

CALIFORNIA COASTAL COMMISSION

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## RECORD PACKET COPY

**DATE:** November 21, 2002

**TO:** Commissioners and Interested Parties

**FROM:** Chuck Damm, Senior Deputy Director  
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April Verbanac, Coastal Program Analyst

**SUBJECT:** CITY OF SANTA BARBARA LOCAL COASTAL PROGRAM AMENDMENT NO. SBC-MAJ-1-02: AIRFIELD SAFETY PROJECTS, DRAFT AVIATION FACILITIES PLAN for Public Hearing and Commission Action at the California Coastal Commission Hearing on December 10-13, 2002 to be held in San Francisco.

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**STAFF NOTE:** *The subject LCP Amendment was continued from the November Commission hearing. Staff has incorporated the November 1, 2002 Addendum changes into the text of this Staff Report. Other than the changes detailed in the November 1, 2002 Addendum, incorporated herein, there are no changes in the staff recommendation from that contained in the previous Staff Report, dated October 23, 2002, distributed at the November Commission meeting*

*The City's LCP Amendment submittal proposes to incorporate the Airfield Safety Projects described in the Draft Aviation Facilities Plan, and associated habitat restoration plans, into the certified LCP. The Draft Aviation Facilities Plan is a comprehensive plan intended to address development of airport facilities through the year 2015. The plan describes both the proposed Airfield Safety Projects and Airline Terminal Expansion Project, along with other anticipated improvements for the Airport. However, the City has requested that this Amendment only incorporate the Airfield Safety Projects described in the Draft Aviation Facilities Plan, and the associated habitat restoration plans, into the LCP at this time. Additional proposed improvements, including the Airline Terminal Expansion Project, will be reviewed as a separate LCP Amendment when submitted by the City.*

### **LOCAL COASTAL PLAN AMENDMENT SUBMITTAL**

The City of Santa Barbara City Council approved the proposed LCP Amendment on December 12, 2001 pursuant to Resolution No. 01-141. On June 21, 2002 the City of Santa Barbara submitted an amendment to the Land Use Plan and Coastal Zoning Ordinance components of its certified Local Coastal Plan for the development of airfield safety projects and to adopt a

Draft Aviation Facilities Plan for the Santa Barbara Airport, Santa Barbara, Santa Barbara County. Subsequently, City staff informed the Commission staff that the City's Local Coastal Plan Amendment (LCPA SBC-MAJ-1-02) only proposes to amend the certified LCP to incorporate development of airfield safety projects and associated habitat restoration plans for the Santa Barbara Airport as detailed in the Draft Aviation Facilities Plan. On September 10, 2002 the Commission voted to extend the 90-day time limit to act on the proposed LCP Amendment for a period not to exceed one year.

At the hearing for the time extension request for the proposed Amendment the City submitted a letter dated September 9, 2002, regarding the City's intended purpose of the LCP Amendment application. The referenced letter indicated that the subject LCP Amendment application has been submitted for the sole purpose of addressing necessary amendments to the certified LCP for development of the airfield safety projects, and that the terminal expansion component of the Aviation Facilities Plan, and the Aviation Facilities Plan document itself, were not submitted as part of the City's formal LCP Amendment application. That letter also references a section of the City's cover letter, dated June 21, 2002, submitted with the LCP Amendment application that states:

*This submittal constitutes a limited LCP amendment to incorporate the minimal changes needed to facilitate development of the critically-needed Airfield Safety Projects.*

However, staff notes that on July 11, 2002, the City submitted Resolution No. 01-141 in response to staff's request to complete the file for the LCP Amendment application. Pursuant to Resolution No. 01-141 the City Council denied an appeal of the Planning Commission's certification of the EIR and adoption of the Aviation Facilities Plan, and then certified the EIR and approved the Aviation Facilities Plan as an amendment to the Local Coastal Program. Resolution No. 01-141 states:

*NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Barbara denies the appeal and certifies the EIR, approves the Aviation Facilities Plan as amended by the Planning Commission, the Local Coastal Program Amendments described in Exhibit 2, the Airport General Plan Map Amendments in Exhibit 3, and the Airport Zoning Map Amendment shown in Exhibit 4, making the following findings and determinations:*

Exhibits 2-4 referenced in Resolution No. 01-141 include proposed text changes to the certified Airport/Goleta Slough LCP, and land use designation and zoning map changes which would be necessary for development of both the proposed airfield safety projects and the terminal expansion program components described in the Aviation Facilities Plan (Exhibit 17).

Commission staff has contacted City staff and confirmed that the proposed LCP Amendment is intended to address only development associated with the airfield safety projects. In accordance with the City's direction, the Commission's recommended suggested modifications eliminate the LCP map and policy changes that would be necessary for development described in the AFP other than the airfield safety projects and associated habitat restoration, because the City has indicated that they are not part of the submitted LCP Amendment.

#### **SUMMARY OF LCP AMENDMENT REQUEST NO. SBC-MAJ-1-02**

The City of Santa Barbara is proposing to amend the Land Use Plan and Implementation/Coastal Zoning Ordinance components of its certified Local Coastal Plan (LCP), Airport and Goleta Slough Component, to facilitate development of airfield safety

projects described in Chapter 5 (pages 5-1 through 5-43) and Chapter 7 (pages 7-2 through 7-8) of the Draft Aviation Facilities Plan, to carry out associated habitat restoration, and to incorporate, for reference only, a Draft Aviation Facilities Plan (AFP) into the City's Coastal Plan.

The proposed LCP Amendment consists of an amendment to the certified Land Use Plan maps for the Airport and Goleta Slough to reflect and facilitate AFP recommendations for the airfield safety projects. The land use plan amendment will include re-designation of approximately 28 acres of airport/slough property from Recreation Open Space to Major Public and Institution to allow for construction of airfield safety projects, including extended Runway Safety Areas to the west of Runway 7-25; and will include re-designation of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Major Public and Institutional to Recreation and Open Space to facilitate the re-routing of Tecolotito Creek and habitat restoration and mitigation plans (Exhibit 3). The proposed amendment to the Land Use Plan also includes policy text changes to reflect 1) new or amended resource polices to address wetland and upland habitat mitigation, restoration, management and monitoring requirements, buffer requirements, and a feasibility analysis for potential tidal restoration projects, to be implemented as part of the airfield safety projects, 2) permitted uses in wetland habitat consistent with Coastal Act Section 30233, 3) corrected language to reflect current and previously certified Airport Zoning Ordinance changes, and 4) adopting new text to describe the scope of the Draft Aviation Facilities Plan and to incorporate the AFP into the certified Airport LCP for reference.

In conjunction with the Land Use Plan Map changes discussed above, the proposed LCP amendment includes revising the Airport Zoning Ordinance Map (Sectional Zone Map 16). The proposed zoning ordinance map changes include re-zoning approximately 28 acres of airport/slough property from Goleta Slough Reserve (G-S-R) to Airport Approach and Operations (A-A-O); re-zoning of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Specific Plan #6 (S-P-6), Airport Commercial (A-C), and Airport Approach and Operations (A-A-O) to Goleta Slough Reserve (G-S-R); and rezoning a site between Hollister Avenue and Tecolotito Creek from Airport Industrial (A-I-1) to Goleta Slough Reserve [G-S-R (Exhibit 4)].

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## **EXECUTIVE SUMMARY**

The proposed LCP amendment addresses specific City owned property encompassed by the Santa Barbara Airport and Goleta Slough. The amendment addresses changes and additions to the land use plan maps, zoning maps, land use policies and implementing ordinances of the City of Santa Barbara's LCP on a site specific basis. As such, the City's proposed LCP Amendment does not include changes to the City's certified LCP on a citywide basis. The proposed Amendment includes incorporation of a Draft Aviation Facilities Plan (AFP) into the City's certified Airport/Goleta Slough LCP, for reference only, which the City intends to use as a comprehensive plan to facilitate and carry out recommendations for necessary airfield safety projects, future commercial aviation and development activities planned through the year 2015, and implementation of habitat restoration, maintenance and monitoring measures for resources of Goleta Slough associated with the mitigation requirements for development of the airfield safety projects. As described previously, however, the subject LCP Amendment is limited to only the airfield safety projects as detailed in the Draft AFP and associated habitat restoration plans. Incorporation of the entire Draft AFP into the certified Airport/Goleta Slough LCP to allow the document to be used as guidance, as requested by the applicant, is not recommended by Commission staff. Commission staff recommends incorporation of only the airfield safety projects described in Chapters 5 and 7 of the Draft AFP into the LCP. Therefore, it will be clear that until all components of the AFP, including the airline terminal expansion projects, are reviewed and certified by the Coastal Commission, with the exception of the airfield safety projects, the AFP cannot be used as the standard of review for the issuance of Coastal Development Permits for development proposed within the Airport and Goleta Slough property.

The proposed LCP Amendment seeks to amend the City's Airport and Goleta Slough component of the City's certified LCP, which will include both land use and coastal zoning ordinance changes, such that airfield safety projects for the Airport may be implemented. The Draft AFP describes necessary runway safety projects for the Santa Barbara Airport, which consists of the construction of two 1,000 foot long runway safety areas (RSAs), the realignment of an existing runway (Runway 7-25) to accommodate new RSAs, a new taxiway (Taxiway M) 2,600 feet in length, and a service road. The safety projects also call for widening of an existing taxiway (Taxiway B) and lengthening of runway protection zones (RPZs). Development of the airfield safety projects require that the City's certified LCP be amended to allow airport operations and facilities to be conducted and constructed within areas previously designated as Recreation Open Space and zoned as Goleta Slough Reserve, currently designated and zoned as such for the protection of open space and sensitive habitat area, including Tecolotito Creek and wetland habitat. As such, the proposed amendment raises Coastal Act issues relative to allowable use for wetland fill, selection of the least environmentally damaging alternative, adequate mitigation ratios, and permitted use for channelization of streams. In addition, the proposed safety projects may potentially result in water quality impacts and sedimentation of Goleta Slough, may potentially have adverse effects on special status plant and wildlife species or their habitats, and identified archaeological or cultural resources.

The wetland policy of the Coastal Act (Section 30233(a)) imposes a 3-part test for projects involving wetland fill: (a) the allowable use test; (b) the alternatives test; and (c) the mitigation test. Under the first of these tests the question is whether the project qualifies as an "incidental public service purpose." Because the project will be constructed by a public agency, in order to provide transportation services to the public, the fill qualifies as a public service purpose. The Commission has previously determined that the limited expansion of an existing road or bridge is an incidental public service purpose, when no other alternative exists and the expansion is

necessary to maintain existing capacity. The proposed improvements are incidental to the primary transportation facility, a runway. While the location of the runway will be shifted to accommodate the runway safety area, the runway length, width and capacity will not change. As such, the project is consistent with the allowable use test of Section 30233(a)(5), which authorizes the fill of wetlands for incidental public service purposes.

Construction of the necessary airfield safety projects, in particular the relocation of Runway 7-25 and extension of the Runway Safety Area to the west of the existing airport facilities encroaches over an area that is presently traversed by Tecolotito Creek. The City conducted an alternatives analysis for the realignment of Tecolotito Creek and determined that of the feasible alternatives available, realignment of Tecolotito Creek to construct the Runway Safety Area would be a less environmentally damaging alternative than box culverting of the creek as it would preserve open water habitat within the Goleta Slough Preserve. Additionally, the realigning of the creek using a culvert alternative would require the additional culverting of San Pedro Creek, which would pose potential airfield flooding impacts from culvert blockages and sediment loading, would degrade habitat for the Belding's savannah sparrow, and potentially require placing Fairview Avenue in a tunnel. Furthermore, the west creek realignment alternative avoids potential significant impacts to the designated critical habitat for Southern California steelhead trout, a federally listed endangered species. The Commission finds that the culvert alternative is not less environmentally damaging, and that the culvert alternative would have resulted in long-term habitat modifications that have the potential to create barriers to fish migration for which there is no feasible mitigation.

As an area of convergence of five major streams, the Santa Barbara Airport has historically been subject to flooding. In 1969 water completely surrounded the main terminal, and in 1995 and 1998 all three runways were flooded closing the airport for several days. Public buildings and structures are threatened with inundation during heavy rains, and the flooding of the runways presents a safety hazard that prevents planes from landing or taking off. The project is consistent with the stream alteration policy, Section 30236 of the Coastal Act, which allows for the alteration of rivers and streams if those alterations or channelizations are necessary to protect existing structures in the floodplain, and where such protection is necessary for public safety.

As described in the preceding paragraph, the proposed LCP amendment will allow for the alteration of two existing stream channels, which will serve to provide flood control benefits over the airport property to protect existing structures in the floodplain. Additionally, because the proposed LCP Amendment will allow for the realignment of the creeks, which will serve to provide flood control benefits over the airport property, the project will serve to minimize risks to life and property in an area subject to extreme flood hazards, as required by Section 30253 of the Coastal Act. Though the proposed creek realignment is anticipated to provide hydraulic conveyance of floodwaters over the site and away from airport facilities, thus providing long-term flood control benefits, the project will require construction activities in the form of substantial grading/excavation, temporary damming and diversion of stream flow during construction, and filling of the existing streambed. Such construction activities have the potential to increase run-off and accelerate erosion in the project area and Goleta Slough. Suggested modifications requiring development and implementation of a Storm Water Pollution Prevention Plan will ensure that the new development will incorporate measures to minimize erosion and stabilize disturbed areas during construction, consistent with the requirements of Section 30253 of the Coastal Act.

The City is proposing several text changes to the Land Use portion of the certified LCP which address the proposed airfield safety projects and Coastal Act issues relative to wetlands and other affected habitat areas that are raised in association with development of the projects, and which also include text changes to update and/or modify existing policy language to replace LCP references to the Airport Master Plan by references to the Draft Aviation Facilities Plan (the City's current planning document for the Airport) and to modify resource protection language relative to allowable types of development in Goleta Slough. Staff does not recommend that the Commission approve the City's proposed land use language that discusses future development of the Airport to include a reference to the City's Draft AFP because, except for the airfield safety projects described in Chapters 5 and 7, the Draft AFP (and the development described therein) has not been reviewed or conceptually or specifically approved by the Commission pursuant to this LCP Amendment. Therefore, staff is recommending a modification to clarify that, except for the airfield safety projects described in Chapters 5 and 7, the Draft AFP is not incorporated into the LCP and shall not be used as the standard of review for issuance of Coastal Development Permits, until the AFP is certified by the Commission as a LCP amendment, or, if submitted individually, specific development projects are found to be consistent with the certified LCP and any relevant Coastal Act Policies. Furthermore, staff is recommending a suggested modification to delete the proposed policy H-3 which states that *"All future development within the Aviation Facilities Plan area at the Airport must be consistent with the Aviation Facilities Plan. This Plan is incorporated by reference into the Airport LCP as appendix H."* The proposed text shall not be incorporated into the LCP until the AFP is fully certified by the Commission.

Staff is also recommending a suggested modification to delete the City's proposed text changes to policy H-1 of the certified Land Use Plan. As submitted, the proposed text changes would allow for development in the Major Public and Institutional land use designation to impact habitat areas of the Slough if the use is found to be consistent with Section 30233 of the Coastal Act. The recommended suggested modification would retain existing policy language of Policy H-1 to ensure that future development in the Major Public and Institutional land use designation not result in adverse impacts to habitat areas of Goleta Slough due to sedimentation, runoff, or other disturbances.

Staff is recommending approval of the City's proposed text changes to Policy C-4 which provide that incidental airport uses and facilities found to be consistent with Section 30233 may be provided and maintained, with suggested modifications for policy text changes that further specify that such uses be allowed only if necessary to maintain existing Airport operations. Suggested modifications also include text changes to Policy C-4 needed to allow for the development of necessary airfield safety projects consistent with the policy's provisions, including use of updated and recent wetland delineation maps, if developed in accordance with Section 13577(b) of Title 14 of the California Code of Regulations, and providing an exclusion of the airfield safety projects from the 100 foot buffer requirement, only where impacts to wetland habitat are mitigated to the maximum amount feasible such that no net loss of wetland habitat occurs. The suggested modifications provide special provisions for development of the airfield safety projects and will allow for the safety projects to be carried out consistent with Policy C-4 as modified. However, the suggested modifications do not undermine the intent of the resource protection policy to appropriately delineate and protect sensitive habitat, to maximize buffer areas between new development and wetland habitat, and to limit development in wetland areas to only those uses permitted pursuant to Coastal Act Policy.

To compensate for the loss of sensitive habitat area resulting from the proposed safety projects the City is proposing new policy language, Policy C-10, to facilitate the restoration of wetland, open water and upland habitat similar to those habitat areas affected by the proposed safety projects. Additionally, the City's proposed policies also include measures to carryout the Goleta Slough Tidal Restoration/Bird Strike Experiment to determine the feasibility of restoring tidal circulation to portions of Goleta Slough as a means of providing additional mitigation for impacts to wetland habitat. The proposed mitigation policies will ensure that impacts to wetland habitat are mitigated at ratio of no less than 4:1, or 3:1 of mitigated in-kind habitat in conjunction with a final approved tidal restoration plan. The proposed mitigation policies further require that permanently impacted open water creek habitat and upland habitat will be mitigated at a ratio of no less than 2:1 and 1:1, respectively, and that mitigation plans include a detailed description of mitigation sites, a description of goals and objectives, maintenance and monitoring methods, documentation requirements, and performance criteria to determine the success of mitigation efforts.

Suggested policy modifications relative to the City's proposed habitat mitigation and restoration Policy C-10 include requiring that final habitat mitigation and restoration plans be reviewed and approved by an appropriate biologist/resource specialist and by the California Department of Fish and Game, and that the plans consist of adequate technical specifications relative to identified mitigation sites, implementation schedules, restoration procedures, performance standards and goals, and for long-term adaptive management of restored habitat areas. Suggested modifications also require that implementation of the City's proposed habitat mitigation and restoration plans occurs either prior to or in conjunction with development of the airfield safety projects. The suggested policy modifications will ensure that the habitat mitigation and restoration will be implemented pursuant to a detailed and thorough restoration plan, with adequate mitigation ratios, and in a timely manner to ensure that adverse impacts to sensitive habitat areas are minimized to the maximum extent feasible.

In addition, the City's proposed new habitat mitigation Policy C-10, in combination with the recommended suggested modifications, will ensure that the City carries out its commitment to assess the feasibility of implementing tidal restoration as a means of fulfilling the 4:1 mitigation ratio required for impacted wetlands. Suggested modifications include provisions for the immediate implementation of wetland restoration plans at a ratio of 3:1 prior to or in conjunction with construction while the City continues to examine the possibility of restoring tidal circulation to Goleta Slough. Suggested modifications further specify the City shall report to the Coastal Commission within five (5) years with the findings and conclusions regarding the tidal restoration experiment and, should the FAA authorize the project, the City shall act as lead agency to implement any approved tidal restoration projects. However, should it be determined that tidal restoration is an infeasible alternative for fulfilling the 4:1 wetland mitigation requirement, the City is responsible for developing additional wetland mitigation and restoration plans for approximately 13.30 acres of wetland restoration to fulfill the 4:1 mitigation requirement, with priority given to on-site mitigation. Additional wetland restoration plans will be developed consistent with the criteria outlined in Policy C-10, in accordance with the suggested modifications. The proposed LCP Amendment with suggested modifications will ensure that impacts to sensitive wetland, open water, and upland habitat areas resulting from the airfield safety projects will be minimized and that adequate mitigation is provided to ensure long-term persistence of sensitive habitat areas of Goleta Slough, apart from the final decisions made regarding tidal restoration in portions of Goleta Slough, consistent with Sections 30233 and 30240 of the Coastal Act.

A number of sensitive plant and animal species are known to occur on or near the Airport/Goleta Slough site including Southern California Steelhead and the Belding's Savannah Sparrow, Southern Tarplant and Coulter's Goldfields. The LCP Amendment includes suggested modifications for new policy language for extensive habitat mitigation plans that will serve to minimize the loss and disturbance of sensitive habitat areas that may occur as a result of development of the airfield safety projects. The habitat restoration plans, which will be carried out pursuant to the provisions of the City's proposed habitat mitigation policy C-10, as modified pursuant to the suggested modifications, will ultimately provide additional habitat area with significant restored habitat value and function that will serve to support sensitive plant and wildlife species on the site. In addition, a suggested modification for new policies C-14 and C-15 require that avoidance and/or protection measures be implemented for development projects which could potentially impact sensitive plant or wildlife species, including timing of development activities to avoid disturbance of fish and wildlife, requiring site surveys and development of plans to avoid and/or minimize disturbance of special status species prior to commencement of construction activities, and implementation of detailed mitigation and restoration plans for unavoidable impacts to sensitive plant species. The proposed LCP amendment in combination with suggested modifications provides a comprehensive set of policies to protect and preserve the sensitive plant and wildlife species onsite, and significant habitat areas that support such species, consistent with Sections 30230 and 30240 of the Coastal Act.

Excess sedimentation in Goleta Slough has historically resulted in cumulative impacts to wetland habitat areas and continued unmanaged sedimentation could ultimately result in the destruction of salt marsh habitat and significant alteration of the slough's flood carrying capacity. The proposed airfield safety projects would assist in controlling sediment deposition in the slough by enlarging existing basins along Tecolotito and Carneros Creeks during the process of relocating the creeks. In capturing greater amounts of sediment the basins will minimize the sediment deposition in tidal wetlands of Goleta Slough that continues to affect tidal circulation and results in conversion of wetlands into upland habitat. In addition to on-going issues arising from sedimentation of Goleta Slough, construction of new development projects at the Airport in close proximity to the Slough will potentially result in water quality impacts associated with construction related runoff and erosion, and cumulative impacts associated with expanding the footprint of developed and disturbed areas on the Airport property. As such, suggested modifications are recommended to incorporate a comprehensive set of water quality policies, Policies C-11, C-12 and C-13, which require that new development minimize impacts to water quality, and include specifications for the development of a Water Quality Mitigation Plan, a Storm Water Pollution Prevention Plan, and a Construction Contingency Plan. The proposed LCP Amendment, with suggested modifications requiring that new development be implemented in a manner to protect water quality, is consistent with Sections 30230, 30231 and 30232 of the Coastal Act.

Santa Barbara Airport is located in an area that was once the traditional territory of the Chumash Native Americans. The proposed airfield safety projects are within the region of influence of cultural resources. The Area of Potential Effect (APE) for cultural resources within the Santa Barbara Airport Aviation Facilities Plan Boundary has been defined by the FAA as the entire airport property boundary, in accordance with 36 CFR Part 800.2. Archaeological surveys and excavations within this area have recorded four prehistoric Native American sites including major village sites, house remains, exotic trade goods and cemeteries. With respect to the airfield safety projects, realignment of Tecolotito Creek may require ground disturbances within 50 feet of moderate sensitivity zones and 150 ft. from high sensitivity zones. Inadvertent

construction activities and equipment encroachment within these zones could potentially impact significant archaeological resources. Therefore, a suggested modification is recommended to add new policy language, Policy F-3, that specifically addresses new development projects which could potentially disturb or destroy sensitive archaeological, historic or cultural resources. The suggested policy language includes provisions for mitigation and monitoring of activities that could affect such resources and will ensure that development of the airfield safety projects be conducted in accordance with the requirements of Section 30244 of the Coastal Act.

The proposed LCP amendment does not raise issues of consistency relative to Section 30251 of the Coastal Act, which requires that the scenic and visual qualities of coastal areas be considered and protected, and that new development protect views to and along the ocean and scenic coastal areas. Development of the proposed airfield safety projects will involve development predominantly constructed at grade and does not include new structures that would result in obstructions of public views in the Airport area.

Similarly, the proposed LCP Amendment does not raise issues of consistency relative to the public access and recreation policies of the Coastal Act as the airfield safety projects are intended to ensure public safety by meeting current FAA design standards and minimizing runway incursions. The proposed LCP amendment will not result in intensification of the use of the existing facilities nor will it facilitate increased traffic and circulation demands in the project vicinity which could potentially impact access to coastal areas. The proposed LCP amendment will have no affect on public access and recreational opportunities on Airport property beyond those limitations presently established at the Airport to ensure safe and secure airport operations.

Suggested modifications to the Implementation and Coastal Zoning Ordinance include minor changes relative to submittal requirements for a Coastal Development Permit, including development plan specifications, and the necessary findings of consistency for development projects proposed in Goleta Slough. The suggested modifications to the IP/CZO will serve to implement the policies of the Land Use Plan as proposed by the City and modified pursuant to the staff recommendation.

The proposed LCP amendment for the Santa Barbara Airport and Goleta Slough, with the suggested modifications outlined the staff recommendation, is consistent with Chapter Three policies of the Coastal Act and the implementing ordinances are adequate to carry out the land use plan policies as modified.

### ***Description of the Proposed Amendments in SBC-MAJ-1-02***

City of Santa Barbara's submitted LCP amendment SBC-MAJ-1-02 includes the following proposed changes:

#### **Amend the Land Use Plan of the City of Santa Barbara Local Coastal Plan to:**

1. Amend Local Coastal Plan Land Use Map, Coastal Plan Component 9: Airport and Goleta Slough, to reflect land use designation changes necessary to facilitate development of the airfield safety projects and associated habitat restoration plans.
2. Propose Resource Mitigation Policies specific to the Airfield Safety Projects.

3. General text amendments to existing policies to clarify that development in Goleta Slough, buffer areas, or development that may result in adverse impacts to sensitive habitats of the Slough, are not permitted unless found to be consistent with Coastal Act Section 30233.
4. Correct and update language to reflect current and previously certified Airport Zoning Ordinance changes.
5. Propose new text to describe the Draft Aviation Facilities Plan.

**Amend the Implementation/Coastal Zoning Ordinance portion of Santa Barbara's Local Coastal Plan to:**

1. Amend the existing Coastal Zoning Ordinance Map, Sectional Zone Map 16, to reflect proposed zoning changes necessary to facilitate development of the airfield safety projects and habitat restoration plans.

***Staff Recommendation***

Staff recommends denial of the Land Use Plan Amendment as submitted, followed by the approval of the Amendment with suggested modifications. Similarly, staff recommends denial of the Implementation/Zoning Ordinance Amendment as submitted, followed by approval of the Amendment with suggested modifications.

The City's proposed LCP amendment contains some changes that are minor in nature and can be certified as submitted. However, some of the proposed changes will result in an amended LUP that will be inconsistent with the Chapter 3 policies of the Coastal Act. Therefore, Commission staff has recommended suggested modifications to bring the proposed LUP changes into conformity with Chapter 3 policies of the Coastal Act, and to enable the proposed Implementation and Zoning Ordinance changes to adequately carry out the certified LUP policies.

***Public Participation***

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LCP. The City held public hearings and received written comments regarding the project from concerned parties and members of the public. The hearing was duly noticed to the public consistent with Sections 13552 and 13551 of the California Code of Regulations. Notice of the subject amendment has been distributed to all known interested parties.

***Procedural Requirements***

Pursuant to Section 13551 (b) of the California Code of Regulations, a resolution for submittal must indicate whether the Local Coastal Plan Amendment will require formal local government adoption after Commission approval, or as an amendment that will take effect automatically upon the Commission's approval pursuant to Public Resources Code Sections 30512, 30513, and 30519. The City's resolution of adoption (Resolution No. 01-141) states that this LCP Amendment will take effect upon Commission certification. However, this certification is subject to suggested modifications by the Commission. Therefore, the Local Coastal Plan Amendment will not become effective until the City of Santa Barbara formally adopts the suggested modifications and complies with all requirements of Section 13544.5, including the requirement that the Executive Director determine whether the City's adoption of the amendment to the LCP

is legally adequate. If the Commission denies the LCP Amendment as submitted, no further action is required by the Commission or the City.

***Additional Information***

For additional information please contact April Verbanac at the South Central Coast District Office: 89 S. California St., Ste. 200 Ventura, CA 93001 or 805-585-1800.

**1.0 STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE LAND USE PLAN/COASTAL PLAN (LUP/CP)**

**1.1 STAFF RECOMMENDATION TO DENY CERTIFICATION OF THE LAND USE PLAN/COASTAL PLAN AS SUBMITTED**

**Motion I:**

*I move that the Commission certify Amendment SBC-MAJ-1-02 to the City of Santa Barbara Land Use Plan/Coastal Plan as submitted by the City.*

**Staff Recommendation of Rejection:**

Staff recommends a **NO** vote. The motion passes only by an affirmative vote of a majority of the appointed members of the Commission. Failure of the motion to pass will result in adoption of the following resolution.

**Resolution to Deny Certification of the Land Use Plan/Coastal Plan as Submitted**

The Commission hereby denies certification for Amendment SBC-MAJ-1-02 to the City of Santa Barbara Land Use Plan/Coastal Plan for the specific reasons discussed below in the findings, on the grounds that, as submitted, it does not meet the requirements of, and is not in conformity with, Chapter 3 of the Coastal Act.

**1.2 STAFF RECOMMENDATION TO CERTIFY THE LAND USE PLAN/COASTAL PLAN IF MODIFIED**

**Motion II:**

*I move that the Commission certify Amendment SBC-MAJ-1-02 to the City of Santa Barbara Land Use Plan/Coastal Plan, if it is modified as suggested in this staff report.*

**Staff Recommendation to Certify if Modified**

Staff recommends a **YES** vote. The motion passes only by an affirmative vote of a majority of the appointed members of the Commission. Passage of this motion will result in adoption of the following resolution.

**Resolution to Certify the Land Use Plan/Coastal Plan with Suggested Modifications**

The Commission hereby certifies Amendment SBC-MAJ-1-02 to the City of Santa Barbara Land Use Plan/Coastal Plan, if modified as suggested, for the reasons discussed in the findings below on the grounds that, as modified, the Land Use Plan/Coastal Plan, as amended, meets the requirements of Chapter 3 of the Coastal Act. This amendment, as modified, is consistent with the applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

**2.0 STAFF RECOMMENDATION, MOTIONS, AND RESOLUTIONS ON THE IMPLEMENTATION PROGRAM/COASTAL ZONING ORDINANCE (IP/CZO)**

**2.1 STAFF RECOMMENDATION TO DENY CERTIFICATION OF THE IMPLEMENTATION PROGRAM/COASTAL ZONING ORDINANCE AS SUBMITTED**

**Motion III:**

***I move that the Commission reject the City of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment SBC-MAJ-1-02 as submitted.***

**Staff Recommendation of Rejection:**

Staff recommends a YES vote. Passage of this motion will result in rejection of the Implementation Program/Coastal Zoning Ordinance amendment and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

**Resolution to Deny Certification of the Implementation Program /Coastal Zoning Ordinance as Submitted:**

The Commission hereby denies the City of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment SBC-MAJ-1-02 as submitted by City of Santa Barbara, and adopts the findings set forth below on grounds that the Implementation Program/Coastal Zoning Ordinance as submitted is not consistent with and/or is not adequate to carry out the provisions of the certified Land Use Plan/Coastal Plan. Certification of the Implementation Program/Coastal Zoning Ordinance would not meet the requirements of the California Environmental Quality Act as there are feasible alternatives and mitigation measures that would substantially lessen the significant adverse impacts on the environment that will result from certification of the Implementation Program/Coastal Zoning Ordinance as submitted.

**2.2 STAFF RECOMMENDATION TO CERTIFY THE IMPLEMENTATION PROGRAM/COASTAL ZONING ORDINANCE IF MODIFIED**

**Motion IV:**

***I move that the Commission certify the City of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment SBC-MAJ-1-02 if it is modified as suggested in this staff report.***

**Staff Recommendation to Certify if Modified:**

Staff recommends a YES vote. Passage of this motion will result in certification of the Implementation Program/Coastal Zoning Ordinance with suggested modifications and the adoption of the following resolution and findings. The motion passes only by an affirmative vote of a majority of the Commissioners present.

***Resolution to Certify the Implementation Program/Coastal Zoning Ordinance with Suggested Modifications:***

The Commission hereby certifies the City of Santa Barbara Implementation Program/Coastal Zoning Ordinance Amendment SBC-MAJ-1-02 if modified as suggested and adopts the findings set forth below on grounds that the Implementation Program/Coastal Zoning Ordinance with the suggested modifications will be consistent with and adequate to carry out the requirements of the certified Land Use Plan/Coastal Plan. Certification of the Implementation Program/Coastal Zoning Ordinance if modified as suggested 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 Implementation Program/Coastal Zoning Ordinance on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

### 3.0 SUGGESTED MODIFICATIONS TO THE LUP/CP

Note: The Commission's recommended modifications for changes to the City's LUP/CP as submitted in SBC-MAJ-1-02 are shown in bold underline for added text, and bold ~~strikethrough~~ for deleted text. The City's proposed changes to the LUP/CP as submitted are shown in underline for added text and ~~strikethrough~~ for deleted text.

#### LUP/CP Suggested Modification #1

##### Amendment to the LCP Land Use Map

The LCP Land Use Map is amended to reflect land use designation changes necessary to facilitate development of the airfield safety projects and habitat restoration plans, and will include re-designation of approximately 28 acres of airport/slough property from Recreational Open Space to Major Public and Institution to allow for construction of airfield safety projects, and re-designation of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Major Public and Institutional to Recreational Open Space to facilitate the re-routing of Tecolotito Creek and habitat restoration and mitigation plans. ***The land use designation change proposed for property just south of the airline terminal from Recreational Open Space to Major Public and Institution is deleted***, (Exhibit 3).

#### LUP/CP Suggested Modification #2

### SECTION III: POLICIES

#### ENVIRONMENTALLY SENSITIVE HABITAT-LOCAL ISSUES AND RESOURCES

##### Municipal Airport Facilities and Impacts-Future Development:

~~As passenger traffic at the Santa Barbara Municipal Airport increases, additional terminal space to accommodate frequent crowds will be necessary. Expansion of the existing terminal by approximately 16,000 square feet is proposed. This expansion is predicted to provide sufficient terminal space to accommodate passenger flow through the 1980's.~~

~~Additional plans for development include the lengthening of runway 7/25 400 feet to the west in order to supply jet service to Denver and Chicago under high temperature, full plane load conditions. This extension requires the repositioning of Los Carneros and Tecolotito Creeks as they enter the City property and drain into the Slough. The extension of runway 7/25's safety area to the east is also recommended and would demand the re-routing of the Airport service road, Fairview Avenue and San Pedro Creek.~~

~~An increased taxiway ramp width east and parallel to runway 15L/33R and an additional aircraft parking area in the northeast quadrant are desired developments. These projects would increase the amount of paved surface area at the airport thereby reducing the ground infiltration rate. A reduced infiltration rate will increase airport runoff which may have adverse effects on the Slough due to pollutants contained within the runoff.~~

The **Draft Aviation Facilities Plan (AFP), dated May 2001**, is a comprehensive plan to guide commercial aviation activities and development through the year 2015. **and is incorporated by reference as Appendix H.** The major projects proposed in the **Draft AFP** are based on forecasts

of anticipated passenger use and aircraft operations. The phasing of these projects will be correlated to the actual levels of passenger use and aircraft operations. The Airfield Safety Projects described in Chapter 5 (page 5-1 through 5-43) and Chapter 7 (page 7-2 through 7-8) of the Draft AFP are incorporated into the LCP; however, the other development included in the Draft AFP has not yet been reviewed and certified for inclusion in the LCP. The Runway Safety Area project identified in Chapters 5 and 7 of the Draft AFP is the exception, as it is required designed to meet under-current Federal Aviation Administration (FAA) minimum safety standards and will be undertaken by the City as the first priority.

Airfield Safety Projects in the Draft AFP include provision of 1000-foot Runway Safety Areas on each end of Runway 7-25, the realignment of an existing runway (Runway 7-25) to accommodate the required Runway Safety Areas, a new Taxiway M, a service road, widening of an existing taxiway (Taxiway B) and lengthening of Runway Protection Zones, the Airline Terminal Expansion program which would potentially increase the size of the terminal up to 95,000 square feet in two phases, a new 15,000 square foot air cargo building, 75 new T-hangars and new parking facilities.

Chapters 5 and 7 of the Draft AFP will guide the City's planning and development of the Airfield Safety Projects. The Draft AFP, with the exception of the Airfield Safety Projects, including recommendations and development projects described in the plan, shall not serve as the standard of review for issuance of a Coastal Development Permit for new development projects unless and until the Coastal Commission certifies the AFP as an amendment to the City's Airport/Goleta Slough LCP. The description of the AFP included herein is for informational purposes only and, except for Airfield Safety Projects, the recommendations and development projects detailed in the AFP are not specifically or conceptually approved by the Coastal Commission unless and until the AFP is certified by the Commission as a LCP amendment, or, if submitted individually, specific development projects are found to be consistent with the certified LCP and any relevant Coastal Act Policies.

### LUP/CP Suggested Modification #3

## ENVIRONMENTALLY SENSITIVE HABITAT- LCP POLICIES

**Policy C-4** A buffer strip a minimum of 100 feet in width shall be maintained in a natural condition along the periphery of the ~~the~~ all wetland communities, based upon wetlands delineated in the map entitled "Airport and Goleta Slough Coastal Plan Wetland Habitats, dated January 1998," and/or the most recent available wetland survey of the site prepared in accordance with the definitions of Section 13577 (b) of Title 14 of the California Code of Regulations, and which ~~shall~~ shall include open water, coastal saltwater marsh, freshwater marsh, swamps, salt flats, mudflats, fens, seasonal wetland meadow, riparian woodland, shrub-scrub thicket and wetland transition habitats. Existing facilities necessary for Airport operations shall be retained and maintained in normal fashion. Incidental Airport uses and facilities necessary for existing Airport operations and found to be consistent with PRC Section 30233 may be provided and maintained. Where development of the Airfield Safety Projects renders maintenance of a 100 ft. buffer area between new development and delineated wetlands infeasible, the City shall provide the maximum amount of buffer area feasible and all impacts to wetland habitat shall be mitigated to the maximum extent feasible such that no net loss of wetland habitat occurs.

**LUP/CP Suggested Modification #4****ENVIRONMENTALLY SENSITIVE HABITAT- LCP POLICIES**

Add New Policy C-10 after existing Policy C-9

**Policy C-10:** The Airfield Safety Projects, specifically development of the Runway Safety Area Project for Runway 7-25 and construction of Taxiway M, shall not result in the permanent net loss of wetland **or upland** habitat. Wetland areas temporarily affected by construction activities shall be restored to pre-construction conditions. The required mitigation ratios for the estimated 13.30 acres of permanent wetland and 10.87 acres of permanent upland impacts associated with the Airfield Safety Projects shall be as follows:

- Seasonal Wetlands 4:1
- Creeks and open channels 2:1
- Uplands 1:1
  
- Approximately 36 acres of wetland mitigation ~~will~~ shall be accomplished in accordance with the Airport's October 2001 wetland mitigation plan for the Airfield Safety Projects, **in addition to the supplementary mitigation required below.** The upland mitigation ~~will~~ shall be accomplished in accordance with the Airport's upland mitigation plan dated April 2002.
  
- Prior to issuance of a Coastal Development Permit for the Airfield Safety Projects, **a final wetland and upland habitat mitigation, restoration, management, maintenance and monitoring plans shall be developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by the California Department of Fish and Game. An implementation schedule shall be developed as part of the final mitigation plans that includes detailed descriptions of the mitigation sites and surrounding ecology; mitigation goals, and objectives and performance standards; restoration and management actions including procedures and technical specifications for wetland and upland planting; methodology and specifications for removal of exotic species; soil engineering and soil amendment criteria; identification of plant species and density; maintenance requirements; monitoring methods, frequency and documentation requirements and submittal schedules for reviewing agencies; and performance criteria consistent with achieving the required levels identified goals and objectives of mitigation; measures to be implemented if success criteria are not met; and long-term adaptive management of the restored areas for a period of not less than 7 years. Compliance with the plans referenced above shall be a condition of approval of a Coastal Development Permit for the Airfield Safety Projects. Implementation of the recommendations contained in the final wetland mitigation plan shall be made part of the Commission's conditions of approval for the Coastal Development Permit issued for the Airfield Safety Projects.**
  
- The City shall implement all habitat mitigation and restoration requirements prior to or in concurrence with development of the Airfield Safety Projects to comply with the above identified mitigation ratios. With respect to wetland mitigation and tidal restoration of Goleta Slough, the City shall implement all measures necessary to fulfill a 3:1 mitigation requirement for impacts to wetland habitat prior to or concurrently with development of the Airfield Safety

Projects and shall continue to examine the feasibility of implementing tidal restoration as a means of meeting the full 4:1 wetland mitigation ratio requirement.

- Once there is authorization from the FAA to proceed with tidal restoration, and concurrence with the California Department of Fish and Game and the Goleta Slough Management Committee on the nature, scope and schedule of the tidal restoration projects following completion of the tidal restoration experiment, the City shall act as lead agency to develop and implement a Tidal Restoration Plan for at least 13.30 acres with participation from U.C. Santa Barbara, the California Department of Fish and Game, the Goleta Slough Management Committee and adjacent property owners. Should any participating agencies or property owners choose not to participate, or an agreement is not reached with all interested parties, the City shall continue to implement tidal restoration options to the maximum extent feasible unless the Commission or the FAA prohibit or deny tidal restoration.
- Within five years of issuance of the Coastal Development Permit for the Airfield Safety Projects the City shall present all documentation, findings and conclusions relative to the tidal restoration studies for review by the Commission. If the evidence demonstrates that tidal restoration is an infeasible means of satisfying the wetland mitigation requirements of the Airfield Safety Projects due to safety concerns, and/or the tidal restoration experiment or project is terminated at any point subsequent to implementation of an approved tidal restoration plan, the City shall immediately implement additional wetland mitigation measures to supplement mitigation efforts in full compliance with the 4:1 wetland mitigation requirements.
- If the results of the Goleta Slough Tidal Restoration/Bird Strike Experiment indicate that tidal restoration will not significantly and adversely increase the potential for aircraft bird strikes as determined by the FAA, the City shall provide 13.30 acres of the required wetland mitigation as part of a future, long-term project to restore tidal circulation to portions of Goleta Slough. In the event that this tidal restoration mitigation is determined to be infeasible, the City of Santa Barbara shall provide 13.30 acres of in-kind mitigation for impacts to seasonal wetlands to complete the mitigation requirement. The additional 13.30 acres of wetland mitigation will fulfill the Airport's requirements for wetland mitigation for the Airfield Safety Projects. Priority shall be given to on-site mitigation for the additional 13.30 acres of wetland mitigation. Off-site mitigation measures shall only be approved should it not be feasible to fully mitigate impacts on-site. The City shall coordinate with the California Department of Fish and Game and the Goleta Slough Management Committee to identify potential off-site mitigation sites. Off-site mitigation measures shall be implemented in an area in close proximity to the project site as is feasible, and shall not be located outside of the Santa Barbara County area.

Full compliance with all the above provisions of Policy C-10 shall be required by the terms and/or conditions of the Coastal Development Permit authorizing the Airfield Safety Projects.

**LUP/CP Suggested Modification #5****ENVIRONMENTALLY SENSITIVE HABITAT- LCP POLICIES**

(Add New Policies C-11 through C-15 after Proposed New Policy C-10)

**Policy C-11: New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:**

- **Protect areas that provide important water quality benefits, that are necessary to maintain riparian and aquatic biota and/or that are particularly susceptible to erosion and sediment loss**
- **Limit increases of impervious surfaces**
- **Limit disturbance of natural drainage features and vegetation**
- **Minimize, to the maximum extent feasible, the introduction of pollutants that may result in significant impacts from site runoff from impervious areas. New development shall incorporate Best Management Practices (BMPs) or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.**

**Policy C-12: A Water Quality Mitigation Plan (WQMP) shall be developed and implemented for new development or redevelopment projects that entail greater than or equal to one acre of disturbance. WQMPs shall be developed and implemented consistent with the most recent requirements of Regional Water Quality Control Board (RWQCB) or Coastal Commission standards for controlling polluted runoff, whichever is more stringent. A WQMP shall incorporate the following criteria:**

- **Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from developed areas of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.**
- **Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate to the maximum extent feasible. All dry weather runoff shall be captured and filtered, infiltrated or treated to remove airport pollutants, including oil, grease and particulates, to the maximum extent feasible, prior to discharge.**
- **Post-development phase drainage and polluted runoff control plans shall be developed which shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include monitoring and maintenance plans for BMPs.**
- **Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85<sup>th</sup> percentile, 24-hour storm event for volume based BMPs and/or the 85<sup>th</sup> percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs.**
- **Necessary drainage devices, culverts, and outfalls shall not cause or contribute to streambank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality including construction**

- phase erosion control and polluted runoff control plans, and soil stabilization practices.
- The City shall maintain any drainage device to ensure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30<sup>th</sup> of each year. Repairs, modifications, or installation of additional BMPs, as needed, shall be carried out prior to the rainy season.
  - Alterations or disturbance of streams or natural drainage courses or human-made or altered drainage courses, where permitted pursuant to Coastal Act Section 30236 and LCP Policy 6.11, shall include BMPs for hydromodification activities.
  - Monitoring shall be implemented, where required by the RWQCB, to ensure that average annual pollutant loadings do not exceed pre-development rates and/or water quality standards. The WQMP shall specify sampling locations, sampling protocols, pre-development pollutant levels and permitted standards for pollutants consistent with RWQCB standards. Monitoring shall be conducted annually consistent with RWQCB standards. If it is determined that pre-development levels and/or water quality standards are exceeded, annual monitoring shall be conducted for a period of at least five years, or until it is determined that pre-development levels and water quality standards are not exceeded. An assessment of the potential sources of the excessive pollutant loadings shall be conducted, including inadequate or failed BMPs, and corrective actions to remedy the water quality impacts shall be implemented.

Policy C-13: Construction Phase Erosion Control and Polluted Runoff Control Plans shall be developed for new development or redevelopment projects that require a Coastal Development Permit and a grading or building permit. These plans shall be implemented during the construction phase/phases of the project and shall include:

- Best Management Practices (BMPs) designed to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.
- Re-vegetation of disturbed areas shall occur at the completion of grading activities. Re-vegetation plans shall consist of native, non-invasive plants species and shall minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary to establish new plantings, efficient irrigation practices shall be required.
- Outdoor material storage areas shall be designed using BMPs to prevent stormwater contamination from stored materials.
- Trash and debris storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.
- Grading and other ground disturbance activities shall be conducted outside of the rainy season. Grading during the rainy season shall be permitted only when there is no other feasible alternative for scheduling, and/or for completing ongoing construction activities prior to the rainy season, only where the City determines that completion of grading is more protective of resources, and only when adequate interim erosion control methods are implemented to ensure that such activities will not result in excess erosion and sedimentation.
- A Construction Contingency Plan shall be developed to address methods to control potential migration of contamination discovered during

construction activities and shall include methods to identify and control potential migration of subsurface contaminants to the surrounding environment.

**Policy C-14: Special status plant and wildlife protection measures shall be implemented for all development projects that will potentially impact sensitive plant and wildlife species and/or that will result in disturbance or degradation of habitat areas that contribute to the viability of plant or wildlife species designated as rare, threatened or endangered under State or Federal law, including plant species designated as rare by the California Native Plant Society.**

**Policy C-15: With respect to the Airfield Safety Projects, all construction, habitat mitigation and restoration plans, and special status plant or wildlife mitigation and protection measures, shall be reviewed and approved by the regulatory agency/agencies having jurisdiction over the identified resource, including the California Department of Fish and Game, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service, and shall at a minimum include:**

- **Project timing and implementation schedules that describe timing, duration, methods, and staging areas for all construction operations and restoration plans. The Project timing and implementation schedules shall include a submittal schedule for implementation of proposed restoration plans and for all resource monitoring reports.**
- **Prior to commencement of construction activities, surveys of the project area shall be conducted for special status wildlife species. Should the site survey identify special status wildlife species on or near the project site a qualified biologist or resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall be reviewed and approved by the regulatory agency/agencies having jurisdiction over the identified resource and commencement of construction shall not proceed until such review and approval is granted.**
- **Construction shall not occur during the nesting and breeding season from mid-March to the end of June, unless a qualified biologist and/or resource specialist and the California Department of Fish and Game, determine with certainty that construction activities will not adversely impact sensitive bird species. Special resource avoidance and management plans shall be implemented for Belding's savannah sparrow.**
- **Construction activities related to the Tecolotito Creek realignment shall minimize extensive stream diversions during construction and shall minimize potential impacts to steelhead. Construction of the new creek channel shall be completed prior to connecting with the existing channel and final diversion of stream flow into the new creek channel shall be conducted only between July 15 and October 1 of any given year to avoid the migration period of steelhead.**
- **Prior to commencement of construction activities, surveys of the project area shall be conducted for special status plant species. Potential impacts to sensitive plant species shall be fully mitigated and a qualified botanist or other resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall include, but not be limited to, species-specific**

salvage or seed collection, salvage of topsoil, restoration of disturbed areas and establishment of new populations in suitable habitat areas. Mitigation, restoration, management, maintenance and monitoring plans shall be developed by a qualified botanist and/or resource specialist and shall be reviewed and approved by the California Department of Fish and Game.

#### LUP/CP Suggested Modification #6

#### **CULTURAL RESOURCES-LCP POLICIES**

Add New Policy F-3 after existing Policy F-2

Policy F-3: New development shall protect and preserve archaeological or other culturally sensitive resources from destruction, and shall minimize and, where feasible, avoid impacts to such resources. "Archaeological or other culturally sensitive resources" include human remains, and archaeological, paleontological or historic resources.

- Coastal Development Permits for new development within or adjacent to archaeologically or other culturally sensitive resources shall be conditioned upon the implementation of appropriate mitigation measures to minimize and, where feasible, avoid impacts to such resources.
- New development on or adjacent to sites with archaeologically or other culturally sensitive resources shall include on-site monitoring by a qualified archaeologist/s and appropriate Native American consultant/s of all grading, excavation and site preparation that involve earth moving operations.

#### LUP/CP Suggested Modification #7

#### **SECTION IV: LAND USE**

#### **NEW DEVELOPMENT-COMPONENT 9: AIRPORT AND GOLETA SLOUGH**

##### **Existing Plans and Land Uses**

Proposed text changes to the Zoning subsection of the LUP are intended to update and correct language to accurately reflect 1) previous certification and adoption of the Airport Approach and Operations Zone (A-A-O) to replace the Airport Approach and Primary Surface Zone [A-A-P (certified pursuant to LCPA 2-97)] and 2) previous certification and adoption of the Goleta Slough Reserve Zone (G-S-R), which was certified in 1991 as part of the City's Phase III Implementation submittal for certification.

Zoning            The Airport zoning ordinance divides the Airport-Slough into four zones. These are defined by Title 29 of the Municipal Code, and summarized below:

~~A-A-P            Airport Approach and Primary Surface~~ — Area of airplane operations (runways, clear zones, etc.) intended for use as open areas; some agricultural uses allowed; heights limited.

A-A-O Areas beneath the approach surfaces, and the areas of aircraft operations adjacent to runways and taxiways, including Runway Protection Zones, and Runway and Taxiway Safety Areas. These are areas where it is desirable to enhance safety by restricting incompatible objects and activities, where construction of buildings or structures is precluded by the necessity to preserve most of the air space for low flying aircraft, and where noise levels are not compatible with most land uses.

G-S-R The Goleta Slough Reserve Zone is established in order to protect, preserve and maintain the environmentally sensitive habitat areas of the Goleta Slough for the benefit and enjoyment of future generations. The intent of this Zone designation is to ensure that any development in or adjacent to any wetland area is designed to preserve the wetland as it exists or improve the habitat values of the Goleta Slough Reserve Zone.

Land Use The Goleta Slough, greater than 200 about 400 acres in size, is located primarily in the south and west portions of the City owned property. According to Sections 29.15.105 29.25.030 and 29.25.040 of the Airport Zoning Ordinance, no development is allowed within the Slough except that which is designed to maintain the Slough as a natural preserve. or that incidental Airport uses and facilities necessary for existing Airport operations, which is are found to be consistent with PRC Section 30233. The numerous archaeological sites identified adjacent to the Slough are located in this region.

### LUP/CP Suggested Modification #8

#### Potential Development-Aviation Facilities Plan:

~~As passenger traffic at the Santa Barbara Municipal Airport increases, additional terminal space to accommodate frequent crowds will be necessary. Expansion of the existing terminal by approximately 16,000 square feet is proposed. This expansion is predicted to provide sufficient terminal space to accommodate passenger flow through the 1980's.~~

~~Additional plans for development include the lengthening of runway 7/25 400 feet to the west in order to supply jet service to Denver and Chicago under high temperature, full plane load conditions. This extension requires the repositioning of Los Carneros and Tecolotito Creeks as they enter the City property and drain into the Slough. The extension of runway 7/25's safety area to the east is also recommended and would demand the re-routing of the Airport service road, Fairview Avenue and San Pedro Creek.~~

~~An increased taxiway ramp width east and parallel to runway 15L/33R and an additional aircraft parking area in the northeast quadrant are desired developments. These projects would increase the amount of paved surface area at the airport thereby reducing the ground infiltration rate. A reduced infiltration rate will increase airport runoff which may have adverse effects on the Slough due to pollutants contained within the runoff.~~

The Draft Aviation Facilities Plan (AFP), dated May 2001, is a comprehensive plan to guide commercial aviation activities and development through the year 2015, and is incorporated by reference as Appendix H. The major projects proposed in the Draft AFP are based on forecasts of anticipated passenger use and aircraft operations. The phasing of these projects will be correlated to the actual levels of passenger use and aircraft operations. The Airfield Safety Projects described in Chapter 5 (page 5-1 through 5-43) and Chapter 7 (page 7-2 through 7-8) of the Draft AFP are incorporated into the LCP; however, the other development included in the Draft AFP has not yet been reviewed and certified for inclusion in the LCP. The Runway Safety Area project identified in Chapters 5 and 7 of the Draft AFP is the exception, as it is required designed to meet under current Federal Aviation Administration (FAA) minimum safety standards and will be undertaken by the City as the first priority.

Airfield Safety Projects in the Draft AFP include provision of 1000-foot Runway Safety Areas on each end of Runway 7-25, the realignment of an existing runway (Runway 7-25) to accommodate the required Runway Safety Areas, a new Taxiway M, a service road, widening of an existing taxiway (Taxiway B) and lengthening of Runway Protection Zones. ~~the Airline Terminal Expansion program which would potentially increase the size of the terminal up to 95,000 square feet in two phases, a new 15,000 square foot air cargo building, 75 new T-hangars and new parking facilities.~~

Chapters 5 and 7 of the Draft AFP will guide the City's planning and development of the Airfield Safety Projects. The Draft AFP, with the exception of the Airfield Safety Projects, including recommendations and development projects described in the plan, shall not serve as the standard of review for issuance of a Coastal Development Permit for new development projects unless and until the Coastal Commission certifies the AFP as an amendment to the City's Airport/Goleta Slough LCP. The description of the AFP included herein is for informational purposes only and, except for Airfield Safety Projects, the recommendations and development projects detailed in the AFP are not specifically or conceptually approved by the Coastal Commission unless and until the AFP is certified by the Commission as a LCP amendment, or, if submitted individually, specific development projects are found to be consistent with the certified LCP and any relevant Coastal Act Policies.

#### LUP/CP Suggested Modification #9

#### NEW DEVELOPMENT- RECOMMENDED LCP LAND USE

**Policy H-1:** Future development of Airport property and/or facilities within the "Major Public and Institutional" land use designation shall not result in adverse impacts to the wetland habitats of the Goleta Slough, related stream tributaries, or sensitive habitat areas due to additional sedimentation, runoff, or other disturbances. ~~unless found to be consistent with PRC Section 30233 of the Coastal Act.~~

Actions:

- Any development within the Airport area shall be assessed for potential adverse impacts upon Goleta Slough. Applicable mitigation measures developed in the environmental assessment shall be implemented prior to any development.

#### LUP/CP Suggested Modification #10

Delete Proposed New Policy H-3:

**Policy H-3:** ~~All future development within the Aviation Facilities Plan area at the Airport must be consistent with the Aviation Facilities Plan. This Plan is incorporated by reference into the Airport LCP as Appendix H.~~

### 3.1 SUGGESTED MODIFICATIONS TO THE IP/CZO

Note: The Commission's recommended modifications for changes to the City's IP/CZO as submitted in SBC-MAJ-1-02 are shown in bold underline for added text, and ~~strikethrough~~ for deleted text.

#### IP/CZO Suggested Modification #1

##### **Amendment to the Coastal Zoning Ordinance Map- Sectional Zone Map 16**

The LCP Coastal Zoning Ordinance Map, Sectional Zone Map 16, is amended to reflect zoning designation changes necessary to facilitate development of the airfield safety projects and habitat restoration plans, and will include re-zoning of approximately 28 acres of airport/slough property from Goleta Slough Reserve (G-S-R) to Airport Approach and Operations (A-A-O) to allow for construction of airfield safety projects; re-zoning of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Specific Plan #6 (S-P-6), Airport Commercial (A-C), and Airport Approach and Operations (A-A-O) to Goleta Slough Reserve (G-S-R); and rezoning a site between Hollister Avenue and Tecolotito Creek from Airport Industrial (A-I-1) to Goleta Slough Reserve (G-S-R) to facilitate the re-routing of Tecolotito Creek and habitat restoration and mitigation plans. ***The zoning change proposed for property just south of the airline terminal from Goleta Slough Reserve (G-S-R) to Airport Facilities (A-F) is deleted***, (Exhibit 4).

#### IP/CZO Suggested Modification #2

##### **GOLETA SLOUGH RESERVE ZONE**

##### **Ordinance Section 29.25.020 (Requirements and Procedures)**

- A. COASTAL DEVELOPMENT PERMIT REQUIRED. In addition to any other permits or approvals required by the City hereafter, a Goleta Slough Coastal Development Permit shall be required prior to commencement of any development within the Goleta Slough Reserve Zone, unless specifically excluded. A Coastal Development Permit under the provisions of Section 28.45.009.6, shall not be required if the proposed project is only in the G-S-R and S-D-3 Zones; however, a Goleta Slough Reserve Coastal Development Permit shall be required, unless specifically excluded. If a development is in another zone in addition to the G-S-R and S-D-3 zones, both a Coastal Development Permit under this Chapter and under Section 28.45.009.6 shall be required, unless specifically excluded. If a development is excluded from a Goleta Slough Coastal Development Permit, as stated in Section 29.25.040 of this Chapter, it shall also be excluded from a Coastal Development Permit under Section 28.45.009.6 of the Municipal Code.
- B. PERMIT PROCESS. The regulations set forth in Section 28.45.009.6 of the Municipal Code, except as they pertain to the application for a separate Coastal Development Permit, shall apply to the processing of a Goleta Slough Coastal Development Permit application.
- C. SUBMITTAL REQUIREMENTS. In addition to the information required to be submitted with an application for a Coastal Development Permit, or any other application requirements of the Community Development Department, the following information must be submitted with an application for a Goleta Slough Coastal Development Permit:
  1. Development Plan: A development plan, clearly and legibly drawn, the scale of which shall be large enough to show clearly all details thereof and shall contain the following information:

- (a) Contour lines of existing grade with a minimum of two (2) foot intervals;
  - (b) Dimensions of proposed development and location of proposed use with scale, date and north arrow;
  - (c) Finished grade contours after completion of development or use clearly showing the location of all proposed grading, cut and fill;
  - (d) The location of proposed access to the development site during construction and after the project is completed;
  - (e) The location for the stockpiling of any dredged materials or storage of supplies and equipment during or after construction; **and**
  - (f) Habitat mapping and impact assessment by a qualified wetland biologist identifying all upland and wetland habitat locations within at least 100 feet from any development, access way, storage site or disturbed area and discussion of any impacts to the wetland or the 100 foot buffer along the periphery of the wetland. **Wetland delineations shall be prepared in accordance with the definitions of Section 13577 (b) of Title 14 of the California Code of Regulations;**
  - (g) **An identification of habitat area that supports rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern", and plants designated as rare by the California Native Plants Society;**
  - (h) **Water Quality Mitigation Plan (WQMP) and Stormwater Pollution Prevention Plan (SWPPP) details consistent with the criteria of LUP Policies C-12 and C-13.**
2. Written description of the project including the purpose of the project and an anticipated schedule for construction and completion.
  3. Elevations of the proposed structure from all sides.
  4. Written comment on the proposed use or development from the State of California Department of Fish and Game. Review by the Department of Fish and Game shall be coordinated through the City of Santa Barbara Community Development Department Staff.
  5. **An identification and description of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, and identification of "fully protected" species and/or "species of special concern", and plants designated as rare by the California Native Plants Society, and avoidance, mitigation, restoration and monitoring measures/plan details consistent with the criteria of LUP Policies C-14 and C-15; and**
  6. **Written description and impact assessment of sensitive archaeological or other culturally sensitive resources and details of avoidance, mitigation and monitoring measures necessary to avoid potential impacts.**
  - 5.7. Other information reasonably required by the Community Development Department.
- D. NOTICING. Refer to Section 28.45.009 for noticing requirements. (Ord. 5025, 1997; Ord. 4674, 1991; Ord. 4375, 1986.)

### **IP/CZO Suggested Modification #3**

#### **29.25.030 Uses Permitted with a Goleta Slough Coastal Development Permit.**

The following uses are permitted in the Goleta Slough Reserve Zone upon the issuance of a Goleta Slough Coastal Development Permit unless specifically exempted.

- A. Restoration projects in which restoration and enhancement are the sole purposes of the project.
- B. Incidental public service purposes, including but not limited to installation, burying cables and pipes or inspection of piers, **and maintenance of existing intake and outfall lines, where the project is necessary to maintain an existing public service and where it has been demonstrated that there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.**

- C. Nature study, bird watching, aquaculture, or other similar resource dependent activities.
- D. Alteration of rivers or streams only for the following purposes:
  1. Necessary water supply projects; or
  2. Flood control projects where no other method for protecting existing structures in the flood plain 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.
- E. Repair or maintenance activities of existing areas or facilities which do not result in an addition to or enlargement or expansion of the object of such repair or maintenance, unless exempted under Municipal Code Subsection 29.25.040.A.
- F. Other uses deemed consistent with the intent and purposes of this Chapter **and allowed under Public Resources Code Section 30233**. (Ord.4674, 1991; Ord. 4375, 1986.)

#### **IP/CZO Suggested Modification #4**

#### **29.25.040 Uses Permitted Without a Goleta Slough Coastal Development Permit.**

A Goleta Slough Coastal Development Permit is not required for the following activities and uses:

- A. Maintenance Activities:
  1. Trimming of vegetative growth within the extended Runway Safety Area and flight control area in accordance with FAA regulations, as required.
  2. Mowing of grass and maintenance in accordance with FAA requirements of areas directly adjacent to and parallel to the runways and taxiways within 135 feet of the existing paved surface.
  3. Maintaining the existing approach lighting system and access road, the existing glide slope, the existing Airport Surveillance Radar and access road, the existing Airport patrol road running along the perimeter of the Slough, and safety related facilities and uses **existing at the time of the initial adoption of this Section, necessary to maintain existing airport capacity and operations.**
  4. On-going mosquito abatement and related maintenance activities such as monitoring of adult and larval mosquito activity including weekly surveillance and collections at likely breeding locations and control measures which consist primarily of hand spraying of larvicidal oil.
  5. Utilities existing at the time of the initial adoption of this Section.
- B. Public access to the Slough for educational purposes or bird watching when the individual or group has complied with the following Slough Public Access procedures. Any person wishing to enter the Goleta Slough who is not an employee of the City of Santa Barbara, the Goleta Valley Mosquito Abatement District, the Santa Barbara Flood Control District or the California Department of Fish and Game shall complete a "Santa Barbara Municipal Airport/Goleta Slough Access Release, Indemnity and Assumption of Risk Agreement" and have said form approved by the Santa Barbara Municipal Airport Director prior to entering the Goleta Slough.
- C. Activities In Areas Designated as SBa-52:
  1. Maintenance of the Indian burial site as specified in Agreement #11,256 between the City of Santa Barbara and the Indian Center of Santa Barbara, Inc.; and
  2. Re-interment of Native American human burial remains found during archaeological work or from archaeological sites as specified in Agreement #11,256 between the City of Santa Barbara and the Indian Center of Santa Barbara, Inc.

Additional activities such as the clearing of channels, digging of ditches, desilting, and dredging activities shall require a Goleta Slough Coastal Development Permit. (Ord. 4723, 1991; Ord. 4674, 1991; Ord. 4375, 1986.)

**IP/CZO Suggested Modification #5****29.25.050 Findings.**

Prior to the approval of a Goleta Slough Coastal Development Permit by the Planning Commission, or City Council upon appeal, all of the following must be found:

- A. The project is consistent with the City's Coastal Land Use Plan and all applicable provisions of the Code.
- B. The project is consistent with the policies of the California Coastal Act.
- C. The proposed use is dependent upon the resources of the environmentally sensitive area **or the proposed use is found to be consistent with Section 30233 of the Coastal Act.**
- D. Development in areas adjacent to an environmentally sensitive area shall be designed to prevent impacts which would significantly degrade such area and shall be compatible with the continuance of such habitat.
- E. A natural buffer area of 100 feet will be maintained in an undeveloped condition along the periphery of all wetland areas. **Where development of the Airfield Safety Projects renders maintenance of a 100 ft. buffer area between new development and delineated wetlands infeasible, the maximum amount of buffer area is provided and all impacts to wetland habitat will be mitigated to the maximum extent feasible such that no net loss of wetland habitat occurs.**
- F. The proposed use 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.
- G. The proposed project includes adequate impact avoidance and mitigation measures to ensure protection of special status plant and wildlife species.**
- G.H.** There is no less environmentally damaging alternative to the proposed development, all feasible mitigation measures have been provided to minimize adverse environmental effects and, if applicable:
  - 1. All dredged spoils shall be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation.
  - 2. Diking, filling or dredging in the Goleta Slough shall maintain or enhance the functional capacity of the wetland or estuary.
- H.I.** Channelizations or other substantial alteration of rivers and streams shall incorporate the best mitigation measures feasible.
- I.J.** Archaeological **or other culturally sensitive** resources within the Goleta Slough are protected from impacts of the proposed development.
- J.K.** The proposed use shall minimize any adverse effects of waste water discharges, run-off and interference with surface water flow.
- K.L.** Sedimentation from the proposed development has been reduced to a minimum and is compatible with the maintenance of the wetland area.
- L.M.** The proposed project enhances public educational or recreational opportunities at the Goleta Slough including, but not limited to:
  - 1. Providing area(s) and facilities on the periphery of the wetland for recreational and educational use of Slough; or,
  - 2. Developing educational tour routes and procedures for such tours in dry land areas of the Slough. Educational/explanatory signs shall be included as part of any walking tour or viewing

facilities project. (Ord. 4674, 1991; 4375, 1986.)

#### **4.0 FINDINGS AND DECLARATIONS FOR THE LAND USE PLAN/COASTAL PLAN (LUP/CP)**

The Commission hereby finds and declares as follows:

##### **4.1 STANDARD OF REVIEW FOR THE LAND USE PLAN AMENDMENTS**

The Coastal Act provides:

*The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 3051(c))*

The standard of review that the Commission uses in reviewing the adequacy of the land use plan is whether the land use plan is consistent with the policies of Chapter 3 of the Coastal Act.

##### **4.2 LOCAL COASTAL PLANNING HISTORY AND BACKGROUND OF THE SANTA BARBARA AIRPORT AND GOLETA SLOUGH**

###### ***City of Santa Barbara Local Coastal Plan: Airport and Goleta Slough Organization***

The City of Santa Barbara Local Coastal Plan for the Airport and Goleta Slough was certified as a separate segment of the City's Local Coastal Plan in 1991. Though the Airport and Goleta Slough segment of the City's LCP was certified as a separate component, the City's primary LCP is also integrated with the Airport/Goleta Slough LCP. As such, Local Coastal Plan policies contained in the City's primary LCP may also apply to development within the Airport and Goleta Slough area. Likewise, in certifying the City's primary LCP for the City and Harbor area in 1986, the Commission incorporated and certified numerous policies of different elements of the City's General Plan into the City's LCP. Therefore, those policies of the City's General Plan, which are also certified as Local Coastal Plan policies, are also applicable to development review for proposed development in the Airport and Goleta Slough area.

###### ***Previous Commission Action***

The City of Santa Barbara Local Coastal Plan for the City and Harbor area was certified by the Commission in November of 1986. A second segment of the City's LCP was prepared to specifically address planning and development for the Santa Barbara Airport and Goleta Slough and was later certified in December of 1991.

In 1997, the Commission granted a Coastal Development Permit to the City (4-97-134) to re-grade 123 acres of the Airport runway infield and taxiway safety areas, including the implementation of a wetland restoration and enhancement program that would create some 25.38 acres of transitional marsh habitat at Goleta Slough. The project was initiated in response

to Federal Aviation Administration requirements to maintain airport runway and taxiway safety areas.

In 1998 the Commission approved LCP amendment 2-97. The amendment incorporated the Airport Industrial Area Specific Plan into the City's LCP, and up-dated portions of the Land Use Plan and related implementation ordinances.

On April 9, 2002, the Coastal Commission found that the City's Aviation Facilities Plan, including the proposed airfield safety projects, was consistent with the California Coastal Management Plan. The Commission's consistency determination was largely based on the City's commitment to implement habitat mitigation and restoration plans at a 4:1 ratio for wetland habitat impacts, 2:1 for open water habitat, and 1:1 for upland habitat impacts resulting from construction of the airfield safety projects. Additionally, the Commission's consistency determination addressed the City's commitment to diligently pursue the Goleta Slough Tidal Restoration Project as a means of providing approximately 13.30 acres of restored, tidally influenced basins in the Slough as a way of fulfilling the 4:1 mitigation requirement. The Commission certified findings for Consistency Determination CD-058-01 on June 10, 2002.

### ***Santa Barbara Airport and Goleta Slough***

The Santa Barbara Airport has been owned and operated by the City of Santa Barbara since 1941. The airport consists of 950 acres, and is the busiest commercial service airport on the California coast between San Jose and Los Angeles. Aviation support facilities and the airport consist of approximately 600 acres, and another 300 acres encompass the Goleta Slough and its associated wetlands and tidal channels. The airport is included in the FAA's National Plan of Integrated Airport Systems (NPIAS), which defines the role and future development of public-use airports throughout the United States. Santa Barbara Airport is classified as a Commercial Service Primary Airport, which serves short-haul air carrier routes of less than 1,500 miles. The terminal served approximately 793,000 passengers in 1999.

The FAA regulations that govern the operations of airports are found in 14 CFR Part 139 (Certification and Operations), which establishes certification criteria for airports serving scheduled air carrier operations for aircraft with 30 seats or more. The FAA requires that the airport maintain Runway Safety Areas, and defines the Runway Safety Area as: "a defined surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway." The Santa Barbara Airport currently does not provide the requisite safety area overrun for runway 7-25.

The present Runway Safety Area (RSA) at Runway 7-25 is 320 feet long and 500 feet wide at the west end, and 215 feet long and 500 feet wide at the eastern end. Minimum FAA design standards for C-IV runways require a 500 foot wide by 1,000 foot long RSA. These undersized safety areas have not been enlarged in the past as they were constrained by Tecolotito Creek to the west, and San Pedro Creek and Fairview Avenue to the east.

The FAA considers the types of aircraft that use the runway in assessing runway length requirements. At the Santa Barbara Airport, jets operating in scheduled service are most affected by runway length and are considered the critical aircraft group. Of all the variables considered in aircraft takeoffs (payload/ elevation/ windspeed/ runwaygradient/ air temperature/ obstacles) the payload, or maximum gross take-off weight of the aircraft and air temperature are the most critical. When air is less dense due to higher temperatures the climbing

capabilities of aircraft are reduced. When runway length limitations are a factor, cargo may be limited or the number of passengers and their luggage may be reduced.

The proposed Taxiway M will allow aircraft landing on Runways 15R33L and 15L33L to access aircraft facilities on the northwest side of the airfield without crossing the runway several times. Under current taxiway conditions, aircraft landing on these runways must cross up to four active runways to access the northwest aircraft ramp area, and this greatly increases the probability of runway incursions, or unauthorized runway crossings.

In the year 2000, the Santa Barbara Airport had the third highest rate of incursions in California and the tenth highest in the nation, according to FAA data from 450 towered airports nationwide and summarized in the FAA Runway Safety Report 2000. Twice in the past four years, there were serious "near collision" incidents involving airplanes either taking off or landing across the path of another aircraft, according to FAA. Of California's nearly 40 towered airports that reported statistics, only LAX, with five near misses on the runway, has had more near collisions over the same period. The Santa Barbara Airport ranks ahead of major airports such as SFO, as well as airports in Oakland and Seattle.

The FAA Office of Safety Oversight completed a recent study entitled "Location of Commercial Aircraft Accidents/Incidents Relative to Runways" which analyzed the causes of such accidents. The study determined that improving the existing non-complying Runway Safety Areas to meet minimum FAA design standards is necessary to ensure the overall safety of existing aircraft operations at the Santa Barbara Airport. Regardless of future passenger demand for commercial airline services, the runway safety improvements are required in order to meet current FAA safety standards.

The City of Santa Barbara Airport and Goleta Slough Local Coastal Plan describes Goleta Slough as an area of approximately 400 acres, of which 189 acres are classified as tidal marsh subject to tidal inundation through natural channels or culverts. Goleta Slough is designated "Recreational Open Space" in the LCP. The Goleta Slough Reserve Zone, which coincides with the Goleta Slough Ecological Reserve, is located 50 feet from the westerly end of Runway 7-25. The wetland communities within the slough include open water, coastal salt marsh, salt flats, seasonal wetland meadows, riparian woodland, shrub-scrub thicket and transitional wetlands. Upland areas include 25 acres south of the main slough channel adjacent to the University of California Santa Barbara (UCSB) campus.

Goleta Slough once occupied an area of over 1,200 acres. The natural harbor extended north of Hollister Avenue and east of the airport property for several miles, until sedimentation from upstream slopes filled most of the harbor with silt and a shallow lagoon was formed. The slough provides habitat to support a large resident bird population and serves as a resting and feeding site for migrating birds using the Pacific Coast flyway. In the 1940's, salmon runs throughout the slough and its feeder creeks were a common occurrence, and the slough has supported a recreational fishery for flounder.

Several current and former rare or endangered species have been identified in the slough including the Light-footed clapper rail, California least tern, American peregrine falcon, California brown pelican, Belding's savannah sparrow, California Red-legged frog, Tidewater goby and Southern California steelhead trout. Portions of Tecolotito Creek that flow into the Goleta Slough ecosystem are considered Essential Fish Habitat (EFS) for the rex sole and starry flounder, which spend part of their life cycle in the tidally influenced portions of the creek.

#### **4.3 PROPOSED CHANGES TO THE MAPS AND POLICIES OF THE LUP/CP AND CONSISTENCY WITH CHAPTER 3 POLICIES OF THE COASTAL ACT**

LCP Amendment SBC-MAJ-1-02 is intended to amend and update the City of Santa Barbara's Airport/Goleta Slough LCP to facilitate development of the required airfield safety projects for the Santa Barbara Airport. As such, the submitted amendment proposes modifications to the LUP/CP to re-designate specific portions of land within the Airport property to allow for new development of airfield safety projects and for implementation of mitigation and restoration projects consistent with the amended land use map designations of the areas affected, and to add site-specific resource protection policies as they relate to the proposed airfield safety projects, mitigation and restoration plans, and existing airport operations.

The proposed changes to the LUP/CP are as follows:

1. Amend Local Coastal Plan Land Use Map, Coastal Plan Component 9: Airport and Goleta Slough, to reflect land use designation changes necessary to facilitate development of the airfield safety projects and habitat restoration plans.
2. Propose Resource Mitigation and Restoration Policies specific to the Airfield Safety Projects.
3. General text amendments to existing policies to clarify that development in Goleta Slough, or development that may result in adverse impacts to sensitive habitats of the Slough, are not permitted unless found to be consistent with Coastal Act Section 30233.
4. Correct and update language of the LUP to reflect current and previously certified Airport Zoning Ordinance changes.
5. Propose new text to describe and incorporate the Draft Aviation Facilities Plan into the LCP.

#### **4.4 DISCUSSION AND FINDINGS**

##### **Proposed Changes to the Land Use Designation Map of the LCP**

The proposed LCP Amendment includes changes to Land Use Map to reflect land use designation changes necessary to facilitate development of the airfield safety projects and habitat restoration plans, and will include re-designation of approximately 28 acres of airport/slough property from Recreational Open Space to Major Public and Institution to allow for construction of airfield safety projects, and re-designation of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Major Public and Institutional to Recreational Open Space to facilitate the re-routing of Tecolotito Creek and habitat restoration and mitigation plans. For the reasons discussed in detail in the findings that follow, the Commission finds that the proposed amendment to the land use designation map necessary to permit development of the airfield safety projects, as modified pursuant to the Commission's suggested modifications, will not result in significant adverse impacts to coastal resources and is consistent with applicable Chapter 3 policies of the Coastal Act. However, the Commission finds that the land use designation changes that have been included in the submittal materials for the subject LCP Amendment that address land use changes other than those necessary for development of the airfield safety projects are not subject to review and approval by the Commission as part of this LCP Amendment. To clarify this discrepancy in the LCP Amendment submittal, **LUP/CP Suggested Modification #1**

requires that the land use designation change proposed for property just south of the airline terminal from Recreational Open Space to Major Public and Institution be deleted, (Exhibit 3).

#### **Changes to Future and Potential Development and Land Use Discussions of the LUP**

The LCP Amendment submittal includes text changes to update and/or modify existing language to replace LCP references to the Airport Master Plan by references to the Draft Aviation Facilities Plan (the City's current planning document for the Airport). Staff is recommending that the Commission approve the City's proposed land use language that discusses future and potential development of the Airport to include a reference to the City's Aviation Facilities Plan and to describe the scope of the planning document, with **LUP/CP Suggested Modifications # 2 and #8**, which add additional language that clarifies that the Draft AFP (and the development described therein) is not conceptually or specifically approved by the Commission pursuant to this LCP Amendment, and shall not be used as the standard of review for issuance of Coastal Development Permits unless and until the AFP is reviewed and approved by the Commission pursuant to a separate LCP Amendment. The suggested modifications further specify that except for the airfield safety projects, the recommendations and development projects detailed in the AFP are also not specifically or conceptually approved by the Coastal Commission unless and until the AFP is certified by the Commission as a LCP amendment, or, if submitted individually, specific development projects are found to be consistent with the existing certified LCP and any relevant Coastal Act Policies. Furthermore, staff is recommending **LUP/CP Suggested Modification #10** to delete the proposed policy H-3 which states that *"All future development within the Aviation Facilities Plan area at the Airport must be consistent with the Aviation Facilities Plan. This Plan is incorporated by reference into the Airport LCP as appendix H."* The proposed text shall not be incorporated into the LCP until the AFP is fully certified by the Commission.

#### **4.4.1 WETLANDS**

The City is proposing to amend the certified Land Use Plan map such that airfield safety projects for the Airport may be developed consistent with the proposed land use designation changes. Development of the airfield safety projects requires that portions of the Airport and Goleta Slough property be re-designated from Recreational Open Space to Major Public and Institution (Exhibit 3). Amending the land use designation as proposed will allow for development of the necessary airfield safety projects for the Santa Barbara Airport, which consists of the construction of two 1,000 foot long Runway Safety Areas (RSAs), the realignment of an existing runway (Runway 7-25) to accommodate new RSAs, a new taxiway (Taxiway M) 2,600 feet in length, and a service road (Exhibit 6). The safety projects also call for widening of an existing taxiway (Taxiway B) and lengthening of runway protection zones (RPZs). Development of the airfield safety projects requires that the City's certified LCP be amended to allow airport operations and facilities to be conducted and constructed within areas previously designated as Recreational Open Space and zoned as Goleta Slough Reserve, designated and zoned as such for the protection of open space and sensitive habitat area, including Tecolotito Creek and wetland habitat. As such, the proposed amendment raises Coastal Act issues relative to allowable use for wetland fill, selection of the least environmentally damaging alternative, and implementation of adequate mitigation to minimize adverse impacts on wetland habitat.

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 groundwater 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 30233 of the Coastal Act states:

*The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial facilities.*
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.*
- (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- (5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
- (6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
- (7) Restoration purposes.*
- (8) Nature study, aquaculture, or similar resource dependent activities.*

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

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

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

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

The above definition requires the presence of one of three common wetland attributes of hydrology, hydrophytic vegetation, or hydric soils. It should be noted that this definition is more inclusive than those of other agencies, such as Army Corps of Engineers, which requires a site to exhibit all three of those attributes to be considered a wetland. The City has submitted a wetland delineation in the *Draft Final Conceptual Wetland Mitigation Plan for the Airfield Safety Projects, Santa Barbara Airport, October 2001*, prepared by URS Corporation, which delineates wetland habitat consistent with the Coastal Commission's more inclusive definition of wetlands as defined by Section 13577(b) of Title 14 of the California Code of Regulations. The airfield safety projects, for which the subject LCP Amendment is proposed, will result in wetland impacts in ten separate locations of the Santa Barbara Airport property (Exhibits 8-11).

### **Goleta Slough**

Goleta Slough is an estuary which is dominated by marine influences and supports an extensive salt marsh. Seven creeks (Tecolotito, Carneros, San Pedro, Las Vegas, San Jose, Atascadero and Maria Ignacio) drain southward from the Santa Ynez Mountains, discharging into the slough. The present condition of the slough reflects the interaction of changing sea levels with processes of erosion and deposition at the mouths of these streams over thousands of years. Tidal circulation extends up each of the tributaries with the exception of La Vegas and Maria Ygnacio Creeks. The Goleta Slough ecosystem encompasses diverse wetland and habitat types. It supports species which are both resident and migrant that are regionally rare in coastal California, or locally rare in Santa Barbara County.

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

Vegetation and habitat types in the slough include extensive wetland and upland areas. Wetlands include: estuarine, riverine, palustrine, intertidal estuarine and low intertidal mudflats. Upland vegetation classified as ruderal has colonized most of the upper surfaces of the artificial dikes and berms that line the slough's basins and creek channels. Scrub vegetation is

scattered over many parts of the area. Coastal bluff scrub is common at the project area, and Coastal sage scrub vegetation occurs along the southern margin of Goleta Slough.

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

A sand bar develops across the mouth as winter runoff declines, which is periodically breached by the flood control district to allow tidal flushing. Vegetation in the lower part of the slough is dominated by pickleweed (*Salicornia virginica*); with dodder (*Cuscuta salina*), alkali heath (*Frankenia salina*) and fleshy jaumea. Subtidal and intertidal mudflats are frequently vegetated with algae. Shrub/scrub wetlands and upland scrub habitats contain big saltbush (*Atriplex lentiformis* ssp. *lentiformis*), coyote bush (*Baccharis pilularis*), and woolly sea-blite (*Suaeda taxifolia*). The stream and slough channels have little to no vegetation, and prairie bulrush (*Scripus maritimus*) occurs in patches along the channel margins.

#### **Tecolotito Creek**

Tecolotito Creek is the second largest creek on the airport property. It enters the airport through a concrete culvert under Hollister Avenue, and has a 100 year storm discharge of 4,600 cubic feet per second. The creek traverses Goleta Slough through man-made channels for the first two thirds of its length, and then through a natural channel. It leaves the airport at the bike path footbridge at the end of Moffet Place, continues under Ward Memorial Drive, and then joins San Pedro, San Jose and Atascadero creeks before discharging to the ocean at Goleta Slough. The width of the creek ranges from 75-150 feet, with a depth of 10 to 20 feet.

Since the 1970's, beginning with construction of the airport, Tecolotito Creek has been excavated and channelized to convey floodwaters around the airfield. Most of this activity has taken place from Hollister Avenue, to approximately one mile upstream from the creek's confluence with Atascadero, San Jose, and San Pedro Creeks near the mouth of Goleta Slough. The effects of the constricted channel, and the relatively broad, level area of adjacent tidal marsh make this area extremely vulnerable to sedimentation during winter flooding. Flood waters laden with sediment may spill over creek banks at the point of constriction, resulting in natural berm formation along the creek, and an elevation of the surrounding marsh plain.

The elevated creek banks and marsh plain tend to impound floodwaters and cause further sedimentation in lower areas. The process has raised elevations enough to eliminate tidal circulation from several locations, and the vegetation in the area is undergoing a transition from tidal marsh to transitional brackish wetland and upland habitat. The area downstream of Hollister Avenue has been excavated and desilted with a dragline to form a sedimentation basin. Streamflow at this location is intermittent in the summer months.

Vegetation on the upper portions of the banks near the sedimentation basin are weedy with tree tobacco, thistle, mustard, castor bean, jimsonweed (*Datura* sp.), coyote brush (*Baccharis pilularis* (ssp. *consanguinea*), poison hemlock (*Conium maculatum*), escape sage (*Salvia* sp.) and rice grass (*Oryzopsis miliacea*) being the common species. The lower portions of the bank adjacent to the channel support patches of pickleweed, saltgrass, and river bulrush. A sand bar

at the upper end of the basin is covered with willow shoots, cocklebur, curly dock (*Rumex salicifolius* var. *transitorius*), and cattail.

Areas of the streambed contain cattail/broad leafed cattail, a variety of bullrush, willow dock, willow weed (*Polygonum lapathifolium*), iris-leaved rush (*Juncus xiphioides*), creeping bentgrass (*Agrostis stolonifera*), watercress (*Rorippa nasturtium aquaticum*), water speedwell, canary grass and beard grass (*Phalaris paradoxa*). South of Hollister Avenue the slopes of the channel banks are covered with thick upland vegetation that offers cover and nesting habitat for mammal, bird, reptile, and amphibian species.

### **Carneros Creek**

The creek enters the airport property just east of Aero Camino Road at Hollister Avenue. As it crosses Hollister Avenue, it turns west and parallels Hollister Avenue until it intersects with Tecolotito Creek. The Carneros Creek channel is surrounded by heavily disturbed upland habitat providing easy access for animals. A dirt road borders the creek, and a row of willows on the west bank of the channel offers limited cover for wildlife. The stream channel in the sedimentation basin area is primarily sand with gravel and small cobbles in the low flow channel at the north end of the basin. The stream channel in the sedimentation basin area (located on the south side of Hollister Avenue) has been dredged with a dragline to control sediment.

The bank on the east side of the sedimentation basin has been disturbed in the past and is dominated by weedy species such as introduced grasses and hottentot fig. Mugwort is also interspersed along the bank. The west bank is similar, but with several patches of arroyo willow along the edge of the channel. Understory plants in the willow patches include coyote bush, California blackberry (*Rubus ursinus*), sandbar willow, and branching phacelia (*Phacelia ramosissima*). The sand bars within the channel support cocklebur and dock as well as patches of pickleweed and California bullrush.

### **Chapter Three Policies of the Coastal Act Consistency Analysis**

Section 30231 of the Coastal Act mandates that the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes be maintained for optimum populations of marine organisms and, where feasible, restored through means such as minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas, and by minimizing alteration of natural streams.

Section 30233 of the Coastal Act sets forth strict limitations on uses allowable in wetlands. For analysis purposes, the limitations can be categorized into three tests:

1. The purpose of the project is limited to one of eight allowable uses
2. The project has no feasible less environmentally damaging alternative; and
3. Adequate mitigation measures to minimize the adverse impacts of the proposed project on habitat values have been provided.

## 1. Allowable Use for Fill

The first general limitation set forth by the above mentioned policies is that proposed wetland fill is allowable only for specific limited uses. The portion of the project related to the construction of the runway improvements entails both temporary and permanent fill in wetlands as defined under the Coastal Act, and therefore triggers the 3-part test under Section 30233(a) for projects involving wetland fill. Pursuant to the first of these tests, a project must qualify as one of the eight stated uses allowed under Section 30233(a). Since the other allowable uses clearly do not apply, the Commission must determine whether the proposed project can be permitted under Section 30233(a)(5), which authorizes fill for: *"Incidental public service purposes, including but not limited to, burying cables, pipes or inspection of piers and maintenance of existing intake and outfall lines."*

In order to be for an "incidental public service purpose" a proposed fill project must satisfy two tests: 1) the project must have a "public service purpose," and 2) the purpose must be "incidental" within the meaning of that term as it is used in section 30233(a)(5). Because the project will be constructed by a public agency for the purpose of providing transportation services to the public, the fill is for a public service purpose. Thus, the project satisfies the first test under section 30233(a)(5).

With respect to the second test, in 1981, the Commission adopted the "Statewide Interpretive Guidelines for Wetlands and Other Wet Environmentally Sensitive Habitat Areas" (hereinafter, the "Guidelines"). The guidelines analyze the allowable uses in wetlands under Section 30233 including the provision regarding "incidental public service purposes." The Guidelines state that fill is allowed for:

Incidental public service purposes which temporarily impact the resources of the area, which include, but are not limited to, burying cables and pipes, inspection of piers, and maintenance of existing intake and outfall lines (roads do not qualify).

A footnote (no. 3) to the above-quoted passage further states:

When no other alternative exists, and when consistent with the other provision of this section, limited expansion of roadbeds and bridges necessary to maintain existing traffic capacity may be permitted.

The Court of Appeal has recognized the Commission's interpretation in the Guidelines' of the term "incidental public service purposes" as a permissible one. In the case of *Bolsa Chica Land Trust et al., v. The Superior Court of San Diego County* (1999) 71 Cal.App.4<sup>th</sup> 493, 517, the court found that:

*... we accept Commission's interpretation of sections 30233 and 30240... In particular we note that under Commission's interpretation, incidental public services are limited to temporary disruptions and do not usually include permanent roadway expansions. Roadway expansions are permitted only when no other alternative exists and the expansion is necessary to maintain existing traffic capacity.*

In past cases the Commission has considered the circumstances under which fill associated with the expansion of an existing "roadbed or bridge" might be allowed under Section 30233(a)(5). In such cases the Commission has determined that, consistent with the analysis

in the Guidelines, the expansion of an existing road or bridge may constitute an "incidental public service purpose" when no other alternative exists and the expansion is necessary to maintain existing traffic capacity.

The Commission recently granted to the Cities of Seal Beach and Long Beach a coastal development permit (5-00-321), for the construction of bridge abutments and concrete piles for the Marina Drive Bridge located on the San Gabriel River. The Commission found that the project involved the fill of open coastal waters for an incidental public service purpose because the fill was being undertaken by a public agency in pursuit of its public mission, and because it maintained existing road capacity.

The Commission has also determined in connection with a project (El Rancho Rd. Bridge) proposed by the U.S. Air Force (USAF) that permanent impacts to wetlands are allowable under Section 30233(a)(5) of the Coastal Act as an incidental public service because the USAF was undertaking the fill in the pursuit of a public service mission and because the "permanent fill [was] associated with a bridge replacement project [that] would not result in an increase in traffic capacity of the road." (CD-70-92), (and reiterated in CD-106-01).

Thus, based on past interpretations, fill for the expansion of existing roadways and bridges may be considered to be an "incidental public service purpose" if: (1) there is no less damaging feasible alternative; (2) the fill is undertaken by a public agency in pursuit of its public mission; and (3) the expansion is necessary to maintain existing traffic capacity. An important question raised in this case is the applicability of this interpretation to transportation infrastructure other than roads and bridges, such as the construction of a "safety area" at the end of an airport runway.

One such case was a light rail train mass transit proposal in San Diego (CC-64-99), where a bridge support piling was located in a wetland. The Commission determined that the proposal was not an allowable use under Section 30233 because the purpose of the project was not to maintain existing capacity but rather to expand the capacity of the light rail service by extending it to a new area. The Commission's analysis in CC-64-99 supports the proposition that the above identified interpretation of section 30233(a)(5) may be applied to forms of public transportation other than roads. The proposed airfield safety projects and taxiways will increase the size of a safety area of an existing runway and thus are a public transportation project very similar in nature to road or bridge construction projects. The question thus becomes whether the improvements are necessary to maintain the existing capacity of the runway.

It is necessary to construct Taxiway M to operate this airport safely. Under current conditions planes landing on this runway must cross up to four active runways to access the ramp area, and this has greatly increased the probability of runway incursions (contact between aircraft, or near misses) and unauthorized runway crossings. Taxiway "M" (2,600 feet long by 35 feet wide) will provide a direct route for aircraft that land on runway 15R33L and 15L33L to reach the terminal and northwest side of the airfield.

The FAA standards specify a 1,000 foot long by 500 foot wide safety area at either end of runway 7/25 in accordance with FAA Circular 150/5300-13 which defines the Runway Safety Area as...

*A defined surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an undershoot, overshoot, or excursion from the runway.*

While the location of the primary runway will be shifted to accommodate the larger safety area (RSA) as prescribed by the FAA, the runway length and width (6,052 feet by 150 feet), as well as the functional capacity of the runway, will not change.

### **Runway Capacity Functional Design**

Runway capacity is functionally limited by the design parameters that the FAA uses to classify an airport. Those criteria include pavement strength and width, approach speed categories, the airplane design group (determined by wingspan), and the weight class of the aircraft. The size and location of the Airport Terminal is not a factor in determining runway capacity.

The Santa Barbara Municipal Airport is classified as a category C-IV runway with the following configuration:

|                              |  |
|------------------------------|--|
| <b>Approach Category "C"</b> | approach speed of $\geq$ 121 knots and $<$ 141 knots |
| <b>Design group IV</b>       | wingspan $\geq$ 118 feet and $<$ 171 feet            |
| <b>Weight Class</b>          | max certified takeoff weight $<$ 300,000 lbs         |
| <b>Typical Aircraft</b>      | Boeing 737, 757, P-3 and MD-80                       |
| <b>Runway Safety Area</b>    | 1,000 feet long by 500 feet wide                     |

For example, a Boeing 727-200 has a maximum takeoff weight of 172,000 to 209,500 pounds and a maximum landing weight of 150,000 to 161,000 pounds. The Boeing 747 (300 combi), a much larger airplane, has a maximum takeoff weight of 775,000 pounds and a maximum landing weight of 605,000 pounds with optional weight limits up to 833,000 pounds. The wing span of the 747 is 195 feet, nearly 25 feet over the design group IV maximum for an airfield such as Santa Barbara.

The FAA rates the pavement strength of airport runways and uses factors such as the useful strength, or weight bearing capacity depending on the landing gear configuration of the aircraft (single, dual, or dual tandem wheels). Runway 7-25 is rated: 100,000 pounds for single wheel, 205,000 pounds for dual wheel and 310,000 pounds for dual tandem wheel landing gear. Although airfield pavement can typically support 25% to 50% more than the published weight values without causing damage to the pavement, frequent use by heavier aircraft results in premature deterioration of the pavement and is not recommended nor approved on a continual basis by the FAA.

### **Operational Capacity**

The operational capacity of the airport, as well as market driven demand for flights, play an important role in characterizing potential capacity of the airport. The FAA defines capacity as:

*Capacity (throughput capacity) is a measure of the maximum number of aircraft operation which can be accommodated on the airport or airport component in an hour. Since the capacity of an airport component is independent of the capacity of the other airport components, it can be calculated separately.*

### **Peak Hour Capacity**

The FAA defines peak hour capacity as the peak hour activity on the busiest or peak hour of an average day of the peak month of the year. There are several variables used in making the peak hour calculation, but for the sake of simplicity, the hourly capacity of the Santa Barbara

Airport runway system is 180 operations during visual conditions (VFR Capacity) and 60 operations per hour using instrument flight rules (IFR Capacity).

### Annual Capacity

The annual capacity of the airfield is based on the relationship between the peak hour and annual demand. The FAA refers to this as the *annual service volume (ASV)* to represent a *reasonable* annual capacity. It would be overly simplistic to state that the ASV calculation is dependent on just the two factors previously mentioned. The airport, and the FAA use a regression analysis that actually combines different runway use configurations used over the course of a year, the percentage of use for the various configurations, the hourly capacity for each runway, the runway use configuration that provides the maximum capacity, and weighting factors such as the mix of different aircraft types to calculate capacity.

### Historical Aircraft Operations at the Santa Barbara Airport 1984 – 1999

| YEAR | Total Operations | % of Capacity | % Change |
|------|------------------|---------------|----------|
| 1984 | 240,819          | 50.6          | 10.3     |
| 1985 | 202,266          | 42.5          | -16.0    |
| 1986 | 186,676          | 39.3          | -2.0     |
| 1987 | 190,641          | 40.1          | 2.1      |
| 1988 | 182,523          | 38.4          | -4.2     |
| 1989 | 182,777          | 38.4          | 0.1      |
| 1990 | 188,839          | 39.7          | 3.3      |
| 1991 | 168,949          | 35.5          | -10.5    |
| 1992 | 167,130          | 35.1          | -1.0     |
| 1993 | 182,676          | 38.4          | 9.3      |
| 1994 | 180,062          | 37.9          | -1.4     |
| 1995 | 167,817          | 35.3          | -6.8     |
| 1996 | 165,647          | 34.8          | -1.2     |
| 1997 | 175,164          | 36.8          | 5.7      |
| 1998 | 158,922          | 33.4          | -9.2     |
| 1999 | 168,457          | 35.4          | 5.9      |

The service volume capacity estimates for the Santa Barbara Airport indicate that with a current capacity of 475,000 annual operations<sup>1</sup>, the airport is well below that threshold with 168,457 annual operations in 1999 (35.4 percent of annual capacity). At this time there is no unmet demand for increased operations (see page 7 for the FAA definition of operations and enplanements). In reviewing historical data for operations at the airport from 1977 through 1999, total operations peaked in 1984 at 240,819, representing 50.6 percent of the airports potential capacity.

### Capacity Development

Increased capacity development, beyond the fundamental airport configuration is the improvement of an airport for the primary purpose of reducing delay and/or accommodating more passengers, cargo, aircraft operations or aircraft. New capacity development, within the realm of airport planning is need based, and recommended when conditions specific to runways, taxiways, or holding aprons reach a level of delay relative to annual capacity,

<sup>1</sup> Draft Aviation Facilities Plan, pp. 5-11, City of Santa Barbara Airport Department (2001)

operations, or peak hour operations.<sup>2</sup> An example of this is the construction of a new runway. The FAA states that the activity level must reach 60% to 75% of annual capacity before the construction of a new runway is considered. Holding aprons and by-pass taxiways are evaluated based on total and peak hour operations, although in either case, the FAA makes this determination after reviewing annual forecasts and does not recommend development unless these threshold limits are met or exceeded.

Operations and annual capacity are not calculated nor affected by this feature of the airfield, and the construction of the safety area is not capacity increasing. Furthermore, the mathematical relationship between capacity, demand, and delay on a runway, is not affected by a perceived margin of safety (i.e. a dirt unpaved area that allows variations in an aircraft's ascent or decent) because it is never used for aircraft operations. Safety improvements, which are designed to ensure the safe operation of aircraft, have never been a factor in the calculation of capacity, and similarly, the size of a terminal has no effect on the capacity of a runway, as the runway's capacity is measured by the maximum number of aircraft that can be accommodated in an hour.

Based on the previous analysis, the airport is well below historic levels of operational capacity. The Commission has reviewed the FAA's methodology that it uses in forecasting aviation activity and predicting the capacity of existing runways. The current operational capacity of the airfield, the FAA's Advisory Circulars related to forecasting aviation activity, and the existing level of use of the airfield relative to it's planned capacity are all important factors to be weighed in concluding that this project does not increase capacity.

The proposed improvements are strictly, not loosely defined, as safety measures to ensure the safe operation of aircraft. The project will not increase the existing capacity of runway and airport operations, and does not include a permanent roadway or runway expansion. While the location of the primary runway will be shifted to accommodate the Runway Safety Areas prescribed by the FAA, the primary runway length and width (6,052 feet by 150 feet) and the capacity of the runway as designed will not change. The Commission therefore concludes that, as an incidental public service under Section 30233(a)(5), the airfield safety projects constitute an allowable use for the fill of wetlands, and therefore finds that, the proposed LCP Amendment meets the requirements of the first test of Section 30233(a)(5) of the Coastal Act.

## **2. Alternatives Analysis**

Section 30233 allows fill in a wetland only where there is no feasible less environmentally damaging alternative to the proposed project. Alternatives to the project as proposed must be considered prior to finding that a project satisfies this provision of Section 30233. The primary alternatives analyzed by the City of Santa Barbara have been: (1) The West Creek Realignment; (2) The West Creek Culvert; (3) Engineered Material Arresting System; and (4) The No Project Alternative. The difference between alternatives 1 and 2 involves how Tecolotito Creek is affected. The preferred alternative (West Creek Realignment Alternative) would realign the creek around the Runway Safety Areas. The culvert alternative is designed to place Tecolotito Creek in a closed culvert beneath the Runway Safety Area in lieu of rerouting it.

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<sup>2</sup> Field Formulation of the National Plan of Integrate Airport Systems Order 5090.3C, FAA (2000)

The City determined that realigning Tecolotito Creek would be less environmentally damaging than the culvert alternative because it preserves the creek as open water habitat. Realigning the creek using a culvert would require the additional culverting of San Pedro Creek, pose potential airfield flooding impacts from culvert blockages and sediment loading, and may require placing Fairview Avenue in a tunnel. Secondary impacts associated with the culvert alternative include the fragmentation of the estuary and adjacent wetland habitats (Belding's savannah sparrow) in the floodplain. The realignment alternative avoids potential significant impacts to the southern California Steelhead Trout designated critical habitat, a federally listed endangered species. The culvert alternative would result in long-term habitat modifications that have the potential to create barriers to migration for which there is no feasible mitigation.

#### **West Creek Realignment Alternative (Proposed Alternative)**

This alternative would combine Tecolotito Creek with Carneros Creek, rerouting Tecolotito Creek 2,000 feet to the west of the new Runway Safety Area. The creek realignment would include an expanded settling basin to trap sediment before it reaches Goleta Slough, and include the filling of 4.62 acres of Carneros and Tecolotito Creek to allow for the extension of runway 7-25 to the west. Approximately 13.30 acres of permanent impacts to wetlands would occur under this alternative. The filled portion of the creeks would be covered with pavement or gravel to accommodate construction of the new Runway Safety Areas. Additional permanent impacts include 10.87 acres of upland habitat consisting of upland grassland and coastal sage scrub communities that function as buffers for wetland habitats.

#### **West Creek Culvert Alternative**

Under this alternative Tecolotito Creek would remain in its present location and be placed in a box culvert so that the runway can be constructed above it. A concrete box culvert (6-8 feet high by 80 feet wide by 750 feet long) will be constructed on Tecolotito Creek in its current location, at the westerly end of runway 7-25. The culvert would extend upstream and downstream from the 500-foot wide safety overrun area. This alternative would result in 1.38 acres of permanent impacts to stream channel and bank habitat, eliminate 5.79 acres of palustrine wetlands in the floodplain bordering Tecolotito Creek and at Runway 15/33, and result in 13.14 acres of permanent impacts to upland habitats consisting of grassland and coastal sage that function as buffers for wetlands. The culvert alternative will disrupt upstream and downstream habitats during construction because tidal and freshwater stream flow, as well as groundwater would need to be kept out of the construction zone by damming, diversion or pumping. While these impacts are considered temporary-they are unavoidable and significant. The long-term habitat loss is considered significant because directing the creek through a box culvert would fragment the estuary and create a partial or complete barrier to plant and animal dispersal, causing additional impacts to fish, wildlife, and botanical resources.<sup>3</sup>

#### **Engineered Material Arresting System**

The FAA recently approved a technology designed to stop an overrunning aircraft, which has been used on non-standard Safety Areas, where natural obstacles, such as bodies of water or wetlands, make construction of a standard safety area impracticable. The Engineered Material Arresting System (EMAS) consists of energy absorbing blocks of thin concrete that crush under the weight of the aircraft. The EMAS exerts a predictable deceleration force on the landing gear, and at the same time transfers the kinetic energy of the aircraft to the material.

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<sup>3</sup> Santa Barbara Airport Draft EIS/EIR for the Aviation Facilities Plan: pp. 3-190 (2001)

The FAA's Advisory Circular No. 150/5220-22 Engineered Materials Arresting Systems (EMAS) for Aircraft Overruns states that:

*At some airports, reconstruction of a runway requires its safety area to be brought up to current standards to the extent practicable. Occasionally, however, it may not be practicable to achieve a standard safety area...*

*There are many runways, particularly those constructed prior to the adoption of the safety area standards, where natural obstacles (bodies of water or sharp drop-offs), local development (roads and railroads), or environmental constraints (wetland encroachment), make the construction of a standard safety area impracticable.*

In order to evaluate the applicability of an EMAS at the Santa Barbara Airport the City would be required to submit a design proposal to the FAA as specified in Advisory Circular No. 150/5220-22.

*The EMAS design shall be submitted to the FAA, Office of Airport Safety and Standards, through the responsible FAA Airports Regional or District Office, for review and approval and shall be certified as meeting all the requirements of this AC. The submittal shall include all design assumptions and data utilized in its development as well as proposed construction procedures and techniques.*

The Commission finds that the City of Santa Barbara has examined feasible alternatives and proposes the least environmentally damaging feasible alternative. Where wetlands in the project area contain environmentally sensitive habitat (the Southern California Steelhead and Belding's savannah sparrow), the City has modified the project to avoid adverse effects to these species. Given complex physiographic and biological features that encompass Goleta Slough, feasible alternatives that would further reduce adverse impacts are either not available or are more environmentally damaging.

The Commission has determined, based on information provided by the FAA and the City of Santa Barbara, that EMAS is not a feasible alternative to the realignment of Tecolotito and Carneros Creeks. The FAA has stated that:

- (1.) EMAS was not an acceptable substitute for meeting FAA Airport Design Standards for Runway Safety Areas;
- (2.) The FAA did not consider EMAS an equivalent to any length or width of a standard Runway Safety Area;
- (3.) EMAS does not result in a Runway Safety Area that would be considered to meet the FAA's dimensional requirements; and
- (4.) EMAS does not meet the objective of the safety enhancement project at the Santa Barbara Airport.

For the reasons discussed above, the Commission finds that the Engineered Material Arresting System alternative is not a feasible alternative.

### **No Project Alternative**

Under the No-Action alternative, construction of a regulation Runway Safety Area and the relocation of runway 7-25, and taxiway M would not occur. The increase in passengers through the year 2015 (1.5 million) would still occur, although the required safety standards would not be met. The City states that the no project alternative would entail adverse effects on public access, the marine environment and sensitive species. Air quality and traffic congestion would

continue to increase without efficient transportation modes that allow for maximum coastal access. Flood hazards and sediment build up would threaten water quality and sensitive habitat, public buildings and structures would be subject to inundation in the event of flooding due to impaired circulation and sedimentation of main channels which drain into Goleta Slough, and estuarine functions and habitat values will continue to diminish as the slough undergoes a transformation from tidal marsh to transitional brackish wetland. The Santa Barbara Airport would not meet FAA standards of Certification and Operations necessary to ensure the safety of the public and aircraft operations, and the risk of damage to airplanes due to non-complying Runway Safety Areas would continue.

The following table compares wetland impacts of each feasible alternative discussed above.

**Alternative Analysis  
Permanent Impacts to Wetlands - Open Water Habitat<sup>4</sup>**

|                                   | (1.)<br>WestCreek Realignment<br>Alternative | (2.)<br>West Creek Culvert<br>Alternative | (3.)<br>No-Project<br>Alternative |
|-----------------------------------|--|---|-----------------------------------|
| <b>Creek Bed and Bank Habitat</b> |  |   |                                   |
| Tecolotito Creek                  | 4.11   | 1.38                                      | 0                                 |
| Carneros Creek                    | 0.51   | 0   | 0                                 |
| <b>Salt Flats</b>                 |  |   |                                   |
| Carneros Creek Channel            | 0.34   | 0   | 0                                 |
| Tecolotito Creek Channel          | 0.32   | 0   | 0                                 |
| Service Rd                        | 0.01   | 0   | 0                                 |
| <b>Wetlands</b>                   |  |   |                                   |
| Tecolotito Creek (East)           | 1.01   | 1.01                                      | 0                                 |
| Tecolotito Creek (West)           | 6.61   | 4.39                                      | 0                                 |
| Taxiway M                         | 0.39   | 0.39                                      | 0                                 |
| <b>Total Sq ft.</b>               | <b>579,334</b>                               | <b>312,318</b>                            | <b>0</b>                          |
| <b>Total Acres</b>                | <b>13.30</b>                                 | <b>7.17</b>                               | <b>0</b>                          |

Based on the alternatives analysis discussed above, the Commission finds that the proposed LCP Amendment and development of the airfield safety projects, west creek realignment alternative, will avoid significant wetland impacts to the maximum extent feasible, that the safety projects represent the least environmentally damaging feasible alternative, and that the Amendment is therefore consistent with the alternatives test of Section 30233(a) of the Coastal Act.

**3. Adequate Mitigation**

The third limitation imposed on projects proposing fill in a wetland set forth by Section 30233 of the Coastal Act requires that adequate mitigation measures to minimize adverse impacts of the proposed project on habitat values shall be provided. It is critical that proposed development

<sup>4</sup> Santa Barbara Airport Draft EIS/EIR for the Aviation Facilities Plan: Table 3.10-2 "Impacts of Aviation Facilities Alternatives on Wetlands and Open Water Habitats" (2001)

projects in a wetland include a mitigation plan, which when enacted will result in no net loss of wetland area or function.

The City has delineated wetlands based on both the Coastal Act and the U.S. Army Corps of Engineers definitions, noting that the Coastal Act definition can be more inclusive than that contained in the Corps' manual. Using Corps manual definitions, the overall project would involve approximately **11.01 acres** of wetland fill. Using the broader Coastal Act definition, The City has determined the overall wetland fill would be **13.30 acres** of permanent wetland fill (which will be mitigated on-site) and **1.77 acres** of temporary wetland fill (which will be restored on-site), see Exhibits 8-11. Mitigation ratios for impacts to wetlands will be 4:1, and mitigation ratios for creeks and open channels will be 2:1.

#### Summary of Temporary and Permanent Wetland Impacts

| Location   | Habitat   | Type    | Permanent Impact | Temporary Impact |
|--|---|---------|------------------|------------------|
| Service Road<br>RSA (500'x1,000")<br>Runway/Taxiway "B" West | Non-tidal seasonal wetlands dominated by annual grasses and herbs without impounded water. Palustrine persistent emergent wetlands. | Wetland | 7.62             | 1.52             |
|  | Non-tidal unvegetated salt flats  | Wetland | 0.67             |                  |
| Carneros Creek realignment<br>Tecolotito Creek realignment   | Tidal open water and mudflats. Estuarine intertidal aquatic bed an unconsolidated bottom.   | Estuary | 4.62             | 0.06             |
| Taxiway "M"  | Non-tidal seasonal wetlands dominated by annual grasses and herbs without impounded water. Palustrine persistent emergent wetlands. | Wetland | 0.29             | 0.14             |
| Approach lights/service road                                 | Non-tidal seasonal wet grassland without impounded water. Palustrine persistent emergent wetlands.                                  | Wetland | 0.10             | 0.05             |
| <b>Total:</b>  |   |         | <b>13.30</b>     | <b>1.77</b>      |

#### Impacts

The preferred alternative would result in **4.62 acres** of permanent impacts to existing stream channel bed and banks. The project could result in some loss of functions and values if tidal action and stream flow through the upper portions of the estuary are disrupted, and if native wetland and contiguous upland buffer vegetation are not reestablished along new stream banks.

Permanent impacts to **8.68 acres** of additional Coastal Act wetlands would occur from the project. These 8.68 acres are included in the 13.30 acres in the table above, although mitigation for these impacts will be at a higher ratio (4:1) than for the 4.62 acres of stream channel impacts.

Impacts to upland habitats would result from the realignment of Tecolotito Creek, Taxiway M, construction of the Runway Safety Area at the western end of runway 7-25, and the abandonment of sections of Carneros and Tecolotito Creek. Permanent and temporary impacts to grassland and coastal sage scrub communities (**10.87 acres**) that function as

wetland buffer zones will also occur in the existing graded Runway Safety Area. (See additional discussion on upland impacts under Section **4.4.2 ENVIRONMENTALLY SENSITIVE HABITAT AREA-SPECIAL STATUS SPECIES**).

**Impacts to Wetlands  
West Creek Realignment (Preferred Alternative)**

|                              | Wetlands       | Other Areas    |
|------------------------------|----------------|----------------|
| Carneros Creek realignment   | 0.51           | .54            |
| Tecolotito Creek realignment | 4.11           | .72            |
| Service Road                 | 0.99           | 0.01           |
| RSA (500'x1,000")            | 1.50           | 0              |
| Runway/Taxiway "B" West      | 0.58           | 0.60           |
| Other RSA-West               | 1.30           | 0.20           |
| Runway/Taxiway East          | 0.43           | 1.28           |
| New RSA-East                 | 0.58           | 2.58           |
| New approach lights          | 0.10           | 0              |
| Taxiway "M"                  | 0.29           | 0              |
| <b>Total Sq ft.</b>          | <b>579,334</b> | <b>258,310</b> |
| <b>Total Acres</b>           | <b>13.30</b>   | <b>5.93</b>    |

To compensate for the permanent loss of wetlands the City proposes to create and restore seasonal wetlands and open water habitat similar to those affected by the project as part of the airfield safety projects. The City has submitted a *Draft Final Conceptual Wetland Mitigation Plan for the Airfield Safety Projects, Santa Barbara Airport, October 2001*, prepared by URS Corporation, as part of the proposed LCP amendment, which identifies and describes proposed mitigation sites for restoration of wetland and open water habitat as described below. The *Draft Final Conceptual Wetland Mitigation Plan for the Airfield Safety Projects* identifies habitat mitigation and restoration measures to meet an approximate 3:1 mitigation ratio for impacts to wetland habitat and a 2:1 mitigation ratio for impacts to open water habitat as discussed below.

#### **Open Water and Mudflats**

The relocation of Tecolotito and Carneros Creeks will create **9.3 acres** of channel containing open water and mudflat wetlands. The relocated creeks will have the same width and depth as the existing creek channels, and the banks will be stabilized with native shrubs to prevent erosion. The new creeks will have annual grassland buffers, identical to the current creeks, except the relocated creeks will be farther from the runway.

#### **Wetland Restoration**

Wetland restoration on slough berms encompassing **12.7 acres** will include the removal of non-native species such as tree tobacco, Italian thistle, and poison hemlock (Exhibit 13). These non-native species (and their seed bank in the soil) will be removed from the tops and sides of the berms through a two-year series of "grow-kill" herbicide treatments. The tops of the berms will be treated to facilitate the establishment and long-term persistence of wetland species by increasing soil moisture conditions.

Shallow depressions (one inch in depth) would be graded on the tops of the berms. These depressions would increase percolation by rainfall and reduce runoff to Tecolotito Creek. The

objective for the berm soils is to create soil saturation to within 6 inches of the surface for an average of 14 days or more. In the winter following the last treatment, the berms will be revegetated to create seasonal wet grassland using species such as alkali weed, saltgrass, alkali mallow, creeping rye-grass, meadow barley, western ragweed, alkali heath and saltbrush.

This weed removal and restoration of the berms would remove the single largest source of weed seeds in Goleta Slough and replace this with habitat similar to that being affected by the Runway Safety Area extension. The new habitats will benefit the adjacent tidal marsh habitat by creating native plant cover and food sources for use by wildlife, particularly the federally listed Belding's savannah sparrow which nests in the pickleweed marsh and forages in nearby native grassland and scrub areas.

#### **Wetland Creation and Enhancement in "Area I"**

New seasonal wetlands will be created in upland portions of "Area I", a 25 acre site owned by the airport located between the UC Santa Barbara bluffs and Tecolotito Creek (Exhibit 14). This location is dominated by a complex mixture of annual grassland, coyote brush scrub, poison oak stands, scattered ornamental trees, eucalyptus groves, and weedy patches (pampas grass). The area contains several small isolated wetlands. Much of the site was originally an upland that was lowered to construct the airfields during the 1940's. Portions of the site are highly disturbed by weeds, piles of rubble and secondary soil deposits, and the presence of an abandoned brick incinerator. A large storm drain empties into the site conveying runoff from UC Santa Barbara.

Two existing wetland patches in the middle of Area I will be enhanced by removing non-native plants and planting additional wetland plants such as spikerush, net-sedge, toad rush, bulrush, and pickleweed. Upland habitats will be retained in continuous patches at the site to retain wildlife habitat and movement corridors. Eucalyptus trees, poison oak and an abandoned incinerator will be removed. A total of **9 acres** of new seasonal wetlands will be created and **2.2 acres** of existing seasonal wetlands will be enhanced at the 25 acre site, and it will be protected for habitat purposes. It is situated adjacent to the UC Santa Barbara bluffs where an upland habitat restoration project was completed several years ago that includes an educational trail.

The wetlands would provide some secondary functions such as flood reduction by capturing and detaining more of the runoff from UCSB that empties into Goleta Slough, and the use of the area for research and public education projects that will facilitate new non-consumptive recreational uses.<sup>5</sup>

#### **Area R-2**

Adjacent to Tecolotito Creek, and south of runway 7/25, a small man made basin exists which contains non-tidal seasonal wetlands (Exhibit 12). After Tecolotito Creek is filled and re-routed in this location, the disturbed areas will be graded to match the elevation of Area R-2, which supports non-tidal wet grassland. These newly lowered areas will then be planted with pickleweed, alkali heath, alkali weed, sand spurrey, meadow barley and saltgrass, to create **2.2 acres** of new seasonal wetlands.

#### **Enlarged Sediment Basins**

Existing sediment basins will be enlarged along Tecolotito and Carneros Creeks during the process of relocating the creeks. The enlarged basins will be designed to capture greater

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<sup>5</sup> Draft Conceptual Wetland Mitigation Plan for the Airfield Safety Projects, URS Corporation (2001)

amounts of sediment, minimizing deposits in tidal wetlands of Goleta Slough that have affected tidal circulation and the conversion of wetlands to non-native uplands.

### **Seasonal Wetland Restoration at Tecolotito Creek Berms**

Berms on both sides of Tecolotito Creek in the middle of Goleta Slough direct flood flows to the mouth of the slough, and function to protect the slough from sedimentation that would raise the elevation of the marsh and convert it to a non-tidal area. These earthen berms were constructed from on site material that appears to be sediment from the channel. The restoration in this area (12.7 acres) is described in the beginning of this section.

### **Tidal Restoration**

As submitted, the LCP Amendment, and associated airfield safety projects, proposal include adequate mitigation and restoration plans to provide for restoration of wetland habitat at a mitigation ratio of 3:1. In addition to proposed 3:1 wetland mitigation plans, the City is proposing additional mitigation in the form of tidal restoration through implementation of the *Goleta Slough Tidal Restoration Project*, should it be determined that the proposed tidal restoration is feasible and will not present a bird strike hazard at the Airport. This project would potentially restore tidal circulation to approximately 25 acres of degraded salt marsh, and enhance 13 acres of transitional and upland habitat.

Bird use of wetlands in the area surrounding Goleta Slough is a concern to both the FAA and the City of Santa Barbara, due the hazards birds pose to aircraft. The FAA is generally opposed to increases in wetland acreage in the vicinity of airfields, regardless of the type of wetland and habitat.

The FAA states that wildlife aircraft strikes have resulted in the loss of hundreds of lives world wide, as well as billions of dollars worth of aircraft damage. The FAA Advisory Circular *Hazardous Wildlife Attractants on or Near Airports* recommends siting criteria for separations between wildlife attractants and airport developments projects. The Circular recommends a distance of 5,000 feet for airports serving piston powered aircraft, and 10,000 feet for turbine powered aircraft. Given these considerations, the City had not initially proposed a mitigation plan for this project that included restoring tidal wetlands, although they are currently involved in a long-term project with the Coastal Conservancy to restore tidal circulation in Goleta Slough.

The City's current study (*Tidal Circulation and Bird Strike Study*) on tidal circulation and bird use of the airport property will assess the feasibility of conducting a long-term wetland restoration strategy for Goleta Slough. The study will examine the effects of tidally influenced bodies of water in Goleta Slough on bird activity and bird strike hazards at the airport, conduct a field experiment, and evaluate the potential effect on future modifications of the slough.

The City prepared the *Wetlands Mitigation Feasibility Study and Wildlife Hazard Assessment* in 2000, which determined that the existing conditions at the airport actually pose a greater risk of bird strikes, and that the implementation of tidal restoration could reduce the attractiveness of several areas within the slough to birds. The FAA deferred to the U.S. Department of Agriculture to review these findings, which in turn disagreed with the results of the study. However, in consideration that safety at the airport could be improved through some form of tidal restoration, the FAA determined that an additional study was warranted, even though the Department of Agriculture advised against such a study. The current *Tidal Circulation and Bird Strike Study* is the result of this action.

In June 1999 the California Coastal Conservancy accepted \$938,000 from the U.S. Fish and Wildlife Service, \$200,000 from the County of Santa Barbara, and approved \$120,000 of Conservancy funding for the preparation of an enhancement plan for the Goleta Slough Tidal Restoration Project. This project is distinctly separate from the Bird Strike Study, which was requested by the FAA to determine whether tidal restoration would increase bird-strike hazards.

The objective of the Goleta Slough Tidal Restoration Experiment is to obtain empirical data that can adequately address the FAA's concerns and resolve the bird-strike issue. The Feasibility Study for the restoration experiment calls for introducing muted tidal action to basin F in the slough and full tidal action to basin L. Tidal circulation would be restored by either cutting a hole in the berm or installing culverts through the berm. The two experimental basins along with two control basins would then be monitored for two to three years, with monitoring focused primarily on bird use. The Tidal Restoration Experiment has been designed so that either of the experimental basins could be returned to its original condition within 24 hours, if monitoring data indicates that the experiment has resulted in an increase in the bird-strike hazard. The Feasibility Study outlines criteria for evaluating bird strike hazard based on the number and species of birds. It also defines thresholds for determining that the field experiment should be terminated due to increased hazard.

The Goleta Slough Tidal Restoration Project would entail restoration of tidal circulation to approximately 25 acres of degraded salt marsh in the western slough, on UCSB and Department of Fish and Game property, and enhancement of 13 acres of surrounding transitional and upland habitat. In February 2001 the Coastal Conservancy authorized \$150,000 for completion of the Bird Strike Feasibility Study. The Feasibility study was conducted and completed in February 2002. In August 2002, Airport staff met with representatives from USDA Wildlife Services to discuss the experimental design outlined in the Feasibility Study. Wildlife Services expressed strong support for the project and indicated that they would submit a letter to the FAA recommending that the Tidal Restoration Experiment be conducted. Coastal Conservancy staff has prepared a staff recommendation for an additional \$148,000 grant to the City of Santa Barbara to complete planning, environmental review, permitting, and final design plans for the Goleta Slough Tidal Restoration Experiment. The Coastal Conservancy will consider the staff recommendation on the grant proposal on October 31, 2002.

In response to the City's development of the Draft Report, Goleta Slough Tidal Restoration Study, Phase I – Feasibility Study for Field Experiment, the FAA stated in a letter, dated October 2, 2002, that the FAA was not objecting to the City's efforts to proceed with the field experiments assuming additional safety concerns were addressed in the Final Report to be submitted for review by the FAA (Exhibit 18).

As detailed in the City's proposed LCP Policy C-10, if tidal restoration is determined to be an infeasible means of mitigation, the City of Santa Barbara is committed to providing an additional 13.30 acres of in-kind mitigation for anticipated wetland impacts to fulfill the 4:1 mitigation requirement.

**Wetland Mitigation Summary**

| Mitigation   | Location   | Wetland Type  | Acres        |
|--|--|---|--------------|
| Create new seasonal wetlands                                       | On berms next to Tecolotito Creek and tidal salt marsh | Non-tidal low growing wetland herbs , grasses and shrubs; palustrine persistent emergent wetlands | 12.7         |
| Create new seasonal wetlands                                       | Area "I" in uplands and adjacent to tidal marsh        | " "   | 9.0          |
| Create new seasonal wetlands                                       | Area R-2 in uplands and wetland grassland              | " "   | 2.2          |
| Enhance existing seasonal wetland                                  | Area "I" in uplands and wetlands                       | " "   | 1.3          |
| Create new tidal open water and mudflats                           | New Tecolotito and Cameros Creek channels              | Estuarine inter-tidal aquatic bed and unconsolidated bottom                                       | 9.3          |
| Restore Tidal Circulation or provide additional in-kind mitigation | Goleta Slough locations                                | Previously degraded salt marsh  | 13.30        |
|  |  | <b>Total</b>  | <b>47.80</b> |

In addition to the proposed wetland and open water habitat mitigation and restoration plans submitted with the LCP Amendment, the City is proposing text changes to the Land Use Plan of the certified LCP which address the proposed airfield safety projects and the Coastal Act issues relative to wetlands that are raised in association with development of the projects. The City's proposed text changes include modifications to existing resource protection policies relative to allowable types of development in Goleta Slough and a new policy that addresses site specific resource protection measures, habitat mitigation and restoration plans, to be implemented as part of the airfield safety projects. The City's proposed texts changes including the Commission's suggested modifications are laid out and discussed below:

**LUP/CP Suggested Modification #3**

**SECTION III-POLICIES  
ENVIRONMENTALLY SENSITIVE HABITAT- LCP POLICIES**

**Policy C-4** A buffer strip a minimum of 100 feet in width shall be maintained in a natural condition along the periphery of the ~~the~~ all wetland communities, based upon wetlands delineated in the map entitled "Airport and Goleta Slough Coastal Plan Wetland Habitats, dated January 1998," and/or the most recent available wetland survey of the site prepared in accordance with the definitions of Section 13577 (b) of Title 14 of the California Code of Regulations, and which ~~shall~~ include open water, coastal saltwater marsh, freshwater marsh, swamps, salt flats, mudflats, fens, seasonal wetland meadow, riparian woodland, shrub-scrub thicket and wetland transition habitats. Existing facilities necessary for Airport operations shall be retained and maintained in normal fashion. Incidental Airport uses and facilities necessary for existing Airport operations and found to be consistent with PRC Section 30233 may be provided and maintained. Where development of the Airfield Safety Projects renders maintenance of a 100 ft. buffer area between new development and delineated wetlands infeasible, the City shall provide the maximum amount of buffer area feasible and all impacts to wetland habitat shall be mitigated to the maximum extent feasible such that no net loss of wetland habitat occurs.

LUP/CP Suggested Modification #4

## ENVIRONMENTALLY SENSITIVE HABITAT- LCP POLICIES

Add New Policy C-10 after existing Policy C-9

**Policy C-10:** The Airfield Safety Projects, specifically development of the Runway Safety Area Project for Runway 7-25 and construction of Taxiway M, shall not result in the permanent net loss of wetland **or upland** habitat. Wetland areas temporarily affected by construction activities shall be restored to pre-construction conditions. The required mitigation ratios for the estimated 13.30 acres of permanent wetland and 10.87 acres of permanent upland impacts associated with the Airfield Safety Projects shall be as follows:

- Seasonal Wetlands 4:1
  - Creeks and open channels 2:1
  - Uplands 1:1
- Approximately 36 acres of wetland mitigation ~~will~~ shall be accomplished in accordance with the Airport's October 2001 wetland mitigation plan for the Airfield Safety Projects, in addition to the supplementary mitigation required below. The upland mitigation ~~will~~ shall be accomplished in accordance with the Airport's upland mitigation plan dated April 2002.
  - Prior to issuance of a Coastal Development Permit for the Airfield Safety Projects, a final wetland **and upland habitat** mitigation, **restoration, management, maintenance and monitoring plans shall be developed by a qualified biologist and/or resource specialist and shall be reviewed and approved by the California Department of Fish and Game. An implementation** schedule shall be developed **as part of the final mitigation plans** that includes detailed descriptions of the mitigation sites **and surrounding ecology**; mitigation goals, ~~and~~ objectives **and performance standards**; restoration and management actions **including procedures and technical specifications for wetland and upland planting; methodology and specifications for removal of exotic species; soil engineering and soil amendment criteria; identification of plant species and density**; maintenance requirements; monitoring methods, ~~frequency and~~ documentation requirements **and submittal schedules for reviewing agencies**; and performance criteria consistent with achieving the ~~required levels~~ **identified goals and objectives** of mitigation; **measures to be implemented if success criteria are not met; and long-term adaptive management of the restored areas for a period of not less than 7 years. Compliance with the plans referenced above shall be a condition of approval of a Coastal Development Permit for the Airfield Safety Projects. Implementation of the recommendations contained in the final wetland mitigation plan shall be made part of the Commission's conditions of approval for the Coastal Development Permit issued for the Airfield Safety Projects.**
  - The City shall implement all habitat mitigation and restoration requirements prior to or in concurrence with development of the Airfield Safety Projects to comply with the above identified mitigation ratios. With respect to wetland mitigation and tidal restoration of Goleta Slough, the City shall implement all measures necessary to fulfill a 3:1 mitigation requirement for impacts to wetland habitat prior to or concurrently with development of the Airfield Safety

Projects and shall continue to examine the feasibility of implementing tidal restoration as a means of meeting the full 4:1 wetland mitigation ratio requirement.

- Once there is authorization from the FAA to proceed with tidal restoration, and concurrence with the California Department of Fish and Game and the Goleta Slough Management Committee on the nature, scope and schedule of the tidal restoration projects following completion of the tidal restoration experiment, the City shall act as lead agency to develop and implement a Tidal Restoration Plan for at least 13.30 acres with participation from U.C. Santa Barbara, the California Department of Fish and Game, the Goleta Slough Management Committee and adjacent property owners. Should any participating agencies or property owners choose not to participate, or an agreement is not reached with all interested parties, the City shall continue to implement tidal restoration options to the maximum extent feasible unless the Commission or the FAA prohibit or deny tidal restoration.
- Within five years of issuance of the Coastal Development Permit for the Airfield Safety Projects the City shall present all documentation, findings and conclusions relative to the tidal restoration studies for review by the Commission. If the evidence demonstrates that tidal restoration is an infeasible means of satisfying the wetland mitigation requirements of the Airfield Safety Projects due to safety concerns, and/or the tidal restoration experiment or project is terminated at any point subsequent to implementation of an approved tidal restoration plan, the City shall immediately implement additional wetland mitigation measures to supplement mitigation efforts in full compliance with the 4:1 wetland mitigation requirements.
- If the results of the Goleta Slough Tidal Restoration/Bird Strike Experiment indicate that tidal restoration will not significantly and adversely increase the potential for aircraft bird strikes as determined by the FAA, the City shall provide 13.30 acres of the required wetland mitigation as part of a future, long-term project to restore tidal circulation to portions of Goleta Slough. In the event that ~~this tidal restoration~~ mitigation is determined to be infeasible, the City of Santa Barbara shall provide 13.30 acres of in-kind mitigation for impacts to seasonal wetlands to complete the mitigation requirement. The additional 13.30 acres of wetland mitigation will fulfill the Airport's requirements for wetland mitigation for the Airfield Safety Projects. **Priority shall be given to on-site mitigation for the additional 13.30 acres of wetland mitigation. Off-site mitigation measures shall only be approved should it not be feasible to fully mitigate impacts on-site. The City shall coordinate with the California Department of Fish and Game and the Goleta Slough Management Committee to identify potential off-site mitigation sites. Off-site mitigation measures shall be implemented in an area in close proximity to the project site as is feasible, and shall not be located outside of the Santa Barbara County area.**

Full compliance with all the above provisions of Policy C-10 shall be required by the terms and/or conditions of the Coastal Development Permit authorizing the Airfield Safety Projects.

LUP/CP Suggested Modification #7**NEW DEVELOPMENT-COMPONENT 9: AIRPORT AND GOLETA SLOUGH**  
**Existing Plans and Land Uses**

Zoning The Airport zoning ordinance divides the Airport-Slough into four zones. These are defined by Title 29 of the Municipal Code, and summarized below:

~~A-A-P Airport Approach and Primary Surface Area of airplane operations (runways, clear zones, etc.) intended for use as open areas; some agricultural uses allowed; heights limited.~~

~~A-A-O Areas beneath the approach surfaces, and the areas of aircraft operations adjacent to runways and taxiways, including Runway Protection Zones, and Runway and Taxiway Safety Areas. These are areas where it is desirable to enhance safety by restricting incompatible objects and activities, where construction of buildings or structures is precluded by the necessity to preserve most of the air space for low flying aircraft, and where noise levels are not compatible with most land uses.~~

G-S-R The Goleta Slough Reserve Zone is established in order to protect, preserve and maintain the environmentally sensitive habitat areas of the Goleta Slough for the benefit and enjoyment of future generations. The intent of this Zone designation is to ensure that any development in or adjacent to any wetland area is designed to preserve the wetland as it exists or improve the habitat values of the Goleta Slough Reserve Zone.

Land Use The Goleta Slough, greater than 200 about 400 acres in size, is located primarily in the south and west portions of the City owned property. According to Sections 29.15.105 29.25.030 and 29.25.040 of the Airport Zoning Ordinance, no development is allowed within the Slough except that which is designed to maintain the Slough as a natural preserve— or that incidental Airport uses and facilities necessary for existing Airport operations, which is are found to be consistent with PRC Section 30233. The numerous archaeological sites identified adjacent to the Slough are located in this region.

**NEW DEVELOPMENT- RECOMMENDED LCP LAND USE**

**Policy H-1:** Future development of Airport property and/or facilities within the "Major Public and Institutional" land use designation shall not result in adverse impacts to the wetland habitats of the Goleta Slough, related stream tributaries, or sensitive habitat areas due to additional sedimentation, runoff, or other disturbances. unless found to be consistent with PRC Section 30233 of the Coastal Act.

**Actions:**

- Any development within the Airport area shall be assessed for potential adverse impacts upon Goleta Slough. Applicable mitigation measures developed in the environmental assessment shall be implemented prior to any development.

The City's proposed text changes to Policy C-4 provide that incidental airport uses and facilities found to be consistent with Section 30233 may be provided and maintained in wetland habitat and buffer areas. **LUP/CP Suggested Modification #3** recommends supplemental policy text to further specify that incidental airport uses and facilities found to be consistent with Section 30233 be allowed only if necessary to maintain existing Airport operations. Similarly, **LUP/CP Suggested Modification #7** is recommended with the City's proposed text changes of the

LUP's background discussion on existing land use. The suggested modifications further restrict and clarify the types of uses allowed in wetland buffers and ensure that only those uses necessary to safely operate and maintain existing Airport operations may be permitted in designated wetland buffer areas, where such uses are found to be consistent with Section 30233.

The suggested modification to Policy C-4 also includes text changes to incorporate additional habitat types/varieties to be included and protected as wetland communities and also specifies that wetland delineations, and the required 100 foot buffer around wetland areas, may be delineated according to the "Airport and Goleta Slough Coastal Plan Wetland Habitats, dated January 1998," referenced in the Land Use Plan, and/or according to the most recent available wetland survey prepared in accordance with the Commission's definition of wetlands as detailed in Section 13577 (b) of Title 14 of the California Code of Regulations. In addition, the suggested modification for Policy C-4 includes an exclusion of the airfield safety projects from the 100 foot wetland buffer requirement. As described in detail above, the Commission finds that the airfield safety projects constitute an allowable use for fill of wetlands consistent with all provisions Section 30233 of the Coastal Act. Thus, an exclusion from the 100 foot buffer requirement for the airfield safety projects is warranted in this particular case.

The Commission's suggested supplemental text, in combination with the City's proposed text changes, are necessary to allow for the development of the airfield safety projects consistent with the policy provisions of the LUP, including use of an updated and recent wetland delineation map, and providing an exclusion of the airfield safety projects from the 100 foot buffer requirement only where impacts to wetland habitat are mitigated to the maximum amount feasible such that no net loss of wetland habitat occurs. The suggested modification provides special provisions for development of the airfield safety projects and will allow for the safety projects to be carried out consistent with Policy C-4 as modified. However, the proposed text changes with suggested modifications do not undermine the intent of the resource protection policy. Policy C-4 will continue to ensure that habitat areas be appropriately assessed and delineated, and that maximized natural buffer areas be provided between new development and wetland habitat to maintain the biological productivity and water quality of the adjacent wetland habitat, as required by Section 30231 of the Coastal Act, and to limit development in wetland areas to only those uses that are absolutely necessary to maintain existing airport operations, and which are permitted pursuant to Section 30233 of the Coastal Act.

To address adverse impacts to wetland habitat resulting from the proposed safety projects the City is proposing new policy language to require restoration of wetland and open water habitat similar to those habitat areas affected by the proposed safety projects. Additionally, the City's proposed Policy C-10 includes measures to carryout the Goleta Slough Tidal Restoration/Bird Strike Experiment to determine the feasibility of restoring tidal circulation to portions of Goleta Slough as a means of providing additional mitigation for impacts to wetland habitat. The proposed mitigation policies will ensure that impacts to wetland habitat are mitigated at ratio of no less than 4:1, or 3:1 of mitigated in-kind habitat in conjunction with a final approved tidal restoration plan. The proposed mitigation policies further require that permanently impacted open water creek habitat will be mitigated at a ratio of no less than 2:1, and that mitigation plans include a detailed description of mitigation sites, a description of goals and objectives, maintenance and monitoring methods, documentation requirements, and performance criteria to determine the success of mitigation efforts.

The Commission's suggested policy modification, **LUP/CP Suggested Modification #4**, relative to the City's proposed habitat mitigation and restoration Policy C-10, adds to and enhances the proposed resource policy, by requiring that final habitat mitigation and restoration plans be reviewed and approved by an appropriate biologist/resource specialist and the California Department of Fish and Game, and that the plans consists of adequate technical specifications relative to identified mitigation sites, implementation schedules, restoration procedures, performance standards and goals, and for long-term adaptive management of restored habitat areas. LUP/CP Suggested Modification #4 also requires that implementation of the City's proposed habitat mitigation and restoration plans occurs either prior to or in conjunction with development of the airfield safety projects. The suggested policy modifications will ensure that habitat mitigation and restoration will be implemented pursuant to a detailed and thorough restoration plan, with adequate mitigation ratios, and in a timely manner to ensure that adverse impacts to wetland habitat areas are minimized to the maximum extent feasible, consistent with the requirements of Section 30233 of the Coastal.

In addition, the City's proposed new habitat mitigation policy C-10, in combination with the recommended suggested modifications, will ensure that the City carries out its commitment to assess the feasibility of implementing tidal restoration as a means of fulfilling the 4:1 mitigation ratio required for impacted wetlands. Suggested modifications include provisions for the immediate implementation of wetland restoration plans at a ratio of 3:1 prior to or in conjunction with construction while the City continues to examine the possibility of restoring tidal circulation to portions of Goleta Slough. Suggested modifications further specify the City shall report to the Coastal Commission within five (5) years with the findings and conclusions regarding the tidal restoration experiment and, following authorization by the FAA to proceed, the City shall act as lead agency to implement the approved tidal restoration projects. Policy C-10, as modified, also includes a requirement for additional wetland mitigation and restoration of approximately 13.30 acres to fulfill the 4:1 mitigation requirement, with priority given to on-site mitigation, should it be determined that tidal restoration is an infeasible alternative for fulfilling the 4:1 wetland mitigation requirement. The additional wetland restoration plans will be developed consistent with the criteria outlined in Policy C-10, as modified by the suggested modifications. The proposed LCP Amendment with suggested modifications will ensure that impacts to sensitive wetland and open water habitat resulting from the airfield safety projects will be minimized and that adequate mitigation is provided to ensure long-term persistence of sensitive habitat areas of Goleta Slough, consistent with the requirements of Section 30233 of the Coastal Act, regardless of the final decisions made regarding the feasibility of tidal restoration in portions of Goleta Slough.

**LUP/CP Suggested Modification #9** recommends that the City's proposed text changes to policy H-1 of the certified Land Use Plan be deleted. As submitted, the proposed text changes would allow for development in the Major Public and Institutional land use designation to impact habitat areas of the Slough if the development use is found to be consistent with Section 30233 of the Coastal Act. The recommended suggested modification would retain existing policy language of Policy H-1 to ensure that future development in the Major Public and Institutional land use designation not result in adverse impacts to habitat areas of Goleta Slough due to sedimentation, runoff, or other disturbances.

#### **4.4.2 ESHA AND SPECIAL STATUS PLANT AND WILDLIFE SPECIES**

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 30240 of the Coastal Act states:

*(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*

*(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*

Environmentally Sensitive Habitat Areas (ESHA) are defined as areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Section 30230 of the Coastal Act mandates that special protection be given to areas and species of special biological or economic significance and that uses of the marine environment 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. Section 30240 of the Coastal Act states that ESHAs shall be protected against disruption of habitat values and that only uses dependent on the resources be permitted within an ESHA.

#### **Environmentally Sensitive Habitat Areas (ESHA)**

##### **Upland Habitat**

Upland vegetation classified as ruderal has colonized most of the upper surfaces of the artificial dikes and berms that line the Slough's basins and creek channels. Scrub vegetation is scattered over many parts of the area. Coastal bluff scrub is common at the project area, and Coastal sage scrub vegetation occurs along the southern margin of Goleta Slough. The City is proposing upland habitat mitigation and restoration plans as part of the LCP Amendment submittal as detailed in the Proposed Upland Habitat Mitigation, Aviation Facilities Plan – Airfield Safety Projects, Santa Barbara Airport, dated April 6, 2002. The upland habitat mitigation plan concludes that no oak woodland, coastal sage scrub, or native grassland will be impacted by construction of the airfield safety projects. Approximately **10.9 acres** of upland habitat would be permanently impacted as a result of the of the proposed airfield safety projects, however, the effected upland habitat consists mostly of non-native annual grassland and weeds.

Mitigation plans include upland habitat mitigation to be implemented at a minimum 1:1 ratio, as detailed in the City's proposed Policy C-10. In addition, the Proposed Upland Habitat Mitigation, Aviation Facilities Plan – Airfield Safety Projects, Santa Barbara Airport, dated April 6, 2002, identifies mitigation sites for upland habitat which include new upland habitat areas that would be created with the filling of Tecolotito and Carneros creeks due to their relocation, and additional upland habitat areas that will be created in the safety area west of Runway 7-25. The mitigation plan specifies that approximately **8 acres** of upland habitat will be created in these areas by revegetating the areas to annual grassland with native grasses, perennial herbs, and low growing shrubs. Approximately **4 acres** near the new Runway Safety Area, presently used for dewatering and temporary storage of spoils dredged from the sediment basins of Tecolotito and Carneros creeks, would also be restored to upland habitat. This area will also serve as a buffer between the shifted runway and Carneros Creek. Restoration efforts will include revegetation using California brome, meadow barley, quail bush, coyote brush, giant ryegrass, California sagebrush, and coastal goldenbush.

Additional upland habitat enhancement efforts included in the upland habitat mitigation plan for the airfield safety projects include weeding and protecting **8.4 acres** of upland habitat that surrounds the wetland areas to be restored in Area I. The surrounding habitat currently contains extensive coyote brush scrub and several small oak groves. Enhancement efforts in this area will include removal of eucalyptus trees, pampas grass, and scattered tamarix. The upland habitat area proposed for enhancement is adjacent to a habitat restoration site on the North Bluffs of the University of California at Santa Barbara. As such, the upland habitat enhancement efforts in this area will complement the existing habitats along the southern edge of Goleta Slough, providing a contiguous upland habitat area and buffer to the tidal wetlands of the Slough.

#### **Essential Fish Habitat (EFH)**

The FAA, as a co-lead agency on this project has consulted with the National Marine Fisheries Service (NMFS) pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, which requires federal agencies to confer with the NMFS when an activity by a federal agency may have adverse impacts on designated "Essential Fish Habitat" (EFH). The EFH regulations define an adverse effect as "any impact which reduces quality and/or quantity of EFH. The occurrence of EFH within the project area is designated by the Pacific Fishery Management Council, and includes Pacific Groundfish, Pacific Salmon and Coastal Pelagic Species. The Groundfish EFH, a tidal portion of Tecolotito Creek within Goleta Slough, is within the EFH. Groundfish that occur in Goleta Slough for part of their life-cycle include the rex sole and starry flounder.

#### **National Marine Fisheries Service Concurrence**

The NMFS determined that the potential impacts to Essential Fish Habitat from the project could include construction related turbidity and sedimentation, indirect impacts from hydrologic changes, increased storm water run-off from the paved surfaces on the runway, the permanent loss of 13.3 acres of wetlands, and the temporary disturbance of 1.77 acres of wetlands. The NMFS concurred with FAA's determination that the project will not have permanent adverse effects on EFH, provided its conservation recommendations are implemented.

#### **EFH Conservation Recommendation Response**

Section 305(b)(4)(B) of the Magnuson-Stevens Act requires the City/FAA to provide a detailed written response to the conservation recommendations made by the NMFS, including a description of measures adopted by FAA for avoiding, mitigating, or offsetting the impact of the

project on EFH. Should the FAA response be inconsistent with the NMFS recommendations, the FAA must provide justification, including scientific evidence for any disagreements related to the anticipated effects of the project, and measures needed to avoid, minimize or mitigate such effects.

### **Fish Habitat**

Construction impacts associated with the proposed airfield safety projects could potentially affect steelhead and Essential Fish Habitat in Goleta Slough because the relocation of Tecolotito Creek involves earthwork and a temporary stream diversion. Hydrologic impacts were modeled in November 2000 (URS)<sup>6</sup>, to determine the effects of changes to creek elevation, channel geometry, and current and sediment transport. Modeling indicated that the project would not affect the hydraulic conditions or the ability of fish to migrate through the slough. The Biological Assessment for the Southern Steelhead Trout (2001) states that there have been no sightings or historic records of steelhead along Carneros or Tecolotito Creek, although it is possible for steelhead to migrate upstream on Tecolotito Creek in the winter.

In its review of the project (Section 404(b)(1) Evaluation) the Corps of Engineers stated that:

*Although the realignment of the creek would permanently affect 4.93 acres of habitat (Pacific Groundfish Essential Fish Habitat) for fish and other aquatic organisms in portions of Tecolotito and Carneros Creeks, there would be a net gain of 4.34 acres of habitat for fish (the PGEFH) and other aquatic organisms due to the proposed lengthening and realignment of Tecolotito Creek. Measures proposed to mitigate these impacts are included in the project (such as revegetation of the creek banks and overbank areas), and over time, habitat for fish and aquatic organisms is expected to improve as natural physical processes take place in the channel and in adjacent wetlands. Epifaunal and infaunal organisms are expected to recolonize the newly excavated channel as tidal action and/or flows from upstream areas bring aquatic species into the new channel.*

Under the alternative to construct a box culvert under the Runway Safety Area (least preferred) the Corps stated:

*There would be a net loss of 1.38 acres of creek habitat (the PGEFH). The concrete box culvert would eliminate sunlight and the earthen channel bottom and banks that currently support habitat for fish and aquatic organisms. The culvert is also expected to fragment aquatic habitats upstream and downstream from the runway safety area, and it is expected to present a significant barrier to movement of aquatic species.*

The City of Santa Barbara's Biological Assessment for the Southern Steelhead Trout, prepared under Section 7 consultation with the NMFS states that:

*Connecting the new channels to the existing ones will involve temporary stream diversions and cofferdams. The work would be accomplished in the summer when flows are minimal to absent, and during low tides. Under these conditions, steelhead would not be migrating upstream or downstream. The proposed channel relocation will not introduce any new passage impediments or barriers, nor will it exacerbate any existing impediments*

<sup>6</sup> Channel Modification Alternatives for the Runway Safety Area Extension Project, Master Drainage Plan, URS (2000)

## **SPECIAL-STATUS PLANT AND WILDLIFE SPECIES**

### **State and Federal Endangered Species and Sensitive Species**

Special status plant and wildlife species, and their associated habitats, are legally protected under the Federal Endangered Species Act of 1973 and the California Endangered Species Act of 1984. Under both state and federal legislation, the California Department of Fish and Game, U.S. Fish and Wildlife Service and National Marine Fisheries Service are responsible for the management and protection of special status species. Any project that could potentially affect a special status plant or wildlife species, or its habitat, requires review and/or consultation with the previously mentioned agencies.

### **Section 7 Consultation**

In addition, the FAA has been involved in informal Section 7 consultation with the U.S. Fish and Wildlife Service throughout the study process for the listed species. In accordance with Section 7 of the Endangered Species Act of 1973, the USFWS determined that the project, as proposed, is not likely to adversely affect the Belding's savannah sparrow, or any federally threatened or endangered species.

### **Plant Species**

The City conducted field surveys to determine the presence of plant species of concern at the project site in 1996 and 2000. These initial aerial surveys were further supplemented with information from the previous Airport Master Plan EIR (1984), and an updated survey (2000) that mapped vegetation types and jurisdictional wetland habitats using the criteria of the U.S. Army Corps of Engineers and the California Coastal Commission. The findings of the 2000-URS surveys were consistent with earlier vegetation mapping and survey efforts of Ferren and Rinblaub (1983) identifying wetland and upland habitats and the occurrence of sensitive plant species. This baseline information was augmented with recent field observations (URS-2000).

The vegetation surveys determined that several sensitive plant species known or likely to occur on the airport property could be impacted by the proposed project. Two species, estuary seablite (*Suaeda esteroa*) and arrow grass (*Triglochin concinna* var. *concinna*), have been previously reported from upper marsh area of Goleta Slough but have not been observed recently<sup>7</sup>. These species are considered locally rare, although neither has been listed by the USFWS/CDFG or CNPS.

### **Salt Marsh Bird's Beak (*Cordylanthus maritimus* ssp. *maritimus*)**

The Salt Marsh Bird's Beak is a state and federally listed endangered plant species that is found at Carpinteria Marsh and at Morro Bay, but nowhere else in between. It is partially parasitic on the roots of other marsh plants in the intertidal zone of southern and central California salt marshes. Although there are reports of this plant in Goleta Slough in various planning documents, no verified records or herbarium specimens have been found to substantiate its historical occurrence in Goleta Slough (Ferren 1994). The Biological Assessment notes that a search of herbarium specimens and records failed to yield any evidence of the plant's occurrence at Goleta Slough. In 1985 the USFWS identified Goleta Slough as a potential introduction site to promote recovery of the species. Because the Salt

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<sup>7</sup> Biological Assessment and Impact Analysis of the Proposed Santa Barbara Airport Aviation Facilities Plan (2001)

Marsh Bird's Beak is not located in the project vicinity or Goleta Slough, the project will not affect this species.

The USFWS stated that:

*Although there have been anecdotal reports of the federally endangered salt marsh bird's beak existing historically in the project area, no records have been found to verify its presence in Goleta Slough and it is not expected to occur in the proposed project area.*

#### **Southern Tarplant (*Hemizonia parryi* ssp. *australis*)**

The Southern Tarplant, is a federal species of concern and a California Native Plant Society (CNPS) List 1B plant. It is a summer to fall flowering annual herb that occurs in relatively open, coastal habitats including grasslands, small drainages, or areas of seasonal ponding near the coast. It is found in numerous locations in Goleta Slough, in the area adjacent to the Tecolotito Creek sedimentation basin, and the disturbed uplands south of Tecolotito Creek. It has also been found within the Runway Safety Areas, although not since the completion of a grading project that took place in 1999. The population in the vicinity of the Tecolotito Creek sediment basin would likely be affected by the project due to the proposed expansion of the sediment basin, access roads and creek excavation.

#### **Coulter's Goldfields (*Lasthenia glabrata* ssp. *coulteri*)**

The Coulter's Goldfields, a federal Species of Concern, and a CNPS List 1B plant is located in an area associated with a diked basin adjacent to Tecolotito Creek, and in a narrow zone around the rims of several basins. The species is widely distributed in Southern California, but is restricted to rare habitats such as vernal pools, seasonally flooded playas and saline flats on the margins of estuaries. Additional populations of the species have been established within Goleta Slough as part of a mitigation/restoration project for a previous safety area grading project. Impacts to the *Lasthenia* could occur at the diked basin during the excavation and realignment of Tecolotito Creek, grading of access roads adjacent to the creek, or modifications to existing berms along diked basins.

#### **Wildlife Species**

Listed and proposed species of wildlife that have a likelihood of occurrence in the project area include the California Brown Pelican (*Pelecanus occidentalis californicus*), light-footed clapper rail (*Rallus longirostris levipes*), Belding's savannah sparrow (*Passerculus sandwichensis beldingi*), California red-legged frog (*Rana aurora draytonii*), tidewater goby (*Eucyclogobius newberryi*) and Southern California steelhead trout (*Oncorhyncos mykiss irieus*).

Critical habitat has been designated for the western snowy plover and proposed for the California Red-legged frog (CRLF). The designated critical habitat for the western snowy plover includes beaches adjacent to the UCSB Coal Oil Point Reserve, located 2 miles west/southwest of the airport property and the beach area west and east of the Santa Barbara Pier approximately 10 miles east of the airport<sup>8</sup>. The City states that:

<sup>8</sup> Federal Register 2000, Vol. 64, No. 234, 68508

*The proposed critical habitat for the CRLF (Federal Register 1996, Vol. 61, No. 101, 25813) does not include any of the creeks that flow into Goleta Slough, nor is it expected that the CRLF would be found in the slough or in any affected area due to its inability to tolerate saline conditions.*

#### **Southern California Steelhead (*Oncorhyncos mykiss irieus*)**

The southern steelhead occurs in coastal streams and creeks of central and northern California and southern Oregon. Populations that occur between Los Angeles County and northern Santa Barbara County constitute the South Central California Coast Evolutionary Significant Steelhead trout (ESU), which has been designated as an endangered species by the NMFS.<sup>9</sup> The NMFS has designated certain rivers and streams as critical habitat for the southern steelhead, including all accessible streams along the South Coast of Santa Barbara County. Streams without impassable fish barriers within the historic range of the steelhead would be included. Tecolotito and Glen Annie Creek represent this critical habitat from the mouth of Goleta Slough to Glen Annie Dam.

In commenting on the draft EIS/R the National Marine Fisheries Service stated:

*The proposed activities occur within the Southern California Evolutionary Significant Unit (ESU) for the Federally endangered steelhead (*Oncorhynchus mykiss*) and designated steelhead critical habitat. Steelhead migration may potentially be adversely affected by construction impacts related to the creek relocation. In addition, water quality impacts associated with improvements and modification to the AFP area related to construction, and overall increase of impervious surface areas, expanded airport operations, and storm water discharge, may potentially adversely affect steelhead migration.*

The National Marine Fisheries Service concurred with the City's determination that the proposed project will not adversely affect the Federally endangered steelhead provided the following special conditions are implemented. The NMFS further requires written documentation that the FAA/City of Santa Barbara will implement those conditions. Should the City choose not to modify the proposed project then formal section 7 consultation must be initiated.

1. The Carneros creek sediment basin should be enlarged according to the proposed plan described in URS Corporation's Proposed Enlargement of Carneros Creek Sediment Basin dated July 2001. The Tecolotito Creek sediment basin should also be enlarged as described in the DEIS/EIR.
2. The new channel should be completed before connecting to the existing channel to avoid the need for extensive stream diversions during construction.
3. Construction related to the connection of the new channel to the existing channel should only be conducted between July 15 and October 1 of any given year.
4. The applicant shall install silt fencing, temporary in-stream siltation basins, stream diversions and implement other best management practices to minimize downstream turbidity and sedimentation impacts.

#### **California Brown Pelican (*Pelecanus occidentalis californicus*)**

The California Brown Pelican is a state and federal listed endangered species. It is a common year round species to coastal regions in Santa Barbara County, and they are known to breed at offshore islands such as Anacapa and the Channel Islands, from January to June. The Brown Pelican is often observed feeding and resting in lower Tecolotito Creek near Goleta Beach

<sup>9</sup> Biological Assessment for the Southern Steelhead Trout, Santa Barbara Airport Draft EIS/EIR for the Aviation Facilities Plan (2001)

County Park. Although the California Brown Pelican is expected to occasionally fly near the project area, it generally feeds in near shore ocean waters, and rests on beaches and on Goleta Pier. Impacts to the Pelican are not likely to occur as a result of the project.

In reviewing the City's Biological Assessment, the U.S. Fish and Wildlife Service stated :

*The only species currently found in the vicinity of the airport is the federally endangered brown pelican (Pelecanus occidentalis). The brown pelican is occasionally observed roosting near the mouth of Goleta Slough, approximately two miles away from the proposed runway expansion area. Therefore, we concur that the airport facilities plan as proposed, would not affect federally threatened and endangered species.*

**Light-footed Clapper Rail (*Rallus longirostris levipes*)**

The light-footed clapper rail typically resides in California coastal salt marshes from Carpinteria to San Diego. It is a state and federal listed endangered species that has historically been found in Goleta Slough, although the last record of this was a single individual reported in 1972. Surveys of pickleweed habitat in Goleta Slough found no evidence of the species, and did not report vocalizations (Holmgren 1995). Potential habitats for the species could be affected if transitional creek habitats are removed during excavation of Tecolotito Creek.

**Belding's Savannah Sparrow (*Passerculus sandsichensis belding*)**

The Belding's savannah sparrow is a state listed endangered species and a federal Species of Concern. It is a permanent resident of Goleta Slough and breeds with the slough's ecosystem. Surveys conducted by Holmgren and Burnell in 1992 recorded 72 pairs of breeding birds within Goleta Slough. The highest density of Belding's savannah sparrows (more than 3 pairs per hectare) was observed in the central slough basin, south of runway 7/25 and west of runway 15R/33L. During these surveys, the sparrow was observed foraging in areas dominated by pickleweed at low tides, in the grassy area near the runways, and at the west end of Goleta Beach County Park (Exhibit 15).

The City has been conducting surveys for the Belding's savannah sparrow for its bird strike hazard study and to provide accurate estimates of the population for the US Fish and Wildlife Service. A total of 68 individuals were sighted during a May 2001 survey.

|                     |          |
|---------------------|----------|
| Basin "A" thru "D": | 59 Birds |
| Basin "E" and "F" : | 4 Birds  |
| Basin "G" :         | 2 Birds  |
| Basin "L" and "M":  | 3 Birds  |

The results of these surveys are consistent with the previous surveys done in 1994 (Exhibit 15). The sparrow is typically restricted to the pickleweed marsh areas of Goleta Slough, although it may forage in adjacent upland scrub and grassland areas. No individuals were sighted at the location of the proposed Taxiway M or Runway Safety Area extension site, at the end of Runway 7-25.

The Biological Assessment for the project states:

*Goleta Slough supports suitable habitat and all the life history function for Belding's savannah sparrow. At least 117 pairs of breeding savannah sparrows were recorded in Goleta Slough in 1994 (Holmgren and Kisner 1994).*

The proposed project would potentially affect and limit the distribution of this species in Goleta Slough because the existing undeveloped land west of runway 7/25 would become unavailable for life history functions (such as foraging) or restoration. However, relocation of Tecolotito Creek and restoration of native vegetation along the creek channel (see attached mitigation measures) would potentially provide a greater amount of higher quality suitable habitat for Belding's savannah sparrows over time.

The California Department of Fish and Game stated in commenting on the DEIS/EIR:

*the Department finds the project as proposed (Alternative 1, relocations of the western portion of Tecolotito and Carneros Creeks) will result in significant, but mainly mitigable impacts. The Department recommends the City select this alternative. The Department does not recommend selection of Alternative 2 (the box culverting of Tecolotito Creek) as this option would not fully mitigate for impacts to Belding's Savannah Sparrow as would be required by the California Endangered Species Act (CESA) The City will need to secure both an Incidental Take Permit for the Belding's Savannah Sparrow, and a Streambed Alteration Agreement for the relocation of Tecolotito and Carneros Creeks.*

Under the existing California Endangered Species Act (Section 2081 of the Fish and Game Code) the CDFG may authorize, by permit, the take of endangered species. To obtain a California Incidental Take Permit the applicant must show that the impacts will not jeopardize the continued existence of the species, the impacts of the "taking" are minimized and fully mitigated to the extent that it is "roughly proportional" to the impact of the taking on the species, the proposed mitigation shall be capable of successful implementation, and that the applicant provide adequate funding to implement necessary mitigation measures including monitoring compliance of the effectiveness of those measures.

**Western Snowy Plover (*Charadrius alexandrinus nivosus*)**

The western snowy plover is a federally listed threatened species and a state Species of Concern. Critical habitat for this species has recently been designated by the USFWS (Federal Register 2000, Vol. 64, No. 234, 68508), although the designation does not include any of the airport property. The nearest critical habitat is located some 2 miles west/south west of the airport near the Santa Barbara Harbor. Historic records indicate that Goleta Beach Park supported wintering and nesting snowy plovers before the 1950's, though nesting activity at the park has not been observed for many decades. Recent surveys of Goleta Slough and the airport property have not reported the presence of snowy plovers (Holmgren 1995).

**California Red-legged Frog (*Rana aurora draytonii*)**

The California red-legged frog is a federal listed threatened species and a state Species of Concern. Although critical habitat has been proposed for the species, the critical habitat proposal does not include the airport property or any of the seven creeks that flow into Goleta Slough. The red-legged frog is a pond frog that frequents marshes, slow portions of streams, lakes and other permanent bodies of water. They are attracted to ponding areas which contain extensive plant cover including rushes and reeds. The City's Biological Assessment states that:

*There are no records of the frog in Goleta Slough or in the project area, and it is not expected to occur in salt marshes due to its intolerance of saline conditions. Due to the absence of suitable or critical habitat for the CRLF in Goleta Slough and in the project area, the proposed project is not expected to affect this species or its habitat, therefore no mitigation is proposed*

**Tidewater Goby (*Eucyclogobius newberryi*)**

The tidewater goby is a federally listed endangered species and a state Species of Concern. It was recently proposed for de-listing (Federal Register Vol. 64, No. 121, June 24, 1999). The species inhabits coastal lagoons and other brackish habitats in coastal streams along the California coast.

*In Santa Barbara County, this species presently occurs only in stream and river mouths, and coastal canyon lagoons that are brackish due to freshwater inflow; it is not found in either of the major structural basin estuaries (Goleta Slough, Carpinteria Marsh) which have high salinity and are dominated by tidal circulation in the lower reaches. These structural basins also have relatively narrow estuarine-fresh water transition areas. Locally, this species occurs in brackish lagoons at the mouths of Tecolote Creek, Bell Canyon Creek, Devereux Creek, Arroyo Burro Creek, Mission Creek and Sycamore Creek.*

*The tidewater goby has been reported from Goleta Slough, but no museum records exist to verify these reports. Sampling in 1987 and in 1993 failed to locate any tidewater gobies in Goleta Slough, and none are assumed to be present.*

The City states that potential impacts from the proposed project could result in:

*Sedimentation of downstream area of Tecolotito Creek near the mouth of Goleta Slough in the event that erosion control measures fail or are ineffective. The resultant (potential) change to the bathymetry of Goleta Slough (from sedimentation) may adversely affect the mouth of Goleta Slough. However, since the species has not been reported from Goleta Slough in recent survey efforts, the proposed projects direct and indirect effects on downstream portion of Goleta Slough are not expected to adversely affect potential habitat for tidewater goby, and due to the proposed longer channel, more habitat would be available for the species in the event it were to re-colonize Goleta Slough in the future.*

**Chapter Three Policies of the Coastal Act Consistency Analysis**

The proposed LCP Amendment is intended to facilitate development of airfield safety projects for Santa Barbara Airport, that will result in potential adverse impacts to the ESHA and sensitive plant and wildlife species discussed above. The following suggested modifications are necessary to ensure that adverse impacts to ESHA and sensitive species are avoided and minimized, consistent with the requirements of Sections 30230 and 30240 of the Coastal Act.

**LUP/CP Suggested Modification #5**

**Policy C-14: Special status plant and wildlife protection measures shall be implemented for all development projects that will potentially impact sensitive plant and wildlife species and/or that will result in disturbance or degradation of habitat areas that contribute to the viability of plant or wildlife species designated as rare, threatened or endangered under State or Federal law, including plant species designated as rare by the California Native Plant Society.**

**Policy C-15: With respect to the Airfield Safety Projects, all construction, habitat mitigation and restoration plans, and special status plant or wildlife mitigation and protection measures, shall be reviewed and approved by the regulatory agency/agencies having jurisdiction over the identified resource, including the California**

Department of Fish and Game, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service, and shall at a minimum include:

- Project timing and implementation schedules that describe timing, duration, methods, and staging areas for all construction operations and restoration plans. The Project timing and implementation schedules shall include a submittal schedule for implementation of proposed restoration plans and for all resource monitoring reports.
- Prior to commencement of construction activities, surveys of the project area shall be conducted for special status wildlife species. Should the site survey identify special status wildlife species on or near the project site a qualified biologist or resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall be reviewed and approved by the regulatory agency/agencies having jurisdiction over the identified resource and commencement of construction shall not proceed until such review and approval is granted.
- Construction shall not occur during the nesting and breeding season from mid-March to the end of June, unless a qualified biologist and/or resource specialist and the California Department of Fish and Game, determine with certainty that construction activities will not adversely impact sensitive bird species. Special resource avoidance and management plans shall be implemented for Belding's savannah sparrow.
- Construction activities related to the Tecolotito Creek realignment shall minimize extensive stream diversions during construction and shall minimize potential impacts to steelhead. Construction of the new creek channel shall be completed prior to connecting with the existing channel and final diversion of stream flow into the new creek channel shall be conducted only between July 15 and October 1 of any given year to avoid the migration period of steelhead.
- Prior to commencement of construction activities, surveys of the project area shall be conducted for special status plant species. Potential impacts to sensitive plant species shall be fully mitigated and a qualified botanist or other resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall include, but not be limited to, species-specific salvage or seed collection, salvage of topsoil, restoration of disturbed areas and establishment of new populations in suitable habitat areas. Mitigation, restoration, management, maintenance and monitoring plans shall be developed by a qualified botanist and/or resource specialist and shall be reviewed and approved by the California Department of Fish and Game.

#### **Essential Fish Habitat and Southern California Steelhead**

The proposed LCP Amendment and associated airfield safety projects may potentially impact Essential Fish Habitat and steelhead in Goleta Slough due to construction activities and temporary stream diversion that will be conducted for the relocation of Tecolotito Creek. Water quality impacts associated with improvements and modifications to the areas disturbed by construction of the safety projects, including an overall increase of impervious surface area and development footprint, and subsequent polluted stormwater discharge, may also adversely affect steelhead migration. To ensure that the approval of the proposed LCP Amendment and airfield safety projects does not result in adverse impacts to EFH and steelhead, the Commission's LUP/CP Suggested Modification #5 includes incorporation of Policies C-14 and

C-15 in the City's certified LCP which require that special protection measures be implemented to avoid and minimize potential adverse impacts to Essential Fish Habitat and steelhead. Policy C-15 specifically requires that construction activities related to the west creek realignment project minimize extensive stream flow diversions during construction and that construction of the new creek channel be completed prior to connecting with the existing channel. Policy C-15 also requires that final diversion of stream flow into the new creek channel be conducted between July 15 and October 1 to avoid the migration period of steelhead. In addition to the recommended sensitive habitat and species protection policies, LUP/CP Suggested Modification #5 requires that a WQMP and SWPPP be developed and implemented at the site, and includes provisions to provide BMPs for ground disturbing projects and hydromodification projects, to minimize and treat runoff from developed areas, and to reduce excessive sedimentation into the creek habitats of Goleta Slough. Suggested Policies C-12 and C-13 will serve to mitigate potential adverse impacts resulting from construction activities, as well as cumulative adverse water quality impacts that could result from development of the airfield safety projects (See **Section 4.4.4 Water Quality** for additional discussion on water quality).

#### **Southern Tarplant and Coulter's Goldfields**

**LUP/CP Suggested Modification #5** for Policies C-14 and C-15 also speaks to the preservation and mitigation of the Southern Tarplant and Coulter's Goldfields. The policies are recommended to preserve and protect the sensitive plant species onsite and to establish new populations onsite where necessary for mitigation efforts, which will be protective of the sensitive plant species as required under Section 30240 of the Coastal Act. Suggested Policy C-15 specifies that surveys shall be conducted prior to construction activities, which will determine the extent of possible impacts on sensitive plant species, and that potential impacts be avoided or fully mitigated. The suggested policy also enhances protective measures by requiring that mitigation and restoration plans be prepared by a qualified botanist or resource specialist and describes methods for mitigating impacts such as species specific salvage or seed collection, salvage of topsoil, restoration of disturbed areas and establishment of new populations in suitable habitat areas. Additionally, in order to ensure effective and lasting preservation of the sensitive plant species, the suggested modification requires detailed maintenance and monitoring plans to be developed and implemented. The Commission finds that the protective measures detailed in the suggested policy language for Policies C-14 and C-15 are adequate to protect sensitive plant species and carry out the intent of Section 30240 of the Coastal Act.

#### **Belding's savannah sparrow**

Implementation of the City's proposed wetland mitigation plans submitted with the LCP Amendment will result in additional areas of potential habitat for the Belding's savannah sparrow in a continuous corridor along the realigned stream corridor. As such, Policy C-10 as submitted by the City and modified pursuant to the Commission's suggested modifications provides some mitigation measures necessary to address potential impacts to the sensitive species. The Commission's **LUP/CP Suggested Modification #5** to include Policies C-14 and C-15 will further ensure that potential impacts on the Belding's savannah sparrow are avoided and minimized to the maximum extent feasible by requiring that site surveys be conducted prior to commencement of construction activities and that a qualified biologist or resource specialist develop an avoidance and/or mitigation plan for implementation to minimize potential impacts. Policy C-15 also provides that construction is not to take place during the nesting and breeding season for bird species, unless specifically authorized by a qualified biologist/resource

specialist and the California Department of Fish and Game, and only upon a determination that construction activities will not adversely impact sensitive species.

A number of sensitive plant and animal species are known to occur on or near the Airport/Goleta Slough site including Southern California Steelhead and the Belding's Savannah Sparrow, Southern Tarplant and Coulter's Goldfields. The proposed LCP Amendment includes new policy language for extensive habitat mitigation plans that will serve to minimize the loss and disturbance of sensitive habitat areas that may occur as a result of development of the airfield safety projects. The habitat restoration plans, which will be carried out pursuant to the provisions of the City's proposed habitat mitigation policy C-10, and as modified pursuant to the suggested modifications, will ultimately provide additional habitat area with significant restored habitat value and function that will serve to support sensitive plant and wildlife species on the site. In addition, a suggested modification for new policies C-14 and C-15 require that avoidance and/or protection measures be implemented for development projects which could potentially impact sensitive plant or wildlife species including timing of development activities to avoid disturbance of fish and wildlife, requiring site surveys to be conducted prior to commencement of construction activities to avoid and/or minimize disturbance of special status species, and implementation of detailed mitigation and restoration plans for unavoidable impacts to sensitive plant species. The proposed LCP amendment in combination with suggested modifications provides a comprehensive set of policies to protect and preserve the sensitive plant and wildlife species onsite, and significant habitat areas that support such species, consistent with Sections 30230 and 30240 of the Coastal Act.

#### **4.4.3 STREAM ALTERATION AND HAZARDS**

Section 30236 of the Coastal Act provides that:

***Channelizations, dams, or other substantial alteration 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 30253 of the Coastal Act states in pertinent 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, 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.***

Construction of the Runway Safety Areas and the relocation of runway 7-25 and Taxiway M under the "west creek realignment alternative" would combine Tecolotito and Carneros Creeks, and reroute Tecolotito Creek 2,000 feet to the west of the new runway area. Section 30236 of the Coastal Act allows for the alteration of rivers and streams if those alterations or

channelizations are necessary to protect existing structures in the floodplain and such protection is necessary for public safety. To determine whether the alteration of Tecolotito Creek is necessary, the Commission will analyze, separately from the wetland alternatives analysis in the previous section of this report, alternative ways in which the airport's flood control objectives can be met.

**Background**

When the Santa Barbara Airport was constructed in the late 1920's, Tecolotito Creek was excavated and channelized numerous times to re-route floodwaters around the airport. The most recent projects have occurred between 1967 and 1975. In 1969 water completely surrounded the main terminal, although it did not enter the building. Other public buildings and structures are threatened with inundation during heavy rains, and the flooding of the runways presents a safety hazard that prevents planes from landing or taking off. In 1995 and 1998 all three runways were flooded and the airport was closed for several days. Damage and loss related to the most recent flooding was estimated to be \$118,000 by FEMA.

**Estimated Peak Flow Rates for Selected Design Events**

| Location  | Peak Runoff (cfs) |              |               |               |               |                |
|---|-------------------|--------------|---------------|---------------|---------------|----------------|
|   | 2 Year Event      | 5 Year Event | 10 Year Event | 25 Year Event | 50 Year Event | 100 Year Event |
| Tecolotito Creek @ Hollister                              | 300               | 1,000        | 1,500         | 2,5000        | 3,900         | 4,400          |
| Carreros Creek @ Hollister                                | 300               | 900          | 1,300         | 2,100         | 3,100         | 3,600          |
| San Pedro Creek @ Hollister                               | 600               | 1,500        | 2,200         | 3,400         | 5,000         | 5,700          |
| San Jose Creek @ Hollister                                | 1,100             | 2,200        | 2,800         | 4,400         | 6,400         | 7,200          |
| IN-Flow from Goleta Slough (upstream of Ward Memorial)    | 2,200             | 5,700        | 7,800         | 12,800        | 19,200        | 21,800         |
| OUT-Flow from Goleta Slough (downstream of Ward Memorial) | 1,700             | 3,800        | 4,300         | 5,900         | 9,100         | 10,000         |

**Historic Flooding of the Property**

As an area of convergence of five major streams, the Santa Barbara airport has historically been subject to flooding. Most recent flooding has occurred due to flows exceeding the capacity of the stream channels. The combined watershed of these five streams is approximately 30,000 acres (46 square miles). The topography of the airport is generally flat, with little change in elevation between Hollister Avenue and the ocean. As flood flows over-bank the streams, the flow slows down and deposits sediment. During a flood event, the sediment is carried by these flows and deposited in stream channels reducing the channel capacity. The tables below illustrate the impacts of various 24 hour storm events relative to storage capacity.

**Master Drainage Plan**

In 1999 the Airport drafted a grant proposal to the FAA to provide funding to prepare a *Master Drainage Plan*. The problems experienced during the storms that created debilitating floods in

the winter of 1995 and 1998 resulted in the extensive siltation of Tecolotito Creek, flooding and silt deposition of Runway 7-25 and Runway 15R-33L, and flooding of taxiway (A, B, C, D, and J). The proposal to create a *Master Drainage Plan* would:

*Analyze the local watershed and existing drainage facilities, and develop a phased improvement plan that will reduce flooding of the Airport to an acceptable level.*

The *Master Drainage Plan* was funded by the FAA (\$150,000 grant), with the express purpose of assessing flooding hazards at the Santa Barbara Airport, with particular emphasis on the relationship between potential Runway Safety Area alternatives and the drainage alternatives for Tecolotito Creek. The objectives of the plan included flood control measures to protect existing structures, a determination of the most effective method of conveying the creek around the safety area, development and selection of alternative channel designs, the simulation of hydraulic characteristics of such channel designs, and an evaluation of those alternatives. The grant was approved in January 2000, and the plan was completed in 2001.

### Volume of Depression Storage Compared to Volume of 24-Hour Storm Event<sup>10</sup>

| Location                      | Volume of Depression Storage (acre feet) | Total 24 Hour Storm Volume (acre feet) |              |               |               |               |                |
|-------------------------------|--|--|--------------|---------------|---------------|---------------|----------------|
|                               |  | 2 Year Event                           | 5 Year Event | 10 Year Event | 25 Year Event | 50 Year Event | 100 Year Event |
| Goleta Slough <sup>11</sup>   | 3,000                                    | 1,457                                  | 2,868        | 3,781         | 5,615         | 9,509         | 10,864         |
| Carneros Creek <sup>12</sup>  | 148                                      | 206                                    | 430          | 578           | 858           | 1,446         | 1,650          |
| Las Vegas Creek <sup>13</sup> | 18                                       | 380                                    | 740          | 977           | 1,422         | 2,321         | 2,647          |

| Location        | Volume of Depression Storage (acre feet) | Percent of Total 24 Hour Storm Volume That could be Contained in Depression Storage |              |               |               |               |                |
|-----------------|--|---|--------------|---------------|---------------|---------------|----------------|
|                 |  | 2 Year Event  | 5 Year Event | 10 Year Event | 25 Year Event | 50 Year Event | 100 Year Event |
| Goleta Slough   | 3,000                                    | 100%  | 100%         | 79%           | 53%           | 32%           | 28%            |
| Carneros Creek  | 148                                      | 72%   | 34%          | 26%           | 17%           | 10%           | 9%             |
| Las Vegas Creek | 18                                       | 5%  | 2%           | 2%            | 2%            | 1%            | 1%             |

### Floodplains

Flood hazard areas (floodplain) as defined by FEMA are areas subject to inundation by a 100 year flood. The floodplain is the land area susceptible to inundation during a given flood. The majority of the Airport property is within the 100 year FEMA floodplain (Exhibit 16). If Tecolotito

<sup>10</sup> Draft Final Master Drainage Plan Santa Barbara Municipal Airport, City of Santa Barbara (2001)

<sup>11</sup> Location of storage is at Goleta and in at least 3,000 acre-feet. Storm volume includes flow from Tecolotito, Carneros, San Pedro/Las Vegas, and San Jose Creek watersheds.

<sup>12</sup> Location of storage is upstream of US Highway 101 at Carneros Creek

<sup>13</sup> Location of storage is upstream of US Highway 101 at Las Vegas Creek. Storm volume includes runoff volume from San Pedro and Las Vegas Creeks below their confluence.

and Carneros Creek are realigned around the proposed Runway Safety Area (Realignment Alternative) the realigned creek would have a flow that equals or exceeds the flow capacity of the existing channel.

Under the culvert alternative, there would be a significant overflow during a 100 year run-off event as much as two to three feet above the existing runway elevation. This same overflow would occur under the existing conditions. The use of a culvert may increase the likelihood of flooding because of the potential for plugging of the culvert due to sediment deposition. To accommodate the existing flow, the level of the culvert bottom would have to be placed at an elevation between minus 1 to minus 0 feet mean sea level datum. If a blockage of the culvert occurred during a flood event, this would result in major damage to the runway and safety area. The City's LCP further states that:

*Sediment buildup threatens the water flow capacity of the slough and increases the existing flood hazard. Consequently, the Santa Barbara County Flood Control and Water Conservation District have widened the main channels draining into the slough and enlarged the sediment/debris silt basins. Two of the major threats to the slough's continued existence as a wildlife habitat are sedimentation and impaired tidal circulation.*

*The Goleta Slough watershed floodwaters are channeled toward the sea, carrying upstream debris and sediment, which becomes deposited in the coastal plain. The accumulation of silt and the growth of vegetation narrows the slough channels to sluggish streams. Continued, unmanaged sedimentation would ultimately result in the destruction of the salt marsh habitat and significant alteration of the slough's flood carrying capacity.*

*An estimated 15,000 cubic yards of silt enters the slough each year from Carneros and Tecolotito Creeks, although two silt basins have been installed in these creeks just below Hollister Avenue.*

### **Previous Projects**

In the mid 1970's the Flood Control District widened and deepened sections of the slough's channel system. The project included widening the main channel from the confluence of Tecolotito and Carneros Creeks an estimated 0.875 miles into the marsh, and widening and deepening of the main channel near the slough's ocean outlet. This two-phase project created a more efficient flood control system, and a more biologically healthy salt marsh. The Flood Control District also installed a series of culverts and removed several levees to accommodate tidal flooding. This project had limited success in that culverts accumulated silt and vegetation, and minimal tidal circulation was achieved.

### **Sedimentation**

Sedimentation from the upper portions of the slough can also negatively affect biological productivity. At the lower portion of Goleta Slough the mouth of the slough is tidally influenced, and a sand bar develops across the mouth as winter runoff declines. This sand bar is periodically breached by the flood control district to allow tidal flushing. Slough closure to tidal influences typically results in increased salinity that can dwarf plant growth and destroy both plant and animal communities. If closure lasts more than three or four days, the waters become anaerobic and fish and other organisms begin to die<sup>14</sup>.

### **Berm Formation**

In 1995, flood waters laden with sediment spilled over creek banks at the point of constriction creating a "natural berm" that increased the elevation of the surrounding marsh plain. The

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<sup>14</sup> City of Santa Barbara Airport and Goleta Slough LCP (1982)

elevated creek banks and marsh plain can impound floodwaters causing greater sedimentation in lower areas. Surveys by the City indicate that this process has raised elevations enough to completely eliminate tidal circulation from large areas. Vegetation in these locations is undergoing a transformation from tidal marsh, to transitional brackish wetland and upland habitat, and non-native brackish wetland and upland species are replacing native salt marsh vegetation.

The City proposes to incorporate the best mitigation measures feasible for the diversion of Tecolotito Creek around the proposed project. The City has consulted with the U.S Army Corps of Engineers and the U.S. Fish and Wildlife Service to evaluate the least environmentally damaging alternative to realigning Tecolotito Creek. The Corp stated in its review of the project that:

*the longer channel would constrict the over-bank flow area which would increase water velocity and shear forces during extreme flooding events. This would result in a maximum rise in water surface elevation of 0.4 feet on Tecolotito Creek downstream of Hollister Avenue. The longer channel and expanded sediment basin on Tecolotito Creek would provide a larger storage volume and it is expected to result in a net decrease in the amount of sediment delivered to Goleta Slough.*

### **Chapter Three Policies of the Coastal Act Consistency Analysis**

The City of Santa Barbara has examined several alternatives to relieve flooding at the airport to determine the least environmentally damaging feasible alternative to accommodate drainage from Tecolotito and Carneros Creeks relative to the proposed safety area at the end of Runway 7-25, while minimizing the effects of sediment transport and reducing overbank flood hazards for the existing and future runway.

The City States that:

*The west end of the airfield is susceptible to flooding due to several different factors. The primary contributing factor is the storm-related deposition of sediments in the creeks. Excessive sedimentation occurs along both creeks immediately downstream of Hollister Avenue due to a significant grade change as the creeks enter the flat and tidally influenced Goleta Slough. The Santa Barbara County Flood Control District has established sediment basins at these locations. However, these basins are often filled by the first major storm of the year, increasing water surface elevations upstream (which causes flooding on Hollister Avenue) and downstream (which causes overbank flooding of the airfield).*

*The second major factor is the effect of tides on conveyance capacity in Tecolotito Creek in the Goleta Slough. When high tides coincide with storm runoff, the capacity of the creek within the slough is severely lessened, causing overbank flooding along the creek in both airfield and salt marsh areas.*

*The third contributing factor is that the Tecolotito and Carneros creeks within the Airport only have a capacity to carry about a 10-year storm, estimated to be about 2,800 cubic feet per second. The creeks are relatively narrow with high flow resistance because they are earthen.*

The City examined several options that would reduce flooding from these creeks and increase flood protection of the existing runway and safety area. The alternatives considered included the following:

### **1. Culvert Alternative**

Under this alternative, Tecolotito Creek would be directed into a very long and wide concrete culvert (about 750 feet long, 80 feet wide, and 8 feet high) under the main runway, which would be shifted 800 feet to the west to accommodate the new safety areas (Exhibit 7). This alternative was rejected primarily because a culvert would accumulate sediments to a greater degree than an open creek channel, and therefore would exacerbate the flooding problems in the airfield and north onto Hollister Avenue. The build up of sediments in the culvert would create a more severe overbank flooding condition at the runway than under current conditions. In addition, there are severe logistical and safety issues with removing sediments from a long culvert with limited vertical clearance. Finally, the runway and taxiways would need to be raised one foot to accommodate the culvert.

### **2. Upstream Detention Basins**

This alternative would involve construction of one or more detention basins upstream of the Airport in order to detain storm flows and reduce the peak runoff in both Tecolotito and Carneros creeks. The basins would reduce the frequency of overbank flooding in the airfield from both the existing and relocated creek channels. This alternative would also require the use of a culvert under the shifted runway or relocated creeks to meet the objectives of the AFP.

The most appropriate location for detention basins that provides the desired hydraulic benefits is between Highway 101 and Hollister Avenue. This alternative was rejected because it would require acquisition of private property and displacement of existing land uses in order to construct large basins sufficient to reduce the peak flows. For example, the estimated acreage required to reduce the peak flow of a 10-year event is estimated to be between 8 and 15 acres. It would be impractical to construct larger basins for a higher level of flood protection due to land costs and environmental impacts.

### **3. Levee Alternative**

Under this alternative, berms or small levees would be constructed along both sides of Tecolotito and Carneros creeks (about 2-3 feet in height) between Hollister Avenue and the south side of the main runway to provide additional channel conveyance through the airfield.

This alternative was rejected for several reasons. The berms would inherently conflict with the safety area requirements at the end of the main runway where a flat surface is required for the safety area. As such, the extended safety area could not be constructed if the creeks remained in their current locations.

Should the berms be constructed in combination with the culvert or creek relocation alternative, the engineered berms would displace wetlands along the margins of the creeks, and therefore would require additional wetland mitigation. Once the water surface elevation reaches the tops of the berms in a 10-year event or larger, it is likely that flows would escape from the creeks upstream of the Airport. This would result in offsite flooding which would cross Hollister Avenue and impinge on the airfield. Hence, the benefits of the berms would be negated.

Flows leaving the bermed creeks downstream of the runway would have a higher water surface elevation than flows in the creeks under current conditions. Because of the higher water surface elevation, these flows would likely spill into salt marsh areas adjacent to the creek, thereby increasing sediment deposition of the salt marsh. The berms would require continual maintenance, which would involve vegetation and rodent management in the Goleta Slough.

#### 4. Creek Relocation

This alternative was evaluated and selected as the preferred option because it involves the least environmental disturbance, provides the greatest functional reliability, and reduces flooding hazards (Exhibit 6). The relocated creeks, in combination with the enlarged existing sediment basins, will slightly reduce water surface elevations in flows up to the 10-year event. In addition, the existing floodplain along the relocated creeks is slightly higher and narrower than along the existing creeks due to higher ground elevations in this part of the airfield. The higher and narrower floodplain will reduce the width of flooding when flows overtop the banks.

The conveyance capacity of the relocated creeks was designed specifically to match existing creeks in order to prevent increased sedimentation that could fill Goleta Slough. However, the higher floodplain along the new creek alignment will protect the existing and future runway from flooding to a greater degree than under existing conditions. The new level of protection cannot be quantified; however, hydraulic modeling indicates that flows from a 10-year event in the existing channels will impinge on the runway. In contrast, the same flows in the relocated creek channels would not affect the runway or the safety area. As such, the relocated creeks will increase flood protection for both existing and future facilities.

#### Preferred Alternative Design

The City further states that the primary design guideline used to identify the preferred alignment of the relocated channel was to minimize modifications to the existing hydraulic conditions along Tecolotito Creek within Goleta Slough. The proposed alignment of Carneros and Tecolotito creeks is the simplest and most efficient method of conveying flows around the new safety area with the minimal hydraulic transitions and channel bends. For example, the extension of Carneros Creek is aligned with the existing channel to maintain existing flow velocities. The alignment of Tecolotito Creek around the extended safety area involves three channel bends, which are purposely designed to be gradual.

The proposed channel dimensions will match the existing channel dimensions along Tecolotito and Carneros creeks (i.e., 60 feet wide at the top, and 45 feet wide on the bottom, 2H:1V slopes) in order to avoid changes in hydraulic characteristics of the creeks. The objective was to maintain existing flow velocities in this portion of the slough to the extent feasible in order to avoid increased sedimentation upgradient of the runway. Additional sedimentation in the creek would increase overbank flood hazard, as well as increase downstream sediment deposition in Goleta Slough. A wider channel was not proposed because sediments would accumulate as flow velocities decrease. Maintenance requirements for a wider channel would also become greater and would result in more frequent disturbances to the channel habitats.

It should be noted that relocating the creeks will increase flood protection for the existing runway independent of the proposed safety area extension because overbank flooding from the relocated creeks under a 10-year event would not impinge on the runway as it does under current conditions.

**Flood Protection Alternative Analysis**

| Alternative  | Feasibility Evaluation Criteria  |   |  |  |
|--|--|---|--|--|
|  | Economic   | Environmental   | Social   | Technological  |
| <b>Culvert Under Runway</b>                          | <ul style="list-style-type: none"> <li>\$4.5 million capital cost</li> <li>\$1.6 million wetland mitigation costs.</li> <li>Excessive annual maintenance costs</li> </ul>  | <ul style="list-style-type: none"> <li>Loss of valuable tidal open water habitat,</li> <li>Potential fish passage impediment.</li> <li>Fragmentation of aquatic habitat</li> </ul>  | <ul style="list-style-type: none"> <li>Exacerbates flooding,</li> <li>Possible violation of flood control ordinance</li> </ul>       | <ul style="list-style-type: none"> <li>Low reliability during flood events,</li> <li>increased potential for overbank flooding including catastrophic events,</li> <li>unsafe maintenance and work conditions</li> </ul> |
| <b>Upstream Retention Basins</b>                     | <ul style="list-style-type: none"> <li>\$4-15 million capital costs for estimated 12 acre basin. (property acquisition-construction-relocation and culvert /creek relocation costs)</li> <li>Increased annual maintenance costs</li> </ul> | <ul style="list-style-type: none"> <li>Displacement of current and future planned land uses.</li> <li>Loss of upland habitat</li> <li>Reduced sediment loading to the Slough. (considered beneficial)</li> </ul>              | <ul style="list-style-type: none"> <li>Disruption of planned land uses.</li> <li>Loss of affordable housing opportunities</li> </ul> | <ul style="list-style-type: none"> <li>Feasible and effective for reducing peak flows and sediment loading</li> <li>Infeasible unless combined with culvert or creek relocation alternative</li> </ul>                   |
| <b>Berms on Tecolotito Creek</b>                     | <ul style="list-style-type: none"> <li>\$2,800 capital costs for berms and creek relocation.</li> <li>\$1,000,000 wetland mitigation costs.</li> <li>Undetermined annual maintenance costs</li> </ul>                                      | <ul style="list-style-type: none"> <li>Loss of 3-4 acres of seasonal non-tidal wetlands.</li> <li>Creation of artificial landform in slough.</li> <li>Possible increase in sediment loading downstream tidal areas</li> </ul> | <ul style="list-style-type: none"> <li>Exacerbates flooding,</li> <li>Potential violation of flood control ordinance</li> </ul>      | <ul style="list-style-type: none"> <li>Increased potential for overbank flooding upstream and down stream of the airfield.</li> <li>Infeasible unless combined with culvert or creek relocation alternative.</li> </ul>  |
| <b>Creek Relocation and Enlarged Sediment Basins</b> | <ul style="list-style-type: none"> <li>\$1.3 million capital costs</li> <li>\$900,000 wetland mitigation costs.</li> <li>Minor increase in annual maintenance costs</li> </ul>   | <ul style="list-style-type: none"> <li>Reduced sedimentation to Goleta Slough.</li> <li>Increase in tidal open water and mudflat habitats.</li> <li>Loss of 3 acres of seasonal non-tidal wetlands</li> </ul>                 | <ul style="list-style-type: none"> <li>No direct social effects</li> </ul>   | <ul style="list-style-type: none"> <li>Effective and reliable solution with no adverse hydraulic impacts</li> </ul>  |

The Commission finds that the project: (1) is an allowable use for stream alteration under Section 30236; (2) provides commitments to mitigation measures to protect wetland and sensitive habitat resources; and (3) has examined feasible alternatives and proposes the least environmentally damaging feasible alternative.

As described above, the proposed LCP amendment will allow for the alteration of two existing stream channels, which will serve to provide flood control benefits over the airport property to protect existing structures in the floodplain. Additionally, because the proposed LCP Amendment will allow for the realignment of the creeks, which will serve to provide flood control benefits over the airport property, the project will also serve to minimize risks to life and

property in an area subject to extreme flood hazards, as required by Section 30253 of the Coastal Act. Though the proposed creek realignment is anticipated to provide hydraulic conveyance of floodwaters over the site and away from airport facilities, thus providing long-term flood control benefits, the project will require construction activities in the form of grading/excavation, temporary damming and diversion of stream flow during construction, and filling of the existing streambed. Such construction activities have the potential to increase run-off and accelerate erosion in the project area and Goleta Slough. As such, **LUP/CP Suggested Modification #5** requires development and implementation of a Storm Water Pollution Prevention Plan, as detailed in Policy C-13, which will ensure that the new development will incorporate measures to minimize erosion and stabilize disturbed areas during construction, consistent with the requirements of Section 30253 of the Coastal Act.

#### **4.4.4 WATER QUALITY**

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.*

Coastal Act Section 30231 provides that:

*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 run-off, preventing depletion of groundwater supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitat, and minimizing alteration of natural streams.*

Section 30232 of the Coastal Act states:

*Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.*

The City states that:

*Relocating runway 7/25 800 feet to the west under either alternative, could result in temporary impacts to water quality. Construction could affect local waterways, increase sedimentation, create toxic discharges due to in-channel construction, vehicle maintenance, asphalt operations or accidental spills. Degradation of Goleta Slough could also occur from non-point source pollutant runoff. Storm water run-off from the runway and safety area is conveyed to twenty-four 24" drain inlets. The inlets are connected to twenty-six 36" diameter reinforced concrete pipes that then convey storm water to various outlets to Tecolotito Creek or Goleta Slough.*

### **Chapter Three Policies of the Coastal Act Consistency Analysis**

The Commission recognizes that new development in the coastal zone has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, introduction of pollutants such as petroleum, cleaning products, pesticides, and other pollutant sources. The proposed Amendment seeks to incorporate necessary changes to the certified LCP which will serve to direct construction of the airfield safety projects. In addition to on-going issues arising from sedimentation of Goleta Slough, construction of new development projects at the Airport in close proximity to the Slough will potentially result in water quality impacts associated with construction related runoff and erosion, and cumulative impacts associated with expanding the footprint of development and disturbed areas on the Airport property. Also, due to the history of aviation use of the airport property and the types of material associated with aircraft operation and maintenance, there is a potential for encountering contaminated sites during construction. The proposed Amendment will provide a standard of review for permitting the airfield safety improvements on the Airport/Goleta Slough property. As such, the Commission finds that detailed water quality policies must be included in the amendment to fully address protection of coastal water quality and marine resources as required by Sections 30230, 30231, and 30232 of the Coastal Act.

#### **LUP/CP Suggested Modification #5**

**Policy C-11: New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following:**

- **Protect areas that provide important water quality benefits, that are necessary to maintain riparian and aquatic biota and/or that are particularly susceptible to erosion and sediment loss**
- **Limit increases of impervious surfaces**
- **Limit disturbance of natural drainage features and vegetation**
- **Minimize, to the maximum extent feasible, the introduction of pollutants that may result in significant impacts from site runoff from impervious areas. New development shall incorporate Best Management Practices (BMPs) or a combination of BMPs best suited to reduce pollutant loading to the maximum extent feasible.**

**Policy C-12: A Water Quality Mitigation Plan (WQMP) shall be developed and implemented for new development or redevelopment projects that entail greater than or equal to one acre of disturbance. WQMPs shall be developed and implemented consistent with the most recent requirements of Regional Water Quality Control Board (RWQCB) or Coastal Commission standards for controlling polluted runoff, whichever is more stringent. A WQMP shall incorporate the following criteria:**

- **Where feasible, drainage plans shall be designed to complement and utilize existing drainage patterns and systems, conveying drainage from developed areas of the site in a non-erosive manner. Disturbed or degraded natural drainage systems shall be restored, where feasible, except where there are geologic or public safety concerns.**

- Post-development peak stormwater runoff discharge rates shall not exceed the estimated pre-development rate to the maximum extent feasible. All dry weather runoff shall be captured and filtered, infiltrated or treated to remove airport pollutants, including oil, grease and particulates, to the maximum extent feasible, prior to discharge.
- Post-development phase drainage and polluted runoff control plans shall be developed which shall specify site design, source control and treatment control BMPs that will be implemented to minimize post-construction polluted runoff, and shall include monitoring and maintenance plans for BMPs.
- Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate, or filter the amount of stormwater runoff produced by all storms up to and including the 85<sup>th</sup> percentile, 24-hour storm event for volume based BMPs and/or the 85<sup>th</sup> percentile, 1-hour storm event (with an appropriate safety factor, i.e. 2 or greater) for flow-based BMPs.
- Necessary drainage devices, culverts, and outfalls shall not cause or contribute to streambank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality including construction phase erosion control and polluted runoff control plans, and soil stabilization practices.
- The City shall maintain any drainage device to ensure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30<sup>th</sup> of each year. Repairs, modifications, or installation of additional BMPs, as needed, shall be carried out prior to the rainy season.
- Alterations or disturbance of streams or natural drainage courses or human-made or altered drainage courses, where permitted pursuant to Coastal Act Section 30236 and LCP Policy 6.11, shall include BMPs for hydromodification activities.
- Monitoring shall be implemented, where required by the RWQCB, to ensure that average annual pollutant loadings do not exceed predevelopment levels and/or water quality standards. The WQMP shall specify sampling locations, sampling protocols, pre-development pollutant levels and permitted standards for pollutants consistent with RWQCB standards. Monitoring shall be conducted annually consistent with RWQCB standards. If it is determined that pre-development levels and/or water quality standards are exceeded, annual monitoring shall be conducted for a period of at least five years, or until it is determined that pre-development levels and water quality standards are not exceeded. An assessment of the potential sources of the excessive pollutant loadings shall be conducted, including inadequate or failed BMPs, and corrective actions to remedy the water quality impacts shall be implemented.

Policy C-13: Construction Phase Erosion Control and Polluted Runoff Control Plans shall be developed for new development or redevelopment projects that require a Coastal Development Permit and a grading or building permit. These plans shall be implemented during the construction phase/phases of the project and shall include:

- Best Management Practices (BMPs) designed to minimize erosion and sedimentation, provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials.

- Re-vegetation of disturbed areas shall occur at the completion of grading activities. Re-vegetation plans shall consist of native, non-invasive plants species and shall minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation. Where irrigation is necessary to establish new plantings, efficient irrigation practices shall be required.
- Outdoor material storage areas shall be designed using BMPs to prevent stormwater contamination from stored materials.
- Trash and debris storage areas shall be designed using BMPs to prevent stormwater contamination by loose trash and debris.
- Grading and other ground disturbance activities shall be conducted outside of the rainy season. Grading during the rainy season shall be permitted only when there is no other feasible alternative for scheduling, and/or for completing ongoing construction activities prior to the rainy season, only where the City determines that completion of grading is more protective of resources, and only when adequate interim erosion control methods are implemented to ensure that such activities will not result in excess erosion and sedimentation.
- A Construction Contingency Plan shall be developed to address methods to control potential migration of contamination discovered during construction activities and shall include methods to identify and control potential migration of subsurface contaminants to the surrounding environment.

The realignment and lengthening of the Tecolotito Creek channel and expanded sediment basin will not alter the aquifer recharge capacity compared to existing conditions. The creek channels are inundated perennially, from either tidal action or flows entering the channel from upstream areas. During the process of relocating the creeks, enlarged basins will be designed to capture greater amounts of sediment, minimizing deposits in tidal wetlands of Goleta Slough that have historically affected tidal circulation and resulted in conversion of wetlands to non-native uplands. The increased length of the channel and the expanded sediment basin on the Creek would provide a larger water storage capacity, resulting in a net decrease in sediment transported downstream into Goleta Slough.

However, the airfield safety projects will involve construction activities that will result in significant changes and disturbance of existing site conditions. An increase in the amount of development footprint and impervious surfaces on the airport property will occur due to the extension of the required Runway Safety Areas and additional paved surfaces associated with construction of Taxiway M and widening of Taxiway B. An increase of disturbed areas and impervious surfaces on the airport property will in turn decrease the infiltrative function and capacity of existing permeable land on site. Reduction in permeable space leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants such as hydrocarbons including oil and grease; heavy metals; synthetic organic chemicals; dirt and vegetation debris from maintenance; litter; fertilizers, herbicides, and pesticides; and bacteria and pathogens may be present in runoff from the site from daily operations of the airport facilities. Discharge of these pollutants into coastal waters can cause cumulative impacts such as eutrophication and anoxic conditions resulting in fish kills and diseases, and the alteration of aquatic habitat, including adverse changes to species composition and size; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes; reduce optimum populations of marine organisms; and have adverse impacts on human health.

In addition, sedimentation directly affects wetland and stream ecology by increasing water turbidity. Turbidity reduces the penetration of sunlight needed by aquatic vegetation, which translates to negative effects on plant establishment and overall productivity, and in turn impacts aquatic species that depend on such vegetation for food and cover. Further, aquatic animals are affected by turbidity in the following ways: reduced visibility for visual predators, such as birds and mammals; and inhibited feeding effectiveness for benthic filter feeding organisms. As such, it is imperative that water quality control and monitoring are included in the suggested modifications to the resource policies to minimize impacts to coastal waters and sensitive habitat areas.

To ensure that the LCP Amendment is consistent with the water quality and marine resource protection policies of the Coastal Act, **LUP/CP Suggested Modification #5** incorporates a new water quality protection policy, as detailed by Policy C-11, and will require the development and implementation of a Water Quality Mitigation Plan (WQMP) and a Storm Water Pollution Prevention Plan (SWPPP), as detailed in Policies C-12 and C-13. The suggested policies require that new development projects be sited and designed to protect water quality, and to incorporate measures to minimize impacts to coastal waters. The policies include provisions for site design and planning and incorporation of Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the maximum extent practicable is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower costs. Therefore, suggested Policy C-12 specifies that post-construction structural BMPs be designed to treat, infiltrate or filter stormwater runoff produced by all storms up to and including the 85<sup>th</sup> percentile, 24-hour storm event for volume-based BMPs, and/or the 85<sup>th</sup> percentile, 1-hour storm event for flow based BMPs.

Policy C-12 also requires monitoring to ensure that average annual pollutant loadings are maintained at pre-development levels and do not exceed water quality standards. The WQMP required pursuant to policy C-12 specifies that monitoring shall be conducted annually for the first five years following the commencement of development and shall occur during the first significant storm event of the rainy season and each following month through the end of the rainy season. Following the initial monitoring period, monitoring shall be conducted at five-year intervals during the first significant storm event of the rainy season, provided average annual pollutant loadings are determined not to exceed pre-development levels and/or water quality standards. If it is determined that pre-development levels and/or water quality standards are exceeded, annual monitoring shall be conducted for a period of at least five years, or until it is determined that pre-development levels and water quality standards are not exceeded. An assessment of the potential sources of the excessive pollutant loadings shall be conducted, including inadequate or failed BMPs, and corrective actions to remedy the water quality impacts shall be implemented.

Furthermore, the SWPPP required by Policy C-13 stipulates that a construction phase erosion control and polluted runoff control plan be implemented. Policy C-13 also requires that areas disturbed during construction be immediately revegetated to minimize erosion and that BMPs be implemented to prevent stormwater contamination from stored construction materials, and

trash and debris storage areas. Additional measures of Policy C-13 to protect water quality during construction include limiting ground disturbing activities to periods outside of the rainy season, where feasible, and development of a Construction Contingency Plan to address methods of control of potential migration of subsurface contaminants to the surrounding environment that may be encountered during construction.

Development and implementation of a Water Quality Mitigation Plan and a Storm Water Pollution Prevention Plan, as described in detail above, to reduce pollutants, minimize runoff and erosion, and monitor and maintain the quality of coastal waters will serve to ensure the protection of coastal water quality and marine resources. Also, as set forth in the suggested resource policies, wetland habitat restoration within Goleta Slough will provide additional protection of the coastal environment. Therefore, the Commission finds that the proposed LCP Amendment, with suggested modifications for Policies C-10 through C-13, is consistent with Sections 30230, 30231 and 30232 of the Coastal Act.

#### **4.4.5 ARCHAEOLOGICAL RESOURCES**

Section 30244 provides for the protection of archaeological resources of the coastal zone in that:

***Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.***

The City of Santa Barbara has conducted an archaeological assessment, prehistoric background study, a review of historic maps and aerial photographs, and a review of historic sites listed on the National Register of Historic Places. Four prehistoric sites (CA-SBA-46, CA-SBA-52, CA-SBA-1694 and SAIC-93-1) are described in the Draft EIS/R.

The Area of Potential Effect (APE) for cultural resources within the Santa Barbara Airport Aviation Facilities Plan boundary has been defined by the FAA as the entire airport property boundary, in accordance with 36 CFR Part 800.2. Archaeological surveys and excavations (1993) within this area have recorded four prehistoric Native American sites. These areas, including major village sites, are characterized by high artifact densities, house remains, exotic trade goods, and cemeteries.

Mescalitan Island (CA-SBA-46), located near the southeast corner of the property is most notable as it contained two major sites associated with the historic Chumash village of *Helo'*. Historical perspectives of the area have associated *Helo'* with a wealthy village that functioned as a regional political, economic, and ceremonial center between the Channel Island and mainland Chumash<sup>15</sup>.

During the original construction of the airport, an estimated 50 to 75 percent of the island was bulldozed, and then used as fill when the airport was constructed. Although portions of *Helo'* remain intact, artifacts from Mescalitan Island and other prehistoric archaeological sites have been relocated or re-deposited throughout many areas of the airport. This combination of

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<sup>15</sup> Phase 1 Archaeological Assessment, Santa Barbara Municipal Airport, City of Santa Barbara (Snethkamp and Associates-1993)

events has made the contextual relationship of the artifacts difficult to assess. The City describes these resources as:

*one location of high prehistoric and historic Native American sensitivity, four areas of moderate sensitivity, and four areas categorized as low sensitivity. Two major prehistoric village sites have been recorded within the Aviation Facilities Plan area. One village site, CA-SBA-52, was leased to the Santa Barbara Indian Center in the early 1980's to provide a re-burial area for Native American burial disturbed by other construction projects.*

**Archaeological Resources within the Santa Barbara Airport APE**

| Resource    | Type  | Integrity  |
|-------------|---|--|
| CA-SBA-46   | Prehistoric village of <i>Helo'</i> (Mescalitan Island) | 25-25 percent intact                                 |
| CA-SBA-52   | Prehistoric village and reburial area                   | 85 percent intact                                    |
| CA-SBA-1694 | Prehistoric artifact scatter                            | Unknown  |
| SAIC-93-1   | Prehistoric artifact scatter                            | Heavily disturbed,<br>Redeposited, some intact areas |

The City describes the following potential impacts relative to the airfield safety projects:

*The realignment of Tecolotito Creek would require ground disturbances 50 feet away from moderate sensitivity zones and 150 feet away from the high sensitivity zones associated with SBA-52. Accidental construction equipment encroachment could disturb significant deposits.*

The Office of Historic Preservation concurred with the City's determination of archeological resources in the project area and stated:

*The FAA has provided evidence that adequate measures were taken to include interested persons in the planning process, and that Native American monitors will be present at areas previously determined to be archeologically sensitive should ground disturbance occur. Should the FAA identify archeological resources during project implementation, it will have additional responsibilities as defined by 36 CFR 800.11.*

**Chapter Three Policies of the Coastal Act Consistency Analysis**

The proposed airfield safety projects may potentially result in impacts to archaeological or other culturally sensitive resources, therefore, a suggested modification is recommended to add new policy language that specifically addresses new development projects which could potentially disturb or destroy sensitive archaeological, historic or cultural resources.

**LUP/CP Suggested Modification #6**

**Policy F-3: New development shall protect and preserve archaeological or other culturally sensitive resources from destruction, and shall minimize and, where feasible, avoid impacts to such resources. "Archaeological or other culturally sensitive resources" include human remains, and archaeological, paleontological or historic resources.**

- Coastal Development Permits for new development within or adjacent to archaeologically or other culturally sensitive resources shall be conditioned upon the implementation of appropriate mitigation measures to minimize and, where feasible, avoid impacts to such resources.
- New development on or adjacent to sites with archaeologically or other culturally sensitive resources shall include on-site monitoring by a qualified archaeologist/s and appropriate Native American consultant/s of all grading, excavation and site preparation that involve earth moving operations.

**LUP/CP Suggested Modification #6** incorporates Policy F-3, which requires mitigation and monitoring of activities that could affect sensitive cultural or archaeological resources including the requirement for onsite monitoring by a qualified archaeologist or resource specialist and an appropriate Native American consultant of all ground disturbing activities. The Commission's suggested modification to incorporate Policy F-3 into the certified LUP will ensure that development of the airfield safety projects will be conducted in accordance with the requirements of Section 30244 of the Coastal Act.

## **5.0 FINDINGS AND DECLARATIONS FOR THE IMPLEMENTATION PROGRAM/COASTAL ZONING ORDINANCE (IP/CZO)**

The Commission hereby finds and declares:

### **5.1 STANDARD OF REVIEW FOR THE IP/CZO**

Section 30513 of the Coastal Act provides that:

*The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...*

*The Commission may only reject ordinances, zoning district maps, or other implementing action on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection, specifying the provisions of the land use plan with which the rejected zoning ordinances do not conform, or which it finds will not be adequately carried out, together with its reasons for the action taken.*

*The Commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the Commission shall be deemed approved upon confirmation by the executive director. The local government may elect to meet the Commission's rejection in a manner other than as suggested by the Commission and may then resubmit its revised zoning ordinances, zoning district maps, and other implementing actions to the Commission.*

The standard of review used by the Commission in reviewing the adequacy of zoning and other implementing measures is whether or not the implementing procedures are consistent with and adequate to carry out the land use plan.

### **5.2 LUP/CP POLICIES AND THE STRUCTURE OF THE CERTIFIED IP/CZO**

The City of Santa Barbara's Coastal Zoning Ordinance implements the City's Coastal Land Use Plan and policies. It serves to integrate the City of Santa Barbara Coastal Land Use Plan with the adopted Santa Barbara General Plan and Zoning Ordinance as applied to the Coastal Zone. The Coastal Zoning Regulations and Maps set forth regulations, standards, and procedural requirements for development within the Coastal Zone and establish required consistency with the policies of the LCP Land Use Plan.

### **5.3 PROPOSED CHANGES TO THE CERTIFIED IP/CZO**

LCP Amendment SBC-MAJ-1-02 proposes modifications to the IP/CZO in order to amend the zoning map to reflect zoning changes necessary to permit development of the airfield safety projects.

As submitted, the proposed changes to the IP/CZO includes re-zoning of approximately 28 acres of airport/slough property from Goleta Slough Reserve (G-S-R) to Airport Approach and Operations (A-A-O) to allow for construction of airfield safety projects; re-zoning of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Specific Plan #6 (S-P-6), Airport Commercial (A-C), and Airport Approach and Operations (A-A-O) to Goleta Slough Reserve (G-S-R); and re-zoning a site between

Hollister Avenue and Tecolotito Creek from Airport Industrial (A-I-1) to Goleta Slough Reserve (G-S-R) to facilitate the re-routing of Tecolotito Creek and habitat restoration and mitigation plans; and re-zoning of property just south of the airline terminal from Goleta Slough Reserve (G-S-R) to Airport Facilities [A-F (Exhibit 4)].

#### **5.4 DISCUSSION AND FINDINGS**

##### **Proposed Changes to the Zoning Map of the LCP**

The proposed LCP Amendment includes zoning changes necessary to facilitate development of the airfield safety projects and habitat restoration plans, and will include re-zoning of approximately 28 acres of airport/slough property from Goleta Slough Reserve (G-S-R) to Airport Approach and Operations (A-A-O) to allow for construction of airfield safety projects; re-zoning of approximately 15.8 acres of airport property located at the corner of Los Carneros Road and Hollister Avenue from Specific Plan #6 (S-P-6), Airport Commercial (A-C), and Airport Approach and Operations (A-A-O) to Goleta Slough Reserve (G-S-R) and rezoning a site between Hollister Avenue and Tecolotito Creek from Airport Industrial (A-I-1) to Goleta Slough Reserve (G-S-R) to facilitate the re-routing of Tecolotito Creek and habitat restoration and mitigation plans. For the reasons discussed in detail in the findings that follow, the Commission finds that the proposed amendment to the zoning map necessary to permit development of the airfield safety projects, as modified pursuant to the Commission's suggested modifications, is consistent with and adequate to carry out the LUP/CP. However, the Commission finds that the zoning changes that have been included in the submittal materials for the subject LCP Amendment that address zoning changes other than those necessary for development of the airfield safety projects are not subject to review and approval by the Commission as part of this LCP Amendment. To clarify this discrepancy in the LCP Amendment submittal **IP/CZO Suggested Modification #1** requires that the zoning change proposed for property just south of the airline terminal from Goleta Slough Reserve (G-S-R) to Airport Facilities (A-F) be deleted, (Exhibit 4).

The proposed zoning designations, as modified, correspond to the proposed land use designations for the site, hence, the proposed zoning map changes reflect the proposed land use map changes and are therefore consistent with the Land Use Plan as proposed to be amended.

##### **Goleta Slough Reserve Zone**

Chapter 29.25 of the Santa Barbara Airport Zoning Ordinance establishes the purpose, permitted uses, development standards, and procedural/permit requirements for the Goleta Slough Reserve Zone:

The Goleta Slough Reserve Zone is established in order to protect, preserve and maintain the environmentally sensitive habitat areas of the Goleta Slough for the benefit and enjoyment of future generations. The intent of this Zone designation is to ensure that any development in or adjacent to any wetland area is designed to preserve the wetland as it exists or improve the habitat values of the Goleta Slough Reserve Zone.

Because this LCP organization directly links LUP Policies and Zoning Regulations, the Commission's suggested modifications for amendments and additions to the Coastal Zoning Ordinance consist of additional submittal requirements for Coastal Development Permits necessary for consistency review of project proposals with the amended LUP policies of the LCP, and clarification and refinement of permitted uses in Goleta Slough and necessary

findings of approval for a Coastal Development Permit consistent with the amended LUP policies.

**IP/CZO Suggested Modification #2**

**Ordinance Section 29.25.020 (Requirements and Procedures)**

The following suggested modification requires additional information to be submitted with an application for a Coastal Development Permit including 1) wetland delineations prepared in accordance with the definitions of Section 135779(b) of Title 14 of the California Code of regulations consistent with the requirements of LUP Policy C-4, 2) an identification of habitat area that may support special status species consistent with LUP Policies C-14 and C-15, 3) a WQMP and SWPPP consistent with LUP Policies C-12, and C-13, 4) an identification of special status species that may occur at the site and mitigation measures to avoid impacts to such species consistent with LUP Policies C-14 and C-15, and 5) an assessment of potential impacts to archaeological or other cultural resources that may occur, consistent with LUP Policy F-3.

- A. COASTAL DEVELOPMENT PERMIT REQUIRED. In addition to any other permits or approvals required by the City *hereafter*, a Goleta Slough Coastal Development Permit shall be required prior to commencement of any development within the Goleta Slough Reserve Zone, unless specifically excluded. A Coastal Development Permit under the provisions of Section 28.45.009.6, shall not be required if the proposed project is only in the G-S-R and S-D-3 Zones; however, a Goleta Slough Reserve Coastal Development Permit shall be required, unless specifically excluded. If a development is in another zone in addition to the G-S-R and S-D-3 zones, both a Coastal Development Permit under this Chapter and under Section 28.45.009.6 shall be required, unless specifically excluded. If a development is excluded from a Goleta Slough Coastal Development Permit, as stated in Section 29.25.040 of this Chapter, it shall also be excluded from a Coastal Development Permit under Section 28.45.009.6 of the Municipal Code.
- B. PERMIT PROCESS. The regulations set forth in Section 28.45.009.6 of the Municipal Code, except as they pertain to the application for a separate Coastal Development Permit, shall apply to the processing of a Goleta Slough Coastal Development Permit application.
- C. SUBMITTAL REQUIREMENTS. In addition to the information required to be submitted with an application for a Coastal Development Permit, or any other application requirements of the Community Development Department, the following information must be submitted with an application for a Goleta Slough Coastal Development Permit:
  1. Development Plan: A development plan, clearly and legibly drawn, the scale of which shall be large enough to show clearly all details thereof and shall contain the following information:
    - (a) Contour lines of existing grade with a minimum of two (2) foot intervals;
    - (b) Dimensions of proposed development and location of proposed use with scale, date and north arrow;
    - (c) Finished grade contours after completion of development or use clearly showing the location of all proposed grading, cut and fill;
    - (d) The location of proposed access to the development site during construction and after the project is completed;
    - (e) The location for the stockpiling of any dredged materials or storage of supplies and equipment during or after construction; *and*
    - (f) Habitat mapping and impact assessment by a qualified wetland biologist identifying all upland and wetland habitat locations within at least 100 feet from any development, access way, storage site or disturbed area and discussion of any impacts to the wetland or the 100 foot buffer along the periphery of the wetland. **Wetland delineations shall be prepared in accordance with the definitions of Section 13577 (b) of Title 14 of the**

California Code of Regulations:

(g) An identification of habitat area that supports rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern", and plants designated as rare by the California Native Plants Society;

(h) Water Quality Mitigation Plan (WQMP) and Stormwater Pollution Prevention Plan (SWPPP) details consistent with the criteria of LUP Policies C-12 and C-13.

2. Written description of the project including the purpose of the project and an anticipated schedule for construction and completion.
  3. Elevations of the proposed structure from all sides.
  4. Written comment on the proposed use or development from the State of California Department of Fish and Game. Review by the Department of Fish and Game shall be coordinated through the City of Santa Barbara Community Development Department Staff.
  5. An identification and description of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, and identification of "fully protected" species and/or "species of special concern", and plants designated as rare by the California Native Plants Society, and avoidance, mitigation, restoration and monitoring measures/plan details consistent with the criteria of LUP Policies C-14 and C-15; and
  6. Written description and impact assessment of sensitive archaeological or other culturally sensitive resources and details of avoidance, mitigation and monitoring measures necessary to avoid potential impacts.
- 5.7. Other information reasonably required by the Community Development Department.

IP/CZO Suggested Modification #3**Ordinance Section 29.25.030 (Uses Permitted with a Goleta Slough CDP)**

IP/CZO Suggested Modification #3 adds additional language to refine the City's IP language as it relates to allowable uses in the Goleta Slough Reserve Zone such that it more accurately reflects the provisions of Section 30233 of the Coastal and Act and amended LUP Policy C-4.

The following uses are permitted in the Goleta Slough Reserve Zone upon the issuance of a Goleta Slough Coastal Development Permit unless specifically exempted.

- A. Restoration projects in which restoration and enhancement are the sole purposes of the project.
- B. Incidental public service purposes, including but not limited to installation, burying cables and pipes or inspection of piers, and maintenance of existing intake and outfall lines, where the project is necessary to maintain an existing public service and where it has been demonstrated that there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.
- C. Nature study, bird watching, aquaculture, or other similar resource dependent activities.
- D. Alteration of rivers or streams only for the following purposes:
  1. Necessary water supply projects; or
  2. Flood control projects where no other method for protecting existing structures in the flood plain 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.
- E. Repair or maintenance activities of existing areas or facilities which do not result in an addition to or enlargement or expansion of the object of such repair or maintenance, unless exempted under Municipal Code Subsection 29.25.040.A.

- F. Other uses deemed consistent with the intent and purposes of this Chapter and allowed under Public Resources Code Section 30233. (Ord.4674, 1991; Ord. 4375, 1986.)

**IP/CZO Suggested Modification #4**

**Ordinance Section 29.25.040 (Uses Permitted Without a Goleta Slough CDP)**

IP/CZO Suggested Modification #4 refines the City's IP language as it relates to maintenance of airport facilities in the Goleta Slough Reserve Zone such that maintenance of the proposed safety improvements is allowed, and so that it more accurately reflects the provisions amended in LUP Policy C-4.

A Goleta Slough Coastal Development Permit is not required for the following activities and uses:

- A. Maintenance Activities:
1. Trimming of vegetative growth within the extended runway safety area and flight control area in accordance with FAA regulations, as required.
  2. Mowing of grass and maintenance in accordance with FAA requirements of areas directly adjacent to and parallel to the runways and taxiways within 135 feet of the existing paved surface.
  3. Maintaining the existing approach lighting system and access road, the existing glide slope, the existing Airport Surveillance Radar and access road, the existing Airport patrol road running along the perimeter of the Slough, and safety related facilities and uses existing at the time of the initial adoption of this Section. necessary to maintain existing airport capacity and operations.
  4. On-going mosquito abatement and related maintenance activities such as monitoring of adult and larval mosquito activity including weekly surveillance and collections at likely breeding locations and control measures which consist primarily of hand spraying of larvicidal oil.
  5. Utilities existing at the time of the initial adoption of this Section.
- B. Public access to the Slough for educational purposes or bird watching when the individual or group has complied with the following Slough Public Access procedures. Any person wishing to enter the Goleta Slough who is not an employee of the City of Santa Barbara, the Goleta Valley Mosquito Abatement District, the Santa Barbara Flood Control District or the California Department of Fish and Game shall complete a "Santa Barbara Municipal Airport/Goleta Slough Access Release, Indemnity and Assumption of Risk Agreement" and have said form approved by the Santa Barbara Municipal Airport Director prior to entering the Goleta Slough.
- C. Activities In Areas Designated as SBa-52:
1. Maintenance of the Indian burial site as specified in Agreement #11,256 between the City of Santa Barbara and the Indian Center of Santa Barbara, Inc.; and
  2. Re-interment of Native American human burial remains found during archaeological work or from archaeological sites as specified in Agreement #11,256 between the City of Santa Barbara and the Indian Center of Santa Barbara, Inc.

Additional activities such as the clearing of channels, digging of ditches, desilting, and dredging activities shall require a Goleta Slough Coastal Development Permit. (Ord. 4723, 1991; Ord. 4674, 1991; Ord. 4375, 1986.)

**IP/CZO Suggested Modification #5****Ordinance Section 29.25.050 (Findings)**

The Commission's suggested modification adds additional language relative to the necessary findings that must be made by the City prior to approval of a Coastal Development Permit. Specifically, the suggested changes incorporate new language and special exclusions that will allow development of the airfield safety projects to be found consistent with the provisions of the ordinance and amended LUP Policy C-4.

Prior to the approval of a Goleta Slough Coastal Development Permit by the Planning Commission, or City Council upon appeal, all of the following must be found:

- A. The project is consistent with the City's Coastal Land Use Plan and all applicable provisions of the Code.
- B. The project is consistent with the policies of the California Coastal Act.
- C. The proposed use is dependent upon the resources of the environmentally sensitive area **or the proposed use is found to be consistent with Section 30233 of the Coastal Act.**
- D. Development in areas adjacent to an environmentally sensitive area shall be designed to prevent impacts which would significantly degrade such area and shall be compatible with the continuance of such habitat.
- E. A natural buffer area of 100 feet will be maintained in an undeveloped condition along the periphery of all wetland areas. **Where development of the Airfield Safety Projects renders maintenance of a 100 ft. buffer area between new development and delineated wetlands infeasible, the maximum amount of buffer area is provided and all impacts to wetland habitat will be mitigated to the maximum extent feasible such that no net loss of wetland habitat occurs.**
- F. The proposed use 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.
- G. **The proposed project includes adequate impact avoidance and mitigation measures to ensure protection of rare, threatened, or endangered species, that are designated or candidates for listing under State or Federal law, "fully protected" species and/or "species of special concern", and plants designated as rare by the California Native Plants Society.**
- G.H. There is no less environmentally damaging alternative to the proposed development, all feasible mitigation measures have been provided to minimize adverse environmental effects and, if applicable:
  - 1. All dredged spoils shall be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation.
  - 2. Diking, filling or dredging in the Goleta Slough shall maintain or enhance the functional capacity of the wetland or estuary.
- H.I. Channelizations or other substantial alteration of rivers and streams shall incorporate the best mitigation measures feasible.
- I.J. Archaeological **or other culturally sensitive** resources within the Goleta Slough are protected from impacts of the proposed development.

J.K. The proposed use shall minimize any adverse effects of waste water discharges, run-off and interference with surface water flow.

The Commission finds that the IP/CZO as amended by the Commission's suggested modifications is consistent with and adequate to carry out the LUP/CP.

## **6.0 LOCAL COASTAL PLAN/CALIFORNIA ENVIRONMENTAL QUALITY ACT**

Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Local Coastal Programs for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LCPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LCP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(2)(A) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LCP, *"...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."*

The proposed amendment, as submitted and modified pursuant to the staff recommendation, has been found to be consistent with the resource protection policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse effects, which the activity may have on the environment. Therefore, the Commission finds that the amendment is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act and conform to CEQA.

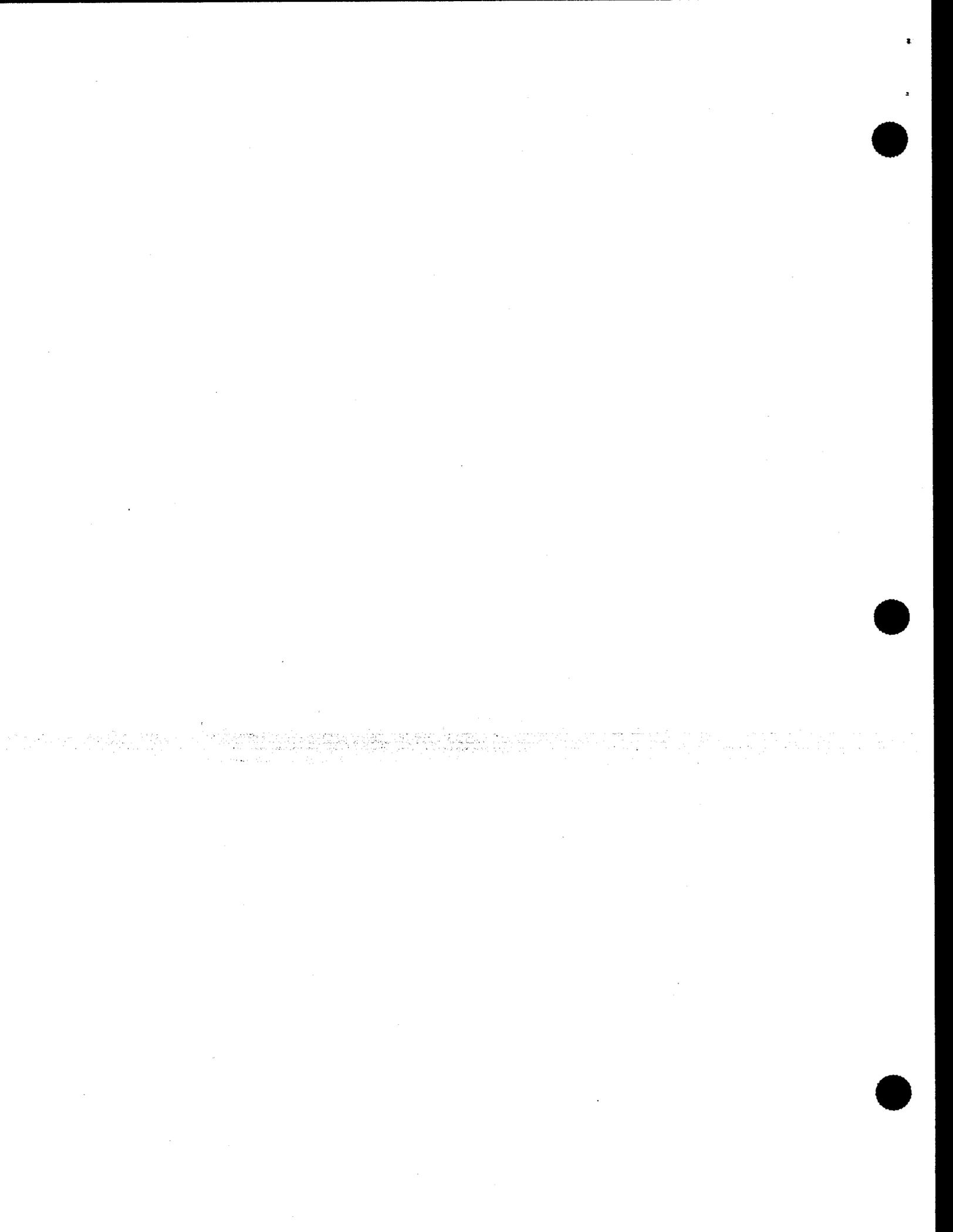


Exhibit 1  
SBC-MAJ-1-02  
Location Map

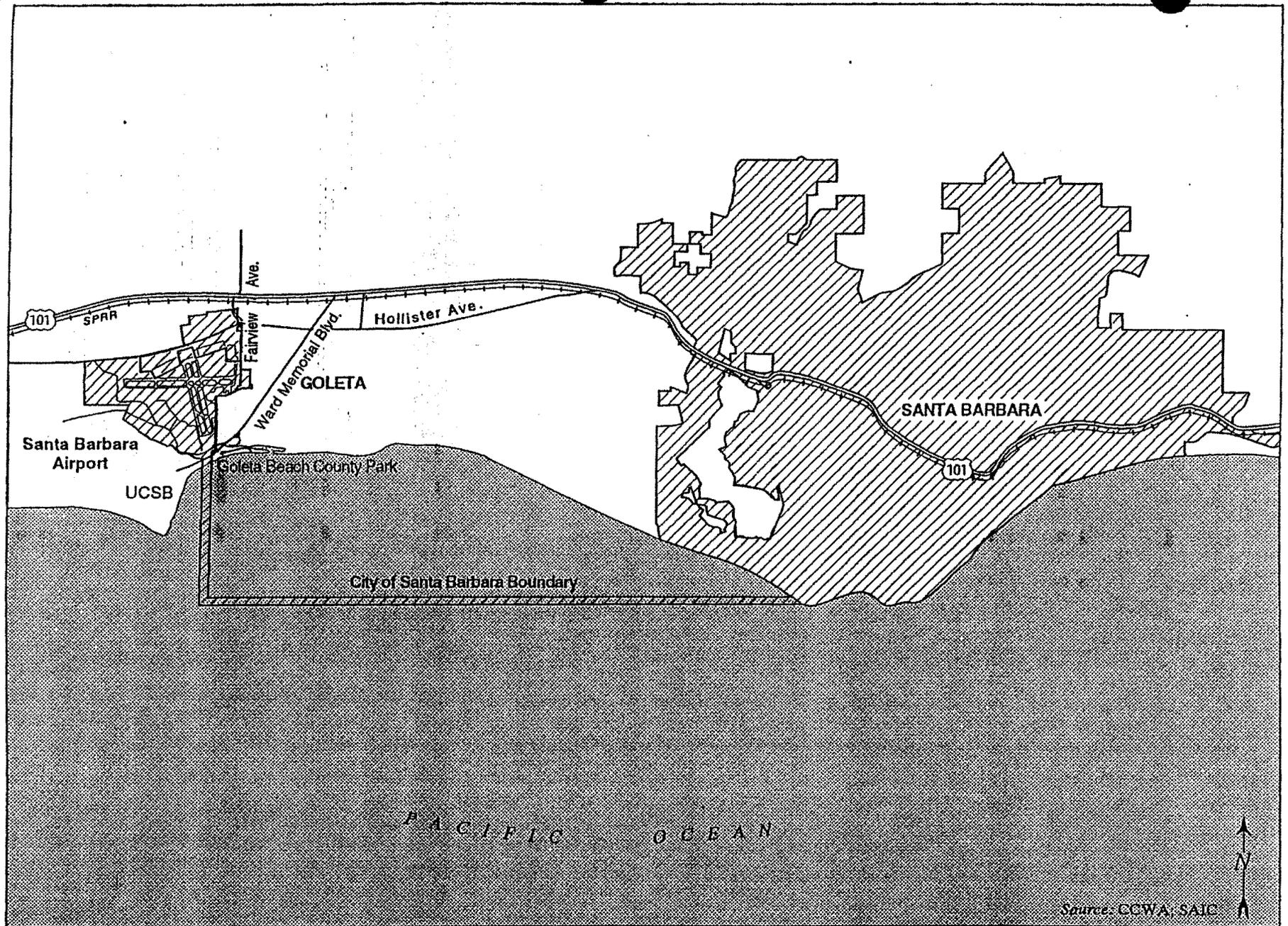
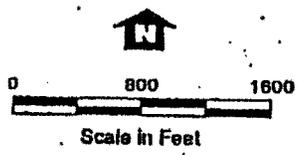
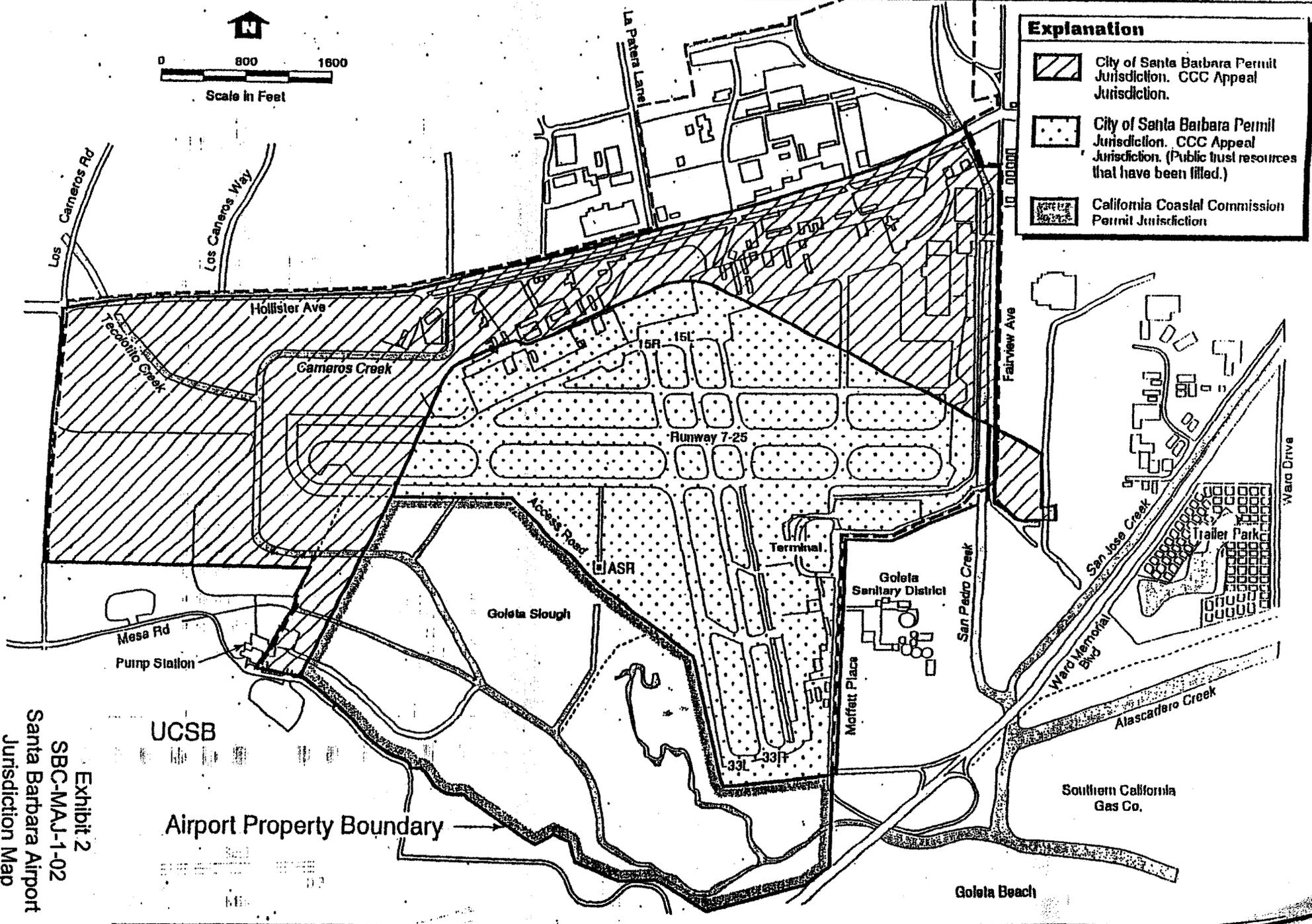


Exhibit 1B. Location of the City of Santa Barbara and the Santa Barbara Airport



| Explanation   |   |
|---|---|
|  | City of Santa Barbara Permit Jurisdiction. CCC Appeal Jurisdiction.   |
|  | City of Santa Barbara Permit Jurisdiction. CCC Appeal Jurisdiction. (Public trust resources that have been filled.) |
|  | California Coastal Commission Permit Jurisdiction   |



UCSB  
 Exhibit 2  
 SBC-MAJ-1-02  
 Santa Barbara Airport  
 Jurisdiction Map

Figure 10. Coastal Z...

Exhibit 3  
 SBC-MAJ-1-02  
 Land Use Designation Map

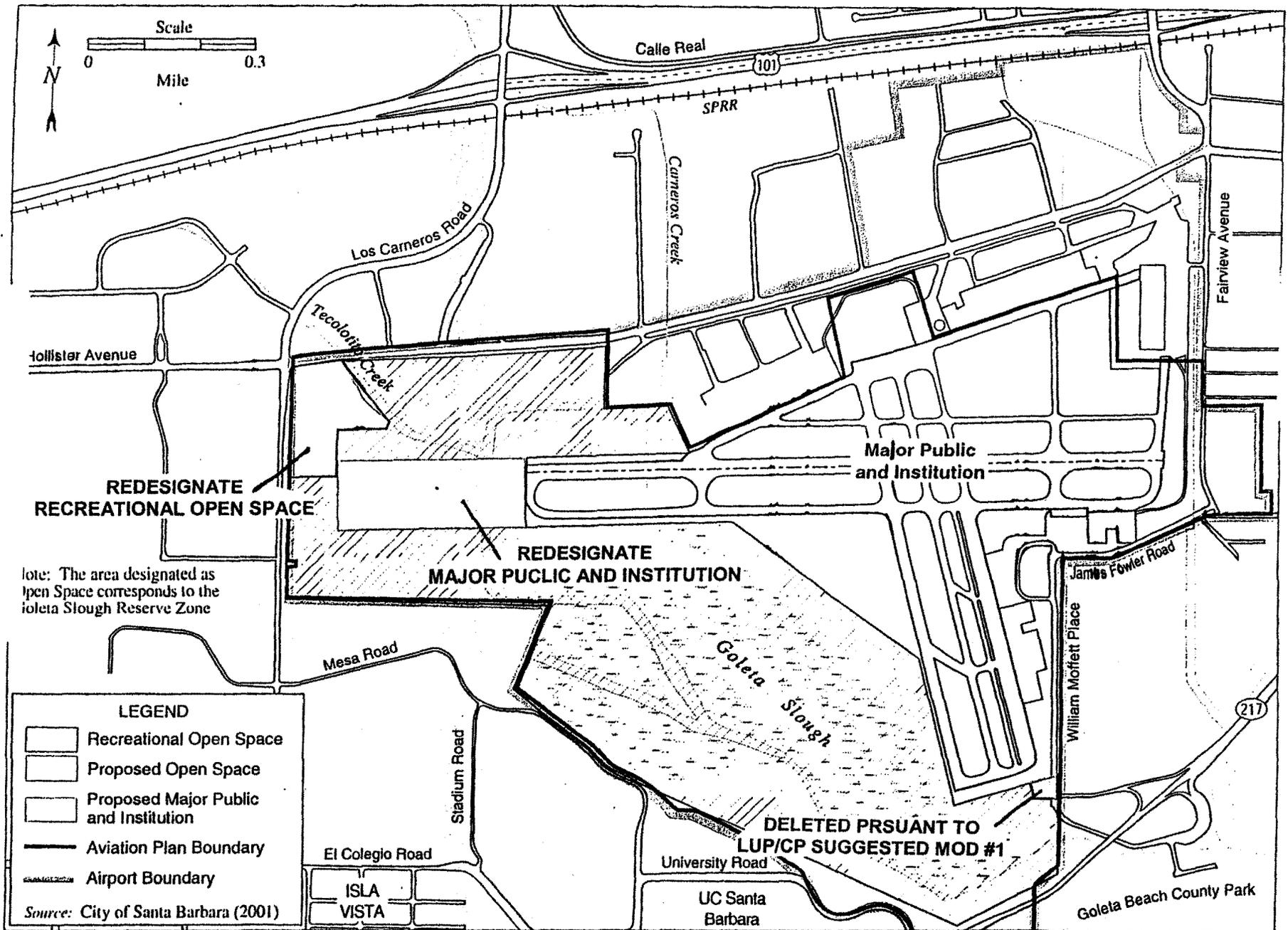


Exhibit 3B. General Plan and Local Coastal Plan Designations, Santa Barbara Airport

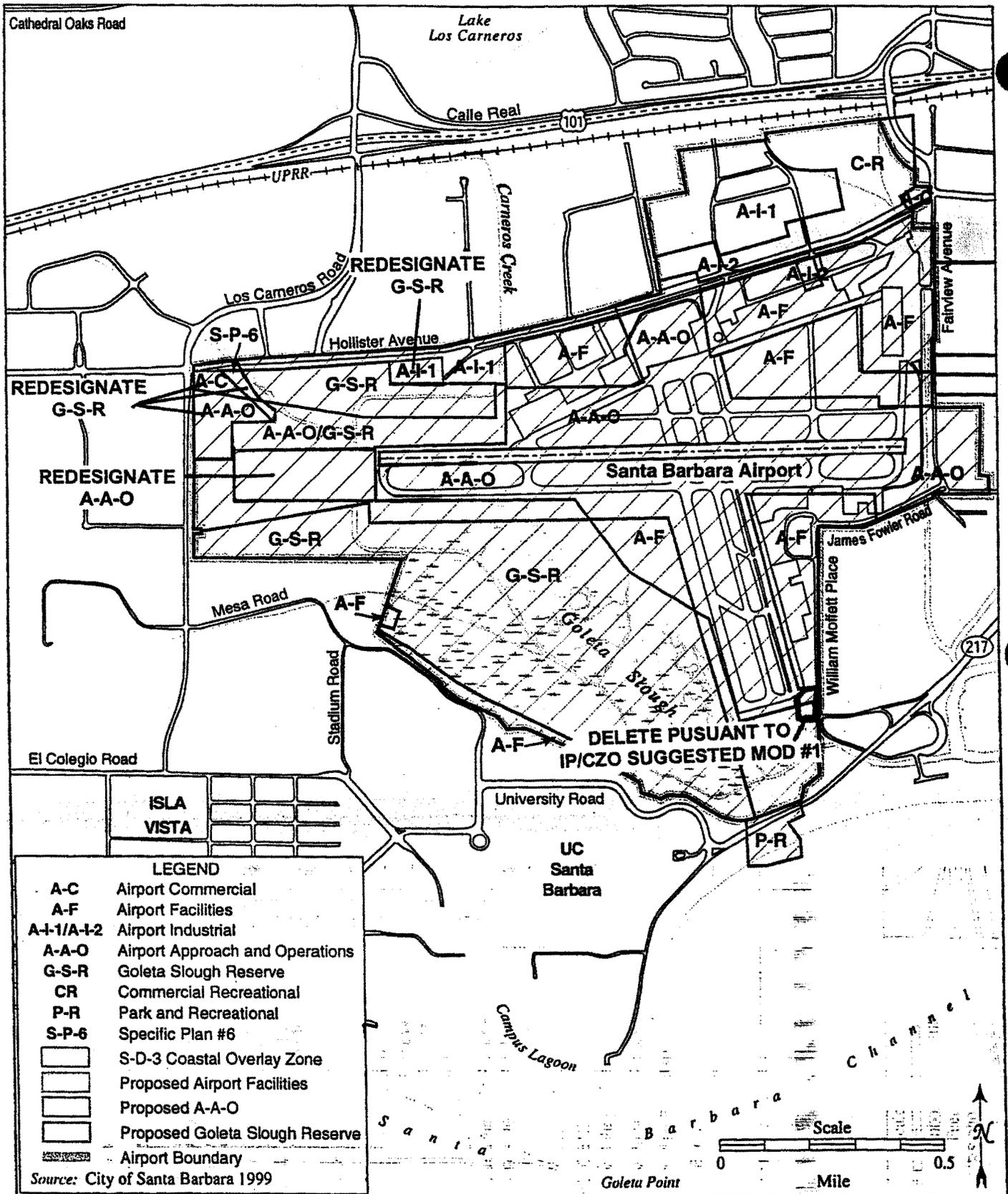


Figure 3.2-7. Zoning Designation

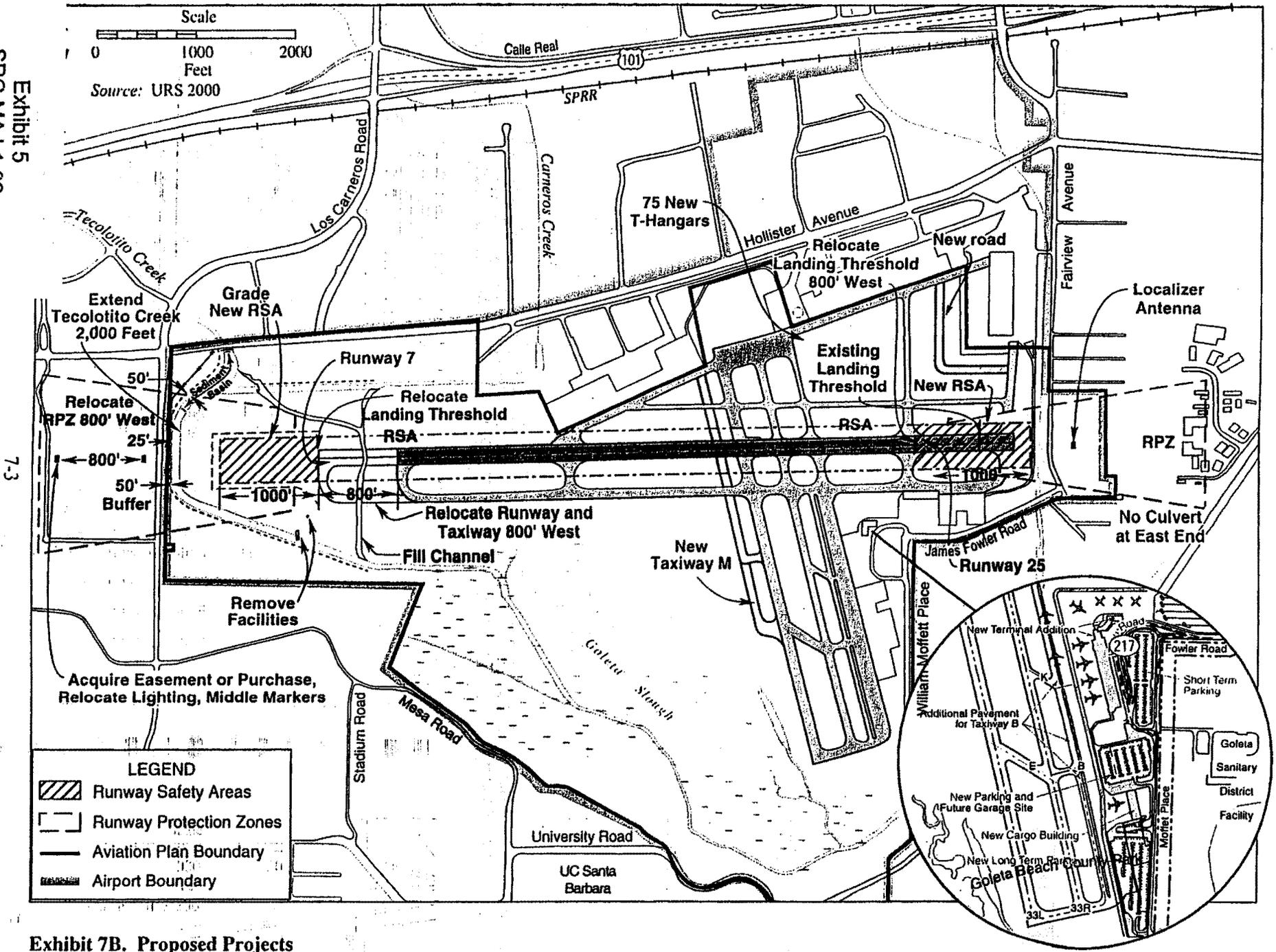


Exhibit 7B. Proposed Projects

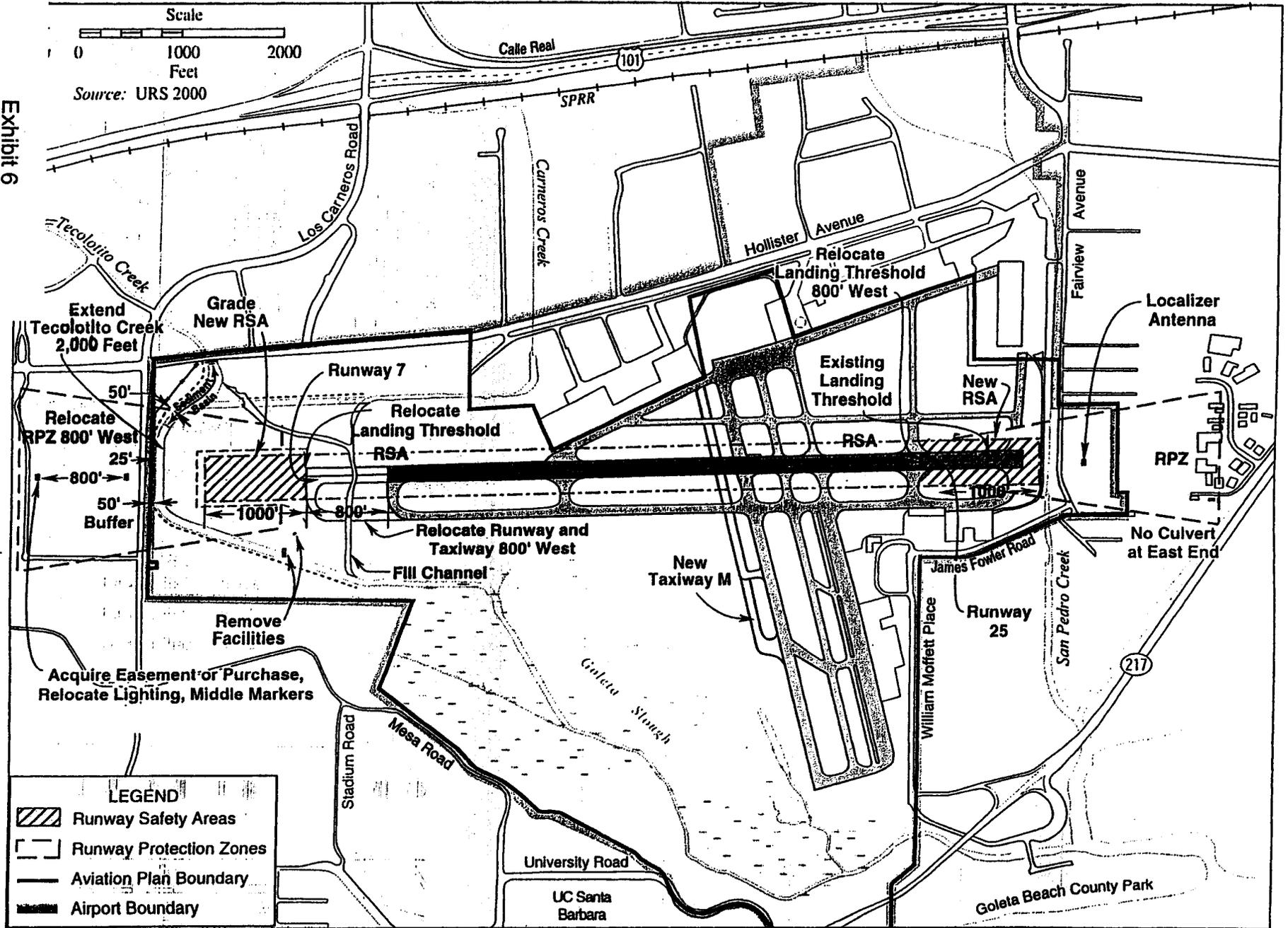


Exhibit 5K. Alternative 1, West Creek Realignment Alternative

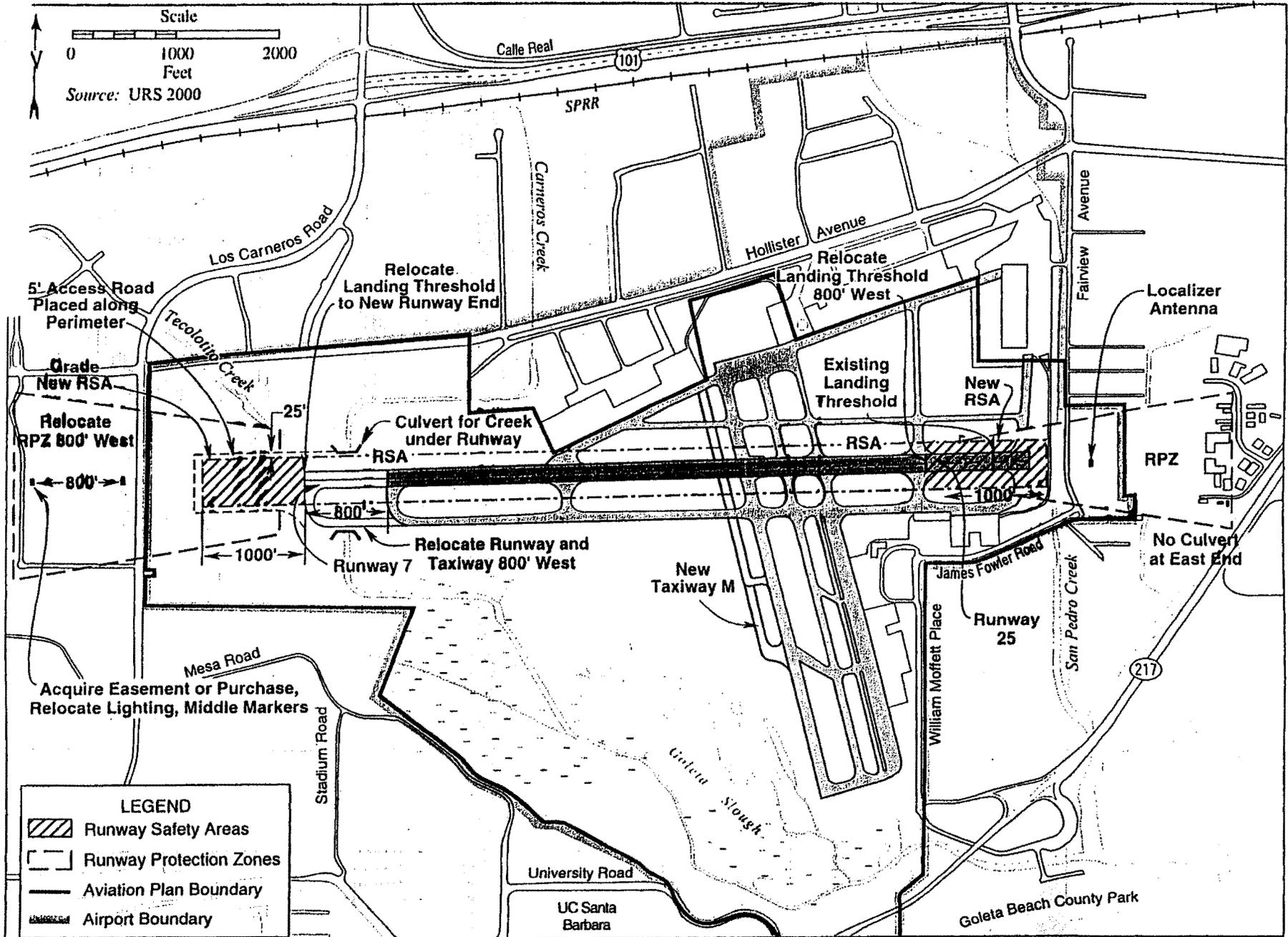
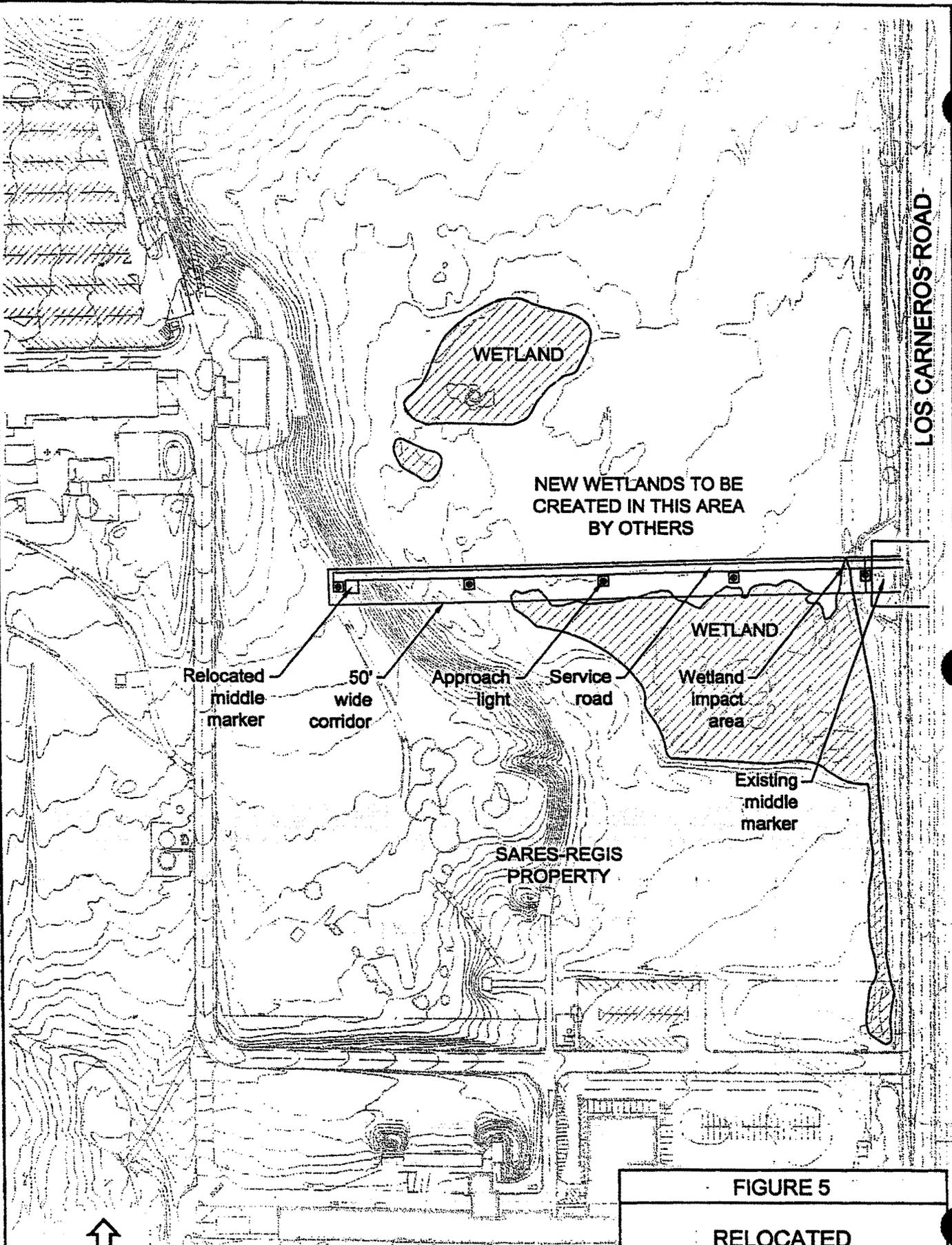


Exhibit 5L. Alternative 2, West Creek Culvert Alternative





LOS CARNEROS ROAD



NEW WETLANDS TO BE  
CREATED IN THIS AREA  
BY OTHERS

Relocated  
middle  
marker

50'  
wide  
corridor

Approach  
light

Service  
road

WETLAND

Wetland  
impact  
area

Existing  
middle  
marker

SARES-REGIS  
PROPERTY

  
**NORTH**  
1" = 200'



Exhibit 10  
SBC-MAJ-1-02  
Wetland Impacts  
Relocated Approach Lights

**FIGURE 5**  
**RELOCATED  
APPROACH LIGHTS**

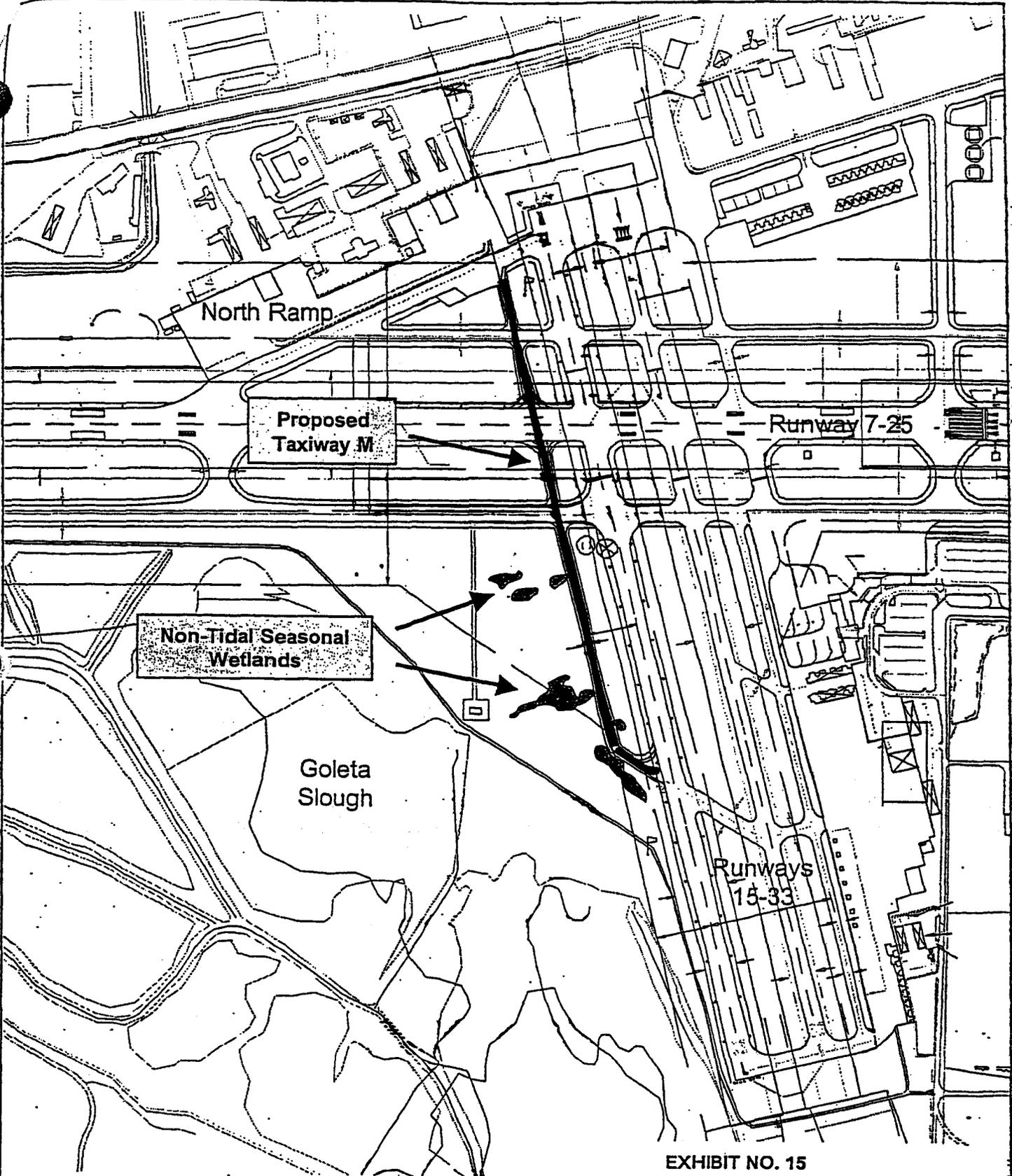


Exhibit 11  
SBC-MAJ-1-02  
Wetland Impacts  
Taxiway M

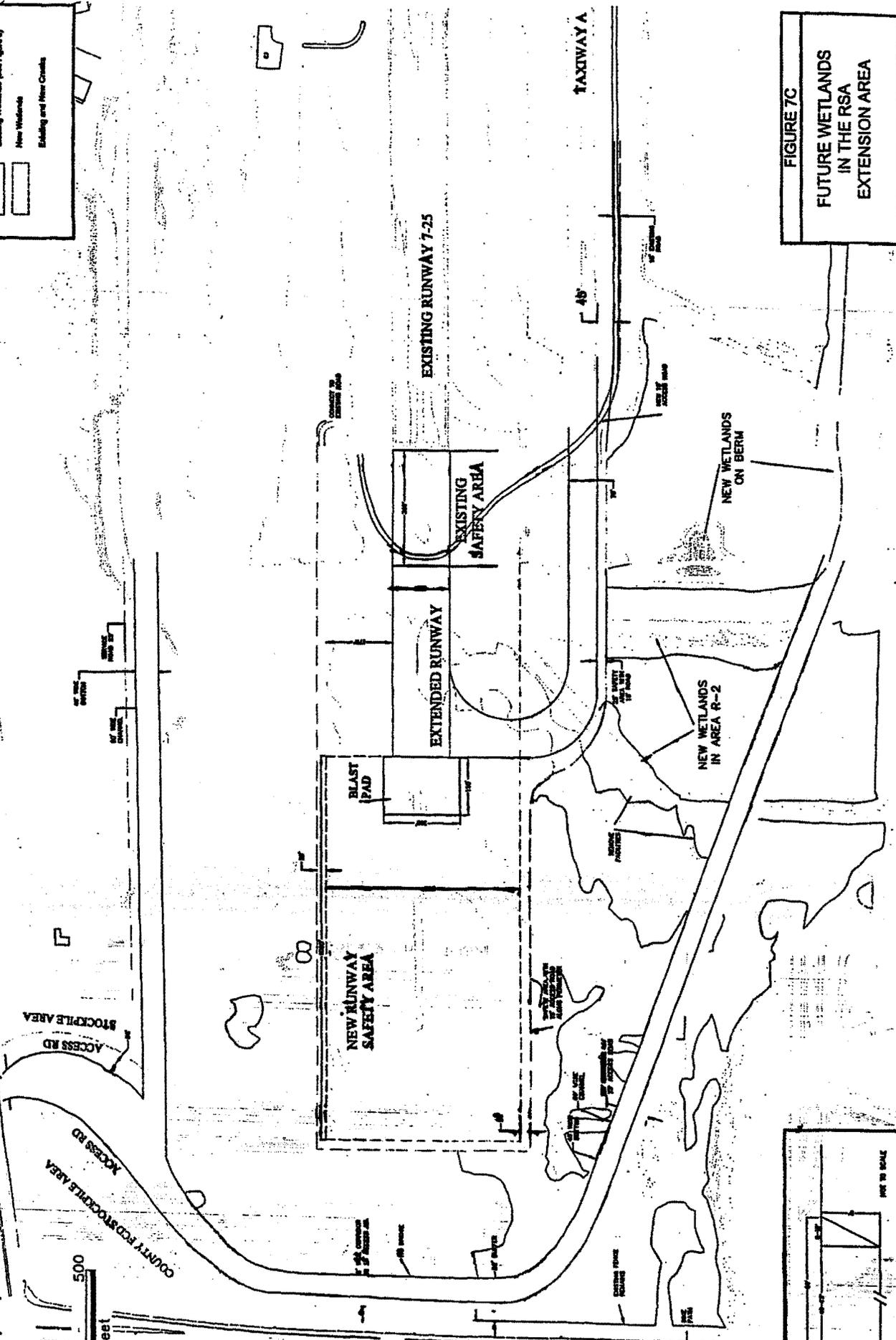
EXHIBIT NO. 15  
APPLICATION NO. CC-058-01



### Wetland Impacts Along Taxiway M

**LEGEND:**

-  Existing Wetlands (See Figure 6)
-  New Wetlands
-  Existing and New Creeks



**FIGURE 7C**  
**FUTURE WETLANDS**  
**IN THE RSA**  
**EXTENSION AREA**



Scale in Feet  
 0 250 500

**Exhibit 12**  
**SBC-MAJ-1-02**  
**Wetland Restoration**  
**RSA Extension Area**

**DETAIL**

NOT TO SCALE

PROPOSED CHANNEL  
 TYPICAL 1:10000

usair-pwr-110200-01.dwg, Generated from 100401-01, 100201-01 & 100201-01.dwg

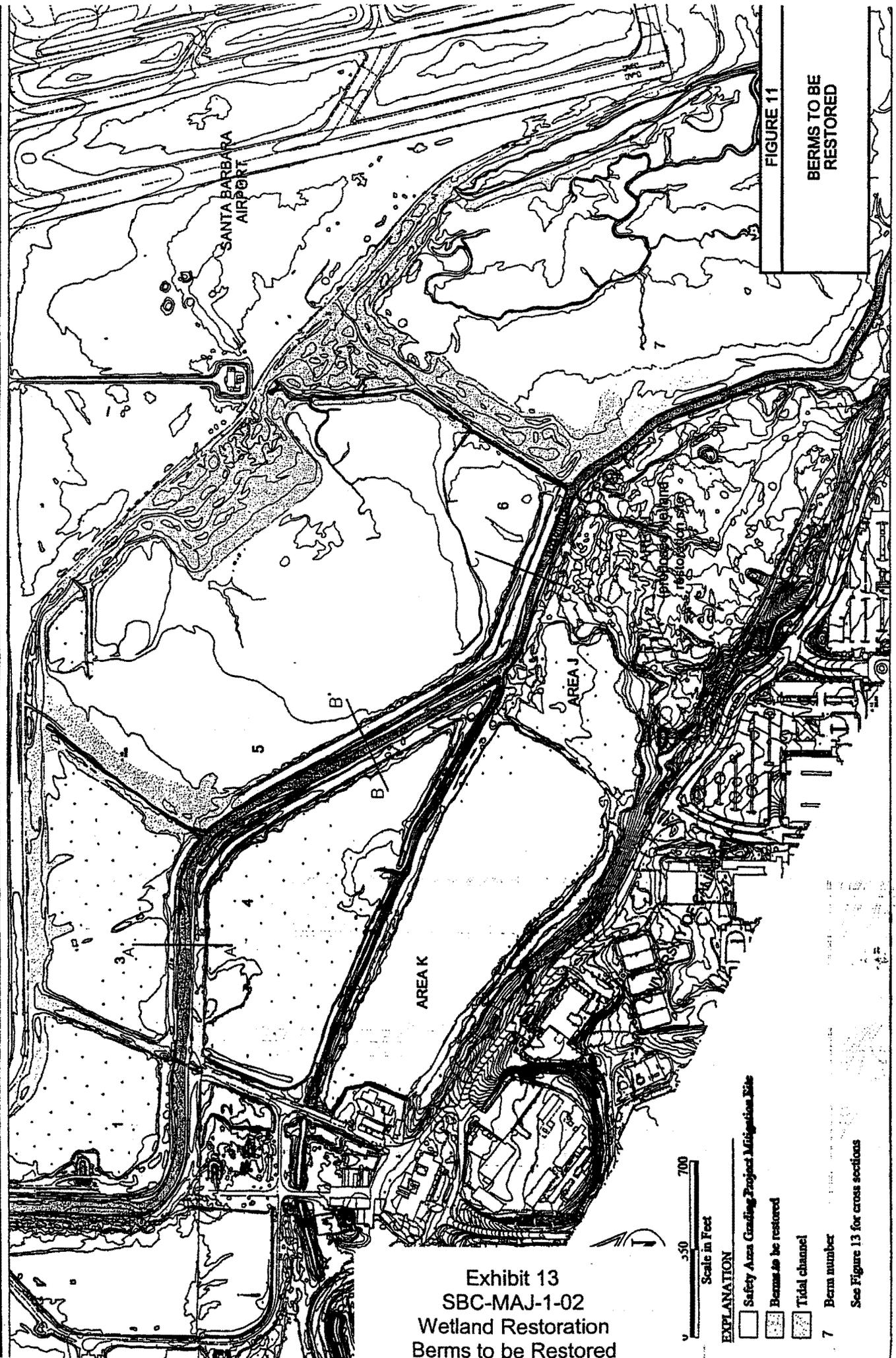


FIGURE 11

BERMS TO BE RESTORED

Exhibit 13  
 SBC-MAJ-1-02  
 Wetland Restoration  
 Berms to be Restored

Scale in Feet  
 550 700

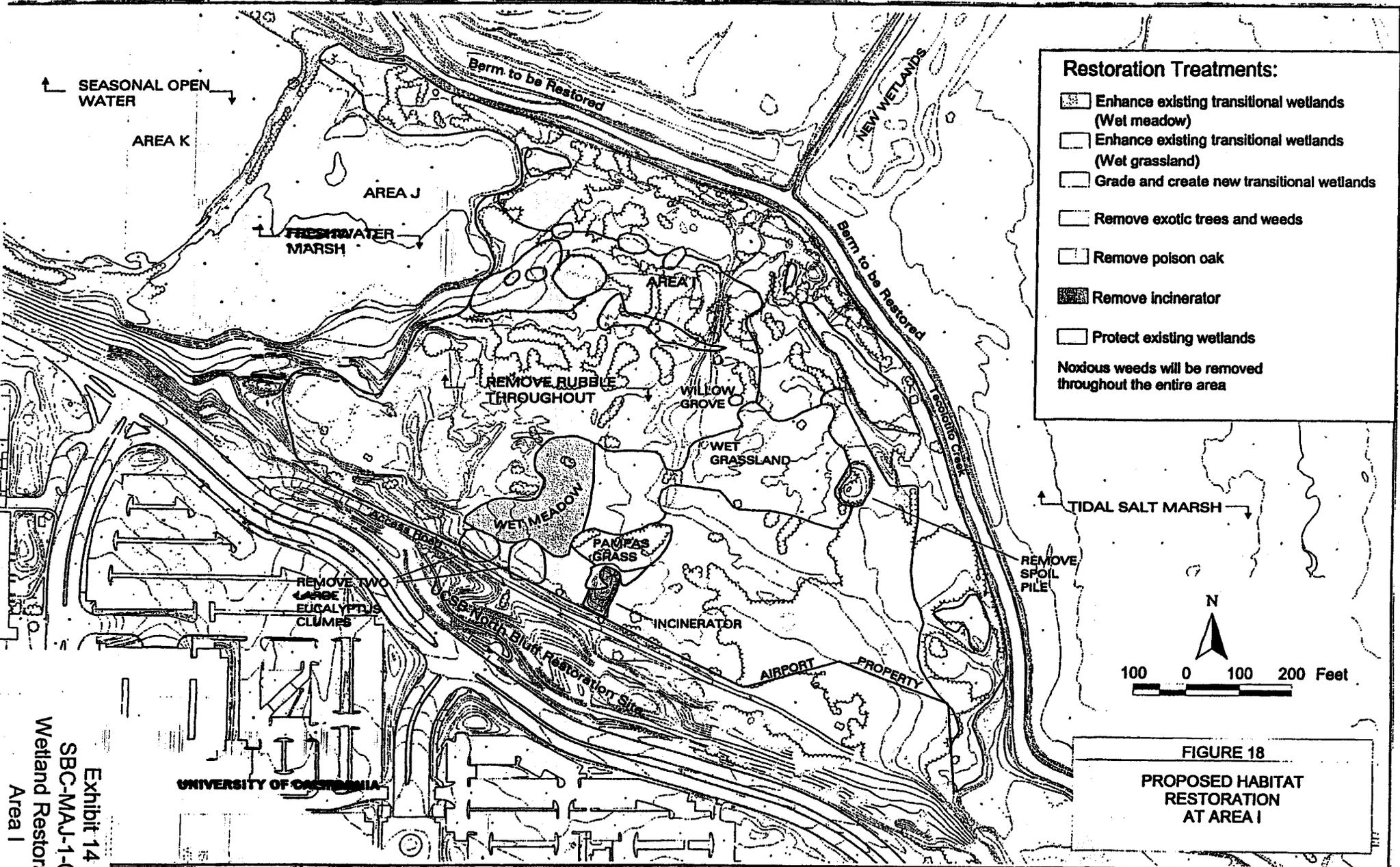
EXPLANATION  
 Safety Area Grading Project Mitigation Site

Berms to be restored

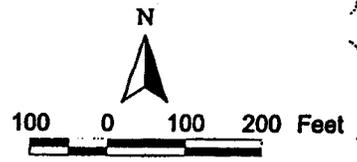
Tidal channel

Berm number

See Figure 13 for cross sections



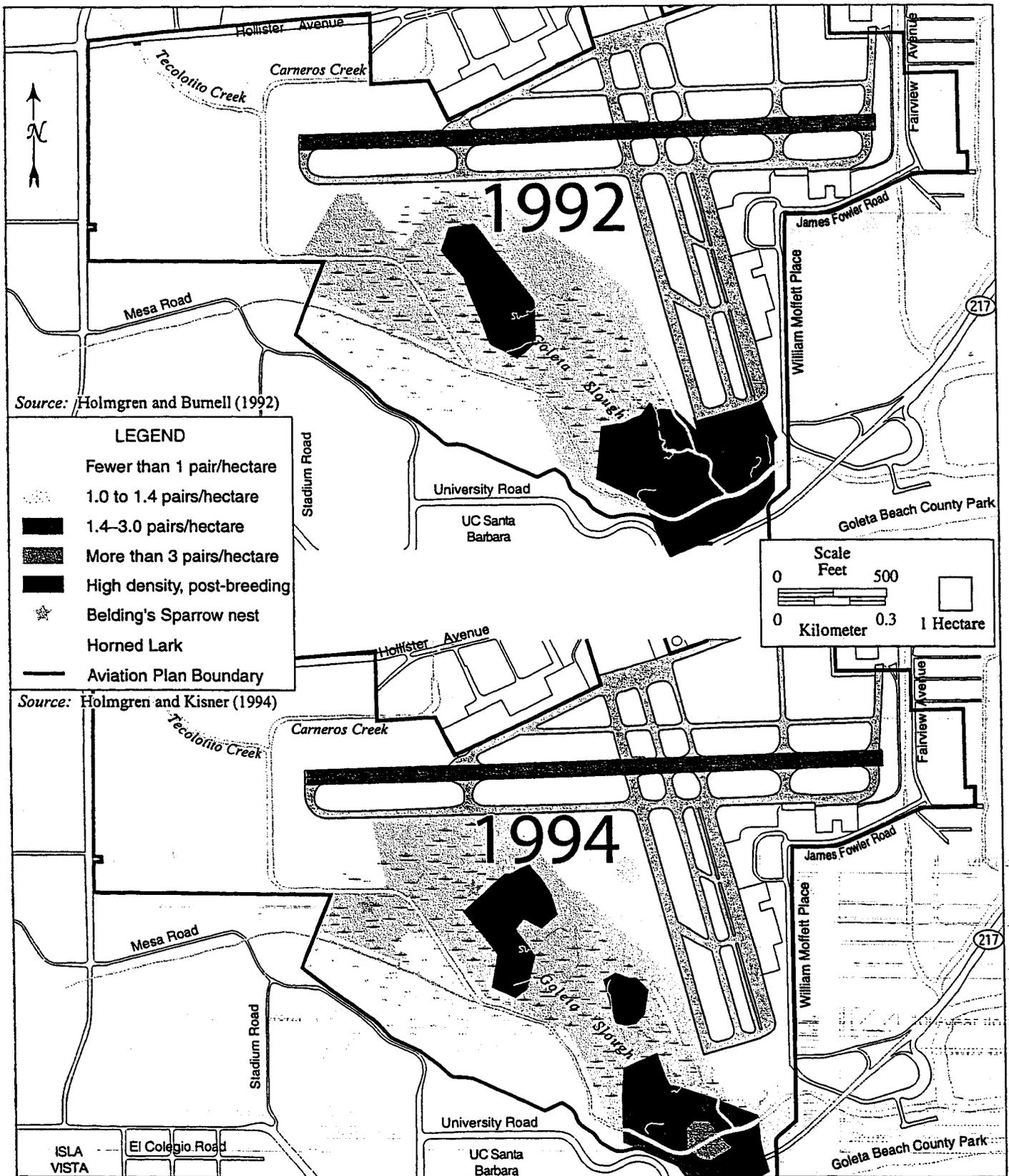
- Restoration Treatments:**
- Enhance existing transitional wetlands (Wet meadow)
  - Enhance existing transitional wetlands (Wet grassland)
  - Grade and create new transitional wetlands
  - Remove exotic trees and weeds
  - Remove poison oak
  - Remove incinerator
  - Protect existing wetlands
- Noxious weeds will be removed throughout the entire area



**FIGURE 18**  
**PROPOSED HABITAT RESTORATION AT AREA I**

Exhibit 14  
 SBC-MAJ-1-02  
 Wetland Restoration  
 Area I

UNIVERSITY OF CALIFORNIA



**Figure 3.11-2. Distribution and Density of Belding's Sparrows in Goleta Slough in 1992 and 1994**

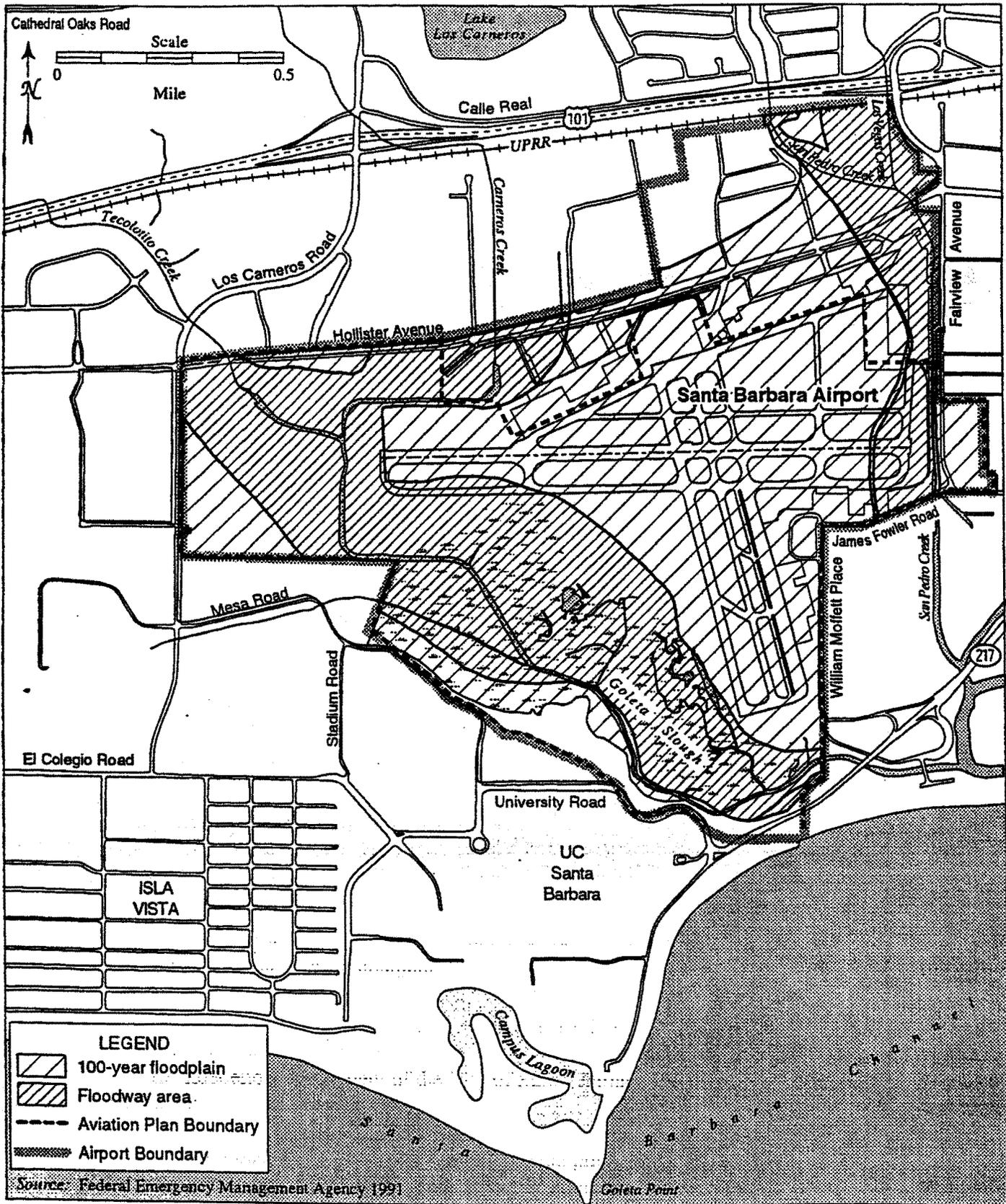


Figure 3.13-2. Flood Hazard Areas

34  
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DEC 24 2001

RESOLUTION NO. 01-141

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA MAKING ALL NECESSARY ENVIRONMENTAL REVIEW FINDINGS AND APPROVING THE AVIATION FACILITIES PLAN AS AN AMENDMENT TO THE LOCAL COASTAL PROGRAM

City of Santa Barbara  
Airport Department

WHEREAS, in 1990, the Santa Barbara City Council adopted a set of Airport Goals and Policies to guide the Airport Master Plan process;

WHEREAS, in 1993, the City of Santa Barbara conducted an Initial Study on the Airport Master Plan Update to identify any potentially significant environmental impacts that may be associated with the Plan;

WHEREAS, in 1993, the Planning Commission held a scoping hearing for a joint Airport Master Plan Update Environmental Impact Statement/Environmental Impact Report (EIS/EIR) document to receive public comment on the relevant issues to be assessed in the document;

WHEREAS, in 1995, the Airport Master Plan was bifurcated into two components: the Airport Industrial Area Specific Plan and the Aviation Facilities Plan, and a Draft Environmental Assessment/Environmental Impact Report (EA/EIR) was prepared for the Airport Industrial Area Specific Plan;

WHEREAS, in 1997, the Airport Industrial Area Specific Plan EA/EIR was certified by the Planning Commission, and the Airport Industrial Area Specific Plan was adopted by the City Council, and in 1998 the Airport Industrial Area Specific Plan was certified by the California Coastal Commission;

WHEREAS, on December 7, 2000, the Planning Commission held a scoping hearing for the Aviation Facilities Plan Draft EIS/EIR to receive public comment on the relevant issues to be assessed in the document;

WHEREAS, on June 28, 2001 the Planning Commission held a hearing on the Draft EIS/EIR to receive public comment on the adequacy of the document;

WHEREAS, on November 15, 2001, the Planning Commission certified the Aviation Facilities Plan Proposed Final EIR/EIS as a complete, accurate and good faith effort toward full disclosure and as being reflective of the independent judgment of the City of Santa Barbara under the California Environmental Quality Act; and

WHEREAS, the Planning Commission has held the required noticed public hearing and took public input on the Aviation Facilities Plan Local Coastal Program Amendments and General Plan Map Amendments; and

WHEREAS, the Airport Commission recommended to the Planning Commission and City Council that the Aviation Facilities Plan and related actions be approved with amendments; and

Exhibit 17  
SBC-MAJ-1-02  
Santa Barbara City Council  
Resolution No. 01-141

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CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

WHEREAS, the Planning Commission, on a 7-0 decision, voted to recommend to the City Council that the Aviation Facilities Plan and related actions be approved with amendments; and

WHEREAS, on November 27, 2001, the City Council set a date for a public hearing on an appeal of the Planning Commission certification of the EIR, and for adoption of the Aviation Facilities Plan and related actions; and

WHEREAS, on December 4, 2001, the City Council introduced an ordinance for an amendment of the Airport Zoning Map to incorporate land use designation changes associated with the Aviation Facilities Plan; and

WHEREAS, on December 11, 2001, the City Council held a properly noticed public hearing on the appeal and to hear public input on the subject Local Coastal Program Amendment and related actions;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Santa Barbara denies the appeal and certifies the EIR, approves the Aviation Facilities Plan as amended by the Planning Commission, the Local Coastal Program Amendments described in Exhibit 2, the Airport General Plan Map Amendments in Exhibit 3, and the Airport Zoning Map Amendment shown in Exhibit 4, making the following findings and determinations:

**A. ENVIRONMENTAL FINDINGS NECESSARY FOR EIR CERTIFICATION PURSUANT TO STATE OF CALIFORNIA PUBLIC RESOURCES CODE SECTION 21000-21178 AND CALIFORNIA CODE OF REGULATIONS 15000-15387**

**1. Consideration and Adequacy of Final EIR/EIS**

The Santa Barbara City Council has read and considered the Final Aviation Facilities Plan Environmental Impact Report/Environmental Impact Statement (AFP EIR/EIS) along with public comments received and final document responses, and has determined that the Final AFP EIR/EIS has been completed in compliance with the California Environmental Quality Act and Guidelines, reflects the Council's independent judgment and analysis, and constitutes adequate environmental evaluation and documentation for the Aviation Facilities Plan including the Airfield Safety Projects (West Creek Realignment Runway Safety Area Alternative and new Taxiway M), Airline Terminal Expansion Projects, and other identified Airport Improvement Projects.

**2. Class I Impacts: Significant Unavoidable Impacts**

The AFP EIR/EIS identifies significant unavoidable environmental impacts of the AFP associated with temporary construction process disruptions to traffic and airport services around the Airport during the Terminal construction process. A requirement for project construction phasing and planning (Mitigation Measure 3.3-1) would lessen these impacts; however, no feasible mitigation measures have been identified which would reduce these impacts to less than significant levels.

**3. Class II Impacts: Potentially Significant Impacts Mitigated to Insignificant Levels**

Mitigation measures have been required and/or changes incorporated into the Plan which would avoid or substantially lessen the following potentially significant effects of the AFP with Alternative 1 West Creek Realignment Runway Safety Area Project to less than significant levels: air quality, hazardous materials, water quality, cultural resources, biotic communities and wetlands, endangered and threatened species, floodplains, and geology, as described in the Final EIR/EIS and summarized as follows:

**a. Air Quality**

Potential air quality impacts from temporary construction-related fugitive dust would be mitigated by the implementation of appropriate dust control measures (Mitigation Measures [MM] 3.5-1, -2, -3, -4, -5, -6, and -7) throughout earthwork and construction for the AFP projects.

**b. Hazardous Materials**

Potential hazardous materials impacts due to exposure of the public, workers or the environment to contaminated soil or accidental spills during construction or ongoing vehicle maintenance and refueling would be mitigated by the implementation of a Construction Contingency Plan (MM 3.6-1), remediation plan procedures (MM 3.6-2), and best management practices for refueling, equipment maintenance and materials storage to prevent spill contamination (MM 3.6-3).

**c. Water Quality**

Potential water quality impacts to local waterways due to sedimentation and/or hazardous materials release during construction would be mitigated by implementation of a drainage and erosion control plan and Best Management Practices (MM 3.7-1) and channel management (MM 3.7-2) throughout the construction process.

Potential water quality impacts to the Goleta Slough from non-point source pollutants during project operations would be mitigated with installation and maintenance of sediment, silt and grease traps and filters (MM 3.7-3).

**d. Cultural Resources**

Potential archaeological resource impacts (project-specific impacts and project contributions to regional cumulative impacts) due to ground disturbances near archaeology sensitivity zones during construction would be mitigated by maintaining buffers from sensitivity zones, marking of sensitivity zones, and inspection by an archaeologist (MM 3.9-1), specified procedures for unanticipated resource discoveries, including education of construction workers, assessment of resources pursuant to City procedures, and mitigation of impacts as necessary (MM 3.9-2), and archaeological monitoring (MM 3.9-5).

Potential historic resources impacts due to removal of Building 323 as part of the Airfield Safety Projects would be mitigated by photo-documentation prior to demolition (MM 3.9-3).

Potential historic resources impacts due to removal of sections of the current Airline Terminal, raising of the Terminal floor for flood control, and addition of new construction would be mitigated by following Secretary of Interior Standards for Treatment of Historic Properties (MM 3.9-4).

**e. Biotic Communities and Wetlands**

Impacts to biotic communities and wetlands due to temporary disturbance and permanent loss or degradation of wetland and upland habitats and contribution to cumulative wetland loss and degradation from construction of Airfield Safety Projects would be mitigated by continued participation in the Goleta Slough Management Committee (MM 3.10-1, 3.12-2), implementation of a wetland mitigation program (MM 3.10-2), monitoring of restored wetlands (MM 3.10-3), installation of temporary protection fencing (MM 3.10-4), location of soil and materials storage and heavy equipment haul routes (MM 3.10-5), salvage of wetland plants and topsoil (MM 3.10-6), measures to avoid breeding and nesting areas and minimize soil compaction and erosion (MM 3.10-7), establishment of appropriate water regimes in disturbed areas (MM 3.10-8), methods for re-creation of wetlands (MM 3.10-9), and mitigation requirements under the Coastal Act and Clean

Water Act (MM 3.12-1).

Impacts associated with potential failure of estuarine wetland functions and values from stream channel realignment would be mitigated by revegetation of new channel banks (Mitigation Measure 3.10-10) and phasing of revegetation and ~~channel~~ reconnection (MM 3.10-11).

Impacts due to loss of a 0.29-acre seasonal wetland and a 0.66-acre undeveloped land from Taxiway M improvements would be mitigated by restoration of wetlands (MM 3.10-1 through 3.10-9).

**f. Endangered and Threatened Species**

Potential impacts to sensitive wildlife and plant species associated with disruption of breeding and habitat loss for Belding's savannah sparrow, loss and disturbance of Coulter's goldfields and Frost's tiger beetle, loss of sensitive plant species (~~southern~~ tarplant, horned sealblight and giant horsetail), and disruption of steelhead migration would be mitigated respectively by wetland mitigations (MM 3.11-1), design and location of construction to minimize habitat loss and disturbance (MM 3.11-2), re-establishment of sensitive plants (Mitigation Measure 3.11-3), and measures to facilitate steelhead migration (MM 3.11-4).

**g. Floodplains**

Potential flooding impacts due to construction of a portion of the new service road within a regulatory floodplain would be mitigated by design and construction to avoid decreasing conveyance capacity of the floodway, as confirmed by City approval of a Simple Floodway Revision (MM 3.13-4).

**h. Geology**

Potential geologic impacts associated with liquefaction due to development of structures would be mitigated by foundation design and construction in accordance with geotechnical report recommendations (MM 3.15-3).

**i. Ground Transportation**

Impacts associated with access and circulation to Terminal and parking areas would be mitigated by reconfiguring the intersection at James Fowler Road/William Moffett Place (MM 3.23-6) and requiring northbound left-turn lanes at each driveway on William Moffett Place that accesses proposed parking lots (MM 3.23-7).

Temporary traffic, circulation and parking impacts during construction would be mitigated by implementation of traffic and parking management plan measures including a pre-construction conference (MM 3.23-10), routing of construction traffic to avoid the Fairview/Hollister intersection during peak-hour commute periods (MM 3.23-11), scheduling of trips by large hauling trucks outside of peak-hour commute periods (MM 3.23-12), location of construction materials and equipment storage to minimize traffic and circulation impacts (MM 3.23-13), location of construction worker parking to minimize effects on traffic and circulation (MM 3.23-14), and implementation of a parking plan for passengers, employees and rental cars prior to construction of parking facilities (MM 3.23-15).

**4. Class III Impacts: Less than Significant Impacts**

Recommended mitigation measures and/or changes incorporated into the Plan have been included which would further avoid or reduce the following impacts already identified as insignificant project-specific impacts and/or incremental project contributions to cumulative impacts such that project impacts would be minimized to the extent feasible: air quality, water supply, biotic communities, floodplains, solid waste, ground transportation and lighting and visual aesthetics.

**a. Air Quality**

Project operational emissions contributing to cumulative impacts potentially exceeding a state 24-hour and annual particulate matter (PM<sub>10</sub>) standards and national nitrogen dioxide (NO<sub>2</sub>) standards would be reduced with energy-related measures, including changes to ground support equipment, heating and air conditioning, and central power and air conditioning (MM 3.5-9), alternative fuels in ground support equipment (MM 3.5-10), use of low-NO<sub>2</sub> water and space heaters (MM 3.5-11), use of heat transfer modules in furnaces (MM 3.5-12), use of light colored paint and roofing materials to reduce air conditioning demands (MM 3.5-13), use of solar or on-demand water heating systems (MM 3.5-14), use of passive solar cooling/heating (MM 3.5-15), use of natural lighting (MM 3.5-16), use of concrete paving (MM 3.5-17), use of energy efficient appliances and lighting (MM 3.5-18), use of landscaping to shade buildings and parking lots (MM 3.5-19), use of alternative fuels in City-owned shuttle operations (MM 3.5-20). Short-term construction equipment emissions would be reduced with implementation of standard mitigation measures for maintenance and use of heavy equipment (MM 3.5-8).

**b. Water Supply**

Water demand increases associated with project operations would be lessened with the continuation of water conservation measures for interior and exterior water use (MM 3.7-4)

**c. Biotic Communities**

Elimination of upland habitat west of Tecolotito Creek would be mitigated with continued participation in the Goleta Slough Management Committee work including baseline studies, biological and water quality mitigation oversight and monitoring (MM 3.10-1).

**d. Floodplains**

Potential flooding effects associated with changes and filling of a portion of the Regulatory Floodway would be avoided through processing of a Federal Emergency Management Agency (FEMA) Letter of Map Revision (LOMR) confirming no substantial increase in the 100-year flood surface elevation (MM 3.13-1) and channel design to maintain flood carrying capacity (MM 3.13-2).

**e. Solid Waste**

Increased solid waste generation would be reduced with implementation of solid waste management plans for source reduction, reuse, and recycling during project construction (MM 3.20-1) and operation (MM 3.20-2).

**f. Ground Transportation**

Increased traffic associated with passenger growth and terminal operations would be lessened with a fair-share contribution toward local/ regional transportation system improvements (MMs 3.23-1 and 3.23-2), working with Metropolitan Transit District to increase bus ridership and shuttle services and assess parking needs (MM 3.23-4), and implementation of Transportation Demand Management measures to reduce employee trips (MMs 3.23-9).

Project impacts on peak parking demands during the Thanksgiving and December holiday season would be reduced with development and implementation of a construction mitigation plan and a parking program to satisfy holiday parking demands (MM 3.23-3), and a parking plan addressing alternate parking for passengers, rental cars and employees (MM 3.23-15).

**g. Lighting and Visual Aesthetics**

Lighting and visual aesthetics impacts would be less than significant with project design in accordance with required federal and City lighting design standards and Architectural Board of Review and Historic Landmarks Commission design review process, and no further mitigation is required.

**5. Record of Proceedings**

The location and custodian of documents and materials that constitute the record of proceedings upon which this decision is based is the City of Santa Barbara Community Development Department, Planning Division, 630 Garden Street, Santa Barbara, CA.

**6. Department of Fish and Game Finding**

As described in the Final Aviation Facilities Plan Final EIR/EIS, the AFP and implementing projects have the potential to affect wildlife resources and their habitat. The project is, therefore, subject to payment of the California Department of Fish and Game environmental review fee.

**B. ENVIRONMENTAL FINDINGS NECESSARY FOR AVIATION FACILITIES PLAN APPROVAL:**

**1. Alternatives**

Specific economic, legal, social, technological, and other considerations make the project alternatives identified in the Final EIR/EA infeasible for the following reasons:

**a. No Action Alternative**

The No Action Alternative involving no *Aviation Facilities Plan* or implementing projects would not meet basic project objectives for establishing necessary runway safety areas required under federal regulations, for providing other necessary operational safety improvements, and for providing necessary airport facility improvements to accommodate projected future passenger and aircraft operations levels and maintain secure and efficient operations. The No Action Alternative would result in inadequate runway safety areas, taxiways, Airline Terminal space and facilities, parking, air cargo space, T-hangars, and roads, thereby leading to congestion and operational delays at the Airport. Future traffic levels would be similar to those of the proposed Plan and implementing projects, but the No Action Alternative would not entail identified improvements and mitigations for access and circulation; parking, alternative transportation modes, and area road network. Other beneficial mitigations such as historic terminal restoration and increased sedimentation basin capacity in the Goleta Slough would not occur with the No Action Alternative.

**b. Runway Safety Project West Creek Culvert Alternative 2**

The Runway Safety Project West Creek Culvert Alternative 2 would not reduce any significant impacts associated with the proposed Creek Realignment Alternative and would result in additional significant unmitigable impacts to biotic communities and sensitive species (elimination of stream channel area and adjacent stream bank habitat and wetlands, with associated estuary fragmentation, migration barriers, increased sedimentation, hydrology alteration, habitat disturbance, and loss of local plant populations) and floodplains (potential creek blockage from storm damage to safety areas), which would be inconsistent with Local Coastal Policies for protection of the Goleta Slough and California Coastal Act policies for protection of wetlands. The West Creek Culvert Alternative would also have difficult maintenance and safety concerns with removal of debris and sediment and culvert maintenance.

**c. Other Alternatives**

As described in the AFP EIR/EIS and determined during the public scoping process, other

alternatives to the proposed Aviation Facilities Plan and implementing projects are infeasible, as follows:

AFP Alternatives:

The use of other airports in the County or adjacent counties would not meet project objectives, and would result in greater overall significant effects in the locations of the other airports compared to the proposed project.

Establishing a new airport in an alternative location, such as an island off the coast, would involve significantly greater environmental effects and significantly higher costs than the proposed project and may be jurisdictionally infeasible.

Runway Safety Area Alternatives:

A reduced runway length with extended safety areas would preclude all but small aircraft use and would not meet project objectives for accommodating projected future passengers and aircraft operations, nor would this alternative meet the goal of providing access to the National Air Transportation System.

Extension of the runway and safety areas to the east would involve significantly greater environmental impacts including biological effects from crossing three creeks, and rerouting of Fairview Avenue, and would involve substantially higher construction and operational costs.

The Displaced Threshold runway safety area alternative would not meet functional operations objectives and would increase the runway length and therefore the capacity of flights to the west, which would not be consistent with Coastal Act and Local Coastal Program policies for limiting modification of public facilities near wetlands.

Taxiway Alternatives:

A shorter Taxiway option would be operationally ineffective and would create safety, maintenance, and capacity problems.

A full-length Taxiway M Alternative would involve substantial encroachment into the Goleta Slough and associated significant effects to biotic communities, wetlands, and sensitive species.

Airline Terminal Alternatives

An alternative Terminal location in the northeast quadrant of the Airport property would have inadequate area and significantly greater impacts associated with flooding, biological resources, and archaeological resources, and substantially higher costs.

An alternative Terminal location in the northwest quadrant of the Airport would need to relocate existing industrial and aviation uses and develop a highway overpass at Los Carneros/ Hollister intersection and roadway connections not included in the Goleta Transportation Improvement Plan, and would have substantially higher costs.

An alternative Terminal building and parking location pushed further west toward Runway 15L-33R would involve greater environmental impacts and higher costs, and would not meet project objectives. This alternative would reduce the Airport's overall capacity, operational flexibility, and would adversely affect General Aviation operations and noise patterns.

A single-story Airline Terminal alternative would not meet project objectives because, due to airside and landside constraints, it would not accommodate both the Terminal expansion and needed circulation and parking improvements and would preclude any longer-range future improvements.

A Terminal alternative involving a new building next to the existing Terminal would not meet project objectives because it would not solve existing circulation and logistical problems, would

create problems in design and operations pertaining to differential structural elevations for flood protection, may require greater square footage to provide the same services, and would have substantially higher cost.

Extended Runway 15R/33L Alternative

This alternative improvement providing a second runway for larger aircraft would not perceptively decrease noise levels east and west of Runway 7/25, would imperceptively increase noise levels north of Runway 15R/33L, and would substantially increase noise levels at UCSB and Goleta Beach Park. This alternative would also have significantly greater biological impacts from removal of wetlands and fill placement in the Goleta Slough and Tecolotito Creek.

**2. Mitigation Measure Enforceability and Mitigation Monitoring and Reporting Program**

Feasible mitigation measures identified in the Final AFP EIR/EIS will be fully enforceable through conditions of project approval on the permits required for each component project in the AFP. A Mitigation Measure Monitoring and Reporting Program (AFP EIR/EIS Appendix B) is required as a condition of approval for each component project in the AFP to ensure compliance during project implementation.

**C. STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO STATE OF CALIFORNIA PUBLIC RESOURCES CODE SECTION 21081**

The Santa Barbara City Council has balanced the benefits of the *Aviation Facilities Plan* (AFP) against the unavoidable significant environmental impacts and has concluded that the necessity and benefits of the Plan sufficiently outweigh the significant temporary traffic and services disruptions during construction to justify approval of the AFP. The City Council makes the following Statement of Overriding Considerations that support approval of the AFP despite the identified impacts that are not fully mitigated to a level of insignificance:

1. The AFP Airfield Safety Projects would provide for improved aviation safety in accordance with current required federal regulations (Federal Aviation Administration Runway Safety Area (RSA) Design Standards as required by Title 14, CFR Part 139). This includes increasing the RSA lengths from 215 feet on the east and 320 feet on the west to the required 1,000 feet off both ends of the runway. It also includes moving San Pedro Creek on the east and Tecolotito Creek on the west over 1,000 feet from the runway ends, thereby increasing the safety of aircraft take offs and landings.
2. The new partial parallel Taxiway M would make operations safer by minimizing runway crossings and thereby reducing the potential for runway incursions. General Aviation aircraft must currently cross up to four active runways to access the northwest aviation ramp. With the completion of Taxiway M, they will only have to cross one active runway.
3. The Taxiway B improvements would provide improved operation safety and efficiency by better accommodating aircraft circulation and movement on the aircraft ramp for aircraft parking on the southwest side of the Airline Terminal.
4. The Airline Terminal Area Program would provide adequate operational space and facilities to accommodate existing and reasonable future passenger levels in the Airline Terminal with security and efficiency. This program would upgrade existing infrastructure that is outdated and would provide adequate facilities for airline personnel and other tenants and employees in the Airline Terminal. This program would consolidate Airport administration, operations and security functions in the Terminal as is typically the case at airports. The program would benefit the City's historic resources by removing the two additions and showcasing the historic 1942 Terminal building that is eligible for local, state and

national designation as a historic structure. This program would also raise the existing historic 1942 Terminal and its additions above the Base Flood Elevation, thereby reducing the risk of flooding in the event of a major storm. Finally, the improvements to the access road and parking lots would provide more efficient circulation and parking and would also better accommodate alternate modes of transit including buses, shuttles, taxis, bicycles, etc.

5. The Air Cargo Facility would provide for adequate accommodation of existing and reasonably project future air freight operations.
6. The additional T-hangars would accommodate existing and projected demand for these facilities that serve General Aviation aircraft.
7. The new service road in the northeast quadrant would facilitate movement of fire-fighting and aviation-related vehicles, thereby increasing safety and efficiency at the Airport.
8. The AFP would assist the Airport in maintaining and operating the Airport as a self-supporting entity.
9. The AFP would support the existing and future economy of the South Coast and County. The AFP would also contribute to the existing and future economy by providing short-term and long-term employment opportunities and associated economic benefits that exceed \$1 million per day.
10. The AFP would improve portions of the Goleta Slough as outlined in the *Wetland Mitigation Plan* and would include the continued participation of the City on the Goleta Slough Management Committee.
11. The AFP would contribute financially toward regional transportation improvements and affordable housing needs.
12. The AFP projects' design, phasing, and mitigation measures would minimize environmental effects and provide for compatibility with the surround area consistent with City policy.

**D. FINDINGS THAT APPLY TO THE ADOPTION OF THE *AVIATION FACILITIES PLAN*:**

1. The *Aviation Facilities Plan* is consistent with both the General Plan and Local Coastal Plan in that the General Plan and Local Coastal Program Land Use Maps will be amended to reflect the changes in land use designation in the AFP area and that the Local Coastal Plan will be amended to incorporate the adopted AFP and make other changes for consistency purposes.

**City Charter:**

2. With respect to Section 1507 of the City Charter, the *Aviation Facilities Plan*, with the proposed mitigations, policies and actions, does not allow the development to exceed air quality, traffic, water or wastewater treatment capacity in the City. Although there will be significant unavoidable impacts due to construction impacts, these impacts will be mitigated to the extent feasible and will be spread out over the 15 year period covered in the AFP.
3. With respect to Section 1508 of the City Charter, the *Aviation Facilities Plan*, with the proposed mitigations, policies and actions, is consistent with this Section because the square footage proposed in AFP would be within the 3,000,000 square foot cap for nonresidential construction. In addition, Section 1508 will be met because the water demand generated by the development of the AFP area could be met without impacts on City water resources. Also, the City has many programs which promote the development of affordable housing in the City, as does the County, and the AFP includes

an Affordable Housing Contribution of \$450,000 to the Redevelopment Agency; therefore, there would not be a significant impact on the South Coast housing supply. Finally, the project would not result in significant adverse impacts on traffic within the City.

4. The *Aviation Facilities Plan* is consistent with the provisions of the Local Coastal Plan (LCP), including the Airport and Goleta Slough component, the Coastal Act and all applicable guidelines, as follows:

**Local Coastal Plan (LCP):**

- a. General Policy 1.1 of the City-wide LCP will be met as outlined in the findings on the California Coastal Act policies below.
- b. Recreation Policy 3.4 of the City-wide LCP will be met because the *Aviation Facilities Plan* includes the *Ground Transportation Alternatives Plan* and the Airline Terminal Area Program that include improvements in facilities for bicyclists and pedestrians, as well as improved provisions for buses, taxis and shuttles and contributions to area wide traffic improvements.
- c. Water and Marine Environments Policy 6.1 of the City-wide LCP will be met because the *Aviation Facilities Plan* will have no adverse impacts on sensitive biotic communities other than those which can be readily mitigated to a less than significant level through implementation of the *Wetland Mitigation Plan*.
- d. Water and Marine Environments Policy 6.2 of the City-wide LCP will be met because all relevant laws protecting marine resources, maintaining optimum populations of marine organisms and maintaining the quality of the marine environment for the protection of human health will be supported and enforcement encouraged. The *Aviation Facilities Plan* includes enlarged sediment basins and the *Wetland Mitigation Plan* that will minimize erosion and siltation that could affect the Goleta Slough and marine resources at the mouth of the Slough.
- e. Water and Marine Environments Policy 6.8 of the City-wide LCP will be met because the *Aviation Facilities Plan* would have no impacts on Coastal creeks that could not be mitigated to less than significance and the City will continue to participate in and support the goals of the Goleta Slough Management Committee.
- f. Water and Marine Environments Policy 6.9 of the City-wide LCP will be met because all requirements of the Regional Water Quality Control Board will be carried out, including all mitigation measures required by the EIR and all Best Management Practices.
- g. Water and Marine Environments Policy 6.10 of the City-wide LCP will be met because setbacks from the top of existing and new creek banks will be required for all development and those setback areas will be planted with native vegetation appropriate to the Slough.
- h. Water and Marine Environments Policy 6.11 of the City-wide LCP will be met because the proposed alterations of Tecolotito and Cameros Creeks will incorporate the recommendations of the *Wetland Mitigation Plan* that includes the best mitigation measures feasible.
- i. Visual Quality Policy 9.1 of the City-wide LCP will be met because existing views to, from and along the coast would not be substantially altered by development of the *Aviation Facilities Plan*. Moreover, all new development would be required to include landscaping and will follow the

approved Urban Design Guidelines for the Airport.

- j. Visual Quality Policy 9.3 of the City-wide LCP will be met because the *Aviation Facilities Plan* requires that all new development must include undergrounding of utility lines.
- k. Visual Quality Policy 9.5 of the City-wide LCP will be met because all public parking areas will be screened from public view with landscaping and low walls.

**Airport and Goleta Slough Component of the LCP:**

- l. Access Policy A-1 of the Airport and Goleta Slough LCP will be met because access to Goleta Slough will continue to be restricted to those persons and organizations conducting compatible research and educational projects.
- m. Environmentally Sensitive Habitats Policy C-1 of the Airport and Goleta Slough LCP will be met because the City will work with the California Department of Fish and Game to amend the Memorandum of Understanding to remove areas affected by the Airfield Safety Projects from the Reserve and add other appropriate areas.
- n. Environmentally Sensitive Habitats Policy C-4 of the Airport and Goleta Slough LCP will be met because a buffer will continue to be required along the periphery of all wetland communities, including those in the proposed mitigation area. It should be noted that this policy will be amended by adding language indicating that incidental Airport uses and facilities found to be consistent with PRC Section 30233 may be provided and maintained.
- o. Environmentally Sensitive Habitats Policy C-5 of the Airport and Goleta Slough LCP will be met because development in the *Aviation Facilities Plan* area that involves grading and construction, based the recommendations of the *Wetland Mitigation Plan*, will include enlarged sediment basins on Tecolotito and Cameros Creeks and an Erosion Control Plan to mitigate potential sedimentation impacts.
- p. Environmentally Sensitive Habitats Policy C-6 of the Airport and Goleta Slough LCP will be met because the existing level of tidal action in the Slough will not change with the implementation of the AFP. As outlined in the *Wetland Mitigation Plan*, weeds and other non-natives will be replaced with estuarine and palustrine plants that should support marine organisms.
- q. Environmentally Sensitive Habitat Policy C-8 of the Airport and Goleta Slough LCP will be met because no adverse unmitigable impacts to wetland habitat would occur as a result of the *Aviation Facilities Plan*. In addition, much of the AFP area is already developed and existing natural open space areas near the Slough would remain and be restored and enhanced.
- r. Environmentally Sensitive Habitats Policy C-9 of the Airport and Goleta Slough LCP will be met because no development will be approved within wetland areas within the *Aviation Facilities Plan* area except those found to be consistent with PRC 30233 (and other Coastal Act policies) relating to allowing incidental public services in and to adjacent to wetland areas.
- s. Visual Quality Policy E-1 of the Airport and Goleta Slough LCP will be met because the projects included in the *Aviation Facilities Plan*, including the Airline Terminal Area Program, are designed to protect historic architectural resources and to maintain the pedestrian scale and ambience of the existing Terminal. New buildings will be reviewed by the Planning Commission, Architectural Board of Review and/or Historic Landmarks Commission pursuant to the adopted

Urban Design Guidelines for the Airport.

- t. Cultural Resources Policy F-1 of the Airport and Goleta Slough LCP will be met because the area of and around archaeological site Sba-52 will be avoided by any and all improvements included in the AFP.
- u. Public Resources Policy G-1 of the Airport and Goleta Slough LCP will be met because water, wastewater and parking are available to meet the needs of the proposed development.
- v. Land Use Policy H-1 of the Airport and Goleta Slough LCP will be met because, even though some impacts to wetlands will occur, the *Aviation Facilities Plan* includes the *Wetland Mitigation Plan* that will mitigate all wetland impacts to a less than significant level. Also, the existing sediment basins on Tecolotito and Carneros Creeks will be enlarged, thus reducing the amount of sediment that is deposited in the Goleta Slough.

California Coastal Act:

- w. California Coastal Act Sections 30230 and 30231 - Marine Environment - will be met because the mitigation measures included in the hazardous materials, water quality, biological resources, threatened and endangered species and wetlands sections of the EIS/EIR have been incorporated into the *Aviation Facilities Plan*. These mitigation measures, the two enlarged sediment basins on Tecolotito and Carneros Creeks, and the implementation of the *Wetland Mitigation Plan* are expected to maintain, protect and sustain the marine resources of Goleta Slough.
- x. California Coastal Act Section 30233 - Marine Environment - will be met because the runways, runway safety areas and taxiways are considered primary public (transportation) services and the Airfield Safety Projects are incidental to these uses as noted in this Section. The Airfield Safety Projects will not result in an increase in runway capacity or the size of aircraft that are able to use the runway. Also, mitigation measures included in the hazardous materials, water quality, biological resources, threatened and endangered species, and wetlands sections of the EIS/EIR have been incorporated into the *Aviation Facilities Plan*. These mitigation measures, the two enlarged sediment basins on Tecolotito and Carneros Creeks, and the implementation of the *Wetland Mitigation Plan* would protect the resources of Goleta Slough.
- y. California Coastal Act Section 30236 - Marine Environment - will be met because the proposed RSA project includes the *Wetland Mitigation Plan* that provides for compensation for the loss of stream channel habitats with like kind mitigation. Also, this policy is met because the Airfield Safety Projects are necessary for public safety and would result in the improvement of fish and wildlife habitat in the mitigation areas.
- z. California Coastal Act Section 30240 - Land Resources - will be met because the mitigation measures included in the hazardous materials, water quality, biological resources, threatened and endangered species, and wetlands sections of the EIS/EIR have been incorporated into the *Aviation Facilities Plan*. These mitigation measures, the two enlarged sediment basins on Tecolotito and Carneros Creeks, and the implementation of the *Wetland Mitigation Plan* are expected to protect the resources of Goleta Slough.
- aa. California Coastal Act Section 30244 - Land Resources - will be met because the mitigation measures included in the cultural resources section of the EIR/EA, including preservation of the 1942 historic Airline Terminal, have been incorporated into the *Aviation Facilities Plan* and would protect such resources.

- bb. California Coastal Act Section 30251 - Development - will be met because development of the *Aviation Facilities Plan* area will not substantially affect views of scenic coastal areas. In addition, any new development will be subject to the Urban Design Guidelines and will be subject to the approval of the Planning Commission, Historic Landmarks Commission or Architectural Board of Review.
- cc. California Coastal Act Section 30252 - Development - will be met because development of the *Aviation Facilities Plan* will not further restrict access to the coast, and sidewalks and bicycle paths will be provided as part of the AFP and the use of public transit and other alternate transportation modes is encouraged through the implementation of the *Ground Transportation Alternatives Plan*.
- dd. California Coastal Act Section 30253 - Development - will be met because standard construction practices will minimize potential geologic and fire hazards and all new development will be required to meet flood requirements and the finished floor level of the Airline Terminal will be above the 100-year flood as required by the Federal Emergency Management Agency (FEMA). All requirements of the Santa Barbara Air Pollution Control District have been incorporated into required mitigation measures and energy consumption and vehicle miles traveled will be reduced by the mitigation measures and policies incorporated in the AFP, including those in the *Ground Transportation Alternatives Plan*.

5. The *Aviation Facilities Plan* is consistent with the policies of the General Plan, as follows:

**Land Use Element:**

- a. Land Use Principle 8 will be met because the historical portion of the Airline Terminal will be preserved and enhanced subject to Historic Landmarks Commission (HLC) review and approval and all new structures will be reviewed and approved by the Architectural Board of Review and/or HLC.
- b. Land Use Principle 9 will be met because a diverse circulation and Transportation system will be enhanced by improvements in the Airline Terminal Area and by the *Ground Transportation Alternatives Plan*.
- c. The Land Use Element Economic Goal will be met by Airport improvements that will enhance its economic contribution to the community and the region, by improving facilities for use by residents and visitors and providing improved facilities for local businesses.
- d. The Land Use Element City Character and Quality Goals will be met by minimizing all forms of pollutions, requirements that, to the extent possible, all demolition, construction and operational waste will be recycled, and utilities will be placed underground.
- e. The Land Use Element Transportation Goals will be met by implementation of the *Ground Transportation Alternatives Plan* and, through the development and adoption of the Airport Specific Plan and AFP, a comprehensive plan for the Airport has been completed.
- f. Land Use Element Policy 1.1 will be met because the square footage proposed in *Aviation Facilities Plan* would be within the 3,000,000 square foot cap for non-residential construction through approval of a Community Priority designation for the Airline Terminal.

- g. Land Use Element Policy 1.3 will be met because the water demand generated by the development of the *Aviation Facilities Plan* area can be met without impacts to City water resources. In addition, the City has many programs that promote the development of affordable housing in the City, as does the County, and the AFP includes an Affordable Housing Contribution of \$450,000; therefore, there would not be a significant impact on the South Coast housing supply. Finally, the project would not result in significant adverse impacts on traffic within the City.
- h. Land Use Element Policy 3.2 will be met because policies have been included in the *Aviation Facilities Plan* that encourage the relocation of existing small businesses within the AFP area from the south side of the Airline Terminal to the north side of the airfield.
- i. Land Use Element Policy 3.3 will be met because the City will continue to encourage and promote economic development of minority businesses at the Airport as it does throughout the City.
- j. Land Use Element Policy 3.4 will be met because a September 2001 economic study prepared by the UCSB Economic Forecast Project and Booz Allen & Hamilton concluded that the Airport contributes more than \$1,365,000 per day to the South Coast economy for a total of one-half billion dollars per year, indicating that the Airport is a major contributor to the economic vitality of the region. Improved facilities at the Airport will enhance its contribution to the economy.
- k. Land Use Element Goal 5, Policy 5.1 and Transportation Goals will be met because the *Aviation Facilities Plan* provides for the special area study called for at the Airport as part of this policy.

**Conservation Element:**

- l. Conservation Element Cultural Resources Policy 1.0 will be met because archaeological analysis and mitigation will be required for any development within the *Aviation Facilities Plan* area which has the potential to result in impacts on such resources. The historic 1942 Airline Terminal building will be restored and incorporated into the Airline Terminal design, thereby preserving that cultural resource consistent with this policy.
- m. Conservation Element Visual Resources Policies 1.0 and 3.0 will be met because the Airfield Safety Projects have been designed and mitigated to avoid degradation of creeks and their riparian environments and new development will not obstruct scenic view corridors.
- n. Conservation Element Cultural Resources Policy 4.0 will be met because the requirements and restrictions of the Historic Landmarks Commission and Architectural Board of Review have been incorporated into the *Aviation Facilities Plan*.
- o. Conservation Element Biological Resource Policy 1.0 will be met because the *Aviation Facilities Plan* area has already been largely developed and mitigations related to biological resources, wetlands, water quality and hazardous materials impacts have been incorporated into the *Aviation Facilities Plan*, including those in the *Wetland Mitigation Plan* that includes 3:1 replacement of impacted wetlands with like kind species to that which would be impacted.
- p. Conservation Element Biological Resources Policy 3.0 and 6.0 will be met because the recommendations of the *Wetland Mitigation Plan* and the increase in the size of the two sediment basins on Tecolotito and Carneros Creeks will mitigate the impact on the Slough to a level of insignificance.

- q. Conservation Element Biological Resources Policy 5.0 will be met because the impacts associated with the federally listed Steelhead trout and state listed Belding's savannah sparrow will be mitigated by the implementation of the *Wetland Mitigation Plan* and other mitigation measures in Sections 3.10, 3.11 and 3.12 of the EIS/EIR.
- r. Conservation Element Drainage and Flood Control Policy 1.0 will be met because the City will continue to participate in the Federal Flood Insurance Program and development will occur consistent with City and County Flood Control regulations. The historic Airline Terminal is proposed to be raised above the 100-year flood level, consistent with FEMA regulations.
- s. Conservation Element Air Quality Policies 1.0, 2.0 and 3.0 will be met because the *Aviation Facilities Plan* includes the *Ground Transportation Alternatives Plan*, with the intent of decreasing single occupant automobile trips and promoting alternate modes of transit including carpooling and bicycling.
- t. Conservation Element Air Quality Policy 4.0 will be met because land uses that cause significant pollution are prohibited and the *Aviation Facilities Plan* is not expected to cause significant air quality impacts that cannot be mitigated.

**Seismic Safety/Safety Element:**

- u. Seismic Safety/Safety Element policies will be met because there are no significant geologic impacts and individual projects will require site-specific soils and geologic analyses, the recommendations of which will be incorporated into building design.

**Noise Element:**

- v. Noise Element Goal, Policies 1.0 and 6.0 will be met because zoning for the *Aviation Facilities Plan* area has been developed to be consistent with noise compatibility guidelines included in the Noise Element. Also, the AFP is consistent with the policies of the Airport Land Use Plan that address land use issues surrounding the Airport that are not within the City's jurisdiction.
- w. Noise Element Policies 3.0 and 4.0 will be met because zoning for the *Aviation Facilities Plan* area has been developed to be consistent with noise compatibility guidelines included in the Noise Element. Aircraft departing and landing at Santa Barbara Airport will utilize the same approach and take off procedures that currently exist, therefore there would not be a change in noise patterns due to implementation of the RSA project. Also, the Airport has an active Noise Abatement Program and state-of-the-art noise monitoring program that contribute to reducing noise problems around the Airport.

**Housing Element:**

- x. Housing Element Policy 3.2 will be met because the City has many programs that promote the development of affordable housing in the City, as does the County, and the AFP includes an Affordable Housing Contribution of \$450,000 to the City's Redevelopment Agency. It is Airport staff's preference that this funding would be focused on providing affordable housing in the Goleta/Old Town area; therefore, there will not be a significant impact on the South Coast housing supply.

**Circulation Element:**

- y. The Circulation Element Comprehensive Goal, Vision Statement, Economic Vitality Goal 1 and Policy 1.1 will be met because alternate modes of transportation will be fully available in the *Aviation Facilities Plan* area as well between the area and other areas in the South Coast through the implementation of the *Ground Transportation Alternatives Plan*. The plan includes improvements to pedestrian, bicycle and transit access, improvements to the internal street system that will enhance the delivery of goods and services, and a contribution to traffic and circulation improvements in the Goleta Valley.
  - z. Circulation Element Equality of Convenience Goal 2 and Policy 2.1 will be met because improved transit stops will be provided, shuttle or similar service will be provided, pedestrian and bicycle access will be improved, parking supply will be managed in such a way as to provide adequate parking without providing excessive parking and the City and Airport will continue to work with other local, regional, state and federal agencies to improve service for alternate modes of transportation.
  - aa. Circulation Element Transit Goal 3 and Policies 3.1, 3.2, 3.3, 3.4 and 3.5 will be met because the *Aviation Facilities Plan* includes policies that call for cooperation with the County and Amtrak in providing rail service at the nearby Amtrak station and coordination with the Metropolitan Transit District (MTD) to provide appropriate bus stop facilities and other services in the Airline Terminal and AFP areas, including implementation of the *Ground Transportation Alternatives Plan*.
  - bb. Circulation Element Bicycling Goal 4 and Policy 4.2 will be met because the *Aviation Facilities Plan* includes provisions for bicycles and the Airport will coordinate with the Santa Barbara County Bikeway Master Plan.
  - cc. Circulation Element Walking Goal 5 and Policies 5.2, 5.4 and 5.5 are met because the *Aviation Facilities Plan* includes improvements to pedestrian access within the Airline Terminal area. In addition, landscape parkways, trees and other amenities will be provided that will foster a pedestrian friendly environment in the AFP area.
  - dd. Circulation Element Reduce the Use of the Automobile Goal 6, Policies 6.1 and 6.3, and Coastal Zone Goal 8 and Policy 8.1 will be met because the *Aviation Facilities Plan* includes the *Ground Transportation Alternatives Plan* that includes the intent of decreasing single occupant automobile trips, particularly in the Coastal Zone.
  - ee. Circulation Element Regional Coordination Goal 14 and Policy 14.3 will be met because the City will meet the requirements of the Congestion Management Program and will coordinate with other local, regional, state and federal agencies to improve transportation to and from the Airport. In particular, the City is paying County Goleta Valley Traffic Impact fees to help fund necessary traffic improvements to the area.
  - ff. Circulation Element Parking Citywide Goal 15 and Policies 15.2 and 15.4 will be met because the AFP's Airline Terminal Area Program provides for adequate parking while encouraging the use of alternate transportation modes through the implementation of the *Ground Transportation Alternatives Plan*.
6. **Airport Land Use Plan** - The *Aviation Facilities Plan* is consistent with the Santa Barbara County Airport Land Use Plan as outlined below:

- a. Airport Land Use Plan Airport Height Restriction Policy will be met because the AFP includes an action to actively pursue the removal of all obstacles to aviation consistent with height restrictions set by the Federal Aviation Administration Federal Aviation Regulations (FAR) Part 77. In addition, the Airport Land Use Commission will review all projects in the project area and determine whether or not height restrictions are exceeded.
  - b. Airport Land Use Plan Airport Safety Policy will be met because no new uses will be allowed that conflict with said policy.
  - c. Airport Land Use Plan Airport Noise Policy will be met because no new sensitive land use, such as residential, will be allowed in the *Aviation Facilities Plan* area including the shifted 65 dB noise contour that will result from the RSA project.
7. **Airport Goals** - The *Aviation Facilities Plan* is consistent with the Airport Goals adopted by City Council on November 20, 1990, as outlined below:
- a. Policies 1A and 1B will be met because a diversity of air transportation services will be provided, requiring that a priority be given to Airport-related services on the north side of the airfield and through improvements to the Airline Terminal to better serve passengers, airlines, Airport Administration and Security and the public.
  - b. Goal 2 and Policies 2A and 2B will be met because environmental effects on the Goleta Slough will be considered prior to approval of any new development that has the potential to affect the Slough, including consultation with the Goleta Slough Management Committee. The implementation of the *Wetland Mitigation Plan* will also ensure that the Slough is protected and enhanced.
  - c. Goal 3 and Policy 3A will be met because the *Aviation Facilities Plan* sets out a program for development that will enhance the South Coast economy while maintaining the Airport's economic self-sufficiency. A recent UCSB Economic Forecast Project study indicated that the Airport contributes \$1,365,000 per day to the South Coast economy for a total of one-half billion dollars per year, indicating that the Airport is a major contributor to the economic vitality of the region. Improved facilities at the Airport will enhance its contribution to the economy.
  - d. Goal 4, Policy 4A and Policy 4B are met because the City has coordinated its planning with the community, the County of Santa Barbara and UCSB by: (1) preparing and distributing the "*The Guide: An Overview of the Santa Barbara Airport Master Plan Process*"; (2) holding interviews with "stakeholders" in the Airport, including members of the County Board of Supervisors and County staff, representatives of the University of California at Santa Barbara faculty, staff and students, members of City Council, the City Airport Commission, representatives of community, business and environmental groups and others; (3) holding three community meetings to gather input from the public in Goleta; (4) holding periodic meetings with representatives of the County Board of Supervisors and the County Departments of Public Works and Planning and Development, UCSB, the Santa Barbara County Association of Governments, City Planning Commission and City Council to discuss progress and receive input; (5) negotiating with the County to contribute towards sub-regional traffic improvements located around the airport; and (6) inclusion of County and UCSB policy analysis in the EIS/EIR.

**D. Local Coastal Plan Amendment**

1. This *Aviation Facilities Plan* also includes an amendment to the Local Coastal Program to incorporate the AFP by reference into the LCP and to change land use and zoning designations in the Airport area. This amendment to the Implementation Component of the Local Coastal program will be carried out in accordance with the Coastal Act pursuant to Section 30510[a] of the Act as shown in Section C of these findings.
2. This *Aviation Facilities Plan* and Local Coastal Program Amendment will take effect automatically upon approval by the California Coastal Commission, unless to accept modifications per the Commission. No additional local action is required.

- Exhibit 1: *Aviation Facilities Plan* (by reference)
- Exhibit 2: Local Coastal Program Amendments
- Exhibit 3: General Plan Map Amendments
- Exhibit 4: Zoning Map Amendments

4. Land Use  
"Land Use  
are shown

5. Amendment  
revised to  
should be

**Santa Barbara Airport  
Outline of Proposed Amendment to**

**The Airport and Goleta Slough Local Coastal Plan**

**I. Text Changes**

1. **Airport Facilities and Policy C-4** (p. 3-25 of Airport LCP) – This policy was revised when the Specific Plan was approved. The last sentence currently reads: “Existing facilities necessary for Airport operations shall be retained and maintained in a normal fashion.” A reference to “incidental public uses” consistent with Section 30233 is needed. The following language is proposed to replace the last sentence:

*Policy C-4: A buffer strip a minimum of 100 feet in width shall be maintained in a natural condition along the periphery of the wetland communities, based upon wetlands delineated in the map entitled “Airport and Goleta Slough Coastal Plan Wetland Habitats, dated January 1998,” and which include open water, coastal salt marsh, salt flats, seasonal wetland meadow, riparian woodland, shrub-scrub thicket and wetland transition habitats. *Incidental Airport uses and facilities found to be consistent with PRC Section 30233 may be provided and maintained.**

2. **Existing Zoning** (p. 4-2) – This section references zoning designations that were in effect in 1982. The A-A-P Zone has been changed to Airport Approach and Operations (A-A-O) and the Goleta Slough Reserve (GSR) Zone has been adopted. Both of these should be corrected here.
3. **Incorporation of Aviation Facilities Plan by reference** (p. 4-3) – The approval of the Specific Plan included changing all references to the Airport Master Plan to the AFP. However, a paragraph is needed describing the scope of the AFP, including the RSA, Taxiway M and Airline Terminal projects. A similar paragraph was added to the City portion of the LCP when the Harbor Master Plan was incorporated by reference in 1996.
4. **Land Use discussion regarding uses in Goleta Slough** (p. 4-3) – The last paragraph under “Land Use”. Proposed deletions (consistent with #1 and #5) are shown in ~~strikeout~~ and additions are shown in *italic* type:

*The Goleta Slough, ~~greater than 200~~ about 400 acres in size, is located primarily in the south and west portions of the City owned property. According to Section ~~29.15.105-29.25.030 & .040~~ of the Airport Zoning Ordinance, no development is allowed within the Slough except that which is designed to maintain the Slough as a natural preserve or that which is found to be consistent with PRC Section 30233.*

5. **Amendment to Policy H-1** (p. 4-5) – Similar to Policy C-4 above (#1), this policy should be revised to indicate that “incidental public services” are consistent with PRC Section 30233 and should be allowed in wetland areas. New language is in *italic* type:



U.S. Department  
of Transportation

Western-Pacific Region  
Airports Division

P.O. Box 92007  
Los Angeles, CA 90009

Federal Aviation  
Administration

OCT -2 2002

Karen Ramsdell  
Airport Director  
Santa Barbara Municipal Airport  
601 Firestone Blvd.  
Goleta, CA 93117

Dear Ms. Ramsdell,

We have completed our review of the Preliminary Draft Report, Goleta Slough Tidal Restoration Study, Phase I - Feasibility Study for Field Experiment (Draft Study). Based on our review and the information available, we do not object to your plan to proceed to the next phase of the field experiment once the following concerns are addressed:

a. A detailed process for terminating the field experiment must be provided to the FAA for concurrence prior to initiating physical implementation of the project. The procedure shall be a signed commitment on behalf of the city as to the feasibility and responsibility to terminate the experiment in a timely manner if it is determined to have adverse impacts on airfield safety.

The plan should include, but not be limited to:

- What process, criteria and interval will be used to evaluate the experiment to determine if there are any negative impacts to aviation safety caused or exacerbated by the project? Who will be responsible for/included in the evaluation process and how will the determination be made?

- If a determination is made that there are adverse impacts caused or exacerbated by the experiment, what are the procedures to terminate and restore the area? How long will it take from the time the determination is made? How will the hazard be addressed or to what state will the area be restored?

b. The transmittal of the Final Report to our office should clearly state what the city is proposing and why the city believes the project is prudent and justified. Finally, please include an estimated schedule for implementation.

c. We recommend that the city conduct a new wildlife hazard assessment followed by an update to the Wildlife Hazard Management Plan. Please provide a timeframe for accomplishing these tasks.

CC JL  
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HJ  
TCL

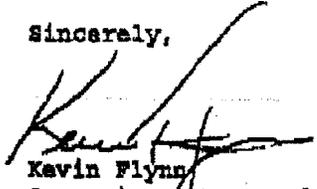
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OCT 7 2002

City of Santa Barbara  
Airport Department

Please address the aforementioned issues and submit the final Phase I Report at your earliest convenience. If you have any questions, please call me at (310) 725-3532.

Sincerely,



Kevin Flynn  
Supervisor, Standards Section

will do so  
through my  
signature  
Name title  
10/08/2002  
10/08/2002  
10/08/2002

October 10, 2002

Ms. April Verbanac  
California Coastal Commission  
South Central Coast District  
Ventura, CA 93001

*Re: City of Santa Barbara's LCP Amendment Application*

Dear April:

On behalf of Santa Barbara Channelkeeper, I write to express our views regarding the City of Santa Barbara's application for LCP amendments.

The City characterizes its proposed LCP amendments as "minor text amendments." (June 21 letter, p. 7.) This is hardly the case - the proposed amendments go to the heart of the LCP. Currently, the LCP absolutely prohibits development within the Goleta Slough except that "which is designed to maintain the Slough as a natural preserve." (LCP, p. 4-3). The City's proposed amendments will gut this central provision of the LCP to allow any additional development so long as it "is found to be consistent with PRC Section 30233."<sup>1</sup>

Under appropriate circumstances, Section 30233(a)(5) authorizes development in wetlands for "incidental public service purposes." The City feels that its airport expansion project, which will fill in 13.3 acres of the Goleta Slough, fits this definition. If the Coastal Commission approves the City's requested LCP amendments, the City will no doubt feel it has the authority to approve *any development project* in the Goleta Slough without amending the LCP so long as the City deems the project "public" and "incidental."<sup>2</sup> Given the fact that the City deems the destruction of 13.3 acres of the Slough "incidental," it is difficult to envision a project that the City would *not* deem incidental. The Commission should not grant the City such broad authority to eliminate that component of the LCP that provides the Slough with its best protection from further destruction.

<sup>1</sup> The City seeks to amend Policies C-4 and H-1 to include similar language.

<sup>2</sup> Previous projects considered by the Commission as fitting within the narrow roadbed/bridge exception to the incidental public service test involved relatively minor intrusions into wetlands. For example, the San Diego light rail project approved by the Commission involved the destruction of 0.007 acres of wetlands and an Air Force project involved the destruction of 0.02 acres of wetlands, both for bridge piling. In stark contrast, this proposed project would permanently destroy 13.30 acres of wetlands.

Exhibit 19  
SBC-MAJ-1-02  
Santa Barbara Channel Keeper  
Comment Letter

The Goleta Slough is by far the largest and most important coastal resource covered by the LCP. According to the EIR/EIS prepared for this project, the Goleta Slough is "the major environmentally sensitive habitat area in the Goleta Valley's coastal zone." A substantial portion of the Goleta Slough ecosystem is also a State Ecological Reserve. This critical resource should retain the protection provided for it in the LCP. Development should only occur under extraordinary circumstances, not whenever the City determines it is appropriate.

This is especially true in light of the City's track record at the Slough. The City has not demonstrated itself to be a good steward. Instead, the City has let this wetland deteriorate to the point that the experts most familiar with the Goleta Slough have repeatedly stated that it will not survive as a functioning ecosystem unless drastic restorative action is taken.

UCSB scientists note that as recently as 1983, the following species could be found in the Goleta Slough: the black-tailed jackrabbit, gray fox, badger, long-tailed weasel, spotted skunk, American bittern, California quail, greater roadrunner, Western screech-owl, short-eared owl, horned lark, white-breasted nuthatch, yellow warbler, Wilson's warbler, tricolored blackbird, arboreal salamander, red-legged frog, and the two-striped garter snake. Today - fewer than 20 years later - *none of these species* can be found at Goleta Slough.

Santa Barbara Channelkeeper opposes the airport expansion project and the City's proposed amendments to the LCP. The Commission has nevertheless found the project consistent with the Coastal Act.

Accordingly, the Commission will likely approve some form of LCP amendment. However, we think an amendment narrowly tailored to accommodate this particular project is more appropriate than the sweeping amendments proposed by the City. We urge the Commission to consider a narrow amendment that will simply allow this project. A narrow amendment will give the City the Commission approval it needs for this project. If the City desires to further fill in the Goleta Slough in the future, it will be required to again seek the Commission's approval to amend the LCP.

Cordially,



For Drew Bohan  
Executive Director

**CITY OF SANTA BARBARA**

AIRPORT DIRECTOR

SANTA BARBARA MUNICIPAL AIRPORT  
601 FIRESTONE ROAD  
GOLETA, CALIFORNIA 93117  
(805) 967-7111  
FAX (805) 964-1380

October 31, 2002

Chuck Damm, Senior Deputy Director  
California Coastal Commission  
South Central Coast District  
89 S. California Street, Suite 200  
Ventura, CA 93001

**RE: CITY OF SANTA BARBARA LOCAL COASTAL PROGRAM (LCP)  
AMENDMENT NO. SBC-MAJ-1-02: AIRFIELD SAFETY PROJECTS,  
DRAFT AVIATION FACILITIES PLAN**

Dear Mr. Damm:

The Airport greatly appreciates your support of the proposed Airfield Safety Projects and your efforts to place this item on the November agenda. The analysis and staff report are excellent given the very short time frame available.

Nevertheless, the Airport has a few concerns with some of the policy language proposed for inclusion in the LCP Amendment. As stated in the Staff Report, the City's request for an LCP Amendment is limited to only those changes necessary to implement the proposed Airfield Safety Projects. However, several of the proposed policies, namely Policies C-11 through C-14 and F-3 are included in the Amendment as general policies applicable to all future Airport development. It is the City's position that application of these policies to all future Airport development other than the Airfield Safety projects is beyond the scope of the proposed request. The City requests that these policies be revised to be applicable only to the proposed Airfield Safety Projects.

Of particular concern to the Airport is specific language contained in proposed Policy C-12. The Airport's greatest concern pertains to a proposed requirement that post-development peak storm water runoff discharge rates not exceed the estimated pre-development rate. This requirement cannot be achieved by the proposed Airfield Safety projects. The Airfield Safety Projects will by definition involve the creation of new impervious surfaces, which will incrementally increase peak storm water discharge rates and dry weather runoff. The Airport cannot feasibly provide onsite detention to reduce these flow rates without significant disruption to sensitive habitats within Goleta Slough.

Exhibit 20  
SBC-MAJ-1-02  
City of S.B. Comment Letter  
10/31/02

LCP Amendment SBC-MAJ-1-02  
October 31, 2002  
Page 2 of 2

Given the Airport's location in the watershed, any storm larger than a 10-year event will cause extensive flooding at the Airport and any detention devices would be inundated and rendered useless. The City cannot feasibly meet this requirement.

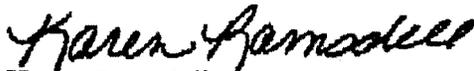
Further, the requirement in Policy C-12 that post development dry weather runoff not exceed pre-development levels is also problematic. The determination of reliable pre- and post- development dry season runoff rates is generally difficult to accomplish and has little meaning in terms of water quality. The City instead recommends revising this requirement to state that "All dry weather runoff shall be captured and filtered prior to discharge." This revision would result in better post-development water quality conditions.

The City further requests that Policy C-12 be revised such that when storm water monitoring is required by the Regional Water Quality Control Board (RWQCB), the monitoring period and frequency is consistent with that required by the RWQCB. As currently worded, the policy may require a different monitoring period and frequency than that required by the RWQCB, particularly if RWQCB standards change over time.

Finally, the City requests that Policy C-10 be modified to permit the Airport flexibility to amend the April 2002 Upland Mitigation Plan as necessary during project design or the Coastal Development Permit process, subject to Commission approval.

City recommended revisions to the proposed policies are provided in the attachment to this letter. We trust that the staff will give serious consideration to these proposed revisions. Please feel free to call John Ledbetter, Principal Planner at (805) 564-5470 or Laurie Owens, Project Planner at (805) 692-6023 if you have questions or comments. We look forward discussing these concerns with you prior to the meeting.

Sincerely,



Karen Ramsdell  
Director, Santa Barbara Airport

Attachment: Recommended revisions to proposed LCP Amendment

Cc: Gary Timm, Program Manager, California Coastal Commission  
April Verbanac, Coastal Program Analyst, California Coastal Commission  
John Ledbetter, Principal Planner  
Laurie Owens, Project Planner  
Stephen Wiley, Assistant City Attorney

**Cynthia Brock  
Councilmember  
City of Goleta**

Ms. April Verbanac  
California Coastal Commission  
South Central Coast Area  
89 South California Street, Suite 200  
Ventura, California 93001

**Subject: City of Santa Barbara Local Coastal Program Amendment No. SBC-MAJ-1-02**

Dear Ms. Verbanac,

I submit these comments on behalf of the City of Goleta ("Goleta") on the proposed amendment to the City of Santa Barbara Local Coastal Plan. We request that you provide a copy of these comments to each Commissioner and include these comments in the record of this proceeding.

**Goleta urges the Coastal Commission to take this matter off the agenda for the Commission meetings in San Diego on November 5<sup>th</sup> through November 8<sup>th</sup> and defer consideration of the proposed amendments. Deferral is warranted both to permit adequate time in which to resolve a pending lawsuit over issues related directly to the proposed LCP amendment and to reconvene the hearing in or around Santa Barbara.**

At the outset, we acknowledge that several of staff's recommendations contained in the report of October 23 include important protections clearly designed to minimize the harmful impacts to the Goleta Slough that may result from development activities at the Santa Barbara Municipal Airport. Goleta appreciates the obvious time and energy that was dedicated to searching for reasonable means to limit the environmental impact of proposed improvements.

Goleta nevertheless believes that the Coastal Commission has, once again, missed the critical point that the proposed improvements to the Santa Barbara Airport are inconsistent with the enforceable policies contained in Chapter 3 of the California Coastal Act. In short, there is no form of mitigation and no means to narrow the scope of the LCP amendment that might bring the proposed improvements to the airfield into compliance with the law; the proposed improvements, and any amendments to the LCP designed to authorize the improvements, simply are prohibited by the Coastal Act.

We have detailed the basis for this conclusion in comments submitted in April 2002 on the Coastal Commission's consideration of the City of Santa Barbara's federal consistency certification (Number CC-058-01). We have attached a copy of these comments and request that they be included in the record. To summarize our position, Goleta contends:

1. The proposed filling of wetlands to shift Runway 7/25 and extend the runway safety area does not serve an "incidental public service purpose" and therefore is prohibited under Section 30233.

2. The proposed relocation of Tecolotito Creek is not a "flood control project" and therefore is prohibited under Section 30236.
3. The proposed development in an environmentally sensitive habitat area is not "resource dependent" and therefore is prohibited under Section 30240.

While the legal basis for these conclusions is detailed in our prior comment letter, the significance of the Coastal Commission's position and action on this issue is worth repeating. The enforceable policies of Chapter 3 essentially reflect a principle of nondegradation for coastal resources. The exceptions permitting public agencies and private parties to damage coastal resources are exceedingly narrow, and intentionally so. Rather than accept that the proposed project simply does not fit any recognized exception, the Coastal Commission is attempting to expand the scope of the exceptions to include a project that it apparently views as desirable or necessary. Not only does the Coastal Commission lack the authority to expand the scope of the exceptions in this manner, by doing so it will be setting a very dangerous precedent that undermines the fundamental purposes of the Coastal Act.

This problem is particularly acute with respect to the Commission's attempt to justify the filling of wetlands on the basis that the project serves "incidental public service purposes." The examples of incidental public service purposes provided in Section 30233 include burying cables and pipes, inspecting piers, and maintenance activities for intake and outfall lines. The Coastal Commission expanded the scope of this exception in Commission guidelines by further permitting "limited expansion of roadbeds and bridges necessary to maintain existing traffic capacity." Since the proposed project is not limited, not for a roadbed or bridge, not necessary to maintain existing traffic capacity, and not the only alternative, the Commission's action must be seen as a further expansion of the scope of the incidental public service test. The staff report attempts to incorporate the expanded interpretation of the test into the LCP by permitting development in the Goleta Slough for "incidental Airport uses and facilities necessary for existing Airport operations, which are found to be consistent with PRC Section 30233."

Goleta and Santa Barbara ChannelKeeper already have filed suit challenging the Coastal Commission's interpretation of the Coastal Act with respect to the proposed project. We have attached a copy of the complaint and request that it be included in the record. Although the cause of action for that lawsuit was the Coastal Commission's concurrence with Santa Barbara's consistency certification, the identical issues apply to the proposed LCP amendment. If we are successful in the lawsuit, the project as proposed cannot go forward. Although the Coastal Commission certainly is not prohibited from amending the LCP to state that only those improvements consistent with Section 30233 can proceed, the court may conclude that the proposed project does not satisfy this criteria, thus obviating the purpose behind the proposed LCP amendment.

Accordingly, we believe that it would be imprudent for the Coastal Commission to render a decision on the proposed LCP amendment while the lawsuit is pending. Considering that the Coastal Commission recently extended the deadline for issuing a decision on the LCP

amendment for one year, we see no compelling reason to decide on the matter at this time. Moreover, although Goleta and ChannelKeeper stand ready to debate the legal issues and resolve this case, it is being held up by the excessive time Coastal Commission staff assert is required to compile the administrative record. We strongly object to any intentional strategy to delay the litigation for the purpose of completing all other necessary steps to permit the project to go forward.

In addition, we strongly object to the Coastal Commission's decision to hold this hearing in San Diego. As evidenced by the public response to the consistency certification, the proposed expansion of the Santa Barbara Airport and associated impacts on the Goleta Slough are matters of grave importance to our community. We believe that any and all public hearings on this issue should be held in or around Santa Barbara.

As stated above, we appreciate staff's obvious efforts to incorporate protective measures into the LCP amendment, including declining to approve the entire Airport Facilities Plan, requiring mitigation and planning for biological and cultural resources, and further promoting restoration of tidal circulation. We nevertheless fear that the proposed amendments will have the perhaps unintended effect of clarifying for the City of Santa Barbara the specific steps that are required to undertake further development in the Goleta Slough.

The Coastal Act is designed to protect sensitive coastal resources. The Goleta Slough is such a resource and is threatened dramatically by the operations and growth of the Santa Barbara Airport. We implore the Coastal Commission to abide by the fundamental principle of the Coastal Act that coastal resources must be preserved in all but extremely limited circumstances. While Goleta maintains an unwavering commitment to airport safety, we believe that safety objectives can be achieved without causing this significant and irreversible damage to the Goleta Slough.

Thank you for your consideration of these comments.

Sincerely,

*Cynthia Brock* <sub>rep.</sub>

Cynthia Brock, Councilmember  
City of Goleta

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RIYADH (AFFILIATE)

April 8, 2002

VIA COURIER

California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219  
Attention: Kathleen Stycket

Re: Enclosed Comments on the City of Santa Barbara's Consistency Certification (No. CC-058-01)

Dear Kathleen:

Enclosed are comments on behalf of the City of Goleta in the above referenced matter. As you and Dan Reimer discussed last week, City officials will be presenting oral comments at the hearing tomorrow but these written comments are substantially more detailed. If you should have any questions about the matters addressed in the enclosed comments (or would like to discuss some of the more technical issues concerning the role of safety areas at airports), please do not hesitate to contact me or my colleague Dan Reimer. Feel free to call one of us tonight if necessary. My cellular telephone number is (303) 898-1665 and Dan's is (303) 596-2170.

Thank you for your assistance in this matter.

Sincerely,



Peter J. Kirsch

Enclosure

**COMMENTS OF THE CITY OF GOLETA  
ON CONSISTENCY CERTIFICATION NO. CC-058-01,  
SANTA BARBARA AIRPORT AVIATION FACILITIES PLAN**

The City of Goleta ("Goleta") respectfully submits these comments for the California Coastal Commission ("Commission") to consider in its review of the City of Santa Barbara's consistency certification for proposed improvements at the Santa Barbara Airport. Goleta requests that these comments be included in the record of this proceeding.

**Introduction**

In the interest of brevity, we assume in these comments the reader's familiarity with the proposed project, the procedural history of the Commission's review, and the comments that previously have been submitted for the record. Also in the interest of brevity, these comments do not address issues concerning the current local coastal plan or amendments thereto which will be addressed at a later time should that become necessary. These comments focus exclusively on consistency between the Coastal Act and those portions of the proposed project that involve the reconfiguration of the Airport runways ("RSA/RPZ project").

Goleta supports the conclusion contained in the Revised Staff Recommendation ("Staff Report") that the Commission should object to the consistency certification. We believe that this is the only conclusion that can be supported by the facts in the record. The Staff Report correctly states that the City of Santa Barbara has failed (1) to explore adequately the possibility of constructing an engineered materials arresting system (EMAS) for Runway 7/25 to increase the margin of safety without the need to fill wetlands and alter a stream channel, and (2) to include in the project adequate mitigation for the loss of upland habitat.

While Goleta agrees with the conclusions in the Staff Report concerning EMAS and uplands habitat mitigation, Goleta believes that the Staff Report fails to identify a more fundamental deficiency in the proposed project: *the proposed actions simply are not permitted under the Coastal Act*. The City of Santa Barbara has not shown that the RSA/RPZ project is required, necessary, or otherwise essential. Without any such showing, there is no basis for the Commission to invoke a limited exception to the Coastal Act and to concur with Santa Barbara's consistency certification.

Goleta accordingly recommends that the Commission object to Santa Barbara's consistency certification not only on the basis of inadequate information but also on the grounds that the information that has been provided demonstrates that the proposed project is *inconsistent with the enforceable policies of the Coastal Act contained at Section 30233, 30240, and 30236*.

We address below each of the three key aspects of the project: permanent destruction of wetlands, disruption of an environmentally sensitive habitat area, and stream alteration.

## Wetlands

The essential question raised by the RSA/RPZ portion of the project is whether the proposed destruction of wetlands can be characterized as serving "incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines."<sup>1</sup> If the project does not fit this narrow description then the destruction of wetlands is *not permitted* under the Coastal Act. The Staff Report suggests that the proposed activities are an allowable use in light of Commission guidance and prior Commission decisions. Specifically, Commission guidance states, "When no other alternative exists, and when consistent with the other provisions of this section, limited expansion of roadbeds and bridges necessary to maintain existing traffic capacity may be permitted."<sup>2</sup>

The proposed destruction of wetlands to reconfigure an airport runway does not meet any rational interpretation of Section 30233(a)(5) and Commission guidance. Putting aside the exception for roadbeds and bridges, Section 30233(a)(5) is applicable only when a proposed project is found to be "incidental" and for a "public service." The Commission has advised in its policy statements that part of the test requires that the impact must be temporary.<sup>3</sup> The examples provided in the statute – burying cables, inspecting piers and maintaining lines – are illustrative of projects that satisfy these criteria.

The proposed project does not satisfy the criteria of Section 30233(a)(5). The proposed use is neither incidental nor would the impacts of the RSA/RPZ project on wetlands be merely temporary. While the Staff Report does not discuss the issue of whether the proposed project is "incidental," this issue was discussed in one of the prior staff reports cited (concerning the proposed extension of light rail tracks in San Diego). In the San Diego report, the Commission referred to Davis v. Pine Mountain Lumber Co., (1969) 273 Cal. App. 2d 218, a case involving the licensing of motor vehicles, in which the California Court of Appeal referred to a definition of incidental as "depending upon or appertaining to something else as primary; something necessary, appertaining to, or depending upon another which is termed the principal, something incidental to the main purpose."<sup>4</sup> It cannot reasonably be argued that this project and the proposed filling of wetlands is incidental. The wetlands are proposed to be filled and graded expressly to reconfigure Runway 7/25 and to meet the FAA's design guidelines for an RSA/RPZ. Santa Barbara has expressly acknowledged that the filling of the wetlands is the *very purpose* of the RSA/RPZ project. Specifically, Santa Barbara has asserted that the purpose of the project is to fill wetlands, relocate the stream bed and compact the soil to meet FAA design guidelines for runway safety zones. Thus, filling the wetlands is not incidental to some other goal or purpose; it is itself the goal.

<sup>1</sup> Cal. Pub. Resources Code § 30233(a)(5).

<sup>2</sup> California Coastal Commission, Procedural Guidance for the Review of Wetland Projects in California's Coastal Zone.

<sup>3</sup> See *id.*

<sup>4</sup> Davis, 273 Cal. App. 2d at 222-23 quoting Kelly v. Hill, (1951) 104 Cal. App. 2d 61, 65.

The second criteria, that the impacts be temporary, obviously is not satisfied here. The City of Santa Barbara has conceded that the destruction of wetlands will be permanent.

The Staff Report nevertheless finds that the project is an allowable use of wetlands because it qualifies as a "limited *expansion* of roadbeds and bridges necessary to maintain existing traffic capacity." (emphasis added) Goleta has two objections to this finding. First, it does not appear that the allowance for roadbeds and bridges is consistent with Section 30233(a)(5). This exception clearly *expands* the "incidental public service" provision, arguably beyond reasonable limits. Staff's reliance on Bolsa Chica for the proposition that the California courts have endorsed this exception is inaccurate since the court in Bolsa Chica was not presented with the question of whether this exception was a permissible interpretation of the statute<sup>5</sup> and because the court's discussion of Section 30233(a) makes clear that this section should be interpreted narrowly.<sup>6</sup>

Second, even assuming that the roads/bridges category is a permissible interpretation of Section 30233(a)(5), this proposed project does not meet any of the criteria that determine whether a project qualifies for the limited exception.

1. *The project is not limited.* Previous projects considered by the Commission as fitting within the narrow roadbed/bridge exception to the incidental public service test involved *de minimus* intrusions into wetlands. For example, the San Diego light rail project involved the destruction of 0.007 acres of wetlands and the Air Force project involved the destruction of 0.02 acres of wetlands, both for bridge pilings. In stark contrast, this proposed project would permanently destroy 13.30 acres of wetlands and permanently alter 18.91 acres of upland habitat for the purpose of reconfiguring Runway 7/25 and creating the RSA/RPZ. On the basis of size alone, this project cannot reasonably be deemed a limited use of wetlands.
2. *The project is not for a roadbed or bridge.* The Staff Report indicates that the proposed project is "a public transportation project *very similar in nature* to road or bridge construction projects." (emphasis added) The guidance is very specific and limited; it does not allow roadbeds, bridges and "very similar" projects. This project does not involve a roadbed or bridge. As indicated above, the roadbed/bridge exception appears to be an extension of the incidental public services test. Without legislative direction, the Commission does not have the authority to extend this already tenuous exception for roads and bridges to other projects that in some manner are similar to roads and bridges. To allow the Commission to do so would raise the obvious slippery slope: What makes a project similar? Is this project similar merely because it concerns transportation? Or is similarity based upon the severity of impacts? We believe that the limited exception that allows minor wetlands destruction for roads and bridges cannot be used to justify many acres of wetlands

<sup>5</sup> See Bolsa Chica Land Trust v. California Coastal Comm'n, (1999) 71 Cal. App. 4th 493, 516-17 (the court considered only the legal issue of conflicts between Sections 30233 and 30240 and the factual issue of whether the proposed project would enhance capacity).

<sup>6</sup> See id. at 516 ("[S]ection 30233, subdivision (a), provides specific and detailed limitation on the uses permitted in wetland areas").

destruction, construction of hundreds of feet of impermeable surface and hundreds of more feet of compacted soil within a wetlands environment. Unlike a road or bridge project, this project does not merely (and incidentally) transect wetlands as part of a larger endeavor: the filling and destruction of wetlands is the reason for the project because the existing wetland environment may be inconsistent with design guidelines that recommend compacted soil or hard surface at the end of runways.

3. *The project is not necessary to maintain existing traffic capacity.* The Staff Report, along with comments submitted by ChannelKeeper and others, focused on the question of whether the project would enhance capacity. While Goleta agrees that this is an important issue, the more fundamental problem is that this project is *not necessary*. The City of Santa Barbara has never stated that the proposed project is required or otherwise necessary to maintain the capacity or operations of the existing airport facility. It has not so stated because the project is neither necessary as an engineering matter nor required as a legal matter by any authority.

Santa Barbara is correct that Part 139 of the Federal Aviation Regulations imposes certain obligations on the City of Santa Barbara, as holder of an Airport Operating Certificate. Federal regulations are explicit, however, that an airport operator that is not proposing to construct, reconstruct, or significantly expand a runway or taxiway is not obligated to bring the airport into compliance with the current runway safety design guidelines.<sup>7</sup> Santa Barbara has *not* proposed to construct, reconstruct, or significantly expand a runway or taxiway. Its proposed construction of Taxiway M does not, standing alone, trigger any federal requirement regarding improvement of the existing RSA/RPZ.

Although all parties undoubtedly agree that promoting airport safety is a worthy goal, the Coastal Act simply does not allow the Commission to make such a value judgment when determining whether to allow destruction of wetlands. Since the RSA/RPZ project is not necessary and not required by law to maintain the existing capacity or operations of the Airport – or even to maintain the operations of the Airport with the proposed improvements – it is not permissible under the Coastal Act. The Commission need not be concerned, moreover, that objection to the consistency certification will in any manner compromise airport safety. As much busier airports throughout the United States have found, it is possible to operate an airport safely, efficiently and appropriately without an RSA/RPZ that adheres strictly to the FAA's design guidelines.<sup>8</sup>

<sup>7</sup> 14 C.F.R. §§ 139.309(a) and (b). The Commission should note that the FAA regularly allows airports to maintain runway safety areas that are not fully in compliance with Part 139 and does so based upon an individual determination of the practicality of constructing safety zones in full compliance with FAA guidelines. These airports – which include some of the largest and busiest airports in the nation – operate safely even though the airport safety zones may, by some definition, be considered to be substandard.

<sup>8</sup> The Commission may be interested in the fact that other airports even in southern California, including especially the Burbank Airport, which receives substantially greater heavy aircraft traffic than Santa Barbara Airport, operate with smaller RSA/RPZ zones than Santa Barbara has

We also take issue with the conclusion drawn in the Staff Report that this project would not enhance capacity. The Staff Report conflates the question of whether Santa Barbara *considers* that the runway is being extended with the question of whether pilots will in fact *treat* the runway as being extended.

There are two reasons why this distinction is important. Goleta recognizes that the airfield markings may identify the runway threshold on the departure end of Runway 25 as being 800 feet from the end of the pavement and that the Air Traffic Control Tower may advise pilots not to release their brakes (i.e., begin take-off) before reaching this threshold. It is equally true, however, that pilots will be able to use the additional 800 feet of pavement when departing to the east and arriving from the west. It is entirely possible that airlines will make route and scheduling decisions based upon their own assessment of available pavement that would include the longer runway and that other Airport users (cargo, general aviation, U.S. Government) will make similar assumptions. While predicting whether pilots will in fact use the extra pavement is complicated, Santa Barbara simply cannot state definitively that the project will not have the effect of enhancing capacity.

Second, the Staff Report discusses capacity only in terms of number of aircraft, not type of aircraft and type of destination. For certain aircraft and for certain distant destinations (such as, for example, Chicago or Dallas/Ft. Worth), the availability of additional paved surface could be pivotal in a decision whether to schedule service to this airport. Santa Barbara, of course, has not represented that the additional paved surface would be unavailable under certain circumstances because it cannot make such a commitment. A broader definition of capacity that includes not only the number of aircraft but their destination and the type of aircraft may plausibly show that the RSA/RPZ project could make the airport practically available to service that is not presently practical.

Goleta also is concerned that, even if the RSA/RPZ project does not have an immediate effect on capacity (as that term has been narrowly defined in the Staff Report), the City of Santa Barbara can make minor changes in the future that would enhance capacity. The most obvious example is if Santa Barbara altered the runway markings to increase the runway length. Since the damage to the coastal zone already would have been permitted, the Commission would not have an opportunity to review such a routine airport project.

All of these facts make it clear that the project is not necessary to maintain existing capacity of this facility. In fact, the project is likely to have some effect on increasing the availability of the airport to certain traffic that today does not use it.

4. *The project is not consistent with the other provisions of Section 30233.* Although the Staff Report treats the roadbed/bridge exception as if it were a substitute for the

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proposed. Burbank Airport has just completed installation of an EMAS at one runway end even though it has also received necessary local authorizations to expand its safety zones.

incidental public service test, Commission guidance makes clear that the use must otherwise comply with the requirements of Section 30233. To meet these requirements, the proposed use of wetlands must still be shown to be incidental. As indicated above, the proposed project cannot reasonably be considered incidental. The purpose of the project is to fill wetlands to create a flat, compacted surface at the end of the runway. Filling wetlands is not incidental to this purpose.

5. *The project is not the only alternative.* While Section 30233(a) indicates that the use of wetlands is permissible if it is the least environmentally damaging alternative available, the roadbed/bridge exception is narrower and permits the use only if "no other alternative exists." Unlike the least-environmentally-damaging standard, this test does not involve any balancing of environmental factors but instead permits the use of wetlands for roads and bridges only when the project sponsor can establish that it is the only available alternative. The information submitted to date makes clear that EMAS presents a viable *and unstudied* alternative to the proposed project. Any facts presented by Santa Barbara concerning the relative costs and benefits of the alternatives therefore are immaterial. The City of Santa Barbara must *prove* that an arresting system would not be feasible at the Airport.

We recognize that the FAA has expressed the position that the feasibility of EMAS is predicated in part on whether other alternatives are available. The Commission's views on whether the project as proposed is permissible under the Coastal Act obviously plays a key role in this analysis. We therefore believe that the Commission should demand that the City of Santa Barbara conduct a detailed engineering analysis of the EMAS alternative and submit another consistency certification only if it can (1) establish that EMAS is infeasible as an engineering matter; (2) demonstrate that EMAS is unacceptable to the FAA even in the absence of necessary approvals from the Coastal Commission to construct a conforming RSA/RPZ; and (3) establish that construction of the RSA/RPZ is necessary, required or essential to the continued operation of aircraft that currently use the existing airport facility.

Goleta further believes that Santa Barbara has not considered a combination of measures that would improve safety and avoid damaging the coastal zone. A few examples include (1) shortening the runway length to provide sufficient room for a longer EMAS pad; and (3) a combination of EMAS and smaller RSA/RPZ to provide optimal safety protection.

#### Environmentally Sensitive Habitat Area

The Staff Report fails to consider whether the project satisfies the requirements of Section 30240(a) concerning development in an environmentally sensitive habitat area (ESHA). This provision states that "only uses dependent on those resources shall be allowed within those areas." The RSA/RPZ project cannot reasonably be said to be resource dependent.

A California court has endorsed the Commission's previously expressed view that Section 30233 controls in determining whether destruction of wetlands that are within an

environmental sensitive habitat area is permissible.<sup>9</sup> Since, as detailed above, the proposed project is not an allowable use under Section 30233, the prohibition contained in Section 30240 prohibits disruption of this ESHA.

The fact that the area in question is an environmentally sensitive habitat area also militates heavily against extending the allowable uses under Section 30233. Although Goleta does not believe that this use of wetlands would be permitted anywhere in the coastal zone, the emphasis placed on protecting environmentally sensitive habitat areas makes this a particularly inappropriate case in which to extend the permissible uses of wetlands.

### Stream Alteration

Goleta believes that the Commission has sufficient information upon which to determine that the proposed project is *not consistent* with Section 30236. Under the Coastal Act, the proposed relocation of Tecolotito Creek would be permissible if it constitutes a "flood control project[] 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." The Staff Report concludes that Santa Barbara has not met this test because it has not examined all feasible alternatives to avoid the stream alteration (i.e., EMAS). Goleta believes that Staff has missed the more fundamental problem with the proposed project, which is that it is not a flood control project. Therefore, regardless of whether the proposed alternative is the only feasible alternative, altering the stream is not permitted under the Coastal Act.

The undeniable fact is that this project is designed to reconfigure the airfield and construct additional impermeable and compacted surfaces at the end of the runway. The purpose of the project is not to control flooding. Goleta agrees with the comments submitted by ChannelKeeper that the incidental flood control benefits associated with the project do not turn this airport development and runway extension project into a flood control project under Section 30236 merely because there may be some incidental flood control benefits of the undertaking.

First, the Staff Report reveals that, although relocating the creek may incidentally improve flood control because it moves the creek farther from the runway, these benefits will be slight and have not been quantified. Second, and perhaps more importantly, Santa Barbara clearly is not proposing this project for its flood control benefits. None of the environmental documentation supports a contrary assertion. The express purpose of the project, as articulated in the relevant environmental documentation, is to reconfigure the airfield. Santa Barbara cannot now be heard to change the purpose of the project for its own convenience in order to obtain Commission concurrence under the Coastal Act. The Commission is not authorized to extend the limits of Section 30236 to any project that may have some unspecified, undefined and tangential benefit of improving flood control.

<sup>9</sup> See *Bolsa Chica*, 71 Cal. App. 4<sup>th</sup> at 515 ("[I]n this instance we agree with Commission's guidelines that the ESHA protections provided by section 30240 are more general provisions and the wetland protections provided by section 30233 are more specific and controlling when a wetland area is also an ESHA").

While it should not be necessary for the Commission to address mitigation if it agrees with Goleta that the project is not authorized under Section 30236, Goleta also questions whether the project incorporates the "best mitigation measures feasible," as required by Section 30236. The Staff Report indicates that Santa Barbara recently committed to study tidal restoration and take certain actions based upon the outcome of the study. Goleta strongly supports tidal restoration and believes that the Commission should both participate actively in this process (i.e., as a signatory in any agreement) and demand specific guidelines, time tables, and other enforceable standards to ensure that Santa Barbara satisfies its commitments.

#### **Proposed, Future Amendments to Santa Barbara's Local Coastal Plan**

While the amendment to Santa Barbara's Local Coastal Plan identified in the EIR/EIS and discussed in the Staff Report is not before the Commission, the fact that the project does not meet the criteria of Section 30233, 30240 and 30236 renders any proposed amendment to the Local Coastal Plan moot. The LCP must be consistent with the Coastal Act. Therefore, regardless of any boundary adjustments or verbiage that Santa Barbara will ask be included in the LCP, the City of Santa Barbara simply cannot proceed with this project because it does not meet the requirements for use of coastal zone resources consistent with statewide coastal protection policies.

#### **Archeological Resources**

Section 30244 requires the "reasonable mitigation measures" for potential, adverse impacts to archeological or paleontological resources. Santa Barbara has documented several Native American sites in areas proximate to proposed construction areas, including SBA-52. Construction at other sites in the area reveals that deposits may extend a considerable distance from the principal site. In addition, construction anywhere on the Airport may uncover artifacts associated with the Chumash village of Helo redeposited during construction of the Airport.

Goleta believes that the proposed mitigation – 50 foot buffer areas and markings – is woefully inadequate to protect against disturbance of these resources. The buffer zone must be extended to the greatest extent practicable and defined for each specific site by an archeologist and/or Native American monitor, who should remain on site during any disturbance of the subsurface.

#### **Conclusion**

For the foregoing reasons, the City of Goleta requests that the California Coastal Commission object to the City of Santa Barbara's consistency certification and conclude that the proposed project is not consistent with Sections 30233 (wetlands), 30436 (stream alteration) and 30240 (environmentally sensitive habitat areas) of the Coastal Act. While we believe that the Commission has before it sufficient information to object to the consistency certification, in the event that the Commission decides that it needs additional information, we request that the Commission indicate, pursuant to 15 C.F.R. § 930.63, that Santa Barbara must provide

information that (1) establishes that EMAS is infeasible as an engineering matter; (2) demonstrates that EMAS is unacceptable to the FAA even in the absence of necessary approvals from the Commission to construct a conforming RSA/RPZ; and (3) establishes that construction of the RSA/RPZ is technically necessary, legally required or practically essential to the continued operation of aircraft that currently use the existing airport facility.

Respectfully submitted this 8<sup>th</sup> day of April, 2002.

**CITY OF GOLETA**

**GOLETA CITY COUNCIL  
P. O. BOX 250  
GOLETA, CA 93116**

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21 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
 22 **FOR THE COUNTY OF SANTA BARBARA**

23 CITY OF GOLETA and SANTA BARBARA  
 24 CHANNEL KEEPER, )

25 Petitioners, )

26 v. )

27 CALIFORNIA COASTAL COMMISSION, a  
 28 political subdivision of the state of California; and  
 DOES 1 through 20, inclusive, )

Respondents. )

CITY OF SANTA BARBARA, ROES 1 through 50,  
 inclusive, )

Real Parties in Interest. )

CASE NO.

PETITION FOR WRIT OF MANDATE  
 FOR VIOLATION OF THE  
 CALIFORNIA COASTAL ACT (PUBLIC  
 RESOURCES CODE §§ 30000 *et seq*)  
 AND FOR INJUNCTIVE RELIEF

1           PETITIONERS SANTA BARBARA CHANNELKEEPER and CITY OF GOLETA  
2 respectfully petition this Court requesting relief afforded pursuant to Code of Civil Procedure Sections  
3 1085 and 1094.5 and allege as follows:  
4

5           **Introduction**

6           1.     The CALIFORNIA COASTAL COMMISSION is charged with protecting coastal  
7 resources within its jurisdiction. Nevertheless, with 97% of California's historical wetlands destroyed,  
8 the Commission has agreed to allow destruction of more than 13 acres of coastal wetlands in the  
9 critically important Goleta Slough, in direct violation of the plain language of the Coastal Act. The  
10 Commission's stated justification is that this destruction is "incidental" to improvement of a "roadway"  
11 or "bridge abutment" but which is, in actuality, an expansion of airport capacity at the Santa Barbara  
12 Airport, an expansion that will pave over 13.3 acres of the wetlands and disrupt natural tidal flows in  
13 order to extend runway areas. Alternatives exist that would allow airport expansion without destroying  
14 the wetlands, but such alternatives were not explored.  
15

16           2.     The environmental document prepared for this project calls the Goleta Slough "the major  
17 environmentally sensitive habitat area in the Goleta Valley's coastal zone." A substantial portion of  
18 the Goleta Slough ecosystem is also a State Ecological Reserve. Seven major creeks and several minor  
19 creeks flow from the Santa Ynez Mountains into the 430-acre Slough. As a result of the airport  
20 expansion, two of these creeks, Tecolotito and Carneros Creeks, will be partially filled and re-directed  
21 into a concrete culvert. An estimated 279 bird species have been reported in the Goleta Slough, which  
22 was recently designated a "Globally Important Bird Area."  
23

24           **Parties**

25           3.     Petitioner CITY OF GOLETA (hereinafter referred to as "GOLETA" and collectively  
26 with SANTA BARBARA CHANNELKEEPER as "Petitioners") is a political subdivision of the state  
27 of California, lying adjacent to the CITY OF SANTA BARBARA and the Santa Barbara Airport.  
28

1 GOLETA has land use jurisdiction over areas adjacent to and directly affected by the Santa Barbara  
2 Airport, and is specifically concerned with the preservation of the quality of life for its citizens, and  
3 therefore concerned with the preservation of the Goleta Slough, and the environmental and biological  
4 resources it represents.  
5

6 4. Petitioner SANTA BARBARA CHANNEL KEEPER (hereinafter referred to as "SBCK"  
7 and collectively with GOLETA as "Petitioners") is a non-profit organization committed to the  
8 preservation and protection of the environment. Members of SBCK's organization are residents of the  
9 County and City of Santa Barbara and will be adversely affected by impacts resulting from the Project  
10 described herein, and are aggrieved by the acts, decisions and omissions of Respondents and Real  
11 Parties in Interest as alleged in this Petition. SBCK is suing on behalf of its members in the Santa  
12 Barbara, California area.  
13

14 5. Respondent CALIFORNIA COASTAL COMMISSION (hereinafter the  
15 "COMMISSION") is a government entity operating under the authority of the California Coastal Act  
16 (Pub. Res. Code § 30000 et seq.) with the authority to regulate and administer land use and  
17 development within land and property within the California Coastal Zone, including land and property  
18 in the City and County of Santa Barbara, in compliance with all applicable provisions of state law,  
19 including, but not limited to the Coastal Act and the California Environmental Quality Act (Public  
20 Resources Code section 21000 et seq., hereinafter referred to as "CEQA".) The COMMISSION is  
21 responsible for determining whether the project being challenged herein is consistent with the Coastal  
22 Act.  
23  
24

25 6. Real Party in Interest CITY OF SANTA BARBARA (hereinafter the "CITY") is a political  
26 subdivision of the state of California and the owner of the Santa Barbara Airport. The Santa Barbara  
27 Airport has been owned and operated by the CITY since 1941. The airport consists of 950 acres;  
28 aviation support facilities and the airport consist of approximately 600 acres, and another 300 acres

1 encompass the Goleta Slough and its associated wetlands and tidal channels.

2 7. Does 1 through 20, inclusive, are persons or entities presently unknown to Petitioner, who  
3 are employees, officers or subdivisions of the COMMISSION or other public entities, that are  
4 responsible for the actions described herein or for carrying out the functions of the COMMISSION,  
5 which may be affected by this litigation. Petitioner will amend this Petition to specifically identify each  
6 such Respondent as required and as the capacity and identity of each such Respondent becomes  
7 known.  
8

9 8. Does 1 through 50, inclusive, are persons or entities presently unknown to Petitioner with  
10 a legal or equitable interest in the project or the property which is the focus of this lawsuit. Petitioner  
11 will amend this Petition to specifically identify each such Real Party in Interest as required and as the  
12 capacity and identity of each such party becomes known.  
13

14 9. This action challenges the legality of the actions taken and decisions made by the  
15 Respondents, individually and collectively, in making the determination that the airport expansion  
16 project is consistent with the Coastal Act, and challenges the legality of any and all other approvals,  
17 that are the basis for this writ petition without complying with the California Coastal Act and the  
18 attendant guidelines adopted for the Coastal Act.  
19

## 20 **The Project**

21 10. In early 2001, the CITY proposed improvements to the Santa Barbara Airport  
22 (hereinafter the "Airport"). Specifically, the CITY proposed improvements related to its Aviation  
23 Facilities Plan and related runway safety projects for the Santa Barbara Airport. The project consists  
24 of the construction of two 1,000 foot long runway safety areas (RSA), a taxiway (2,600 feet), the  
25 realignment of an existing runway, a multi-phase expansion of the airline terminal that will increase the  
26 size of the terminal by 22,725 square feet by 2010, a 650 space parking structure, air cargo facilities,  
27 75 T-hangers and a service road. A portion of an existing taxiway will be widened (taxiway B) and  
28

1 runway protection zones (RPZ) will be lengthened. The project will take place in three phases,  
2 beginning in 2002 and ending in 2015.

3 11. The airport expansion project would result in the paving over of 13.3 acres of wetlands  
4 in the Goleta Slough, and the disruption of the natural tidal flow. Two creeks, Tecolotito and  
5 Carneros, will be partially filled and diverted into concrete channels. These actions will adversely  
6 impact the Goleta Slough, which is an Environmentally Sensitive Habitat Area (or "ESHA") under the  
7 Coastal Act, a nationally important bird area, and one of the last remaining coastal wetlands areas in  
8 California.  
9

#### 10 The Project Approval Process

11 12. In mid-2001, an environmental document was released for public review: the *Santa*  
12 *Barbara Airport Proposed Final Environmental Impact Statement/Environmental Impact Report*  
13 *("EIS/EIR")*. In November 2001, the CITY's Planning Commission approved the project, and  
14 certified the EIR/EIS as complete. At the same time, the CITY found the airport expansion project  
15 to be consistent with the Coastal Act. Petitioner appealed this action by the Planning Commission to  
16 the City Council. However, in December 2001, the CITY's Council denied the appeal and endorsed  
17 the Planning Commission's approval of the airport expansion and the Commission's consistency  
18 determination.  
19  
20

21 13. After the City Council vote, the CITY asked the COMMISSION to concur with its  
22 determination that the airport expansion project was consistent with the Coastal Act. Without such  
23 a determination by the COMMISSION, federal funds needed to complete the airport expansion could  
24 not be released to the CITY, and other federal approvals could not be granted. The CITY's  
25 consistency determination request was brought before the COMMISSION in January 2002, but a vote  
26 was not taken that day. The matter was continued until April 9, 2002. In part because the  
27 COMMISSION Staff Report recommended against a consistency determination, the CITY announced  
28

1 that it would seek a continuance. Nevertheless, at the April 9, 2002, hearing, the CITY appeared and  
2 convinced the COMMISSION to vote against the Staff Report recommendation and make a finding  
3 that the airport expansion project was consistent with the Coastal Act. On June 10, 2002, it is  
4 expected that the COMMISSION will vote to approve formal Findings concurring with the CITY's  
5 determination that the airport expansion project is consistent with the Coastal Act.  
6

#### 7 **Inconsistency With The Coastal Act**

8 14. The proposed project is not permitted under the Coastal Act. Neither the CITY nor the  
9 FAA has shown that the airport expansion project is required or necessary. Without any such showing,  
10 there is no basis for the Commission to invoke a limited exception to the Coastal Act and to concur  
11 with the CITY's consistency certification. The proposed project is inconsistent with the enforceable  
12 policies of the Coastal Act contained at Section 30233, 30240, and 30236, on the following grounds:  
13

14 (A) The RSA/RPZ portion of the airport expansion project is not serving "incidental  
15 public service purposes, including but not limited to, burying cables and pipes or inspection of piers  
16 and maintenance of existing intake and outfall lines." Because the project does not fit this narrow  
17 description, then the destruction of wetlands is not permitted under the Coastal Act or  
18 COMMISSION guidance. Said guidance states, "When no other alternative exists, and when  
19 consistent with the other provisions of this section, limited expansion of roadbeds and bridges  
20 necessary to maintain existing traffic capacity may be permitted." The proposed destruction of  
21 wetlands to reconfigure an airport runway does not meet any rational interpretation of Section  
22 30233(a)(5) or COMMISSION guidance, because: (1) the project is not "limited." Previous projects  
23 considered by the Commission as fitting within the narrow roadbed/bridge exception to the incidental  
24 public service test involved *de minimus* intrusions into wetlands. (2) The project is not for a roadbed  
25 or bridge. (3) The project is not necessary to maintain existing traffic capacity. Therefore, because  
26 the RSA/RPZ portion of the project does not meet the narrow exceptions for filling wetlands in either  
27  
28

1 the Coastal Act or COMMISSION guidance, it is inconsistent with the Coastal Act.

2 (B) The airport expansion project is not consistent with the other provisions  
3 of Section 30233, in that although the COMMISSION's Staff Report on the project treated the  
4 "roadbed/bridge" exception as if it were a substitute for the incidental public service test,  
5 COMMISSION guidance makes clear that the use must otherwise comply with the requirements of  
6 Section 30233. To meet these requirements, the proposed use of wetlands must still be shown to be  
7 incidental. As indicated above, the proposed project cannot reasonably be considered incidental.  
8 The purpose of the project is to fill wetlands to create a flat, compacted surface at the end of the  
9 runway.  
10

11 (C) The project is not the least environmentally damaging alternative or the only  
12 alternative. While Section 30233(a) indicates that the use of wetlands is permissible if it is the least  
13 environmentally damaging alternative available, the roadbed/bridge exception is narrower and permits  
14 the use only if "no other alternative exists." Unlike the least-environmentally-damaging standard, this  
15 test does not involve any balancing of environmental factors but instead permits the use of wetlands  
16 for roads and bridges only when the project sponsor can establish that it is the only available  
17 alternative. The information submitted to date makes clear that Engineered Materials Arresting System  
18 ("EMAS") presents a viable *and unstudied* alternative to the proposed project. Any facts presented  
19 by the CITY concerning the relative costs and benefits of the alternatives therefore are immaterial. The  
20 CITY must prove that an EMAS would not be feasible at the Airport.  
21  
22

23 (D) The project fails to satisfy the requirements of Section 30240(a) concerning  
24 development in the Goleta Slough, an environmentally sensitive habitat area ("ESHA") under the  
25 Coastal Act. Section 30240(a) states that "only uses dependent on those resources shall be allowed  
26  
27  
28

1 within those areas." The RSA/RPZ project cannot reasonably be said to be resource dependent.  
2 Section 30233 controls in determining whether destruction of wetlands that are within an ESHA is  
3 permissible. Because the proposed project is not an allowable use under Section 30233, the  
4 prohibition contained in Section 30240 prohibits disruption of the Goleta Slough, as part of an ESHA.  
5 The fact that the area in question is an ESHA also militates heavily against extending the allowable  
6 uses under Section 30233.  
7

8 E) The airport expansion project is not consistent with Section 30236. Under the  
9 Coastal Act, the proposed relocation of Tecolotito and Carneros Creeks would be permissible only if  
10 it constitutes a "flood control project[] where no other method for protecting existing structures in the  
11 floodplain is feasible and where such protection is necessary for public safety or to protect existing  
12 development." The CITY has not met this test because it has not examined all feasible alternatives to  
13 avoid the stream alteration (i.e., EMAS).  
14

15 F) The more fundamental problem with the proposed project is that it is not a flood  
16 control project; it is an airport expansion project. Therefore, regardless of whether the proposed  
17 alternative is the only feasible alternative, altering the stream is not permitted under the Coastal Act.  
18 Although relocating the creek may incidentally improve flood control because it moves the creek  
19 farther from the runway, these benefits will be slight and have not been quantified. Further, the CITY  
20 is not proposing this project for its flood control benefits. None of the environmental documentation  
21 supports a contrary assertion. The express purpose of the project, as articulated in the relevant  
22 environmental documentation, is to reconfigure the airfield and expand the airport. The COMMISSION  
23 was not authorized to extend the limits of Section 30236 to any project that may have some  
24 unspecified, undefined and tangential benefit of improving flood control.  
25  
26

27 (G) The project fails to incorporate the "best mitigation measures feasible," as  
28 required by Section 30236. Petitioners believe and Respondents and Real Parties agree that tidal

1 restoration is the best mitigation. The CITY has committed to study tidal restoration and take certain  
2 actions based upon the outcome of the study, but such mitigation is speculative and uncertain as the  
3 commitment is based upon information that is not yet known. Mitigation must be feasible and capable  
4 of implementation, and implementation of mitigation measures that are not known, and not possible  
5 to know at this time, cannot meet that standard.  
6

7 (H) The airport expansion project fails to meet the requirements of Section 30244,  
8 which mandates "reasonable mitigation measures" for potential, adverse impacts to archeological or  
9 paleontological resources. The CITY has documented several Native American sites in areas  
10 proximate to proposed construction areas, including SBA-52. Construction at other sites in the area  
11 reveals that deposits may extend a considerable distance from the principal site. In addition,  
12 construction anywhere on the Airport may uncover artifacts associated with the Chumash village of  
13 Helo redeposited during construction of the Airport. The proposed mitigation -- 50 foot buffer areas  
14 and markings -- is woefully inadequate to protect against disturbance of these resources. The buffer  
15 zone must be extended to the greatest extent practicable and defined for each specific site by an  
16 archeologist and/or Native American monitor, who should remain on site during any disturbance of  
17 the subsurface.  
18  
19

20 (I) The project fails to meet the standards set forth in the Coastal Act in other and  
21 further respects, to be proven at time of trial.

22 15. For all the reasons stated in Paragraph 14 herein, the COMMISSION has abused its  
23 discretion by incorrectly finding that the airport expansion project is consistent with the policies and  
24 requirements of the Coastal Act.  
25

26 16. Petitioners have exhausted all administrative remedies and have no other plain, speedy or  
27 adequate remedy at law. Both Petitioners GOLETA and SBCK submitted comments in writing, and  
28 made oral comments at hearings before the COMMISSION concerning the matters set forth in this

1 Petition. Thus, Petitioners are "aggrieved parties" under Section 30801 of the Coastal Act.

2 17. The COMMISSION's concurrence with the CITY's consistency determination for the  
3 airport expansion project is inconsistent with the Coastal Act policies stated in Sections 30001 and  
4 30001.5; with the Coastal Act requirement of giving priority to coastal dependent development and  
5 uses; specifically in conflict with Sections 30233, 30240, and 30236, as detailed in Paragraph 14,  
6 herein; and with other and further sections of the Coastal Act that will be detailed at time of trial.  
7

8 18. Pursuant to the requirements of the Coastal Act, Respondents and each of them are  
9 charged with the responsibility of following the requirements and policies of the Coastal Act.  
10 Respondent COMMISSSION failed in its responsibility as described herein, requiring this Court to  
11 issue a writ of mandate vacating the COMMISSION finding of consistency, and any and all other  
12 approvals of the project, until the process and policies of the California Coastal Act are correctly and  
13  
14 ~~legally followed.~~

15  
16 **WHEREFORE, Petitioner prays:**

17 (1) That this Court issue a peremptory Writ of Mandate, commanding Respondent  
18 CALIFORNIA COASTAL COMMISSION to rescind its finding that the airport expansion project  
19 is consistent with the Coastal Act, and to rescind any and all other authorizations and approvals issued  
20 to Real Parties in Interest to commence project construction on the airport expansion until the Project  
21 is revised to be consistent with the policies set forth in the Coastal Act;  
22

23 (2) That this Court issue a Writ of Mandate suspending the authority of Respondents and their  
24 officers, employees, and boards, commissions and other subdivisions, to grant any authority, permits  
25 or entitlement for any alteration of the area encompassed by the project site, until the Project is fully  
26 consistent with the California Coastal Act and all other applicable laws of the State of California;  
27

28 (3) For a permanent injunction enjoining Respondents and Real Parties, their agents,

1 employees, officers and representatives from undertaking any and all activities on the project site  
 2 including the alteration of the current conditions on the project site, any and all pre-construction and  
 3 construction activities related to the development project; from issuing any authorizations, permits or  
 4 entitlements for; from entering into any contracts for; and for taking any other action to implement in  
 5 any way the pre-construction and construction activities that would affect the environmental integrity  
 6 of the affected project site, until the Coastal Act processes are legally and adequately completed;  
 7

8 (4) That Petitioner be awarded costs and reasonable attorneys' fees pursuant to C.C.P. Section  
 9 1021.5, in this proceeding; and

10 (5) For such other and further relief as the Court deems just and proper.  
 11

12  
 13 DATED: June 12, 2002



14  
 15 KATE M. NEISWENDER  
 16 Attorney for Petitioners  
 17 CITY OF GOLETA and  
 18 SANTA BARBARA CHANNELKEEPER  
 19  
 20  
 21  
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 28

**VERIFICATION**

I, DREW BOHAN, have read the foregoing "PETITION FOR WRIT OF MANDATE FOR VIOLATION OF THE CALIFORNIA COASTAL ACT (PUBLIC RESOURCES CODE §§ 30000 *et seq.*)," and know its contents.

I am the Executive Director of Santa Barbara Channelkeeper, Petitioner in this action, and am authorized to make this verification for and on its behalf, and I make this verification for that reason. The matters in this document are true of my own knowledge except as to those matters which are stated on information and belief, and as to those matters, I believe them to be true.

Executed on June 4, 2002, at Santa Barbara, California. I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct.



DREW BOHAN

---

**PROOF OF SERVICE****STATE OF CALIFORNIA, COUNTY OF VENTURA**

I am employed in the County of Ventura, state of California. I am over the age of eighteen, and not a party to the within entitled action. My business address is Post Office Box 24617, Ventura, California 93002.

On June 6, 2002, I served the foregoing document described as **PETITION FOR WRIT OF MANDATE FOR VIOLATION OF THE CALIFORNIA COASTAL ACT (PRC SECTIONS 30000 ET SEQ) AND FOR INJUNCTIVE RELIEF** on interested parties in this action by placing a true copy thereof, enclosed in a sealed envelope, addressed as follows:

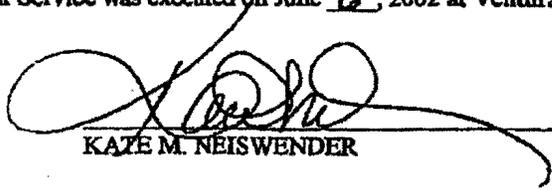
**For the Coastal Commission**  
Ralph Faust  
California Coastal Commission  
45 Fremont Street, Ste. 2000  
San Francisco CA 94105

**For City of Santa Barbara**  
City Attorney's Office  
City of Santa Barbara  
Post Office Box 1990  
Santa Barbara CA 93102

**For the California Attorney General**  
~~Office of the Attorney General~~  
300 So. Spring Street, 1100-N  
Los Angeles CA 90013

I am readily familiar with our office's practice for collection and processing of correspondence and other materials for mailing with the United States Postal Service. On this date, I sealed the envelope(s) containing the above materials and placed the envelope(s) for collection and mailing on this date at the address stated above, following our office's ordinary business practices. The envelope(s) will be deposited with the U.S. Postal Service on this date, in the ordinary course of business.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct and that this Proof of Service was executed on June 6, 2002 at Ventura County, California.



KATE M. NEISWENDER

