

**SANTA BARBARA
COUNTY AGENDA
BOARD LETTER**

Clerk of the Board of Supervisors
Room 407 105 E. Anapamu Street
Santa Barbara, CA 93101
(805) 568-2240



Agenda Number:
Department: Public Works/Flood Control
Budget Unit: 054-04-03
Agenda Date: 06/22/04
Placement: Departmental
Estimated Time: 45 Minutes
Continued Item:
Document Name: BRDJUN22.AMP.DOC

TO: Board of Directors
Santa Barbara County Flood Control & Water Conservation District

FROM: Phillip M. Demery, Public Works Director

STAFF CONTACT: Thomas Fayram, Deputy Public Works Director, ext. 3436
Larry Fausett, Ph.D., Operations and Maintenance Manager, ext. 3437

SUBJECT: **ANNUAL MAINTENANCE PLAN, FISCAL YEAR 2004/05
ALL SUPERVISORIAL DISTRICTS**

RECOMMENDATIONS: C.A. Recommendation: _____

That the Board of Directors:

- A. Approve the individual CEQA exempt projects and direct the Clerk of the Board to file the attached CEQA Notice of Exemption for each of the projects described in Section 1 of the Fiscal Year 2004/05 Annual Maintenance Plan (POST);
- B. Certify that the addenda to Program EIR (01-EIR-01) contained within Section 2 of the Fiscal Year 2004/05 Annual Maintenance Plan have been completed in compliance with the California Environmental Quality Act (CEQA);
- C. Certify that the Board has reviewed and considered the information contained in the Final Program EIR and individual addenda contained within the Fiscal Year 2004/05 Annual Maintenance Plan as well as information presented during the public hearing prior to the approval of the individual projects presented in Section 2 of the Fiscal Year 2004/05 Annual Plan;
- D. Adopt CEQA Findings and Statement of Overriding Considerations included in Section 4 of the Fiscal Year 2004/05 Annual Maintenance Plan;
- E. Adopt the Mitigation and Monitoring Programs attached to the addenda for individual projects described in Section 2 of the Fiscal Year 2004/05 Annual Maintenance Plan; and
- F. Approve individual projects described in Section 2 of the Fiscal Year 2004/05 Annual Plan.

ALIGNMENT WITH BOARD STRATEGIC PLAN:

The recommendations are primarily aligned with Goal No. 2. Ensure the Public Health and Safety and Provide Essential Infrastructure.

EXECUTIVE SUMMARY & DISCUSSION:

In December 2001, the Board of Directors adopted a revised Routine Creek Maintenance Program which included: a) Maintenance Practices and Mitigation Measures; b) associated Flood Control Policy Statements; and c) an annual planning and project approval process (identified on Attachment No.1).

Generation of the annual maintenance plans provides multiple benefits. The plan serves as a basis for demonstrating need, analyzing alternatives, proposing mitigation and selecting the most effective and least environmentally damaging District maintenance practices. The plan also allows the District to prioritize maintenance efforts and expenditures early on, which not only helps in preparation of budgets but also helps in the management of individual projects.

The annual planning process as adopted by the Board requires that the District assess the maintenance needs, prepare preliminary project descriptions with appropriate engineering analysis, and conduct public workshops to hear public/agency input and concerns about the proposed Annual Plan.

The District provided notice of workshops in the "Santa Maria Times", "Lompoc Record", and the "Santa Barbara News-Press" for the workshops on June 2, 2004 in Santa Barbara and June 3, 2004 in Santa Maria.

A summary of the proposed Annual Plan projects was available at the workshops and copies had been mailed to individuals in the community who had previously expressed an interest. One person attended the South County workshop to talk about planned maintenance on one creek and no one attended the North County workshop.

This is the third year that the Annual Plan is being prepared using the Updated Program EIR that was adopted in December of 2001.

There are several projects described in this year's Annual Plan that will be undertaken by agencies or groups other than the Flood Control District. The District has agreed to use the vehicle of its Updated Program EIR and Annual Planning process to assist these groups in complying with CEQA and acquiring necessary permits. The impacts and mitigation measures in the District's EIR are applicable to these projects and use of this EIR is much more efficient and cost effective that would be the case if each entity had to do its own EIR for these small projects. These projects include: Sections 1,2,3, and 4 in the Cuyama River, Section 1 in Adobe Creek, and Section 14 in Orcutt/Solomon Creek.

- **Project Approval**

Pursuant to the annual planning process outline (Attachment No. 1), the next step requires a public hearing regarding projects included in the Annual Plan. The Annual Maintenance Plan summary listing (Attachment No. 2) consists of CEQA exempt projects (EXEMPT), projects defined within the scope of impacts identified by the Program EIR requiring addenda (PEIR) for FY 2004/05 and projects beyond the scope of the Program EIR requiring further environmental documentation to address impacts (ND or EIR).

The CEQA exempt projects are described in Section 1 of the Annual Plan and are based on CEQA Section 15301 (b) "Maintenance of existing facilities" or Section 15061 (b)(3) "No significant effect on the environment". Projects that are exempt fall into one of the following five categories:

- * Removal of rubbish or other unnatural material from riparian corridors or estuaries, but only where there is no impact to any significant resource at the site, down-stream, or adjacent to the site.
- * Maintenance activities in existing non-perennial, fully concrete-lined stream channels, but only where there is no impact to any significant down-stream or adjacent resource.
- * Clearing, repair, and replacement of such flood control devices as check structures, drop structures, levees, chute structures, culverts, weirs, or stream flow measuring stations, but only where there is no impact to any significant resource at the site, down-stream or along access routes.
- * Maintenance activities on access ways outside of estuaries and riparian corridors, but only where there is no impact to any significant resource.
- * Maintenance activities on earthen channels, which have been developed to convey urban storm water, agriculture storm water, or agriculture tail water and have little or no vegetation in them.

The described fiscal year 2004/05 exempt projects have been exempted in prior years with Planning and Development Department concurrence.

Projects within the scope of the Program EIR are described in Section 2 of the Annual Plan. Each of the 23 projects is presented as an addendum to the Program EIR, utilizing appropriate maintenance practices described and analyzed in the Program EIR. Each of these Program EIR projects has a mitigation and monitoring program attached to the addendum to ensure that impacts are mitigated to the fullest extent feasible.

Projects beyond the scope of the Program EIR require additional environmental documentation. Individual hearings will be utilized to consider these projects. Projects within this category are identified within the Annual Plan for reference and disclosure purposes only and are listed in Section 3.

Once the Board has approved projects described in Sections 1 and 2 of the Annual Maintenance Plan, applications can be made to the State Department of Fish and Game, U.S. Army Corps of Engineers, California Coastal Commission, and other regulatory agencies for environmental permits or approvals. Applicable permits will be obtained from local, state and federal regulatory agencies prior to project implementation.

MANDATES & SERVICE LEVELS:

Mandates have been discussed in previous Board letters regarding the Revised Creek Maintenance Program. The District's authority under State Law allows the District to undertake these projects for the public's benefit. Several projects constructed in cooperation with the Federal Governments have

mandated levels of maintenance associated with them. The District's projects are subject to compliance with environmental laws and regulations.

FACILITIES AND FISCAL IMPACTS:

Attachment No. 3 summarizes the annual maintenance costs based on current needs within each of the flood zones and compares the costs to the proposed operations budget for FY 2004/05. The costs for this annual maintenance plan are in the 2004/05 Proposed Budget under the Maintenance cost center of the Water Resources Division of the Public Works Department as shown in the budget book page D-326 . If there is heavy rainfall, emergency work will be required and these costs will be much higher as was the case with the District's expenditures in the 1995 and 1998 floods. This will result in a reprioritization and will undoubtedly defer additional maintenance projects to future years or result in a release of emergency reserves.

There are maintenance needs that cannot be addressed with current funding sources. In this fiscal year, there are significant differences between available funds and needed funds in the Bradley, and Los Alamos flood zones.

In the Bradley zone funding is habitually below the costs associated with the work needs in that area. Those channels that are most in need of work will be addressed as funds allow. Maintenance of these facilities is not a mandated activity.

After the start of the new fiscal year the District will immediately work on the highest priority projects in the Los Alamos Zone. Lower priority needs will be deferred until future years.

It is estimated that it will cost \$1,648,016 to implement the FY 2004/05 annual plan in which environmental costs would comprise 13.7% of the total South Coast costs and 12.4% of the total North County costs. Mitigation costs are remaining nearly constant in the South County but increased in the North County Zones this year because of the discovery of California Red Legged Frogs in several facilities that had previously been exempt. These facilities are now treated as an addendum, which increases the environmental process cost, and they will require mitigation whereas there was no such requirement when they were exempt. This cost does not include projects outside the scope of the Annual Plan such as work in the Carpinteria Salt Marsh.

Generation of the FY 2004/05 Annual Plan has saved the District an estimated \$207,000 in environmental documentation costs. However, the greatest benefit derived from the Annual Plan is measured by the District's ability to streamline the state and federal environmental permit process, which in turn allows the District to provide needed maintenance prior to the next storm season.

SPECIAL INSTRUCTIONS:

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