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STATE OF CALIFORNIA - THE RESOURCES AGENCY

CALIFORNIA COASTAL COMMISSION

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Staff:

S. Haswell @

Staff Report: Hearing Date: 08/23/01 09/11/01

Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-01-069

APPLICANT: Goleta Sanitary District

PROJECT LOCATION: 100 yards east of State Highway 217, at Sandspit Road,

Goleta, Santa Barbara County

PROJECT DESCRIPTION: Repair a leak in the landward portion of an outfall pipeline used to convey treated and disinfected wastewater effluent from a treatment plant to the Pacific Ocean for disposal, requiring a temporary access road, excavation and replacement of excavated soil from repair area, and restoration and revegetation of disturbed areas, located approximately 100 yards east of State Highway 217 at Sandspit Road in Goleta, Santa Barbara County.

LOCAL APPROVALS RECEIVED: California Coastal Commission, Emergency Permit 4-01-013-G, January 16, 2001.

SUBSTANTIVE FILE DOCUMENTS: "Monitoring Report for Goleta Sanitary District (GSD) Outfall Repair Work at Goleta Slough," SAIC, February, 2001; Emergency Permit 4-01—013-G.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends **approval** of the proposed project with two (2) special conditions regarding revegetation, restoration, and monitoring plans and required state and federal permits.

This application is to follow up Emergency Permit 4-01-013-G, which the Executive Director issued on January 16, 2001 to allow for the repair of the wastewater outfall pipeline. In order to perform the repair, a temporary access road was constructed, excavation and replacement of excavated soil from the repair area was performed. Restoration and revegetation of disturbed areas, including the temporary access road with native plant species has already been completed.

Special Condition One (1) requires the applicant to restore and revegete the disturbed areas of the subject site and to monitor the success of the restoration and revegetation. **Special Condition Two (2)** requires the applicant to obtain all other necessary state and federal permits that may be necessary for repair of the outfall pipeline and temporary access road.

I. STAFF RECOMMENDATION

MOTION:

I move that the Commission approve Coastal Development Permit No. 4-01-069 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. <u>Notice of Receipt and Acknowledgment</u>. 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. <u>Expiration</u>. 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. <u>Interpretation</u>. Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
- 4. <u>Assignment</u>. 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. <u>Terms and Conditions Run with the Land</u>. 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. Restoration, Revegetation, and Monitoring Program

Prior to issuance of Coastal Development Permit 4-01-069, the applicant shall submit a restoration, revegetation, and monitoring program, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The plans shall include a restoration and revegetation component for the temporary access road that has been removed. The plans shall identify the species, extent, and location of all plant materials and shall incorporate the following criteria:

A. Restoration and Revegetation Plan

- (1) All graded and disturbed areas on the subject site shall be planted and maintained for erosion control purposes, including the temporary access road that has been removed. To minimize the need for irrigation, all landscaping shall consist of native/drought resistant plants indigenous to the area. Invasive, nonindigenous plant species, which tend to supplant native species, shall not be used. Existing invasive vegetation on site, if any, shall be removed.
- (2) Planting shall be adequate to provide ninety (90) percent coverage within five (5) years, and this requirement shall apply to all graded and disturbed areas.
- (3) Plantings shall 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.
- (4) The Permittee shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

B. Monitoring

Five (5) years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a restoration and revegetation monitoring report, prepared by a licensed landscape architect or qualified resource specialist, that certifies the on-site landscaping is in conformance with the restoration and revegetation plan approved pursuant to this special condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the revegetation monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the restoration and revegetation plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental restoration and revegetation plan for

the review and approval of the Executive Director. The revised restoration and revegetation plan must be prepared by a licensed landscape architect or a qualified resource specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

2. Required Approvals

By acceptance of this permit, the applicant agrees to obtain all other necessary state and federal permits that may be necessary for repair of the outfall pipeline and temporary access road (including the California Department of Fish and Game, California State Lands Commission, and the U.S. Army Corps of Engineers) or shall submit evidence of such permits or written documentation that such permits are not required. If any required state or federal permits mandate further mitigation or changes to the proposed development, the applicant shall obtain an amendment to this coastal development permit or a new coastal development permit, unless the Executive Director finds that such an amendment or permit is not required.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and Background

The project site is located approximately 100 yards east of State Highway 217 at Sandspit Road in Goleta, Santa Barbara County (see Exhibits 1 and 2). The project site is located within area of the Commission's retained original permit jurisdiction. The proposed project is for the repair of a leak in the landward portion of an outfall pipeline used to convey treated and disinfected wastewater effluent from a treatment plant to the Pacific Ocean for disposal (see Exhibit 3). In order to repair the leak, a hole measuring eight feet wide and 14 feet long was excavated. All excavated material was put back in place following the repair. In addition, to allow for the repair, a temporary access road was constructed, requiring some fill grading. This fill grading for the temporary road was removed from the site following the repair. In addition, according to telephone conversations between Commission staff and a representative of the applicant, restoration and revegetation of disturbed areas, including the temporary access road, with native plant species has already been completed.

The current coastal development permit application is to follow up Emergency Permit 4-01-013-G that was given to the applicant on January 16, 2001 to perform repair to the effluent discharge outfall line. Emergency Permit 4-01-013-G allowed for the replacement of an approximately 10 foot long segment of 36 inch diameter underground outfall line, in order to prevent discharge of treated effluent into the Goleta Slough. All of the repair work was successfully completed between January 13, 2001 and February 6, 2001. Further, a representative from the Goleta Sanitary District has

confirmed that the area where repair was performed and the temporary access road have been restored and revegetated.

The applicant has stated that on January 11, 2001, a major leak was discovered in the Goleta Sanitary District's outfall pipe, approximately 1,000 feet inland from the Goleta Beach County Park. The pipe is a 36 inch diameter reinforced concrete pipe that is buried at a depth of eight feet, running a parallel course 25 feet from the edge of the Goleta Slough in the area of the failure. As stated above, the repair work involved building a temporary access road with imported soil and rock to provide equipment access to the damaged area of the pipe. As the pipe was located approximately eight feet below sea level and near to the slough, a steel shoring box was installed around the pipe in the area where the repair work was performed to hold up the sides of the trench and for dewatering of the trench pending completion of repair. The repair work consisted of replacing all of the fastener bolts on a steel access structure, encasing the pipe in reinforced concrete, and driving two "H" beam piles on either side of the pipeline to support the concrete. Following the repair, all materials and equipment were removed from the area and the pipeline was buried with the original soil excavated to perform the repair. In addition, all of the temporary fills, excavation, and repair work was done outside of the ordinary high tide mark, which is the vertical bank of the slough in this area. Due to the repair work performed, the leak was stopped on January 13, 2001. Further, the project area was restored by February 7, 2001.

In addition, according to the applicant, all work was performed under the guidance of a Senior Biologist with SAIC and pursuant to recommendations by a biologist from the California Department of Fish and Game. The natural environment was protected through the use of precautionary methods during repair. Temporary fill dirt was placed on heavy plastic sheets to protect native vegetation, hay bales were placed around the perimeter of the fill to prevent sediment contamination of the runoff, and plastic sheets were placed under the heavy equipment to prevent hydrocarbon contamination from engine leaks. Further, shrubs in the project area were cut off six inches above the ground to promote regrowth and all native clippings were maintained on site and used for revegetation of the disturbed area. Lastly, all fill dirt and rocks used for the temporary access road were removed from the site.

B. Hazards

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.

The proposed project is for the repair of a leak in the landward portion of an outfall pipeline used to convey treated and disinfected wastewater effluent from a treatment plant to the Pacific Ocean for disposal. In order to perform the repair, a temporary access road was constructed, excavation and replacement of excavated soil from the repair area was performed. Restoration and revegetation of disturbed areas, including the temporary access road with native plant species has already been completed. The project site is located approximately 100 yards east of State Highway 217 at Sandspit Road in Goleta, Santa Barbara County.

The applicant has submitted a report entitled, "Monitoring Report for Goleta Sanitary District (GSD) Outfall Repair Work at Goleta Slough," prepared by SAIC, dated February 2001, which states:

A manhole riser over the treated sewage outfall pipeline adjacent to Goleta Slough broke on 11 January due to corrosion of bolts and required emergency repairs. Environmental monitoring included regular (approximately daily) checks of repair activities from 13 January through 2 February 2001. The site checks involved observing repair activities at the time plus noting changes in the site due to project activities that occurred between the checks. . . .

Overall, the repair work was conducted with minimal disturbance to the natural environment, other than that necessary to perform the work. Cleanup was very thorough. The plastic placed under the temporary road fill and careful removal of the fill prevented disturbance to some small shrubs and roots of grasses and forbs. The seed bank in the soil was also protected since several inches of spoil was not left covering it. Recovery of the area disturbed by the temporary access road is expected to be rapid, particularly for herbaceous species and coyote brush. The area excavated and then filled for repair of the manhole riser will take longer for vegetation recovery, but coyote brush and herbaceous species should colonize the area rapidly from adjacent areas, especially since the disturbed area is relatively small (i.e., has a relatively large edge).

As such, the proposed project was performed in a manner consistent with Section 30253 of the Coastal Act. In repairing the outfall pipe, the structural stability of the outfall pipeline was increased, erosion was controlled, and natural landforms were maintained through restoration of the site and export of all temporary fill dirt and rock. The repair performed improved relative stability while minimizing adverse effects to However, the construction of a temporary access road and coastal resources. excavation at the repair site, although necessary to remediate the pipeline leak, has the potential of resulting in increased erosion on the subject site. Approximately 1,400 cubic yards of dirt fill and 800 cubic yards of rock fill were imported to the site in order to construct the temporary access road. The dirt fill was imported and was returned to the Santa Barbara County Goleta Beach parking lot. The rock was purchased and imported from Granite Construction Company and exported to One William Moffett Place, where the offices of the Goleta Sanitary District are located. As a result, following repair, all of the fill was exported from the site. Further, in order to access the pipeline for repair, approximately 44 cubic yards of excavation was required. This excavated material was then replaced into the same location following the repair.

The Commission finds that minimization of site erosion will add to the stability of the site and reduction in potential adverse impacts to environmentally sensitive resource areas and water quality. Erosion can best be minimized by requiring the applicant to restore and revegetate all disturbed and graded areas of the site with native plants compatible with the surrounding environment. Therefore, to ensure that the project site is adequately restored and revegetated, **Special Condition One (1)** requires the applicant to submit a restoration and revegetation plan that indicates species, extent, and location of all plant materials to be used in a restoration and revegetation program. To ensure that the revegetation effort is successful, five years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a revegetation monitoring report that certifies that the on-site landscaping is in conformance with the revegetation plan approved pursuant to this special condition.

In past permit actions, the Commission has found that invasive and non-native plant species are typically characterized as having a shallow root structure in comparison with their high surface/foliage weight and/or require a greater amount of irrigation and maintenance than native vegetation. The Commission notes that non-native and invasive plant species with high surface/foliage weight and shallow root structures do not serve to stabilize disturbed areas and that such vegetation results in potential adverse effects environmentally sensitive habitat area. Therefore, in order to ensure the stability and minimize erosion of the site, **Special Condition One (1)** specifically requires all of the disturbed and graded areas on the subject site to be stabilized with native vegetation.

Therefore, for the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Section 30253 of the Coastal Act.

C. Public Works

Section 30254 of the Coastal Act provides, in part:

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 only involves repairing an existing outfall pipe in the same location and with no increase in capacity or size of the pipeline. The sewer pipeline serves the Goleta Valley, which is presently developed with a mix of residential, commercial, and industrial uses, as well as some agricultural operations. The repair of this existing outfall pipe will not expand sewer services, extend the line to areas not now served, or increase the capacity to deliver untreated sewage to the Goleta Sanitary

District Wastewater Treatment Facility. The repair was performed to prevent further leakage from the outfall pipe only.

Therefore, the Commission finds that the project is consistent with and adequate to carry out the provisions of Section 30254 of the Coastal Act.

D. Environmentally Sensitive Habitat Area

Section 30231 of the Coastal Act provides, in part:

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 . . .

In addition, Section 30240 of the Coastal Act provides, in part:

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

The subject site where the repair was performed is adjacent to Atascadero Creek and the Atascadero Slough. In addition, Goleta County Beach is located approximately 1,000 feet to the south of the subject site. The vegetation in the area of the repair is dominated by coyote brush, willows, mustard, thistle, tree tobacco, mulefat, and pickleweed. 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.

As stated previously, the proposed project involved construction activities adjacent to the Atascadero Creek. A temporary access road was constructed from the bike path that runs parallel to Atascadero Creek to the manhole, where the repair was performed. The area where the temporary access road was constructed contained natural herbaceous, dry vegetation. As all temporary fill dirt and rock was placed on heavy plastic sheets to protect the native vegetation, the majority of this vegetation remained following construction activities, including a few stumps and small shrubs. There is a willow clump to the east of the site that had one stem cut, approximately four inches in diameter. The report submitted by SAIC dated February 2001 states that the pickleweed on site was somewhat compressed following construction, but will likely recover quickly. Although some coyote bush was cut for the project, following construction, coyote bush with seed was proposed to be placed over disturbed areas of the site, willow cuttings were proposed to be planted in low spots where they are most

likely to thrive, and weed control for species such as mustard, thistle, and castor been was proposed to reduce competition with native plant species.

Further, all soil and rock material used for the construction of the temporary access road has been removed and all excavated material in the repair area was replaced back into its original location following repair. In addition, as stated previously, the report submitted by SAIC dated February 2001 states:

Environmental monitoring included regular (approximately daily) checks of repair activities from 13 January through 2 February 2001. The site checks involved observing repair activities at the time plus noting changes in the site due to project activities that occurred between the checks. . . .

Overall, the repair work was conducted with minimal disturbance to the natural environment, other than that necessary to perform the work. Cleanup was very thorough. The plastic placed under the temporary road fill and careful removal of the fill prevented disturbance to some small shrubs and roots of grasses and forbs. The seed bank in the soil was also protected since several inches of spoil was not left covering it. Recovery of the area disturbed by the temporary access road is expected to be rapid, particularly for herbaceous species and coyote brush. The area excavated and then filled for repair of the manhole riser will take longer for vegetation recovery, but coyote brush and herbaceous species should colonize the area rapidly from adjacent areas, especially since the disturbed area is relatively small (i.e., has a relatively large edge).

In addition, the applicant implemented erosion control and construction practices that minimized potential disturbance to the natural environment. These measures are outlined above from the report submitted by SAIC. As a result, these protective measures taken by the applicant ensured that the temporarily disturbed site would not contribute sediment to the adjacent Atascadero Creek or Goleta Slough. In addition, to ensure that the project site is adequately restored and revegetated, **Special Condition One (1)** requires the applicant to submit a restoration and revegetation plan that indicates species, extent, and location of all plant materials to be used in a restoration and revegetation program. To ensure that the revegetation effort is successful, five years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a revegetation monitoring report that certifies that the on-site landscaping is in conformance with the revegetation plan approved pursuant to this special condition.

In addition, the use of invasive, non-indigenous plant species tends to supplant species that are native to this area of Santa Barbara County. Increasing urbanization in this area has caused the loss or degradation of major portions of the native habitat and loss of native plant seed banks through grading and removal of topsoil. Moreover, invasive groundcovers and fast growing trees that originate from other continents that have been used as landscaping in this area have invaded and seriously degraded native plant communities adjacent to development. As a result, **Special Condition One (1)** requires the use of native plant species indigenous to the area of the subject site and removal of non-native invasive species as part of the restoration program.

Furthermore, the repair work was performed adjacent to Atascadero Creek and the Goleta Slough. Any changes or alterations within a streambed require a streambed alteration agreement from the California Department of Fish and Game. In addition, the proposed development may also require approval from the U.S. Army Corps of Engineers and from the California State Lands Commission. Therefore, **Special Condition Two (2)** requires the applicant to agree to obtain all necessary approvals from the California Department of Fish and Game, California State Lands Commission, and the U.S. Army Corps of Engineers for the proposed project or written documentation that such approvals are not required. If any other state or federal permits require further mitigation or changes to the proposed development, the applicant shall be required to obtain an amendment to this coastal development permit or a new coastal development permit, unless the Executive Director finds that such an amendment or permit is not required.

Therefore, the Commission finds that the proposed project, as conditioned, is consistent with and adequate to carry out the provisions set forth under Sections 30231 and 30240 of the Coastal Act.

E. Visual Resources

Section 30251 of the Coastal Act 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. 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.

The subject site is potentially visible from public roads, State Highway 217 and Sandspit Road, and from the bike path running along Atascadero Creek (see Exhibit 1). As a result, adverse impacts to visual resources must be minimized through the development. Although the repair of the outfall pipeline required placement of fill material to create a temporary access road, this material was removed following construction and the repair work was conducted in a manner in which minimal disturbances occurred to the surrounding environment, reducing adverse effects to visual resources on the site. In addition, site erosion was minimized through the applicant's construction practices, also reducing adverse effects to the visual resources on the subject site. Erosion may also be further minimized by requiring the applicant to restore and revegetate the subject site with native plants, compatible with the surrounding environment. **Special Condition One (1)** requires the applicant to restore and revegetate all areas of the subject site

disturbed through the repair activities. This will further aid in minimizing negative effects to the visual resources of the subject site.

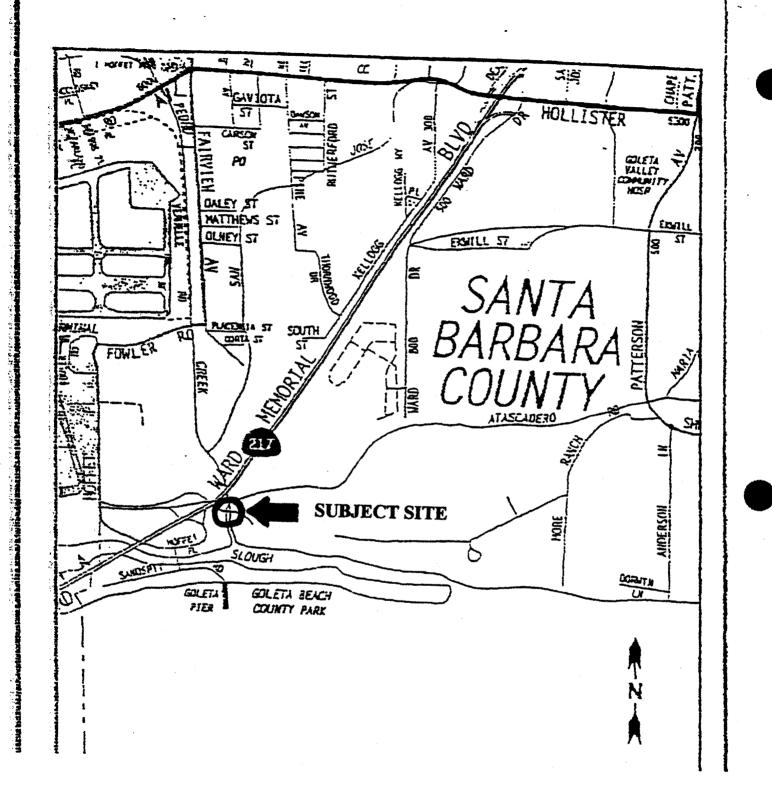
Therefore, in order to ensure that any potential adverse effects to public views resulting from the proposed development are minimized, **Special Condition One (1)** is required to ensure that all disturbed areas of the subject site will be restored and revegetated. Further, in order to ensure that the restoration and revegetation effort is successful, five years from the completion of construction activity, the applicant shall submit for the review and approval of the Executive Director, a revegetation monitoring report that certifies that the on-site landscaping is in conformance with the revegetation plan approved pursuant to this special condition.

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

F. 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 that 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.



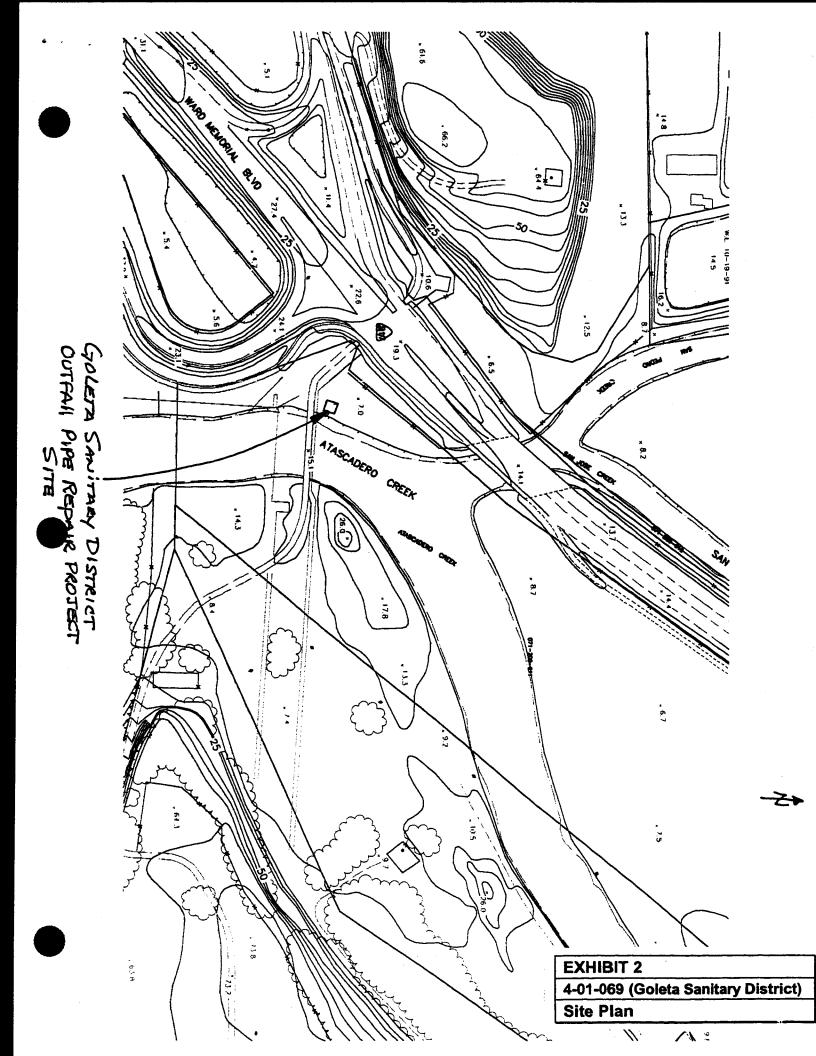
VACINITY MAP **Goleta Sanitary District OUTFALL PIPE REPAIR PROJECT** SANTA BARBARA COUNTY

February 22, 2001

EXHIBIT 1

4-01-069 (Goleta Sanitary District)

Location Map



GOLETH SAWITHEY DISTRICTION

