

**CALIFORNIA COASTAL COMMISSION**

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Hearing Date: 9/10/03

**RECORD PACKET COPY****STAFF REPORT: APPEAL**  
**SUBSTANTIAL ISSUE**

**LOCAL GOVERNMENT:** City of Santa Barbara

**LOCAL DECISION:** Approval with Conditions

**APPEAL NO.:** A-4-SBC-03-077

**APPLICANT:** City of Santa Barbara Airport Department.

**APPELLANTS:** City of Goleta  
Santa Barbara Channelkeeper

**PROJECT LOCATION:** Santa Barbara Airport, 500 Fowler Road, Santa Barbara, APN(s) 073-080-33, 073-080-37.

**PROJECT DESCRIPTION:** Airfield Safety Projects which consist of the construction of two 1,000 foot long runway safety areas (RSAs), the realignment and relocation of an existing runway (Runway 7-25) to accommodate new RSAs, a new taxiway (Taxiway M) approximately 2,600 feet in length, and lengthening of runway protection zones (RPZs) to meet current FAA design standards. The project also includes extension of a service road around the west end of the runway to provide maintenance and emergency vehicle access and a new 20-foot wide east service road. In addition, Tecolotito Creek will be relocated approximately 1,800 feet west of its present location and the confluence of Carneros Creek with Tecolotito Creek will be shifted to the west.

**SUBSTANTIVE FILE DOCUMENTS:** City of Santa Barbara Local Coastal Program; City of Santa Barbara Airport & Goleta Slough Coastal Plan, Component 9 (including amendments certified by the California Coastal Commission as of 5/03); City of Santa Barbara Planning Commission Resolution No. 030-03, June 19, 2003; City of Santa Barbara Planning Commission Staff Report, 6/12/03; Santa Barbara City Council Resolution No. 03-072, 7/15/03; City of Santa Barbara Council Agenda Report, 7/15/03; Notice of Final Action, City of

Santa Barbara Coastal Development Permit, 7/16/03; Appeals From Coastal Permit, Decision of Local Government, City of Goleta, 7/30/03 & Santa Barbara Channelkeeper, 7/30/03; Draft Final Conceptual Wetland Mitigation Plan for Airfield Safety Projects, Santa Barbara Airport, 10/01; City of Santa Barbara Airport Department, Aviation Facilities Plan, Chapters 5 & 7, 3/03; California Coastal Commission, Findings on Consistency Determination CC-058-01, 6/10/02 (reflecting Commission Action of 4/9/02); California Coastal Commission, Staff Report & Findings, City of Santa Barbara LCP Amendment No. SBC-MAJ-1-02, Airfield Safety Projects, 11/21/02 (approved on 12/10/02); letter from City of Santa Barbara regarding City of Goleta and Santa Barbara Channelkeeper Appeals of Goleta Slough Reserve Coastal Development Permit Approval for Airfield Safety Projects, 8/6/03 (attached - Exhibit 3).

**SUMMARY OF STAFF RECOMMENDATION: NO SUBSTANTIAL ISSUE  
EXISTS**

Staff recommends that the Commission determine that **No Substantial Issue** exists with respect to the grounds on which the appeals have been filed. The Airfield Safety Projects approved by the City Council, as conditioned, are fully consistent with the applicable policies of the certified LCP.

The appeals contend that the approved Airfield Safety Projects are not consistent with Sections 30233, 30236, and 30240 of the California Coastal Act adopted as guiding policies in Policy 1.1 of the certified Local Coastal Program. The appellants have twice previously raised the same argument during the Coastal Commission's review and action to concur with the Airport's Federal Consistency Certification CC-058-01 for the Aviation Facilities Plan, which includes the Airfield Safety Projects, in April 2002 and action to certify Local Coastal Program Amendment MAJ-1-02, which also includes the proposed Airfield Safety Projects, in December 2002. On both occasions the Commission rejected the appellants argument and specifically found that the project was consistent with Coastal Act Policies (PRC Sections) 30233, 30236, and 30240.

## **I. APPEAL PROCEDURES**

The Coastal Act provides that after certification of Local Coastal Programs (LCPs), a local government's actions on Coastal Development Permits in certain areas and for certain types of development may be appealed to the Coastal Commission. Local governments must provide notice to the Commission of its coastal permit actions. During a period of ten working days following Commission

receipt of a notice of local permit action for an appealable development, an appeal of the action may be filed with the Commission.

#### **A. Appeal Areas**

Developments approved by cities or counties may be appealed if they are located within the appealable areas, such as those located between the sea and the first public road paralleling the sea, within 300 feet of the inland extent of any beach or of the mean high-tide line of the sea where there is no beach, whichever is greater, on state tidelands, or along or within 100 feet of natural watercourses. (Coastal Act Section 30603[a]) Any development approved by a County that is not designated as a principal permitted use within a zoning district may also be appealed to the Commission irrespective of its geographic location within the Coastal Zone. (Coastal Act Section 30603[a][4]) Finally, developments which constitute major public works or major energy facilities may be appealed to the Commission. (Coastal Act Section 30603[a][5])

#### **B. Grounds for Appeal**

The grounds for appeal for development approved by the local government and subject to appeal to the Commission shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in Division 20 of the Public Resources Code. (Coastal Act Section 30603[a][4])

#### **C. Substantial Issue Determination**

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless the Commission determines that no substantial issue exists with respect to the grounds on which the appeal was filed. When Commission Staff recommends that a substantial issue exists with respect to the grounds of the appeal, substantial issue is deemed to exist unless three or more Commissioners wish to hear arguments and vote on substantial issue. If the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have three (3) minutes per side to address whether the appeal raises a substantial issue. The only persons qualified to testify before the Commission at the substantial issue stage of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. It takes a majority of Commissioners present to find that substantial issue is raised by the appeal.

## **D. De Novo Permit Hearing**

If a substantial issue is found to exist, the Commission will consider the application de novo. The de novo permit may be considered by the Commission at the same time as the substantial issue hearing or at a later time. The applicable test for the Commission to consider in a de novo review of the project is whether the proposed development is in conformity with the certified Local Coastal Program and the public access and public recreation policies of the Coastal Act. If a de novo hearing is held, testimony may be taken from all interested persons.

If the Commission finds substantial issue, Staff will prepare the de novo permit consideration Staff report for a subsequent Commission meeting.

## **II. Appeal Jurisdiction**

The proposed project is located in the Airport and Goleta Slough Reserve LCP component in the City of Santa Barbara. This component was certified as a separate segment of the City's LCP in 1991. The Post LCP Certification Permit and Appeal Jurisdiction Map certified for the City of Santa Barbara indicates that the project site is within the mapped area designated as the Commission's appeals jurisdiction (Coastal Act Section 30603[a][1] and [a][2]). The Appeal Jurisdiction Map indicates that the Commission has delegated original permit jurisdiction to the City for this portion of the overall project area potentially subject to the public trust but which has been filled, developed and committed to urban uses. As such, the proposed project site is located within the appeals jurisdiction of the Commission and any coastal development permit approved for this site is appealable to the Commission. In addition, a portion of the site is located within the Coastal Commission's area of retained permit jurisdiction and a separate CDP will be required from the Commission for that portion of the development.

### **A. Local Government Action and Filing of Appeal**

The City of Santa Barbara Planning Commission approved a Goleta Slough Reserve Coastal Development Permit for the portion of the Airfield Safety Projects that is located in the appealable jurisdiction of the Coastal Zone on June 19, 2003. The Planning Commission's approval of the CDP was appealed to the City Council by the City of Goleta. The City Council denied the appeal and upheld the Planning Commission's decision on July 15, 2003.

Staff received a Notice of Final Action for the subject coastal permit on July 16, 2003 and the Notification of Appeal Period was issued by the Commission on July 17, 2003 indicating that the 10-day appeal period would run until 5 p.m. on July 30, 2003. An appeal of the City's action was received and filed by the City of Goleta and the Santa Barbara Channelkeeper on July 30, 2003. Commission

Staff notified the City (of Santa Barbara) of the appeal and requested that the City provide its administrative record for the permit. The administrative record was received at the Commission office on August 6, 2003.

### **III. Staff Recommendation on Substantial Issue**

**MOTION:** *I move that the Commission determine that Appeal No. A-4-SBC-03-077 raises NO substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act.*

#### **STAFF RECOMMENDATION OF NO SUBSTANTIAL ISSUE:**

Staff recommends a YES vote. Passage of this motion will result in a finding of No Substantial Issue and adoption of the following resolution and findings. If the Commission finds No Substantial Issue, the Commission will not hear the application de novo and the local action will become final and effective. The motion passes only by an affirmative vote by a majority of the Commissioners present.

#### **RESOLUTION TO FIND NO SUBSTANTIAL ISSUE:**

The Commission finds that Appeal No. A-4-SBC-03-077 does not present a substantial issue with respect to the grounds on which the appeal has been filed under § 30603 of the Coastal Act regarding consistency with the Certified Local Coastal Plan and/or the public access and recreation policies of the Coastal Act.

### **IV. Findings and Declarations for Substantial Issue.**

The Commission hereby finds and declares:

#### **A. Project Description and Background.**

The Airfield Safety Projects are proposed to improve operational safety at Santa Barbara Airport. The projects would not increase the capacity of the Airport's runways, or result in a change in the type of aircraft used at Santa Barbara Airport. The projects consist of the following components:

Runway Safety Areas: Runway Safety Areas (RSAs) provide protection to passengers and aircraft in the event of an accidental aircraft overrun or undershoot of a runway. The proposed project would lengthen the RSAs at both ends of Santa Barbara Airport's main runway (Runway 7-25) to meet current FAA design standards of 500 feet wide by 1000 feet long at each end. The existing RSA at the west end of Runway 7-25 is about 320 feet long, ending at Tecolotito Creek. At the east end, the existing RSA is 215 feet in length, terminating at San Pedro Creek and Fairview Avenue.

In order to attain the 1000-foot RSA length on the east end of the runway, 800 feet of the existing runway would be converted to an RSA and added to the 215 feet of RSA already provided. The 800 feet of runway length that would be converted to an RSA on the east end would be replaced on the west end, and a new 1000-foot RSA would be constructed on the west end of the runway. To accommodate the 800-foot runway relocation and the new 1,000-foot RSA on the west end, Tecolotito Creek would be relocated by approximately 1,800 feet to the west of its present location, and the confluence of Carneros Creek with Tecolotito Creek would also be shifted to the west. The 800-foot shift in the runway would also require extension of existing Taxiway A to the west by 800 feet and other taxiway modifications at the eastern end to accommodate the new Runway 25 location. The project also includes extension of a service road around the west end of the runway to provide maintenance and emergency vehicle access, relocation of a Southern California Gas Company main line, and relocation of lights, signs, and navigational aids on the airfield. The proposed project would not increase the Runway 7-25 length of 6,052 feet and would not increase the capacity of the runway or allow it to accommodate larger aircraft.

Taxiway M: To reduce the number of runway crossings and potential runway incursions, a new Taxiway M is proposed to provide a more direct route to the northwest ramp area from the Airport's parallel runways (Runways 15R-33L and 15L-33R). Taxiway M would be 50 feet wide with 20-foot wide paved shoulders and would parallel Runway 15R-33L to the west for 2,450 feet, extending approximately two-thirds the length of the runway, beginning at the northwest ramp and terminating at Taxiway E.

East Service Road Extension: A new 20-foot wide asphalt service road would be constructed around the active aircraft ramp at Ampersand for a distance of 1,600 feet to eliminate potential aircraft/vehicle conflicts.

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.

The proposed Taxiway M will allow aircraft landing on Runways 15R-33L and 15L-33L 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.

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. 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. Upland areas include 25 acres south of the main slough channel adjacent to the University of California Santa Barbara (UCSB) campus.

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.

As stated previously, the City Planning Commission approved a Goleta Slough Reserve Coastal Development Permit, subject to conditions, for the portion of the



Airfield Safety Projects located in the appeal jurisdiction of the Coastal Commission on June 19, 2003. The Planning Commission's approval was subsequently appealed to the City Council by the City of Goleta. The City Council upheld the Planning Commission's decision and denied the appeal on July 15, 2003. In approving the projects, the Planning Commission and the City Council found that the projects, as conditioned, were in conformance with the applicable policies of the City's certified Local Coastal Program and Sections 30230, 30231, 30233, 30236, 30240, 30244, 30251, 30252, and 30253 of the Coastal Act as embodied in General Policy 1.1 of the LCP. Upon issuance of the Notice of Final Action by the City on July 16, 2003, the City's decision was appealed to the Coastal Commission by the City of Goleta and Santa Barbara Channelkeeper. Both appeals contend that the Airfield Safety Projects are not consistent with Sections 30233, 30236, and 30240 of the Coastal Act adopted in General Policy 1.1 of the certified LCP.

The proposed Airfield Safety Projects have been acted on by the Coastal Commission on two prior occasions. On April 9, 2002, the Commission voted to concur with Federal Consistency Certification CC-058-01 for the Aviation Facilities Plan, which includes the proposed Airfield Safety Projects. On June 10, 2002, the Commission adopted findings of concurrence for the plan, including specific findings that the project is consistent with Coastal Act policies 30233, 30236, and 30240. 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. On December 10, 2002, the Coastal Commission certified amendment No. SBC-MAJ-1-02 to the Airport and Goleta Slough Local Coastal Program with suggested modifications (subsequently accepted by the City Council on March 4, 2003). The amendment included text changes and land use and zoning designation map revisions necessary to carry out the proposed Airfield Safety Projects. The amendment incorporated Chapters 5 and 7 of the Draft Aviation Facilities Plan and included policy provisions for habitat protection and restoration, and monitoring requirements necessary to provide mitigation for wetland, stream, and upland habitat impacts associated with construction of the Airfield Safety Projects into the LCP. As certified, the amendment also included several new resource protection policies (C-11 through C-16) recommended by Commission staff that provide specific mitigation and restoration measures required for development of the Airfield Safety Projects. (Compliance with these measures as well as all other applicable LCP policies have been incorporated into the City's approval of the proposed projects.) The findings adopted by the Coastal Commission in certifying the LCP amendment specifically state that the LCP Amendment is consistent with Sections 30233, 30236, and 30240 of the



Coastal Act. These findings are incorporated by reference into this staff recommendation.

### **B. Appellant's Contentions**

The appeals filed by the appellants are attached as Exhibits 1 & 2. The appeals contend that the proposed project is inconsistent with policies 30233, 30236, and 30240 of the Coastal Act as adopted, in part, within General Policy 1.1 of the certified LCP.

Pursuant to Sections 30603 and 30625 of the Coastal Act, the appropriate standard of review for the subject appeal is whether a substantial issue exists with respect to the grounds raised by the appellants relative to the project's conformity to the policies contained in the certified LCP and/or the public access policies of the Coastal Act. In this case, the appellants did not cite the public access policies of the Coastal Act as grounds for appeal.

The Commission finds that substantial issue does not exist with respect to the grounds on which the appeal has been filed. The approved project is consistent with the cited policies of the Coastal Act contained in the City of Santa Barbara Local Coastal Program for the specific reasons discussed below.

### **C. Coastal Act Policy 30233**

The appellants contend that the Airfield Safety Projects, as approved by the City of Santa Barbara, are inconsistent with Section 30233 of the Coastal Act because the permit would enable the City to destroy coastal wetlands and because the projects do not qualify as an exception (to 30233 requirements) for "incidental public service purposes". As such, the proposed Airfield Safety Projects raise the same 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 that the Commission addressed in its previous approvals of the related Federal Consistency Determination and Local Coastal Program Amendment discussed above.

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 previously 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 definition of wetlands in Section 13577(b) of Title 14 of the California Code of Regulations. The airfield safety projects will result in wetland impacts in several locations of the Santa Barbara Airport property.

### **Goleta Slough**

Goleta Slough is an estuary which is dominated by marine influences and supports an extensive salt marsh. Seven creeks drain southward from the Santa Ynez Mountains, discharging into the slough. 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.

### **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 traverses Goleta Slough through man-made channels for the first two thirds of its length, and then

through a natural channel. 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. 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. Floodwaters 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.

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 issue is 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" will provide a direct route for aircraft that land on runway 15R-33L and 15L-33L 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.

The proposed improvements are strictly 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. In approving Local Coastal Program Amendment 1-02, The Commission found 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, the proposed Airfield Safety Projects meet the requirements of the first test of Section 30233(a)(5) of the Coastal Act. Thus, the Commission finds that the projects, as approved in the City's CDP, also meets these requirements.

## **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.

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.

The appellants contend that installing an Engineering Material Arresting System (EMAS) should be the preferred alternative rather than the creek realignment alternative. The EMAS is designed to stop an overrunning aircraft where natural obstacles such as bodies of water or existing development make construction of



a standard safety area impracticable. An 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 that transfers the kinetic energy of the aircraft to the material. In certifying LCP Amendment 1-02 the Commission found, based on information provided by the FAA and the City of Santa Barbara, that the Engineering Material Arresting System was not a feasible alternative to the realignment alternative.

As it has previously found in the aforementioned Federal Consistency Determination and Local Coastal Program Amendment 1-02 relative to the proposed Airfield Safety Projects, 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.

Based on the alternatives analysis discussed above, the Commission finds that the proposed 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 safety projects are 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 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 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). Mitigation ratios for impacts to wetlands will be 4:1, and mitigation ratios for creeks and open channels will be 2:1.

### **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, 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.

To compensate for the permanent loss of wetlands the CDP, as approved by the City, includes creation and restoration of 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. 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. 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>1</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. 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 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.

### **Tidal Restoration**

The CDP for the airfield safety projects, as approved by the City, includes 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 CDP for the project requires 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 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 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

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<sup>1</sup> Draft Conceptual Wetland Mitigation Plan for the Airfield Safety Projects, URS Corporation (2001)

property, and enhancement of 13 acres of surrounding transitional and upland habitat.

As detailed in the City's LCP Policy C-11, 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. This requirement is incorporated into the approved permit for the Airfield Safety Projects.

In addition, LCP Policy C-4 provides that incidental airport uses and facilities found to be consistent with Section 30233 may be provided and maintained in wetland habitat and buffer areas. Policy C-4 further provides that incidental airport uses and facilities found to be consistent with Section 30233 be allowed only if necessary to maintain existing Airport operations. The LCP, in the certified Airport Zoning Ordinance, also further restricts and clarifies the types of uses allowed in wetland buffers and ensures 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.

Policy C-4 also includes text 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, 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 as long as impacts to wetland habitat are mitigated to the maximum amount feasible such that no net loss of wetland habitat occurs. 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 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 LCP, as amended, includes new policy language to require restoration of wetland and open water habitat similar to those habitat areas affected by the proposed safety projects. Additionally, Policy C-11 includes

measures to carry out 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. As stated, compliance with all requirements of Policy C-11 is required by the City's approved CDP.

Policy C-11 also requires 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. Policy C-11 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 policy 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 Act.

In addition, policy C-11 will ensure that the City carries out its commitment to assess the feasibility of implementing tidal restoration. Required mitigation measures 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. Mitigation requirements 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-11 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 CDP for the Airfield Safety Projects, as approved by the City, requires compliance with all mitigation measures included in LCP Amendment 1-02 to 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.

For all of the reasons stated above, the Commission finds that the Airfield Safety Projects, as approved by the City of Santa Barbara, do not raise a substantial issue with respect to consistency with Policy 1.1 of the certified LCP and Section 30233 of the Coastal Act.

#### **D. Coastal Act Policy 30240**

The appellants contend that the Airfield Safety Projects, as approved by the City of Santa Barbara, would result in the destruction of an Environmentally Sensitive Habitat Area (ESHA). They further contend that the projects are not in conformance with Section 30240 because they are not resource dependent uses within the ESHA and that less environmentally damaging alternatives exist.

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 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.

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 approval of the Airfield Safety Projects which is 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 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 certified LCP Policy C-11. 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.

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, as amended, 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 habitat mitigation policy C-11 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, policies C-15 and C-16 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 LCP, as amended to incorporate provisions for the Airfield Safety Projects includes 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 Section 30240 of the Coastal Act. The Airfield Safety Projects, as approved by the City, are required to comply with all applicable policies of the certified LCP, as amended to provide for the projects, and therefore, are also consistent with Section 30240 of the Coastal Act.

The 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 airfield safety projects does not result in adverse impacts to EFH and steelhead, Policies C-15 and C-16 in the City's certified LCP require that special protection measures be implemented to avoid and minimize potential adverse impacts to Essential Fish Habitat and steelhead. Policy C-16 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-16 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, the projects are required to comply with Policies C-12 through C-14, which 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.

Policies C-15 and C-16 also provide for the preservation and mitigation of the Southern Tarplant and Coulter's Goldfields. The intent of the policies are 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. Policy C-16 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 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 policy requires detailed maintenance and monitoring plans to be developed and implemented. The Commission finds that the protective measures detailed in LCP policies C-15 and C-16, as incorporated into approved CDP, are adequate to protect sensitive plant species and carry out the intent of Section 30240 of the Coastal Act.

Implementation of the City's proposed wetland mitigation plans as incorporated into the approved CDP 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-11 provides some mitigation measures necessary to address potential impacts to the sensitive species. Policies C-15 and C-16 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-16 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. The CDP approved by the City requires compliance with these policies.

For all of the reasons stated above, the Commission finds that the Airfield Safety Projects, as approved by the City of Santa Barbara, do not raise a substantial issue with respect to consistency with Section 30240 of the Coastal Act as embodied in Policy 1.1 of the certified Local Coastal Program.

#### **E. Coastal Act Policy 30236**

As provided for in LCP Amendment MAJ 1-02, as certified by the Commission and in the Commission's prior Federal Consistency Determination CD 058-01, the approved CDP would permit the relocation of two coastal streams. The appellants contend that Section 30236 of the Coastal Act prohibits stream relocation in this situation because "any flood control benefits of the project are incidental to the primary purpose of the project, which is to relocate Runway 7-25."

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.*

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 approximately 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. In order to determine whether the alteration of Tecolotito Creek is necessary, the Commission, in certifying LCP Amendment MAJ 1-02, considered, 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. As certified by the Commission, the proposed "west creek realignment alternative", was incorporated into the LCP as the preferred alternative.

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.

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 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; 1) culverting Tecolotito Creek, 2) construction of upstream detention basins, 3) construction of berms or levees, and 4) creek relocation (the preferred alternative).

The "west creek realignment" 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. 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.

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.

As previously found in the aforementioned Federal Consistency Determination and LCP amendment actions, the Commission finds that the Airfield Safety Projects, as approved by the City of Santa Barbara: (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. Therefore, for all of the reasons stated above, the Commission finds that the Airfield Safety Projects, as approved by the City of Santa Barbara, do not raise a substantial issue with respect to consistency with Section 30236 of the Coastal Act as embodied within Policy 1.1 of the certified Local Coastal Program.

### **Conclusion**

In two previous actions the Commission the Commission has found the proposed Airfield Safety Projects consistent with Sections 30233, 30236, and 30240 of the Coastal Act. The proposed projects, as approved by the City, are identical to the projects previously approved by the Commission in its Federal Consistency Determination and LCP Amendment certification as described in this report. The approved projects comply with all applicable policies of the certified LCP either by incorporating specific mitigation, restoration, and monitoring measures required by the LCP into the proposed projects or by special condition compliance requirements. Therefore, the Airfield Safety Projects raise No Substantial Issue with respect to conformity with the certified City of Santa Barbara Local Coastal Program.









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JUL 30 2003

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

July 30, 2003

**CITY COUNCIL**  
Jack Hawxhurst  
Mayor

Cynthia Brock  
Mayor Pro Tempore

Jean W. Blois  
Councilmember

Margaret Connell  
Councilmember

Jonny D. Wallis  
Councilmember

**CITY MANAGER**  
Frederick C. Stouder

HAND DELIVERED

California Coastal Commission  
South Central Coast Area  
89 South California St., 2<sup>nd</sup> Floor  
Ventura, CA 93001

RE: APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT

Ladies and Gentlemen:

Thank you for the opportunity to appeal the City of Santa Barbara's approval of Local Permit #MSTT2003-00344 (Application No. 4-SBC-03-141) - Goleta Slough Reserve Zone Coastal Development Permit for the Airfield Safety Projects in the appealable jurisdiction of the Coastal Zone.

Enclosed please find one executed appeal.

Sincerely,

FREDERICK C. STOUDER  
City Manager

Enclosures

Cc: Mayor and City Council  
Planning & Environmental Services Director  
City Clerk

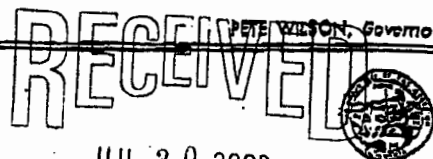
EXHIBIT NO.	1
APPLICATION NO.	
A-4-SBC-03-077	

STATE OF CALIFORNIA—THE RESOURCES AGENCY

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., 2ND FLOOR  
VENTURA, CA 93001  
(805) 641-0142

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT



JUL 30 2003

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Please Review Attached Appeal Information Sheet Prior To Completion  
This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

City of Goleta

6500 Hollister Avenue, Suite 120

Goleta, CA 93117

(805) 961-7500

Zip

Area Code

Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port  
government: City of Santa Barbara

2. Brief description of development being  
appealed: Local permit #MSTT2003-00344 (Application No. 4-SBC-03-141)  
Goleta Slough Reserve Zone Coastal Development Permit for  
the Airfield Safety Projects in the appealable jurisdiction of the  
Coastal Zone.

3. Development's location (street address, assessor's parcel  
no., cross street, etc.): 500 Fowler Road, Santa Barbara -  
(Santa Barbara County) APN(s) 073-080-33, 073-080-37.

4. Description of decision being appealed:

a. Approval; no special conditions: \_\_\_\_\_

b. Approval with special conditions: \_\_\_\_\_ X

c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial  
decisions by a local government cannot be appealed unless  
the development is a major energy or public works project.  
Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: \_\_\_\_\_

DATE FILED: \_\_\_\_\_

DISTRICT: \_\_\_\_\_

H5: 4/88



APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Please see Attachment B2

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.



Signature of Appellant(s) or  
Authorized Agent

Date July 30, 2003

NOTE: If signed by agent, appellant(s)  
must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_

LOCATION: 3038257005

DV TIME 07/30 '03 15:26  
RX TIME 07/30 '03 11:36

5

**Attachment A**

Names and Addresses as available of those who testified (either verbally or in writing) at the City/County/Port hearing(s).

**Parties who testified at Planning Commission hearing:**

1. Mayor Jack Hawxhurst  
City of Goleta  
6500 Hollister Ave.  
Goleta CA 93117
2. Kenneth M. Curtis  
Planning and Environmental Services Director  
City of Goleta  
6500 Hollister Ave., Suite 120  
Goleta, CA 93117
3. William Gilbert, Airport Commissioner
4. Addison Thompson, Airport Commissioner
5. Gordon Feingold  
System Dynamics, Inc.  
(805)967-9397 x202
4. Wayne R. Ferren, Jr.  
Executive Director  
UCSB Museum of Systematics and Ecology  
Department of Ecology, Evolution and Marine Biology  
University of California  
Santa Barbara, CA 93106
5. Jim Chestnut  
Division Chief Aviation Operations  
United States Department of Agriculture  
6755 Hollister Ave., Suite 150  
Goleta, CA 93117
6. Karen M. Kahn, Chair  
Santa Barbara Airport Commission  
933 Cheltenham Road  
Santa Barbara, CA 93105-2208

**Parties who testified at City Council hearing:**

1. Kenneth M. Curtis  
Planning and Environmental Services Director  
City of Goleta  
6500 Hollister Ave., Suite 120  
Goleta, CA 93117

**Additional parties:**

[The City Clerk was not willing to provide the names and addresses of the parties who testified at the City Council hearing and the minutes from the hearing are not yet available to the public. Appellant will provide this information as soon as we are able to obtain it from the City of Santa Barbara.]



## Attachment B

### Supplemental Information in Response to Section IV, Reasons Supporting This Appeal

For the reasons discussed below, Coastal Development Permit MSTT2003-00344 (the "Permit") is inconsistent with the City of Santa Barbara Coastal Plan, including the Coastal Plan component related to the Santa Barbara Municipal Airport and Goleta Slough (Component 9).

Policy 1.1 of the Coastal Plan adopts the policies of the California Coastal Act as the guiding policies of the land use plan. The Airport component of the Coastal Plan explicitly incorporates these policies. The Permit is inconsistent with the following provisions of the California Coastal Act:

Section 30233. The Permit would enable the City of Santa Barbara to destroy coastal wetlands. Section 30233 prohibits the diking, filling or dredging of open coastal waters, wetlands, estuaries and lakes, with narrow exceptions. The City of Santa Barbara contends that the project qualifies for the exception for "incidental public service purposes, including but not limited to burying cables and ropes or inspection of piers and maintenance of existing intake and outfall lines." Cal. Pub. Resources Code § 30233(a)(5). The Coastal Commission has interpreted this exception to include "limited expansion of roadbeds and bridges necessary to maintain existing traffic capacity." California Coastal Commission, Statewide Interpretive Guidelines for Wetlands and Other Wet Environmentally Sensitive Habitat Areas (1981). The proposed project does not qualify for this exception because it is *not* (i) limited, (ii) for a roadbed or bridge, (iii) necessary to maintain existing traffic capacity, (iv) the only alternative, and (v) otherwise consistent with Section 30233.

Section 30236. The Permit would enable the City of Santa Barbara to relocate two coastal streams, Tecolotito and Cameros Creeks. Section 30236 prohibits coastal stream relocation except for 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." Cal. Pub. Resources Code § 30236. Although the City of Santa Barbara alleges that the proposed stream relocation is a flood control project, it is clear that any flood control benefits of the project are incidental to the primary purpose of the project, which is to relocate Runway 7-25. Any such incidental benefits do not bring the project within the narrow scope of Section 30236.

Section 30240. The Permit would enable the City of Santa Barbara to destroy portions of an Environmentally Sensitive Habitat Area ("ESHA"). Section 30240 requires the protection of ESHAs against "any significant disruption of habitat values" and permits only resource dependent uses within ESHAs. Cal. Pub.

Resources Code § 30240(a). The proposed project is not in any way dependent on this ESHA and therefore is inconsistent with this section.

The fact that portions of the Aviation Facilities Plan relating to the proposed project have been incorporated into the Coastal Plan cannot safeguard the Permit. As indicated above, the Coastal Plan specifically requires consistency with the Coastal Act. To the extent that the Coastal Plan is internally inconsistent because it incorporates a project that violates the Coastal Act, the appropriate response should be to reject the project, not to allow the Coastal Plan to immunize an impermissible project.

It further is important that the Coastal Act, Coastal Plan and Aviation Facilities Plan can be reconciled through an approach that satisfies the purpose and goals of the Aviation Facilities Plan without destroying these sensitive coastal resources. Specifically, the alternative of installing an Engineered Materials Arresting System (EMAS) is an appropriate and less environmentally damaging alternative that the City of Santa Barbara has not yet fully explored.

Finally, the Coastal Commission is reminded that a lawsuit remains pending concerning the consistency of the proposed project with the California Coastal Act. The Coastal Commission should abstain from granting any approvals or giving its consent in any manner to the proposed project until the litigation has been resolved.

Appellant reserves the right to submit additional information to the staff and/or the Commission to support this appeal request.

RECEIVED

PETE WILSON Governor

CALIFORNIA COASTAL COMMISSION APPEAL INFORMATION SHEET

JUL 30 2003

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., 2ND FLOOR  
VENTURA, CA 93001  
(805) 641-0142

LOCAL COASTAL PROGRAM DEVELOPMENT PERMITS  
CALIFORNIA COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT



Please read these instructions before completing the appeal application.

Commission Form D - Appeal from Coastal Permit Decision of Local Government.

Appeals to the Coastal Commission from local government decisions on coastal permit applications are limited to certain types of decisions. The information below outlines the limitations and also describes the requirements for filing appeals.

Time Frame for Filing an Appeal. An appeal must be filed by 5:00 P.M. of the 10th working day after a sufficient local government notice of final action on the permit application was received by the Commission. 14 Cal. Admin. Code Section 13110. (The local government is required to send a notice of final local action to the Commission within 7 calendar days of a final local action.) The appeal must be filed in the Commission district office having jurisdiction over the affected local government. The final date for filing an appeal is available from the local permit decision notices posted in the Commission's offices and may also be obtained by calling the local Commission district office.

Persons Eligible to Appeal. The applicant, any aggrieved person or any two members of the Commission may appeal. P.R.C. Section 30625. An "aggrieved person" is any person who, in person or through a representative, appeared at a public hearing of the local government in connection with the decision being appealed, or who, by other appropriate means prior to a hearing, informed the local government of the nature of his/her concerns or who for good cause was unable to do either. "Aggrieved person" includes the applicant for a permit. P.R.C. Section 30801.

Decisions Which May Be Appealed. (P.R.C. Section 30603)

- A. Within the appeals area, as shown on the Commission-adopted Post-LCP Certification Permit and Appeal Jurisdiction Map, any approval decision is appealable.
- B. In coastal counties only, an approval decision on a development that is not designated as the principal permitted use under the certified zoning ordinance, or zoning district map, is appealable.
- C. Any decision on a major works project or major energy facility is appealable.

Proper Grounds for an Appeal. (P.R.C. Section 30603)

A. For a development located between the sea and the first public road paralleling the sea or within 300 feet of the inland extend of any beach or the mean high tide line of the sea where there is no beach, whichever is the greater distance, the grounds for an appeal are limited to one or more of the following allegations:

1. The development fails to provide adequate physical access to the shoreline or public or private commercial use or interference

(OVER)

H6: 4/88

EXHIBIT NO.	2
APPLICATION NO.	
A-4-SBC-03-077	

2. The development fails to protect public views from any public road or from a recreational area to, and along, the coast.

3. The development is not compatible with the established physical scale of the area.

4. The development may significantly alter existing natural landforms.

5. The development does not comply with shoreline erosion and geologic setback requirements.

B. The grounds for appealing the decision on a project in any other location are limited to allegations that the development does not conform to the certified local coastal program.

Exhaustion of Local Appeals. Pursuant to 14 Cal. Admin. Code Section 13111 and 13573, the process of appealing a local decision to the Commission cannot begin until all possible appeals to local appellate bodies first have been made and have been exhausted; except that exhaustion of local appeals is not required if any of the following occur:

A. The local government requires an appellant to appeal to more local appellate bodies than have been certified in the implementation section of the local coastal program, or designated in the LUP implementing procedures, as appellate bodies for permits in the coastal zone.

B. An appellant was denied the right of the initial local appeal by a local ordinance which restricts the class of persons who may appeal a local decision.

C. An appellant was denied the right of local appeal because local notice and hearing procedures for the development did not comply with the provisions of Article 17 (LCP Implementation Regulations) of the California Administrative Code.

D. The local government charges a fee for the filing or processing of appeals.

Appellant Notification of Appeals. Section III of the appeal application form is for the identification of persons interested in the project being appealed. An additional important step is that the appellant notify these persons and the local government of the appeal filing, within one week of the filing. Notification must be by mailing or delivering a copy of the completed appeal application form, including any attachments, to all interested parties, at the addresses provided to the local government. Failure to provide the required notification may be grounds for Commission dismissal of the appeal. 14 Cal. Admin. Code Section 13111(c).

Commission Review of an Appeal. If the Commission hears a coastal development permit on appeal, the Commission shall approve the permit if it finds that the proposed development is in conformity with the certified local coastal program (P.R.C. Section 30604(b)). Furthermore, every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that such development is in conformity with the public access and public recreation policies of Chapter 3 (P.R.C. Section 30604(c)). In determining whether a proposed development is in conformity with the certified LCP, the Commission may consider aspects of the project other than those identified by the appellant in the appeal itself, and may ultimately change conditions of approval or deny a permit altogether.

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PETE WILSON, Governor



JUL 30 2003

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., 2ND FLOOR  
VENTURA, CA 93001  
(805) 641-0142

APPEAL FROM COASTAL PERMIT  
DECISION OF LOCAL GOVERNMENT

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

Please Review Attached Appeal Information Sheet Prior To Completing This Form.

SECTION I. Appellant(s)

Name, mailing address and telephone number of appellant(s):

SANTA BARBARA CHANNELKEEPER  
714 BOND AVE  
SANTA BARBARA CA 93103 (805) 563 3377  
Zip Area Code Phone No.

SECTION II. Decision Being Appealed

1. Name of local/port government: City of Santa Barbara

2. Brief description of development being appealed: Local Permit # MSTT 2003-00344 (Appl # 4-SBC-03-141)  
Goleta Slough Reserve Zone

3. Development's location (street address, assessor's parcel no., cross street, etc.): 500 Fowler Rd., Santa Barbara  
APN 073-080-33, 37

4. Description of decision being appealed:

- a. Approval; no special conditions: \_\_\_\_\_
- b. Approval with special conditions: X
- c. Denial: \_\_\_\_\_

Note: For jurisdictions with a total LCP, denial decisions by a local government cannot be appealed unless the development is a major energy or public works project. Denial decisions by port governments are not appealable.

TO BE COMPLETED BY COMMISSION:

APPEAL NO: A4-SBC-03-077

DATE FILED: 7/30/03

DISTRICT: So Central/Ventura

H5: 4/88

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 2)

5. Decision being appealed was made by (check one):

- a. ☐ Planning Director/Zoning Administrator      c. ☐ Planning Commission  
b. ☒ City Council/Board of Supervisors      d. ☐ Other \_\_\_\_\_

6. Date of local government's decision: 7/15/03

7. Local government's file number (if any): MSTT 2003-00344

SECTION III. Identification of Other Interested Persons

Give the names and addresses of the following parties. (Use additional paper as necessary.)

a. Name and mailing address of permit applicant:

City of Santa Barbara  
500 Fowler Road  
Santa Barbara, CA 93117

b. Names and mailing addresses as available of those who testified (either verbally or in writing) at the city/county/port hearing(s). Include other parties which you know to be interested and should receive notice of this appeal.

(1) Mayor Jack Hannahurst, Goleta  
6500 Hollister  
Goleta, CA 93117

(2) Drew Bohon, Channelkeeper  
714 Bond Ave.  
Santa Barbara, CA 93103

(3) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

SECTION IV. Reasons Supporting This Appeal

Note: Appeals of local government coastal permit decisions are limited by a variety of factors and requirements of the Coastal Act. Please review the appeal information sheet for assistance in completing this section, which continues on the next page.

APPEAL FROM COASTAL PERMIT DECISION OF LOCAL GOVERNMENT (Page 3)

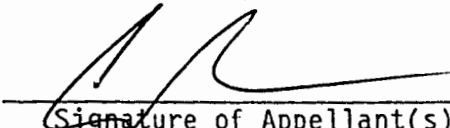
State briefly your reasons for this appeal. Include a summary description of Local Coastal Program, Land Use Plan, or Port Master Plan policies and requirements in which you believe the project is inconsistent and the reasons the decision warrants a new hearing. (Use additional paper as necessary.)

Permit MSTR 2003-00344 is inconsistent with the City  
of Santa Barbara Coastal Plan and with the Coastal  
Act Sections 30233, 30236 and 30240. The  
permit would authorize the needless destruction  
of coastal wetlands and other resources.

Note: The above description need not be a complete or exhaustive statement of your reasons of appeal; however, there must be sufficient discussion for staff to determine that the appeal is allowed by law. The appellant, subsequent to filing the appeal, may submit additional information to the staff and/or Commission to support the appeal request.

SECTION V. Certification

The information and facts stated above are correct to the best of my/our knowledge.

  
\_\_\_\_\_  
Signature of Appellant(s) or  
Authorized Agent

Date 7/30/03

NOTE: If signed by agent, appellant(s) must also sign below.

Section VI. Agent Authorization

I/We hereby authorize \_\_\_\_\_ to act as my/our representative and to bind me/us in all matters concerning this appeal.

\_\_\_\_\_  
Signature of Appellant(s)

Date \_\_\_\_\_





# CITY OF SANTA BARBARA



AIRPORT DIRECTOR

EXHIBIT NO. 3
APPLICATION NO.
A-4-SBC-03-077

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

RECEIVED

AUG 06 2003

CALIFORNIA  
COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

August 6, 2003

Gary Timm, District Manager  
California Coastal Commission – South Central Coast District  
89 S. California Street, Suite 200  
Ventura, CA 93001

**SUBJECT: CITY OF GOLETA AND SANTA BARBARA CHANNELKEEPER  
APPEALS OF GOLETA SLOUGH RESERVE COASTAL DEVELOPMENT  
PERMIT APPROVAL FOR THE AIRFIELD SAFETY PROJECTS**

Dear Mr. Timm:

The City of Santa Barbara urges the California Coastal Commission to determine that no substantial issue exists with respect to the grounds on which the appeal has been filed by the City of Goleta and Santa Barbara Channelkeeper for the Airfield Safety Projects. Both appellants assert that the proposed project is inconsistent with the Airport and Goleta Slough Component of the City of Santa Barbara Coastal Program as a result of purported inconsistencies of the Local Coastal Program and the Coastal Act policies of Public Resources Code Sections 30233, 30236 and 30240. This issue constitutes the same argument raised by the appellants during the Coastal Commission's review of the Aviation Facilities Plan Federal Consistency Certification and the Local Coastal Program Amendment for the Airfield Safety Projects. On both occasions, the Coastal Commission rejected the appellants' argument.

Section 30603(b)(1) of the Coastal Act states:

The grounds for an appeal pursuant to subdivision (a) shall be limited to an allegation that the development does not conform to the standards set forth in the certified Local Coastal Program or the public access policies set forth in this division.

On April 9, 2002, the California Coastal Commission voted to concur with the Airport's Federal Consistency Certification CC-058-01 for the Aviation Facilities Plan, which includes the proposed Airfield Safety Projects. On June 10, 2002, the Coastal Commission adopted concurrence findings for the Aviation Facilities Plan, including specific findings that the project is consistent with Coastal Act Policies 30233, 32036 and 30240.

On December 10, 2002, the California Coastal Commission unanimously certified an amendment to the Airport and Goleta Slough Local Coastal Program (MAJ-1-02), to include text changes and land use and zoning designation map revisions necessary to implement the proposed Airfield Safety Projects. The amendment incorporated Chapters 5 and 7 of the Draft Aviation Facilities Plan and associated habitat protection and restoration plans for the Airfield Safety Projects into the LCP. The amendment also includes several new resource protection policies (Policies C-11 through C-16), which provide specific guidance for development of the Airfield Safety Projects. The findings adopted by the Coastal Commission on December 10, 2002 in certifying the LCP amendment specifically state that the LCP Amendment is consistent with Coastal Act Policies of Public Resources Code Sections 30233, 30236 and 30240.

On March 4, 2003, the Santa Barbara City Council adopted Resolution 03-013 acknowledging receipt of the Commission's certification and accepting and agreeing to all modifications suggested by the Commission. On March 18, 2003, the City Council adopted Ordinance 5267 amending the Municipal Code relating to the Goleta Slough Reserve Zone to carry out the Commission's certification of the LCP amendment. On May 9, 2003, pursuant to Section 13544 of the Coastal Commission Regulations, the Executive Director of the Coastal Commission reported to the Commission his determination that the actions taken by the City of Santa Barbara to accept and agree to the Commission's certification with modifications were legally adequate. At that point, the certification of the LCP amendment became final and effective. This certification of the LCP amendment was not legally challenged by either of the appellants within the 60-day statute of limitations established by Public Resources Code Section 30801.

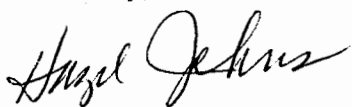
On June 19, 2003, the City Planning Commission approved a Goleta Slough Reserve (G-S-R) Zone Coastal Development Permit pursuant to SBMC §29.25.020(A.) for the portion of the Airfield Safety Projects in the G-S-R Zone that is located in the appealable jurisdiction of the Coastal Zone and made recommendations to the California Coastal Commission for approval of Coastal Development Permit for the project as a whole and a G-S-R CDP for the portion of the project in the G-S-R zone that is in the Coastal Commission's permanent jurisdiction. The Planning Commission's approval of the G-S-R Zone CDP was appealed to the City Council by the City of Goleta. On July 15, 2003, the City Council denied the appeal and upheld the Planning Commission's decision.

In the City's opinion, the appellants' contentions do not raise valid grounds for an appeal because the project approved by the City Council is fully consistent with the City's certified LCP. Not only do the Airfield Safety Projects fully and completely conform with the City's LCP, the project is expressly described and mitigated in the certified LCP. The appellants' have merely raised arguments pertaining to Coastal Act consistency that have been twice previously rejected by the Coastal Commission.

The proposed Airfield Safety Projects will improve safety for the current level of aircraft operations at the Airport and will not increase the capacity of the runway, nor result in a change in the type of aircraft used at Santa Barbara Airport. The location of the Airport adjacent to the Goleta Slough represents many challenges that were carefully considered during development of the Aviation Facilities Plan and the recent Airport and Goleta Slough LCP Amendment. These plans recognize the need to balance airport operations and maintenance with wetland habitat preservation and restoration. The Airfield Safety Projects and the Wetland Mitigation Plan would be implemented consistent with the goals and objectives set forth in the Goleta Slough Ecological Management Plan. Approximately \$8 million dollars of the estimated \$23 million Airfield Safety Project cost would be dedicated to wetland and habitat restoration of Goleta Slough. This figure does not include the as-yet unidentified costs associated with the upcoming tidal circulation experiment and a potential tidal restoration project identified in LCP Policy C-11.

Therefore, the City strongly urges the Commission to find that the appeals raise no substantial issue with respect to the grounds on which the appeals have been filed pursuant to Section 30603 of the Coastal Act.

Sincerely,



Karen Ramsdell

*for* Airport Director

cc: David Kessler, Federal Aviation Administration, Southwest Region (w/o attachments)

4-SBC-03-141



# City of Santa Barbara California

RE

EXHIBIT NO. 4.
APPLICATION NO.
A-4-SBC-03-077

COASTAL COMMISSION  
SOUTH CENTRAL COAST DISTRICT

## NOTICE OF FINAL ACTION CITY OF SANTA BARBARA COASTAL DEVELOPMENT PERMIT

**Date:** July 16, 2003 **Application Number:** MST2003-00344

**Name of Applicant:** Owen Thomas, Airport Supervising Engineer

**Name of Owner:** City of Santa Barbara Airport Department

**Project Address:** 500 Fowler Road

**Project Location:** Santa Barbara Airport, City of Santa Barbara, County of Santa Barbara

**APN Number:** 073-080-33 and a portion of 073-080-037

**Project Description:** The Airfield Safety Projects are comprised of projects to improve operational safety at Santa Barbara Airport. These projects were initially proposed in Airport's adopted Aviation Facilities Plan as follows:

**Runway Safety Areas:** Runway Safety Areas (RSAs) provide protection to passengers and aircraft in the event of an aircraft overrun or undershoot of a runway. The proposed project would lengthen the RSAs at both ends of Santa Barbara Airport's main runway (Runway 7-25) to meet current FAA design standards of 500 feet wide by 1,000 feet long at each end. In order to attain the 1,000-foot RSA length on the east end of the runway, 800 feet of the existing runway would be converted to an RSA and added to the 215 feet of RSA already provided. The 800 feet of runway length that would be converted to an RSA on the east end would be replaced on the west end and a new 1,000-foot RSA would be constructed on the west end of the runway. To accommodate the 800-foot runway relocation and the new 1,000 RSA on the west end, Tecolotito Creek would be relocated by approximately 1,800 feet to the west of its present location and the confluence of Carneros Creek with Tecolotito Creek would also be shifted to the west. The 800-foot shift in the runway would also require extension of existing Taxiway A to the west by 800 feet and other taxiway modifications at the eastern end to accommodate the new Runway 25 threshold location. The project also includes extension of a service road around the west end of the runway to provide maintenance and emergency vehicle access, relocation of a Southern California Gas Company main gas line and relocation of lights, signs and navigational aids on the airfield. The proposed project would not increase the Runway 7-25 runway length of 6,052 feet and would not increase the capacity of the runway or allow it to accommodate larger aircraft.

**Taxiway M:** To reduce the number of runway crossings and potential runway incursions, a new Taxiway M is proposed to provide a more direct route to the northwest ramp area from the Airport's parallel runways (Runways 15R-33L and 15L-33R). Taxiway M would be 50 feet wide with 20-foot wide paved shoulders and would parallel Runway 15R-33L to the west for 2,450 feet, extending approximately two-thirds the length of the runway, beginning at the northwest ramp and terminating at Taxiway E.

**East Service Road Extension:** A new 20-foot wide asphalt service road would be constructed around the active aircraft ramp at Ampersand for a distance of 1,600 feet to eliminate potential aircraft/vehicle conflicts.

This is to inform you that on July 15, 2003, the City Council of the City of Santa Barbara approved an application for a Goleta Slough Reserve Coastal Development Permit for the project listed above. The project is located in the Appealable jurisdiction of the City's Coastal Zone.

**The decision is based on the following findings and conditions:**

See attached City Council Resolution No. 03-072 which includes findings and conditions.

**The Goleta Slough Reserve Coastal Development Permit is subject to the following conditions:**

See attached City Council Resolution No. 03-072 which includes findings and conditions.

A Goleta Slough Reserve Coastal Development Permit expires two years from the date of issuance, unless otherwise explicitly modified by conditions of approval.

If you, as an aggrieved party or applicant, disagree with the decision of the City Council regarding the outcome of this application, you may appeal the decision to the California Coastal Commission. An appeal may be filed with the Coastal Commission by (1) an aggrieved party, (2) the applicant, or (3) two members of the Coastal Commission. Such appeals must be filed in the office of the Coastal Commission not later than 5:00 PM of the tenth working day following receipt of sufficient notice of the final local governmental action. In the case of an appeal by an applicant or aggrieved party, the appellant must have first pursued appeal to the City to be considered an aggrieved party.

If you have any questions or comments regarding this matter, contact Laurie Owens, Project Planner at (805) 692-6023.

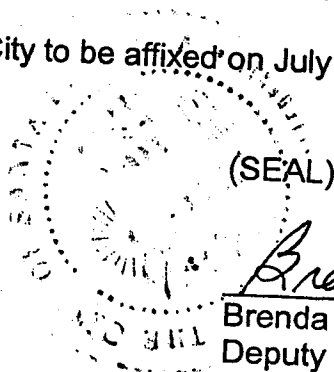
**Attachments**

1. Resolution
2. Reduced site plan
3. Vicinity Map

STATE OF CALIFORNIA       )  
                                  )  
COUNTY OF SANTA BARBARA   )  
                                  )  
CITY OF SANTA BARBARA       )  
                                  )       ss.

I, Brenda Alcazar, Deputy City Clerk in and for the  
City of Santa Barbara, California, DO HEREBY CERTIFY that attached is  
a full, true, and correct copy of Resolution No. 03-072, adopted by the  
City Council of the City of Santa Barbara at their regular meeting held on  
July 15, 2003.

IN WITNESS WHEREOF, I have hereunto set my hand and caused  
the official seal of said City to be affixed on July 16, 2003.



(SEAL)

*Brenda Alcazar*

Brenda Alcazar  
Deputy City Clerk

RESOLUTION NO. 03-072

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA MAKING THE FINDINGS TO APPROVE A GOLETA SLOUGH RESERVE ZONE (G-S-R) COASTAL DEVELOPMENT PERMIT FOR THE PORTION OF THE AIRFIELD SAFETY PROJECTS IN THE APPEALABLE JURISDICTION OF THE COASTAL ZONE (SBMC §29.25.020(A.)) SUBJECT TO CONDITIONS OF APPROVAL.

WHEREAS, The Airfield Safety Projects are comprised of projects to improve operational safety at Santa Barbara Airport and would not increase the capacity of the Airport's runways, nor result in a change in the type of aircraft used at Santa Barbara Airport; and

WHEREAS, on December 11, 2001, the City Council certified the Final Aviation Facilities Plan Environmental Impact Report (EIR) and adopted the Aviation Facilities Plan, which includes the Airfield Safety Projects; and

WHEREAS, on June 10, 2002, the California Coastal Commission adopted findings concurring with the City of Santa Barbara's Federal Consistency Certification of the Aviation Facilities Plan;

WHEREAS, on December 10, 2002, the California Coastal Commission unanimously certified a Local Coastal Program Amendment for the Airfield Safety Projects, including text changes and land use and zoning designation map revisions necessary to implement the Airfield Safety Projects and new resource protection policies; and

WHEREAS, the City accepted an application from Santa Barbara Airport for: (1) A recommendation to the California Coastal Commission for a Coastal Development Permit for a project in the Coastal Commission's permanent jurisdiction (SBMC §28.45.009(6.)(p.)); (2) A Goleta Slough Reserve (G-S-R) Coastal Development Permit for development within the Goleta Slough Reserve Zone for the portion of the project located in the appealable jurisdiction of the Coastal Zone (SBMC §29.25.020(A.)); and (3) A recommendation to the California Coastal Commission for G-S-R Coastal Development Permit for development within the Goleta Slough Reserve Zone for the portion of the project located in the Coastal Commission's permanent jurisdiction (SBMC §29.25.020(A.)); and

WHEREAS, on June 19, 2003, the Planning Commission considered the project applications, including the Final Aviation Facilities Plan EIR and Addendum, and conducted a public hearing. Upon the close of the public hearing, the Planning Commission made the appropriate environmental findings,

approved the G-S-R Coastal Development Permit for the portion of the project in the appealable jurisdiction of the Coastal Zone and recommended to the California Coastal Commission that the Coastal Development Permit and G-S-R Coastal Development Permit in the Coastal Commission's permanent jurisdiction be approved; and,

WHEREAS, on June 26, 2003 the City of Goleta filed an appeal of the Planning Commission's decision on the G-S-R Coastal Development Permit for the portion of the project in the appealable jurisdiction of the Coastal Zone pursuant to Municipal Code §28.45.009(j.) and Chapter 29.25; and

WHEREAS, on July 15, 2003, the City Council conducted a noticed public hearing for the appeal. The Council considered the Planning Commission action, Staff reports, and testimony from the applicant, Staff, appellant, and members of the public.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF SANTA BARBARA:

- I. Approves the Goleta Slough Reserve Coastal Development Permit for the portion of the Airfield Safety Projects in the appealable jurisdiction of the Coastal Zone, making the following findings and determinations:

**A. Environmental Findings:**

1. Consideration of Final EIR/EIS

The City Council has reviewed and considered the information contained in the Final Aviation Facilities Plan EIR along with public comments received and final document responses and the Addendum dated June 19, 2003, and finds that the Final EIR and Addendum was completed in compliance with the California Environmental Quality Act (CEQA) and reflects the independent judgment and analysis of the City Council and constitutes adequate environmental evaluation and documentation for the Airfield Safety Projects (West Creek Realignment Runway Safety Area Alternative, new Taxiway M and service road).

2. Class I Impacts: Significant Unavoidable Impacts

The Final AFP EIR/EIS and Addendum identify no significant unavoidable environmental impacts associated with the Airfield Safety Projects.



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

Mitigation measures have been required and/or changes incorporated into the Airfield Safety Projects which would avoid or substantially lessen the following potentially significant effects of the Airfield Safety Projects described in the Final AFP EIR/EIS and Addendum to less than significant levels: air quality, hazardous materials, water quality, cultural resources, biotic communities and wetlands, endangered and threatened species, floodplains, and geology. These impacts and mitigation measures are summarized as follows:

a. Air Quality

Potential air quality impacts from temporary construction-related fugitive dust (PM<sub>10</sub>) would be mitigated by the implementation of appropriate dust control measures (Mitigation Measures [MM] 3.5-1, -2, -3, -4, -5, -6) throughout grading and construction of the Airfield Safety 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 archaeological 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).

**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 seasonal wetlands 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 seablight 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 expansive soils, liquefaction and erosion would be mitigated by incorporation of grading and earthwork recommendations into the project design in accordance with geotechnical report recommendations (MM 3.15-1 and -2).

i. Ground Transportation

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), and location of construction worker parking to minimize effects on traffic and circulation (MM 3.23-14).

The City Council hereby finds that all significant effects on the environment identified in the Final Aviation Facilities Plan EIR have been eliminated or substantially lessened and the project will not have a significant effect on the environment.

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

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 the Airport's water conservation measures for exterior water use (MM-3.74).

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 Flood-way 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 and recycling during project construction (MM 3.20-1).

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 Airfield Safety 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.

7. 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 Airfield Safety Projects improvements would not meet basic project objectives for establishing necessary runway safety areas required under federal regulations, or for providing other necessary operational safety improvements. The No Action Alternative would result in inadequate runway safety areas, taxiways, and service roads to serve existing and future aviation activity. Other beneficial mitigations such as 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 Final 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 would marginally increase the capacity of flights to the west, it may not be consistent with Coastal Act and Local Coastal Program policies.

Taxiway Alternatives: A shorter Taxiway alternative 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.

Extended Runway 15R/33L Alternative: This alternative improvement providing a second runway for larger aircraft would not perceptibly decrease noise levels east and west of Runway 7/25, would imperceptibly 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.

8. Mitigation Measure Enforceability and Mitigation Monitoring and Reporting Program

Feasible mitigation measures identified in the Final Aviation Facilities Plan EIR/EIS Addendum would be fully enforceable through the conditions of project approval in Exhibit A.

**B. Findings for the Goleta Slough Reserve Coastal Development Permit:**

1. The project is consistent with the City's Coastal Land Use Plan and all applicable provisions of the Municipal Code as follows:

Citywide Local Coastal Plan (LCP):

- a. The Airfield Safety Projects would be consistent with General Policy 1.1 of the City-wide LCP because the project would be consistent with the policies of the California Coastal Act as stated in the findings above.
- b. The Airfield Safety Projects would be consistent with the Water and Marine Environments Policy 6.1 of the City-wide LCP because the Airfield Safety Projects would not result in significant unavoidable adverse impacts on sensitive biotic communities upon implementation of the Wetland Mitigation Plan.
- c. The Airfield Safety Projects would be consistent with the Water and Marine Environments Policy 6.2 of the City-wide LCP 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 would be supported and enforcement encouraged. The Airfield Safety Projects would incorporate enlarged sediment basins in Tecolotito and Carneros Creeks and the Construction Phase Erosion Control Plan that would minimize construction-phase erosion and siltation that could affect the Goleta Slough and marine resources at the mouth of the Slough.
- d. The Airfield Safety Projects would be consistent with the Water and Marine Environments Policy 6.8 of the City-wide

LCP because the Airfield Safety Projects would not result in impacts on Coastal creeks that would not be mitigated to less than significant levels. The City would continue to participate in and support the goals of the Goleta Slough Management Committee to maintain, preserve, enhance and restore the ecosystem of Goleta Slough.

- e. The Airfield Safety Projects would be consistent with the Water and Marine Environments Policy 6.9 of the City-wide LCP because all requirements of the Regional Water Quality Control Board would be carried out, including all mitigation measures required by the EIR, all Best Management Practices and implementation of Airport and Goleta Slough LCP Policies C-12, C-13 and C-14.
- f. The Airfield Safety Projects would be consistent with the Water and Marine Environments Policy 6.10 of the City-wide LCP because setbacks from the top of existing and new creek banks would be provided and those setback areas would be planted with native vegetation appropriate to the Goleta Slough.
- g. The Airfield Safety Projects would be consistent with the Water and Marine Environments Policy 6.11 of the City-wide LCP because the proposed alterations of Tecolotito and Cameros Creeks have incorporated the recommendations of the Wetland Mitigation Plan that includes the best feasible mitigation measures.

Airport and Goleta Slough Component of the LCP:

- h. The Airfield Safety Projects would be consistent with Policy A-1 of the Airport and Goleta Slough LCP because access to Goleta Slough would continue to be restricted to those persons and organizations conducting compatible research and educational projects and opportunities for dry land tours of the Goleta Slough would be provided.
- i. The Airfield Safety Projects would be consistent with Policy B-1 of the Airport and Goleta Slough LCP because areas and facilities on the periphery of the Slough for recreational and educational use would be provided as would opportunities for dry land tours of the Goleta Slough.
- j. The Airfield Safety Projects would be consistent with Policy C-1 of the Airport and Goleta Slough LCP because the City



would continue to work with the California Department of Fish and Game to amend the Memorandum of Understanding if needed to remove areas affected by the Airfield Safety Projects from the Reserve and add other appropriate areas.

- k. The Airfield Safety Projects would be consistent with Policy C-4 of the Airport and Goleta Slough LCP because buffers would continue to be provided along the periphery of all wetland communities, including those in the proposed mitigation area. Buffers of 100 feet in width have been provided where feasible, and in areas where the Airfield Safety Projects render maintenance of a 100-foot buffer infeasible, all impacts to wetlands have been mitigated to the maximum extent feasible pursuant to the October 2001 Wetland Mitigation Plan and the May 10, 2003 Update such that no net loss of wetland habitat shall occur.
- l. The Airfield Safety Projects would be consistent with Policy C-5 of the Airport and Goleta Slough LCP because the development would include enlarged sediment basins on Tecolotito and Carneros Creeks and implementation of an Erosion Control Plan and Stormwater Pollution Prevention Plan (SWPPP) to reduce the amount of sediment entering the Goleta Slough.
- m. The Airfield Safety Projects would be consistent with Policy C-6 of the Airport and Goleta Slough LCP because the existing level of tidal action in the Slough would not change with the implementation of the Airfield Safety Projects. As outlined in the October 2001 Wetland Mitigation Plan, weeds and other non-natives would be replaced with estuarine and palustrine plants that should support marine organisms. Depending on the outcome of the Tidal Circulation Experiment, the wetland mitigation for the project may incorporate up to 13.3 acres of tidal restoration in Goleta Slough.
- n. The Airfield Safety Projects would be consistent with Policy C-8 of the Airport and Goleta Slough LCP because no significant unavoidable impacts to wetland habitat would result and implementation of the Wetland Mitigation Plan would result in enhancement and restoration of wetland habitats and existing natural open space areas in the Goleta Slough.
- o. The Airfield Safety Projects would be consistent with Policy C-9 of the Airport and Goleta Slough LCP because the

proposed project would be consistent with Coastal Act policies 30233, 30230, 32032 and 30607.1. The proposed incidental public service uses and restoration activities are permitted pursuant to PRC 30233.

- p. The Airfield Safety Projects would be consistent with Policy C-10 of the Airport and Goleta Slough LCP because the proposed project and the Wetland Mitigation Plan incorporates key elements of the draft Goleta Slough Ecosystem Management Plan. The project and the Wetland Mitigation Plan were conceptually reviewed by the Goleta Slough Management Committee, which commented that the project and Wetland Mitigation Plan appeared consistent with the Goleta Slough Ecosystem Management Plan.
- q. The Airfield Safety Projects would be consistent with Policy C-11 of the Airport and Goleta Slough LCP because the proposed project would not result in the permanent net loss of wetland or upland habitat. The mitigation ratios specified in Policy C-11 have been incorporated into the October 2001 Wetland Mitigation Plan and the May 10, 2003 Update to the Wetland Mitigation Plan. All requirements of Policy C-11 have been incorporated into the proposed project and shall be implemented in full compliance with the policy.
- r. The Airfield Safety Projects would be consistent with Policy C-12 of the Airport and Goleta Slough LCP because the proposed project has been sited and designed to protect water quality and minimize impacts to coastal waters. The project would include enlarged sediment basins on Tecolotito and Carneros Creeks and implementation of a Construction Phase Erosion Control and Polluted Runoff Control Plan pursuant to LCP Policy C-14 and Stormwater Pollution Prevention Plan (SWPPP) to reduce the amount of sediment entering the Goleta Slough. The project also incorporates Best Management Practices, including installation of storm drain surface pollutant interceptors on all new storm drains and retrofitting of existing storm drains on the airfield. The proposed projects limits the increases to impervious surfaces and disturbance of natural drainage features and vegetation to that necessary to complete the Airfield Safety Projects as described in Chapters 5 and 7 of the Aviation Facilities Plan.
- s. The Airfield Safety Projects would be consistent with Policy C-13 of the Airport and Goleta Slough LCP because a Water Quality Mitigation Plan (WQMP) has been developed for the

project which incorporates and complements existing drainage patterns and systems and incorporates methods to capture and filter pollutants, provides post-development Best Management Practices (BMPs) and includes measures to prevent streambank erosion and creek or wetland siltation. Monitoring activities consistent with this policy have been incorporated into the WQMP.

- t. The Airfield Safety Projects would be consistent with Policy C-14 of the Airport and Goleta Slough LCP because Construction Phase Erosion Control and Polluted Runoff Control Plans have been developed for the project and incorporated into the project design and the SWPPP. The plans incorporate BMPs to minimize erosion and sedimentation, include revegetation of disturbed areas and limit grading activities during the rainy season.
- u. The Airfield Safety Projects would be consistent with Policies C-15 and C-16 of the Airport and Goleta Slough LCP because special status plant and wildlife protection measures have been incorporated into the project design. Final AFP EIR/EIS Mitigation Measures 3.11-1 through 3.11-5 would be implemented to mitigate potential impacts to special status plant and wildlife species. Habitat restoration for sensitive species would be provided under the Wetland Mitigation Plan for the project. The project design and Wetland Mitigation Plan incorporate the timing, implementation schedules and operational requirements identified in Policy C-16.
- v. The Airfield Safety Projects would be consistent with Cultural Resources Policies F-1 and F-3 of the Airport and Goleta Slough LCP because archaeological site Sba-52 would be avoided during construction of the Airfield Safety Projects and a fenced 50-foot buffer around the site would be provided during construction pursuant to EIR Mitigation Measure 3.9-2. Archaeological monitoring would be provided during construction of the East Service Road pursuant to Mitigation Measure 3.9-5.
- w. The Airfield Safety projects would be consistent with Public Resources Policy G-1 of the Airport and Goleta Slough LCP because water, wastewater and parking are available to meet the needs of the proposed development.
- x. The Airfield Safety Projects would be consistent with Land Use Policy H-1 of the Airport and Goleta Slough LCP

because, even though impacts to wetlands would result from the project, a Wetland Mitigation Plan would be implemented that would restore wetlands in Goleta Slough and would mitigate all wetland impacts to less than significant levels. Further, the existing sediment basins on Tecolotito and Carneros Creeks would be enlarged, thus reducing the amount of sediment that is deposited in the Goleta Slough and improving the condition of the ecosystem.

Santa Barbara Municipal Code:

- y. The project is consistent with the Municipal Code, including the requirements of the A-A-O/G-S-R/S-D-3 (Aircraft Operations and Approach/Goleta Slough Reserve/Coastal Overlay) Zones.
2. The project is consistent with the policies of the California Coastal Act as follows:
- a. California Coastal Act Sections 30230 and 30231 - Marine Environment - would be met because the mitigation measures included in the hazardous materials, water quality, biological resources, threatened and endangered species and wetlands sections of the Final AFP EIS/EIR have been incorporated into the Airfield Safety Projects. These mitigation measures, the two enlarged sediment basins on Tecolotito and Carneros Creeks, and the implementation of the Wetland Mitigation Plan, the Storm Water Pollution Prevention Plan (SWPPP) and the Water Quality Management Plan (WQMP) would maintain, protect and sustain the water quality resources in Goleta Slough.
  - b. California Coastal Act Section 30233 - Marine Environment - would be met because the Santa Barbara Airport, including its runways, and taxiways are considered public (transportation) services. The Airfield Safety Projects would not result in an increase in runway length or capacity or in the size of aircraft that are capable of using the runway. The project constitutes an incidental public service use. All mitigation measures and included in the Final AFP EIS/EIR relevant to the Airfield Safety projects and the October 2001 Wetland Mitigation Plan, the April 2002 Upland Mitigation Plan and the May 2003 Update have been incorporated into the design of the Airfield Safety Projects. The City has examined all reasonable alternatives, including the no action alternative, west creek culvert alternative, extended Runway

15R/33L alternatives, Runway 7/25 length reduction alternatives, displaced threshold alternative, use of other airports, extension of Runway 7/25 to the east, Engineered Material Arresting Systems (EMAS) and taxiway alternatives. The City has proposed the least environmentally damaging project alternative which feasibly achieves the safety objectives of the project.

- c. California Coastal Act Section 30236 - Marine Environment - would be met because the Airfield Safety Projects would increase flood protection for the runway because overbank flooding from the relocated creeks under a 10-year event would not impinge on the runway as it does under current conditions. The project would also implement the Wetland Mitigation Plan that provides for compensation for the loss of stream channel habitats with like-kind mitigation. The Airfield Safety Projects are necessary for public safety and would result in the improvement of fish and wildlife habitat in the mitigation areas.
- d. California Coastal Act Section 30240 - Land Resources - would be met because the mitigation measures in the Final AFP EIR/EIS relevant to the Airfield Safety Projects have been incorporated into the project design and would prevent impacts which would significantly degrade environmentally sensitive habitat areas of the Goleta Slough. 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.
- e. California Coastal Act Section 30244 - Land Resources - would be met because archaeological site Sba-52 would be avoided during construction of the Airfield Safety Projects and a fenced 50-foot buffer around the site would be provided during construction pursuant to EIR Mitigation Measure 3.9-2. Archaeological monitoring would be provided during construction of the East Service Road pursuant to Mitigation Measure 3.9-5.
- f. California Coastal Act Section 30251 - Development - would be met because development of the Airfield Safety Projects would not substantially affect views of scenic coastal areas.

- g. California Coastal Act Section 30252 - Development - would be met because development of the Airfield Safety Projects would not further restrict access to the coast.
  - h. California Coastal Act Section 30253 - Development - would be met because standard construction practices would minimize potential geologic and fire hazards and all new development will be required to meet flood requirements as required by the Federal Emergency Management Agency (FEMA). All requirements of the Santa Barbara Air Pollution Control District have been incorporated into the required mitigation measures and energy consumption and vehicle miles traveled would be reduced by the mitigation measures.
- 3. 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. The proposed use is an incidental public service use and is therefore consistent with Section 32033 of the Coastal Act.
- 4. 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. The proposed project would not result in the permanent net loss of wetland or upland habitat. The mitigation ratios specified in Policy C-11 have been incorporated into the October 2001 Wetland Mitigation Plan and the May 10, 2003 Update to the Wetland Mitigation Plan. All requirements of Policy C-11 have been incorporated into the proposed project design and shall be implemented in full compliance with the policy to ensure continuance of such habitat.
- 5. A natural buffer area of 100 feet would be maintained in an undeveloped condition along the periphery of all wetland areas, except where development of the Airfield Safety Projects renders maintenance of a 100 foot buffer area between new development and delineated wetlands infeasible. In these areas, the maximum amount of buffer area would be provided and all impacts to wetland habitat would be mitigated to the maximum extent feasible pursuant to the October 2001 Wetland Mitigation Plan and the May 10, 2003 Update such that no net loss of wetland habitat occurs.
- 6. 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. The project would protect the quality of coastal waters by providing enlarged sediment basins on Tecolotito and Carneros Creeks and through implementation of a Construction Phase Erosion Control and Polluted Runoff Control Plan pursuant to LCP Policy C-14 and Stormwater Pollution Prevention Plan (SWPPP) to reduce the amount of sediment entering the Goleta Slough. The project also incorporates operational Best Management Practices, including installation of storm drain surface pollutant interceptors on all new storm drains and retrofitting of existing storm drains on the airfield.

7. 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 Plant Society.
8. 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:
  - a. All dredged spoils shall be removed from the wetland area to avoid significant disruption to wildlife habitat and water circulation.
  - b. Diking, filling or dredging in the Goleta Slough shall maintain or enhance the functional capacity of the wetland or estuary.

The City has examined all reasonable alternatives, including the no action alternative, west creek culvert alternative, extended Runway 15R/33L alternatives, Runway 7/25 length reduction alternatives, displaced threshold alternative, use of other airports, extension of Runway 7/25 to the east, Engineered Material Arresting Systems (EMAS) and taxiway alternatives. The City has proposed the least environmentally damaging project alternative which feasibly achieves the public safety objectives of the project. All mitigation measures included in the Final AFP EIS/EIR and Addendum relevant to the Airfield Safety projects and the October 2001 Wetland Mitigation Plan, the April 2002 Upland Mitigation Plan and the May 2003 Update have been incorporated into the design of the Airfield Safety Projects to maintain and enhance the functional capacity of Goleta Slough.

9. Channelizations or other substantial alteration of rivers and streams shall incorporate the best mitigation measures feasible. All



mitigation measures identified for the Airfield Safety projects in the AFP Final EIR and Addendum have been incorporated into the project design.

10. Archaeological or other culturally sensitive resources within the Goleta Slough would be protected from impacts of the proposed development. Archaeological site Sba-52 would be avoided during construction of the Airfield Safety Projects and a fenced 50-foot buffer around the site would be provided during construction pursuant to Final AFP EIR Mitigation Measure 3.9-2. Archaeological monitoring would be provided during construction of the East Service Road pursuant to Mitigation Measure 3.9-5.
11. The proposed use would minimize any adverse effects of wastewater discharges, runoff and interference with surface water flow. Construction Phase Erosion Control and Polluted Runoff Control Plans have been developed for the project and incorporated into the project design and the SWPPP. The plans incorporate BMPs to minimize erosion and sedimentation, include revegetation of disturbed areas and limit grading activities during the rainy season. The project also incorporates operational Best Management Practices, including installation of storm drain surface pollutant interceptors on all new storm drains and retrofitting of existing storm drains on the airfield.
12. Sedimentation from the proposed development has been reduced to a minimum and is compatible with the maintenance of the wetland area. The Airfield Safety Projects would incorporate enlarged sediment basins in Tecolotito and Carneros Creeks and the Construction Phase Erosion Control Plan that would minimize construction-phase erosion and siltation that could affect the Goleta Slough.
13. The proposed project enhances public educational or recreational opportunities at the Goleta Slough including, but not limited to:
  - a. Providing area(s) and facilities on the periphery of the wetland for recreational and educational use of Slough; or,
  - b. Developing educational tour routes and procedures for such tours in dry land areas of the Slough.
  - c. Educational/explanatory signs shall be included as part of any walking tour or viewing facilities project.

Areas and facilities on the periphery of the Slough for recreational and educational use have been incorporated into the project design for the Airfield Safety Projects, including opportunities for dry land tours of the Goleta Slough.



II. Said approval is subject to the following conditions:

- A. The development of the Real Property approved by the Planning Commission on June 19, 2003 is limited to the improvements shown on the plans signed by the chairman of the Planning Commission on said date and on file at the City of Santa Barbara.
- B. The Santa Barbara Airport Department (Airport) shall provide for the uninterrupted flow of water through the Real Property including, but not limited to, swales, natural watercourses, conduits and any access road, as appropriate. The Airport is responsible for the adequacy of any drainage facilities and for the continued maintenance thereof in a manner, which will preclude any hazard of life, health or damage to the Real Property or any adjoining property.
- C. The Airport shall comply with the Landscape/Restoration Plan as approved by the Architectural Board of Review (ABR). Such plan shall not be modified unless prior written approval is obtained from the ABR. The landscaping on the Real Property shall be provided and maintained in accordance with said landscape/restoration plan.
- D. The Airport shall submit the following or evidence of completion of the following to the Public Works Department prior to the issuance of a Building permit or Public Works permit.
  - 1. The Water Quality Management Plan (WQMP) shall be finalized consistent with all requirements of Airport and Goleta Slough Local Coastal Program Policy C-13 based on the final construction plans submitted for building permit.
  - 2. Storm drain pollutant interceptors, sediment traps or other structural Best Management Practices (BMPs) for paved areas shall be incorporated into the project design as appropriate, to minimize turbidity, Total Suspended Solids (TSS), and pollution in Goleta Slough and to meet the requirements of Airport and Goleta Slough Local Coastal Program Policy C-13. These traps or BMPs could consist of storm drain pollutant interceptors, infiltration basins, infiltration trenches, vegetated filter strips, grassed swales, porous pavement, water quality inlets, detention ponds, filtration basins, and sand filters. Each of these devices shall include oil absorbing pillows, filters or other systems for sediment and pollutant removal. (*Required Mitigation Measure 3.7-3*).
  - 3. The Airport shall provide an Operations and Maintenance Procedure Plan describing maintenance of storm drain surface pollutant interceptors, sediment traps or structural BMPs, including replacement schedules for pollution

absorbing pillows, filters, or other systems. The Plan shall be reviewed and approved by the Water Resources Specialist (*Required Mitigation Measure 3.7-3*).

4. The Airport shall submit to the Land Development Engineer hydrology calculations for the 10, 25, and 100 storm events justifying that the onsite/offsite proposed and existing drainage conveyance systems adequately convey a 25-year storm event. If it is found infeasible to provide for an in system 25-year storm event the City Engineer may consider an alternative engineering design.
5. The Airport shall continue to implement its water conservation program in the project design including drip irrigation and general conservation policies and measures. (*Recommended Mitigation Measure 3.7-4*).
6. The Airport shall utilize reclaimed wastewater for exterior landscaping consistent with State and County standards where the Public Works Director deems it physically and financially feasible (*Recommended Mitigation Measure 3.7-5*).

E. The Santa Barbara Airport Department shall complete the following prior to the issuance of any building permits:

1. A qualified representative for the Santa Barbara Airport Department, approved by the City Planning Division, shall be designated as the Project Environmental Coordinator (PEC). The PEC shall be responsible for assuring full compliance with the provisions of the mitigation monitoring and reporting program to the City. The PEC shall have authority over all other monitors/specialists, the contractor, and all construction personnel for those actions that relate to the items listed in this program.
2. At least 20 days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses and residents within 100 feet of the project area. The notice shall contain a description of the proposed project, a construction schedule including days and hours of construction, the name and phone number of the Project Environmental Coordinator (PEC) who can answer questions, and provide additional information or address problems that may arise during construction. A 24-hour construction hot line shall be provided and the number provided on the notice to allow property owners, businesses and residents to contact the PEC on an as-needed basis.

3. A qualified wetlands biologist shall be retained by the Airport to design and oversee the implementation of the wetlands mitigation for the Airport Aviation Facilities Plan mitigation project. The biologist shall have technical as well as management experience in order to coordinate the mitigation from design through implementation and monitoring. The two primary responsibilities of the biologist shall be as follows (*Required Mitigation Measure 3.10-2*):
  - a. Provide direct input into project layout, construction, planning and scheduling to minimize the extent of impacts on existing biological resources consistent with the Final Wetland and Upland Habitat Mitigation, Restoration Management, Maintenance and Monitoring Plans mandated under Airport and Goleta Slough Local Coastal Program Policy C-11.
  - b. Provide overall management of the biological aspects of the Airfield Safety Project mitigation program and other concurrent projects that may affect the Slough. This would include coordination with City departments, regulatory and other government agencies, construction crews, and the public.

The biologist shall be responsible for the following:

- a. Development and implementation of a site-specific plan for revegetation and restoration activities for the wetlands and the creek channel, and creek banks consistent with the requirements of Airport and Goleta Slough Local Coastal Program Policies C-11 and C-16. The plan will also include measures for control, of invasive exotic vegetation species in the project area, and a seeding plan for upland areas impacted during construction activities.
- b. Preparation of pre-construction and post-construction mitigation and monitoring reports, including maps and photographs of the mitigation and reference sites.
- c. Monitor previously mapped wetlands and endangered species habitats adjacent to approved construction areas to confirm the avoidance of impacts on these areas and sensitive species. Any impacts that do occur shall be documented to the City Planning Division, with notification to other responsible agencies.

d. Contribute information to be incorporated into a database on the Goleta Slough biological resources for research and educational purposes.

4. Contract with an archaeologist from the most current City Qualified Archaeologists List for inspection of fencing and flagging of the 50-foot buffer from the moderate archaeological sensitivity zone associated with CA-SBA-52, and for monitoring ground disturbing activities during construction of the East Service Road. The fencing and flagging for CA-SBA-52 shall be maintained during all ground disturbing activity associated with the proposed realignment of Tecolotito Creek and construction of the project to ensure avoidance of prehistoric remains. The contract shall be subject to the review and approval of the Environmental Analyst.

The archaeologist's monitoring contract shall include the following provisions: If cultural resources are encountered or suspected, work shall be halted or redirected immediately and the City Environmental Analyst shall be notified. The archaeologist shall assess the nature, extent and significance of any discoveries and develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the

Environmental Analyst grants authorization (*Mitigation Measures 3.9-2 and 3.9-5*)

5. The Airport shall obtain a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) for the proposed project (*Required Mitigation Measure 3.13-1*).
6. Provide certification by a registered professional engineer to the Building Division demonstrating that encroachments into the floodway shall not result in any increase in the base flood elevation during the occurrence of the base flood discharge.
7. In addition to Best Management Practices, as a supplement to the pollutant controls specified in the Stormwater Pollution Prevention Plan (SWPPP), a Construction Phase Erosion Control and Polluted Runoff Control Plan consistent with Airport and Goleta Slough Local Coastal Program Policy C-14 shall be developed and implemented for each area of proposed construction to mitigate erosion from construction and to address subsequent sedimentation impacts to Goleta Slough. These plans shall contain the following erosion control measures (*Required Mitigation Measure 3.7-1*):
  - a. To the extent feasible, schedule construction to minimize the amount of graded soil exposed at any given time;
  - b. Newly-poured concrete (such as culvert structures) shall not be allowed to come into contact with the aquatic environment until the concrete has had time to cure properly. The minimum curing time is approximately seven to 14 days;
  - c. Clear brush and vegetation only as required to accommodate necessary grading;
  - d. Limit grading activities in the non-rainy season as specified in Airport and Goleta Slough Local Coastal Program Policy C-14. If construction during the rainy season is unavoidable as defined in Policy C-14, use silt fences, straw bales, and other erosion control measures to control siltation of local drainages during wet periods. Any grading during the rainy season shall provide full capacity for stream flow at all times;
  - e. Seed and plant disturbed areas with native vegetation or other appropriate and acceptable plant species immediately following construction activities;
  - f. Protect (e.g., riprap) any new storm drain outlets to prevent scouring at the point of discharge; and
  - g. Provide dust control by wetting exposed soil surfaces.

8. A Construction Contingency Plan consistent with Airport and Goleta Slough Local Coastal Program Policy C-14 shall be developed addressing methods to control potential migration of contamination discovered during construction as well as safety considerations for onsite construction personnel and the general public. Details of the plan shall include but not be limited to (*Required Mitigation Measure 3.6-1*):
  - a. Soils monitoring for identification of contaminated soil during and after construction for eroded and graded soils.
  - b. Measures that shall be taken immediately to protect workers and the public from exposure to contaminated areas (e.g., fencing or hazard flagging, covering contaminated soils with plastic, etc.) and prevent migration of the contaminants to the surrounding environment.
  - c. Steps to be taken following initial discovery of contaminated soils. Notification shall be made to the Santa Barbara County Environmental Health Services Division of the Santa Barbara County Fire Department immediately following identification of contamination within the construction area.
9. Procedures for refueling and equipment maintenance shall be developed and documented to prevent surface spills or other releases of contaminants from contaminating surface and/or groundwater. These activities shall be conducted in controlled areas where potential spills can be managed without affecting surface or groundwater quality. Fuels and oils shall be stored in appropriately sealed containers. The staging area used for the storage of these materials shall be lined and surrounded by protective dikes to provide full containment of any spilled materials (*Required Mitigation Measure 3.6-3*).
10. All losses of jurisdictional wetlands and waters shall be subject to review and supplemental mitigation as imposed by the California Coastal Commission and the Army Corps of Engineers (ACOE) consistent with the California Coastal Act, the Airport and Goleta Slough Local Coastal Program and Section 404 of the Clean Water Act. All mitigation shall be accomplished within the framework of the Draft Goleta Slough Ecosystem Management Plan and the Airport and Goleta Slough Local Coastal Program policies (*Required Mitigation Measure 3.12-1*).

11. The proposed channels for Tecolotito and Carneros Creeks shall be designed such that the flood carrying capacities of the channels are at least as great as the existing channels (*Required Mitigation Measure 3.13-3*).
  12. Those portions of the proposed service road located within the regulatory floodway shall be constructed so as not to decrease the conveyance capacity of the floodway. Prior to issuance of a building permit, a Simple Floodway Revision shall be processed if required by the City of Santa Barbara Building Official (*Required Mitigation Measure 3.13-4*).
  13. Project grading and earthwork recommendations shall be made by a registered Civil Engineer or certified Engineering Geologist and shall be incorporated into the final project design, including the final grading plan. All grading activities shall be supervised by a registered Civil Engineer or certified Engineering Geologist (*Required Mitigation Measure 3.15-1*).
  14. The Airport shall contract with a disposal company to recycle construction and demolition debris (*Recommended Mitigation Measure 3.20-1*).
  15. The City shall consult with the National Marine Fisheries Service (NMFS), the California Department of Fish and Game (CDFG), and the Santa Barbara County Flood Control District to identify feasible measures to facilitate steelhead migration in streams of the Goleta Slough consistent with the requirements contained in Airport and Goleta Slough Local Coastal Program Policy C-16. These measures shall be incorporated into the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan and the construction plans submitted for building permits and implemented to the maximum extent feasible (*Required Mitigation Measure 3.11-4*).
- F. Prior to issuance of a demolition permit for Building 323, the building shall be documented photographically with large format photographs and with measured drawings in accordance with City standards, in coordination with the City Historian, and under the direction of a qualified historic preservation professional. A binder containing these photographs, along with a copy of this report, shall be reviewed and approved by the City Planning Division and then deposited in the Gledhill Library of the Santa Barbara Historical Society before demolition is undertaken. A written receipt from the librarian to the Planning Division shall indicate that this mitigation measure has been fulfilled (*Required Mitigation Measure 3.9-3*).
- G. A construction conference shall be scheduled by the Contractor prior to the beginning of construction to discuss measures to



reduce potential construction-related impacts. Representatives from the City's Public Works Department, Building Division, Planning Division, the Airport and the Contractor, and the Santa Barbara County Public Works Department and Flood Control District shall be present (*Required Mitigation Measure 3.23-10*).

H. The following requirements shall be incorporated into, or submitted with the construction plans submitted to the Building and Safety Division with applications for building permits. All of these construction requirements must be implemented during construction and completed prior to the issuance of a Certificate of Occupancy:

1. A 50-foot buffer from the moderate archaeological sensitivity zone associated with CA-SBA-52 shall be maintained during all ground disturbing activity associated with the proposed realignment of Tecolotito Creek and construction of the project to ensure avoidance of prehistoric remains. The 50-foot buffer shall be clearly fenced and flagged to prevent access of construction personnel and equipment into the buffer area. Prior to any ground disturbing activity, a City-qualified archaeologist shall inspect the proposed construction fencing and flagging to ensure preservation of the site (*Required Mitigation Measure 3.9-1*).
2. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the parcel. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and an archaeologist from the most current City Qualified Archaeologists List shall be retained by the applicant. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, etc.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified



Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization (*Required Mitigation Measure 3.9-2*).

3. All dust control mitigation measures shall be specified on a cover sheet for the construction plans submitted for building permits (*Required Mitigation Measure 3.5-6*).
4. Throughout construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this shall include wetting down such areas late in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 mph. Reclaimed water shall be used whenever possible (*Required Mitigation Measure 3.5-1*).
5. During site grading and transportation of fill materials, regular water sprinkling shall occur using reclaimed water whenever the Public Works Director determines that it is reasonably available. During clearing, grading, earth moving or excavation, sufficient quantities of water, through use of either water trucks or sprinkler systems, shall be applied to prevent dust from leaving the site. Each day, after construction activities cease, the entire area of disturbed soil shall be sufficiently moistened to create a crust.
6. The amount of disturbed area and on-site vehicle speeds shall be minimized (*Required Mitigation Measure 3.5-2*).
7. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin (*Required Mitigation Measure 3.5-3*).
8. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated until the area is paved, revegetated or otherwise developed

so that dust generation will not occur. This may be accomplished by (*Required Mitigation Measure 3.5-4*):

- a. Seeding and watering until grass cover is grown;
  - b. Spreading soil binders;
  - c. Sufficiently wetting the area down to form a crust on the surface with repeated soakings as necessary to maintain the crust and prevent dust pickup by the wind;
  - d. Other methods approved in advance by the Air Pollution Control District.
9. Trucks transporting fill material to and from the site shall be covered from the point of origin.
10. The contractor shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary to prevent transport of dust off site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to the APCD prior to land use clearance for map recordation and land use clearance for finish grading for the structure (*Required Mitigation Measure 3.5-5*).
11. The Contractor shall utilize shrouding or water application during demolition of buildings to mitigate emissions of fugitive dust (*Required Mitigation Measure 3.5-7*).
12. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
13. The following requirements shall be adhered to where feasible during grading and construction to reduce emissions from construction equipment (*Recommended Mitigation Measure 3.5-8*):
- a. Use heavy-duty diesel powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines).
  - b. Engine size of construction equipment shall be the minimum practical size.
  - c. Minimize the number of construction equipment operating simultaneously through efficient management practices.
  - d. Maintain construction equipment in tune per manufacturer's specifications.

- e. Equip construction equipment onsite with two to four degree engine retard or pre-combustion chamber engines.
  - f. Install catalytic converters on gasoline-powered equipment.
  - g. Install diesel catalytic converters.
  - h. Replace diesel-powered equipment with electric equipment.
  - i. Minimize construction worker trips by requiring carpooling and by providing lunch or by requiring workers to bring lunch to the site.
14. The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the City Transportation Planning Manager.
  15. Construction trips shall be routed to minimize trips through the Fairview/Hollister Avenue intersection during morning and evening peak hours (7:00 a.m. to 9:00 a.m. and 4:00 to 6:00 p.m.) to minimize impacts during commute periods (*Required Mitigation Measure 3.23-11*).
  16. Construction truck (large hauling trucks) trips shall not be scheduled during morning and evening peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to minimize impacts during commute periods (*Required Mitigation Measure 3.23-12*).
  17. On-site storage shall be provided for construction materials and equipment in a location subject to approval by the City Transportation Planning Manager (*Required Mitigation Measure 3.23-13*).
  18. Free parking spaces for construction workers shall be provided in an on-site or off-site location subject to approval by the City Transportation Planning Manager (*Required Mitigation Measure 3.23-14*).
  19. In the event onsite contamination is detected during construction, after following the initial actions specified in the Construction Contingency Plan, a project-specific remediation plan shall be developed and implemented to reduce contaminant concentrations to acceptable levels. The details of the plan would be dependent on the extent and types of contamination but shall include characterization of the problem, review of remedial options (i.e., feasibility study), and a detailed plan for implementation of the chosen alternative. These shall require review and approval by the County Environmental Health Services Division and Airport

Staff, taking into account potential flooding impacts and prevention of contaminant runoff into nearby creeks. Excavation and any other remediation activities necessary shall be consistent with all biology, air quality (dust suppression), archaeology, and other mitigation measures applicable to the project (*Required Mitigation Measure 3.6-2*).

20. All grading and drainage plans submitted for a building permit, the WQMP and the Construction Phase Erosion Control and Polluted Runoff Control Plans shall include measures to prevent erosion and sedimentation into storm drains that empty into Goleta Slough during both construction and operational phases of project consistent with Airport and Goleta Slough Local Coastal Program Policies C-12, C-13 and C-14 (*Required Mitigation Measure 3.15-2*).
21. Refueling and equipment maintenance shall be conducted in controlled areas where potential spills can be managed without affecting surface or groundwater quality. Fuels and oils shall be stored in appropriately sealed containers. The staging area used for the storage of these materials shall be lined and surrounded by protective dikes to provide full containment of any spilled materials (*Required Mitigation Measure 3.6-3*).
22. During construction within existing creek channels, the normal flows of the channel shall be routed around construction areas until all concrete structures shall have adequate time to cure and are clear of toxic materials. To minimize potential dewatering required during construction of new channels, construction plans and specifications shall be designed so that the existing channels shall be maintained in operation as long as feasible during construction of the new channel (*Required Mitigation Measure 3.7-2*).
23. Prior to any ground disturbing activity, temporary fencing shall be installed adjacent to wetlands in the vicinity of the construction zone to provide protection from construction activities. A City-qualified biologist shall inspect the proposed construction fencing to ensure preservation of wetland areas (*Required Mitigation Measure 3.10-4*).
24. The stockpiling of soil and construction materials, and haul routes for heavy equipment shall be confined to designated areas shown on grading plans (*Required Mitigation Measure 3.10-5*).

25. Prior to any ground disturbing activity, native wetland plants and wetland topsoil that is weed-free shall be salvaged from impact areas for use in revegetation. The project biologist shall select these areas and they shall be depicted in the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan and on grading plans, along with locations and methods for temporary safe storage of materials (*Required Mitigation Measure 3.10-6*).
26. Construction plans submitted for building permits shall include methods to: (1) avoid the bird nesting and breeding season from mid-March to the end of June consistent with the requirements of Airport and Goleta Slough Local Coastal Program Policy C-16; (2) minimize compaction of soils during the wet season; and (3) minimize erosion from bare areas into adjacent waters and wetlands (*Required Mitigation Measure 3.10-7*).
27. Areas disturbed by construction shall be graded to encourage development of a water regime similar to the one that existed before disturbance (*Required Mitigation Measure 3.10-8*).
28. Palustrine wetlands, including wetland grasslands and seasonal wetlands shall be recreated as described in the Draft Final Wetland Mitigation Plan dated October 2001 and the Addendum dated May 2003 and consistent with Airport and Goleta Slough Local Coastal Program C-11 (*Required Mitigation Measure 3.10-9*).
29. As additional mitigation for the loss of wetland and native upland vegetation, the levees along Tecolotito Creek shall be restored to native seasonal wetlands by removing dense stands of non-native mustard, and replacing the mustard with native herbaceous and shrub species common to the Slough. Approximately 12.7 acres of these levees shall be restored or as required by Airport and Goleta Slough Local Coastal Program Policy C-11, whichever is greater (*Required Mitigation Measure 3.10-10*).
30. Excavation, stabilization, and initial revegetation (focusing on upper-tidal marsh species) of the realigned stream channel shall be completed prior to connecting it to the existing channel. This activity would be followed by gradually closing off and filling the necessary parts of the existing channel so that the hydraulic connection between the upper and lower parts of the stream is uninterrupted (*Required Mitigation Measure 3.10-11*).

31. All mitigation measures identified in Section 3.10 of the Final Aviation Facilities Plan EIR/EIS, specifically the reestablishment of bands of tidal marsh along creek banks, and the restoration and enhancement of remnant or poorly flushed tidal wetlands, and the requirements of Airport and Goleta Slough Local Coastal Program Policy C-16, shall be incorporated into the project design to reduce impacts to Belding's savannah sparrow. The use of restored or enhanced wetlands by Belding's savannah sparrows shall be monitored, before and after mitigations are implemented consistent with Policy C-16. This monitoring shall be combined with appropriate surveys to firmly establish the status of this species and facilitate future land use and ecosystem management decisions. Monitoring shall continue for five years following construction (*Required Mitigation Measure 3.11-1*).
32. The project design and limits of construction activities identified on the construction plans submitted for building permits shall minimize habitat loss and disturbance in the diked basin that supports Coulter's goldfields and Frost's tiger beetle. To minimize the possibility of local extinction of Coulter's goldfields through direct or indirect project effects, the Airport shall, with the assistance of a qualified botanist, continue to collect small amounts of seed from this population and establish new populations elsewhere in the Goleta Slough ecosystem where similar habitat conditions are replicated (*Required Mitigation Measure 3.11-2*).
33. Impacts on southern tarplant, horned seablite, and giant horsetail shall be mitigated through species-specific salvage (horsetail only) or seed collection efforts in impacted areas prior to initiation of construction activities, and the use of this material in revegetation of disturbed areas and new creek alignments. Restoration and enhancement measures described in Section 3.10 of the Final Aviation Facilities Plan EIS/EIR also provide areas of habitat that are suitable for expanding the ranges of southern tarplant and horned seablite. These restoration and enhancement measures shall be specified in the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan for the project.

Mitigation requirements for these species shall be defined in the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan as the successful reestablishment of these plants in numbers and area occupied that are identical to those eliminated by

project construction, based on a pre-construction survey (*Required Mitigation Measure 3.11-3*).

34. A Letter of Map Revision (LOMR) shall be obtained from the Federal Emergency Management Agency (FEMA), which verifies that the finished work is in conformance with the Conditional Letter of Map Revision (CLOMR). The Airport Department shall have the FIRM Map and National Flood Insurance Floodway Maps revised to reflect the LOMR (*Required Mitigation Measure 3.13-1*).
35. Public educational and recreational enhancement opportunities at the Goleta Slough shall be incorporated into the project design, including, but not limited to:
  - a. Development of an interpretive facility and Slough viewing overlook to be located near the intersection of William Moffett Place and Sandspit Road, which shall include interpretive signs and displays, viewing area and landscaping with native Goleta Slough plant species;
  - b. Trails and trail enhancements and interpretive signs to be located in the upland portions of Wetland Restoration Area I as depicted in Exhibit 7D of the Aviation Facilities Plan. Access to Area I would be granted to educational organizations at the discretion of the Airport Director consistent with the Access Procedures for the Goleta Slough provided in the Airport and Goleta Slough Local Coastal Program Phase III Implementation Package. All trails and trail enhancements shall be consistent with wetland restoration activities proposed for Area I in the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan for the project.
  - c. Establishment of a quarterly Goleta Slough guided tour to be conducted within dry land areas of the Slough and guided by individuals with knowledge of the Goleta Slough ecosystem. The tour shall be available to educational groups and the public through an advance reservation system. The tour shall be advertised on the City and Airport websites and other media. The tour shall be conducted in accordance with all Transportation Security Administration (TSA) and Airport policies and regulations with respect to airport security. Policies for administration of the tour, including the maximum number of attendees, tour routes and activities, security measures and

transportation arrangements shall be at the discretion of the Airport Director and shall be consistent with the requirements of the Access Procedures for the Goleta Slough provided in the Airport and Goleta Slough Local Coastal Program Phase III Implementation Package.

36. The plans shall incorporate removal of the existing aircraft holding bays located on Taxiways A and H at the east end of Runway 7-25 and relocation to serve the taxiways at the new threshold for Runway 7-25 as a result of the runway relocation.
37. The former high explosives magazine (existing Building 325) shall be retained in its present location unless the Federal Aviation Administration deems that the building presents a safety hazard to aircraft.

- I. All Planning Commission Conditions of Approval shall be provided on a full size drawing sheet as part of the drawing sets. A statement shall also be placed on the above sheet as follows: The undersigned have read and understand the above conditions, and agree to abide by any and all conditions which is their usual and customary responsibility to perform, and which are within their authority to perform.

Signed:

Property Owner	Date
----------------	------

Contractor	Date	License No.
------------	------	-------------

Architect	Date	License No.
-----------	------	-------------

Engineer	Date	License No.
----------	------	-------------

- J. Prior to issuance of the Certificate of Occupancy, the Airport shall complete the following:

1. Repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department.
2. Improvements as shown on the building plans.



- K. Restored habitats and reference control sites shall be monitored annually for five years after construction or for the period specified in the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan as required by Airport and Goleta Slough Local Coastal Program Policy C-11, whichever is greater, to determine the success of mitigation. Any additional measures necessary to meet original mitigation requirements shall be consistent with recommendations of the Goleta Slough Ecosystem Management Plan (*Required Mitigation Measure 3.10-3*).
- L. The use of restored or enhanced wetlands by Belding's savannah sparrows shall be monitored, before and after mitigations are implemented consistent with Policy C-16. This monitoring shall be combined with appropriate surveys to firmly establish the status of this species and facilitate future land use and ecosystem management decisions. Monitoring shall continue for five years following construction or for the period required by the Final Wetland and Upland Mitigation, Restoration, Management, Maintenance and Monitoring Plan, whichever is greater (*Required Mitigation Measure 3.11-1*).
- M. The Airport shall continue to clear debris and sediment from runways and taxiways after major storm events. The Airport shall also continue to regularly inspect and as needed, clear culverts. (*Required Mitigation Measure 3.13-2*).
- N. The Airport shall continue to participate in and support the goals of the Goleta Slough Management Committee (GSMC). The Airport shall on a regular basis provide for review and comment by the Committee, baseline studies and reports on project construction, mitigation implementation, and mitigation monitoring, including water quality monitoring associated with National Pollution Discharge Elimination System (NPDES) permits (*Required Mitigation Measure 3.10-1*).

**NOTICE OF GOLETA SLOUGH RESERVE COASTAL DEVELOPMENT PERMIT**

**TIME LIMITS:**

The Planning Commission's action approving the Goleta Slough Reserve Coastal Development Permit shall expire two (2) years from the date of approval, per SBMC 28.45.009.q, unless:

1. Otherwise explicitly modified by conditions of approval of the development permit, or unless construction or use of the development has commenced.

2. A building permit for the work authorized by the coastal development permit is issued prior to the expiration date of the approval.
3. A one (1) year time extension may be granted by the Planning Commission if the construction authorized by the permit is being diligently pursued to completion and issuance of a Certificate of Occupancy. Not more than three (3) extensions may be granted.

RESOLUTION NO. 03-072

STATE OF CALIFORNIA                     )  
  )  
COUNTY OF SANTA BARBARA            ) ss.  
  )  
CITY OF SANTA BARBARA                )

I HEREBY CERTIFY that the foregoing Resolution No. 03-072 was adopted by the City Council of the City of Santa Barbara at a meeting held on July 15, 2003, by the following roll call vote:

AYES:                     Councilmembers H. P. Fairly, Iya G. Falcone, Babatunde Folayemi, Gregg A. Hart, Roger L. Horton, Dan B. Secord, Mayor Marty Blum

NOES:                    None

ABSENT:                 None

ABSTENTIONS:       None

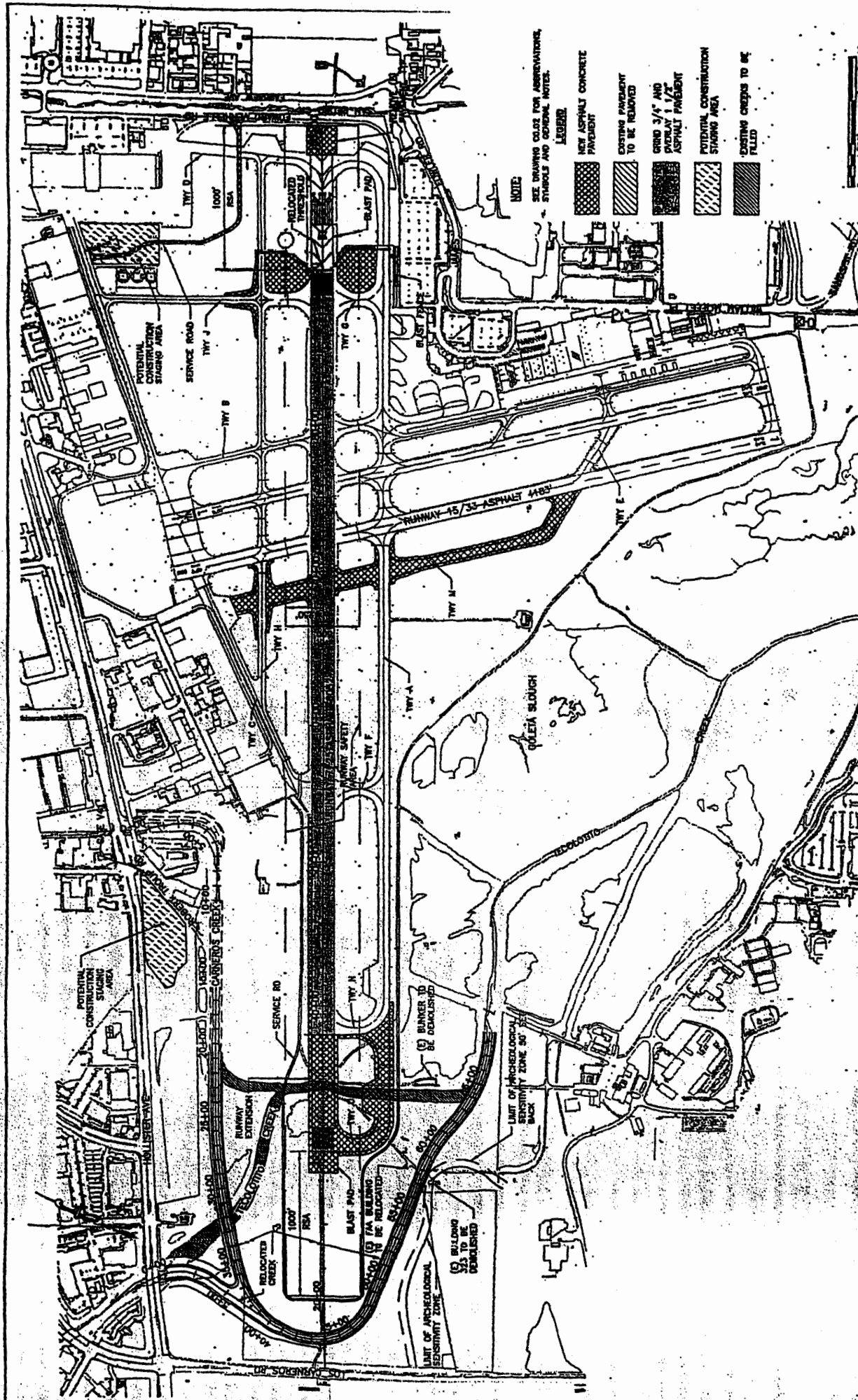
IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on July 15, 2003.



Mabi Covarrubias Plisky  
Mabi Covarrubias Plisky, CMC  
City Clerk Services Manager

I HEREBY APPROVE the foregoing Resolution on July 15, 2003.

Marty Blum  
Marty Blum  
Mayor



Attachment 2

<b>URS</b> 12000 W. 10th Ave., Suite 100 Denver, CO 80202 Tel: (303) 733-4333		PROJECT NUMBER: 00117 ALL RIGHTS RESERVED DATE: 04-2018		SHEET NO. 2 OF 2 SCALE: 1" = 500' DATE: 04-2018	
CITY OF SANTA BARBARA SANTA BARBARA MUNICIPAL AIRPORT SANTA BARBARA, CALIFORNIA		AIRPORT SAFETY PROJECT PLAN GENERAL ARRANGEMENT		CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT-ENGINEERING DIVISION APPROVED: _____ DATE: _____ CITY ENGINEER	



**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800



EXHIBIT NO.	5
APPLICATION NO.	
A-4-PBC-03-077	

**DATE:** April 14, 2003

**TO:** Commissioners and Interested Parties

**FROM:** Peter Douglas, Executive Director  
Chuck Damm, Senior Deputy Director

**SUBJECT:** City of Santa Barbara LCP Amendment No. MAJ-1-02; Airfield Safety Projects: Executive Director's determination that the City's acknowledgement of receipt, acceptance, and agreement with the Commission's certification with suggested modifications is legally adequate. This determination will be reported to the Commission at the May 2003 meeting in Monterey.

On December 10, 2002 the Commission approved Local Coastal Program Amendment No. MAJ-1-02 submitted by the City of Santa Barbara with suggested modifications. This amendment incorporates the Airfield Safety Projects described in the Draft Aviation Facilities Plan, and associated habitat protection and restoration plans, into the City's certified LCP. (The full Draft Aviation Facilities Plan is not included in this LCP amendment. Additional proposed improvements will be subject to a separate LCP amendment in the future.)

On March 4, 2003 the City Council of the City of Santa Barbara adopted Resolution No. 03-013 (attached) acknowledging receipt of the Commission's certification of LCP Amendment No. MAJ-1-02 and accepting and agreeing to all modifications suggested by the Commission. On March 18, 2003 the Santa Barbara City Council adopted Ordinance No. 5267 (attached) amending the Municipal Code relating to the Goleta Slough Reserve Zone to carry out the Commission's certification of the subject LCP (Implementation Plan / Coastal Zoning Ordinance) as modified.

Pursuant to Section 13544 of the California Code of Regulations, Title 14, Division 5.5, the Executive Director must determine that the action taken by the City of Santa Barbara acknowledging receipt and acceptance of, and agreement with the Commission's certification of the above referenced LCP amendment with suggested modifications is legally adequate and report that determination to the Commission. The certification shall become effective unless a majority of the Commissioners present object to the Executive Director's determination.

I have reviewed the City's acknowledgement and acceptance of, and agreement with the terms and suggested modifications of LCPA 1-02, as certified by the Commission on December, 10, 2002, as contained in the adopted Resolution of March 4, 2003 and adopted Ordinance of March 18, 2003 and find that the City's action and notification procedures for appealable development are legally adequate to satisfy the terms and requirements of the Commission's certification. I therefore recommend that the Commission concur in this determination.

EXHIBIT NO. 6
APPLICATION NO.
A-4-SBC-03-077

**Update to the October 2001 Wetland Mitigation Plan  
& April 2002 Upland Mitigation Plan  
for the Airfield Safety Projects, Santa Barbara Airport**

**URS Corporation  
May 10, 2003**

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**BACKGROUND**

URS Corporation (URS) prepared a Conceptual Wetland Mitigation Plan (dated October 2001) for the Santa Barbara Airport (Airport) for the Airfield Safety Project (ASP). The Plan described the impacts to wetlands, as defined under the Coastal Act, due to the ASP, including the construction of a new Runway Safety Area (RSA) at the end of Runway 7-25 and relocation of Tecolotito and Carneros creeks. URS also prepared an Upland Habitat Mitigation Plan dated April 2002 to offset impacts to upland habitats due to the ASP.

Both plans were approved by the California Coastal Commission (CCC) in April 2002 as part of the consistency determination issued for the project. The determination included a requirement for the Airport to provide additional wetland mitigation and a detailed wetland restoration plan prior to issuance of a Coastal Development Permit by the CCC. The final restoration plan with the additional wetland restoration areas would be submitted to the CCC for approval.

URS has completed 30 percent design of the ASP, including the upland and wetland restoration areas. A summary of the restoration areas, proposed restoration actions, and acreage is provided in Table 1. The locations of the restoration areas are shown on the attached figure.

**CCC MITIGATION REQUIREMENTS**

In November 2002, the CCC approved amendments to the Airport Local Coastal Program (LCP), several of which addressed the wetland mitigation requirements for the ASP. Key requirements are as follows:

- 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: (1) seasonal wetlands - 4:1; (2) creeks and open channels - 2:1; and (3) upland habitats - 1:1.
- The Airport must implement the proposed seasonal wetland habitat restoration described in the October 2001 Plan, which is based on a 3:1 replacement ratio prior to or concurrently with development of the ASP.
- The Airport shall continue to examine the feasibility of implementing tidal restoration in Goleta Slough as a means of meeting the full 4:1 seasonal wetland mitigation ratio requirement.
- Within five years of issuance of the CDP, the Airport shall present all documentation, findings and conclusions relative to ongoing tidal restoration studies for review by the CCC. If the evidence

demonstrates that tidal restoration is infeasible 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 Airport shall restore 13.30 acres of non-tidal seasonal wetlands to achieve the full 4:1 wetland mitigation requirement. Off-site mitigation measures shall only be approved should it not be feasible to fully mitigate impacts on-site.

- If it is determined that tidal restoration is feasible and a long-term restoration project is approved by involved agencies, the Airport shall provide 13.30 acres of the required ASP wetland mitigation as part of a future, long-term project to restore tidal circulation to portions of Goleta Slough.

## **PROPOSED RESTORATION ACREAGE**

During the preparation of the preliminary design, the boundaries of the proposed restoration areas were slightly modified. As a result, the acreage of the proposed wetland mitigation has increased from 26.5 acres in the October 2001 mitigation plan, to 35.5 acres, resulting in a 4:1 wetland restoration replacement ratio (see Table 1). The acreage increased for the following reasons:

- The acreage of wetland restoration and enhancement along the berms to Tecolotito Creek increased from 12.7 to 15.7 acres because a 25-foot wide zone was added to the margins of the berm restoration area for removal of exotic species.
- The acreage of wetland restoration at Area R-2 increased from 2.2 to 4.5 acres because a larger area of existing uplands will be converted to wetlands than under the October 2001 plan.
- The acreage of wetland restoration and enhancement at Area I increased from 11.6 to 15.3 acres due to more ambitious plan to grade and establish seasonal wetlands than previously proposed.

At this time, it appears that up to 35.5 acres of wetland restoration and enhancement are available for mitigating seasonal wetland impacts of the ASP. This acreage will be refined during final design, and will likely be slightly less. To the extent that the wetland restoration acreage exceeds the original 3:1 ratio, the additional acreage would be applied to the CCC requirement for a 4:1 wetland replacement ratio.

Any shortfall in the 4:1 replacement acreage would be pursued in a future under a tidal restoration program, as described in the CCC requirements. In the event that tidal restoration is not available to the Airport five years after issuance of the CDP, the Airport will provide mitigation for the remaining acreage in an area north of Carneros Creek, as shown on the attached figure.

The acreages of wetland mitigation for tidal habitats and for upland habitats (see Table 1) have not changed from the October 2001 and April 2002 plans, respectively.



**TABLE 1**  
**SUMMARY OF WETLAND AND UPLAND HABITAT RESTORATION ACREAGE**

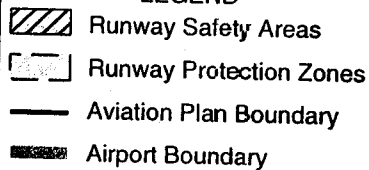
Restoration Action	Location	Type of Wetland	Acres*
<i>Direct Mitigation for Non-Tidal Wetlands</i>			
Create and enhance new seasonal wetlands. Two treatments: Berm restoration (8.3 acres) and wetland enhancement on berm margins (7.4 acres).	On berms next to Tecolotito Ck and tidal salt marsh	Non-tidal low-growing wetland herbs, grasses, & shrubs; palustrine persistent emergent wetlands.	15.7 [12.7]
Create new seasonal wetlands in upland areas.	In Area R-2. Includes filling Tecolotito Creek, removing berms, and removing three structures	Non-tidal low-growing wetland herbs and grasses; palustrine persistent emergent wetlands. Two seasonal wetland types to be created in two different moisture regimes.	4.5 [2.2]
Create new seasonal wetlands	In Area I, amongst uplands and adjacent to tidal marsh	Non-tidal low-growing wetland herbs and grasses; palustrine persistent emergent wetlands	9.8 [9.0]
Enhance existing seasonal wetlands	In Area I, in mosaic of uplands and wetlands	Non-tidal low-growing wetland herbs and grasses; palustrine persistent emergent wetlands.	5.5 [2.6]
Total mitigation acreage for non-tidal wetland impacts			35.5 [26.5]
Mitigation ratio (based on 8.68 acres of impact)			4:1 [3:1]

<i>Direct Mitigation for Tidal Wetlands</i>			
Create new tidal open water and mudflat habitats	New channels for Tecolotito and Carneros Cks	Estuarine intertidal aquatic bed and unconsolidated bottom, and non-tidal wetlands on upper banks	9.3
Total mitigation acreage for tidal wetland impacts			9.3
Mitigation ratio (based on 4.62 acres of impact)			2:1

<i>Upland Mitigation</i>			
Create grassland and scrub habitat	Upland restoration areas (two areas)	Naturalized grassland and native scrub habitat	8.6
Create grassland habitat	Convert wetlands in the new RSA to uplands	Naturalized grassland and native scrub habitat	3.4
Total mitigation acreage for upland impacts			12.0
Mitigation ratio (based on 10.87 acres of impact)			1:1

\* Based on preliminary grading plans (30% design level). Acreage may change with new topographic maps and results of geotechnical investigations in June 2003. Values from the October 2001 mitigation report are shown in [brackets].

APPROVED PROJECT



### **Exhibit 7B. Proposed Projects**

EXHIBIT NO.	8
APPLICATION NO.	
A-4-SBL-03-077	

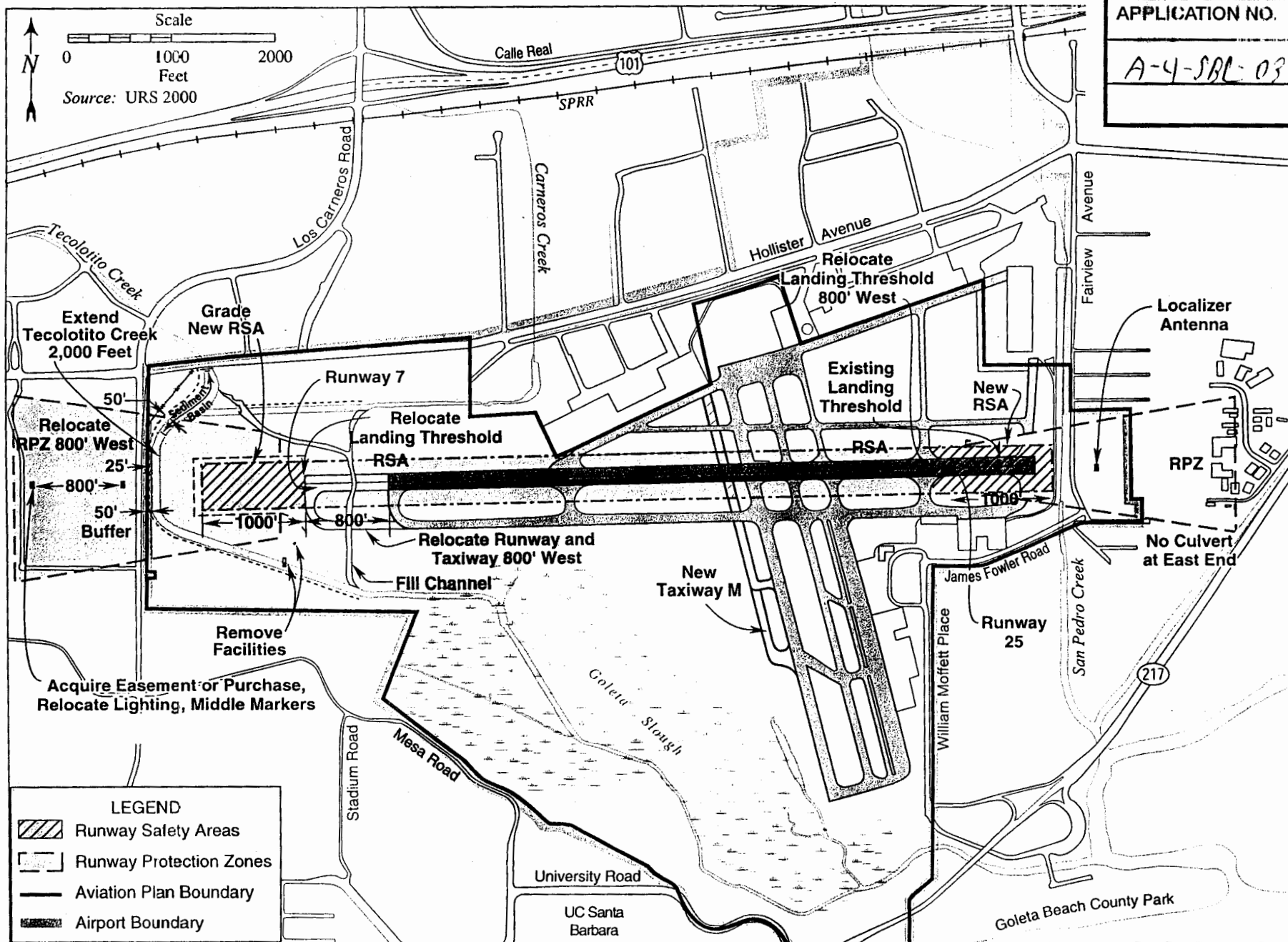


Exhibit 5K. Alternative 1, West Creek Realignment Alternative

