STATE OF CALIFORNIA—THE RESOURCES AGENCY

Tu6e

PETE WILSON, *Governor*

CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 641-0142

Filed: 9/28/98
49th Day: 11/16/98
190th Day: 3/28/99
270th Day: 6/27/99
Staff: MHC
Hearing Date: October 12-15, 1998

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO: 4-98-025

APPLICANT: County of Santa Barbara AGENT: Charlie Gilbert

PROJECT LOCATION: Gaviota Beach Road Bridge No. 51C-324
Gaviota Creek, Santa Barbara County

PROJECT DESCRIPTION: Replacement of a 100 foot section of Gaviota Beach Road washed out immediately east of the Gaviota Beach Road Bridge over Gaviota Creek, and miscellaneous repairs to Gaviota Beach Road Bridge.

LOCAL APPROVALS RECEIVED: None

SUBSTANTIAL FILE DOCUMENTS: Application 4-98-025

SUMMARY OF STAFF RECOMMENDATION: Staff recommends that the Commission find that the proposed project is consistent with the requirements of the Coastal Act with the addition of special conditions regarding agency review by the U.S. Army Corps of Engineers and the California Department of Fish and Game, the assumption of risk for flood related hazards, and the development, implementation and monitoring of a revegetation plan.

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants a permit, subject to the standard and special conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and the first public road nearest the shoreline, 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 of the Coastal Act, and will not have any

significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

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 this permit is reported to the Commission. 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. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

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

5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its developments, subject to 24-hour advance notice.

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

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

II. Special Condition

1. **Waiver of Liability**. Prior to the issuance of the Coastal Development Permit for this project, the applicant shall submit a written document, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazards from erosion and flooding and the applicant assumes the risk from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the Commission and agrees to indemnify and hold

harmless the Commission, its officers, agents and employees relative to the Commission's approval of the project for any damage due to natural hazards.

2. **California Department of Fish and Game Stream Alteration Agreement**. Prior to the issuance of the Coastal Development Permit for this project, the applicant shall provide the Executive Director of the Commission with a copy of a valid 1600 stream alteration agreement between the applicant and the California Department of Fish and Game for the proposed project, or evidence that no such permit is needed.

3. **U.S. Army Corps of Engineers Review**. Prior to the issuance of a Coastal Development Permit for this project, the applicant shall provide the Executive Director a copy of a U.S. Army Corps of Engineers permit, letter of permission, or evidence that no U.S. Army Corps permit is necessary for the proposed project.

4. **Revegetation Plan**. Prior to the issuance of a Coastal Development Permit for this project, the applicant shall prepare for the review and approval of the Executive Director a revegetation plan for the disturbed areas of the project site utilizing native riparian species. The revegetation plan shall include an implementation schedule, and provide for the monitoring and maintenance of the site to prevent the invasion of non-native invasive plant species for a period of 5 years from the date of issuance of the permit for this project.

III. Findings and Declarations

The Commission hereby finds and declares:

1. Project Location and Description

The proposed project is located in the vicinity of the Gaviota Beach Road Bridge over Gaviota Creek. The project consists of reconstructing a 100 foot segment of the Gaviota Beach Road immediately east of the bridge which was washed out during the January and February 1998 winter storms (using 3 to 5 ton rock covered with 3 to 6 inch rock top surfaced with a class A Portland cement over number 4 rebar), and realigning a portion of the Gaviota Creek channel to it pre-storm alignment under the Gaviota Beach Road Bridge. Additionally, the project involves making miscellaneous modifications to the Gaviota Beach Road Bridge, including replacing the original guard rails with Type 1 roadway delineators, installing steel plates across the bottom of the bridge deck, and replacing the rock slope protection around the bridge abutments with 15 foot long sheet pilings. (See Exhibits 1 through 3.)

2. Background

The proposed project involves a County roadway and bridge along and over Gaviota Creek, a small coastal stream draining the western end of the Santa Ynez Mountains.

During a series of 1998 winter storms Gaviota Creek overflowed its banks and transported large amounts of sediments and woody debris to the Gaviota Beach Road Bridge. The sediment and woody debris clogged the channel under the Gaviota Creek bridge creating a check dam, which forced the creek to spill over its banks at this location. In addition to causing damage to the bridge itself, the overflowing waters carved a new overflow channel approximate 125 feet wide through the Gaviota Beach Road immediately east of the Gaviota Beach Road Bridge. (See Exhibit 2.)

In order to re-establish the road, which serves the Gaviota State Park and Hollister Ranch, the County placed 3 to 5 ton rock in that portion of the road alignment washed, and topped with 3 to 6 inch rock and a Class 2 aggregate base, to provide a 15-foot wide emergency roadway. This aggregate base was swept away and replaced on two occasions following repeated flood flows in Gaviota Creek. These activities were undertaken pursuant to the Commission's emergency permit procedures which allows a public entity to take necessary emergency actions independent of prior Commission review.

Following the third flood event which again resulted in the removal of the aggregate base, the County applied and received an Emergency Coastal Development Permit (4-98-025-G) for a more substantial reconstruction of the road-base. This included surfacing the 15-foot wide road with a class A Portland cement over a number 4 rebar. (See Exhibit 3.)

3. Coastal Issues

a. Environmentally Sensitive Habitats

Coastal Action Section 30233 provides, in part, that:

> (a) The diking, filling, or dredging of wetlands . . . estuaries. . shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigations measures have been provided to minimize adverse environmental effects, and shall be limited to [in part] the following:
>
> (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.

Coastal Act Section 30236 provides that:

> Channelization, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method of protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240 of the Coastal Act provides, in part that:

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

The proposed project straddles estuaries, riparian and freshwater habitats associated with Gaviota Creek. The lower reach of Gaviota Creek above the area of tidal influence supports a well developed riparian forest dominated by various species of Willow, and includes other riparian species such as Sycamores and Coast live oaks, and White alders. This riparian forest provides habitats for a wide variety of passerine species birds, as well as a buffer from Gaviota Creek from adjacent human activities and developments, including Gaviota Beach Road. The Gaviota Creek Estuary is bordered by a variety of estuarine water wetland species, including Salicornia, Saltgrass, and Cattails.

The lower reaches of Gaviota Creek and Estuary provides habitat for a number of sensitive, are, and threatened or endangered animal species; these includes the California Red-legged frog, Southwestern pond turtle, Tidewater goby, and Southern steelhead trout. The Tidewater goby is a federally listed endangered species and is restricted to the brackish waters of the Gaviota Creek Estuary. The Steelhead trout is a federally listed endangered species, which utilizes the Gaviota Creek Estuary during both adult and juvenile life-history phases to acclimate to ocean and fresh water.

The project consists of reconstructing a 100-foot segment of the Gaviota Beach Road immediately east of the Gaviota Creek Bridge, which was washed out during the January and February 1998 winter storms. The road would be reconstructed using 3 to 5 ton rock covered with 3 to 6 inch rock top and surfaced with a Class A Portland cement poured over grid of number 4 rebar. As part of this reconstruction a 150 foot portion of Gaviota Beach Road

upstream of the roadway would be realigned to it pre-storm alignment under the Gaviota Beach Road Bridge. Additionally, the project involves making miscellaneous modifications to the Gaviota Beach Road Bridge, including replacing the original guard rails with Type 1 roadway delineators, installing steel plates across the bottom of the bridge deck, and replacing the rock slope protection around the bridge abutments with 15 foot long sheet pilings. (See Exhibits 1 through 3.)

As noted above, the reconstruction of the road, realignment of a portion of Gaviota Creek to its pre-storm alignment under the Gaviota Beach Road Bridge, and repairs to the bridge were undertaken in response to storm damage caused by the 1998 storms and pursuant to the emergency provisions of the Commission's Administrative Regulations, including Emergency Coastal Development Permit 4-98-025-G. The road segment was reconstructed on the same alignment and to the same dimensions as the previously existing road, with no increase it its width or footprint. The road base, however, was reconstructed with 3 to 5 ton rock covered by 3 to 6 inch rock top, and surfaced with a Class A Portland cement over a number 4 rebar grid. This design would not generate any additional intrusion into the adjacent riparian or estuarine habitats up or down stream of the road. The reconstruction of the road would therefore not adversely impact any environmentally sensitive habitats associated with Gaviota Creek and Estuary. Further the proposal to replace the rock slope protection around the bridge abutments with sheet piling will reduce the existing footprint of the bridge abutments and therefore not entail any encroachment into any environmentally sensitive habitat, including estuarine wetland habitat.

In addition to causing damage to the bridge itself, the overflowing waters of Gaviota Creek carved a new overflow channel approximately 150 feet long and 100 feet wide through the Gaviota Creek Road immediately east of the Gaviota Beach Road Bridge. As part of the reconstruction of the washed out road segment, the applicant redirected the Gaviota Creek flows back into the channel under the Gaviota Beach Road Bridge. This aspect of the project includes filling in the channel created during the 1998 storms with native materials transported to the site during the storm events. The redirection of the Gaviota Creek flows to the pre-storm alignment under the Gaviota Beach Road Bridge is intended to provide flood protection to the Gaviota Beach Road by re-directing flood flows away from the roadway and under the Gaviota Beach Road Bridge. As such, this alteration of the Gaviota Creek is consistent with the provisions of Coastal Act Section 30236 regarding the alteration of natural rivers and streams.

However, the realignment of the creek channel has created a disturbed area approximately 125 feet wide and 150 feet long which falls within the natural riparian corridor of the lower reaches of Gaviota Creek. This disturbed area is highly vulnerable to invasion and establishment of non-native plants because of the artificial manner in which the area was filled. In order to ensure that the native riparian vegetated cover is re-established and to

reduce potential erosion into the Estuary from unvegetated and unconsolidated soils, the filled over-flow channel should be revegetated with native riparian species.

Special Condition #4 requires that the applicant prepare and implement a revegetation plan for the disturbed areas of the project site utilizing native riparian species, and that the site be monitored and maintained to prevent the invasion of non-native invasive plant species for a period of 5 years from the date of issuance of the permit for this project. Additionally, to ensure consistency with U.S. Army Corps of Engineers and California Department of Fish and Game requirements, Special Conditions #2 and #3 require the applicant to obtains any necessary authorizations from the U.S. Army Corps of Engineers and the California Department of Fish and Game. With the fulfillment of Special Conditions #2, #3, and #4, the adverse affects of reconstructing the road and realigning the creek channel would be fully mitigated.

The Commission therefore finds that the project as proposed is consistent with Sections 30233, 30236, and 30240 of the Coastal Act.

b. Coastal Hazards

Coastal Act Section 30253 provides, in part that:

> New development shall:
>
> (1) Minimize risk to life and property in areas of high geologic, flood, and fire hazard.
> (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area . . .

Gaviota Creek exhibits a "flashy" flow regime typical of southern California coastal watersheds, with a great deal of variability in flows between winter storm flows and summer base flows. Average daily flow in Gaviota Creek is approximately 6 cubic feet per second, but winter maximum flows of over 5,000 cubic feet per second have been recorded. Additionally, flood flows in Gaviota Creek are characterized by naturally high sediment and debris loads, which have been exacerbated by developments in the watershed, including agricultural activities on steep slopes.

The project consists of reconstructing a 100 foot segment of the Gaviota Beach Road immediately west of the Gaviota Beach Bridge which was washed out during the January and February 1998 winter storms, and realigning Gaviota Creek channel to it pre-storm alignment under the Gaviota Beach Road Bridge. Additionally, the project involves making miscellaneous modifications to the Gaviota Beach Road bridge, including replacing the

original guard rails with Type 1 roadway delineators, installing steel plates across the bottom of the bridge deck, and replacing the rock slope protection around the bridge abutments with 15 foot long sheet pilings. (See Exhibits 1 through 3.)

While the road would be located along the same alignment as the previously washed out road, the road base would be strengthened through the use of 3 to 5 ton rock covered by 3 to 6 inch rock top, and surfaced with a Class A Portland cement poured over a number 4 rebar grid. These design features would allow the road segment to function as a fair-weather crossing, and thus reduce the likelihood of the road segment washing out in a flood event. Additionally, the project would involve modifications to the Gaviota Beach Road Bridge which would reduce the likelihood of debris build up under the bridge, and strengthen the bridge abutments through the placement of sheet piling around the bridge abutments.

Nevertheless, the project site remains subject to potentially catastrophic flows from Gaviota Creek, which could damage the Gaviota Beach Road and Bridge.

Special Condition #4 requires that prior to the issuance of the Coastal Development Permit for this project, the applicant submit a written document, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazards from erosion and flooding and the applicant assumes the risk from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the Commission and agrees to indemnify and hold harmless the Commission, its officers, agents and employees relative to the Commission's approval of the project for any damage due to natural hazards.

The proposed project design, in conjuction with the acknowledgement of residual, and unavoidable hazards, does minimize risk to life and property from flood hazards, and will not contribute to the erosion of the site or surrounding area.

The Commission therefore finds that the project as proposed is consistent with Sections 30253 of the Coastal Act

c. Public Access

Sections 30210 and 30212 of the Coastal Act provides that development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, and that maximum access shall be provided for all people consistent with public safety needs, the need to protect public rights, the rights of private property owners, and the need to protect natural resource areas from overuse.

The Gaviota Beach Road and Bridge provide the only public access road to the Gaviota State Beach. (The road is one of only two access roads to the Hollister Ranch residential

community, and also serves to provide routine maintenance access to oil and gas facilities operated by the Chevron/Point Arguello Partners.) Gaviota State Beach is a popular visitor destination point along the Gaviota Coast, providing both day-use and overnight camping accommodations, as well as the only public pier access on the Gaviota Coast. As such, the maintenance of the Gaviota Beach Road is essential in providing continued public access to the Gaviota State Beach.

The proposed project would ensure continued access to the Gaviota State Beach (as well as the Hollister Ranch residential community and important oil facilities) by reconstructing the washed out section of Gaviota Beach Road and modifying the Gaviota Beach Road Bridge in a manner which reduces the potential for future damage to these facilities from flood flows in Gaviota Creek.

The Commission therefore finds that the project, as proposed. is consistent with and adequate to carry out the provisions of Sections 30210 through 30212 of the Coastal Act.

3. LCP/CEQA

The proposed sites lies within the County of Santa Barbara, but a portion of the site falls within the Commission's area of retained original permit jurisdiction because it is located on potential state tidelands or is below the mean high-tide. The Commission has certified the Local Coastal Program for the County of Santa Barbara (Land Use Plan and Implementation Ordinances) which contains policies for regulating development and protection of coastal resources, including those regarding public works facilities, the protection of environmentally sensitive habitats, public access, and managing hazardous areas.

Section 13096 of the Commission's Code of Regulations requires the Commission approval of Coastal Development Permits to be supported by a find showing the permit, as conditioned, 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 effects which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the resource protection policies of the Coastal Act. The mitigation measures which are part of the project description will minimize any adverse environmental effects. As conditioned, there are no feasible alternative measures available which would substantially lessen any significant adverse effects which the activity may have on the environment.

Therefore, the Commission finds that the proposed project, as conditioned, to mitigate the any identified effects, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act and conform to CEQA.

MHC

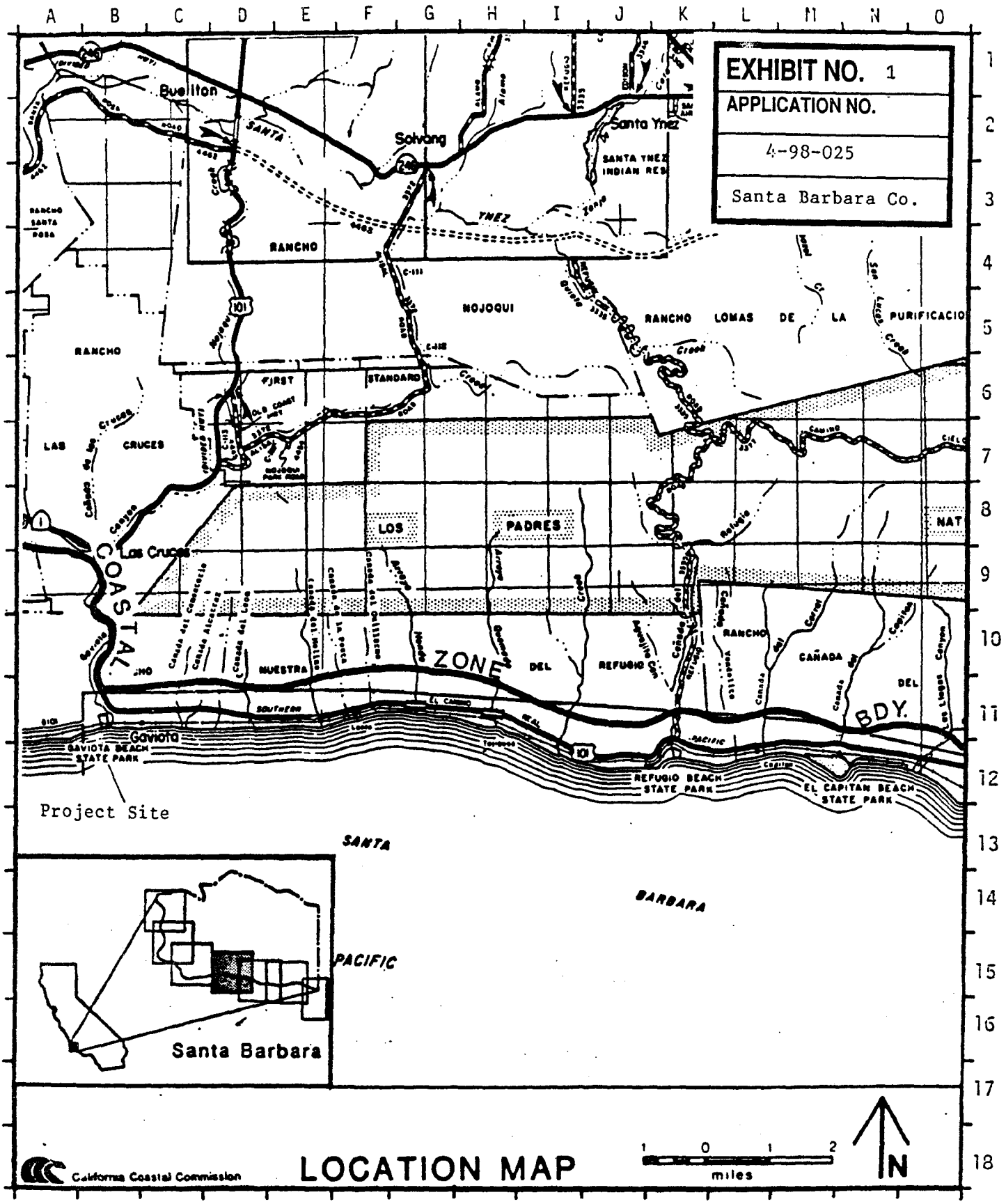


EXHIBIT NO. 1
APPLICATION NO.
4-98-025
Santa Barbara Co.
Buellton
Solvang
Santa Ynez
SANTA YNEZ INDIAN RES.
RANCHO
NOJOQUI
RANCHO LOMAS DE LA PURIFICACIO
RANCHO
LAS CRUCES
FIRST
STANDARD
Los Cruces
LOS PADRES
NAT
COASTAL ZONE
RANCHO CAÑADA DEL BDY.
NUESTRA
REFUGIO
Gaviota
GAVIOTA BEACH STATE PARK
REFUGIO BEACH STATE PARK
EL CAPITAN BEACH STATE PARK
Project Site
SANTA BARBARA
PACIFIC
Santa Barbara
California Coastal Commission
LOCATION MAP
1 0 1 2
miles
N
County of Santa Barbara

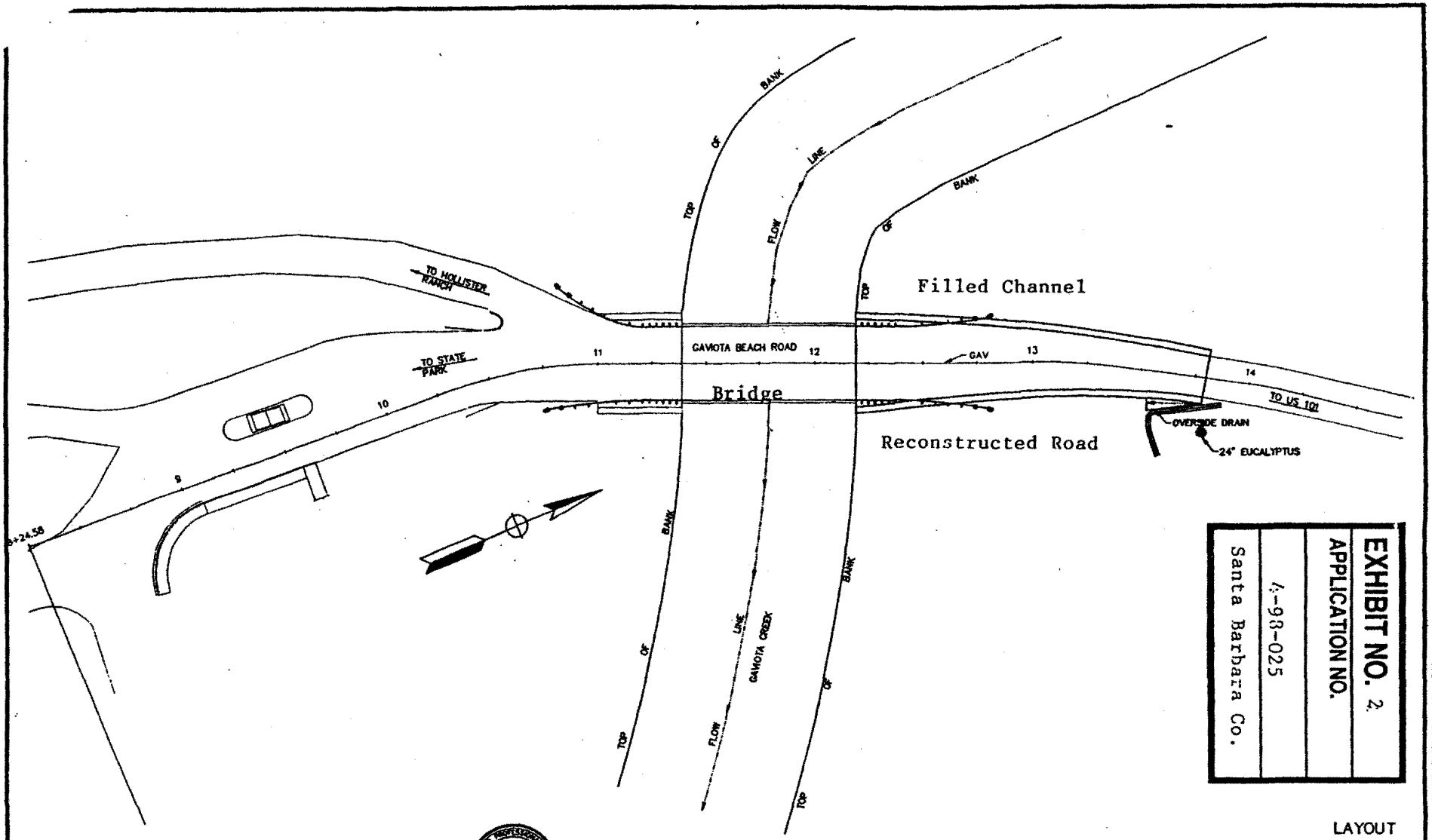


EXHIBIT NO. 2.
APPLICATION NO. 4-98-025
Santa Barbara Co.

LAYOUT

CONSTRUCTION STARTED		PROJECT ENGINEER	COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS TRANSPORTATION DIVISION	DESIGN BY:	CHECKED BY:	SCALE:	PROJECT NO.	GAVIOTA BEACH ROAD STROM DAMAGE REPAIR	SHEET NO. OF
CONSTRUCTION COMPLETED				DRAWN BY:	CONSTRUCTABILITY REVIEW BY:	NONE			FILE NO.
RECORD DRAWING		DATE				DISREGARD PRINTS BEARING EARLIER REVISION DATES		REVISION DATES (PRELIMINARY STAGE ONLY)	

FOR REDUCED PLANS ORIGINAL SCALE IN INCHES 0 1 2 3

EXHIBIT NO. 3
APPLICATION NO. 4-98-025
Santa Barbara Co.

COUNTY OF SANTA BARBARA

STATE OF CALIFORNIA

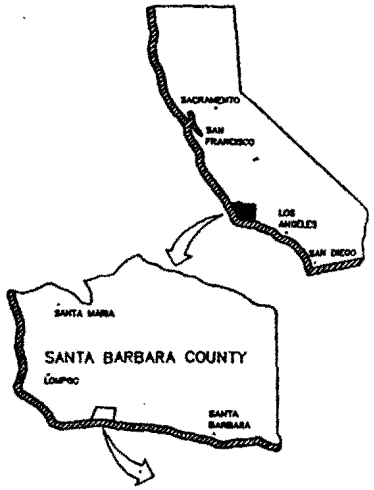
DEPARTMENT OF PUBLIC WORKS

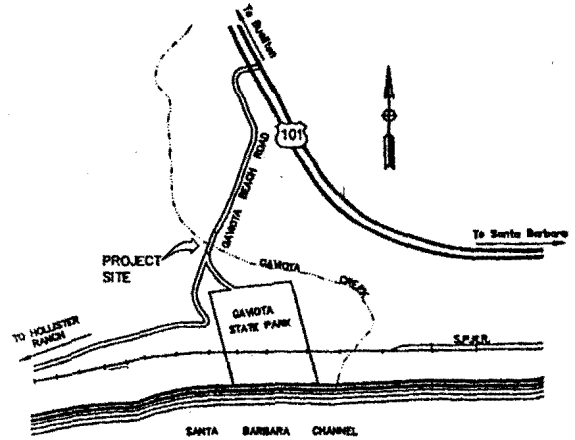
PLANS FOR THE CONSTRUCTION OF

GAVIOTA BEACH ROAD
STORM DAMAGE REPAIR

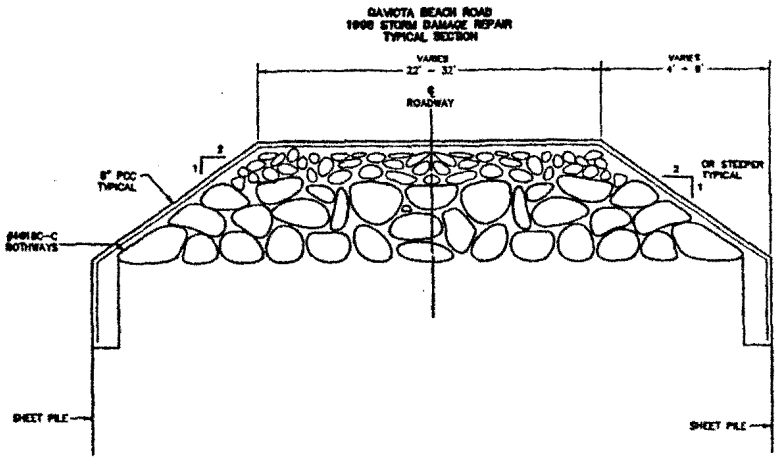
NEAR GAVIOTA STATE PARK

IN GAVIOTA, CALIFORNIA





VICINITY MAP
NO SCALE



GENERAL NOTES

1. DIMENSIONS AS SHOWN OR AS DIRECTED BY ENGINEER.

CONSTRUCTION STARTED:		PROJECT ENGINEER:	COUNTY OF SANTA BARBARA DEPARTMENT OF PUBLIC WORKS TRANSPORTATION DIVISION	DESIGN BY:	CHECKED BY:	SCALE:	PROJECT NO.	GAVIOTA BEACH ROAD	SHEET NO. 1 OF 17
CONSTRUCTION COMPLETED:				DRAWN BY:	CONSTRUCTABILITY REVIEW BY:	NONE			FILE NO.
RECORD DRAWING:		DATE							
			FOR REDUCED PLANS ORIGINAL SCALE IN INCHES 0 1 2 3			DISREGARD PRINTS BEARING EARLIER REVISION DATES		REVISION DATES (PRELIMINARY STAGE ONLY)	