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Filed:	4/8/10
180th Day:	10/5/10
Staff:	J Johnson
Staff Report:	6/23/10
Hearing Date:	7/8/2010

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-10-020

APPLICANT: City of Santa Barbara Airport Department

PROJECT LOCATION: Santa Barbara Airport, 500 Fowler Road, Santa Barbara.

PROJECT DESCRIPTION: Implementation of the Goleta Slough Tidal Restoration Program including excavation of a tidal basin within an existing non-tidal basin, restoration/enhancement of 9.3 acres of wetland habitat, installation of culvert connections to tidal channels, and 27,088 cu. yds. of grading for the purpose of wetland habitat restoration (24,885 cu. yds. of cut, 2,203 cu. yds. of fill, and 12,682 cu. yds. export) in the Goleta Slough south of the Airport's main west-east runway.

LOCAL APPROVALS RECEIVED: City of Santa Barbara Recommendation for a Coastal Development Permit located within the Commission's original jurisdiction and the Goleta Slough Reserve (G-S-R).

SUMMARY OF STAFF RECOMMENDATION

The proposed development consists of implementation of the Basins E & F Tidal Restoration Project (Restoration), a 9.3 acre wetland habitat restoration project in the Goleta Slough. The purpose of the project is to restore tidal flow to a portion of the Goleta Slough where such tidal flows have been historically present but which have been reduced over time due to sedimentation. Restoration of tidal flow to the subject area will substantially increase the biological productivity of the wetlands on site. The proposed project would provide 9.3 acres of wetland restoration which is 2.25 acres more that the 7.05 acres of wetland restoration area in the Goleta Slough required by the Commission to complete the final portion of required mitigation for impacts associated with the Airfield Safety Projects (ASP) which were previously approved by the Commission in 2003 pursuant to Coastal Development Permit Appeal (CDPA) A-4-SBC-03-077 and which allowed for the expansion of particular airport facilities. Approximately 30.03 acres of the 37.08 acres of habitat that were required to be restored pursuant to CDPA A-4-SBC-03-077 have already been restored to date for the Airfield Safety Projects. In addition, the Commission certified LCP Amendment No. 1-02 in 2002 which approved the Airfield Safety Projects with a policy requirement C-11 for specific mitigation requirements for the Airfield Safety Projects. This mitigation required a 4:1 mitigation replacement ratio for impacts to seasonal wetlands. The Commission required a total of 37 acres of wetland mitigation replacement for the

Airfield Safety Projects in 2003 pursuant to Coastal Permit 4-03-082. The proposed project is the final component of the required restoration program related to the Airfield Safety Projects (ASP) coastal permit and would provide a total of 9.3 acres of restoration which is 2.25 more acres of restoration than the 7.05 acres needed to complete the ASP Coastal Development Permit mitigation requirements. Approximately 30.03 acres of the required 37.08 acres of habitat have already been restored to date for the ASP. The proposed project would also provide several ecological benefits to the Goleta Slough that are consistent with the Draft Goleta Slough Ecosystem Management Plan and the Wetland Restoration Plan to improve storm water management from the airfield, and contribute to a reduction of bird strike hazards for aviation.

The proposed project is located in Basins E and F, which are the same basins the applicant conducted the Tidal Circulation Experiment (Coastal Permit 4-03-109 and CDP Amendment 4-03-109-A1) to confirm the potential for successful tidal restoration. The experiment assessed ability to successfully establish tidal wetlands in the existing basins without adversely affecting bird strike conditions at the Santa Barbara Airport. After three years of monitoring, the applicant's consultants, URS Corporation, in 2009 confirmed the success of the Tidal Circulation Experiment through monitoring bird activity, establishing the tidal wetland vegetation and macroinvertebrate monitoring. The proposed project is designed in a manner consistent with these test results by establishing tidal and wetland conditions over a larger area to successfully complete the wetland mitigation requirements for the Airfield Safety Projects.

Staff is recommending approval of the proposed Tidal Restoration Project which would be accomplished by excavating two existing non- tidal basins into a single reconfigured tidal basin within the identified "Basins E & F" with eight (8) special conditions to ensure that wetland restoration to Goleta Slough is implemented in a way that conforms to prior mitigation requirements for impacts to seasonal wetlands previously approved for the Airfield Safety Projects. Special Conditions begin on page 4 of this staff report.

SUBSTANTIVE FILE DOCUMENTS: City of Santa Barbara Local Coastal Program; City of Santa Barbara Airport & Goleta Slough Coastal Plan, Component 9; City of Santa Barbara Planning Commission Resolution No. 001-10, March 4, 2010; City of Santa Barbara Planning Commission Staff Report, 3/4/10; Notice of Final Action, Wetland Restoration Plan for Airfield Safety Projects, 7/03, City of Santa Barbara Airport Department, Aviation Facilities Plan, Chapters 5 & 7, 3/03; California Coastal Commission, Staff Report & Findings, California Coastal Commission, Findings on Consistency Determination CC-058-01, 6/10/02 (reflecting Commission Action of 4/9/02); City of Santa Barbara LCP Amendment No. SBC-MAJ-1-02, Airfield Safety Projects, 11/21/02 (approved on 12/10/02); California Coastal Commission, Staff Report & Findings, Appeal No. A-4-SBC-03-077, 8/25/03 (NSI found on 9/10/03), California Coastal Commission, Staff Report & Findings, CDP No. 4-03-109, 4/15/04; Water Quality Management Plan for Airfield Safety Projects, 7/03; Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California, by URS dated August 2009; Tidal Restoration Demonstration Project, Year 3 Annual Monitoring Report, URS Corporation, 3/2009; Santa Barbara Airport Basin E/F Tidal Restoration Project, Goleta Slough, Project Description and

Stormwater Pollution Prevention Plan (SWPPP), and Biological Assessment, URS Corporation, 8/2009.

I. STAFF RECOMMENDATION

MOTION: ***I move that the Commission approve Coastal Development Permit No. 4-10-020 pursuant to the staff recommendation.***

Staff Recommendation of Approval:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution to Approve the Permit:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Removal of Excess Grading Material.

Prior to issuance of the Coastal Development Permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material and debris. Should the disposal site be located in the Coastal Zone, a Coastal Development Permit shall be required.

2. Other Required Agency Permits

Prior to issuance of Coastal Development Permit the applicant shall submit, for the review and approval of the Executive Director, evidence of appropriate final required approvals from the Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWCQB), and California Department of Fish and Game.

3. Final Mitigated Negative Declaration Mitigation Measures

All mitigation measures required in the Final Mitigated Negative Declaration for the Basin E/F Tidal Restoration Project are hereby incorporated by reference as special conditions of the subject permit unless specifically modified by any additional special conditions set forth herein.

4. Compliance with City of Santa Barbara Conditions of Approval

All conditions of approval contained in City of Santa Barbara Planning Commission Resolution No. 001-10 (Exhibit 12) applicable to the proposed project are hereby incorporated as special conditions of the subject permit unless specifically modified by any additional special conditions set forth herein.

5. Water Quality Management Plan

In accordance with all requirements of LCP (Airport and Goleta Slough) policies C-12 and C-13, the City shall comply with all provisions of the Water Quality Management Plan (WQMP) for the Airfield Safety Projects dated July 2003 during all construction phases of the Basins E & F Tidal Restoration Project. Any wetland restoration activity, such as the removal of non-native vegetation, shall use non-chemical strategies where

feasible. Where chemical strategies are determined to be necessary, they should be employed in a manner that minimizes or eliminates impacts to water quality and aquatic organisms. **Prior to issuance of the Coastal Development Permit**, the City shall submit evidence of the review and approval of the WQMP for the Basins E & F Tidal Restoration Project by the Regional Water Quality Control Board (RWQCB). Any substantial changes to the WQMP required by the RWQCB shall require an amendment to the Coastal Development Permit.

6. Construction Phase Erosion Control and Polluted Runoff Control Plans

In accordance with all requirements of LCP (Airport and Goleta Slough) policy C-14, the City shall comply with all provisions of the Construction Storm Water Pollution Prevention Plan (SWPPP) for the Airfield Safety Projects dated July 2003 during all construction phases of the Tidal Restoration Project. **Prior to issuance of the Coastal Development Permit**, the City shall submit evidence of the review and approval of the SWPPP for the Airfield Safety Projects Tidal Restoration Experiment by the Regional Water Quality Control Board (RWQCB). Any substantial changes to the SWPPP required by the RWQCB shall require an amendment to the Coastal Development Permit.

7. Biological Monitoring During Construction, Pre-Construction Surveys, & Timing

For any construction or habitat restoration/enhancement or grading activities between March 1 and August 15, the applicant shall retain the services of a qualified biologist or environmental resource specialist (hereinafter, "environmental resources specialist") to conduct raptor and other sensitive bird and wildlife species surveys and monitor project operations. At least two (2) weeks prior to commencement of any of the above listed project operations, the applicant shall submit the name and qualifications of the environmental resources specialist, for the review and approval of the Executive Director. The environmental resources specialist shall ensure that all project construction and operations shall be carried out consistent with the following:

A. The applicant shall ensure that the environmental resources specialist, with experience in conducting bird and wildlife surveys shall conduct bird and wildlife surveys 30 calendar days prior to grading activities to detect any active bird nests. A follow-up survey must be conducted 3 calendar days prior to the initiation of grading and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first.

B. In the event that the environmental resources specialist reports finding that any sensitive wildlife species (including but not limited to California least tern, California grunion, Beldings savannah sparrow) exhibit reproductive or nesting behavior, the applicant shall cease work and immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon

written approval of the Executive Director. Should the site survey identify special status wildlife species on or near the project site, a qualified biologist or resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall be reviewed and approved by the regulatory agencies having jurisdiction over the identified resource and commencement of construction shall not proceed until such review and approval is granted.

C. The environmental resources specialist shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The environmental resources specialist shall monitor birds and noise every day at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 at the nest (s) site. If construction noise exceeds a peak level of 65 dB at the nest (s) site**,** sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce construction noise levels, construction within 300 ft. (500 ft for raptors) of the nesting trees shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete.

D. The environmental resource specialist will conduct surveys of areas on and adjacent to the project site (within 500 feet of any construction activities), just prior to any construction activities and once a week upon commencement of grading carried out between **July 15th and September 30th**, inclusive. Such surveys shall identify the presence, nests, and eggs or young, of black-crowned night herons, snowy egrets, great egrets, great blue herons, raptors, Belding's savannah sparrow, or other sensitive species in or near the project site. All surveys shall be submitted to the Executive Director of the Coastal Commission.

E. The environmental resource specialist shall be present at all weekly construction meetings and during all significant construction activities including excavation activities to ensure that sensitive animal species, including nesting birds, are not disturbed by construction related noise or activities. The environmental resources specialist shall be onsite monitoring birds and noise every day at the beginning of the project during heavy equipment use. The environmental resources specialist must review the 2006 guidance issued by the United States Fish and Wildlife Service (USFWS) for estimating the effects of auditory and visual disturbance to northern spotted owls and marbled murrelets. The USFWS document provides guidance for making determinations with regard to potential effects of construction noise on owls and murrelets. While these two species are not expected to be impacted by this project, the guidelines and procedures apply to the herons, egrets, and raptors that potentially could be impacted.

F. If an active nest of a federally or state-listed threatened or endangered species, bird species of special concern, or any species of raptor is found, the University shall notify the appropriate State and Federal Agencies within 24 hours, and appropriate action specific to each incident will be developed. The applicant shall notify the Executive Director in writing by facsimile or e-mail within 24 hours and consult with the Executive Director regarding determinations of State and Federal agencies.

G. Construction activities during construction shall minimize potential impacts to steelhead. Grading/excavation activities shall occur only between July 15 and November 1 to avoid the migration period of steelhead.

8. <u>Monitoring Program for Restored Basins</u>

A monitoring program shall be implemented to monitor the project for compliance with the specified guidelines and performance standards outlined in the Section 4.3 Revegetation Maintenance and Habitat Monitoring proposed in of the "Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California" by URS dated August 2009 and shall additionally provide the following:

A. Initial Monitoring Report: The permittee shall submit, upon completion of the initial revegetation, a written report prepared by a qualified resource specialist, for the review and approval of the Executive Director, documenting the completion of the initial restoration work. This report shall also include photographs taken from pre-designated sites (annotated to a copy of the site plans) documenting the completion of the initial planting/revegetation work.

B. Interim Monitoring Reports: After initial revegetation is completed, the applicant shall submit, for the review and approval of the Executive Director, on an annual basis for seven (7) years a written monitoring report prepared by a monitoring resource specialist indicating the progress and relative success or failure of the restoration on the site. This report shall also include further recommendations and requirements for additional enhancement/restoration activities in order for the project to meet the criteria and performance standards. This report shall also include photographs taken from predesignated sites (annotated to a copy of the site plans) indicating the progress of recovery at each of the sites. Each report shall be cumulative and shall summarize all previous results. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the enhancement/restoration project in relation to the interim performance standards and final success criteria.

C. Final Report: Prior to the date that authorization for the approved development expires (7 years from the date of Commission action), a final detailed report on the restoration shall be submitted for the review and approval of the Executive

Director. If this report indicates that the restoration project has, in part, or in whole, been unsuccessful, based on the performance standards specified in the restoration plan, the applicant(s) shall submit within 90 days a revised or supplemental restoration program to compensate for those portions of the original program which did not meet the approved success criteria. The revised or supplemental program shall be processed as an amendment to this permit.

D. In addition, the monitoring program shall include the following: (1) inspections of the culvert and slide gate to detect any blockage, sediment build-up, or erosion at the inlet or outlet; (2) removal of obstructing vegetation, debris, and sediment from the inlet and outlet of the culverts; (3) weeding of the basins, including berms, to reduce non-native weeds and facilitate revegetation of construction disturbed areas with native wetland plants; and (4) re-planting of the revegetated portions of the berms and basins to increase native plant cover in the event that the initial seeding is not adequate.

E. The Permittee shall undertake development in accordance with the final approved plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission - approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and History

1. Project Description

The City of Santa Barbara proposes to construct a 9.3 acre tidal restoration project in the Goleta Slough to serve as the final portion of mitigation for impacts associated with the Airfield Safety Projects (ASP) that was previously approved by the Commission pursuant to Coastal Permit 4-03-082 (Exhibits 1-11, 13 & 14). The primary purpose of the proposed project is to provide at least 7.05 acres of wetland restoration area within Basins E & F to complete the ASP Coastal Development Permit mitigation requirements. The project would restore tidal flow to a portion of the Goleta Slough where such tidal flows have been historically present but which have been reduced over time due to sedimentation. Approximately 30.03 acres of the 37.08 acres of habitat (required as a condition of approval of Coastal Permit 4-03-082) have already been restored to date for the Airfield Safety Projects. The Commission required a total of 37 acres of wetland mitigation replacement for the Airfield Safety Projects in 2003 pursuant to Coastal Permit 4-03-082 which implemented the wetland restoration. The proposed project is the final component of the required restoration program related to the Airfield

Safety Projects coastal permit and would provide a total of 9.3 acres of restoration which is 2.25 more acres of restoration than the 7.05 acres needed to complete the ASP Coastal Development Permit mitigation requirements. Approximately 30.03 acres of the required 37.08 acres of habitat have already been restored to date for the ASP. The proposed project is located in Basins E and F, which are the same basins the applicant conducted the Tidal Circulation Experiment (Coastal Permit 4-03-109 and CDP Amendment 4-03-109-A1) to confirm the potential for successful tidal restoration. The experiment assessed ability to successfully establish tidal wetlands in the existing basins without adversely affecting bird strike conditions at the Santa Barbara Airport. After three years of monitoring, the applicant's consultants, URS Corporation, in 2009 confirmed the success of the Tidal Circulation Experiment through monitoring bird activity, establishing the tidal wetland vegetation and macroinvertebrate monitoring. The proposed project is designed in a manner consistent with these test results by establishing tidal and wetland conditions over a larger area to successfully complete the wetland mitigation requirements for the Airfield Safety Projects.

The proposed project would also provide substantial ecological benefits to the Goleta Slough consistent with the Draft Goleta Slough Ecosystem Management Plan, 1997 (a final report was never prepared) and the Wetland Restoration Plan, 2003, improve storm water management from the airfield, and contribute to a reduction of bird strike hazards for aviation. Additionally the proposed project would provide needed habitat for the following special status species:

- **Belding's savannah sparrow** (State Endangered): The proposed project would provide new habitat for Belding's savannah sparrow by creating new terrain within the slough at an elevation approximately 6 – 7 ft. above mean sea level(within the mid- to upper-littoral zones of coastal salt marsh) which is known to be the ideal breeding habitat for this species.

- **Tidewater goby** (Federal Endangered, State Species of Concern): The proposed project would create brackish conditions during the rainy season by both reintroducing tidal flow to the subject area and creating drainages that capture freshwater runoff from the airfield at two drain outfalls. The tidewater goby is generally found in upper-estuary brackish water habitat.

- **Wandering skipper** (Locally rare): Revegetation of the subject area with saltgrass and native flowering plants are proposed to provide food sources for this species.

- **Pygmy blue butterfly** (locally rare): Native flowering plants are proposed to provide food sources for this species.

- Plantings and seed for rare or endangered native plants including, **southern tarplant, Coulter's goldfields,** and **annual saltmarsh aster** would be installed.

The proposed project would grade 27,088 cu. yds. of material for the purpose of wetland habitat restoration (24,885 cu. yds. of cut, 2,203 cu. yds. of fill, and 12,682 cu. Within "Basins E & F" of the Goleta Slough to accommodate tidal flow and also fill other portions of Basins E & F to reduce freshwater ponding and provide more high marsh habitat. The upstream end of the existing berm within the subject area (separating "Foxtrot Drainage" from "Basin E") would be breached just south of the culvert outfall and a small portion of the drainage would be filled to divert storm waters into a new channel through Basin E. At the downstream end of the Foxtrot Drainage/Basin E berm a portion of the berm would be breached near the confluence of Foxtrot Drainage and Tecolotito Creek to create a connection between Basin E and the creek. The middle section of the Foxtrot Drainage/Basin E berm would be lowered and blended into Basin E topography to accommodate tidal flow. The 24-inch culvert at the southern berm of Basin E and the 36-inch culvert and sluice gate at the southern end of Basin F would both be removed. Additionally, hydrological connectivity with Basin G would also be improved by clearing the 24-inch culvert and grading the northwestern corner of Basin G to facilitate flow and minimize ponding.

Connection of Basins E & F to the tidal flows of Tecolotito Creek and Foxtrot Drainage would require aquadams be placed temporarily in Tecolotito Creek upstream and downstream of the area of construction. Approximately 500 linear feet of Tecolotito Creek and 800 linear feet of Foxtrot Drainage are proposed to be temporarily dammed and dewatered for an eight week period to accommodate this connection. This dewatering is proposed to occur between August 1 and November 1, 2010 to avoid the rainy season.

The proposed tidal basin is proposed to be constructed during the period of August through November 2010 in order to avoid steelhead spawning season and nesting season for sensitive bird species. The applicant has submitted a proposed seven-year monitoring program that would extend through November 2017, unless continued for a longer in order to satisfy permit criteria. All proposed grading is for the sole purpose of wetland habitat restoration. Excavation and fill would occur over approximately 9 weeks, during the construction phase, and would result in 24,885 cubic yards of cut and 2,203 cubic yards of fill. Pursuant to the proposed Section 4.3 Revegetation Maintenance and Habitat Monitoring proposed in of the "Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California by URS dated August 2009, the project would involve the planting of approximately 12,000 native plants of local genetic stock and the dispersing of more than 40 lbs. of seeds.

A *Biological Assessment* dated August 2009 was prepared for the Basins E & F Tidal Restoration Project by URS Corporation, a consultant to the City of Santa Barbara who also prepared the previous Tidal Circulation Experiment that was approved by the Commission in April 2004. The 2009 URS assessment provides a detailed description of the Basins E & F Tidal Restoration Project and discusses potential impacts associated with the project.

The project is located entirely within the retained permit jurisdiction of the Coastal Commission. The City's Planning Commission approved a recommendation to the Coastal Commission for permitting of the Tidal Restoration Project with special conditions including mitigation monitoring by a qualified wetlands biologist prior to, during (weekly), and after implementation of the project, construction timing limited to July 15 through November 1, revegetation/restoration of disturbed areas, and water quality (SWPPP & WQMP) requirements (Exhibit 12). In addition, applications have been filed for an Army Corps of Engineers (ACOE) Section 404 permit, Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification, and California Department of Fish and Game (DFG) Section 1601 Streambed Alteration Agreement.

2. Local Coastal Program and Project History

Coastal Commission certification of LCP Amendment No. 1-02 in December 2002, which approved the "Airfield Safety Projects" which included the expansion of upgrade of various airport facilities including the extension of the airport runway, included new Policy C-11, which provides specific mitigation requirements for the Airfield Safety Projects, including a 4:1 mitigation replacement ratio for impacts to seasonal wetlands, a 2:1 replacement ratio for impacts to creeks and open channels, and a 1:1 replacement ratio for impacts to upland habitat. Policy C-11 requires the City to undertake the "Goleta Slough Tidal Restoration Experiment" and present all documentation, findings and conclusions relative to tidal restoration to the Commission within five years of issuance of the CDP for the Airfield Safety Projects. If the evidence demonstrates that tidal restoration would not significantly or adversely increase the potential for aircraft bird strikes, the City is required to provide additional mitigation for long-term tidal restoration in addition to that required in the previously approved Wetland Restoration Plan (CDP No. 4-03-082). The Wetland Restoration Plan provides for a 3:1 wetland mitigation replacement ratio with an added requirement to carry out the tidal circulation experiment that would comprise the remaining 1:1 mitigation requirement. If the experiment determines that tidal restoration is infeasible, the City is required to provide additional in-kind seasonal wetland habitat mitigation within Goleta Slough to meet the 4:1 mitigation ratio requirement for seasonal wetlands.

In 2003, the Commission approved Coastal Development Permit Appeal A-4-SBC-03-077 for the Airfield Safety Projects (ASP). The ASP included extending the length and relocating Runway 7-25 800 feet to the west, and relocating Tecolotito Creek to provide an overrun safety area at the end of the runway. The ASP involved the permanent removal of 9.27 acres of seasonal wetlands. The Airport Department has restored 30.03 acres of habitat as mitigation for this loss pursuant to condition compliance requirements of that permit. However 7.05 acres remain to be mitigated to achieve the 4:1 mitigation ratio requirement in the Coastal Development Permit The proposed project would complete the Coastal Development Permit mitigation requirement for the ASP. The Airfield Safety Projects consisted of the construction of two 1,000-foot long runway safety areas (RSAs), the realignment and relocation of an existing runway (Runway 7-25) to accommodate new RSAs, a new taxiway (Taxiway M) approximately 2,600 feet in length, and lengthening of runway protection zones (RPZs) to meet current

FAA design standards. In addition, Tecolotito Creek was relocated approximately 1,800 feet west of its present location and the confluence of Carneros Creek with Tecolotito Creek was shifted to the west. The above-described portions of the project are located within the City of Santa Barbara's permit jurisdiction and the Coastal Commission's appeal jurisdiction. The City's prior approval of the CDP for this portion of the project was appealed to the Commission by the City of Goleta. The Commission, at its September 2003 hearing, determined that the project, as approved by the City, was consistent with all applicable policies of the City's certified Local Coastal Program and that the appeal raised No Substantial Issue.

A previous project, the "Goleta Slough Tidal Restoration Experiment" was constructed on a 2.5-acre portion Basins E & F in 2006 pursuant to Coastal Permit 4-03-109 and 4-03-109-A1. The Experiment was constructed as part of the ASP mitigation requirement to determine the feasibility of tidal restoration in close proximity to the airfield. After a 3-year study of the Experiment the City of Santa Barbara concluded that tidal flows posed no hazard to aviation because the Experiment attracted fewer large flocking fowl than the existing impounded basins and provided habitat for shorebirds which are rarely found to incur on Santa Barbara Airport runways. The City of Santa Barbara is now proposing to complete its ASP mitigation requirement with the proposed project. The Experiment served as a guide in the design of the proposed project.

a. Goleta Slough

The City of Santa Barbara Airport and Goleta Slough Local Coastal Plan describes Goleta Slough as an area of approximately 400 acres, of which 189 acres are classified as tidal marsh subject to tidal inundation through natural channels or culverts. Goleta Slough is designated "Recreational Open Space" in the LCP. The wetland communities within the slough include open water, coastal salt marsh, salt flats, seasonal wetland meadows, riparian woodland, shrub-scrub thicket and transitional wetlands. The slough provides habitat to support a large resident bird population and serves as a resting and feeding site for migrating birds using the Pacific Coast flyway. Upland areas include 25 acres south of the main slough channel adjacent to the University of California Santa Barbara (UCSB) campus.

b. Federal Consistency Certification and Local Coastal Program

On April 9, 2002, the Commission concurred with Federal Consistency Certification CC-058-01 for the Aviation Facilities Plan, which includes the proposed Airfield Safety Projects. On June 10, 2002, the Commission adopted findings of concurrence for the plan, including specific findings that the project is consistent with Coastal Act policies. The Commission's consistency determination was largely based on the City's commitment to implement habitat mitigation and restoration plans at a 4:1 ratio for wetland habitat impacts, 2:1 for open water habitat, and 1:1 for upland habitat impacts resulting from construction of the airfield safety projects. Additionally, the Commission's consistency determination addressed the City's commitment to diligently pursue the Goleta Slough Tidal Restoration Project as a means of providing restored, tidally

influenced basins in the Slough as a component of the 4:1 mitigation requirement. On December 10, 2002, the Coastal Commission certified amendment No. SBC-MAJ-1-02 to the Airport and Goleta Slough Local Coastal Program with suggested modifications (subsequently accepted by the City Council on March 4, 2003). The amendment included text changes and land use and zoning designation map revisions necessary to carry out the proposed Airfield Safety Projects. The amendment included policy provisions for habitat protection and restoration, and monitoring requirements necessary to provide mitigation for wetland, stream, and upland habitat impacts associated with construction of the Airfield Safety Projects into the LCP. As certified, the amendment also included several new resource protection policies (C-11 through C-16) recommended by Commission staff that provide specific mitigation and restoration measures required for development of the Airfield Safety Projects. (Compliance with these measures as well as all other applicable LCP polices have been incorporated into the City's approval of the proposed projects.) The findings adopted by the Coastal Commission in certifying the LCP amendment are incorporated by reference into this staff recommendation.

B. Wetland Habitat Restoration and Allowable Uses in Wetlands

Section 30233 of the Coastal Act states:

> ***The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:***
>
> ***(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial facilities.***
>
> ***(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.***
>
> ***(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.***
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> ***(4) In open coastal waters, other then wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.***
>
> ***(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.***

> ***(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.***
>
> ***(7) Restoration purposes.***
>
> ***(8) Nature study, aquaculture, or similar resource dependent activities.***

Wetlands are defined in Section 30121 of the Coastal Act as follows:

> ***'Wetland' means lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.***

The Commission regulations provide a more explicit definition of wetlands. Section 13577(b) of Title 14 of the California Code of Regulations defines wetlands as follows:

> ***Wetlands are lands where the water table is at, near or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent or drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salt or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated***
> ***wetlands or deep-water habitats.***

The above definition requires the presence of one of three common wetland attributes of hydrology, hydrophytic vegetation, or hydric soils. It should be noted that this definition is more inclusive than those of other agencies, such as Army Corps of Engineers, which requires a site to exhibit all three of those attributes to be considered a wetland. The City has previously submitted a wetland delineation in the *Draft Final Conceptual Wetland Mitigation Plan for the Airfield Safety Projects, Santa Barbara Airport, October 2001*, prepared by URS Corporation, which delineates wetland habitat consistent with the Coastal Commission's definition of wetlands in Section 13577(b) of Title 14 of the California Code of Regulations.

In the case of the project area, a wetland delineation was completed by the URS Corporation on behalf of the City of Santa Barbara which indicates that the entire project site consists of wetlands. This delineation was described in a letter dated June 18, 2009 with six detailed aerial photo site plans. Moreover, this report concluded that the total acreage of the ASP mitigation completed so far is 30.03 acres of restored or enhanced wetland habitat. This leaves a deficit of 7.05 acres which are included in the proposed project.

The proposed project includes grading for the purpose of wetland habitat restoration (24,885 cu. yds. of cut and 2,203 cu. yds. of fill) in the Goleta Slough wetlands on site. Section 30233 of the Coastal Act specifically identifies seven allowable uses for the dredging, diking, and filling of coastal waters. In regards to the proposed wetland restoration project, restoration is clearly one of the permitted uses in wetlands pursuant

to Section 30233(a)(7). Thus, the proposed restoration project is an allowable use within wetlands. The proposed Basins E & F Tidal Restoration Project involves the same Coastal Act issues relative to allowable use in wetland, selection of the least environmentally damaging alternative, and implementation of adequate mitigation to minimize adverse impacts on wetland habitat that the Commission addressed in its previous approvals of the related Federal Consistency Determination, Local Coastal Program Amendment and CDPs 4-03-109 and 4-03-109-A1 for the Wetland Restoration Plan discussed above. The proposed project involves dredging and filling within Goleta Slough and will require permits from the California Department of Fish and Game and the U.S. Army Corps of Engineers.

The Goleta Slough is an estuary that is dominated by marine influences and supports an extensive salt marsh. Seven creeks drain southward from the Santa Ynez Mountains, discharging into the slough. Tidal circulation extends up each of the tributaries with the exception of La Vegas and Maria Ygnacio Creeks. The Goleta Slough ecosystem encompasses diverse wetland and habitat types. It supports species that are both resident and migrant that are regionally rare in coastal California, or locally rare in Santa Barbara County.

An estimated 279 bird species have been reported within the Slough, and of these, 121 species are water associated, and 158 species occur primarily in upland areas. The salt marsh vegetation and mudflats offer roosting and nesting areas and foraging habitat for several avian species. Sora and Virginia rail, several species of herons, and the state listed endangered Belding's savannah sparrow all feed in the dense pickleweed (*Salicornia virginica*) vegetation. Open mudflats provide roosting and resting areas for shorebirds and other migratory species.

Vegetation and habitat types in the slough include extensive wetland and upland areas. Wetlands include: estuarine, riverine, palustrine, intertidal estuarine and low intertidal mudflats. Upland vegetation classified as ruderal has colonized most of the upper surfaces of the artificial dikes and berms that line the slough's basins and creek channels. Scrub vegetation is scattered over many parts of the area. Coastal bluff scrub is common at the project area, and Coastal sage scrub vegetation occurs along the southern margin of the Goleta Slough.

Within the Airport property and elsewhere in the Goleta Slough Ecosystem, the extent of estuarine wetlands has been reduced by diking and filling. What remains is primarily in the tidal floodplain of lower Tecolotito Creek, south of the airfield. Most of this area experiences limited tidal circulation because of inadequacies in the system of channels and culverts that connect the creek to the surrounding marsh. In the lower portions of Goleta Slough the mouth of the slough is tidally influenced and large mudflats are exposed at the lowest tides.

From 2006-2009 the Airport conducted the Goleta Slough Tidal Circulation Experiment to determine the feasibility of restoring tidal circulation to portions of Goleta Slough. The intent of the experiment was to determine the feasibility of safely restoring tidal

flows in the Goleta Slough adjacent to an active airfield. The experiment was meant to provide a basis for the possible expansion of tidal restoration in the area. The Draft Goleta Slough Ecological Management Plan, 1997 (GSEMP) recommends restoring tidal circulation to historic tidal wetlands in order to restore the Slough's natural habitat diversity.

Several alternatives were considered by the City and the Commission in prior actions related to the Airfield Safety Projects. Further, where wetlands in the project area contain environmentally sensitive habitat such as the Southern California Steelhead and Belding's savannah sparrow, the City has modified the project to avoid adverse effects to these species. Given complex physiographic and biological features that encompass Goleta Slough, feasible alternatives that would further reduce adverse impacts are either not available or are more environmentally damaging. Based on the alternatives analysis, the Commission found that the proposed Airfield Safety Projects including proposed mitigation contained in the Wetland Restoration Plan and the Basins E & F Tidal Restoration Project were the least environmentally damaging feasible alternative.

In 2003, the feasibility study for the tidal circulation experiment assessed all of the existing basins within Goleta Slough for suitability based on several factors or criteria including: historic but altered historic tidal area; potential for long-term tidal restoration; accessibility; proximity to non-tidal control basins; minimizing ground disturbance; and, proximity to airfield. Based on these criteria, the study determined that Basins E & F and L & M were the most suitable alternative sites to conduct the experiment with the least amount of disturbance. As stated, a Biological Resources Report for the Tidal Restoration Field Experiment dated September 2003 was prepared by URS Corporation for the Airport Department that addresses the specific components of the project and potential resultant impacts caused by the experiment. Conclusions and recommendations of the Biological Resources Report are provided in the following findings. In addition, all proposed mitigation measures identified in the Final Mitigated Negative Declaration have been incorporated into the project design.

<u>Basins E & F</u>

Basins E & F comprise approximately 13 acres and are located adjacent to Taxiway A (Exhibits 1, 3, & 4). The top of the berm on the west side of the basin contained an asphalt road which was removed and restored to native habitat in 2000. Basins E & F also previously had a low berm in the middle, which was removed in 2000 as part of a restoration project allowing free movement between the two low-lying areas of the basin. The basins are connected to Tecolotito Creek through a 24-inch diameter culvert in the south berm. Because sediment deposits block the inlet to the culvert, these basins usually only contains freshwater supplied by stormwater runoff that discharges to the basin from a storm drain on the north side of the basin. The lower northwest corner collects precipitation and runoff which can persist during wet years while the remainder of the basin is dry.

Basins E & F contain a wide variety of vegetation types. The lowest portions of these basins contain mudflats, saltflats, and scattered pickleweed. Intermediate elevations contain pickleweed marsh with scattered bulrush and cattail plants, indicating freshwater conditions. The higher elevations, which encompass most of the basins, are dominated by dense, continuous pickleweed marsh. The berms along the north and west sides of the basins were planted with native wetland vegetation in 2000 by the Airport as part of a restoration project. Dominant species include pickleweed, alkali heath, and quail bush. The berm along the south side of the basins, adjacent to Tecolotito Creek, is dominated by non-native, invasive black mustard. The sides contain a mixture of pickleweed, alkali heath, quail bush, coyote bush, and non-native weeds.

Following construction, temporary vehicle corridors on the berms will be seeded with low-lying native perennial plants from Goleta Slough to reduce erosion and prevent colonization by weeds. In addition, non-native vegetation will be removed from the existing berms in each experimental basin. In each basin, the sides and tops of the berms and the basin slopes between 6 and 7 feet elevation will be seeded with alkali heath, alkali weed, pickleweed, and salt marsh sand spurry using seeds collected from the Safety Area Grading Project mitigation site.

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The Commission notes that Section 30233(a)(7) of the Coastal Act allows fill or excavation within a wetland for *Restoration purposes*. The Commission finds that implementation of the proposed Wetland Restoration Plan Tidal Restoration Plan component, which includes placement of fill and excavation in the slough, in accordance with LCP policy C-11 and the requirements of past Commission actions relative to the Airfield Safety Projects, constitute an allowable use under the provisions of Section 30233 of the Coastal Act. As previously indicated, the Basin E/F Tidal Restoration Project is a required component of the Wetland Restoration Plan and prior Commission approvals of the Airfield Safety Projects.

An additional limitation imposed on projects in a wetland set forth by Section 30233 of the Coastal Act requires that adequate mitigation measures to minimize adverse impacts of the proposed project on habitat values shall be provided. It is critical that proposed development projects in a wetland include a mitigation plan, which when enacted will result in no net loss of wetland area or function.

The *September 2009 URS Project Description* notes that the proposed Basin E/F Tidal Restoration Project would result in the conversion/enhancement of existing wetland

habitat. Temporary habitat impacts in Goleta Slough caused by construction include temporary disturbance to non-tidal mudflats/saltflats, pickleweed marsh, quail bush scrub, and coyote bush scrub, and temporary disturbance to native plants and non-native weeds in the temporary construction zone, on berms due to the establishment of access roads, and at culvert and ramp locations. The Biological Assessment concludes that the potential long-term conversion of habitats in Basin E/F is not considered an adverse impact because the proposed new tidal habitats are superior to the existing conditions, from a wetland habitat perspective, because existing tidal habitats in the slough are under-represented and in poor condition. In general, tidal saltmarsh provides higher species productivity and habitat value than non-tidal habitats with similar vegetation types. Therefore, restoration of historic tidal flow to the subject area and the construction of permanent new tidal habitat would provide an overall long-term ecological benefit within Goleta Slough and is environmentally superior to the alternative of maintaining the project site as a non- tidal habitat.

However, the Biological Assessment also indicates that there are potential temporary impacts from disturbed soils being discharged to Tecolotito Creek or Mesa Road Ditch due to direct dumping, accidental spills, and/or post grading erosion. Increased sedimentation in the slough could adversely impact aquatic invertebrates, insects, and fish. To minimize these potential impacts, the City proposes that grading will be restricted to the dry season, Best Management Practices shall be employed during and after construction, and the basin bottoms will be stabilized with pickleweed and erosion control mats after grading and prior to opening culverts to restore tidal circulation. Other temporary construction disturbances include increased noise and human activity, which will discourage bird use of the basins during the day. Thus, although the proposed project is designed in a manner to implement many measures to minimize potential adverse impacts to the surrounding habitat areas during construction, the Commission notes that the proposed project may still result in some potential adverse effects to surrounding habitat due to unintentional disturbance from construction equipment and removal and recompaction activities. Therefore, in order to ensure that any potential adverse effects from these operations on ESHA are minimized, **Special Condition Seven (7)** requires the applicant to retain the services of a qualified biologist or environmental resource specialist to be present on site during all grading activity and to conduct raptor and other sensitive bird and animal species surveys prior to construction activities.

Moreover, **Special Condition Seven (7)** requires the environmental resources specialist shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The environmental resources specialist shall monitor birds and noise every day at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 at the nest (s) site. If construction noise exceeds a peak level of 65 dB at the nest (s) site**,** sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If

these sound mitigation measures do not reduce noise levels, construction within 300 ft. (500 ft for raptors) of the nesting trees shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete.

Moreover, in order to minimize impacts to wildlife during construction, **Special Condition Seven (7)** requires Construction activities during construction shall minimize potential impacts to steelhead. Grading/excavation activities shall occur only between July 15 and November 1 to avoid the migration period of steelhead.

In addition, the Commission notes that the Basins E & F Tidal Restoration Project is a required mitigation component of the previously approved permits for the Airfield Safety Projects, including the Wetland Restoration Plan. Using the broader Coastal Act definition, the City in 2003 determined the overall wetland fill for the Airfield Safety Projects would be 13.99 acres of permanent wetland fill (which will be mitigated on-site) and 2.25 acres of temporary wetland fill (which will be restored on-site). Mitigation ratios for impacts to wetlands will be 4:1 (and mitigation ratios for creeks and open channels will be 2:1).

To compensate for the permanent loss of wetlands the CDP for the Wetland Restoration Plan includes creation and restoration of seasonal wetlands and open water habitat similar to those affected by the project as part of the Airfield Safety Projects. The City submitted a *Draft Final Conceptual Wetland Mitigation Plan for the Airfield Safety Projects, Santa Barbara Airport, October 2001*, prepared by URS Corporation, as part of the proposed LCP amendment, which identifies and describes proposed mitigation sites for restoration of wetland and open water habitat as described below. The *Draft Final Conceptual Wetland Mitigation Plan for the Airfield Safety Projects* identifies habitat mitigation and restoration measures to meet an approximate 3:1 mitigation ratio for impacts to wetland habitat. The Final *July 2003 Wetland Restoration Plan* updates the Mitigation Plan and provides the same mitigation sites and ratios. The proposed mitigation will create new habitats that benefit the adjacent tidal marsh habitat by creating native plant cover and food sources for use by wildlife, particularly the federally listed Belding's savannah sparrow which nests in the pickleweed marsh and forages in nearby native grassland and scrub areas.

Bird use of wetlands in the area surrounding Goleta Slough had been a concern to both the FAA and the City of Santa Barbara, due the hazards birds pose to aircraft. The FAA had generally opposed increases in wetland acreage in the vicinity of airfields, regardless of the type of wetland and habitat. To address these concerns, the Goleta Slough Tidal Circulation Experiment was conducted from 2006-2008. The objective of the Goleta Slough Tidal Circulation Experiment was to obtain empirical data that can adequately address the FAA's concerns and resolve the bird-strike issue. The three-year study concluded that tidal circulation would not present a hazard to aviation because tidal wetlands attract smaller and/or non-migratory shorebirds which are not the source of most runway over-flights. Because restoring tidal circulation involves the removal of impounded freshwater wetlands, the experiment demonstrates that the

proposed project would reduce the presence of large migratory waterfowl. Large migratory waterfowl, such as Canada geese pose the greatest hazard to aviation.

Policy C-11 established mitigation requirements for the Airfield Safety Projects (ASP). Policy C-11 required 4:1 mitigation ratio for all impacts to seasonal wetlands and 2:1 ratio for all impacts to tidal creeks and open channels. Of the 4:1 mitigation, 3:1 was required to be constructed concurrently with the ASP, with the deferred 1:1 to be constructed following completion of the Goleta Slough Tidal Demonstration Project.

When Policy C-11 was incorporated into the LCP by the Commission in May 2003, it was assumed that the ASP would permanently impact 13.30 acres of wetland habitat. In the July 2003 ASP Wetland Restoration Plan, this estimate was revised to 13.99 acres, of which 4.72 acres were tidal creek habitat and 9.27 acres were non-tidal wetlands. The restoration proposed in the ASP Wetland Restoration Plan provided an estimated 9.4 acres (2:1) of tidal wetland habitat restoration and 32.6 acres (3.3:1) of seasonal wetland habitat restoration. This proposal reduced the seasonal deferred mitigation acreage from 9.4 to 4.47. The ASP and associated 3:1 seasonal mitigation and 2:1 tidal creek mitigation were constructed in 2006-2007.

Following successful completion of the Goleta Slough Tidal Demonstration Project in 2009 the Airport Department contracted with URS Corporation to complete a wetland delineation study (Exhibit 4). This study concluded that of the 32.6 acres of seasonal wetland restoration planned to be installed under the ASP Wetland Restoration Plan, only 30.03 acres met the Coastal Act's one parameter wetland definition. This leaves an obligation of 7.05 acres of wetland mitigation to be installed. The proposed project would provide 9.3 acres of tidal wetland mitigation, including the 2.5-acre Tidal Demonstration Basin which was not included in any previous mitigation totals. See Table 1 for a comparison of the various mitigation estimates.

Table 1: Seasonal (4:1) Mitigation Acreage

	Impacted Area	Concurrent Mitigation (3:1)	Deferred Mitigation	Total Seasonal Mitigation
Policy C-11 (*Estimate*)	*13.3*	*39.9*	*13.3*	*53.2*
Restoration Plan (*Estimate*)	*9.27*	*27.8*	*9.4*	*37.08*
Restoration Plan Proposal (2003)	9.27	32.6	4.47	37.08
Actual (2009)	**9.27**	**30.03**	**7.05**	**37.08**
Basin E/F Project Contribution			9.3	39.33

A portion of Policy C-11 states that the City of Santa Barbara "shall provide 13.30 acres of required wetland mitigation as part of a future, long-term project to restore tidal circulation to portions of the Goleta Slough." That acreage was based on the assumption that a total of 13.30 acres of seasonal wetland would be impacted by the

ASP. As the Basin E/F Tidal Restoration Project consists of 9.3 acres of habitat restoration, and the remaining mitigation requirement is 7.05 acres, the proposed project is consistent with the intent of Policy C-11. Additionally, consistent with Policy C-11 of the certified LCP, the City is proposing to implement a 7-year biological monitoring program to ensure the success of the restoration project.

The applicant has submitted a wetland habitat and restoration plan for the subject site described in Section 4.0 Project Elements in the "Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California" by URS dated August 2009. In order to ensure the success of the restoration program, the City is proposing to implement a seven year monitoring program. In order to ensure that wetland restoration on site is successful and to that the applicant's proposed monitoring program adequately implemented **Special Condition Eight (8)** requires the applicant to implement the a seven year monitoring program to monitor the project for compliance with the specified guidelines and performance standards outlined in the above referenced document in Section 4.3 Revegetation Maintenance and Habitat Monitoring proposed in of the "Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California by URS dated August 2009. The success of the habitat restoration shall be monitored for seven years, with interim reports submitted for the review and approval of the Executive Director. The reports shall describe the implementation of the approved restoration program in narrative and photographs and report any problems in the implementation and their resolution. At the end of the seven year monitoring period, if the restoration and enhancement project has in part, or in whole, been unsuccessful, the applicant shall submit a revised or supplemental program to compensate for those portions of the original program which did not meet the approved success criteria.

In addition, to ensure that excess excavated material is moved off site so as not to contribute to unnecessary landform alternation and wetland fill, inconsistent with Section 30233 of the Coastal Act, the Commission finds it necessary to require the applicant to dispose of all excess excavated material at an appropriate disposal site or to a site that has been approved to accept fill material, as specified in **Special Condition One (1)**. In addition, the proposed project will involve work within coastal waters and tidally influenced areas and will also require approval from the United States Army Corps of Engineers, California State Lands Commission, California Department of Fish and Game, and the Regional Water Quality Control Board. Therefore, **Special Condition Two (2)** requires the applicant obtain all other necessary State or Federal permits that may be necessary for all aspects of the proposed project.

Further, the special conditions of the City's Adopted Mitigated Negative Declaration include several additional mitigation measures and best management practices designed to minimize adverse effects from the project, including the requirement that construction for the Basin E/F Tidal Restoration Project be conducted between July 15 and November 1 to avoid the migration period of steelhead trout. Therefore, in order to ensure that adverse impacts to environmentally sensitive habitat areas on site are minimized, **Special Conditions Three (3) and Four (4)** requires that all conditions of

approval contained in City of Santa Barbara Planning Commission Resolution No. 001-10 (Exhibit 12) are hereby incorporated as special conditions of this permit unless specifically modified by any additional special conditions set forth herein.

For all of the reasons stated above, the Commission finds that the Basin E/F Tidal Restoration Project, as approved by the City of Santa Barbara, is in conformance with applicable policies of the certified LCP and attached special conditions are consistent with the provisions of Section 30233 of the Coastal Act.

C. Environmentally Sensitive Habitat

Section 30240 of the Coastal Act states:

> ***(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.***
>
> ***(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.***

Environmentally Sensitive Habitat Areas (ESHA) are defined as areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Section 30240 of the Coastal Act states that ESHAs shall be protected against disruption of habitat values and that only uses dependent on the resources be permitted within an ESHA.

A number of sensitive plant and animal species are known to occur on or near the Airport/Goleta Slough site including Southern California Steelhead and the Belding's Savannah Sparrow. The Southern Steelhead Trout is designated an endangered species along the southern California coast by the National Marine Fisheries Service (NMFS). Although there have been no sightings or historic records of steelhead along Carneros, San Pedro, and Tecolotito Creeks, it is possible for transitory, individual adult steelhead to attempt to migrate upstream in Tecolotito Creek. Such an occurrence is considered unlikely, however, due to numerous passage impediments upstream of Hollister Avenue. In addition, construction is limited to the period between July 15 and November 1, when possible migration of steelhead is least likely to occur.

Belding's Savannah Sparrow is a subspecies that breeds in coastal salt marshes from northwestern Mexico to southern California, and as far north as Goleta. This subspecies was listed as endangered by the California Department of Fish and Game in 1974 and is listed as a federal Species of Concern. The Savannah Sparrow utilizes the upper littoral zone of tidal pickleweed marshes for nesting, where their nests are safe from the highest tides during the nesting season. In Goleta Slough, where many of the

basins are non-tidal, the sparrows establish nesting territories above the water line created by the freshwater impoundments resulting from precipitation.

Further, the URS Biological Assessment notes, given the varying amounts of impounded freshwater in the basins from year to year, the resident population of Belding's Savannah Sparrow in Goleta Slough appears to be highly mobile and adaptable to changes in the amount of available nesting habitat. Thus, the species is anticipated to respond to the expansion of tidal inundation as it has in the previously constructed experimental basin by finding suitable nesting habitat at higher elevations within the basins or within other basins in the Slough, just as it has in other basins during years of higher rainfall. In addition, areas of newly created pickleweed marsh in Basins E & F would provide high quality habitat because freshwater would not be impounded resulting in less variation in water levels. Plant productivity is also expected to be greater than under the existing non-tidal conditions. The resident population of Belding's savannah sparrow appears to be very productive, therefore, the short-term loss of approximately 7 acres of nesting habitat should not adversely affect the stability and long-term reproductive success of the population. The Final Mitigated Negative Declaration for the Basins E & F Tidal Restoration Project concluded that displacement of potential nesting habitat would be a potentially significant, avoidable impact that would be reduced to a less than significant level by special conditions requiring monitoring prior to, during, and after construction and prohibiting construction of the experimental basins between November 1 and July 15 to avoid the rainy season and disruption of active nesting habitat during the breeding season.

The loggerhead shrike is a California Species of Concern (CSC) for nesting only. It prefers open habitats with scattered shrubs, trees, posts, fences, utility lines, or other perches, and requires impaling sites, such as thorns, sharp twigs, or barbed wire, for skewering and manipulating its prey. The species is a permanent resident on the north coast of Santa Barbara County and in the Cuyama Valley, and as a rare breeder in other interior valleys of the county and on the south coast between Gaviota and Pt. Conception.

URS Corporation conducted weekly bird surveys of Basins E & F from November 2005 to November 2008, and conducted biweekly surveys of Basins A, B–D, and G during that time. During this period, loggerhead shrikes were encountered regularly between early July and late January each year. The latest in winter this species was detected was February 1, 2007, and the earliest it was seen after the nesting season was July 3, 2008. Therefore, the period in which the species was detected corresponds with the migratory and wintering periods only. Thus, while Goleta Slough appears to meet many of the breeding habitat requirements of this species, the area is outside the current known breeding range of the species. Also, extensive data pertaining to bird use of Basins E & F suggests that this species does not nest in the immediate area.

The URS Biological Assessment notes that the Basin E/F Tidal Restoration Project may temporarily impact Essential Fish Habitat (EFH) and the tidewater goby due to construction activities and temporary stream diversion that would be conducted for the

relocation of Tecolotito Creek. Additionally the Goleta Slough may provide steelhead trout habitat. To ensure that the approval of the Basin E/F Tidal Restoration Project does not result in adverse impacts to EFH, tidewater gobies, and steelhead trout, Policies C-15 and C-16 in the City's certified LCP and attached Special Condition 7 require that special protection measures be implemented to avoid and minimize potential adverse impacts to Essential Fish Habitat, tidewater gobies, and steelhead trout. Policy C-16 and the special conditions of the City's Adopted Mitigated Negative Declaration also requires that construction for the Basin E/F Tidal Restoration Project be conducted between July 15 and November 1 to avoid the migration period of steelhead trout. Therefore, in order to ensure that adverse impacts to environmentally sensitive habitat areas on site are minimized, **Special Conditions Three (3) and Four (4)** requires that all conditions of approval contained in City of Santa Barbara Planning Commission Resolution No. 001-10 (Exhibit 12) are hereby incorporated as special conditions of this permit unless specifically modified by any additional special conditions set forth herein.

Thus, although the proposed project is designed in a manner to implement many measures to minimize potential adverse impacts to the surrounding habitat areas during construction, the Commission notes that the proposed project may still result in some potential adverse effects to surrounding habitat due to unintentional disturbance from construction equipment and removal and recompaction activities. Therefore, in order to ensure that any potential adverse effects from these operations on ESHA are minimized, **Special Condition Seven (7)** requires the applicant to retain the services of a qualified biologist or environmental resource specialist to be present on site during all grading activity and to conduct raptor and other sensitive bird and animal species surveys prior to construction activities.

Moreover, **Special Condition Seven (7)** requires the environmental resources specialist shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The environmental resources specialist shall monitor birds and noise every day at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 at the nest (s) site. If construction noise exceeds a peak level of 65 dB at the nest (s) site**,** sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigation measures do not reduce noise levels, construction within 300 ft. (500 ft for raptors) of the nesting trees shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete.

Moreover, in order to minimize impacts to wildlife during construction, Special Condition Seven (7) requires Construction activities during construction shall minimize potential impacts to steelhead. Grading/excavation activities shall occur only between July 15 and November 1 to avoid the migration period of steelhead.

The applicant has submitted a wetland habitat and restoration plan for the subject site described in Section 4.0 Project Elements of the "Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California by URS dated August 2009. In order to ensure the success of the restoration program, the City is proposing to implement a seven year monitoring program. In order to ensure that wetland restoration on site is successful and to that the applicant's proposed monitoring program adequately implemented **Special Condition Eight (8)** requires the applicant to implement the a seven year monitoring program to monitor the project for compliance with the specified guidelines and performance standards outlined in the above referenced document Section 4.3 Revegetation Maintenance and Habitat Monitoring proposed in of the "Project Description for the Basin E/F Tidal Restoration Project Goleta Slough Santa Barbara Airport Santa Barbara, California by URS dated August 2009. The success of the habitat restoration shall be monitored for seven years, with interim reports submitted for the review and approval of the Executive Director. The reports shall describe the implementation of the approved restoration program in narrative and photographs and report any problems in the implementation and their resolution. At the end of the seven year monitoring period, if the restoration and enhancement project has in part, or in whole, been unsuccessful, the applicant shall submit a revised or supplemental program to compensate for those portions of the original program which did not meet the approved success criteria.

Implementation of the City's proposed wetland mitigation plans as incorporated into the approved CDP will result in additional areas of potential habitat for the Belding's savannah sparrow in a continuous corridor along the stream corridor. As such, Policy C-11 and **Special Conditions Three, Five & Six (3, 5 and 6)** provides mitigation measures necessary to address potential impacts to the sensitive species minimize or eliminate impacts to water quality and aquatic organisms. Policies C-15 and C-16 and **Special Condition Seven (7)** will further ensure that potential impacts on the Belding's savannah sparrow are avoided and minimized to the maximum extent feasible by requiring that site surveys be conducted prior to commencement of construction activities and that a qualified biologist or resource specialist develop an avoidance and/or mitigation plan for implementation to minimize potential impacts. Policy C-16 and **Special Condition Seven (7)** also provides that construction is not to take place during the nesting and breeding season for bird species. **Special Condition Eight (8)** requires implementation of a maintenance and monitoring program throughout the experiment.

For all of the reasons stated above, the Commission finds that the Basin E/F Tidal Restoration Project, is consistent with Section 30240 of the Coastal Act.

D. Water Quality

Section 30231 of the Coastal Act states:

> ***The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through,***

> ***among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.***

In Addition, Policy C-13 of the recently amended Local Coastal Program (to provide for the Airfield Safety Projects) requires that new development, such as Basins E & F Tidal Restoration Project, include measures to protect water quality, and specifically, include a Water Quality Management Plan. The Water Quality Management Plan, dated July 2003, was prepared and previously approved by the Commission in its prior permit actions relative to the Airfield Safety Projects.

As previously stated, the proposed project would result in an increase in tidal circulation to Basins E & F. By lowering the basin elevations, the capacity to accept tidal flows and flooding would be increased. Therefore, the URS Biological Assessment concludes that the restoration of tidal circulation would benefit water quality since tidal flows would be exposed to more mudflat habitat during the tidal cycle, which would benefit surface water quality due to exposure to filter feeding invertebrates. The project would not result in greater surface runoff since no impervious surfaces would be created.

During construction, grading to lower the basins, installation of culverts and landscaping required for habitat restoration could potentially result in the discharge of disturbed soils to Tecolotito Creek from dumping, accidental spills, and/or post-grading erosion. Further, use of construction equipment could result in contamination of the creek water quality or native vegetation in the event of oil spillage or leakage during the five-month construction process. To minimize these impacts **Special Condition Seven (7)** requires that earthwork be limited to the period between July 15 and November 1, during the dry season to prevent sediment runoff to tidal channels. Further, **Special Condition Six (6)** requires compliance with all provisions of the Storm Water Pollution Prevention Plan (SWPPP) dated August 2009 that incorporates Best Management Practices (BMPs) consistent with LCP policy C-14 and **Special Condition Five (5)** requires compliance with all provisions of the Water Quality Management Plan dated July 2003 consistent with LCP policy 13.

For all of the reasons stated above, the Commission finds that the Basin E/F Tidal Restoration Project is consistent with Section 30231 of the Coastal Act.

D. Conclusion

In previous actions the Commission has found the Airfield Safety Projects, Tidal Circulation Experiment, and Wetland Restoration Plan consistent with Sections 30231, 30233, and 30240 of the Coastal Act. The proposed project is a required component of the projects previously approved by the Commission in its Federal Consistency Determination, LCP Amendment certification, and CDPs, as described in this report. The approved projects comply with all applicable policies of the certified LCP and with

Sections 30231, 30233, and 30240 of the Coastal Act by incorporating specific mitigation, restoration, and monitoring measures required by the LCP into the proposed projects and by special condition compliance requirements attached to this permit. Therefore, the Commission finds that the proposed Basins E & F Tidal Restoration Project conforms to the provisions of Sections 30231, 30233, and 30240 of the Coastal Act.

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed in detail above, project alternatives and mitigation measures have been considered and incorporated into the project. Six types of mitigation actions include those that are intended to avoid, minimize, rectify, reduce, or compensate for significant impacts of development. Mitigation measures required to avoid impacts include, removal of excavated material (ESHA and water quality) and the implementation of all mitigation measures identified in the Final Mitigated Negative Declaration for the project. Mitigation measures required to minimize impacts through a Water Quality Management Plan, a Construction Storm Water Pollution Prevention Plan, Special Status and Wildlife Protection Measures including best management practices and construction timing during the dry season (ESHA and water quality). Finally, a maintenance and monitoring plan will be implemented for 7 years to ensure the success of the habitat restoration.

The following special conditions are required to assure the project's consistency with Section 13096 of the California Code of Regulations:

Special Conditions 1 through 8

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

410020 sba goleta slough report

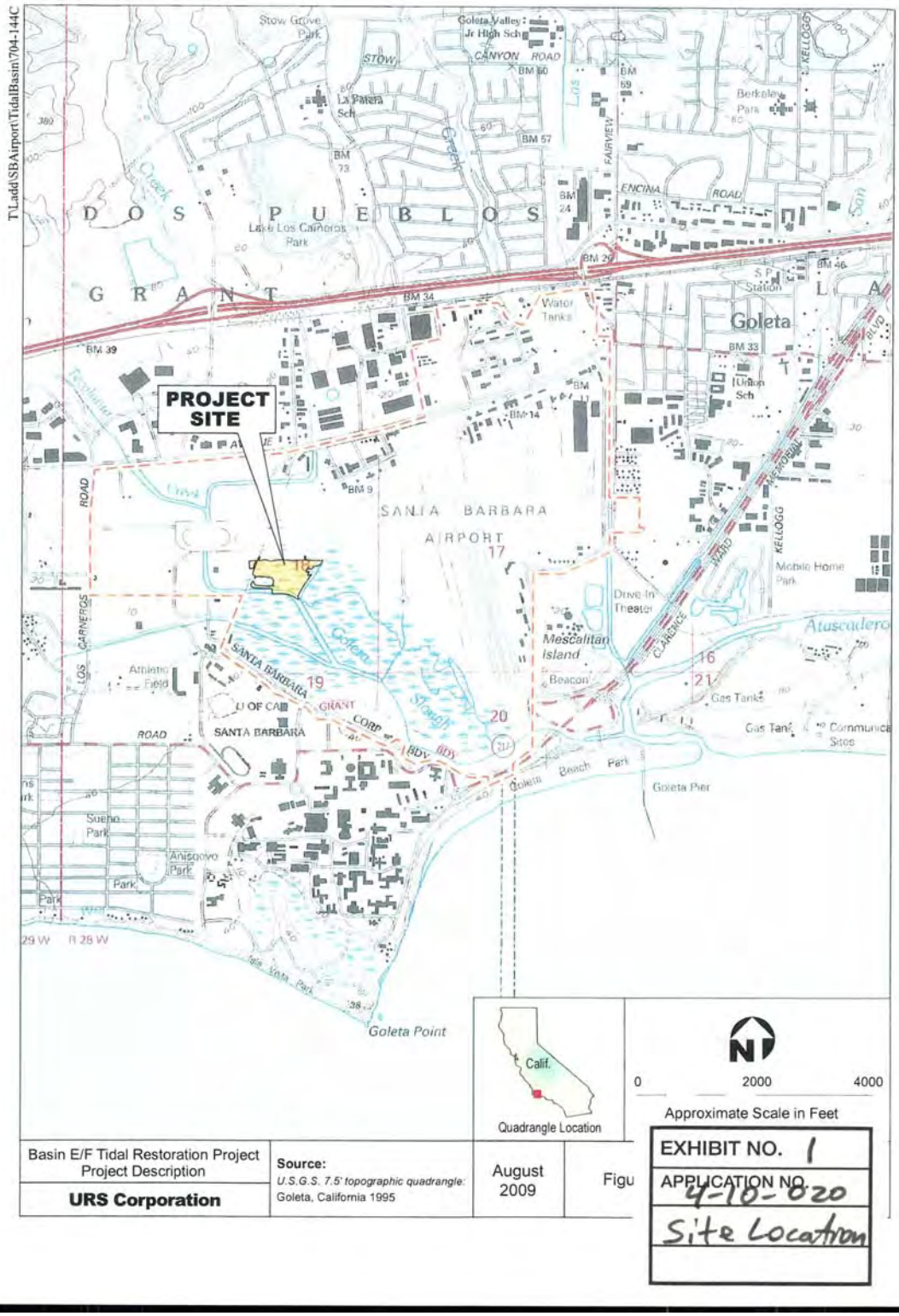
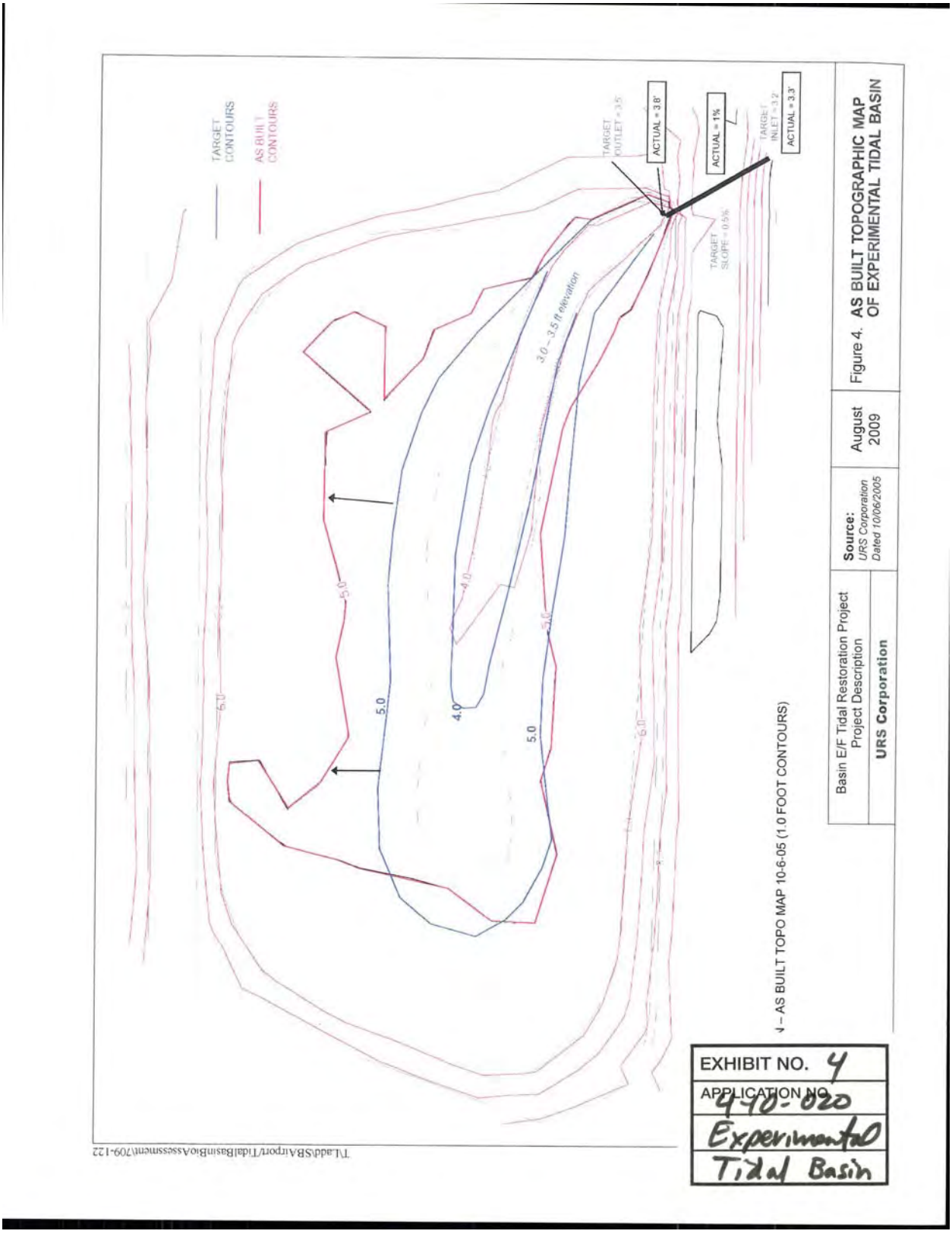


EXHIBIT NO. 2
APPLICATION NO. 4-10-020
SBA
Restoration

EXHIBIT NO. 3
APPLICATION NO. 4-10-020
Project Site

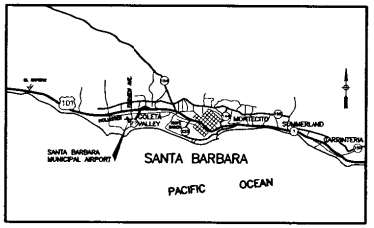

TARGET CONTOURS
AS BUILT CONTOURS
TARGET OUTLET = 3.5'
ACTUAL = 3.8'
ACTUAL = 1%
TARGET SLOPE = 0.5%
TARGET INLET = 3.2'
ACTUAL = 3.3'
3.0 – 3.5 ft elevation
5.0
4.0
6.0
– AS BUILT TOPO MAP 10-6-05 (1.0 FOOT CONTOURS)
Basin E/F Tidal Restoration Project
Project Description
URS Corporation
Source:
URS Corporation
Dated 10/06/2005
August 2009
Figure 4. AS BUILT TOPOGRAPHIC MAP OF EXPERIMENTAL TIDAL BASIN
T:\Ladd\SBAirport\TidalBasinB\oAssessment\709-122
EXHIBIT NO. 4
APPLICATION NO. 4-10-020
Experimental Tidal Basin

SHEET INDEX

NO.	TITLE
1	COVER SHEET
2	PROJECT LAYOUT PLAN
3	EXISTING CONDITIONS
4	GRADING PLAN
5	LANDSCAPE PLAN
6	LANDSCAPE NOTES & DETAILS
7	PRELIMINARY IRRIGATION PLAN
8	DEWATERING PLAN (NOT INCLUDED–INCOMPLETE)
9	DETAIL SHEET (NOT INCLUDED–INCOMPLETE)
10	EROSION CONTROL PLAN
11	EROSION CONTROL NOTES & DETAILS

CITY OF SANTA BARBARA

SANTA BARBARA COUNTY, CALIFORNIA



VICINITY MAP

SANTA BARBARA MUNICIPAL AIRPORT

BASIN E/F TIDAL RESTORATION PROJECT

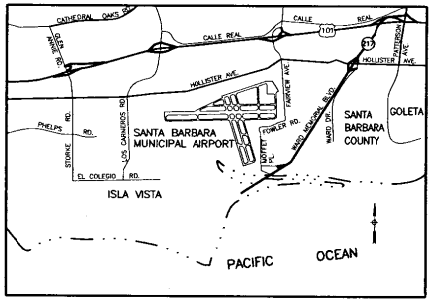
AIP PROJECT NO. 3-06-0235-XX

BID NO. XXXX

AUGUST 2009

GENERAL PROJECT DESCRIPTION

RESTORATION AND CREATION OF TIDAL LANDS WITHIN BASINS E, F AND G



LOCATION MAP

EXHIBIT NO. 5
APPLICATION NO. 4-10-020
Project

CITY OF SANTA BARBARA
PUBLIC WORKS DEPARTMENT–ENGINEERING DIVISION
APPROVED:
CITY ENGINEER DATE , 20

SUBMITTED PROJECT ENGINEER RCE 24084 DATE

TARTAGLIA ENGINEERING
CIVIL ENGINEERS
P.O. Box 1930, Atascadero, CA 93423
(805) 466-3060

PROJ. NO. AP 3-06-0235-xx

SHT. 1 OF 11 SHTS.

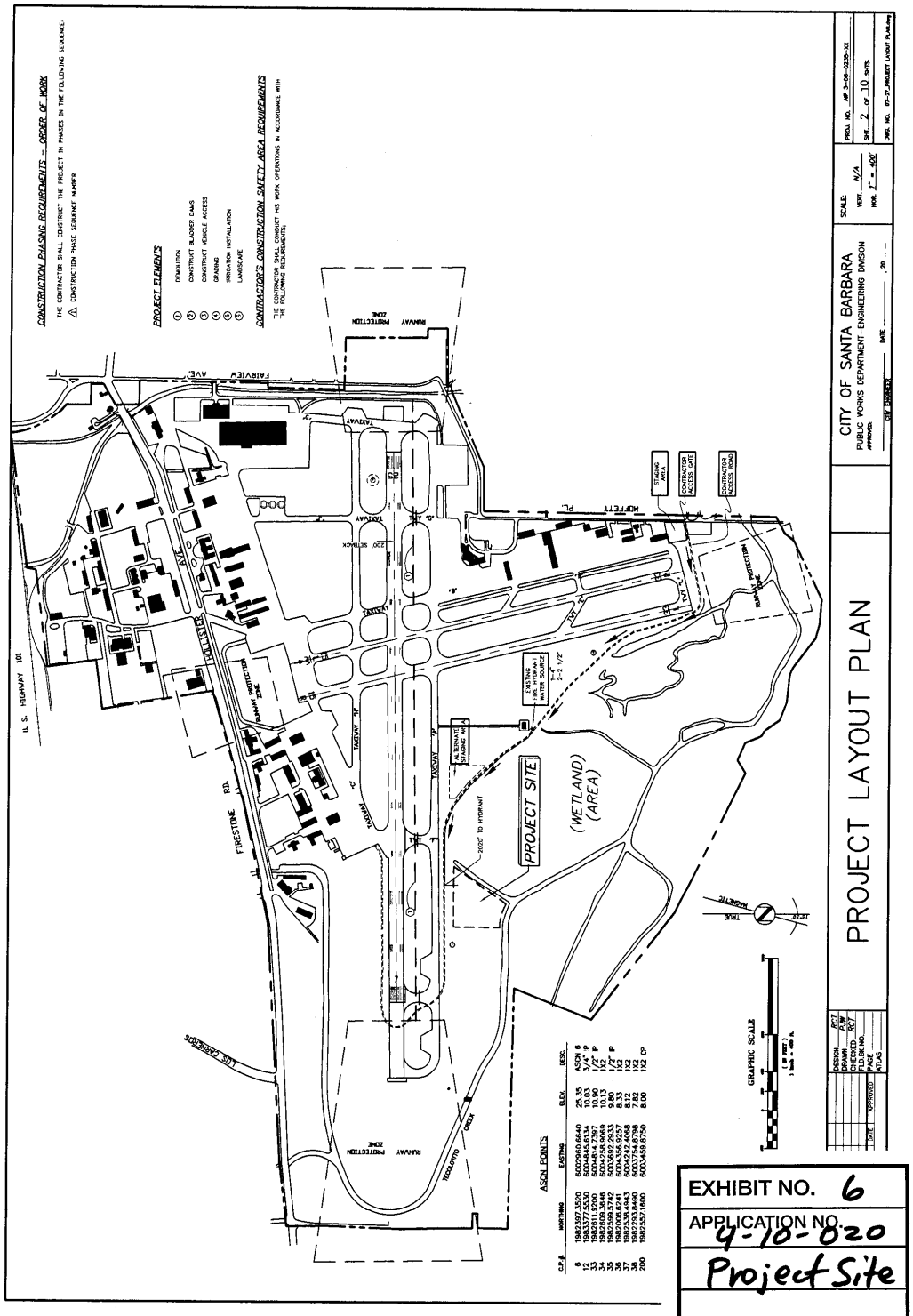


EXHIBIT NO. 6
APPLICATION NO. 4-10-020
Project Site

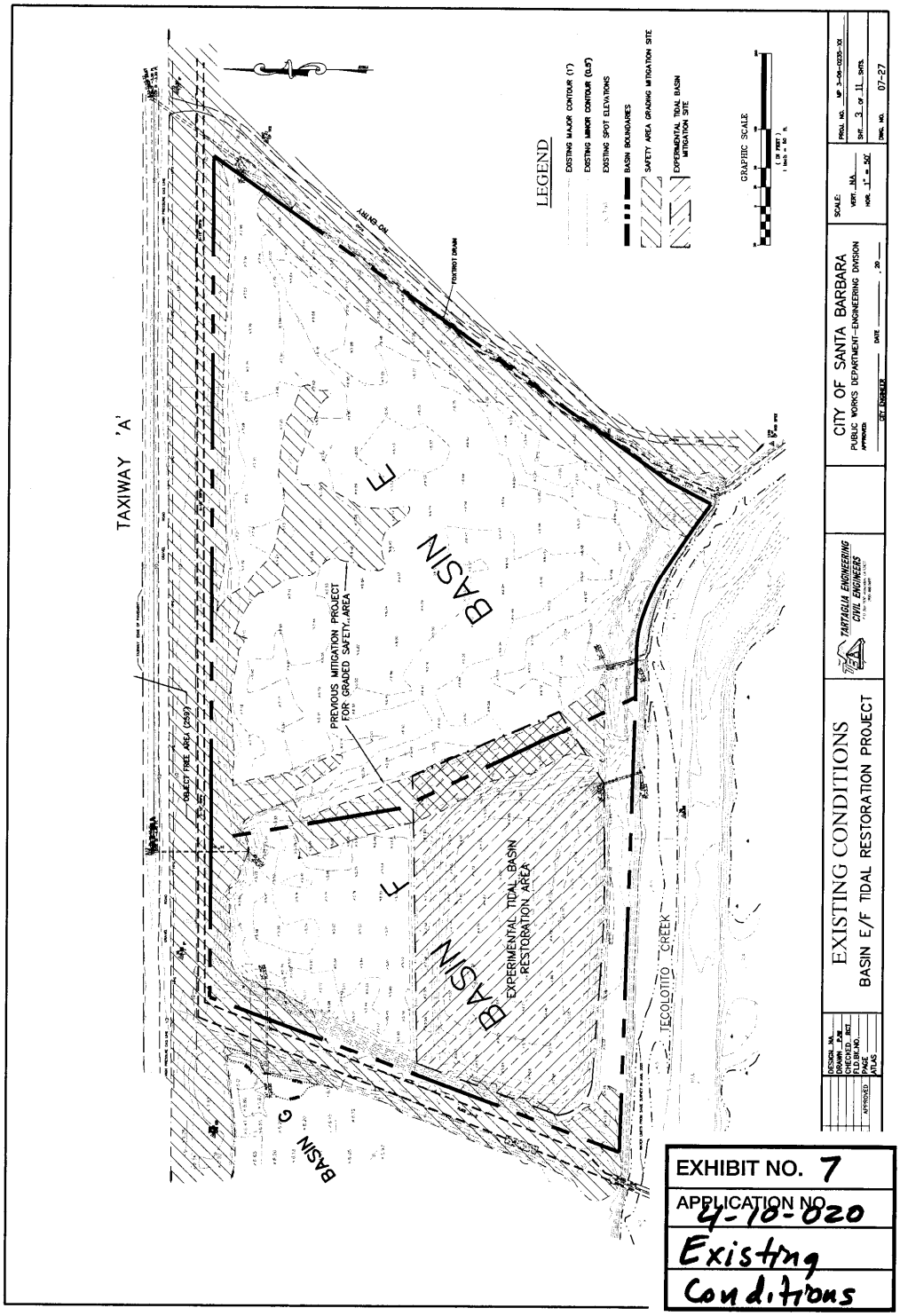


EXHIBIT NO. 7
APPLICATION NO. 4-10-020
Existing Conditions

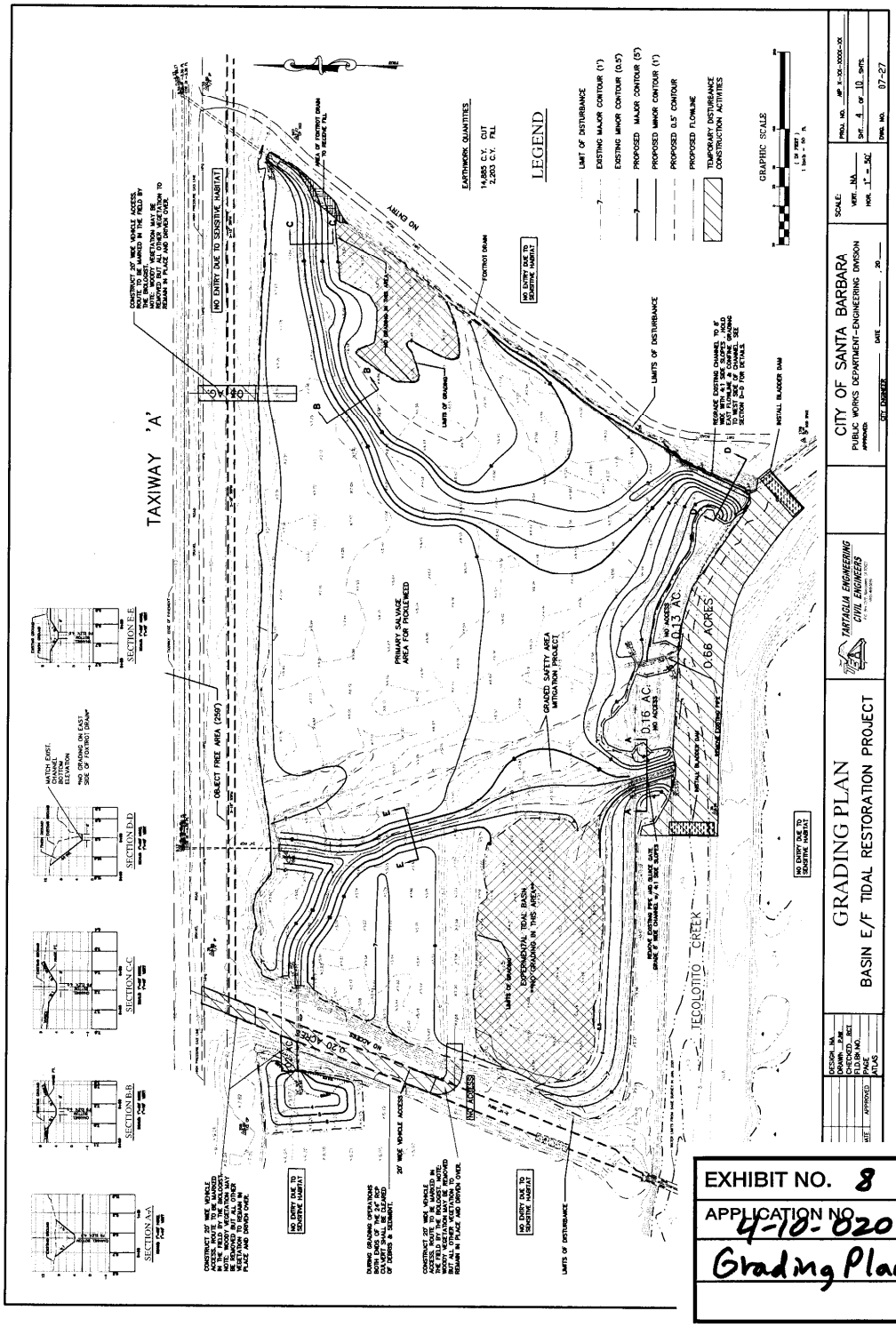


EXHIBIT NO. 8
APPLICATION NO. 4-10-020
Grading Plan

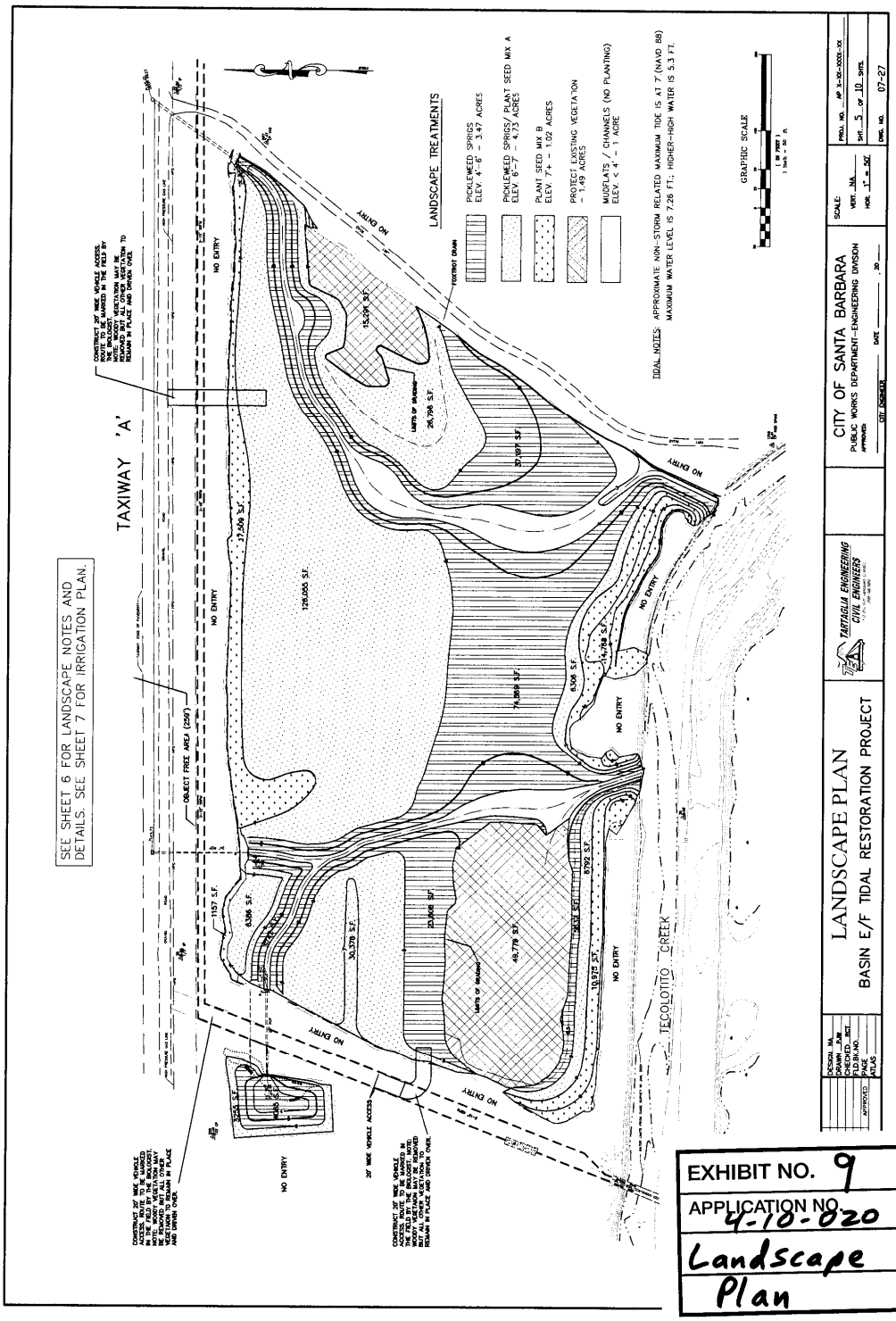


EXHIBIT NO. 9
APPLICATION NO. 4-10-020
Landscape Plan

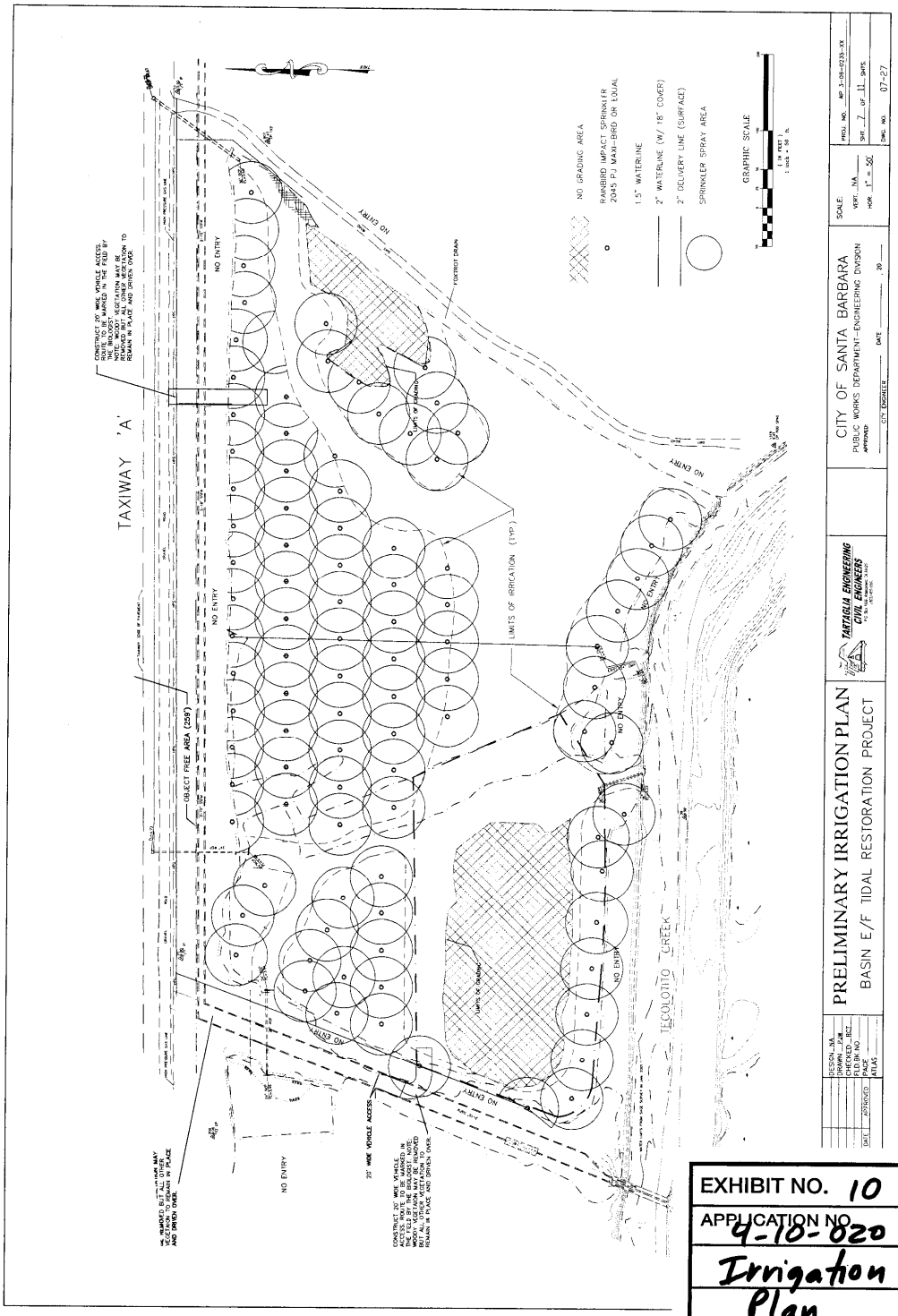


EXHIBIT NO. 10
APPLICATION NO. 4-10-020
Irrigation Plan

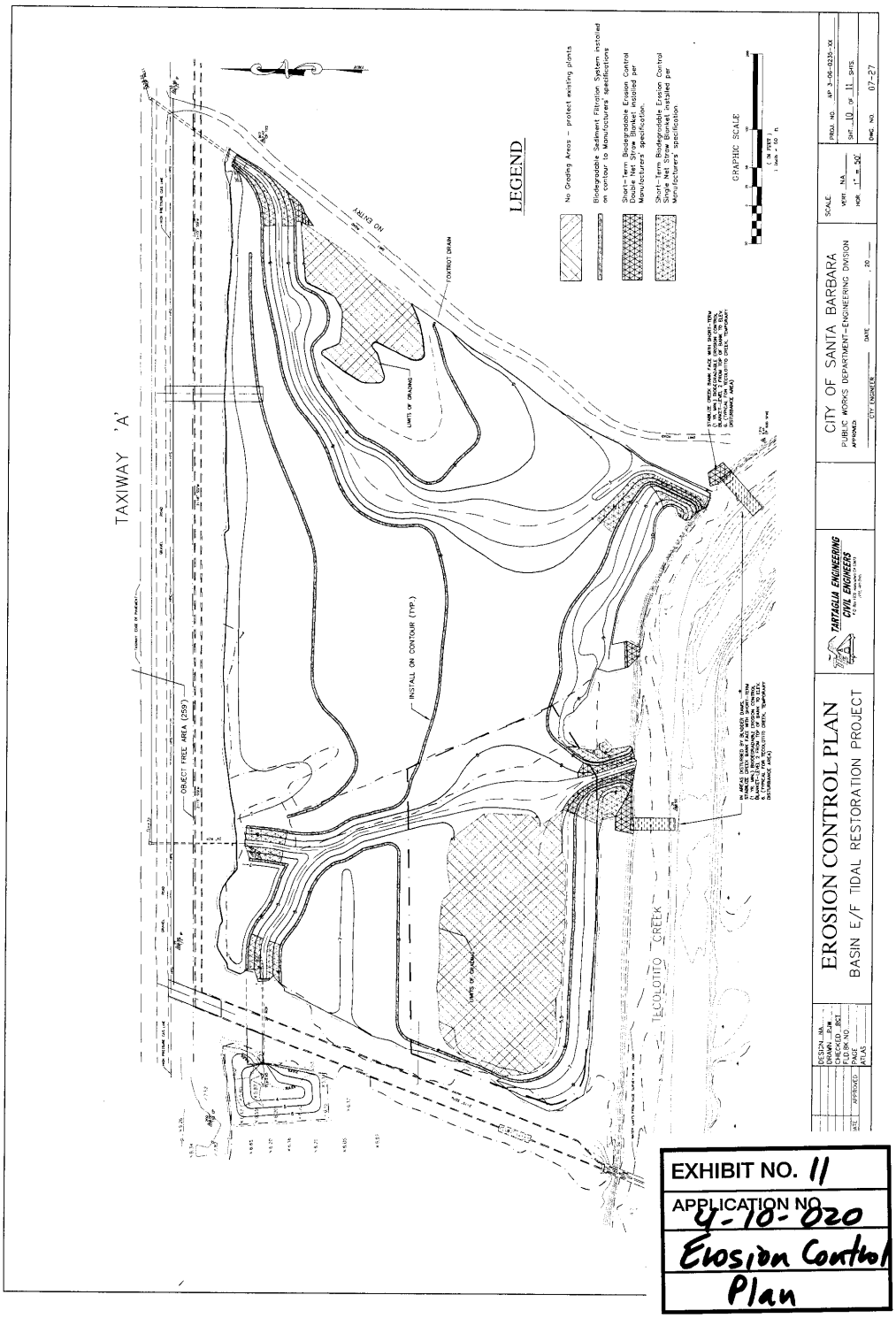


EXHIBIT NO. 11
APPLICATION NO. 4-10-020
Erosion Control Plan

City of Santa Barbara
California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 001-10
500 JAMES FOWLER ROAD
GOLETA SLOUCH COASTAL DEVELOPMENT PERMIT
MARCH 4, 2010

APPLICATION OF OWEN THOMAS, AGENT FOR THE CITY OF SANTA BARBARA, 500 JAMES FOWLER ROAD, 073-045-003, G-S-R, S-D-3, GOLETA SLOUGH RESERVE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RECREATIONAL OPEN SPACE (MST 2009-00424, CDP2009-00014)

The Airport Department proposes to construct a 9.3 acre tidal restoration project in the Goleta Slough to serve as the final portion of mitigation for impacts associated with the Airfield Safety Projects (ASP). The primary purpose of the proposed project is to provide 7.05 acres of wetland restoration area needed to complete the ASP Coastal Development Permit mitigation requirements. Approximately 30.03 acres of the required 37.08 acres of habitat have already been restored to date for the Airfield Safety Projects. The restoration of tidal flows would provide several ecological benefits to the Goleta Slough, improve storm water management from the airfield, and contribute to a reduction of bird strike hazards for aviation.

The discretionary application required for this project is a Goleta Slough Coastal Development Permit to restore 9.3 acres of tidal wetland habitat in the Original Jurisdiction of the Coastal Zone (SBMC §29.25.050).

The Planning Commission will consider approval of the Mitigated Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, one person appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, March 4, 2010
2. Site Plans
3. Correspondence received in opposition to the project:
   a. Paula Wesbury, Santa Barbara

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Adopted the Final Mitigated Negative Declaration and recommended approval Slough Coastal Development Permit to the California Coastal Commission mak following findings and determinations:

A. **Final Mitigated Negative Declaration Adoption (CEQA Guidelines**

EXHIBIT NO. 12
APPLICATION NO. 4-10-020
Planning Comm. Resolution
P9 10f17

1. The Planning Commission has considered the proposed Final Mitigated Negative Declaration together with comments received during the public review period process.

2. The Planning Commission finds on the basis of the whole record before it (including the initial study and comments received) that there is no substantial evidence that the project, as mitigated, will have a significant impact on the environment. The Final Mitigated Negative Declaration dated February 9, 2010 is hereby adopted.

3. The Planning Commission finds that the Final Mitigated Negative Declaration reflects the Planning Commission's independent judgment and analysis.

4. The Planning Commission finds that the Final Mitigated Negative Declaration has been prepared in compliance with CEQA, and constitutes adequate environmental evaluation for the proposed project.

5. A mitigation monitoring and reporting program for measures required in the project or made a condition of approval to mitigate or avoid significant environmental effects has been prepared.

6. The project is within the boundaries of the Santa Barbara County Airport Land Use Plan. The project will not result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area as discussed in Section VI.B of this report.

7. The location and custodian of the documents or other materials which constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, 630 Garden Street, Santa Barbara, California.

8. The California Department of Fish and Game (CDFG) is a Trustee Agency with oversight over fish and wildlife resources of the State. The CDFG collects a fee from project proponents of all projects potentially affecting fish and wildlife, to defray the cost of managing and protecting resources. The project is subject to the DFG fee, and a condition of approval has been included which requires the applicant to pay the fee within five days of project approval.

B. **Recommendation for a Goleta Slough Coastal Development Permit (SBMC §29.25.050)**

1. The project is consistent with all applicable policies of the City's Local Coastal Program and all applicable provisions of the Code, because it will enhance and restore tidal wetland habitat as specified by Policy C-11 and SBMC §29.25.030.

2. The project is consistent with the policies of the California Coastal Act, because it will restore tidal wetland habitat as discussed in Section I of this report (Coastal Act Section 30230).

3. The project is dependent upon the resources of the environmentally sensitive area and is consistent with Section 30233 of the Coastal Act because it is a habitat restoration project (Coastal Act Section 30233(a)(6)).

4. The project has been designed to prevent impacts which would significantly degrade an environmentally sensitive area and is compatible with the continuance of such habitat by enhancing its value as critical habitat as discussed in Section VI.A.2 (Policy C-9).

5. The project design maintains a natural buffer area of 100 feet between developed areas and all wetland areas, and all disturbed areas will be revegetated with native plants as discussed in Section VI.A.2 of this report (Policy C-4).

6. The project will sustain the biological productivity of coastal waters (Policy C-12) and will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes by providing habitat for rare and endangered species including the Belding's savannah sparrow and tidewater goby as discussed in Policy VI.A.2 of this report (Policy A-1).

7. The project includes adequate impact avoidance and mitigation measures to ensure protection of State and federally identified rare, threatened, or endangered species by incorporating monitoring of sensitive species and limiting construction to July through November as discussed in Section VI.A.2 of this report.

8. There is no less environmentally damaging alternative to the project, all feasible mitigation measures have been provided to minimize adverse environmental effects, all dredged spoils will be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation, and the project is designed to enhance the functional capacity of the wetland by providing critical habitat as discussed in Section VI.A.2 of this report (Policy C-15).

9. The project would not create a substantial alteration of rivers or streams in the Goleta Slough because the damming and dewatering of a portion of Tecolotito Creek will occur during the dry season, when flows are at their lowest, and will not take place until the last phase of project grading as discussed in Section I of this report.

10. Archaeological or other culturally sensitive resources within the Goleta Slough are protected from impacts because the selected project site is not in a Cultural Resource Sensitivity Area, and construction crews will be notified to stop work in the event of a resource discovery as discussed in Section VI.A.5.

11. The project will minimize adverse effects of run-off and interference with surface water flow through the implementation of a Storm Water Pollution Prevention Plan (SWPPP) discussed in Section VI.A.3 of this report.

12. Sedimentation from the project will be reduced to a minimum in a manner compatible with the maintenance of the wetland area by implementation of Best Management Practices in accordance with the SWPPP. Long-term sedimentation will be reduced by regular tidal influence as discussed in Section VI.A.3 of this report.

13. The project will enhance public educational opportunities at the Goleta Slough through continued maintenance of the Goleta Slough Access Permit program which allows researchers, student groups, and other interested parties to view and study the Goleta Slough's tidal prism as discussed in Section VI.A.4 of this report.

II. Said recommendation is subject to the following conditions:

A. **California Department of Fish and Game Fees Required.** Pursuant to Section 21089(b) of the California Public Resources Code and Section 711.4 et. seq. of the California Fish and Game Code, the approval of this permit/project shall not be considered final unless the specified Department of Fish and Game fees are paid and filed with the California Department of Fish and Game within five days of the project approval. The fee required is $2010.25 for projects with Negative Declarations. Without the appropriate fee, the Notice of Determination cannot be filed and the project approval is not operative, vested, or final. The fee shall be delivered to the Planning Division immediately upon project approval in the form of a check payable to the California Department of Fish and Game.

B. **Approved Development.** The development recommended for approval by the Planning Commission on TBD is limited to 10.3 acres of wetland habitat mitigation and the improvements shown on the plans signed by the Chairman of the Planning Commission on said date and on file at the City of Santa Barbara.

C. **Storm Water Pollution Control and Drainage Systems Maintenance.** The Santa Barbara Airport Department (Airport) shall maintain the drainage system and storm water pollution control devices intended to intercept siltation and other potential pollutants (including, but not limited to, hydrocarbons, fecal bacteria, herbicides, fertilizers, etc.) in a functioning state (and in accordance with the Operations and Maintenance Procedure Plan prepared in accordance with the Storm Water Management Plan BMP Guidance Manual). Should any of the project's surface or subsurface drainage structures or storm water pollution control methods fail to capture, infiltrate, and/or treat water, or result in increased erosion, the Airport shall be responsible for any necessary repairs to the system and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the Airport shall submit a repair and restoration plan to the Community Development Director to determine if an amendment or a new Building Permit and Coastal Development Permit are required to authorize such work. The Airport is responsible for the adequacy of any project-related drainage facilities and for the continued maintenance thereof in a manner that will preclude any hazard to life, health, or damage to the Real Property or any adjoining property.

The Airport shall provide an Operations and Maintenance Procedure Plan (describing replacement schedules for pollution absorbing pillows, etc.) for the operation and use of the storm drain surface pollutant interceptors. The Plan shall be reviewed and approved by the Water Resources Specialist.

D. **Pesticide or Fertilizer Usage Prohibited.** The use of pesticides or fertilizer shall be prohibited within the project site in Goleta Slough.

E. **Public Works Requirements Prior to Building Permit Issuance.** The Airport shall submit the following, or evidence of completion of the following to the Public Works Department for review and approval, prior to the issuance of a Building Permit for the project.

1. **Drainage Calculations.** The Airport shall submit drainage calculations prepared by a registered civil engineer or licensed architect demonstrating that the new development will not increase runoff amounts above existing conditions for a 25-year storm event. Any increase in runoff shall be retained on-site.

2. **Drainage and Water Quality.** Project drainage shall be designed, installed, and maintained such that stormwater runoff from the first inch of rain from any storm event shall be retained and treated onsite in accordance with the City's NPDES Storm Water Management Permit. Runoff should be directed into a passive water treatment method such as a bioswale, landscape feature (planter beds and/or lawns), infiltration trench, etc. Project plans for grading, drainage, stormwater treatment methods, and project development, shall be subject to review and approval by City Building Division and Public Works Department. Sufficient engineered design and adequate measures shall be employed to ensure that no significant construction-related or long-term effects from increased runoff, erosion and sedimentation, or groundwater pollutants would result from the project. The Airport shall maintain the drainage system and storm water pollution control methods in a functioning state.

F. **Community Development Requirements with Building Permit Application.** The following shall be submitted with the application for any Building or Public Works permit and finalized prior to Building or Public Works Permit issuance:

1. **Project Environmental Coordinator Required.** Submit to the Planning Division a contract with a qualified representative for the Airport, subject to approval of the contract and the representative by the Planning Division, to act as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the Mitigation Monitoring and Reporting Program (MMRP) and Conditions of Approval to the City. The contract shall include the following, at a minimum:

a. The frequency and/or schedule of the monitoring of the mitigation measures.

b. A method for monitoring the mitigation measures.

c. A list of reporting procedures, including the responsible party, and frequency.

d. A list of other monitors to be hired, if applicable, and their qualifications.

e. Submittal of monthly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP and condition compliance by the PEC to the Community Development Department/case planner.

f. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in the MMRP and conditions of approval, including the authority to stop work, if necessary, to achieve compliance with mitigation measures.

The PEC shall monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when construction work may not be in progress. The name and telephone number of such persons shall be provided to the Air Pollution Control District *(Required Mitigation Measure AQ-7).*

2. **Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to Airport, all businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) and Contractor(s), site rules and Conditions of Approval pertaining to construction activities and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction. The language of the notice and the mailing list shall be reviewed and approved by the Planning Division prior to being distributed. An affidavit signed by the person(s) who compiled the mailing list shall be submitted to the Planning Division.

3. **Contractor and Subcontractor Notification.** The Airport shall notify in writing all contractors and subcontractors of the site rules, restrictions, and Conditions of Approval. Submit a copy of the notice to the Planning Division.

4. **Tidewater Goby Surveys.** Prior to construction and during all dewatering activities surveys shall be conducted by a biologist approved to handle tidewater gobies under a Section 10a(1a) Recovery Permit to determine the general abundance of tidewater gobies in tidal basin. Relocation of any tidewater gobies shall follow the procedures described in the USFWS Tidewater Goby Survey Protocol (2006). All native fish species shall be relocated from the Tidal Demonstration Basin and Foxtrot Drainage prior to any earthwork. The area of

Tecolotito Creek and Foxtrot Drainage to be dewatered shall be minimized, not completely dewatered if practical, and kept moist in order to minimize mortality of aquatic species. Foot traffic in any channel bottom shall be limited to fish relocation and dewatering activities.

Post construction surveys for tidewater goby shall be implemented for 2 years following completion of the project. The surveys shall be conducted by a Section 10a(1a) Recovery Permit approved biologist to determine the general abundance of tidewater gobies in tidal basin. Survey methods shall follow those previously conducted by Ecorp Consulting to measure population densities in Tecolotito and Carneros Creeks. A total of four surveys shall be conducted including one pre-spawn survey in May/June and one post-spawn survey in August of each year.

All tidewater goby survey reports shall be submitted to the USFWS for acceptance *(Required Mitigation Measure BIO-1)*.

5. **Bird Monitoring.** The project site shall be monitored by a qualified biologist for Belding's savannah sparrow and loggerhead shrike. Prior to site preparation and construction activities, the Airport shall have a qualified biologist survey all breeding/nesting habitat within the project site every seven days for eight consecutive weeks. Documentation of findings, including negative findings shall be submitted to the California Department of Fish and Game (CDFG). Site preparation and construction activities will only begin if no breeding/nesting birds are observed and concurrence has been received from the CDFG. If breeding activities or an active nest is located in a work area, site preparation and construction activities shall not begin in that area until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area and the young will no longer be impacted by the project.

   Once site preparation and construction activities have commenced, the project site shall be monitored for Belding's savannah sparrow and loggerhead shrike on a weekly basis. Documentation of findings, including negative findings shall be submitted to the California Department of Fish and Game (CDFG) until construction is complete.

   Site preparation or construction activities shall be suspended immediately in a given basin if the qualified biologist determines that breeding or nesting activity is occurring in that basin. Site preparation and construction activities shall not resume until the monitor determines that the breeding and nesting activities described above have stopped.

   Noise levels will be monitored by a qualified biologist to determine if construction activities are disruptive to Belding's savannah sparrow or loggerhead shrike in or adjacent to the project site. If a significant disruption to foraging behavior is observed, construction activities in the area of disturbance

will be stopped immediately until the qualified biologist develops recommendations to reduce or eliminate the disturbances and receives concurrence from CDFG.

Use of the project site by Belding's savannah sparrows or loggerhead shrike will be recorded during routine restoration monitoring, including evidence of breeding *(Required Mitigation Measure BIO-2).*

6. **Construction Season Limitation.** Construction shall be prohibited between November 1 and July 15 to avoid the rainy season, Belding's savannah sparrow and loggerhead shrike breeding season and potential Steelhead migration *(Required Mitigation Measure BIO-3).*

7. **Biological Monitoring and Performance.** Areas of temporary disturbance along the access routes shall be reseeded with native plants from local genetic stock. Weeding will be performed to ensure that restoration performance criteria are met. Weeding shall occur at least six times per year, or more frequently if necessary. Maintenance will be performed by hand, including techniques such as weed whacking and hand removal which has proven affective in other Airport restoration projects. Herbicides shall only be used if hand removal is not effective. Herbicides must be approved for use near water. Only targeted application will be permitted; no blanket spraying will be allowed. Application will be supervised by a qualified biologist. Prior o application of herbicide, the maintenance crew must alert the Airport in compliance with the City of Santa Barbara's Integrated Pest Management Program. A project completion report shall be prepared following the conclusion of construction activities.

   Monitoring and reporting shall occur for a period of at least seven years if the performance criteria are not met. If performance criteria are not met by the end of year seven, then the choice of plants, site conditions, performance criteria, and other factors would be reevaluated by a qualified biologist. A new restoration effort would be implemented with a new monitoring period.

   Performance criteria for the initial seeding effort would be as follows:

   a. All installed plants must achieve a 70% survival rate after one year following the construction completion, and an 80% survival rate of the remaining plants after two and three years.

   b. At the end of seven years, there must be a minimum of 75% total native plant cover.

   c. Non-native weeds must remain below 15% of total vegetative coverage at all times during the seven year period. By the end of the seventh year, the restoration site shall not have more than 10% non-native cover. Non-native grasses and common naturalized species that are not aggressive

such as brass buttons (Cotula coronopifolia) are not included in this performance criteria

d. The project site must be without supplemental irrigation for a minimum of three years.

e. Except for pickleweed, no species shall constitute more than 50% of the vegetative cover.

f. No woody invasive species shall be present, and herbaceous invasive species shall not exceed 5% cover.

Formal site inspections to monitor progress towards the performance criteria shall be conducted six times a year during the monitoring period. The Airport shall prepare annual revegetation status report on the condition of the seeded areas during the monitoring period. An annual monitoring report shall be prepared detailing the condition of the revegetation area in respect to the performance criteria. The annual report shall contain quantitative analysis of achievement of performance criteria. The annual revegetation monitoring period shall span 12 months following completion of revegetation of the project site. Annual reports shall be completed one month after the end of the monitoring period and submitted to the permitting agencies *(Required Mitigation Measure BIO-4)*.

8. **Pre-Construction Plant Survey.** A pre-construction survey shall be conducted during the blooming period for southern tarplant (July-August) and Coulter's goldfields (February-June) immediately prior to construction in all areas of the project site containing habitat suitable to support southern tarplant and/or Coulter's goldfields. Populations within or adjacent to the project site that can be avoided will be clearly marked with identifying flagging to ensure projection of the species.

   If individuals or populations of southern tarplant and Coulter's goldfields cannot be avoided, all seed available from the plant to be removed would be salvaged and used in the restoration seed mix *(Required Mitigation Measure BIO-5)*.

9. **Traffic Route Approval.** The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager *(Recommended Mitigation Measure TC-2)*

10. **Haul Route Approval.** The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Manager *(Recommended Mitigation Measure TC-3)*

11. **Parking/Storage Approval.** The location of construction parking and storage shall be provided in locations subject to the approval of the Transportation Manager. During construction, free parking spaces for construction workers shall be provided *(Recommended Mitigation Measure TC-4)*

12. **Letter of Commitment for Pre-Construction Conference.** The Airport shall submit to the Planning Division a letter of commitment that states that, prior to disturbing any part of the project site for any reason and after the Building permit has been issued, the General Contractor shall schedule a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, the assigned Building Inspector, the Planning Division, the Property Airport, the Landscape Architect, the Biologist, the Project Engineer, the Project Environmental Coordinator, the Contractor and each subcontractor.

G. **Building Permit Plan Requirements.** The following requirements/notes shall be incorporated into the construction plans submitted to the Building and Safety Division for Building permits.

1. **Mitigation Monitoring and Reporting Requirement.** Airport shall implement the Mitigation Monitoring and Reporting Program (MMRP) for the project's mitigation measures, as stated in the Mitigated Negative Declaration for the project.

2. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the Airport. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

   If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

   If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City

Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization *(Required Mitigation Measure CR-1)*.

3. **Conditions on Plans/Signatures.** The final California Coastal Commission Resolution shall be provided on a full size drawing sheet as part of the drawing sets. Each condition shall have a sheet and/or note reference to verify condition compliance. If the condition relates to a document submittal, indicate the status of the submittal (e.g., Archaeologist contract submitted to Community Development Department for review). A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Airport Director		Date
Contractor	Date	License No.
Architect	Date	License No.
Engineer	Date	License No.

H. **Construction Implementation Requirements.** All of these construction requirements shall be carried out in the field by the Airport and/or Contractor for the duration of the project construction.

1. **Pre-Construction Conference.** Not less than 10 days or more than 20 days prior to commencement of construction, a conference to review site conditions, construction schedule, construction conditions, and environmental monitoring requirements, shall be held by the General Contractor. The conference shall include representatives from the Public Works Department Engineering and Transportation Divisions, Building Division, Planning Division, the Airport Department, Landscape Architect, Biologist, Project Engineer, Project Environmental Coordinator, Mitigation Monitors, Contractor and each Subcontractor.

2. **Construction Dust Control – Minimize Disturbed Area/Speed.** Amount of disturbed area shall be minimized and on site vehicle speeds shall be limited to 15 miles per hour or less *(Required Mitigation Measure AQ-1)*.

3. **Construction Dust Control - Watering.** During site grading and transportation of fill materials, regular water sprinkling shall use reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

   Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph *(Required Mitigation Measure AQ-2).*

4. **Construction Dust Control – Tarping.** Trucks transporting fill material to and from the site shall be covered from the point of origin*(Required Mitigation Measure AQ-3).*

5. **Construction Dust Control – Gravel Pads.** Gravel pads shall be installed at all access points to prevent tracking of mud on to public roads *(Required Mitigation Measure AQ-4).*

6. **Construction Dust Control – Stockpiling.** If importation, exportation and stockpiling of fill material are involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation *(Required Mitigation Measure AQ-5).*

7. **Construction Dust Control – Disturbed Area Treatment.** After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by:

   a. Seeding and watering until grass cover is grown;

   b. Spreading soil binders;

   c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;

   d. Other methods approved in advance by the Air Pollution Control District *(Required Mitigation Measure AQ-6).*

8. **Portable Construction Equipment.** All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit *(Required Mitigation Measure AQ-8).*

9. **Fleet Owners.** Fleet owners are subject to sections 2449, 2449.2, and 2449.3 in Title 13, Article 4.8, Chapter 9, of the California Code of regulations (CCR) to

reduce diesel particulate matter (and criteria pollutant emissions from in-use off-road diesel-fueled vehicles. See http://www.arb.ca.gov/regact/2007/ordiesl07/frooal.pdf) *(Required Mitigation Measure AQ-9).*

10. **Engine Size.** The engine size of construction equipment shall be the minimum practical size *(Required Mitigation Measure AQ-10).*

11. **Equipment Numbers.** The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time *(Required Mitigation Measure AQ-11).*

12. **Equipment maintenance.** All construction equipment shall be maintained in tune per the manufacturer's specifications *(Required Mitigation Measure AQ-12).*

13. **Catalytic Converters.** Catalytic converters shall be installed on gasoline-powered equipment, if feasible *(Required Mitigation Measure AQ-13).*

14. **Diesel Construction Equipment.** Only heavy-duty diesel construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be used *(Required Mitigation Measure AQ-14).*

15. **Engine Timing and Diesel Catalytic Converters.** Construction equipment operating on site shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed *(Required Mitigation Measure AQ-15).*

16. **Diesel Replacements.** Diesel powered equipment shall be replaced by electric equipment whenever feasible *(Required Mitigation Measure AQ-16).*

17. **Idling Limitation.** Idling of heavy-duty diesel trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units shall be used whenever possible *(Required Mitigation Measure AQ-17).*

18. **Hazardous Materials Discovery**. All construction work shall cease in the event of visual discovery of hazardous or unknown material or upon discovery of chemical odors. The Santa Barbara County Hazardous Materials Unit (HMU) shall be contacted and given access to the site. Resumption of work shall not take place until such work has been approved by the HMU *(Recommended Mitigation Measure HAZ-1).*

19. **Construction Noise Reduction.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices*(Recommended Mitigation Measure NOI-1)*

20. **Recycling/Green Waste Reuse.** Recycling and/or reuse of construction and green waste materials shall be implemented and containers shall be provided on

site for that purpose during the construction period *(Recommended Mitigation Measure PF-1)*.

21. **Construction-Related Truck Trips.** Construction-related truck trips shall not be scheduled during peak hours (7:30 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways *(Recommended Mitigation Measure TC-1)*.

22. **Construction Hours.** Construction (including preparation for construction work) is prohibited Monday through Friday before 7:00 a.m. and after 5:00 p.m., and all day on Saturdays, Sundays and holidays observed by the City of Santa Barbara, as shown below:

New Year's Day	January 1st*
Martin Luther King's Birthday	3rd Monday in January
George Washington's Day	3rd Monday in February
César Chávez Day	March 31*
Memorial Day	Last Monday in May
Independence Day	July 4th*
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Following Thanksgiving Day	Friday following Thanksgiving Day
Christmas Day	December 25th*

*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday, respectively, shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the Chief of Building and Safety to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out night construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number that is answered by a person, not a machine.

23. **Construction Parking/Storage/Staging.** Construction parking and storage shall be provided as follows:

    a. During construction, free parking spaces for construction workers and construction shall be provided on-site or off-site in a location subject to the approval of the Public Works Director. Construction workers are

prohibited from parking within the public right-of-way, except as outlined in subparagraph b. below.

b. Parking in the public right of way is permitted as posted by Municipal Code, as reasonably allowed for in the 2006 Greenbook (or latest reference), and with a Public Works permit in restricted parking zones. No more than three (3) individual parking permits without extensions may be issued for the life of the project.

c. Storage or staging of construction materials and equipment within the public right-of-way shall not be permitted, unless approved by the Transportation Manager.

24. **Water Sprinkling During Grading.** The following dust control measures shall be required, and shall be accomplished using recycled water whenever the Public Works Director determines that it is reasonably available:

a. Site grading and transportation of fill materials.

b. Regular water sprinkling; during clearing, grading, earth moving or excavation.

c. Sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied on-site to prevent dust from leaving the site.

d. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.

e. Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement on-site damp enough to prevent dust raised from leaving the site. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph.

25. **Gravel Pads.** Gravel pads shall be installed at all access points to the project site to prevent tracking of mud on to public roads.

26. **Construction Best Management Practices (BMPs).** Construction activities shall address water quality through the use of BMPs, as approved by the Building and Safety Division.

27. **Mitigation Monitoring Compliance Reports.** The PEC shall submit monthly reports during demolition, excavation, grading and footing installation and monthly reports on all other construction activity regarding MMRP compliance to the Community Development Department.

28. **Construction Contact Sign.** Immediately after Building permit issuance, signage shall be posted at the points of entry to the site that list the contractor(s)

(and Project Environmental Coordinator's (PEC)) name, contractor(s) (and PEC's) telephone number(s), work hours, site rules, and construction-related conditions, to assist Building Inspectors and Police Officers in the enforcement of the conditions of approval. The construction contact phone number shall include an option to contact a person instead of a machine in case of emergency. The font size shall be a minimum of 0.5 inches in height. Said sign shall not exceed six feet in height from the ground if it is free-standing or placed on a fence. It shall not exceed 24 square feet if in a multi-family or commercial zone or six square feet if in a single family zone.

29. **Construction Equipment Maintenance.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.

30. **Unanticipated Archaeological Resources Contractor Notification.** Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Airport shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

I. **Prior to Project Completion.** Prior to project completion, the Airport shall complete the following:

1. **New Construction Photographs.** Photographs of the new construction, taken from the same locations as those taken of the story poles prior to project approval, shall be taken, attached to 8 ½ x 11" board and submitted to the Planning Division.

2. **Mitigation Monitoring Report.** Submit a final construction report for mitigation monitoring.

3. **Biological Monitoring Contract.** Submit a contract with a qualified biologist acceptable to the City for on-going monitoring.

NOTICE OF COASTAL DEVELOPMENT PERMIT TIME LIMITS:

Pursuant to Section 28.44.230 of the Santa Barbara Municipal Code, work on the approved development shall commence within two years of the final action on the application, unless a different time is specified in the Coastal Development Permit. Up to three (3) one-year extensions may be granted by the Community Development Director in accordance with the procedures specified in Subsection 28.44.230.B of the Santa Barbara Municipal Code

This motion was passed and adopted on the 4th day of March, 2010 by the Planning Commission of the city of Santa Barbara, by the following vote:

AYES: 6 NOES: 0 ABSTAIN: 0 ABSENT: 1 (Jostes)

I hereby certify that this Resolution correctly reflects the action taken by the city of Santa Barbara Planning Commission at its meeting of the above date.

Signature On File
Julie Rodriguez, Planning Commission Secretary

March 18, 2010
Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

Photograph 1. October 1, 2008. View of the experimental tidal basin (part of Basin F), facing east. Basin E is in the far background. Taken from the northwest corner of the experimental tidal basin.

Photograph 2. October 1, 2008. View of northern berm of the experimental tidal basin (part of Basin F), facing east. The experimental tidal basin is on the right. The control basin is on the left. Taken from the northwest corner of the experimental tidal

EXHIBIT NO. 13
APPLICATION NO. 4-10-020
Restoration Basins

Photograph 3. October 1, 2008. View of the west side of the experimental tidal basin (part of Basin F), facing north. Taken from the southwest corner of Basin F.

Photograph 4. October 1, 2008. View of the experimental tidal basin (part of Basin F), facing northeast. The control basin is in the upper left background. The northwest portion of Basin E is in the upper right background. Taken from the southwest corner of Basin F.

EXHIBIT NO. 14
APPLICATION NO. 4-10-020
Restoration Basins