

**CALIFORNIA COASTAL COMMISSION**

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

**RECORD PACKET COPY**

Filed: 12/22/99  
 49th Day: 2/8/2000  
 180th Day: 6/17/2000  
 Staff: M.H. Capelli  
 Staff Report: 1/26/2000  
 Hearing Date: 2/15-18/2000  
 Commission Action:

**STAFF REPORT: CONSENT CALENDAR**

**APPLICATION NO.:** 4-99-264

**APPLICANT:** Goleta Sanitary District

**PROJECT LOCATION:** Adjacent to Atascadero Creek from Walnut Drive to Ward Drive, Santa Barbara County

**PROJECT DESCRIPTION:** Replace existing sewer trunk line (with 2,500 cubic yards of excavation and fill)

Zoning:	AG-I-10
Plan designation:	Agriculture
Project density:	NA
Ht abv fin grade:	NA

**LOCAL APPROVALS RECEIVED:** 99-CP-013

**SUBSTANTIVE FILE DOCUMENTS:** Application 4-99-264. Negative Declaration 99-ND-09; Biological Resources Survey Report Atascadero Creek Trunk Sewer Line Project prepared by AAIC Corp. (February 12, 1999)

**SUMMARY AND STAFF RECOMMENDATION:** Approval with special conditions regarding timing of construction to protect resources of Atascadero Creek, erosion control and revegetation of disturbed areas.

---

## **I. STAFF RECOMMENDATION**

**MOTION:**        *I move that the Commission approve Coastal Development Permit No. 4-99-264 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.

The staff recommends that the Commission adopt the following resolution:

## **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. 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 development, 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 terms and conditions of the permit.
7. 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. Construction of the project shall be prohibited from November 1st through April 15th to avoid work during the rainy season.
2. Prior to the issuance of a coastal development permit for this project the applicant shall submit for the review and approval of the executive director, an erosion control plan which describes how the sites disturbed by excavation and filling will be treated to prevent erosion of the site into Atascadero Creek. This erosion control plan shall at a minimum include installation of sediment barriers around all stockpiles of excavated soils, and reseeded of graded, exposed or disturbed areas with a mix of native seed materials appropriate for coastal riparian habitats.
3. Prior to the issuance of a coastal development permit for this project the applicant shall submit for the review and approval of the executive director, an revegetation plan which describes how the sites disturbed by excavation and filling will revegetated to replace all disturbed willow habitat. This revegetation plan shall at a minimum include replacement of all disturbed or destroyed willow trees, and reseeded of graded, exposed or disturbed areas with a mix of native seed materials appropriate for coastal riparian habitats.

#### **IV. Findings and Declarations**

##### **1. Background**

The Atascadero Creek Sewer Trunk line serves the eastern portion of Goleta. The line, which varies in diameter from 24 to 30 inches, was originally constructed in 1968, and repaired and reconstructed in 1984. Video inspections of the line in 1997 and 1998 have detected deteriorated conditions along a 7,235 foot section of the line. As a result, the Goleta Sanitary District is proposing to replace the deteriorated portions of the trunk line.

The portion of the line proposed for rehabilitation is located north of Atascadero Creek and Atascadero Creek Bikepath in a utility corridor. The entire project is located in the Coastal Zone, but only a 5,561 linear foot portion is located within state historic tidelands, and therefore falls within the area of the Coastal Commission's retained original permit jurisdiction. (See Exhibits 1 and 2.)

##### **2. Project Description**

The project involves replacing the existing Goleta Sewer Trunk line from Walnut Lane to Ward Drive (7,235 linear feet). The portion of the project in the Commission's retained original permit jurisdiction runs from the Sanford Court to Ward Drive (5561 linear feet), (See Exhibit 1.)

The sewer trunk line replacement will use a "pipe bursting" method which avoids the need to trench along the full length of the sewer line route. The technique involves preparing a point of entry at one end of the failed pipe section, and inserting a pneumatic pipe bursting tool. A new pipe, attached to the back of the pipe bursting tool is pulled behind the tool, avoiding the need of digging a trench along the entire length of the line. During the actual pipe bursting operation, the sewage in the exiting pipeline is pumped around the pipeline being replaced through a bypass pipe segment.

Entry into the pipe would be made at existing manholes (eight are located within area of the Commission's retained original permit jurisdiction. Approximately 2,500 cubic yards of excavation and re-filling (in the area of the Commission retained original permit jurisdiction) would be required as part of accessing through the manholes to replace the existing sewer trunk. Access to the sewer trunk route would be along the Atascadero Bike path, but would not require closure of the bike path during construction. All but three of the manholes would be replaced. (See Exhibits 2 and 3.)

### **3. Coastal Issues**

#### **A. Public Works**

RS Section 30254 provides, in part, that:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division . . . Where existing or planned public works facilities can accommodate only a limited amount of new development, services to coastal dependent land use, essential public services and basic industries vital to the economic health of the region, state, or nation, public recreation, commercial recreation, and visitor-serving land uses shall not be precluded by other development.

The proposed project involves only replacing an existing sewer trunk line, in the same location and of the same size. The sewer trunk line serves the Goleta Valley, which is presently developed with a mix of, residential, commercial, and industrial uses, as well as some agricultural operations. The sewer trunk line replacement will not expand sewer services by extending the line to areas not now served, or increase the capacity to deliver untreated sewage to the Goleta Sanitary District Wastewater Treatment Facility. The replacement of the deteriorated line will serve principally to increase the reliability of the line, prevent accidental spills, and reduce the need for periodic maintenance.

The Commission therefore finds that the project as conditioned is consistent with and adequate to carry out the provisions of PRC Section 30254.

#### **B. Public Access/Recreation**

PRC Section 30210 provides that:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

The proposed project consists of replacing the deteriorated portions of the Goleta Sewer Trunk line. The trunk line runs along the north side of the Atascadero Bikepath which in an important commuter and recreational bicycle trail connecting the communities of Goleta and Santa Barbara. Access to the trunk line manholes would be from Ward Drive

and the Atascadero Bikeway. As noted above the project will use a pipe bursting technique which minimizes the trenching necessary to replace the sewer trunk line. Furthermore, all temporary bypass lines which must cross the Atascadero Creek Bikeway will be undergrounded. As a result of the method of construction, the project will not require the closure of the Atascadero Bikeway, or restrict access to the adjacent Atascadero Creek.

The Commission finds that the proposed project, as conditioned, is consistent with and adequate to carry the provisions of PRC Sections 30210

**C. Environmentally Sensitive Habitats**

PRC Section 30231 provides, in relevant part, that:

The biological productivity and the quality of coastal waters . . . 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 . . . .

PRC Section 30240 provides, in part, that:

Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values . . .

The Goleta Sewer Trunk line runs along the north side of the Atascadero Bikepath which parallels Atascadero Creek. The vegetation along the trunk line route is dominated by coyote brush in the east and willows in the west. Additionally the route is characterized by introduced invasive plant species such as Castor bean and Pampas grass, and Giant cane. There are three manholes along this reach of the trunk line that must be accessed to replace the trunk line. (See Exhibit 3.)

Atascadero Creek has been channelized between earthen berms, and in sections has been lined with concrete. Atascadero Creek is densely vegetated above the point of tidal influence, with a mixture of native and introduced plants species, including wild giant rye grass, castor bean, and pampas grass. The channel bottom is dominated by freshwater marsh and riparian emergent vegetation such as willow seedlings, cattails and bulrushes.

Atascadero Creek riparian and wetland habitats provide habitat for a wide variety of birds, including migrant and resident species, such as Great Blue Heron, Northern Harrier, White-tailed kite, Coopers Hawk Sharp-shinned Hawk, Willow Flycatcher, and the Yellow Warbler. Atascadero Creek also supports a variety of amphibians and reptiles, as well as several species of fish. Of particular note is a small population of

Southwestern Pont Turtle, a species classified by the California Department of Fish and Game as a species of Special Concern.

The proposed project would involve construction activities adjacent to the Atascadero Creek Bikeway, which is elevated above Atascadero Creek. The "pipe bursting" method of construction will avoid the need to trench along the 5,651 foot length of the trunk line route, but involves excavating 10 manholes (within the area of the Commission retained original permit jurisdiction) along the route to access the pipe. Three of these manholes are presently vegetated with native willow. Gaining access to the pipe in these locations would require excavating an area approximately 10 feet by 25 feet and would necessarily involve disturbance to five (5) willows. The applicant is proposing to revegetate these sites with native willows, as well as re-seed all disturbed sites with native plant materials, pursuant to a revegetation plan developed by the applicant's consultant. (See Exhibit 4.)

The project will involve the excavation of approximately 2,500 cubic yards of material during the operation. This material would be stockpiled along the trunk line route and has the potential to be eroded and transported to the adjacent Atascadero Creek. To reduce the potential of erosion and deposition of this material into Atascadero Creek, the timing of construction of the project should be limited to the non-rainy season of the year.

Special Condition No 1 requires that construction not be conducted during the raining season, November 1 through April 15. This requirement will reduce the potential of contamination of the adjacent Atascadero Creek because of erosion and sedimentation from the construction site. Special Condition No. 2 requires the applicant to submit an erosion control plan to ensure that temporarily disturbed sites will not contribute sediment to the adjacent Atascadero Creek. Special Condition No. 3 requires the applicant to submit a revegetation plan which describes how the disturbed sites will be revegetated with native species plants to off-set the impacts to the disturbance of the existing willow habitat.

The Commission finds that the proposed project, as conditioned, is consistent with and adequate to carry the provisions of PRC Sections 30231 and 30240.

#### **D. CEQA**

The proposed site lies within the County of Santa Barbara, but falls within the Commission's area of retained permit jurisdiction because it is located on potential state tide lands or is below the mean high tide line. The County's Local Coastal Program (Land Use Plan and Implementation Ordinances) was certified in 1982 and contains policies regarding recreational and visitor serving uses, public access, and the protection of scenic and visual qualities.

Section 13096 of the Commission's Code of Regulations requires the Commission approval of Coastal Development Permits to be supported by findings 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 effect which the activity may have on the environment.

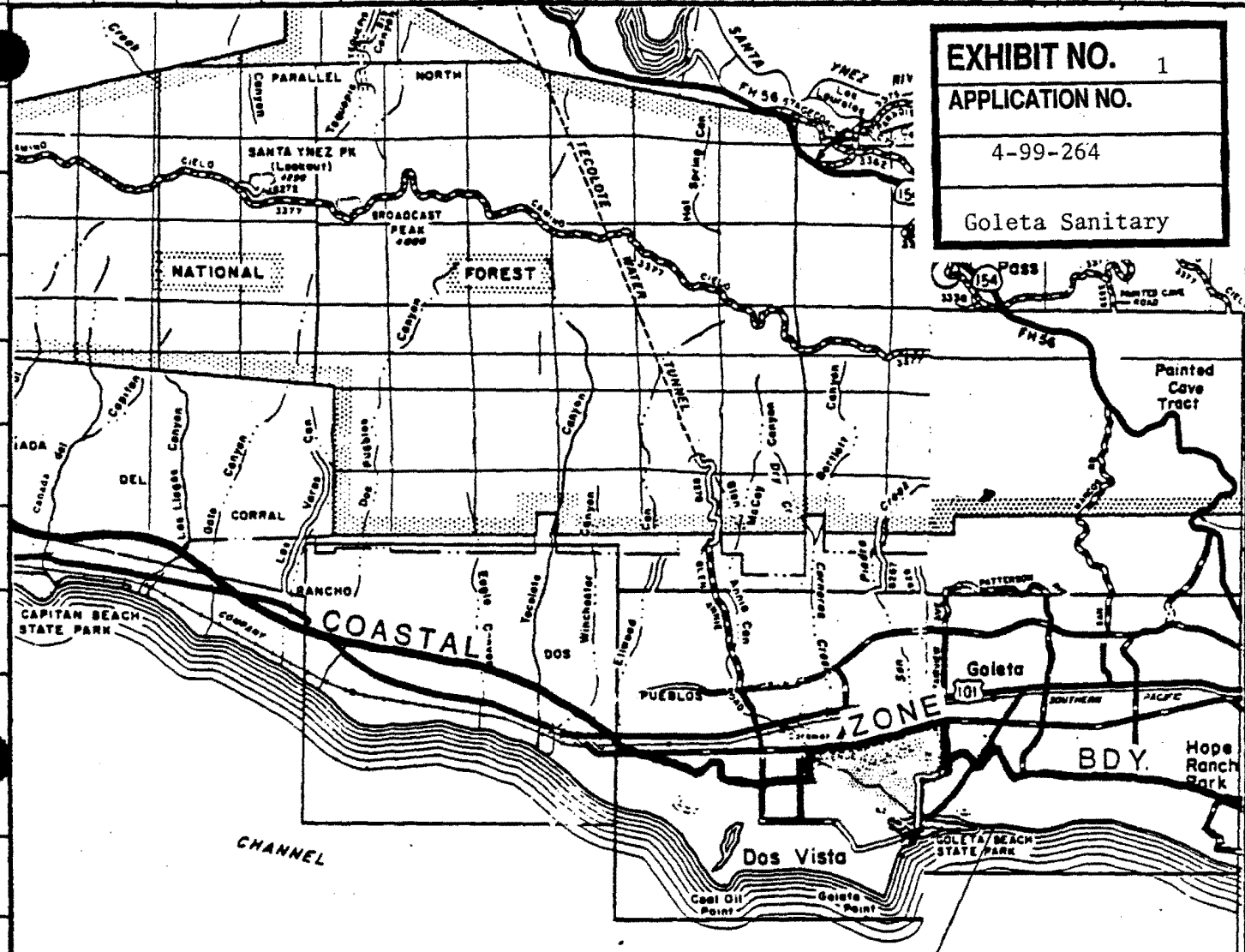
The proposed project has been conditioned in order to be found consistent with the resource protection and hazard policies of the Coastal Act. The mitigation measures incorporated into the project by the applicant will minimize all adverse effects of the project, and there are no others measures available, which would substantially lessen any significant adverse effects, which the project may have on the environment.

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

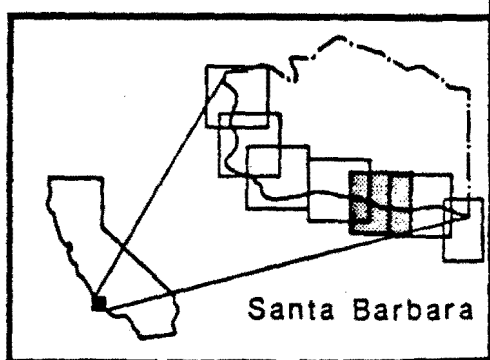


A B C D E F G H I J K L M N O

<b>EXHIBIT NO.</b> 1
<b>APPLICATION NO.</b> 4-99-264
Goleta Sanitary



PROJECT LOCATION

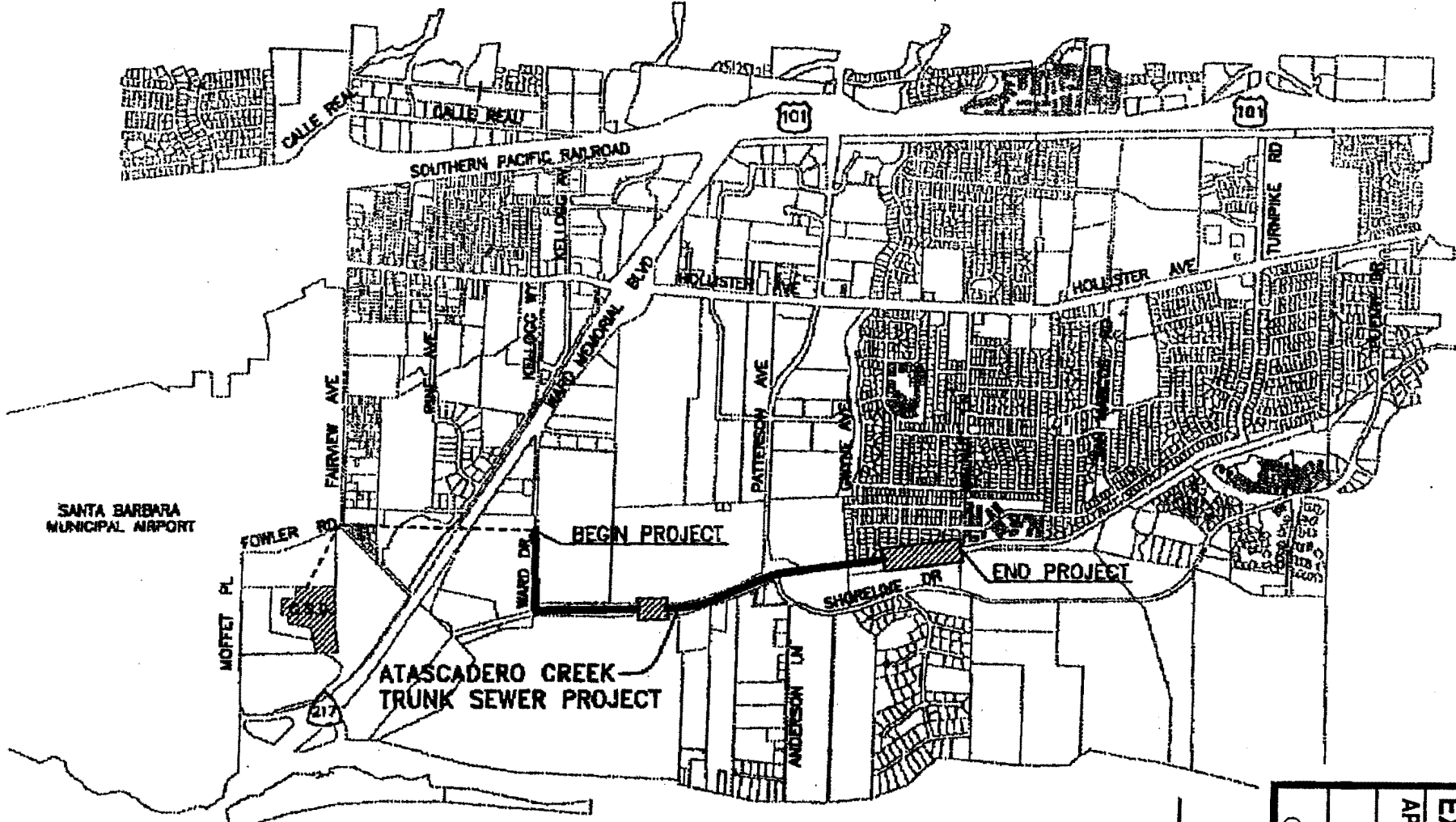


Santa Barbara

California Coastal Commission

# LOCATION MAP





SANTA BARBARA  
MUNICIPAL AIRPORT

ATASCADERO CREEK  
TRUNK SEWER PROJECT

BEGIN PROJECT

END PROJECT

UNIVERSITY OF CALIFORNIA  
SANTA BARBARA

**LEGEND**

-  APPEALS JURISDICTION
-  COASTAL COMMISSION PERMIT JURISDICTION

**Penfield & Smith**  
ENGINEERS • SURVEYORS



EXHIBIT NO. 2
APPLICATION NO.
4-99-264
Goleta Sanitary

12884

12884MCDWG

T=2000'

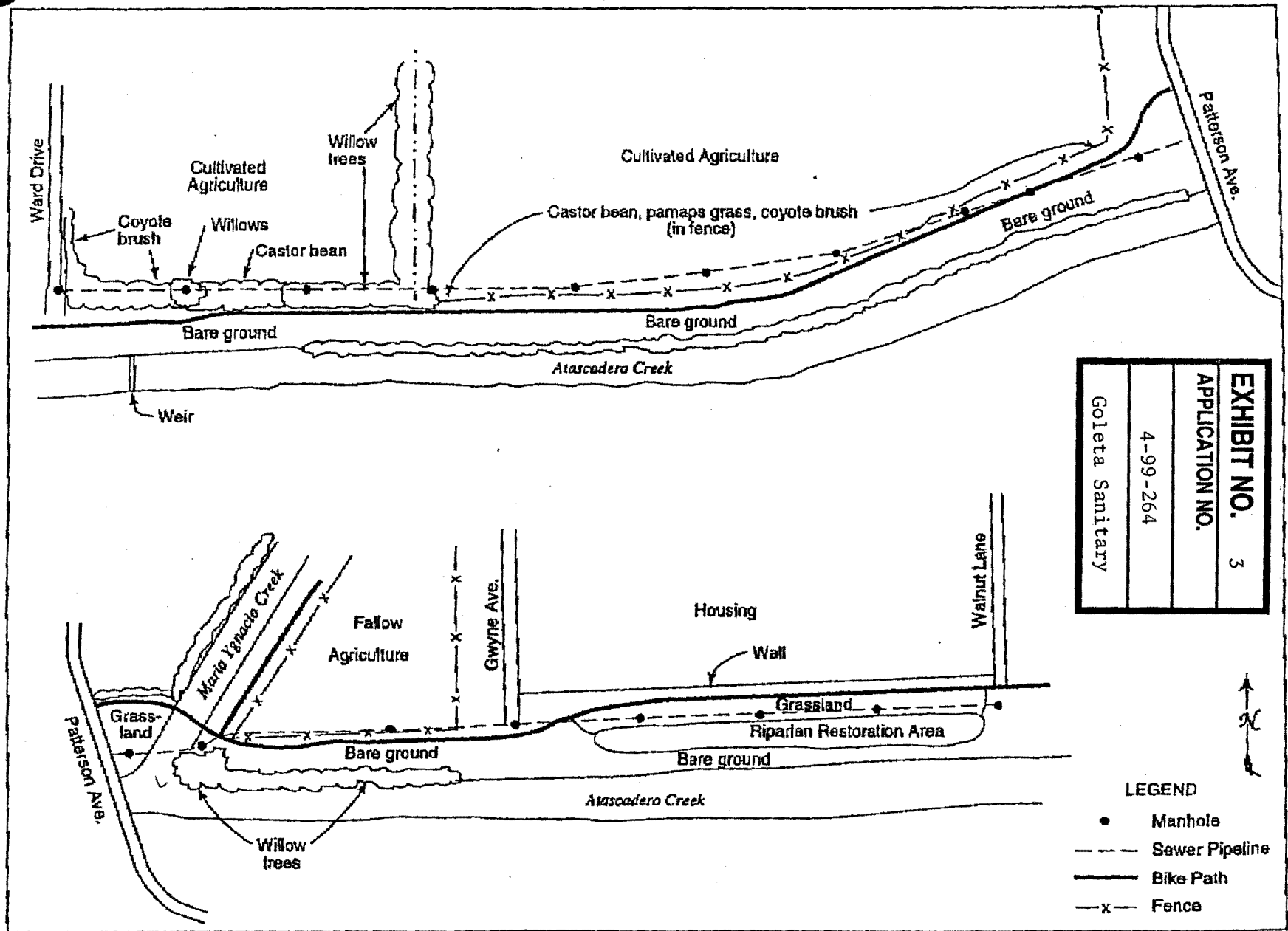


Figure 1. Schematic Vegetation Map

Table 3. Recommended Mitigation Measures.

<i>Mitigation Measure</i>	<i>Location/Timing</i>
<b>Sediment &amp; Erosion Control</b>	
1. Install sediment barriers around spoil piles (barriers must be strong enough to contain the spoils when saturated with water)	1 November to 30 April
<b>Hazardous Materials</b>	
2. Have spill containment and cleanup materials on site (shovels, absorbent pads, bags, etc.)	At staging area; throughout project
3. Place generators and pumps in lined containment basins	At all locations not in a roadway
4. Cover fuel and other chemical storage sites, and generators and pumps to prevent runoff of any spilled or leaked petroleum products	When rain is forecast 1 November to 30 April
<b>Vegetation</b>	
5. Place orange construction fencing along dripline of restoration trees	At manholes between 61+00 and 72+00
6. Do not store spoil under dripline of trees	Throughout project
7. Cleanly cut any roots greater than 1 inch in diameter with cutters or pruning saw	Throughout project
8. Prune willows and other native vegetation with clean cuts using cutters or pruning saw	49+23, 23+83, 20+10, 16+38
9. Salvage 1-2 feet of topsoil, store separate, and replace over backfill	Each excavation not in a roadway
10. Remove cut vegetation from site or chip and use as mulch over work area	Remove immediately after cutting, or store, chip, and spread after final cleanup
11. Replant willows in cleared areas using local cuttings	Where trees removed; fall after winter rains have begun
12. Lay bypass pipeline outside trees and shrubs	12+17 to 23+82
<b>Birds</b>	
13. Avoid construction adjacent to potential nesting areas	49+00 to 57+00 and 18+00 to 26+00; April through July

<b>EXHIBIT NO.</b> 4
<b>APPLICATION NO.</b>
4-99-264
Goleta Sanitary