The current Alternative 12 proposes an underground culvert from approximately Highway 101 to the Chapala Street Bridge located at the intersection of Yanonali and Chapala Streets. I suggest a study be made of the feasibility of extending that box culvert adjacent and parallel to Mission Creek, down to State Street adjacent to the existing Mission Creek channel, in order to provide the needed capacity for the flood control project. Therefore, between the capacity provided for in the existing channel of Mission Creek and the proposed extension of the box culvert, this project will have the needed capacity the Corps' engineers have said is required to attain a 20-year flood control project.

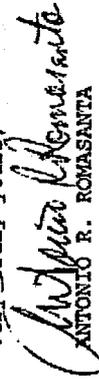
Such a concrete culvert, as depicted in yellow on Exhibit E, would create the following very desirable opportunities:

Mr. Dan Young  
February 8, 2000  
Page 5

1. The existing Mission Creek narrower channel will be maintained with its ecological and biological aspects intact.
  2. Plantings could be installed on top of that concrete culvert by placing dirt and planter boxes thereon, thereby creating from the State Street bridge, where the overwhelming number of people pass, some 200,000 on a weekend during the tourist season, what is depicted in Exhibit F. Again it is important to point out that 99.9% of the time we do not have a flood going on, and we should be concerned about achieving the policy that the California Legislature has set forth in the above-quoted section 21000.
  3. The top of the box culvert, at the City's election at an appropriate time in the future, could be utilized as a beautiful pathway from the railroad track to the corner of State and Cabrillo Boulevard. One can visualize appropriate lighting and surface and clean water, hopefully with steelhead migrating up the creek to spawn in the upper reaches of Mission Creek.
- All of this could be possible provided sewer lagoon is cleaned up, and provided sewer lagoon is kept to a size that is manageable, which will permit the canopy and trees to have the necessary beneficial effect on the waters to provide the most conducive environment for the creatures that might be found from time to time in the tidal lagoon.

I realize and appreciate that the design modification suggested is one that cannot be part of the current project, but needs to be considered as an add-on or an enhancement.

Very truly yours,

  
ANTONIO R. ROMASANTA

ARR/abs  
Enclosures

cc: Janice M. Hubbell, AICP  
Project Planner, City of Santa Barbara

Flood years since 1900 (Pg. 17 - Flood History  
Pg. 13 - Records)

1900  
 1907 Jan 11  
 1908 Jan 28  
 1911 Jan  
 1914 Jan 15 + 25  
 1915 March  
 1938 March  
 1941  
 1943 Jan.  
 1952 Jan 12-16 - several times (P. 21)  
 1955  
 1958  
 1962  
 1964 November (P. 22)  
 1967 Jan (P. 22)  
 1968 Jan 26 (P. 23)  
 1993  
 1998 Feb (P. 25)  
 1960 1 day (P. 23)  
 1963 1 day (Jan.) (P. 24)  
 1985 Jan 10-12 / March 10-12 - 6 days (P. 24)  
 1998 Feb 23 - 2 days - (P. 26)  
 1950-2000  
 20 years - 2300 days - 10 flood days = .0013698 (P. 28)  
 1990-2000 - 3650 days - 5 flood days = .0021917 (P. 36.5)  
 1970-2000 - 1925 days - 8 flood days = .0049835 (P. 18)

Exhibit A

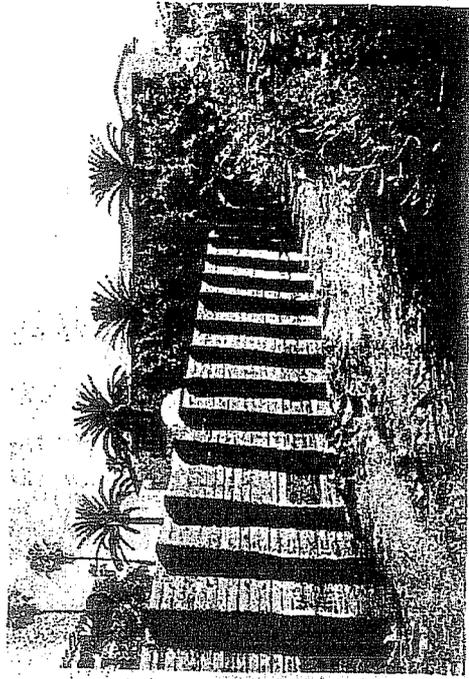
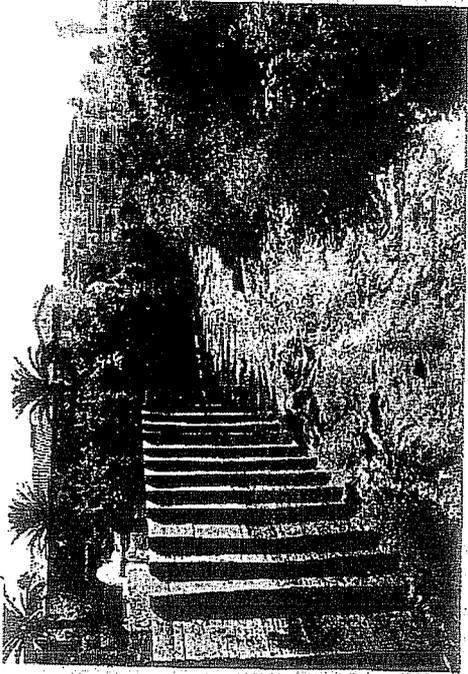
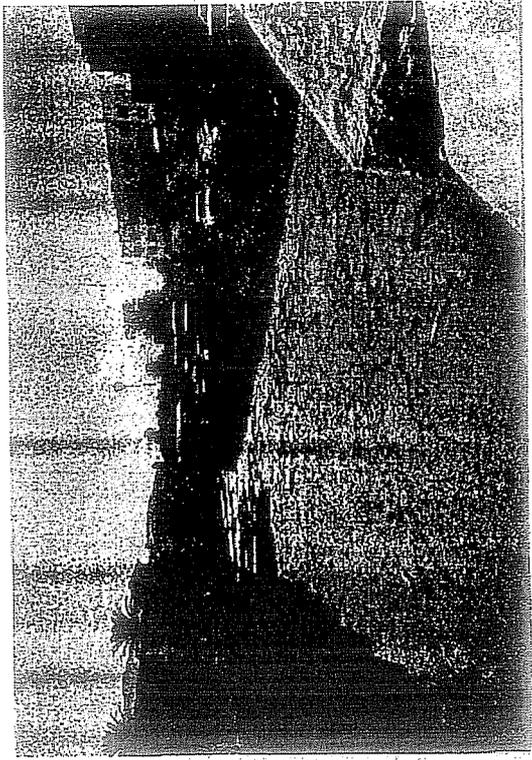


EXHIBIT B



SEWER LAGOON

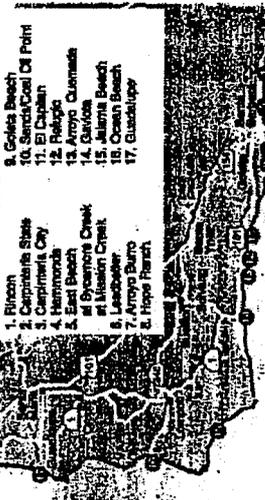
EXHIBIT C

**County beaches in 1981**  
**From west to east**

There are 17 beaches in Santa Barbara County, California. The following table lists the beaches from west to east. The number of miles of beach is given in parentheses. The number of miles of beach is given in parentheses.

East Beach at Mission Creek	151	14	83
Arroyo Quemado	147	7	24
Rincon	106	24	85
Marina	77	11	71
Carmona State	64	25	4
Arroyo Quemado	58	25	14
East Beach at Bismarck Creek	38	210	143
Marina	21	188	173
El Estero	7	233	28
El Estero	7	112	845
San Carlos	7	70	287
San Carlos Oil Point	7	84	280
El Estero	0	84	280

**Beach locations**



SOURCE: SANTA BARBARA COUNTY OFFICIALS

**EXHIBIT D**





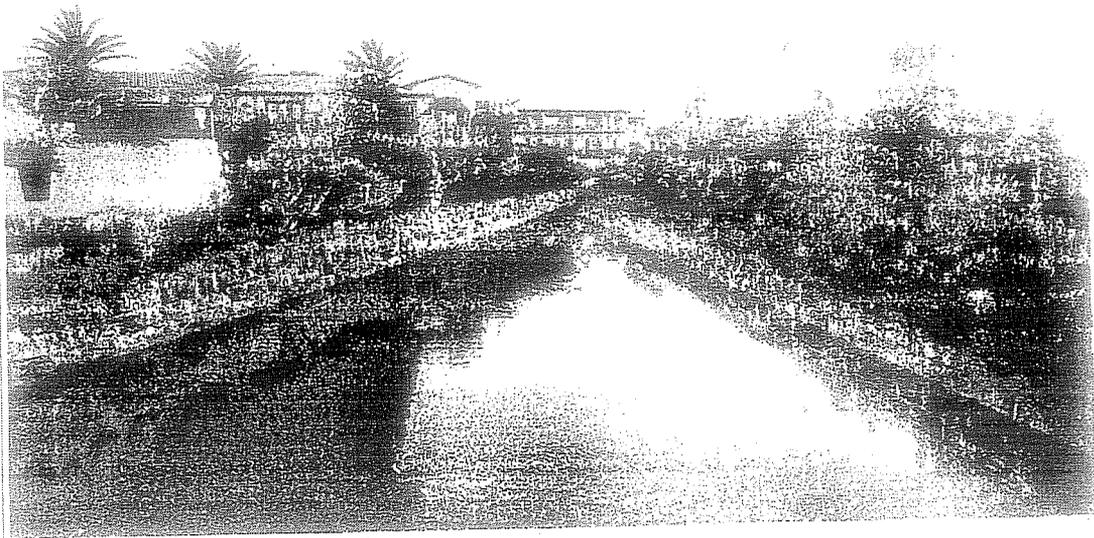


EXHIBIT F

Elihu M. Gevirtz  
1736 Grand Avenue  
Santa Barbara, CA 93103-1921  
(805) 896-7998

February 8, 2000

U.S. Army Corps of Engineers, Los Angeles District  
Planning Division, Water Resources Branch  
P.O. Box 532711  
Los Angeles, California 90053

RE: Lower Mission Creek Flood Control Draft Feasibility Study & EIS/EIR

Dear Sir or Madam:

I have reviewed the Draft Main Report and EIS/EIR, dated December 1999, and offer the following comments as a private citizen. As a resident of this community for nearly twenty years, I am somewhat aware of some of the valuable resources of this creek as well as its flooding potential.

I respectfully suggest that an additional component be added to the project or developed jointly while the present plan is finalized. This would be a 100-year plan for lands adjacent to the creek from the Botanic Garden downstream to the estuary at the beach. It could be done simply and quickly, with no delays of the principal project. The plan would include <sup>4-3</sup> these parts.

**Part I: Land Acquisition.** All parcels within 100 feet from the top of both banks would be mapped with parcel ownership, locations of structures and other pertinent data. (Most of this is probably done already or is very easily obtained.) As these properties come for sale on the market over the next 100 years, they would be purchased by a public entity. (Probably in most cases, the City of Santa Barbara.) This could be funded by a combination of sources including an annual amount on the order of \$300,000 from the City's Redevelopment Agency that could render \$30,000,000 over the life of the project, not including interest. This could be graduated up to \$500,000 per year, generating an additional \$25,000,000 or more.

These funds could be matched 1:1 or perhaps at a greater ratio by FEMA (the Federal Emergency Management Agency). I believe that FEMA is presently engaged in a similar project in an area of historic flooding, the lower Mississippi River. It makes sense financially because public funds are spent once, rather than several times in the process of rebuilding homes or repairing damage in the floodway. The Army Corps of Engineers also has funds for these types of projects and may be able to contribute. Together, these three sources alone could provide \$150 million or more over the life of the project. Private charitable foundations might be happy to add to the program.

This may seem like a lot, but in Santa Barbara's Mission Creek and Laguna Channel there was more than \$17 million of flood damage in 1995 alone (Table 3, page 35). The average annual risk is expected to be \$3,595,000 without the presently proposed project (Table 36). Multiplied by 100 years, flood damage would cost local citizens and local and federal governments \$365,500,000.

The primary flood protection benefits would be removing the structures that are presently most threatened by flooding. Presently, there are only 2.35 acres in the project study area (from Canon Perdido to the beach)

Responses to the comments from:

Elihu Gevirtz  
1736 Grand Avenue  
SB, CA 93103

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments vital to the success of this flood control project.

28-1

The economic requirements for Federal participation could not support the relocation of all the structures found within the floodplain as you are suggesting. This approach was considered during the Reconnaissance phase of this study. However, very little space is available in Santa Barbara to relocate the affected structures out of the floodplain.

Additionally, this study focused on the general recommendations of the Lower Mission Creek Consensus Group, which did not suggest relocation of the structures within the floodplain. Due to foreseeable lack of Sponsor support, this idea was not considered further. Also, see response to comment 12-3.

Comm 28-1

including 73 lots owned by 63 different people (page 33). A wildly crude estimate, indicates that the total number of affected properties from the Botanic Garden to the beach may be on the order of 300 parcels. I imagine the Economic Community Project would have much more accurate data readily available. Purchase of this many parcels from willing landowners could reasonably be done within a 100-year time frame. At today's prices, purchase of 300 parcels could cost \$90 million or more. Clearly, land costs will be significantly higher toward the end of the 100-year period. Even if this number triples, compared to the total costs of potential flood damage, this admittedly crude calculation, makes such an investment seem worthwhile.

Even if not all parcels are purchased (certainly, not all will be), removal of the structures on acquired property could eventually also be used to pay for restoration of the stream channel to vegetated earthen banks, and planting the remaining land with oaks, sycamores and cottonwoods in a pleasant park-like setting. Of course, it would have other benefits as well, particularly in the areas of improved water quality for humans and riparian habitat restoration for steelhead trout, red-legged frogs, southwestern pond turtles and other species. It could also provide numerous public recreation opportunities for passive parks with picnic tables and benches, nature trails and a bikeway from the ocean to the mountains. It would enhance the quality of life in existing neighborhoods, increase the attractiveness and vitality of the City's commercial core (like downtown San Luis Obispo for example), provide educational opportunities and enhance existing activities at the Botanic Garden and the Museum of Natural History.

Part II: Policy Revisions. The City's setback policy for structural development is 25 feet from the top of bank, if I understand it correctly. This is clearly inadequate to protect these homes from flooding even in 25-year events as shown in Exhibit 5. One of the problems with permitting structures this close to the creek is that it usually leads to hard bank protection (building a wall or other structure to protect the property) which diminishes the ecological value of the creek. It also increases the need for channel maintenance and other flood control activities that increase public expenditures. It therefore seems prudent for the City to adopt a minimum 50-foot buffer from the top of bank for all new development along the creek and to prohibit any structural additions or paving on properties in this zone.

Thank you for consideration of these comments. I offer my assistance toward development of this plan. I look forward to hearing from you.

Sincerely,



Elhan M. Gevitz

Cc: Congresswoman Lois Capps, Supervisor Naomi Schwartz, Mayor Miller, City Council and Planning Commission, Tom Fyfe, Dave Deane, Dor Olson, John Patton, Pedro Nava, Mark Capell, Jim Neuman, Bud Laurent, Westside Community Group, John Carr, Dianne Noda, David Pritchett

28-2 See responses to comments 12-3 and 12-4.

Responses to the comments from:

Lisa Torres  
719 Bath Street, #6  
SB, CA 93101

29-1 Comment acknowledged.

29-2 See response to comment 25-1.

29-3 The streambed would still support a controlled amount of vegetation growth. Intermittent removal of vegetation in a mosaic pattern would be performed to maintain the flood control purpose. Additionally, see response to comment 12-4

29-4 The widening of the creek necessary in order to carry larger stormwater flows results in property impacts to practically everyone along the creek, some greater than others. Alternative 12 finds a balance between increasing flood protection and restoring or preserving the riparian corridor. Throughout the plan formulation process, additional care was taken to minimize impacts to properties and structures. Whenever feasible, alternative designs were used to avoid removal of structures. However, in some cases, alternatives could not be found. During the final design of the plan, other design refinements would be considered to further minimize impacts to adjoining properties.

February 9, 2000

Jan Hubbell, Director  
Santa Barbara City Planning Office  
630 Garden Street  
Santa Barbara, CA 93101

Dear Ms. Hubbell:

I am writing to you about the proposed plans for the Lower Mission Creek Flood Control Project (Preliminary EIR). As a resident who lives next to the creek, I would like to voice my concerns regarding the proposed plan.

For six years I have resided at the Creeksview apartment complex at 719 Bath Street. My apartment faces the section of Mission Creek under review. My windows look out over the creek and I have happily watched the changing eco-system of the creek and the wildlife it supports. I have also witnessed the damage rising waters can do. The flood of 1995 was, of course, the most dramatic instance of this. It is reasonable and prudent for the City to address this recurring problem of flooding. But after reviewing the Army Corps' plans for flood control, and while the plans are still in the deliberation stage, I have objections to a specific component of the plan.

I am worried that widening the creek bed will alter the creek's feature in two significant ways. First, widening the creek requires the removal of adjacent property and thus of the surrounding trees. The trees (sycamores, fruit-bearing zapotes, and bottlebrushes) provide a canopy shading the banks and the creek bed bottom. Shade provides protection for the animal and plant life living along the creek. Frogs, ducks, egrets, and small birds all visit the creek as do larger animals such as raccoons and possums. Removing the trees will destroy their habitat.

Second, the rainy season produces short periods of intense rainfall, but much of the time only a modest stream flows down the creek. By widening the creek to the proposed width I fear that the creek will become a dusty, arid rock bed for ten to eleven months of the year. This will undoubtedly put more stress on the wildlife that uses the creek.

My understanding is that most of the widening will involve property from one side of the creek. Perhaps the City would consider: 1) removing ground from both sides of the creek; and, 2) sealing back the proposed width. These alterations would not greatly change the Flood Control plans and would lessen the damaging effects to Mission Creek. I ask that the City planners please take my concerns into consideration when making your final decisions.

Comm 29-1

Comm 29-2

Comm 29-3

Comm 29-4

February 9, 2000  
Page 2

Sincerely,

Lisa Torres  
719 Bath Street, #6

LT

**PRESERVATION PLANNING ASSOCIATES**

February 9, 2000

Ms. Janice M. Hubbell, Project Planner  
City of Santa Barbara Planning Division  
P.O. Box 1990  
Santa Barbara, CA 93102

**RECEIVED**

FEB 10 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

Dear Ms. Hubbell:

We wish to comment on the Draft EIS/EIR for the Lower Mission Creek Flood Control Project, dated 1999.

A number of historic buildings and structures have been identified along the proposed creek corridor, not all of the same level of significance. It is our opinion that the most significant resources along the stretch of Mission Creek under question are: the pony truss bridge at Chapala Street (1920), one of only four remaining of its type in California; the Mission Creek Diversion (1905) listed in the National Register of Historic Places as a contributing member of the Railroad Depot; and the residences along Chapala Street (116, 118, and 120) and at 20 W. Mason Street, which were identified as contributors to a potential NRHP Waterfront Neighborhood or Potter Hotel district.

We ask that the project use design methods, such as the box culvert and/or slight realignment of the creek, that insure that the above resources are retained in place. These suggestions are found in Section 18.4 Residual Impacts (p. 18-32). In this way there will be no significant unavoidable impacts to these historic resources. It is our opinion that HABS recordation of the bridge and Mission Creek diversion would not be sufficient mitigation for their removal or realignment.

The small concrete bridge near the pony truss bridge has been identified as the Potter Hotel footbridge. Judging from historic photographs of 1925, this footbridge was associated with the Seaside Hotel, built in the 1920s after the Potter Hotel burned, and not with the Potter Hotel. The entrance to the Potter from the railroad depot was further south.

Within this Mission Creek project the environmental and cultural resources interests sometimes appear mutually exclusive: do we have a park or keep a building? We ask that as the project progresses and decisions are made, the cultural resources and environmental benefits be kept in balance.

Sincerely,  
*David Shelton*  
*Alexandra C. Cole*

Responses to the comments from:

David Shelton and Alexandra Cole  
Preservation Planning Associates  
519 Fig Ave.  
SB, CA 93101

30-1

See response to comment 5-1. Additionally, at the request of the City and the County, several design refinements have been included into the recommended alternative. These modifications would result in the preservation of all of the historic structures that were initially impacted except for a short portion of the sandstone wall downstream of the Chapala Street Bridge. The Chapala Street Bridge and the Potter Hotel Footbridge would no longer be removed as a result of extending the culvert and aligning it alongside the sandstone wall and the Bridge.

Comm 30-1

Responses to the comments from:

Rita Gronhovi

RECEIVED

FEB 10 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

February 9, 2000

Ms. Jan Hubbell, Project Planner  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93101

Re: Lower Mission Creek Flood Control Preliminary EIR

Dear Ms. Hubbell:

I am writing to you as a resident of the Creekview Apartments at 719 Bath Street. I was living at that address during the 1995 flood and barely got my car out before the carport flooded. However, after that time, measures were taken by our property owners to shore up the bank with a natural stone wall which is functional and attractive. It would be unfortunate to negate the thought and expense that was undertaken to protect our living area.

It is gratifying to see that the proposed plan does not turn Lower Mission Creek into a concrete channel. The music of the frog chorus and other visits by wildlife would be greatly missed.

After looking at the map in the Feasibility Report, I do have some concerns regarding the widening of the creek at our location. It looks like an inordinate amount of land would be taken from the lower side of the creek where the buildings are closer and more vulnerable should flooding occur. Personally, the loss of property would deprive our complex of our community gathering area and would destroy trees that give shade and privacy to the units that face the creek.

I am hoping that an equitable solution can be found for all those affected by the proposed plan. Thank you for your consideration of these concerns.

Sincerely,

Rita Gronhovi

31-1

The widening and realigning of the creek would result in the removal of most of the existing creek banks. Except for the vertical wall located immediately upstream of the De la Guerra Street Bridge and the sandstone channel along the railroad tracks, all creek banks would be replaced with a more structurally adequate bank protection.

Comment acknowledged.

31-2

See responses to comments 25-1 and 29-4. Additionally, the canopy that would eventually be provided by the planting along the riprap sideslope, would restore the shading and privacy you now enjoy. See the shading study included in the Biological Resources Section of the EIS/EIR.

31-3

Comm 31-1

Comm 31-2

Comm 31-3

Responses to the comments from:

Jana Zimmer  
2640 Las Encinas Lane  
Santa Barbara, CA 93105

32-1  
The availability of the Report and the EIS/R was posted in the Federal Register and the State Clearing House for public review by 23 December 1999. The City also checked its mailing list for the Notice of Available required under CEQA. The notice was sent to your clients during the week of December 20-23, 1999. It was not returned to the City by the Post Office. In accordance with the applicable laws, the 45-day public review period was closed on 10 Fed 2000. Our aggressive project schedule to meet the next Water Resources Redevelopment Act (WRDA) of this year would not allow extension of the public review period.

32-2  
Comment acknowledged. See responses below.

32-3  
The City Municipal Code Section 28.87.038(b) allows for the replacement of nonconforming structures in cases where the loss is caused by a calamity or act of God, including flooding. While this property will be closer to the new creek bank, the property will be better protected from flooding, due to the greater capacity of the creek. Any possible changes to this section are not part of this project and speculative.

CITY OF SANTA BARBARA  
PLANNING DIVISION

email: jzimmer@rain.org

LAW OFFICES OF JANA ZIMMER  
2640 Las Encinas Lane  
Santa Barbara, CA. 93105

Phone: 805/563-1591 Fax: 805/687-4156

February 9, 2000

Ms Jan Hubbell  
City of Santa Barbara  
Community Development Department  
630 Garden Street  
Santa Barbara, CA. 93101

Colonel John Carroll  
U.S. Army Corps of Engineers  
Los Angeles District  
P.O. Box 532711  
Los Angeles, CA. 90053

BY FAX and MAIL By Fax and Mail

RE: Lower Mission Creek Flood Control EIS/EIR

Dear Ms. Hubbell and Col Carroll:

I represent Teddy Gasser and Carin Moyer, the owners of a nine unit apartment building at 719-723 Bath Street, along the stretch of Mission Creek between Ortega and De La Guerra Streets. The purpose of this letter is to provide comment on the draft EIR/EIS for the Mission Creek Flood Control project.

First, I have been asked to advise that my clients did not receive any notice of the availability of the EIR/S. The first notice they received was the notice of the Planning Commission/Army Corps joint meeting of January 19. Because they have had inadequate time to review the EIR/S, and to engage an engineering/hydrology consultant to provide site specific information, they hereby request an extension of the comment period for the purpose of having an appropriate expert provide analysis specifically applicable to the reach of the creek on which their property is located.

Based on their current understanding of the project, my clients generally support the concept of a natural creek restoration, but offer the following comments, and request that additional modifications be made to the design in the reach of the creek adjacent to their property to address

Comm 32-1

Comm 32-2

the issues raised below.

Based on estimates provided by Mr. Ed Demesa, of the ACOB, it appears that the adoption of Alternative 12 would result in taking all of the existing yard area of my clients' property to within ten (10) feet of the existing structure to accommodate creek widening to 63 feet, with a vertical wall-riprap slope. [3-27] The site specific impacts of this aspect of Alternative 12 have not been sufficiently analyzed, with respect to several important issue areas.

1. *Failure to analyze indirect and long term socio-economic impacts.* The document contains some information relating to the costs of direct acquisition of certain properties along the creek. The document does not address the indirect, long term impact of taking a portion of my clients' property, and re-defining or relocating the top of bank to render my clients' structure nonconforming as to creek setbacks. If my clients' property becomes non-conforming as to creek setbacks as a result of this action, it may be immediately devalued. More importantly, in the event of a future flood or other disaster which causes substantial damage to the structure, my clients may be prohibited from rebuilding. This would result in the direct loss of nine affordable rental units in the City on my clients' property alone. It would appear that the loss of these units, and other similarly situated units would be inconsistent with the goals and policies of the Housing Element to attempt to preserve the existing affordable housing stock in the city.

We note that the City staff has suggested changes to the project to embellish landscape, esthetics, cultural resources, and to save commercial structures. However, the project as designed poses a long term threat to the viability of my clients' nine unit apartment building, which has not been included in the inventory of property to be taken or damaged<sup>1</sup> by this action. There is no proposal to replace the housing units that will foreseeably be lost in the future, nor is there any analysis of other properties where the existing structures will be rendered nonconforming as to creek setbacks.

Moreover, the statement that the City will relocate the affected families or businesses [12.5] is unrealistic and inadequate, both as a matter of substantive compliance with Housing Element Policy 3.5, and in the real world. The relocation assistance provisions of state law are inadequate because the payments are insufficient to establish tenants in a new unit in the current housing market, and, except for the Coastal Zone, there is no requirement that replacement units be created. The mitigation measure does not address the loss of rental units at all. The statement that the City will "work" with the Housing Authority to relocate low income tenants is illusory. There are insufficient units for existing low income persons on the Housing Authority's waiting lists. In fact, my clients currently rent to one Section 8 tenant already.

Apart from providing much needed housing, the existing creek-side property provides an

<sup>1</sup>The City has stated its intention to condemn additional property in the lower Mission Creek area, and therefore needs to exercise extreme care in not engaging in improper pre-condemnation activities which reduce its value. *Kloppins v. City of Whittier*.

All structures that are proposed to be partially or entirely removed are included in the EIS/EIR. The additional buildings proposed by the City to be saved include the Chapala Street, 536 Bath Street, 308 west Ortega Street and 326 West De La Guerra Street. All of these buildings are residential units. Almost every parcel of that land is within the creek banks, some are not. All property owners will be compensated, at market value, for the land lost.

With or without this flood control project, residential units and other buildings and property could be lost due to flooding on Mission Creek. In either case, the tenants would have no control over this change. However, it should be noted that, with construction of the flood control project, the potential loss of property and units would be reduced compared to the existing condition.

32-4

The primary purposes of the Mason Street bridge design were two-fold: even with the partial take of the property at the north-easterly corner of Kimberly Avenue and Mason Streets, the simpler bridge design would be less expensive than the design recommended by the Corps. In addition, it allowed for bridge design that would be more consistent with the neighborhood and more aesthetically pleasing, consistent with bridge replacements proposed in the residential area north of the freeway. Access to the creek by area residents is not proposed to be changed. In addition, habitat expansion zones are proposed both up (just south of

<p>important urban respite for the tenants of the housing, as evidenced by letters sent by the tenants under separate cover. The City has requested an alternative design for the Mason Street bridge, because that is an area frequented by tourists, and wants to enhance a creek-side experience for tourists. It is important to consider the existing creek side experience of the neighborhood residents as well, and the document as drafted fails to do that. The EIS/EIR fails to acknowledge the environmental justice impact [12.3.1] which will occur if the City remains preoccupied with the enjoyment of tourists, while ignoring the impacts to quality of life of existing low and moderate income residents. We suggest that the existing private open space at the property provides an important local recreational resource, and that its elimination should be reconsidered, because, as the EIR/S acknowledges, at 14-7, there is such a small amount of neighborhood parkland and useable open space available to the residents.</p>	<p>Castillo Street) and down (at Bath and Ortega Streets) stream of this property. Both of these sites, especially at Bath and Ortega Streets, have the potential for inclusion of a recreational component. No such recreational or park space exists in the West Downtown area. These and other such zones will improve recreational opportunities in this low/moderate income area while improving healthy and safety by improving flood controls. These both contribute to environmental justice improvements.</p>
<p>Comm 32-4</p>	<p>32-5</p>
<p>Comm 32-5</p>	<p>32-6</p>
<p>Comm 32-6</p>	<p>32-7</p>
<p>Comm 32-7</p>	<p>See response to comment 34-6.</p> <p>As described in Sections 9 and 18 of the EIS/EIR, the project would be constructed in phases to minimize impacts to noise, air quality and traffic. Short-term noise impacts are unavoidable. They are also considered to be adverse, but not significant. The assessment in the EIS/EIR is deemed adequate</p>

<sup>2</sup>There appears to be an inconsistency in the conclusions with respect to 'short term noise'. At section 9.4 the statement is made that residual noise impacts are not significant, while at p. 22-1 short term noise is identified unavoidable.

for the purpose of this document. Neither the City nor the County consider short-term noise, air quality or traffic impacts significant, except in the case of certain very large manufacturing, energy or pipeline projects.

32-8 See response to comment 23-6.

32-9 See responses to comments 34-1 and 34-2.

32-10 This mitigation measure is unnecessary. See response to comment 32-3.

the decision makers have a duty to disclose that fact to the residents.

4. *Inadequate mitigation for bank failure.* The safety section of the EIR/S fails to evaluate, in particular with respect to reaches where there are ongoing erosion problems, whether the design will in fact ameliorate current conditions on a site specific basis, and fails to provide for mitigation should the design exacerbate existing problems. There should be a mitigation included which guarantees that the City will remediate and/or restore any areas which are further eroded after project completion, at its sole expense.

5. *Failure to consider the alternative of the removal of solid concrete vertical wall above the De La Guerra Street bridge, or of taking land to widen the channel from the opposite side of the creek.* It is our understanding that the currently existing eroded condition of the creek bank at my clients' property was caused and/or deteriorated because of the City's approval of a solid concrete wall above the De La Guerra street bridge. Furthermore, my clients have already lost a portion of the bank because of the County's failure to maintain and existing retaining wall. Now, the City proposes to take a portion of my clients' property to compensate for the damage already done by that wall, and to widen the creek to slow the flow of water at my clients' property.

The City should consider removing the source of the problem rather than taking another owner's property to compensate for the damage done by its inappropriate approval of the existing encroachment into the creek. At a minimum, additional site specific analysis of flows and velocity attributable to the existing concrete wall, and their impact on the current state of the bank adjacent to my clients' property needs to be performed to determine whether the design of a riprap side slope would in fact improve the current situation.

In addition, the City has not considered the alternative of taking some or all of the land necessary for creek widening from the opposite bank, where the structures are located much farther away from the creek, and possibly would not be rendered nonconforming as is the case for my clients' structure.

If, after analysis of all the alternatives, the City continues to support a plan which would take my clients' property in a manner or to an extent which renders the existing structure nonconforming as a result of the widening of the creek and/or relocation of the creek bank, under CEQA, the City must adopt feasible mitigation measures to lessen the impacts of the project. The EIR/EIS states at p. 4-12 that "it may be necessary to reconsider the purpose of the 25-foot setback from the creek as required by the City Zoning Ordinance, and suggests that the focus should be expanded to include habitat protection and buffer considerations. We suggest a mitigation measure, to make it clear that increased buffer areas shall apply to new development only, as follows:

"It is our understanding that neither the City nor the FCD have a current legal right to enter or alter the portion of my clients' property beyond the existing top of bank, and would have to acquire that right through negotiation or condemnation.

Comm 32-8

Comm 32-9

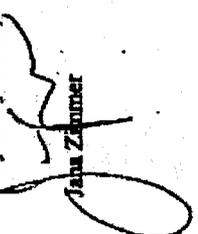
Comm 32-10

**"Where creek widening or removal of vertical walls results in a change in location of the top of bank of Mission Creek, notwithstanding any other provision of the City ordinance, the minimum setback from the creek for purposes of approval of additions, alterations to or reconstruction of existing buildings destroyed or damaged by natural disaster shall continue to be measured from the top of bank as existing on Jan. 1, 2000, and as depicted on Penfield and Smith Sheet 13 of the Mission Creek EIR/S. The City shall initiate any ordinance amendments necessary to assure that this mitigation measure shall be implemented."**

Thank you for your consideration of these comments.

Very Truly Yours,

Jana Zimmer



Responses to the comments from:

Kate Lundy  
PO Box 91628  
SB, CA 93190

Comment acknowledged.

33-1

See response to comment 16-1 and 12-3.

The Corps could also participate in a comprehensive watershed management study provided that a local sponsor would be interested and willing to cost-share this study. This type of approach would address the changes in the entire watershed and would not be limited to the lower Mission Creek, as this study, which is focused primarily to increase flood protection while maximizing the environmental benefits of the creek improvements for approximately the last mile of the creek.

33-2

The City is currently in the process of

undertaking a watershed wide comprehensive planning called "Creek Strategic Planning," which would try to address issues regarding all the water courses in the area. Public participation and educational program could be an important element of this planning effort. Your participation in this program is highly encouraged.

33-3

The entire creek bottom of the project reach except for the section between HWY 101 and the Chapala Street Bridge would remain natural and, in some places where hardened

33-4

RECEIVED  
FEB 11 2000  
CITY OF SANTA BARBARA  
PLANNING DIVISION  
Comments  
JULIE SIR...  
M. LUNDY  
PO # 91628  
SB, CA 93190  
(805) 941-2332

Thanks of all writing me to turn in immediate comments.  
Hoping you can read this one.  
Classicality & respect or medical # is. I am  
to 4-4-00 when I list their modifications  
I will have made a. wonderful effort  
to make a better project - its different  
learn to balance as many community interests  
I can. "MANTRA" be... educate (more) not  
I appreciate." We all can learn  
Thanks again & your efforts  
Sincerely,  
[Signature]  
RS: Once again - a [Signature] [Signature]  
my comments

(175)  
LUNDY KATE Mo.  
PO # 91628  
SB, CA 90190-1628

Comments: Draft Report & EIR/EIS  
Project: Mission Blvd I. Central Project  
10 Feb 2000

T. Lundy  
I applaud your efforts (to California Dept. of Ecology) to attempt to achieve an open process. I think you've done a great job. I think you've done a great job.

Floods can't/shouldn't be "controlled".  
The R. water is way of moving soil & debris  
Lands out. (I know of land along  
Lake Michigan in the Quad Cities)  
we need to think about flood  
mitigation & restoration health  
(endangered species)

NET CONTROL

It's difficult in an urban setting, but  
I think you think LONG TERM  
mitigation, the creek system  
will be less successful  
enhancing  
- in County & City should not allow  
"severe" expression in the National  
planning terms. As foothills, think  
- should have "consideration"  
- I get easements in a stream bed  
- think of creek mouth as part of stream  
- think of creek bed along creek - more

bottom exists, it will be restored to natural.  
In order to minimize impacts to adjoining properties, the use of steep bank protection is necessary. The cost of additional property acquisition especially along the lower reach or the creek would render the project economically infeasible and could prevent Federal participation. Alternatives 5 and 9, which included the use of wider and vegetated bank protection, were found to be economically infeasible.

The monitoring and maintenance of vegetation and planting is included in Sections 3 and 10 of the EIS/R. The mitigation monitoring standards and the expected survivorship of the vegetation is also described.

The expanded habitat zones or pocket parks would include some recreational features as part of the City embellishment that would also include interpretive signs.

The design of the habitat expansion zones would consider health and safety issues including garbage control.

The habitat expansion zones would be stepped and would allow inundation during higher flows.

The strip of land below the Funke property would be turned into a habitat expansion zone and would include some form of interpretive signs as part of the City embellishment. Most of the creek bank on the Funke property is

MOCK OUTFITTING  
(copy)

F. Allen

- have various educational spirit  
w/ kids & their families (in all  
school districts - mostly suburbs)  
- you'll see kids in (after a  
sense of "ownership")

TO: [unclear] (unclear)

FROM: [unclear] MONTECALANO

- There should be no concrete stream  
bedding
- (Bob) Open vertical walls - all  
bank work needs camouflage  
w/ native landscaping
- Mr. Montecarlo
- all meadows grasses & depending  
species removed - the forest  
is/should be (native) about 1/2  
leaf canopy
- (Native) Open meadow  
avoidable - (Native) used  
- Native to use water  
- all can. (Native)

- (Native) meadow areas, pocket spaces  
called by  
- (Native) (Native) natural look  
- (Native) vegetation  
- if lit, lighting designed not to look  
- (Native) (Native) - have a good  
- w/ (Native) (Native) - rare  
- (Native) (Native) (Native) (Native)

is either landscaped with non-natives or  
blanketed with giant reed (Arundo), an  
invasive non-native species. Due to the  
widening of the creek part of the parking lot  
would be removed.

See also responses to comment 1-4 and 38-4

33-6

Comm 33-3

Comm 33-4

(3) of 5/1/50  
Dust 200/215  
m/gh

Quicks

- WIND - Wider Creek  
 - at the banks of the Spoken national area  
 - it will catch the water down leader  
 - head down (the river is down this  
 - if the mill is allowing to flow  
 - high the creek critters need shade  
 - grass  
 - some effect that can be done with  
 - in the Frank (or) Franklin and Frank  
 - the 100 thru the area. There is a lot  
 - more on the spawning below the water  
 - Chapala side than the Spoken side  
 - enhance the Spoken side - water  
 - the pollution Spoken to the can  
 - have on the Spoken side Chapala  
 - at the Spoken side. You would to plant  
 - the under water grass to the Spoken  
 - at the Spoken side to make it at ground  
 - (the Spoken side building is down road  
 - area down as it will change the Spoken  
 - allow the Spoken side to be used  
 - that Spoken to make a spot for  
 - creek and water

- Do not start work on Spoken in water  
give final approved water area  
also study the effects of the  
at the Spoken side  
creek it does not make separate  
to do them separately  
MORE

(04/15) LUNNY  
MIGHT DRAFT ZIR/ES

### III - Summations

Think of the (whole) Quassa Lake Watershed  
as a single system. CONTROL MITIGATIONAL, not

- GET FACTORS TOGETHER - even over 1000's of acres - <sup>light</sup> - amount
- Use water's ability, capacity, & what it can do
- look at areas in creek, stream, river, etc.
- do not erode creek - strip banks
- where can banks be? - banks
- do not have any bottom; bank it
- use what is most important
- use guidelines, not water experts for
- maintain - make maintenance plan
- use guidelines when possible (optional)
- (Sally etc) be willing to be flexible
- remember, in making funds, establish part
- kind of resources, info, education
- (Sally)
- plan, water - help resources, buy w/i
- do a lot of natural areas, banks
- look at bank head
- education, in plan
- put in things that in bank & plan 4
- creek mouth - project - work it
- as well as other
- control water, water, sedimentation
- plan, not "RIVER CONVERSION"
- think of plan & water of energy
- plan - misc

(Says) Lunenburg  
MCK, EIR/ETS

### TL Summary:

- It's all the same & flexible. Those who educate still teach. The creek are NOT cheating. "MAURA" (you are the only who will hold experience from other side)

- we all want a vibrant economy. Available creek with much energy will be lead.

- Gooding is part of it. It's a knowledge job.

- Don't miss education. The Long & William Young Academy. We're going to get a school creek with a lot of investments. Digital Learning Fund. Part of it is "Pilot" and part is the "Can. Curriculum".

- We're to mitigate replacement of creek. We're to - 1. Support and program. 2. Support - regular, varied of plants.

Thank you, me. Sincerely,

Sincerely, Peter Hendry

MAILING: FO # 91058

SR 90190-1108

# # # (505) 929-9330

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FEB 10 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

Box 1303  
Summerland, CA 93067

February 10, 2000

BY HAND DELIVERY - 630 GARDEN ST.

Jan Hubbell  
Project Planner  
City of Santa Barbara  
Box 1990  
Santa Barbara, Ca 93101

Re: Comments on Lower Mission Creek Flood Control Preliminary EIR

Dear Ms. Hubbell:

We are the owners of the Creekview Apartments at 719-723 Bath Street, which is adjacent to Mission Creek below De La Guerra Street. We would like to comment on the Draft EIR proposed at the January 19<sup>th</sup> public meeting. This letter will augment some of the issues raised by our attorney, Jana Zimmer, under separate cover.

We support the concept of a natural creek restoration vs. channelization and we would certainly like the threat of flooding to be lessened. We experienced the 1995 flood in which water and silt overspilled the creek bank at this location and flooded to a depth of three feet in our garages and invaded 60 feet into our property. However we feel strongly that the current Alternative 12 plan puts our property in jeopardy rather than making it safer.

Following are issues and questions we would like to have addressed:

1. Both the retaining wall for the condominiums just above the De La Guerra Street bridge (which narrowed the creek and changed the curve of the bank) and the water from the trapezoidal Cal Trans channelization by the freeway have resulted in increased erosion downstream on our block. Since both these structures are being kept in place for Alternative 12, why can't we have a more straight sided wall to protect our property? Since there are many other areas, for example by the Ortega Street Bridge, that will be allowed high vertical "mock" sandstone walls, why not here?
2. We have the following additional concerns for the safety of our tenants, our building and our investment:
  3. Ten feet from the top of the creek bank is 22 feet closer to the edge for our tenants, most of whom lived in this building during the 1995 and 1998 floods. They endured the massive clean up and (unlike the frogs) survived the reconstruction of the upstream sandbag wall by County Flood Control. Since the general "overbank" flow during a flood is downhill, why are you moving the creek even further in that direction and closer to their residential living space?

Comm 34-1

Comm 34-2

Responses to the comments from:

Teddy Gasser and Carlin Moyer  
Creekview Apartments  
719 Bath Street  
Santa Barbara, CA

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek.

34-1

Generally, the toe wall and vegetated sideslope bank protection would be applied in areas where structures would not have to be removed. Otherwise, vertical wall would be applied. In a few cases because of the required creek widening, the structure would have to be removed whether the vertical wall or the sideslope bank is used.

The vertical wall upstream of the De la Guerra Street Bridge is deemed to be structurally sound and would be kept in place. The design of the bank protection has taken into consideration the flow regime across the De la Guerra Street Bridge. The streambed armoring would protect from the erosive forces of the stormflows and the larger rocks would act as energy dissipaters to slow down the flow across this reach. The design of the new bank protection has taken into account the expected changes in the

<p>February 9, 2000 Creskview Apartments - 719 Bath Street, Santa Barbara Lower Mission Creek Flood Control Preliminary EIR</p> <p>2</p> <p>4. When we have a 100 year event, there will be no buffer of land to slow the roiling waters from washing directly against our building and scouring and undercutting its foundations and walls. Can we have an assurance from the Army Corps and the City that if there is subsidence that affects our building that they assume responsibility for repairs?</p> <p>5. If we are forced to sell the City our land, will repairing or rebuilding within the 25 foot setback be permitted in the event of destruction by flooding, earthquake, fire or other natural disaster in the future? Will we be given building variances by the various agencies: City, County Flood Control, Fish and Game, and any others whom we might not currently know about who might have a say at that time in the future? We can sorely afford to walk away from this investment, but we will not be able to hold onto it if we lose any of the apartments, and are unable to rebuild.</p> <p>6. Our understanding is that the proposed plan takes most of the land necessary for widening the creek from only one side, removing all the land and vegetation up to within 10-15 feet of our building. We strongly suggest less widening on our side of the creek. The neighbors on our side of the creek concur with this.</p> <p>7. We were told that one reason for taking most of the land from only one side of the creek is that the City wishes to save the sycamore growing in the present creek embankment opposite our property. While the tree is attractive, it was heavily undermined during the 1995 and 1998 flooding, almost to the point of toppling across the creek onto our apartment balconies. It may not survive another flood, since it is growing directly in the creek bottom. How will you be able to build your footing around this tree? We have 2 mature sycamores growing within 20 feet of our building as well as a mature black acacia and 2 mature zapote trees, several of which will be endangered or lost if you take land to within 10-15 feet of our building. The loss of these trees would certainly affect the cool and shady habitat now being enjoyed by mallards, egrets, frogs and fish, as well as the occupants of the four apartments whose balconies overlook the creek.</p> <p>8. In consulting with a local civil engineer, we understand that it is usual for the Army Corps to do 25, 50 and 100 year studies of storm levels. For our section of Mission Creek, what is the freeboard and overbank for a 25, for a 50, for a 100 year storm with the current design?</p> <p>9. What is the impact with a different bank design such as: 1) a higher wall? or 2) a stepped bank but further from our buildings?</p> <p>10. For comparison purposes what is the overbank and freeboard for the current creek? Is a computer model available so we can view how these different degrees of flooding would affect the creek in our block?</p> <p>11. We would like to have a minimum of 25 feet in back of our building. Can the Army Corps work with us so that we can save more space in back? Can the alignment be tweaked so that there is some flexibility in the final design for our reach of the creek?</p>	<p>streambed, as well as the forces that they would be subject to. The depth of the wall footing would prevent its undermining and the sizes of the riprap, both on the banks and on the streambed, would be designed to withstand the expected energy of the stormflows.</p> <p>The widening of the creek, which is necessary in order to carry larger stormwater flows, results in impacts to practically everyone along the creek, some greater than others. Alternative 12 finds the balance between increasing flood protection and restoring the riparian corridor. Throughout the plan formulation process, additional care was taken to minimize impacts to properties and structures. Whenever feasible, alternative designs were used to avoid removal of structures. However, in some cases, alternatives could not be found.</p> <p>The bank protection would be structurally adequate to carry the design capacity and withstand the energy of storm water flows. The increased capacity of the creek would greatly diminish the more frequent flooding events in the future. Consequently, flooding events higher than the design 3400 cfs design capacity would be incrementally reduced.</p> <p>See response to comment 32-3.</p> <p>See response to Comment 34-2.</p> <p>The City's preferred creek alignment along this reach took into account the impacts to the skyline trees found in this area.</p>
<p>Comm 34-3</p> <p>Comm 34-4</p> <p>Comm 34-5</p> <p>Comm 34-6</p> <p>Comm 34-7</p> <p>Comm 34-8</p> <p>Comm 34-9</p> <p>Comm 34-10</p>	<p>34-2</p> <p>34-3</p> <p>34-4</p> <p>34-5</p> <p>34-6</p>

<p>February 9, 2000          Creeksview Apartments - 719 Bath Street, Santa Barbara          Lower Mission Creek Flood Control Preliminary EIR</p> <p>3</p> <p>12. When can we see the proposed cross section plans for the bank at our property: 1) at each property line, and 2) at the closest point to our building?</p> <p>13. Will special measures be taken to key in the upper elements of rip rap so that they do not scour out and roll into the creek during the faster flows of a 50 or 100 year flood event?</p> <p>14. At the January 19 hearing, Ed Demesa was asked by Commissioner Hauser what would happen in the event of water scouring and eroding behind the proposed concrete retaining wall. It is impossible to ascertain Mr. Demesa's answer as there is no sound on that portion of the video. Could an audio transcript of his answer be included in the record?</p> <p>As the owners of 719-723 Bath Street, we have always tried to maintain our property, and we wholeheartedly support Santa Barbara and the Army Corps for trying to improve this area and make it green and harmonious, a joy and inspiration for years and generations to come. We have always been willing to make certain sacrifices in order that our City and this creek project would be the best it could be, but now we are being asked to impend our property and our livelihood. Leave us some land, please!</p> <p style="text-align: center;">Sincerely,            Teddy Gasser and Carlin Moyer</p> <p>Attachment: Letter from Charles Kline, Registered Civil Engineer</p> <p>P.S. We have recently conferred with Mr. Kline, and asked him to analyze how Alternative 12 will affect our property. Because the extent of our potential land loss and resultant property endangerment was not disclosed to us prior to the January 19<sup>th</sup> City Planning Meeting (23 days after the comment period for the draft EIR began), we have not had adequate time to obtain expert assistance to address the issues of hydraulics and flood control.</p> <p>Furthermore, since we have not been able to obtain a profile of our cross section of the creek with accurate measurements, we cannot comment on it prior to Feb. 10<sup>th</sup>. In view of these facts we respectfully request an extension of time beyond Feb. 10<sup>th</sup> to further address the issue of hydrology as it will affect our reach of Mission Creek under Alternative 12.</p> <p>cc: Pat Kelley, City of Santa Barbara          Karl Treiburg, County Flood Control          Colonel John Carroll, Army Corps of Engineers          Ed Demesa, Army Corps of Engineers          Ms. Rose, County Supervisor, 2<sup>nd</sup> District          S. B. Rental Property Owners Association</p>	<p>These trees would be protected with appropriate size riprap to prevent undermining during large events. Discussions with the City arborist indicate that apparent undermining of the sycamore tree across the creek is not real. Sycamore trees have both visible surface roots and deep tap roots. The deep tap roots hold sycamore trees in place even when surface roots are disturbed. The vegetation and planting that would replace whatever is removed would eventually provide the shading that now exists.</p> <p>The channel has been designed to carry 3400 cfs of stormwater flows, which is equivalent to the discharge of approximately a 20-year event. The inundation maps found at the end of the Main Report illustrate the residual flooding from events larger than the project design.</p> <p>The other alternatives that were developed in this study investigated the use of vertical walls and the step walls. Both bank schemes would result in a narrower creek top width. However, the riparian corridor would be considerably less than that of the toe wall-riprap sideslope, and would be non-existent if the vertical wall is applied.</p> <p>See response to comment 34-7.</p> <p>See response to comment 34-6. During final design, refinements coordinated with the City and County to further minimize right-of-way impacts would be considered.</p>	<p>34-11</p> <p>34-12</p> <p>34-13</p> <p>34-14</p> <p>34-15</p> <p>34-16</p> <p>34-7</p> <p>34-8</p> <p>34-9</p> <p>34-10</p> <p>34-11</p>
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34-12	See response to comment 34-3.
34-13	The riprap would be the appropriate sizes as to prevent undermining.
34-14	Comment acknowledged. See response 34-10.
34-15	The report was officially opened for public review on December 23, 1999 and in accordance with the applicable laws, the 45-day review period was closed on 10 Fed 2000.
34-16	See response 34-11.

RECEIVE

FEB 10 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

CHARLES I. KLINE  
Registered Civil Engineer  
2875 Quail Valley Road  
Solvang, CA 93463

February 10, 2000

Jan Hubbell  
Project Planner  
City of Santa Barbara  
630 Garden Street  
Santa Barbara, CA 93101

Re: Lower Mission Creek Flood Control Preliminary EIS/EIR -

Dear Ms. Hubbell:

My clients are Teddy Gasser and Carlin Moyer, owners of a nine unit apartment building at 719 Bath Street, along the stretch of Mission Creek between Ortega and De La Guerra Streets.

Due to time constraints and the inconsistent data given in the ACDE design manual, this letter is limited to preliminary comments to be entered into the record by today's deadline.

While channel alignments for permanent facilities should, whenever possible, be centered in the natural channel, good design practices sometimes preclude this option. This, however, is not one of those cases. The design agency has chosen to shift the proposed channel alignment (between Sta 53+00 and Sta 56+37) northeasterly to encroach into the existing bank. This location is very punitive to those property owners in the middle of the block of Bath Street, between Ortega Street and De La Guerra Street. This encroachment is avoidable and should be revoked. If the 1.5:1 slope at the top is required for channel capacity, that could easily be accommodated by extending the wall higher or increasing the width slightly.

No comments were noted regarding the final destination of the topsoil covering this rip-rap, when it is carried away by the higher frequency storms. Does it end up on the channel invert or on the beach? Was this topsoil considered as a bed load or a bulking factor in the hydraulic calculations? In addition, when this scour occurs, whose responsibility will it be to replace this cover and how will these slopes be accessed? Future maintenance accessibility of these slopes should be of major concern at this time to the responsible agency as well as the impacted adjacent property owners.

The Technical Appendices make reference to placing large rocks occasionally on the invert to break up the high velocities, no mention was made of any actual invert stabilization even though some velocities exceed 10 fps.

Comm 35-1

Comm 35-2

Comm 35-3

Responses to the comments from:

Charles Kline, P.E.  
2875 Quail Valley Rd  
Solvang, CA 93463

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciate your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek.

35-1 See comments 34-1 and 35-4.

35-2 Since the topsoil would consist of fine material, it would be considered as wash load. This wash load would be carried to the ocean. It will be the local sponsor's responsibility to replace the cover and provide access.

35-3 For the final design, energy dissipation structures or deepening of the retaining walls and bridge structures will be considered at locations of high velocity and scour potential.

35-4 The existing capacity of the Bath Street Bridge is approximately 2000 to 2700 cfs. Since the bridge is fairly new, the local sponsor requested that we explore measures to keep the bridge. By removing downstream constrictions and improving the bridge approach and exit, the capacity of the bridge

Page 2  
Jan Hubbell - February 10, 2000  
Lower Mission Creek Flood Control Preliminary EIS/EIR  
719 Bath Street, Santa Barbara, CA

No engineering justification was evident in the T.A. July 1999 for reduction in channel width at Bath Street, nor the maintenance of this small capacity bridge (2000 cfs) within a 3400 cfs drainage system. (This has the appearance of a hydraulic gaffe). Under these conditions, the bridge is under pressure and also acts as a weir to distribute flood overflows onto adjacent streets and properties.

Finally, much of the data within the T.A. July 1999 is very difficult to understand and collate due to the inconsistency in stationing. There appears to be more than one basis of stationing, which severely handicaps one in following these reports.

Very truly yours,

*Charles J. Kline*

CHARLES I. KLINE

Comm 35-4

Comm 35-5

bridge could be increased to 3400 cfs (design flow). The bridge would be under pressure during the design flow. However, the flow would not escape outside the banks.

35-5 As shown in the Technical Appendices, river stationing and stations used in the H & H modeling are different.

February 10, 2000

Jan Hubbell  
Project Planner  
City of Santa Barbara  
P. O. Box 1990  
Santa Barbara, CA. 93101

Re: Lower Mission Creek Flood Control Preliminary EIR

Dear Ms. Hubbell:

Thank you for the opportunity to comment on the Army Corps of Engineer's proposed plan to control flooding on lower Mission Creek. I reside at the Creekview Apartments located at 719 Bath Street. My apartment unit is in the rear of the property facing Mission Creek. Currently, my apartment is 29 feet from the cobblestone wall that forms the eastern bank of the creek. I am concerned about the proposed alignment of the creek, which would place it less than 15 feet of my apartment building's footing and within 10 feet from the edge of my balcony.

First, I would like to make the point that the property between the creek and my apartment building is a treasured resource, enjoyed by all who live here, as well as family and friends. We maintain a community garden in the area and we enjoy many afternoons gathered around the barbecues and picnic tables. It really is quite a unique and valued piece of land that would be mostly lost if the flood control project proceeds as currently proposed.

I am concerned that the planned alignment, diagrammed as Alternative 12 in the report, will leave my building perilously close to the creek's edge. The current flood prevention measures are based on a 20-year event. If a 100-year flood occurs, which is likely to occur considering today's uncertain climate patterns, we will be left with a very small margin of safety between our building and the rushing waters. The 10 to 15 foot buffer zone that will remain under the current plan, is about half the city's standard setback of 25 feet. If your project is completed, the buildings on the other side of the creek will be set back about 2 to 3 times as far as we will be. This seems unfair. Couldn't there be a more equal partition, especially since they are on the inside bank of the creek, where much less erosion occurs?

If the embankment should fail on my side of the creek, which is where high velocity waters come out of the cement channel above Castillo Street, we will have no protection. Conceivably, the footing of our building could be undermined in a larger-than-20-year storm. Is it possible to redesign the channel away from our apartment building to afford us some more protection and save of our valuable backyard?

Comm 36-1

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FEB 10 2000

CITY OF SANTA BARBARA  
PLANNING DIVISION

Responses to the comments from:

Marty Landsfeld  
Marty@PlanEarthSci.com  
719 Bath Street  
SB, CA 93101

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek.

36-1 See responses to comments 34-1, 34-2, and 34-5.

<p>Comm 36-2</p>	<p>A review of the existing plan reveals that the new channel will not follow the existing meanders of the creek bed. Instead, the proposed design "cuts the corner" of a natural stream turn, taking valuable land from our side of the creek, destroying our neighbors garage and leaving the other side relatively untouched. There is a large sycamore tree directly across the creek from our building, which I realize is a valuable natural asset. However, I wonder if my building is being put in jeopardy for this tree?</p>	<p>36-2</p> <p>See response to comment 34-5.</p>
<p>Comm 36-3</p>	<p>If you look from the Canon Perdido Street bridge, you will see that the tree is leaning heavily in the direction of my apartment. If both my building and the tree can be saved, I would like to suggest that some reinforcement be provided for the tree so that it will not be eroded from its precarious position on the bank and fall onto my balcony. Is this possible?</p> <p>The proposal calls for a 63 foot wide channel, which includes a 10.5 foot wide sloped bank on either side of the channel leaving a 40 foot wide channel bed. The current channel bottom width is less than 30 feet in this stretch. The depth of the channel is now approximately 12 feet deep. The ACOE plan calls for the removal of 1 to 4 more feet from the creek bed. This means we could have a 13 to 16 foot deep channel at this point. If, for example, the average channel depth were 12 feet, then a width of 50 feet at the top with a 27 foot creek bed would produce the same cross-sectional area as the proposed design. I would like to propose that the channel be narrowed, possibly via the stepped wall alternative discussed on p. 4 of Appendix C, and routed more in line with its current course to provide a safer environment for the existing buildings. Additionally, this would reduce the amount of land needed to be acquired, and may reduce the overall cost of the project.</p>	<p>36-3</p> <p>During the next phase of the study, a more accurate map would be developed and used for the final design. During this time additional design refinements would be considered to further optimize flood conveyance and ecological benefits.</p> <p>See response to comment 8-12. Additionally, as part of the creek maintenance a meandering pilot channel that would provide the benefits you suggested would be scoured on the streambed following the creek maintenance activities.</p>
<p>Comm 36-4</p>	<p>A 40 foot wide channel leaves the stream flow highly exposed to solar radiation. The warmer water will create an inhospitable environment for fish and the potential for algae blooms which can grow into fecal coliform bacteria. A narrower creek with steeper banks would provide a greater opportunity to place riparian vegetation near the creek bed, providing essential shade for the creek, reducing thermal pollution and increasing the acceptability of the habitat for fish and other wildlife. In addition, a meandering creek provides a greater variety of microhabitats that promote higher diversity in the community of organisms from algae and invertebrates to amphibians and mammals. Meanders will also increase the variety of current speeds, deposition patterns and substrate depths reducing scouring which destroys habitat in high flow conditions.</p>	<p>36-4</p> <p>The State Street Bridge with a 3400 cfs capacity, was included as a project constraint based on the request from the City. The City has indicated that the economic impacts of the closure and activities to replace this bridge would create a long lasting economic hardship especially since it was recently replaced. The plans formulated were designed according to the capacity of the State Street Bridge and the Bath Street bridge, also with a capacity of 3400 cfs.</p>
<p>Comm 36-5</p>	<p>As is suggested by the title of this report, this is first and foremost a flood control project. Yet, the current design has an estimated 42% chance of flooding downtown neighborhoods every 10 years. It has about the same odds of overflowing in a 25-year flood (which came an average of every 5 years last century). I understand that the constraining factor for the project is the State St. bridge which can only convey 3210 cfs. The preliminary study concluded that this bridge could not be temporarily closed for replacement due to the negative impact on the local economy and the tourist industry. There are easy detours around that bridge, one block on either side of it. I can't imagine</p>	<p>36-5</p>

that these detours would have that much of an economic impact during replacement. Was this considered in the preliminary assessments?

What I would like to review is a listing of the conveyance capacities for all the bridges involved in this part of the creek. From looking at the data, it appears that the bridges are the major constraint on the prevention of flooding in the reach. Could I get a table listing the conveyance capacities of all the bridges in the study area?

I am concerned about this because the project is only rated to carry a 20-year event, 50% of the time! It seems that the current design is geared towards making the inter-bridge segments of the creek into small water catches that delay the flow while water surges through the narrow bridge gaps. As can be seen from Table 5 in Appendix A, the Muskingum "X" (or an approximation of channel storing capacity) is increased nearly fivefold after channel modification. The same design only improves the Muskingum "K" (or roughly, the velocity of the passing flood wave) value by 25%. In other words, this design improves water holding capacity but does very little to improve flow-through which is what matters most in large events. Am I correct in assuming that this low velocity of the passing flood wave is due to the bridge constrictions?

If so, wouldn't it be advisable to spend the money improving the bridge conveyance capacities rather than constructing small catch-basins between them?

Sincerely,  
  
Martin Landsfeld  
Creekview Apartments resident

Cc: Pat Kelley, City of Santa Barbara  
Karl Treiburg, County Flood Control  
Colonel John Carroll, Army Corps of Engineers  
Ed Demess, Army Corps of Engineers  
Wanda Michalenko, Urban Creeks Council

See Table 2, Sub-Appendix 1 of Appendix B, Hydraulics. Note that the table is for existing conditions and does not reflect improvements in downstream constrictions. When the constrictions downstream are removed, the conveyance capacity of the upstream bridges usually improves. Also note that the channel capacities shown are bank-full flows for existing conditions, and may not correspond to pressure flow conditions. The model results reflect a number of additional processes including pressure flow at most of the bridges at peak discharge, and the influence of upstream capacity limits on flows at downstream bridges.

36-6

The design is to improve the bridge conveyance capacities, not constructing small catch-basins between them (in-line detention basins).

February 10, 2000

Jan Hubbell  
Project Planner  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93101

Re: Lower Mission Creek Flood Control Project, comments for EIR/EIS

Dear Ms. Hubbell:

Thanks for hearing my concerns about the EIR/EIS proposed by the Corps and the City.

There are major concerns with the following:

Upstream at the beginning of the project below the Canon Perdido Street bridge, the flood stage waters appear to be moving with great volume and speed as they wash into the existing retaining wall (which you plan to leave in place) listed on Sheet 13. The wave action as it hits this wall ricochets across and glances off the bridge abutment which bounces back to the opposite bank below the bridge. This is where you plan to begin the Alternative 12 rip-rap walls.

At the beginning of the project which can be seen on Sheet 13, the property at 316-319 De La Guerra Street, which was developed in the 1980's, a segmented pre-fab cement wall was installed that changed the course of the creek. According to old time residents, the wall has taken land that was former creekbed and the flow was moved towards the Castillo Street side of the creekbank. If one stands on Castillo Street near the downstream side of the Canon Perdido/Castillo Street bridge and looks downstream towards the De La Guerra Street bridge, it appears that the developer has added land to his parcel and caused a change in the flow and wave action of the creek during peak water levels. The results are obvious. As one stands here by the cement wall and chain link fence, one can see at one's feet the white shale fill that has replaced the washout of soil and rock which was beginning to undermine Castillo Street during recent high water levels. The wave actions created in this area between these two bridges and beyond can only be seen during high water levels. Your plans to place a boulder field in this area may slow the current but will it not cause eddies that can undermine the proposed rip-rap wall on the downstream side of De La Guerra bridge, the slide towards Bath Street? What will happen if the boulders wash downstream and dam up the narrow bridge openings? Would not a smooth flow of water cause less damage?

Comm 37-1

Responses to the comments from:

J. D. Dale  
3 East De la Guerra Street  
Santa Barbara, CA 93101

37-1

The vertical wall upstream of the De la Guerra Street Bridge is deemed to be structurally sound and would be kept in place. The design of the bank protection has taken into consideration the flow regime across the De la Guerra Street Bridge. The streambed armoring would protect from the erosive forces of the stormflows and the larger rocks would act as energy dissipaters to slow down the flow across this reach. The design of the new bank protection has taken into account the expected changes in the streambed and as well as the forces that they would be subject to. The depth of the wall footing would prevent its undermining and the sizes of the riprap, both on the banks and on the streambed, would be designed to withstand the expected energy of the stormflows.

In the last storm of February 1998, The wave actions eroded deeply into the bank causing a building to be undermined and caused the collapse of the protective wall. It seems obvious to those of us who have watched these floods in action that a major washout will occur in this area if the rip-rap wall alternative is chosen for this side of the creek, until the wave action dissipates downstream.

Alternative 12 in this area will easily fail in a high water situation.

Sincerely,



J.D. Dale  
3 East De La Guerra St.  
Santa Barbara, CA 93101

cc: Pat Kelly, City of Santa Barbara  
Karl Treiburg, County Flood Control  
Ed Demesa, Army Corps of Engineers

**HOLLISTER & BRACE**  
A PROFESSIONAL CORPORATION

MAILING ADDRESS  
PO BOX 910  
SANTA BARBARA, CA 93102  
PHONE (805) 963-6711  
FAX (805) 963-0039  
E-MAIL hollis@hollis.com

ATTORNEYS AT LAW  
ESTABLISHED 1948  
1128 SANTA BARBARA STREET  
SANTA BARBARA, CALIFORNIA 93101  
(805) 963-8711

JOHN S. FOUCHER  
RICHARD G. MOYK  
GEORGE A. RUPPE III  
STEVEN SWANE HIRBY  
BARBORA F. GINGER  
JOHN B. BUREY  
NIGAN M. MCGILLUM  
ROBERT L. SPACE  
MANOUR B. BIRD  
PETER L. OMDY

CHARLES W. WILLY  
A PROFESSIONAL CORPORATION  
ALBERT W. WILLY

February 9, 2000

RETIRED  
WILLIAM A. SHARS  
J. JAMES HOLLISTER II  
File #5347.001

Mr. Ed. Demesa  
Study Manager, Plan Formulation Branch  
U.S. ARMY CORP OF ENGINEERS  
P.O. Box 532711  
Los Angeles, CA 90053-2325

Re: Lower Mission Creek Flood Control Feasibility Study  
Santa Barbara, California

Dear Mr. Demesa:

We represent Jacques Pirs., owner of an eight (8) acre parcel improved with a 210,000 square foot industrial building located at 1 North Calle Cesar Chavez, Santa Barbara, California. Our client's property is located in the Laguna Drainage Area which is directly impacted by flooding from lower Mission Creek. In fact, our client's building was flooded to a depth of 4 feet twice in 1995. According to the City's expert, Mr. James Stubbs, the majority of the 1995 flooding was attributable to overflows from Mission Creek into the Laguna Drainage Area.

The purpose of this letter is to offer comments on the Lower Mission Creek Flood Control Feasibility Study and the proposed flood control improvements to Mission Creek.

Jacques Pirs. appreciates all the effort that was made in preparing the Study and supports flood control improvements to Mission Creek wholeheartedly. However, Jacques Pirs. was very disappointed that the scope of this study failed to include alternatives providing greater flood control protection. The group of alternatives studied will only

Responses to the comments from:

Hollister and Brace, Attorneys at Law  
For Jacques Partners  
1126 Santa Barbara Street  
Santa Barbara, Ca 93101  
805-963-6711

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek.

38-1 Several study objectives as well as constraints were developed and identified early in the feasibility phase to help guide the formulation of alternative plans. Most notably, at the request of the City, three bridges (Cabrillo, State, and Bath) were identified as project constraints with minimal modification allowed. The conveyance capacity of State Street Bridge established (with minimal improvements) at 3400 cfs, essentially sets the maximum conveyance design that the study team considered in this feasibility study. It is important to note that 3400 cfs was established assuming the creek bottom remains natural (as opposed to concrete lined). Maintaining the creek bottom natural is an

Mr. Ed Demesa  
U.S. ARMY CORP OF ENGINEERS  
February 9, 2000  
Page 2

provide a fifteen (15) year and twenty (20) year level of protection. Yet, the flood histories set forth in the Feasibility Study at pages 17 through 27 shows that the City has experienced many floods since 1900 in the Mission Creek area. Many of these floods appear to have exceeded the twenty (20) year event level.

The Feasibility Study indicates that the preferred alternative would increase the capacity of Mission Creek to about a twenty (20) year level. This would only provide a twenty-seven percent (27%) benefit to the Laguna Drainage Area. Given the significant impacts the Mission Creek floods have on the Laguna Drainage Area, the 27% improvement in the Laguna Drainage Area from the proposed project is completely inadequate.

In view of the foregoing, Jacques Pirs. makes the following comments on the proposed Feasibility Study:

Comm 38-1

1. The Feasibility Study must consider an additional alternative of extending the existing capacity of Mission Creek as it presently exists immediately above the project area by using a concrete box culvert, either in an open or closed configuration, or both, or some other design with increased capacity. We are informed that the existing capacity of Mission Creek immediately above the project area is 7,000 cfs (100-year storm level of protection). An alternative that improves the channel to a level closer to the capacity (7,000 cfs) of the adjoining section of Mission Creek needs to be included.

The existing Study fails to adequately set forth the potential adverse environmental impacts on residences, retail and commercial buildings, transportation facilities, etc., from the failure to provide greater flood protection than the 20-year level proposed. The complete lack of a study of an alternative providing greater protection makes the Feasibility Study incomplete.

2. In lieu of the alternative suggested in the preceding paragraph, the Feasibility Study should evaluate constructing an alternative channel to carry excess flood waters generated by a greater than 20-year storm event. This alternative can take the form of buried storm drains that would carry excess flood waters from the upper end of the project area to the ocean.

Comm 38-2

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an effort to avoid potential impacts to endangered species in area as well as to meet local Sponsor's design criteria. It was also determined during review of alternatives by the Mission Creek consensus group, that the cost of land acquisition and construction for a 100-year flood control project would likely exceed the benefits substantially.

38-2

During the Reconnaissance phase of this study, a proposal to divert part of the stormwater flows upstream was eliminated from further consideration since it was found to cost more and the excavation required along the streets could result in significant cultural resource impacts. In addition, it would result in the creek mouth being 500 to 1000 feet closer to the harbor mouth, resulting in greater siltation impacts to the Harbor. Earlier attempts by the Corps to build a diversion structure were met with strong opposition, would have increased costs and, at the request of the City and County, the idea was abandoned.

38-3

Because of capacity constraints above the 7000 cfs channel, flood flows breakout and this trapezoidal channel section is never filled to capacity. This study shows that the 3400 cfs design would result in reduction of flooding from higher but infrequent events. The effects of flooding from higher flows are shown on the inundation maps found near the end of the

Comm 38-3

3. The Feasibility Study should address the impact of the existing capacity of the Mission Creek Flood Control Channel immediately above the project area on the proposed alternatives, particularly preferred Alternative 12. If the capacity of Mission Creek immediately above the project area is 7,000 cfs and the maximum capacity of Mission Creek in the project area under Alternative 12 is 3,400 cfs, what happens in the event of a storm event creating a cfs flow greater than 3,400? For example, if a storm event occurs that creates a flow of 5,000 cfs in the upper portion of Mission Creek, what happens to the 1,600 cfs excess over the carrying capacity of lower Mission Creek? Does it flood the neighborhoods all along lower Mission Creek? Does it go into the downtown retail area? Does it impact the Laguna Drainage Area and to what extent? And if these impacts exist, what mitigation measures can be adopted to prevent these impacts? The Feasibility Study fails to address all of these issues and is therefore incomplete.

Comm 38-4

4. The Feasibility Study covers a project area that ends at the upper side of the Cabrillo Street bridge. The Study did not include the Cabrillo Street bridge nor the area below the bridge where Mission Creek discharges into the ocean. It would seem that in order for the projected carrying capacity of the lower Mission Creek study area to be realized, the Cabrillo Street bridge and the area below the bridge would need to have at all times the capacity of at least 3,400 cfs.

The Feasibility Study should address the impact of the Cabrillo Street bridge and the discharge area on the proposed project. It should identify what needs to be done in terms of design, construction and maintenance with the Cabrillo Street bridge and the discharge area in order for the projected flood control capacity of the improvements to be realized. It should identify the maintenance and operation of Mission Creek below the project area that is required in order to avoid adverse impacts on the proposed project. Without this information, the study is incomplete.

main report. The map shows the reduction in flooding for the 50, 100, and 500-year floods.

38-4

As stated earlier, the Bridge with the lowest conveyance capacity identified as constraint is the State Street Bridge. Cabrillo Boulevard Bridge would convey approximately 3700 cfs; hence changes to this bridge are not warranted unless the more constricted State Street Bridge is modified or replaced. The presence of the Endangered Species in the lagoon limits the activities affecting this area. Based on information gathered from the Santa Barbara Waterfront Department and observation by the County Flood Control Staff, the sand plug is not seasonal, and is active year-round. The sand plug usually gets washed out during flows greater than typical low flows from Mission Creek. This was evident during the February 1998 flood event where the sand plug was washed away and did not have any impact on conveyance near the mouth of the creek. Instead, constrictions at the Railroad area forced the storm water to overflow and eventually flood the downstream areas.

Mr. Ed Demesa  
U.S. ARMY CORP OF ENGINEERS  
February 9, 2000  
Page 4

It is respectfully requested that a supplement to the proposed Feasibility Study be issued addressing each of the foregoing issues. Only when each of these have been adequately evaluated and reported can the decision makers have the information required under the environmental laws to make an informed decision.

Very truly yours,

HOLLISTER & BRACE,  
A Professional Corporation

By:   
\_\_\_\_\_

John S. Poucher

JSP/rmp

cc: Jacques Pitre,  
Pat Kelly  
City of Santa Barbara

Francisco Zambelli  
Property Owner 715 Bath Street  
Santa Barbara, CA 93101

City of Santa Barbara  
Pat Kelly, Diane Gabriel, Jen Hubbell  
630 Garden Street  
Santa Barbara, CA 93101

RE: Lower Mission Creek Plan

Dear Mr. Demesa,

I would like to present my concerns in regards to the plan for lower Mission Creek proposed by the Army Corp. of Engineers and the City of Santa Barbara. My concerns include the following topics of Flooding, Erosion, Expropriation and Privacy

**Flooding:** Why are you building a bank lower than the DeLaGuerra bridge street level? Properties along DeLaGuerra and Ortega are much lower than the rest of the nearby neighbors, and this section should be built with a high bank to prevent flooding. Every winter we are in fear of being flooded, and with such a low bank the probability of flooding seems high. I am also wondering why you are rebuilding the other bridges and not DeLaGuerra bridge? I have noticed over the years that this bridge seems to low for the water to adequately flow underneath it.

**Erosion:** Between DeLaGuerra bridge and Ortega bridge the force of the stream is very powerful. This needs to be taken into consideration, and a very solid, high bank built to withstand years and years of erosion. You have proposed to take land away from my property putting me right next to the creek, so it will be especially important to me to have a high bank to take the pounding of the stream.

**Expropriation:** You are proposing to take my retaining wall and four garages. (built 70 years ago without problems) How are you going to replace this well built retaining wall and four garages? Why not just keep the same width of the creek and save money? Why are you taking land from Bath St. property owners and not from Castillo St. property owners who have no buildings on their side to lose? Why also, are you not removing the vertical retaining wall before the DeLaGuerra bridge? If you are saving it, why not save the rest of the verticals, the stone cement bags, and my wall all the way to Ortega bridge to protect the land and property?

**Privacy:** I am not in favor of having a right of way for people in back of my property by the edge of the creek. We don't need and more vegetation in this section (between DeLaGuerra and Ortega) and I highly value my privacy. Besides why not save the tax payers some money?

I have owned my property for many years and am very familiar with all of the issues with the creek. Please take my questions and concerns into consideration. Thank you for your time.

Sincerely,

Francisco Zambelli

*Francisco Zambelli - 2/19/2000*

Responses to the comments from:

Francisco Zambelli  
715 Bath Street  
Santa Barbara, CA 93101

The Corps of Engineers, the Santa Barbara County Flood Control District, and the City of Santa Barbara appreciates your comments vital to the success of this flood control project.

The proposed project as designed has been formulated with the cooperation of the County and the City and represents a balance to provide the residents of this area a higher level of flood protection and improve the riparian community along the creek.

39-1

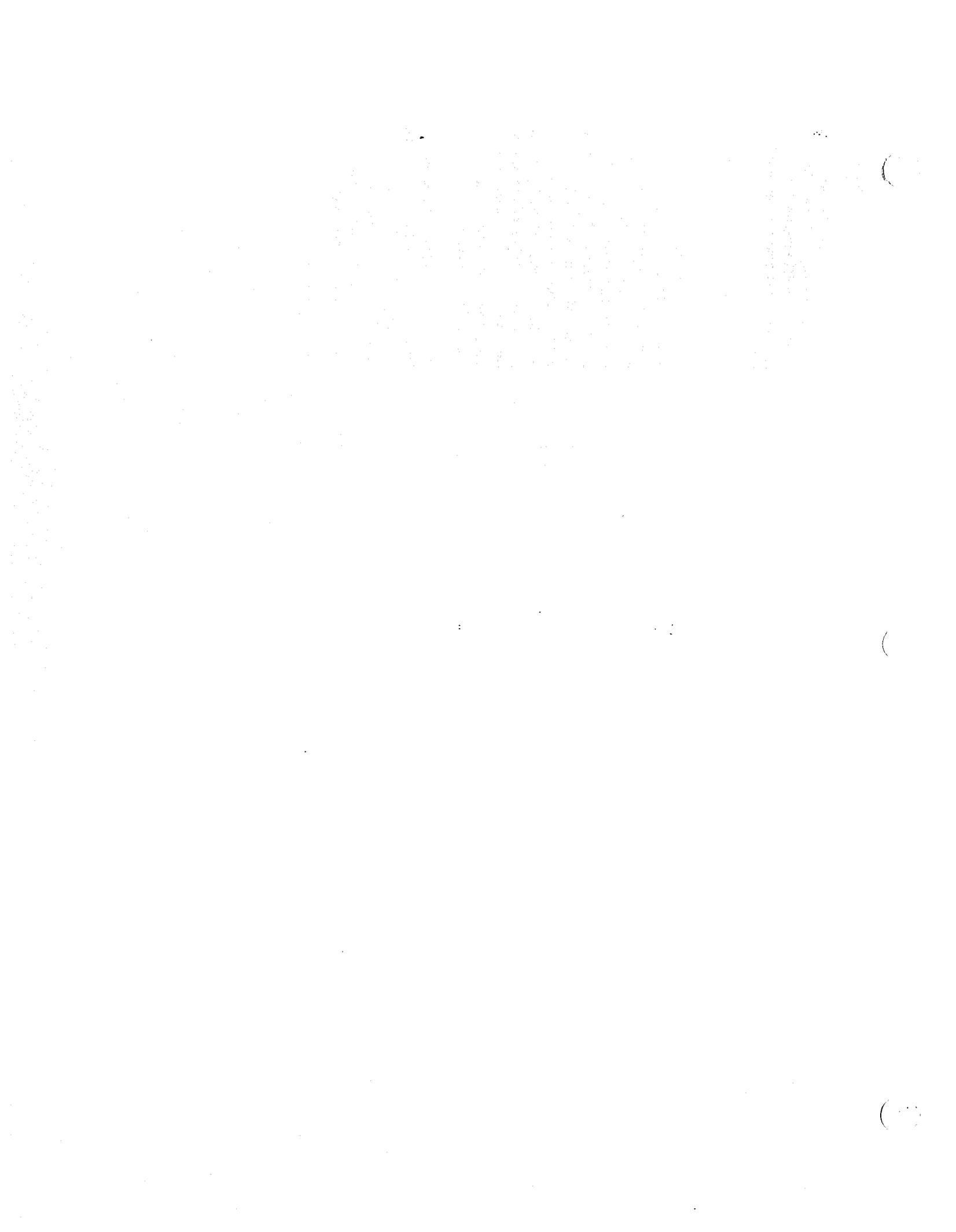
Flooding. The cross sectional area of the creek required to convey the maximum design flow (3400 cfs, as established considering the project constraints) requires widening the creek while generally using the existing grade as the new top of bank. Depending on the type of bank scheme used, the new creek topwidth would range from 60-70 feet. Across the subject property, banks will be protected using the combination toe wall and vegetated riprap slope, which would require a 63-foot top width.

Together with the creek improvements both upstream and downstream, the existing De la Guerra Street Bridge with minor modifications will be able to convey the 3400-cfs design capacity.

39-2

Erosion. The design of the bank protection structure has taken into consideration the forces that it will have to withstand. The depth of the footing is designed so that potential changes in the creekbed will not

<p>undermine the integrity of the structure. Also, the gradation of the riprap has been sized to withstand the energy of the stormwater flows as well as prevent erosion behind the toe walls. Because the capacity of the creek will be greater than it is now, damage to your property is expected to be reduced.</p>	
<p>39-3 Expropriation. The widening of the creek necessary in order to carry larger stormwater flows results in property impacts to practically everyone along the creek, some greater than others. Alternative 12 finds the balance between increasing flood protection and restoring the riparian corridor. Throughout the plan formulation process, additional care was taken to minimize impacts to properties and structures. Whenever feasible, alternative designs were used to avoid removal of structures. However, in some cases, alternatives could not be found. Also, see response to comment 37-1.</p>	
<p>39-4 Privacy. County Flood Control has indicated that access to the creek will not change from the existing conditions in this area. Discussion of providing pedestrian access in the area between State and Yanonali Streets is still ongoing.</p>	



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**APPENDIX - L**

**MAILING LIST**  
**FINAL EIS/EIR**  
**LOWER MISSION CREEK FLOOD CONTROL**  
**PROJECT**  
**SANTA BARBARA, CALIFORNIA**

**PREPARED BY**

**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**

**SEPTEMBER 2000**

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THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

5300 S. DICKINSON DRIVE

CHICAGO, ILLINOIS 60637

TEL: (773) 835-3100

FAX: (773) 835-3100

WWW.PHYSICS.UCHICAGO.EDU

PHYSICS 435

LECTURE 1

INTRODUCTION

1.1 THE SCIENTIFIC METHOD

1.2 MEASUREMENT AND UNCERTAINTY

1.3 VECTORS

1.4 KINEMATICS

1.5 DYNAMICS

1.6 ENERGY

1.7 MOMENTUM

1.8 ROTATION

1.9 OSCILLATIONS

1.10 WAVES

1.11 SPECIAL RELATIVITY

1.12 QUANTUM MECHANICS

1.13 CONCLUSION

**APPENDIX L - MAILING LIST  
FINAL EIS/EIR  
LOWER MISSION CREEK FLOOD CONTROL PROJECT**

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Distribution of the Final Environmental Impact Statement/Environmental Impact Report .

**APPOINTED AND ELECTED OFFICIALS:**

**CONGRESSIONAL DELEGATION AND STATE GOVERNOR**

Honorable Barbara Boxer, U.S. Senator

**Washington, D.C.:**

SH-112 Hart Senate Office Building  
Washington D.C., 20510-0505

Los Angeles, CA.:

312 N. Spring Street, Suite 1748  
Los Angeles, CA 90012

Honorable Dianne Feinstein, U.S. Senator

**Washington, D.C.:**

SH-113 Hart Senate Office Building  
Washington, DC 20510-0504

Los Angeles, CA.:

1111 Santa Monica Boulevard, Suite 915  
Los Angeles, CA 90025

Honorable Lois Capps, U.S. Representative

**Washington, D.C.:**

1118 Longworth House Office Building  
Washington D.C. 20515

Phone: (202) 225-3601

Fax: (202) 225-5632

**Santa Barbara:**

1428 Chapala Street

Santa Barbara 93101

Phone: (805) 730-1710

Fax: (805) 730-9153

Honorable Gray Davis, Governor of California  
Sacramento, CA.:

State Capitol Building  
Sacramento, CA 95814

Honorable Gray Davis, Governor of California  
Los Angeles, CA.:

300 South Spring Street, Suite 16701  
Los Angeles, CA 90013

**SANTA BARBARA COUNTY BOARD OF SUPERVISORS (Copy of the EIS/EIR will be mailed to all County Board of Supervisors at address provided below):**

**Santa Barbara County Board of Supervisors  
14<sup>th</sup> Floor  
105 E. Anapamu Street  
Santa Barbara, CA 93101**

Honorable Naomi Schwartz, Chair  
Honorable Joni Gray  
Honorable Gail Marshall  
Honorable Susan Rose  
Honorable Tom Urbanski

**SANTA BARBARA CITY COUNCIL (A copy of the EIS/EIR will be provided to all City Council Members at address provided below):**

**Santa Barbara City Council Members  
P.O. Box 1990  
Santa Barbara, CA 93102**

Harriet Miller, Mayor  
Councilmember Mary Blum  
Councilmember Harold P. "Rusty" Fairly  
Councilmember Gilbert Garcia  
Councilmember Gregg A. Hart  
Councilmember Tom Roberts  
Councilmember Dan B. Secord, M. D.

**PLANNING COMMISSION (A copy of the EIS/EIR will be provided to all Planning Commission Members at address provided below:**

**Planning Commission Member  
P.O. Box 1990  
Santa Barbara, CA 93102**

Harwood A. White, Jr., Chair  
Brian Barnwell  
Peter Ehlen  
Grant House  
Barbara Chen Lowenthal  
Bill Mahan  
Maurie McGuire

**FEDERAL**

Advisory Council on Historic Preservation  
12136 W. Baywood Ave. Suite 330  
Lakewood, CO 80228

Department of Commerce  
Federal Bldg. Box 36135  
450 Golden Gate Ave.  
San Francisco, CA 94102

**U.S. Army Corps Of Engineers:**

U.S. Army Corps of Engineers,  
South Pacific Division  
Attn: Environmental Resources Branch.  
333 Market St. Suite 700  
San Francisco, CA 94105-2195

U.S. Army Corps of Engineers,  
Regulatory Branch, Ventura Office  
2151 Alessandro Dr. Suite 255  
Ventura, CA 93001

**EPA**

Environmental Protection Agency (5 copies)  
Office of Federal Activities  
(22524) Attn: Pearl Young  
401 M Street, SW  
Washington, DC 20460

Region IX, Office of Federal Activities (5 copies)  
Attn: David Farrel, Chief  
Federal Activities Office  
75 Hawthorne Street  
San Francisco, CA 94105-3901

Regional Environmental Office, Pacific Southwest Region (18 copies)  
Attn: Patricia Sanderson Port,  
Regional Environmental Officer  
Office of Environmental Policy and Compliance  
600 Harrison Street, Suite 515  
San Francisco, CA 94107-1376

U.S. Bureau of Indian Affairs  
Director  
Southern California Agency  
Bureau of Indian Affairs  
2038 Iowa Ave Ste  
Riverside, CA 92507-2471

U.S. Fish and Wildlife Service (2 copies)  
Ventura Office  
Attn: Lisa Roberts  
2493 Portola Rd., Suite B  
Ventura, CA 93003

National Marine Fisheries Service  
Attn: Rodney McInnis  
501 W. Ocean Blvd., Suite 4200  
Long Beach, CA 90802-4213

Santa Rosa Office  
Attn: Jonathon Mann  
777 Sonoma Avenue, Room 325  
Santa Rosa, CA 95404-6515

Office of Ocean & Coastal Resource Management  
Pacific Regional Manager  
1825 Connecticut Ave.  
Washington, DC 20235

U.S. Council of Environmental Quality  
Chairperson  
722 Jackson Place., N.W.  
Washington, D.C. 20006

Federal Highway Administration, Office of Planning/Program Development  
980 9<sup>TH</sup> Street, Suite 400  
Sacramento, CA 95814-2724

Federal Railroad Administration  
California Division Office  
400 7<sup>TH</sup> Street SW  
Washington, DC 20590-0001

Federal Emergency Management Agency  
Disaster Assistance Programs  
Federal Emergency Mgmt. Admin.  
Building 105, Presidio  
San Francisco, CA 94129

U.S. Department of Transportation  
United State Coast Guard  
Attn: R.G. Brunke  
Commander, U.S. Coast Guard  
Chief, Aids to Navigation and Waterways Management Branch  
Coast Guard Island  
Alameda, CA 94501-5100

**STATE**

Governor's Office of Planning and Research  
STATE CLEARINGHOUSE (SCH# 1998101061)  
1400 Tenth Street  
Sacramento, CA 95812

Air Resources Board  
Project Review Section  
2020 L Street  
Sacramento, CA 95814-4219

California Resources Agency  
Director  
1416 9<sup>TH</sup> Street  
Sacramento, CA 95814-5511

California Coastal Conservancy  
Attn: Mr. Reed Holderman  
Ms. Karyn Gear  
1330 Broadway #1100  
Oakland, CA 94612

California Coastal Commission  
Attn: Jim Raives  
45 Fremont Street, Suite  
San Francisco, CA 94105-2219

California Water Quality Control Board  
Department of Boating and Waterways  
1629 S. Street  
Sacramento, CA 95814

Department of Fish and Game  
Attn: Maurice Cardenas  
410 Descanso Avenue  
Ojai, CA 93023

Department of Health Services, Public Water Supply Branch  
Director  
714 P Street #1253  
Sacramento, CA 95814-6401  
Department of Housing & Community Development  
1800 Third Street  
Sacramento, CA 94252-2050

Department of Parks and Recreation  
Attn:: Henry Agonia  
P.O. Box 942896  
Sacramento, CA 94296

Department of Transportation  
ATTN: Jose Medina, Director  
1120 N Street #1100  
Sacramento, CA 95814-5605

Office of Historic Preservation  
P.O. Box 942896  
Sacramento, CA 942896-0001

Public Utilities Commission  
350 McAllister Street  
San Francisco, CA 94103

**COUNTY OF SANTA BARBARA/REGIONAL AGENCIES**

County Administrative Officer  
Public Works Director, County Engineer  
Michael Brown  
105 E. Anapamu Street, 4<sup>th</sup> Floor  
Santa Barbara, CA 93101

Public Works Director  
Phil Demery  
123 E. Anapamu Street  
Santa Barbara, CA 93101

**CITY OF SANTA BARBARA**

City Administrator  
P.O. Box 1990  
Santa Barbara, CA 93102

Community Development Director  
P.O. Box 1990  
Santa Barbara, CA 93102

Fire Department  
P.O. Box 1990  
Santa Barbara, CA 93102

Police Department  
P.O. Box 1990  
Santa Barbara, CA 93102

Public Works Director  
David H. Johnson  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

City Engineer  
Pat Kelly  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

**UTILITIES AND TRANSPORTATION**

Union Pacific Railroad  
Attn: Ron McCoy  
1416 Dodge Street  
Omaha, NE 68179-0002

Santa Barbara Metropolitan Transit District  
550 E. Cota Street  
Santa Barbara, CA 93103

**Note: List of the agencies and individuals who provided comments on the Draft EIS/EIR.  
Copies of the Final EIS/EIR will be available at the public library**

Architectural Board of Review  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

Historic Landmarks Commission  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

Parks and Recreation Commission  
City of Santa Barbara  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

City of Santa Barbara Parks and Recreation Department  
Park Division  
Attn: Richard C. Johns, Parks and Recreation Director  
P.O. Box 1990  
Santa Barbara, CA 93102-1990

Mission Creek Consensus Group  
*(copies provided to all members of the Mission Creek Consensus Group by Santa Barbara County):*

#### **INTERESTED GROUPS AND INDIVIDUALS**

Audubon Society  
Attn: Elan Sutton  
11 San Marcos Trout Club  
Santa Barbara, CA 93105

California Historical Society  
Santa Barbara County Historical Society  
136 E. De la Guerra Street  
Santa Barbara, CA 93102

Santa Barbara Trust for Historic Preservation  
123 E. Canon Perdido Street  
Santa Barbara, CA 93101

Santa Barbara Chamber of Commerce  
12 E. Carrillo Street  
Santa Barbara, CA 93101

Sierra Club  
Attn: Mark Holmgren  
C/O Biological Sciences Dept  
University of California, Santa Barbara  
Santa Barbara, CA 93106

Urban Creek Council  
Attn: Brian Trautwine  
Analysis for Environmental Center  
P.O. Box 1083  
Carpinteria, CA 93014

Santa Barbara Bicycle Coalition  
Attn: Robert Bernstein  
448 Mills Way # B  
Goleta, CA 93117

Jerome and Gabrielle Boucher  
116 Chapala Street  
Santa Barbara, CA 93101

Dennis Hoey  
1311 De la Guerra Road  
Santa Barbara, CA 93103

Rita Gronhovd  
719 Bath Street  
Santa Barbara, CA 93101

Eduardo and Marite Gonzalez  
824 Cacique St.  
Santa Barbara, CA 93103

Justin M. Ruhge, President  
Concerned Taxpayers Inc.  
P.O. Box 8216  
Goleta, CA 93118

Edward Cella, President  
De La Guerra Homeowner Association  
314 C. West De la Guerra  
Santa Barbara, CA 93101

Darlene Chirman, President  
Santa Barbara Audubon Society, Inc.  
A Chapter of the National Audubon Society  
5679 Hollister Avenue, Suite 5B,  
Goleta, CA 93117

Richard A Stromme  
Railroad Advocates  
P.O. Box 162  
Santa Ynez, California 93460

Citizens Planning Association of Santa Barbara County, Inc.  
Attn: Louise Boucher, President  
916 Anacapa Street  
Santa Barbara, California 93102-1990

Santa Barbara Urban Creek Council  
Attn: Eddie Harris  
P.O. Box 1083  
Carpinteria, CA 93104

Small Wilderness Area Preserves, Inc.  
Santa Barbara Chapter  
Attn: Maria Gordon  
Correspondence Secretary  
P.O. Box 91160  
Santa Barbara, CA 93190-1160

Environmental Defense Center  
Attn: Brian Trautwein  
Environmental Analyst  
906 Garden Street  
Santa Barbara, CA 93101

Lisa Ann Kelly & Family  
1724 Olive Avenue  
Santa Barbara, CA 93101-1021

David Dates  
(Address unavailable)

Eva Inbar  
240 Arboleda Rd.  
Santa Barbara, CA 93110  
Gail Pierce O'Brien  
P.O. Box 626  
Santa Barbara, CA 93102

Peter Gerlach  
719 Bath Street #9  
Santa Barbara, CA 93101

Harbor View Inn  
Attn: Antonio R. Romasanta  
28 West Cabrillo Blvd.  
Santa Barbara, CA 93101

Elihu M. Gevirtz  
1736 Grand Avenue  
Santa Barbara, CA 93103-1921

Lisa Torres  
719 Bath Street, # 6  
Santa Barbara, CA 93101

Preservation Planning Associates  
Attn: David Shelton & Alexandra C. Cole  
519 Fig Avenue  
Santa Barbara, California 93101

Law Offices of Jana Zimmer  
Attn: Jana Zimmer  
2640 Las Encinas Lane  
Santa Barbara, CA 93105

Kate Lundy  
P.O. Box 91628  
Santa Barbara CA 93190-1628

Teddy Gasser and Carlin Moyer  
P.O. Box 1303  
Summerland, CA 93067

Charles I. Kline  
Registered Civil Engineer  
2875 Quail Valley Road  
Solvang, CA 93463

Martin Landsfeld  
Creekview Apartments Resident  
719 Bath Street  
Santa Barbara, CA 93101

J. D. Dale  
3 East De La Guerra Street  
Santa Barbara, CA 93101

John Poucher, Attorney-at-Law  
Hollister & Brace  
A Professional Corporation  
1126 Santa Barbara Street  
Santa Barbara, California 93101

Francisco Zambelli  
Property Owner  
715 Bath Street  
Santa Barbara, CA 93101

Judith Young  
41 Mountain Drive  
Santa Barbara, CA 93103

Brian Trautwein  
Environmental Analyst, Environmental Defense Center  
905 Garden Street  
Santa Barbara, CA 93117

Donn Longstreet  
Santa Barbara Urban Creeks Council  
Santa Barbara Westside Community Group  
613 Coronel Place  
Santa Barbara, CA 93101

Robert Livernois  
533 Brinkerhoff Avenue  
Santa Barbara, CA 93101

Tony Romasanta  
800 Garden Street  
Santa Barbara, CA 93101

**LIBRARIES:**

**Santa Barbara Central Library**  
40 East Anapamu Street  
Santa Barbara, 93101  
**Phone:** 805-962-7653

**Hours:** Monday - Thursday-10:00 am to 9:00 pm  
Friday and Saturday - 10:00 am to 5:30 pm.  
Sunday - 1:00 pm to 5 pm.

**Santa Barbara Public Library  
Eastside Branch**  
1102 East Montecito Street  
Santa Barbara, 93103

**Santa Barbara Public Library  
Goleta Branch**  
500 North Fairview Avenue  
Santa Barbara, California 93117

**Santa Barbara Public Library  
Carpinteria Branch**  
5141 Carpinteria Avenue  
Santa Barbara, California 93101