

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

89 SOUTH CALIFORNIA ST., SUITE 200

SANTA BARBARA, CA 93001

805-441-0142

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Commission Action:

**RECORD PACKET COPY****STAFF REPORT: REGULAR CALENDAR****APPLICATION NO.:** 4-00-207**APPLICANT:** Santa Barbara County Flood Control District**PROJECT LOCATION:** Old San Jose and San Pedro Creeks and Placencia Drain, near the intersection of Fairview Avenue and Placencia Road, Goleta, Santa Barbara County.**PROJECT DESCRIPTION:** Installation of larger outlet pipes to San Jose and San Pedro Creeks and enlargement and regrading of Old San Jose Creek Channel and Placencia Drain to bottom widths of five or six feet and 14 feet at the inlet to San Jose Creek, which will require approximately 100 cubic yards of cut grading; replacement of a single 36 inch CMP culvert with a double 48 inch HDPE culvert and headwall at the outlet of San Jose Creek; installation of an additional 24 inch HDPE culvert with headwalls at both the inlet and outlet where Placencia Drain meets San Pedro Creek; removal of mainly non-native vegetation; and restoration with appropriate native trees, shrubs, and understory.**LOCAL APPROVALS RECEIVED:** California Department of Fish and Game, Streambed Alteration Agreement, July 10, 2001 and Temporary Right of Entry Permit from the Gas Company.**SUBSTANTIVE FILE DOCUMENTS:** Letter from Santa Barbara County Flood Control District, July 24, 2001; Biological Analysis, Santa Barbara County Flood Control District, January 10, 2001; Hydrologic and Engineering Memorandum, Santa Barbara County Flood Control District, January 5, 2001; Old San Jose Creek, Preliminary Flood Study, Additional Work, Penfield & Smith, November 17, 1997; Proposed Final Environmental Impact Report (96-EIR-5), Santa Barbara County Planning and Development, June 1997; Final Supplemental Environmental Impact Report (94-EIR-1), Santa Barbara County Flood Control District, September 2000; Proposed Final Supplemental Environmental Impact Report (93-EIR-4), Santa Barbara County Flood Control District, September 2000; and Coastal Development Permits 4-00-205 (Santa Barbara County Flood Control District) and 4-00-206 (Santa Barbara County Flood Control District).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with four (4) special conditions regarding a revegetation program, project monitoring and responsibilities, required approvals, and assumption of risk.

The proposed activities will be located within Old San Jose and San Pedro Creeks and Placencia Drain, near the intersection of Fairview Avenue and Placencia Road, just east of the Santa Barbara Airport, in Goleta, Santa Barbara County. The purpose of the project is to improve water conveyance through Old San Jose Creek and Placencia Drain. Additionally, the increased capacities of the culverts will reduce the water levels in the stream channel and reduce flooding of adjacent properties. The grading and widening of the stream channel will also improve conveyance.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-00-207 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 term or 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. **Revegetation Program**

Prior to issuance of a coastal development permit, the applicant shall submit a revegetation program, prepared by a qualified biologist or environmental resource specialist, for review and approval by the Executive Director. The program shall specify that all upland areas on the subject site disturbed as a result of this project shall be planted and maintained for habitat restoration and erosion control purposes as soon as possible after disturbance has occurred. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

- (a) All revegetation shall consist of native plant species locally endemic to riparian habitat areas. Invasive, non-indigenous plant species that tend to supplant native species shall not be used. Such planting shall be adequate to provide 90 percent coverage within five (5) years, and this requirement shall apply to all disturbed soils.
- (b) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.

2. **Project Monitoring and Responsibilities**

Prior to issuance of the coastal development permit, the applicant shall retain the services of a qualified biologist or environmental resource specialist (hereinafter "monitor") with appropriate qualifications acceptable to the Executive Director. All

proposed development activities shall be monitored by the authorized monitor and shall be carried out consistent with the following:

- (a) Temporarily stockpiled material shall be located as far from the stream areas on site as feasible and, in no event, shall materials be stockpiled less than 30 feet in distance from the top edge of the stream bank. Temporary erosion control measures, such as sandbag barriers, silt fencing, and/or swales, shall be implemented in the event that temporary stockpiling of material is required. These temporary erosion control measures shall be monitored and maintained until all stockpiled fill has been removed from the project site. Permanent stockpiling of material on site shall not be allowed. The applicant shall provide evidence to the Executive Director of the location of the permanent disposal site for all excavated material prior to removal of the material from the project site. Should the dump site be located in the Coastal Zone, a coastal development permit or an amendment to this coastal development permit shall be required.
- (b) Herbicide use shall be restricted to the use of Glyphosate *Rodeo*TM herbicide for the elimination of non-native and invasive vegetation located within upland areas of the project site for purposes of habitat restoration only. The monitor shall conduct a survey of the project site each day prior to commencement of vegetation removal and eradication activity involving the use of herbicide to determine whether any native vegetation is present. Native vegetation shall be clearly delineated on the project site with fencing or survey flags and protected. In the event that non-native or invasive vegetation to be removed or eradicated is located in close proximity to native riparian vegetation or surface water, the applicant shall either: (a) remove non-native or invasive vegetation by hand (*Arundo donax* shall be cut to a height of six inches or less, and the stumps painted with Glyphosate *Rodeo*TM herbicide), or (b) utilize a plastic sheet/barrier to shield native vegetation or surface water from any potential overspray that may occur during use of herbicide. In no instance shall herbicide application occur if wind speeds on site are greater than five miles per hour or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.
- (c) Prior to commencement of development activities, the monitor shall conduct a survey of the project site each day to determine whether any sensitive wildlife species are present. In the event that any sensitive wildlife species are present on the project site, the monitor shall implement a resource avoidance program with sufficient buffer areas to ensure adverse effects to such sensitive species are avoided. If the presence of any such sensitive species requires review by the United States Fish and Wildlife Service and/or the California Department of Fish and Game, then no development activities shall be allowed or continue until any such authorizations are received, subject to the approval of the Executive Director. The monitor shall require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage to the riparian environment on site occur beyond the scope of work allowed for by this permit, the applicant shall be required to submit a revised,

or supplemental, restoration program to adequately mitigate such impacts. The revised, or supplemental, restoration program shall be processed as an amendment to this coastal development permit.

3. Required Approvals

By acceptance of this permit, the applicant agrees to obtain all other necessary State or Federal permits that may be necessary for all aspects of the proposed project (including the California Department of Fish and Game, California State Lands Commission, Regional Water Quality Control Board, and the United States Army Corps of Engineers) prior to commencement of the development authorized by this coastal development permit.

4. Assumption of Risk, Waiver of Liability, and Indemnity Agreement

Prior to issuance of the coastal development permit, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, which states that the applicant acknowledges and agrees (i) that the site may be subject to hazards from erosion and flooding; (ii) to assume the risks to the applicant ~~and the~~ property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The proposed project will be located within Old San Jose and San Pedro Creeks and Placencia Drain, near the intersection of Fairview Avenue and Placencia Road, just east of the Santa Barbara Airport, in Goleta, Santa Barbara County (Exhibits 1, 2, and 3). Old San Jose Creek has a total watershed of 191.6 acres, much of which is industrial in nature. During periods of large storm events, excess flood waters inundate the Old San Jose Creek watershed, resulting in ponded water for relatively long periods of time. The purpose of the project is to improve water conveyance through Old San Jose Creek and Placencia Drain. The increased capacities of the culverts will reduce the water levels in the stream channel and reduce flooding of adjacent properties. The

grading and widening of the stream channel will also improve conveyance and prevent flooding of adjacent properties.

San Jose and San Pedro Creeks originate on the southern slopes of the nearby Santa Ynez Mountains and drain into the Goleta Slough to the south. Old San Jose Creek is a relatively short drainage course that runs through a portion of Old Town Goleta. Old San Jose Creek is the former course of San Jose Creek, prior to San Jose Creek's channelization from Hollister Avenue downstream towards the Goleta Slough. The proposed development will include work at the upstream and downstream portions of a 1200 foot long section of the creek that drains from east to west before emptying into "new" San Jose Creek. Although the Commission has previously certified a Local Coastal Program (LCP) for Santa Barbara County, the proposed project is located within a portion of the Coastal Zone subject to the Commission's retained permit issuance jurisdiction and, therefore, requires a coastal development permit from the Commission.

The applicant is proposing to install larger outlet pipes to San Jose and San Pedro Creeks and to enlarge and regrade a portion of the Old San Jose Creek channel and the Placencia Drain, which will require approximately 100 cubic yards of cut grading (Exhibits 4, 5, 6, and 9). At the outlet of San Jose Creek, a single 36 inch CMP culvert will be replaced with a double 48 inch HDPE culvert and headwall (Exhibits 5, 7, 8, and 9). An additional 24 inch HDPE culvert with headwalls at both the inlet and outlet will be installed where Placencia Drain meets San Pedro Creek (Exhibits 6, 7, 8, and 9). The Old San Jose Creek Channel and Placencia Drain ditch will be regraded and enlarged to bottom widths of five or six feet and 14 feet at the inlet to San Jose Creek. These channel improvements will require some removal of vegetation along the north and south banks, followed by restoration with appropriate native trees, shrubs, and understory.

Adjacent to the two areas where new culverts are proposed, are areas designated as environmentally significant habitat areas (ESHA) by the Santa Barbara County LCP. San Jose Creek and San Pedro Creek are designated as ESHA under the Santa Barbara County LCP. However, the portion of Old San Jose Creek where the proposed channel improvements are proposed is not designated as ESHA under the Santa Barbara County LCP. Additionally, the applicant will remove some existing vegetation, mainly invasive non-native vegetation, for the project, but has proposed to revegetate the area with native riparian species. Further, there are no identified archaeological sites located within the project site. An extensive cultural resources investigation was conducted as part of the Goleta Slough dredging project, which included the Old San Jose Creek area and which was approved by the Commission. The closest archaeological site is located approximately 1000 feet to the south of the subject site.

B. Environmentally Sensitive Habitat and Marine Resources

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

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.

Section 30236 of the Coastal Act states:

Channelizations, 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 for 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 Acts states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those 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 those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30231 requires that the biological productivity and quality of coastal waters be maintained. Section 30230 requires that uses of the marine environment be carried out in a manner that will sustain the biological productivity of coastal waters for long-term commercial, recreational, scientific, and educational purposes. Section 30236 allows for alterations to streambeds when required for flood control projects where no other less damaging alternative is feasible and when necessary to protect public safety or existing development. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas shall be protected and that development within

or adjacent to such areas must be designed to prevent impacts that could degrade those resources.

As stated previously, adjacent to the area where the replacement culverts are proposed, are areas designated as environmentally significant habitat areas (ESHA) by the Santa Barbara County LCP. San Jose Creek and San Pedro Creek are designated as ESHA under the Santa Barbara County LCP. However, the portion of Old San Jose Creek where the proposed channel improvements are proposed is not designated as ESHA under the Santa Barbara County LCP. Additionally, the applicant will remove some existing vegetation, mainly invasive non-native vegetation, for the project, but has proposed to revegetate the area with native riparian species.

In addition, the Goleta Slough, located to the south of the subject site, and the streams which drain into the Goleta Slough provide perennial and seasonal habitat for several endangered and sensitive wildlife species, including Belding's Savannah Sparrow, Steelhead trout, White-tailed kite, light-footed clapper rail, Western snowy plover, heron, egret, and at least 26 other various bird species. The applicant has indicated that previous biological surveys indicate that Tidewater goby are not present within the slough. Steelhead trout have historically entered Goleta Slough to migrate up the tributary streams for spawning. Southern steelhead occur in coastal streams and creeks in Central and Northern California and Oregon. The populations that occur between Los Angeles County and northern Santa Barbara County constitute the South-Central Evolutionary Significant Unit (ESU) which has been designated an endangered species by the National Marine Fisheries Service. Southern steelhead are anadromous (migrating from freshwater to the ocean as juveniles and returning to freshwater as an adult to spawn). Spawning occurs from December through June, when higher winter stream flows occur.

The Final Supplemental Environmental Impact Report (94-EIR-1), dated September 2000, indicates that no recent evidence of migration or spawning of steelhead has been observed in the slough. However, the EIR also indicates that individual steelhead have been observed in the nearby Maria Ygnacio Creek (an upstream tributary). Although it is conceivable that the project area could potentially contain steelhead migrating upstream in search of spawning habitat, which could be adversely affected by the proposed development activities, the potential occurrence of steelhead within the project reach is expected to be rare. The Final Supplemental EIR (93-EIR-4), which was submitted by the applicant in support of a previous coastal development permit for dredging within the Goleta Slough, dated September 2000, addresses the presence of steelhead in this area and potential effects from activities within the slough and nearby streams. That document states:

[There is] a low potential to adversely affect steelhead migrating into the streams tributary to Goleta Slough because few individuals are expected to use the area (i.e., low potential for the dredge and steelhead to come in contact). . . . In years when rainfall begins late, the potential for impacts would be negligible. . . .

As noted above, the proposed project may result in adverse effects to steelhead (a federally listed endangered species) if the proposed development activities occur while steelhead are migrating. The above referenced EIRs indicate that steelhead are not expected to be actively migrating upstream during the fall and winter season if streams are not flowing at an adequate rate. In addition, in its letter dated July 24, 2001, the applicant states that its biologist has conducted a survey of the site and concluded that no endangered species or their habitat would be affected by the project.

Furthermore, the applicant has submitted a biological analysis of the subject site and proposed development. That analysis, dated January 10, 2001, states:

The channel itself is highly degraded and is mostly vegetated with noxious non-native weeds that provide little to no habitat value. Plant species found along the site include castor bean, black mustard, cocklebur, nightshade, and grasses such as wild oats and rice grass. There are several myoporum trees along the drainage that will not be removed by the proposed project, however several myoporum trees will be removed at the downstream end of the project. The District will revegetate approximately 30 feet of the north and south banks at the downstream end of the project where old San Jose Creek drains into "new" San Jose Creek. Species such as willow, blackberry, coyote bush and California rose will be installed at the revegetation site and maintained by the District. A large willow tree, [is] located near the upstream end of the project site, but will not be disturbed by the project.

Both pickleweed (Salicornia virginica) and alkali weed (Cressa truxillensis) are located in very small, scattered patches in the channel bottom along the third of the project reach. Impacts to these species are expected to be minimal and insignificant as earthmoving disturbance is scheduled for only the beginning and ending points along the project reach and these isolated patches of native vegetation are not providing any significant habitat. Sensitive plant or animal species were not observed or expected at the project site.

In addition, the applicant has submitted evidence of an approved Streambed Alteration Agreement that was issued by the California Department of Fish and Game for the proposed development. This document also requires the applicant to incorporate a number of mitigation measures and safeguards into the proposed development, including, for example, best management practices, method of culvert placement, equipment accessways, revegetation, and monitoring.

The proposed project is necessary in order to prevent flooding of existing development. In addition, the alteration of streambeds (as proposed by this project) is consistent with Section 30236 of the Coastal Act, when required for flood control projects to protect public safety or existing development and when adverse effects have been mitigated to the maximum extent feasible. In this case, the proposed flood control project may result in some potential adverse effects to surrounding habitat due to unintentional disturbance from construction equipment, grading activity, and culvert replacement.

Therefore, to ensure that all recommendations of the environmental consultant are properly implemented, and to ensure that any potential adverse effects to sensitive

riparian habitat are minimized during development activities, **Special Condition Two (2)** requires a qualified environmental resource specialist to conduct a survey of the project site each day prior to commencement of any development activities to determine whether any sensitive wildlife species are present. In the event that any sensitive wildlife species are present on the project site, the environmental resource specialist shall, as appropriate, implement a resource avoidance program with sufficient buffer areas to ensure adverse effects to such resources are avoided. In addition, pursuant to **Special Condition Two (2)**, if the presence of any such sensitive species requires review by the United States Fish and Wildlife Service and/or the California Department of Fish and Game, then no development activities shall be allowed or continue until any required authorizations are received, subject to the approval of the Executive Director. Furthermore, the monitor shall require the applicant to cease work should any breach in permit compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage to the riparian environment on site occur beyond the scope of work allowed for by this permit, the applicant shall be required to submit a revised, or supplemental, restoration program to adequately mitigate such impacts, which would be processed as an amendment to this coastal development permit.

In addition, the proposed project may result in potential adverse effects to riparian areas of the site due to activities such as grading, vegetation removal, establishment of staging areas, disturbance from installing culverts, and soil stockpile areas. Removal of native vegetation and disturbance to riparian areas would result in adverse effect to the habitat value of the site. In addition, the minimization of erosion on site will reduce the project's potential individual and cumulative adverse effects on the streams upland riparian areas on site. Erosion can best be minimized by requiring the applicant to revegetate all disturbed areas of the site with native plants compatible with the surrounding environment.

Therefore, to ensure that the project site is adequately revegetated, **Special Condition One (1)** requires the applicant to submit a revegetation program. The program shall specify that all upland areas on the subject site disturbed as a result of this project shall be planted and maintained for habitat restoration and erosion control purposes, as soon as feasible after any disturbance has occurred.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, 30236, and 30240 of the Coastal Act.

C. Hazards and Shoreline Processes

Section 30253 of the Coastal Act states in part that new development shall:

- (1) Minimize risks 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 or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

Section 30253 of the Coastal Act mandates that new development minimize risks to life and property in areas of high geologic, flood, and fire hazard. The purpose of the proposed development to improve conveyance through Old San Jose Creek and Placencia Drain in order to reduce water levels, thereby reducing flooding of adjacent properties.

The applicant is proposing to install larger outlet pipes to San Jose and San Pedro Creeks and to enlarge and regrade a portion of the Old San Jose Creek channel and the Placencia Drain, which will require approximately 100 cubic yards of cut grading. At the outlet of San Jose Creek, a single 36 inch CMP culvert will be replaced with a double 48 inch HDPE culvert and headwall. An additional 24 inch HDPE culvert with headwalls at both the inlet and outlet will be installed where Placencia Drain meets San Pedro Creek. The Old San Jose Creek Channel and Placencia Drain ditch will also be regraded and enlarged to bottom widths of five or six feet and 14 feet at the inlet to San Jose Creek. These channel improvements will require some removal of vegetation along the north and south banks, followed by restoration with appropriate native trees, shrubs, and understory.

The applicant has submitted a report, entitled "Old San Jose Creek Channel Improvements – Hydrologic and Engineering Analysis," dated January 5, 2001. That report states:

This small project is limited to the area of the creek outlet pipes, and will not result in increased runoff, streamflow erosion, or downstream effects. According to Penfield and Smith, the watershed is about 192 acres in size and the peak 100-year flow is expected to be 106 cfs at the project. The 100-year flow will not increase with the project because there is no change in land use, impervious area, or vegetative cover. . . .

That report also states:

There will be no increase in erosion because bank and bed protection will be constructed at the outlet pipes, where streamflow velocity will increase somewhat. The Flood Control District will also revegetate the creek banks with native species in the area of the outlet pipes.

In addition, as stated above, the applicant is proposing to perform 100 cubic yards of cut grading in order to enlarge the Old San Jose Creek channel. In addition, in a conversation with Commission staff on November 15, 2001, a representative of the applicant stated that the 100 cubic yards of cut material would not be suitable for beach nourishment and would be exported outside of the coastal zone. The applicant has, therefore, stated that all cut material will be removed from the subject site and disposed of appropriately outside of the coastal zone.

Excavated materials that are placed in stockpiles are subject to increased erosion and potential adverse effects to adjacent streams and wetland areas from sedimentation

and increased turbidity. In addition, further landform alteration would result if the excavated material were to be retained on site. Therefore, in order to ensure that graded material will not be permanently stockpiled on site and that erosion and sedimentation of the stream areas on site are minimized during any temporary stockpiling activities, **Special Condition Two (2)** requires any stockpiled material to be located as far from the stream areas on site as feasible. Furthermore, in no event shall materials be stockpiled less than 30 feet in distance from the top edge of the stream banks. Temporary erosion control measures, such as sandbag barriers, silt fencing, and swales, shall also be implemented in the event that temporary stockpiling of material is required. These temporary erosion control measures shall be monitored and maintained until all stockpiled material has been removed from the project site. Permanent stockpiling of material on site shall not be allowed. The applicant shall provide evidence to the Executive Director of the location of the permanent disposal site for all excavated material prior to removal of the material from the project site. Should the dump site be located in the coastal zone, a coastal development permit or an amendment to this coastal development permit shall be required.

In addition, based on the information submitted by Santa Barbara County Flood Control District, the proposed development is located in an area of the coastal zone that has been subject to potential hazards from flooding. The applicant has indicated that the developed areas adjacent to and near the project site, such as the Santa Barbara Airport and nearby residential development located within the identified 100 year flood plain, may be subject to seasonal flood events during the winter storm season. As a result, evidence exists that the project site is subject to potential risks due to flooding and erosion.

Although the proposed development is intended as a flood control project and will serve to reduce the potential for flooding of the developed areas immediately upland of the project site, there remains some inherent risk in any flood control projects. The Coastal Act recognizes that certain types of development, such as the proposed project, may involve the taking of some risk. Coastal Act policies require the Commission to establish the appropriate degree of risk acceptable for the proposed development and to determine who should assume the risk. When development in areas of identified hazards is proposed, the Commission considers the hazard associated with the project site and the potential cost to the public, as well as the right to use one's property. As such, the Commission finds that due to the unforeseen possibility of flooding and erosion, the applicant shall assume these risks as a condition of approval. Therefore, **Special Condition Four (4)** requires the applicant to waive any claim of liability against the Commission for damage to life or property that may occur as a result of the permitted development. The applicant's assumption of risk will illustrate that the applicant is aware of and appreciates the nature of the hazards which exist on the site, and which may adversely affect the stability or safety of the proposed development.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Coastal Act Section 30253.

D. Visual Resources

Section 30251 of the Coastal Act states:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinated to the character of its setting.

Coastal Act Section 30251 requires that visual qualities of coastal areas shall be considered and protected, landform alteration shall be minimized, and where feasible, degraded areas shall be enhanced and restored.

Stockpiled materials that would be visible from several public viewing areas, including nearby bicycle and pedestrian trails, could potentially result in adverse temporary impacts to public views.

Excavated materials that are placed in stockpiles are subject to increased erosion and additional landform alteration would result if the excavated material were to be permanently retained on site. Therefore, in order to ensure adverse to public views resulting from landform alteration and increased erosion on site are minimized, **Special Condition Two (2)** requires stockpiled materials to be located as far from the stream areas on site as feasible, no less than 30 feet from the top edge of the stream banks. In addition, temporary erosion control measures, such as sandbag barriers, silt fencing, and swales, shall be implemented in the event that temporary stockpiling of material is required. These temporary erosion control measures shall be monitored and maintained until all stockpiled fill has been removed from the project site. Permanent stockpiling of material on site shall not be allowed. The applicant shall provide evidence to the Executive Director of the location of the permanent disposal site for all excavated material prior to removal of the material from the project site. Should the dump site be located in the coastal zone, a coastal development permit or an amendment to this coastal development permit shall be required. Removal of this excavated material will reduce potential adverse visual impacts from the proposed development.

In addition, to ensure that all disturbed areas, including temporary stockpile areas and staging areas, are adequately revegetated, **Special Condition One (1)** requires that all upland areas on the subject site disturbed as a result of this project to be planted and maintained for habitat restoration and erosion control purposes, as soon as feasible following disturbance and construction activities. Revegetation with native plant species will also aid in reducing any potentially adverse visual impacts resulting from the project.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30251 of the Coastal Act.

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of 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 finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

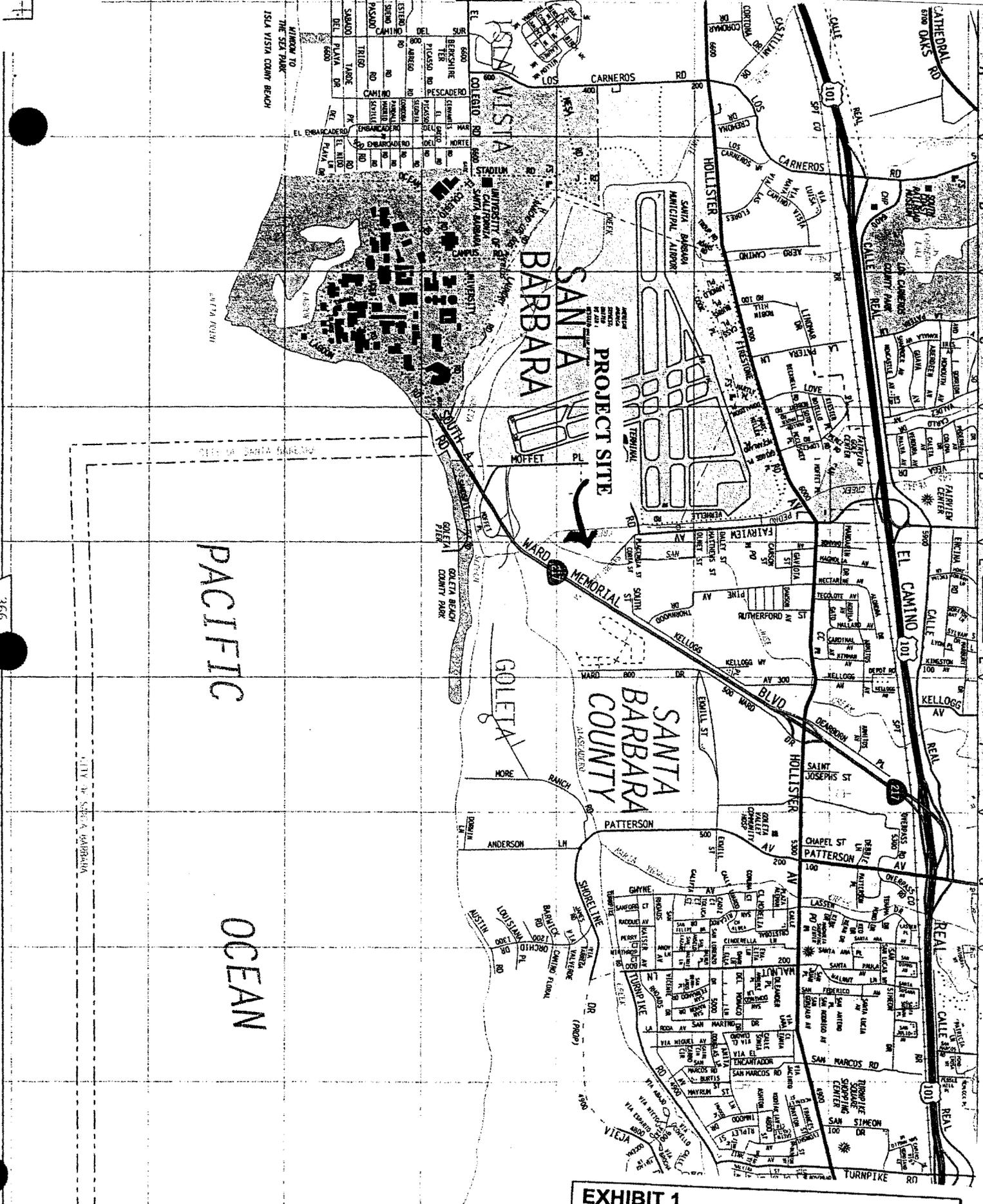


EXHIBIT 1
CDP 4-00-207 (SB Co. FC District)
Location Map

PACIFIC OCEAN

CITY OF SANTA BARBARA

SEE 366

995 MAP

SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

GOLETA OLD TOWN REVITALIZATION PLAN
OLD SAN JOSE CREEK
CHANNEL IMPROVEMENTS

THE GOLETA AREA
OF
SANTA BARBARA COUNTY, CALIFORNIA



RECEIVED

JAN 1 1 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

EXHIBIT 3

CDP 4-00-207 (SB Co. FC District.)

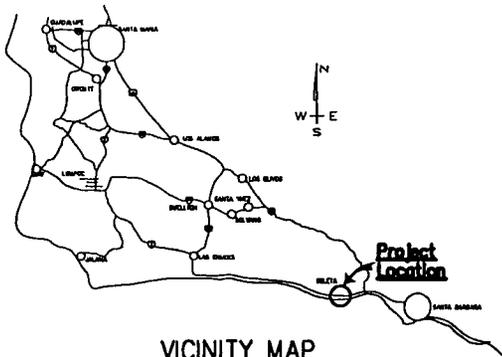
Title Sheet with Location Maps

DISTRICT BOARD OF DIRECTORS:

FIRST DISTRICT	Naomi Schwartz
SECOND DISTRICT	Susan Rose
THIRD DISTRICT	Gail Marshall
FOURTH DISTRICT	Joni Gray
FIFTH DISTRICT	Thomas Urbanske

CHAIR OF THE BOARD _____

Susan Rose



VICINITY MAP
No Scale

SHEET INDEX

SHEET NO.	DESCRIPTION
1	TITLE SHEET
2	GENERAL INFORMATION / TYPICAL SECTIONS
3	PLAN / PROFILE
4	PLAN / PROFILE
5	PLAN DETAILS
6	PLAN DETAILS



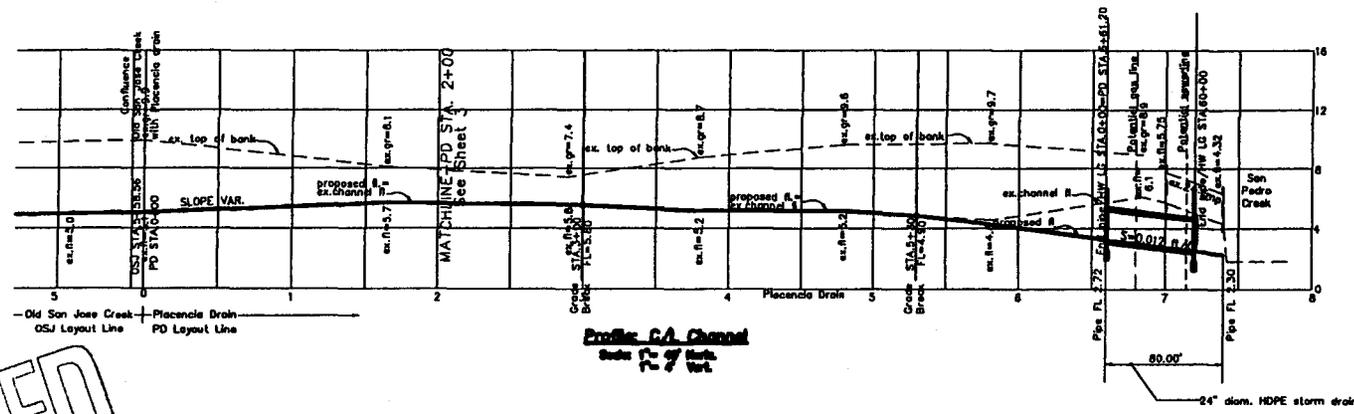
LOCATION MAP
No Scale



UNAUTHORIZED CHANGES OR USES
THE SANTA BARBARA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT AND ITS
EMPLOYEES WILL NOT BE RESPONSIBLE FOR, OR LIABLE FOR, UNAUTHORIZED CHANGES TO OR
USES OF THESE PLANS. ALL PROPOSED CHANGES TO THE PLANS MUST BE PRESENTED IN
WRITING TO THE DISTRICT AND APPROVED IN WRITING BY THE DISTRICT PRIOR TO IMPLEMENTATION
OF ANY SUCH CHANGE OR USE.

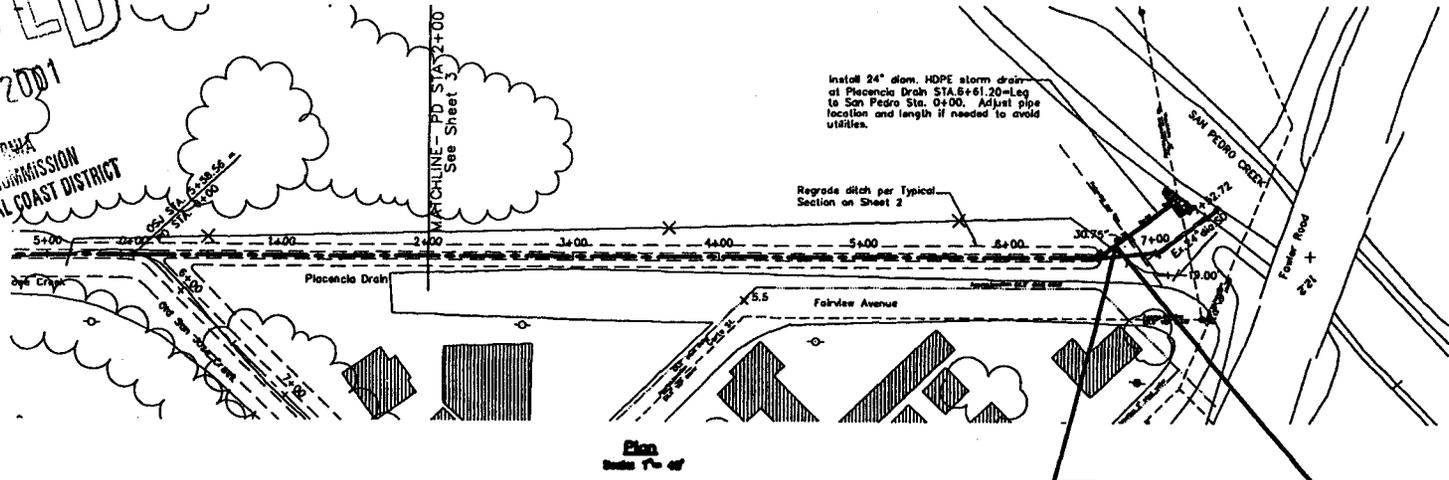
<table border="1"> <tr> <th>REVISION</th> <th>DATE</th> <th>BY</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </table>	REVISION	DATE	BY	DESCRIPTION					<table border="1"> <tr> <td>DESIGNED BY</td> <td> </td> </tr> <tr> <td>CHECKED BY</td> <td> </td> </tr> <tr> <td>DATE</td> <td> </td> </tr> </table>	DESIGNED BY		CHECKED BY		DATE			<p>GOLETA OLD TOWN REVITALIZATION PLAN OLD SAN JOSE CREEK CHANNEL IMPROVEMENTS AREA OF GOLETA SANTA BARBARA, CALIFORNIA</p>	<p>TITLE SHEET</p>	<table border="1"> <tr> <td>DESIGNED BY</td> <td>DME, SLC</td> </tr> <tr> <td>CHECKED BY</td> <td>DME</td> </tr> <tr> <td>DATE</td> <td> </td> </tr> </table>	DESIGNED BY	DME, SLC	CHECKED BY	DME	DATE		<p>SHEET 1 of 6</p>
REVISION	DATE	BY	DESCRIPTION																							
DESIGNED BY																										
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DESIGNED BY	DME, SLC																									
CHECKED BY	DME																									
DATE																										

EXHIBIT 6
CDP 4-00-207 (SB Co. FC District.)
Eastern Site Plan and Profile



RECEIVED
 JAN 11 2001

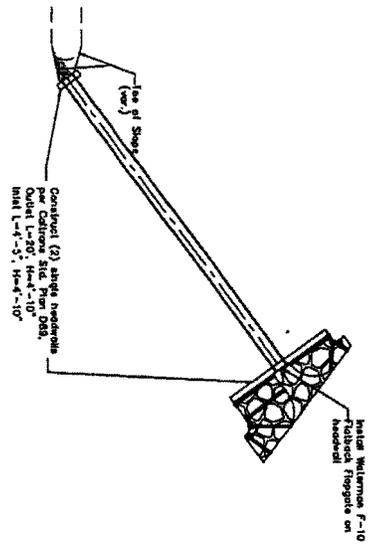
PERMISSION
 SOUTH CENTRAL COAST DISTRICT



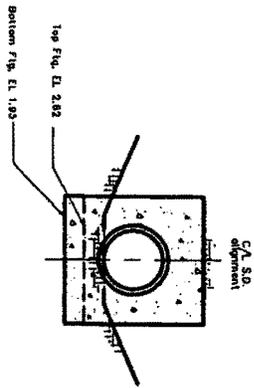
**CAUTION: LOCATION OF PIPES AND
 USE UTILITY MARKERS AT POTENTIAL
 CONFLICTS W/ PROPOSED STORM DRAIN
 AFTER U.S.A. GRADING.**

IMPORTANT NOTICE
 ALL UTILITY LOCATIONS ARE APPROXIMATE.
 CONTRACTOR IS TO NOTIFY UNDERGROUND
 SERVICE ALERT THE BUSINESS DAYS PRIOR
 TO EXCAVATE ANY EXISTING OR NEW
 FACILITIES.
 CALL TOLL FREE 1-800-485-4125

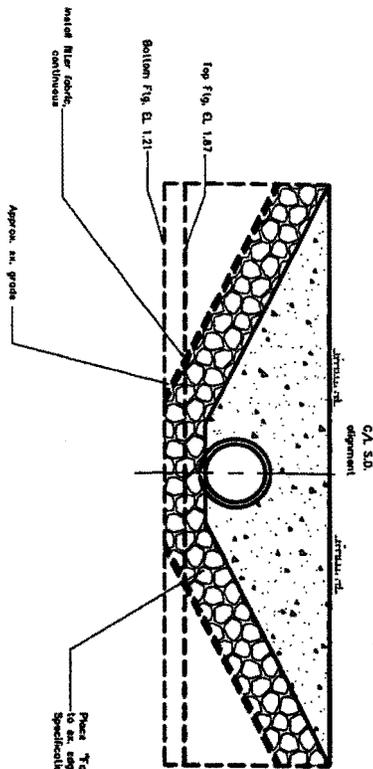
				GOLETA OLD TOWN REVITALIZATION PLAN OLD SAN JOSE CREEK CHANNEL IMPROVEMENTS PROJECT GOLETA AREA OF SANTA BARBARA COUNTY, CALIFORNIA		DRAWN BY: SC, DE CHECKED BY: DE, FAH DESIGNED BY: JSF	
SHEET NO. 4 OF 6 PROJECT NO. 4-00-207		DATE: 10/2000		SCALE: AS SHOWN		PROJECT: CDP 4-00-207 (SB Co. FC District.)	



Elev. View
Concrete Pile Detail
Scale: 1/4" = 1'-0"



Plan View
Concrete Pile Detail
Scale: 1/4" = 1'-0"



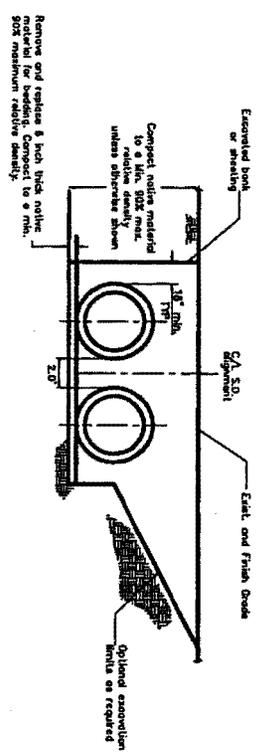
Plan View
Concrete Pile Detail
Scale: 1/4" = 1'-0"

Place "Tru-Fix" Close rest from approx. 10 S&C 04-00.00
to an edge of bank on active subject per California S&C
Specifications (SECTION 8) and its source book.

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JAN 11 2001

CALIFORNIA
COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

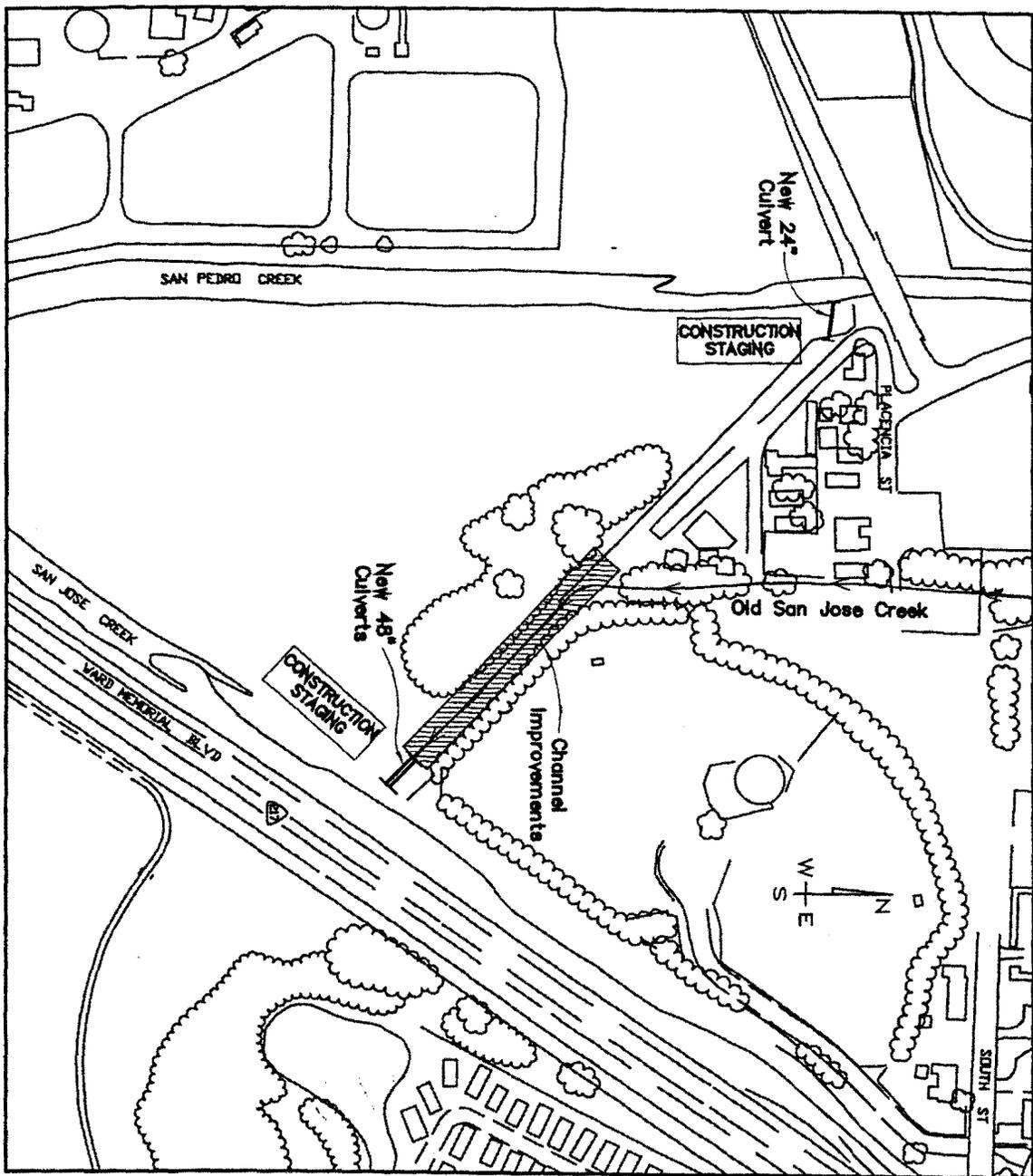


NOTE:
Refractive material used for bedding, pipe zones and trench bedding
shall not contain organic matter, stones, rocks, debris, or non-
compressible material. Bedding shall be greater than 1-1/2 inches and/or other
unavailable material.

Topsoil Storage Detail
Scale: 1/4" = 1'-0"

PROJECT NO. 4-00-207 SHEET NO. 4 OF 6		DATE: 10/11/00		SCALE: AS SHOWN	
PROJECT TITLE: CDP 4-00-207 REVEGETATION PLAN CHANNEL IMPROVEMENTS PROJECT		DRAWN BY: [Name]		CHECKED BY: [Name]	
PROJECT LOCATION: [Address]		SHEET NO. 4 OF 6		DATE: 10/11/00	

EXHIBIT 8
CDP 4-00-207 (SB Co. FC District.)
Plan Details (continued)



LEGEND

— Install HDPE pipe culverts

▨ Existing earth staging area used for Coleta Slough dredging in 2000-2001

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COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT

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JAN 11 2001

EXHIBIT 9
CDP 4-00-207 (SB Co. FC District.)
Overall Site Plan & Riparian Overview

DATE: 1/11/01
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 PROJECT: [Name]
 SHEET: [Number] OF [Total]
 SCALE: [Scale]
 TITLE: OLD SAN JOSE CREEK CHANNEL IMPROVEMENTS

