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STATE OF CALIFORNIA – THE RESOURCES AGENCY — ARNOLD SCHWARZENEGGER, *Governor*

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STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-03-109

APPLICANT: City of Santa Barbara Airport Department

PROJECT LOCATION: Santa Barbara Airport, 500 Fowler Road, Santa Barbara.

PROJECT DESCRIPTION: Implementation of the Goleta Slough Tidal Restoration Experiment component of the Airfield Safety Projects including excavation of two small tidal basins from larger non-tidal basins and installation of culvert connections to tidal channels in the Goleta Slough south of the Airport. Each experimental basin will be located near a non-tidal "control basin" to allow a comparison of environmental changes, including bird activity, due to tidal circulation.

LOCAL APPROVALS RECEIVED: City of Santa Barbara Coastal Development Permit and Goleta Slough Reserve (G-S-R) Coastal Development Permit.

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. 068-03, December 4, 2003; City of Santa Barbara Planning Commission Staff Reports, 6/12/03 & 11/26/03; Notice of Final Action, City of Santa Barbara Coastal Development Permit, 1/09/04; 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; Wetland Restoration Plan for Airfield Safety Projects, 7/03; 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); California Coastal Commission, Staff Report & Findings, Appeal No. A-4-SBC-03-077, 8/25/03 (NSI found on 9/10/03), California Coastal Commission, Staff Report & Findings, CDP No. 4-03-082, 11/24/03; Water Quality Management Plan for Airfield Safety Projects, 7/03; Stormwater Pollution Prevention Plan (SWPPP), Airfield Safety Projects, 7/03; Santa Barbara Airport Tide Restoration Field Experiment, Goleta Slough, Project Description & Biological Resources Report, URS Corporation, 9/03.

SUMMARY OF STAFF RECOMMENDATION

The proposed development consists of implementation of the Goleta Slough Tidal Circulation (Restoration) Experiment, a short-term field experiment to assess the feasibility of a long-term tidal restoration program. The proposed project would create two small tidal basins by excavating portions of larger non-tidal basins, and installing culverts that connect to tide channels. Each experimental basin would be located adjacent to a "control basin" (i.e., and existing non-tidal basin) to allow a comparison of the hydrologic and ecological effects of tidal circulation against existing conditions. The design of the experiment would also allow a comparison of bird use in tidal and non-tidal areas to assess the effects on bird strike conditions at the Airport. The experiment is designed to be temporary and small enough in scale to avoid any irreversible adverse changes in the environmental conditions of the slough. The experimental tidal basins can be restored to pre-project conditions if the results of the experiment are not favorable. The experiment contains a contingency plan to terminate the experiment if significant bird strike hazards arise as a result of the experiment.

Coastal Commission certification of LCP Amendment No. 1-02 in December 2002, which approved the Airfield Safety Projects, included new policy C-11, which provides specific mitigation requirements for the Airfield Safety Projects, including a 4:1 mitigation replacement ratio for impacts to seasonal wetlands. Policy C-11 requires the City to undertake the Goleta Slough Tidal Restoration Experiment and present all documentation, findings and conclusions relative to tidal restoration to the Commission within five years of issuance of the CDP for the Airfield Safety Projects. If the evidence demonstrates that tidal restoration will not significantly or adversely increase the potential for aircraft bird strikes, the City is required to provide additional mitigation for long-term tidal restoration in addition to that required in the previously approved Wetland Restoration Plan (CDP No. 4-03-082). The Wetland Restoration Plan provides for a 3:1 wetland mitigation replacement ratio with an added requirement to carry out the tidal circulation experiment that would comprise the remaining 1:1 mitigation requirement. If the experiment determines that tidal restoration is infeasible, the City is required to provide additional in-kind seasonal wetland habitat mitigation within Goleta Slough to meet the 4:1 mitigation ratio requirement for seasonal wetlands.

The Tidal Circulation Experiment is a key related component of the Wetland Restoration Plan component of the Airfield Safety Projects for the Santa Barbara Airport that includes grading, restoration, creation, and enhancement of seasonal wetlands in Goleta Slough. The Commission approved the Wetland Restoration Plan as required mitigation for the Airfield Safety Projects at its December 2003 hearing and required implementation of the tidal restoration and circulation experiment as a special condition of approval.

Staff is recommending approval of the proposed Tidal Circulation Experiment with eleven (11) special conditions to ensure that wetland restoration to Goleta Slough is implemented in a way that conforms to prior mitigation requirements for impacts to

seasonal wetlands previously approved for the Airfield Safety Projects. Special Conditions begin on page 4 of this staff report.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. Removal of Excess Grading Material.

Prior to issuance of the Coastal Development Permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material and debris. Should the disposal site be located in the Coastal Zone, a Coastal Development Permit shall be required.

2. Other Required Agency Permits

Prior to issuance of Coastal Development Permit the applicant shall submit, for the review and approval of the Executive Director, evidence of final required approvals from the Army Corps of Engineers (ACOE), Regional Water Quality Control Board (RWCQB), and California Department of Fish and Game.

3. Mitigation Measures

All mitigation measures required in the Final Environmental Impact Report for the Airfield Safety Projects applicable to the proposed Tidal Restoration Experiment project are hereby incorporated by reference as special conditions of the subject permit unless specifically modified by any additional special conditions set forth herein.

4. Compliance with City of Santa Barbara Conditions of Approval

All conditions of approval contained in City of Santa Barbara Planning Commission Resolution No. 068-03 (attached) applicable to the proposed project are hereby incorporated as special conditions of the subject permit unless specifically modified by any additional special conditions set forth herein.

5. Tidal Restoration

In accordance with LCP (Airport and Goleta Slough) policy C-11 relative to the Tidal Restoration Experiment the City shall comply with the following requirements:

(a) Within five (5) years of issuance of the Coastal Development Permit for the Airfield Safety Projects, the City shall present all documentation, findings and conclusions relative to the tidal restoration studies for review by the Commission. If the evidence demonstrates that tidal restoration is an infeasible means of satisfying the wetland mitigation requirements of the Airfield Safety Projects due to safety concerns, and/or the tidal restoration experiment or project is terminated at any point subsequent to implementation of an approved tidal restoration plan, the City shall immediately implement additional wetland mitigation measures to supplement mitigation efforts in full compliance with the 4:1 wetland mitigation requirements.

(b) If the results of the Goleta Slough Tidal Restoration/Bird Strike Experiment indicate that tidal restoration will not significantly and adversely increase the potential for aircraft bird strikes as determined by the FAA, the City shall provide 13.99 acres of the required wetland mitigation as part of a future, long-term project to restore tidal circulation to portions of Goleta Slough. In the event that tidal restoration mitigation is determined to be infeasible, the City shall provide 13.99 acres of in-kind mitigation for impacts to seasonal wetlands to complete the mitigation requirement. The additional 13.99 acres of wetland mitigation will fulfill the Airport's requirement for wetland mitigation for the Airfield Safety Projects. Priority shall be given to on-site mitigation for the additional 13.99 acres of wetland mitigation. Off-site mitigation measures shall only be approved should it not be feasible to fully mitigate impacts on-site. The City shall coordinate with the California Department of Fish and Game and the Goleta Slough Management Committee to identify potential off-site mitigation sites. Off-site mitigation measures shall be implemented in an area in close proximity to the project as is feasible, and shall not be located outside of Santa Barbara County.

(c) Once there is authorization from the FAA to proceed with tidal restoration, and concurrence with the California Department of Fish and Game and the Goleta Slough Management Committee on the nature, scope and schedule of the tidal restoration projects following completion of the tidal restoration experiment, the City shall act as lead agency to develop and implement a Tidal Restoration Plan for at least 13.99 acres with participation from U.C. Santa Barbara, the California Department of Fish and Game, the Goleta Slough Management Committee and adjacent property owners. Should any participating agencies or property owners choose not to participate, or an agreement is not reached with all interested parties, the City shall continue to implement tidal restoration options to the maximum extent feasible unless the Commission or the FAA prohibit or deny tidal restoration. The Final Tidal Restoration Plan shall require a Coastal Development Permit.

6. Water Quality Management Plan

In accordance with all requirements of LCP (Airport and Goleta Slough) policies C-12 and C-13, the City shall comply with all provisions of the *Water Quality Management Plan (WQMP)* for the Airfield Safety Projects dated July 2003 during all construction phases of the Airfield Safety Projects including the Tidal Restoration Experiment. Any wetland restoration activity, such as the removal of non-native vegetation, shall use non-chemical strategies where feasible. Where chemical strategies are determined to be necessary, they should be employed in a manner that minimizes or eliminates impacts to water quality and aquatic organisms. Prior to issuance of the Coastal Development Permit, the City shall submit evidence of the review and approval of the WQMP for the Airfield Safety Projects Tidal Restoration Experiment by the Regional Water Quality Control Board (RWQCB). Any substantial changes to the WQMP

required by the RWQCB shall require an amendment to the Coastal Development Permit.

7. Construction Phase Erosion Control and Polluted Runoff Control Plans

In accordance with all requirements of LCP (Airport and Goleta Slough) policy C-14, the City shall comply with all provisions of the *Construction Storm Water Pollution Prevention Plan (SWPPP)* for the Airfield Safety Projects dated July 2003 during all construction phases of the Airfield Safety Projects including the Tidal Restoration Experiment. Prior to issuance of the Coastal Development Permit, the City shall submit evidence of the review and approval of the SWPPP for the Airfield Safety Projects Tidal Restoration Experiment by the Regional Water Quality Control Board (RWQCB). Any substantial changes to the SWPPP required by the RWQCB shall require an amendment to the Coastal Development Permit.

8. Special Status Plant and Wildlife Protection Measures

In accordance with the requirements of LCP (Airport and Goleta Slough) Policies C-15 and C-16, special status plant and wildlife protection measures shall be implemented for all phases of construction of the Airfield Safety Projects Tidal Restoration Experiment that will potentially impact sensitive plant and wildlife species and/or that will result in disturbance or degradation of habitat areas that contribute to the viability of plant or wildlife species designated as rare, threatened or endangered under State or Federal law, including plant species designated as rare by the California Native Plant Society. With respect to the Airfield Safety Projects Tidal Restoration Experiment, all construction, habitat mitigation and restoration plans, and special status plant or wildlife mitigation and protection measures, shall, prior to commencement of construction, be reviewed and approved by the regulatory agencies having jurisdiction over the identified resource, including the California Department of Fish and Game, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service, and shall at a minimum include:

(a) Project timing and implementation schedules that describe timing, duration, methods, and staging areas for all construction operations and restoration plans. The project timing and implementation schedules shall include a submittal schedule for implementation of proposed restoration plans and for all resource monitoring reports.
(b) Prior to commencement of construction activities, surveys of the project area shall be conducted for special status wildlife species. Should the site survey identify special status wildlife species on or near the project site, a qualified biologist or resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall be reviewed and approved by the regulatory agencies having jurisdiction over the identified resource and commencement of construction shall not proceed until such review and approval is granted.

(c) Special resource avoidance and management plans shall be implemented for Belding's savannah sparrow during all phases of construction. Construction shall occur between July 15 and November 1 to avoid the nesting and breeding season for the Belding's Savannah Sparrow.
(d) Construction activities during construction shall minimize potential impacts to steelhead. Construction shall occur between July 15 and November 1 to avoid the migration period of steelhead.
(e) Prior to commencement of construction activities, surveys of the project area shall be conducted for special status plant species. Potential impacts to sensitive plant species shall be fully mitigated and a qualified botanist or other resource specialist shall develop a plan to avoid or mitigate potential impacts to the sensitive species. Resource avoidance or mitigation plans shall include, but not be limited to, species-specific salvage or seed collection, salvage of topsoil, restoration of disturbed areas and establishment of new populations in suitable habitat areas. Mitigation, restoration, management, maintenance and monitoring plans to carry out the provisions of this special condition shall be developed by a qualified botanist and/or resource specialist and shall be reviewed and approved by the California Department of Fish and Game. Evidence of CDFG review and approval shall be submitted to the Executive Director of the Coastal Commission prior to commencement of construction.

9. Monitoring

The Tidal Restoration Experiment shall be monitored to insure that habitat and hydraulic objectives are met and to compare tidal and non-tidal basins to assess whether any increases in bird strike hazards result from restoring tidal circulation. Bird activity in the experimental and control basins shall be monitored and recorded on a weekly basis throughout the duration of the experiment. At a minimum, field biologists shall record the following information: (1) types and numbers of birds observed; (2) bird activity (e.g., feeding, resting, flying); and (3) movement to, from, and within the experimental basins. In addition, bi-weekly surveys shall be conducted at other tidal and non-tidal basins in Goleta Slough that are not involved in the experiment in order to provide a broader context for interpreting the data.

10. Maintenance of Experimental Basins

A maintenance and monitoring program shall be implemented for the duration of the experiment. Routine maintenance shall include the following: (1) inspections of the culvert and slide gate to detect any blockage, sediment build-up, or erosion at the inlet or outlet; (2) removal of obstructing vegetation, debris, and sediment from the inlet and outlet of the culverts; (3) weeding of the basins, including berms, to reduce non-native weeds and facilitate revegetation of construction disturbed areas with native wetland plants; and (4) re-planting of the revegetated portions of the berms and basins to increase native plant cover in the event that the initial seeding is not adequate.

11. Termination of Experiment – Restoration

In the event that the results of the Tidal Restoration Experiment are not favorable or termination of the experiment is caused for any reason, the experimental tidal basins shall be restored to pre-project conditions. Within 120 days of termination of the experiment the City shall submit an application to the Commission for a Coastal Development Permit to restore the affected project tidal basins and to complete the required final component of wetland restoration elsewhere within the Goleta Slough.

IV. Findings and Declarations

The Commission hereby finds and declares:

A. Project Description and History

Project Description

The proposed development consists of implementation of the Goleta Slough Tidal Circulation (Restoration) Experiment, a short-term field experiment to assess the feasibility of a long-term tidal restoration program. The proposed project would create two small tidal basins by excavating portions of larger non-tidal basins, and installing culverts that connect to tide channels. Each experimental basin would be located adjacent to a "control basin" (i.e., and existing non-tidal basin) to allow a comparison of the hydrologic and ecological effects of tidal circulation against existing conditions. The design of the experiment would also allow a comparison of bird use in tidal and non-tidal areas to assess the effects on bird strike conditions at the Airport. Conditions in the experimental and control basins will be monitored on a continual basis for two years. Baseline data on the types of birds using the slough and the hazards associated with bird activity in the slough near the airfield were collected in a preliminary survey conducted from March 2001 to February 2002. Bird surveys will continue for the duration of the experiment. Field biologists will record bird activity in the experimental and control basins on a weekly basis. Temporary wooden observation structures will be placed near each experimental basin. The Airport will coordinate with the FAA and USDA Wildlife Services throughout the duration of the experiment.

The overall objective of the tidal restoration experiment is to provide empirical data to assist in determining the feasibility of a long-term tidal restoration program in Goleta Slough. The implementation of a small-scale project will provide an opportunity to observe the hydrologic and ecological effects of increasing tidal circulation to a non-tidal area of the slough. The experiment will be monitored to assess the success in establishing tidal habitat and the effects of habitat changes on aviation bird strike hazards. The results of the experiment will also be used to refine the approach and design of a larger restoration project should it be carried out.

The experiment is designed to be temporary and small enough in scale to avoid any irreversible adverse changes in the environmental conditions of the slough. The

experimental tidal basins can be restored to pre-project conditions if the results of the experiment are not favorable. The experiment contains a contingency plan to terminate the experiment if significant bird strike hazards arise as a result of the experiment.

Efforts to restore tidal circulation to portions of Goleta Slough have been proposed in the past, however, the Federal Aviation Administration (FAA) and the Airport have expressed concerns that restoring tidal circulation to Goleta Slough could increase bird activity near the airport and possibly increase aviation bird strike hazards. Therefore, no tidal restoration plan has been undertaken.

A preliminary draft feasibility study was completed by URS Corporation in February 2002. The study characterized baseline conditions by assessing existing bird activity in the area and analyzing the Airport's existing bird strike data. The study also provided an analysis of candidate tidal basins for the experiment, modeled potential changes in hydrology and habitat in these basins and selected two basins as the recommended alternative for the experiment. The draft study was subsequently submitted to the U.S. Department of Agriculture (USDA) Wildlife Services Division and the FAA for review and approval. In September 2002 the Airport received concurrence from both agencies allowing the design and implementation of the experiment. A final feasibility study for the field experiment was completed by URS in September 2003 and submitted with the subject permit application.

A key requirement of FAA approval of the experiment is if at any time the monitoring data indicates that the restored tidal circulation has caused an increase in bird strike hazard, the experiment will be immediately halted and the basin(s) will be restored to pre-project (non-tidal) conditions. The effects on bird strike hazard conditions at the Airport will be monitored during the field experiment to detect any adverse impacts. As proposed, the experiment includes a contingency plan to immediately terminate the experiment if significant bird strike hazards arise.

The proposed experimental tidal basins would be constructed during the period of August through November 2004. The experiment would end in November 2006, unless the experiment is either terminated earlier due to public safety concerns or continued for a longer period to collect additional data.

A *Biological Resources Report dated September 2003* was prepared for the Tidal Restoration Experiment by URS Corporation, a consultant to the City Airport Department who also prepared the previous Wetland Mitigation Plan that was approved by the Commission in December 2003. The 2003 URS report provides a detailed description of the tidal restoration experiment and discusses potential impacts associated with the project.

The City's Planning Commission approved the proposed tidal circulation experiment with special conditions including mitigation monitoring by a qualified wetlands biologist prior to, during (weekly), and after implementation of the project, construction timing limited to July 15 through November 1, revegetation/restoration of disturbed areas, and

water quality (SWPPP & WQMP) requirements. In addition, applications have been filed for an Army Corps of Engineers (ACOE) Section 404 permit, Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification, and California Department of Fish and Game (DFG) Section 1601 Streambed Alteration Agreement.

Local Coastal Program and Project History

Coastal Commission certification of LCP Amendment No. 1-02 in December 2002, which approved the Airfield Safety Projects, included new policy C-11, which provides specific mitigation requirements for the Airfield Safety Projects, including a 4:1 mitigation replacement ratio for impacts to seasonal wetlands, a 2:1 replacement ratio for impacts to creeks and open channels, and a 1:1 replacement ratio for impacts to upland habitat. Policy C-11 requires the City to undertake the Goleta Slough Tidal Restoration Experiment and present all documentation, findings and conclusions relative to tidal restoration to the Commission within five years of issuance of the CDP for the Airfield Safety Projects. If the evidence demonstrates that tidal restoration will not significantly or adversely increase the potential for aircraft bird strikes, the City is required to provide additional mitigation for long-term tidal restoration in addition to that required in the previously approved Wetland Restoration Plan (CDP No. 4-03-082). The Wetland Restoration Plan provides for a 3:1 wetland mitigation replacement ratio with an added requirement to carry out the tidal circulation experiment that would comprise the remaining 1:1 mitigation requirement. If the experiment determines that tidal restoration is infeasible, the City is required to provide additional in-kind seasonal wetland habitat mitigation within Goleta Slough to meet the 4:1 mitigation ratio requirement for seasonal wetlands.

The Tidal Circulation Experiment project is one component of the previously approved Airfield Safety Projects for the Santa Barbara Airport. The Airfield Safety Projects 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. 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. The above-described portions of the project are located within the City of Santa Barbara's permit jurisdiction and the Coastal Commission's appeal jurisdiction. The City's prior approval of the CDP for this portion of the project was appealed to the Commission by the City of Goleta. The Commission, at its September 2003 hearing, determined that the project, as approved by the City, was consistent with all applicable policies of the City's certified Local Coastal Program and that the appeal raised No Substantial Issue.

More specifically, the Tidal Circulation Experiment is a key related component of the Wetland Restoration Plan component of the Airfield Safety Projects for the Santa Barbara Airport that includes grading, restoration, creation, and enhancement of seasonal wetlands in Goleta Slough located within Coastal Commission area of

retained permit jurisdiction in the southern portion of Airport property. The Final Wetland Restoration Plan dated July 2003 was developed in accordance with the requirement of LCP (Airport and Goleta Slough) Policy C-11. This mitigation plan consists of wetland restoration along the relocated creek channels and creation and enhancement of seasonal wetlands in Goleta Slough on berms adjacent to Tecolotito Creek and tidal salt marshes, in Area R-2 and in Area I located in the southern portion of the Airport property. Approximately 32.6 acres of seasonal wetlands would be restored, and relocation of Carneros and Tecolotito Creeks would result in a net increase of 9.4 acres of creek habitat. The Wetland Restoration Plan includes active management of restored areas for three years and a minimum of seven years of monitoring. All restoration mitigation will be carried out under the direction of a qualified wetlands biologist in accordance with LCP requirements (previously approved by the Commission). The Commission approved the Wetland Restoration Plan as required mitigation for the Airfield Safety Projects at its December 2003 hearing and required implementation of the tidal restoration and circulation experiment as a special condition of approval.

Although the subject permit and all attached special conditions are only applicable to the proposed tidal circulation and restoration experiment, which is located within the Coastal Commission's area of retained permit jurisdiction, as a practical matter the Airfield Safety Projects, including implementation of the Wetland Restoration Plan in Goleta Slough and the Tidal Restoration Experiment, have been considered and approved as a single project in past Commission actions and approval of the project by the City of Santa Barbara.

Goleta Slough

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 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.

Federal Consistency Certification and Local Coastal Program

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. 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 restored, tidally influenced basins in the Slough as a component of 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 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 polices have been incorporated into the City's approval of the proposed projects.) The findings adopted by the Coastal Commission in certifying the LCP amendment are incorporated by reference into this staff recommendation.

B. Allowable Uses in Wetlands

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 then 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 Final Wetland Restoration Plan dated July 2003 updates the 2001 draft Wetland Mitigation Plan. The airfield safety projects will result in wetland impacts in several locations of the Santa Barbara Airport property.

The proposed Wetland Restoration Plan/Tidal Restoration Plan experiment subject to this permit application raise the same Coastal Act issues relative to allowable use in wetland, 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, Local Coastal Program Amendment and CDP for the Wetland Restoration Plan discussed above. The proposed experiment involves dredging and filling within Goleta Slough.

Goleta Slough is an estuary that 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 that 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.

The intent of the experiment is to determine the feasibility of restoring tidal circulation to portions of Goleta Slough. If successful, the experiment could lead to future tidal restoration projects within the Slough. The Draft Goleta Slough Ecological Management Plan (GSEMP) recommends restoring tidal circulation to historic tidal wetlands in order to restore the Slough's natural habitat diversity.

Several alternatives were considered by the City and the Commission in prior actions related to the Airfield Safety Projects. Further, where wetlands in the project area contain environmentally sensitive habitat such as 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, the Commission found that the proposed Airfield Safety Projects including proposed mitigation contained in the Wetland Restoration Plan and the Tidal Restoration experiment were the least environmentally damaging feasible alternative.

The feasibility study for the tidal circulation experiment assessed all of the existing basins within Goleta Slough for suitability based on several factors or criteria including: historic but altered historic tidal area; potential for long-term tidal restoration; accessibility; proximity to non-tidal control basins; minimizing ground disturbance; and, proximity to airfield. Based on these criteria, the study determined that Basins E/F and L/M were the most suitable alternative sites to conduct the experiment with the least amount of disturbance. As stated, a Biological Resources Report for the Tidal Restoration Field Experiment dated September 2003 was prepared by URS Corporation for the Airport Department that addresses the specific components of the project and potential resultant impacts caused by the experiment. Conclusions and recommendations of the Biological Resources Report are provided in the following findings. In addition, all proposed mitigation measures identified in the Final Mitigated Negative Declaration have been incorporated into the project design.

Basin E/F

Basin E/F comprises approximately 13 acres and is located adjacent to Taxiway A (Exhibits 1 & 2). The top of the berm on the west side of the basin contained an asphalt road which was removed and restored to native habitat in 2000. Basin E/F also previously had a low berm in the middle, which was removed in 2000 as part of a restoration project allowing free movement between the two low-lying areas of the basin. The basin is connected to Tecolotito Creek through a 24-inch diameter culvert in the south berm. Because sediment deposits block the inlet to the culvert, this basin usually only contains freshwater supplied by stormwater runoff that discharges to the basin from a storm drain on the north side of the basin. The lower northwest corner collects precipitation and runoff which can persist during wet years while the remainder of the basin is dry.

Basin E/F contains a wide variety of vegetation types. The lowest portions of the basin contain mudflats, saltflats, and scattered pickleweed. Intermediate elevations contain pickleweed marsh with scattered bulrush and cattail plants, indicating freshwater conditions. The higher elevations, which encompass most of the basin, are dominated by dense, continuous pickleweed marsh. The berms along the north and west sides of the basin were planted with native wetland vegetation in 2000 by the Airport as part of a restoration project. Dominant species include pickleweed, alkali heath, and quail bush. The berm along the south side of the basin, adjacent to Tecolotito Creek, is dominated by non-native black mustard. The sides contain a mixture of pickleweed, alkali heath, quail bush, coyote bush, and non-native weeds.

A 2.02-acre experimental basin is proposed to be constructed in the southwest corner of basin E/F (Exhibit 2). The basin will be excavated to about 4 feet elevation to match the bottom elevation of Tecolotito Creek in order to allow a full range of tide elevations. Most of the bottom of the basin will range between 5 and 6 feet in elevation. A low, 40-foot wide earthen berm will be constructed on the north and east sides of the experimental basin using on-site materials. The existing berms on the south and west sides of the experimental basin would not be modified. A 36-inch diameter high density polypropylene (HDPE) pipe will be installed in the berm along Tecolotito Creek, approximately 55 feet in length, to provide a tidal connection. An aluminum slide gate will be installed on the upstream end of the culvert to close the basin to tidal inflows and/or to control the rate of tidal exchange if desired during the course of the experiment.

Basin L/M

Basin L/M comprises approximately 17 acres and is located on the south side of Tecolotito Creek (Exhibit 3). A small ridge in the middle of the basin creates two low-lying areas in the southwest and southeast corners which collect precipitation and are typically ponded for many months of the year. Adams Road creates a berm on the west, Tecolotito Creek provides berms on the north and east, and Mesa Road Ditch provides a berm on the south side of the basin. Sediment deposits on the inlet of the channel block all but extreme high tides and, as a result, this basin is usually filled with freshwater only derived from direct precipitation.

Basin L/M exhibits a less diverse mixture of vegetation types than Basin E/F. There are several low-lying patches with mudflats, saltflats, and scattered pickleweed. The basin bottom is dominated by dense, continuous pickleweed marsh. Berms along the sides are dominated by non-native black mustard but also contain a mixture of pickleweed, alkali heath, quail bush, coyote bush, and non-native weeds.

A 2.66-acre experimental basin will be constructed in the southeast corner of basin L/M (exhibit 3). This basin will also be excavated to 2.5 feet elevation to match the bottom elevation of Mesa Road Ditch in order to allow a full range of tide elevations. Most of the bottom of the basin will be between 4 and 5 feet in elevation. This basin is expected to drain completely each day throughout the year. A 470-foot long, 40-foot wide earthen berm will be constructed across the center of the basin that extends from the north to the south side. Existing berms on the north and south sides will not be modified.

A 48-inch diameter HDPE pipe will be installed in the berm along Mesa Road Ditch, approximately 45 feet in length, in the same manner as proposed for Basin E/F. A slide gate will be installed on the upstream end of the culvert to close the basin to tidal inflows and/or to control the rate of tidal exchange if desired during the course of the experiment.

Following construction, temporary vehicle corridors on the berms will be seeded with low-lying native perennial plants from Goleta Slough to reduce erosion and prevent colonization by weeds. In addition, non-native vegetation will be removed from the existing berms in each experimental basin. In each basin, the sides and tops of the berms and the basin slopes between 6 and 7 feet elevation will be seeded with alkali heath, alkali weed, pickleweed, and salt marsh sand spurry using seeds collected from the Safety Area Grading Project mitigation site.

As previously stated, the Airport proposes to conduct the field experiment for 2 years, at which time the results of the experiment would be presented to the FAA for review. There are three possible outcomes based on the results of the experiment:

(1) Continuation of the experiment because of the need for additional data.
(2) Termination of the experiment because the ecological benefits are not being achieved or because increased tidal circulation creates an unacceptable increase in bird strike hazard.
(3) Continuation of the experiment with approval to carry out a larger tidal restoration project in Goleta Slough.

A maintenance and monitoring program will be implemented for the duration of the experiment. Proposed maintenance includes: (1) inspections of the culverts and slide gates to detect blockage, sediment build-up, or erosion; (2) removal of obstructing vegetation, debris, and sediment from culvert inlets and outlets; (3) weeding to eliminate non-native vegetation and facilitate native revegetation; and (4) re-planting of revegetated areas to increase native plant cover where necessary.

The field experiment is also proposed to be monitored to ensure that habitat restoration and hydraulic objectives are met and to assess whether creating tidal conditions increases bird strike hazards compared to conditions in non-tidal basins. Bird surveys will continue for the duration of the experiment and field biologists will record bird activity in the experimental and control basins weekly. The Airport will coordinate with the FAA and USDA Wildlife Services throughout the duration of the experiment. The proposed field experiment includes protocol to immediately suspend, or terminate the experiment if adverse conditions are observed. Since tidal connection to the experimental basins will be controlled by mechanical slide gates on the culverts, tidal exchange in the basins can be terminated quickly if it became necessary to suspend the experiment. If the experiment is permanently terminated, the Airport proposes to restore the experimental basins to their pre-project conditions.

The Commission notes that Section 30233(a)(7) of the Coastal Act allows fill or excavation within a wetland for *Restoration purposes*. The Commission finds that implementation of the proposed Wetland Restoration Plan Tidal Restoration Plan component, which includes placement of fill and excavation in the slough, in accordance with LCP policy C-11 and the requirements of past Commission actions relative to the Airfield Safety Projects, constitute an allowable use under the provisions of Section 30233 of the Coastal Act. As previously indicated, the tidal restoration

experiment is a required component of the Wetland Restoration Plan and prior Commission approvals of the Airfield Safety Projects.

An additional limitation imposed on projects 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.

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 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 13.99 acres of in-kind mitigation for anticipated wetland impacts to fulfill the 4:1 mitigation requirement. This requirement is incorporated into the permit approved by the City for the Airfield Safety Projects and the Wetland Restoration Plan as well as by the Commission in its prior actions and by special conditions 5 & 11 attached to this permit.

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. As stated, compliance with all requirements of Policy C-11 is required by prior CDP approvals and by special condition 5 of this permit.

Hollister Avenue. In addition, construction is limited to the period between July 15 and November 1, when possible migration of steelhead is least likely to occur.

Belding's Savannah Sparrow is a subspecies that breeds in coastal salt marshes from northwestern Mexico to southern California, and as far north as Goleta. This

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.

Further, special condition 1 requires that all excess grading material be disposed of properly; special condition 2 requires submittal of evidence of final approval for the proposed project by the Army Corps of Engineers (ACOE), the Regional Water Quality Control Board (RWQCB), and the California Department of Fish and Game (CDFG); special condition 3 requires that all FEIR recommended mitigation measures be adhered to unless specifically modified by other permit conditions; and special condition 4 requires compliance with all City of Santa Barbara conditions of approval unless specifically modified by Commission required conditions.

For all of the reasons stated above, the Commission finds that the Airfield Safety Projects – Wetland Restoration Plan Tidal Restoration Plan experiment, as approved by the City of Santa Barbara, is in conformance with applicable policies of the certified LCP and attached special conditions are consistent with the provisions of Section 30233 of the Coastal Act.

C. Environmentally Sensitive Habitat

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.

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. The Southern Steelhead Trout is designated an endangered species along the southern California coast by the National Marine Fisheries Service (NMFS). Although there have been no sightings or historic records of steelhead along Carneros, San Pedro, and Tecolotito Creeks, it is possible for transitory, individual adult steelhead to attempt to migrate upstream in Tecolotito Creek. Such an occurrence is considered unlikely, however, due to numerous passage impediments upstream of

Hollister Avenue. In addition, construction is limited to the period between July 15 and November 1, when possible migration of steelhead is least likely to occur.

Belding's Savannah Sparrow is a subspecies that breeds in coastal salt marshes from northwestern Mexico to southern California, and as far north as Goleta. This subspecies was listed as endangered by the California Department of Fish and Game in 1974 and is listed as a federal Species of Concern. The Savannah Sparrow utilizes the upper littoral zone of tidal pickleweed marshes for nesting, where their nests are safe from the highest tides during the nesting season. In Goleta Slough, where many of the basins are non-tidal, the sparrows establish nesting territories above the water line created by the freshwater impoundments resulting from precipitation.

According to the Biological Resources Report prepared by URS Corporation, the construction of the proposed experimental basins would convert approximately 2.25 acres of pickleweed marsh habitat currently suitable for nesting to mudflat or pickleweed marsh habitat that would be subject to tidal inundation and would not be suitable for nesting. The potential number of nesting birds that may be displaced by this activity is not known because the number of birds in a given area varies widely from year to year due to the varying amount of impounded freshwater in the basin resulting from rainfall.

The Aviation Facilities Plan/Airfield Safety Projects EIS/EIR (2002) stated that the Airfield Safety Projects would affect about 1.3 acres of low-density breeding and foraging habitat for Belding's Savannah Sparrow in the area surrounding Tecolotito Creek. Previously required mitigation for the Airfield Safety Projects would create approximately 5.5 acres of pickleweed marsh suitable as nesting habitat for Belding's Savannah Sparrow in Goleta Slough. Therefore, any long-term impacts to the Savannah Sparrow habitat would be fully offset, given that more habitat would be created than would be impacted by both projects cumulatively.

In addition, the URS Biological Report notes, given the varying amounts of impounded freshwater in the basins from year to year, the resident population of Belding's Savannah Sparrow in Goleta Slough appears to be highly mobile and adaptable to changes in the amount of available nesting habitat. Thus, the species is anticipated to respond to the introduction of tidal inundation in the experimental basins by finding suitable nesting habitat at higher elevations within the basins or within other basins in the Slough, just as it would in years of higher rainfall. In addition, areas of newly created pickleweed marsh in the experimental basins would provide high quality habitat because freshwater would not be impounded resulting in less variation in water levels. Plant productivity is also expected to be greater than under the existing non-tidal conditions. The resident population of Belding's Savannah Sparrow appears to be very productive, therefore, the short-term loss of 2.5 acres of nesting habitat should not adversely affect the stability and long-term reproductive success of the population. The Final Mitigated Negative Declaration for the Tidal Restoration Experiment concluded that displacement of potential nesting habitat would be a potentially significant, avoidable impact that would be reduced to a less than significant level by special

conditions requiring monitoring prior to, during, and after construction and prohibiting construction of the experimental basins between November 1 and July 15 to avoid the rainy season and disruption of active nesting habitat during the breeding season.

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, as required by special condition 5, 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 and attached special condition 8 require that avoidance and/or protection measures be implemented for development projects which could potentially impact sensitive plant or wildlife species, including limiting timing of development activities to the period between July 15 and November 1 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 to include a comprehensive set of policies to protect and preserve the sensitive plant and wildlife species onsite, and significant habitat areas that support such species, were found to be consistent with Section 30240 of the Coastal Act by the Commission. The Airfield Safety Projects and the subject Wetland Restoration Plan Tidal Restoration Experiment, as approved by the City and as required to comply with attached special conditions, 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 URS Biological Resources Report notes that 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 Tidal Restoration Plan experiment does not result in adverse impacts to EFH and steelhead, Policies C-15 and C-16 in the City's certified LCP and attached special condition 8 require that special protection measures be implemented to avoid and minimize potential adverse impacts to Essential Fish Habitat and steelhead. Policy C-16 and special condition 8 also requires that construction for the Tidal Restoration Experiment be conducted between July 15 and November 1 to avoid the migration period of steelhead.

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 and special condition 5 provides mitigation measures necessary to address potential impacts to the sensitive species. Policies C-15 and C-16 and special condition 8 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 and special condition 8 also provides that construction is not to take place during the nesting and breeding season for bird species. Special condition 9 requires monitoring to insure that habitat and hydraulic objectives are met and to compare tidal and non-tidal basins to assess whether any increases in bird strike hazards result from tidal restoration. Special condition 10 requires implementation of a maintenance and monitoring program throughout the experiment. Finally, special condition 11 requires that the experimental tidal basins be restored to pre-project conditions in the event that the results of the experiment are not favorable or the experiment is terminated. The CDP approved by the City requires compliance with these policies as well.

For all of the reasons stated above, the Commission finds that the Airfield Safety Projects, Wetland Restoration Plan, Tidal Restoration Experiment, is consistent with Section 30240 of the Coastal Act.

D. Water Quality

Section 30231 of the Coastal Act states:

> ***The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.***

In Addition, Policy C-13 of the recently amended Local Coastal Program (to provide for the Airfield Safety Projects) requires that new development, such as the Tidal Restoration Experiment, include measures to protect water quality, and specifically, include a Water Quality Management Plan. A Water Quality Management Plan, dated July 2003, has been prepared and previously approved by the Commission in its prior permit actions relative to the Airfield Safety Projects.

As previously stated, the proposed project would result in an increase in tidal circulation to Basins E/F and L/M. By lowering the basin elevations, the capacity to accept tidal flows and flooding would be increased. Therefore, the URS Biological Report concludes that the restoration of tidal circulation is expected to benefit water quality since tidal flows would be exposed to more mudflat habitat during the tidal cycle, which would benefit surface water quality due to exposure to filter feeding invertebrates. The

project would not result in greater surface runoff since no impervious surfaces would be created.

During construction, grading to lower the basins, installation of culverts and landscaping required for habitat restoration could potentially result in the discharge of disturbed soils to Tecolotito Creek from direct dumping, accidental spills, and/or post-grading erosion. Further, use of construction equipment could result in contamination of the creek water quality or native vegetation in the event of oil spillage or leakage during the five-month construction process. To minimize these impacts special condition no. 8 of approval require that earthwork be limited to the period between July 15 and November 1, during the dry season to prevent sediment runoff to tidal channels. Further, special condition no. 7 requires compliance with all provisions of the Storm Water Pollution Prevention Plan (SWPPP) dated July 2003 that incorporates Best Management Practices (BMPs) consistent with LCP policy C-14 and special condition no. 6 requires compliance with all provisions of the Water Quality Management Plan dated July 2003 consistent with LCP policy 13.

For all of the reasons stated above, the Commission finds that the Wetlands Restoration Plan/Tidal Restoration Experiment is consistent with Section 30231 of the Coastal Act.

D. Conclusion

In previous actions the Commission has found the proposed Airfield Safety Projects and Wetland Restoration Plan consistent with Sections 30231, 30233, and 30240 of the Coastal Act. The proposed projects are a required component of the projects previously approved by the Commission in its Federal Consistency Determination, LCP Amendment certification, and CDP, as described in this report. The approved projects comply with all applicable policies of the certified LCP and with Sections 30231, 30233, and 30240 of the Coastal Act by incorporating specific mitigation, restoration, and monitoring measures required by the LCP into the proposed projects and by special condition compliance requirements attached to this permit. Therefore, the Commission finds that the proposed Wetland Restoration Plan, Tidal Restoration Experiment conforms to the provisions of Sections 30231, 30233, and 30240 of the Coastal Act.

E. CEQA

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect, which the activity may have on the environment.

The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.

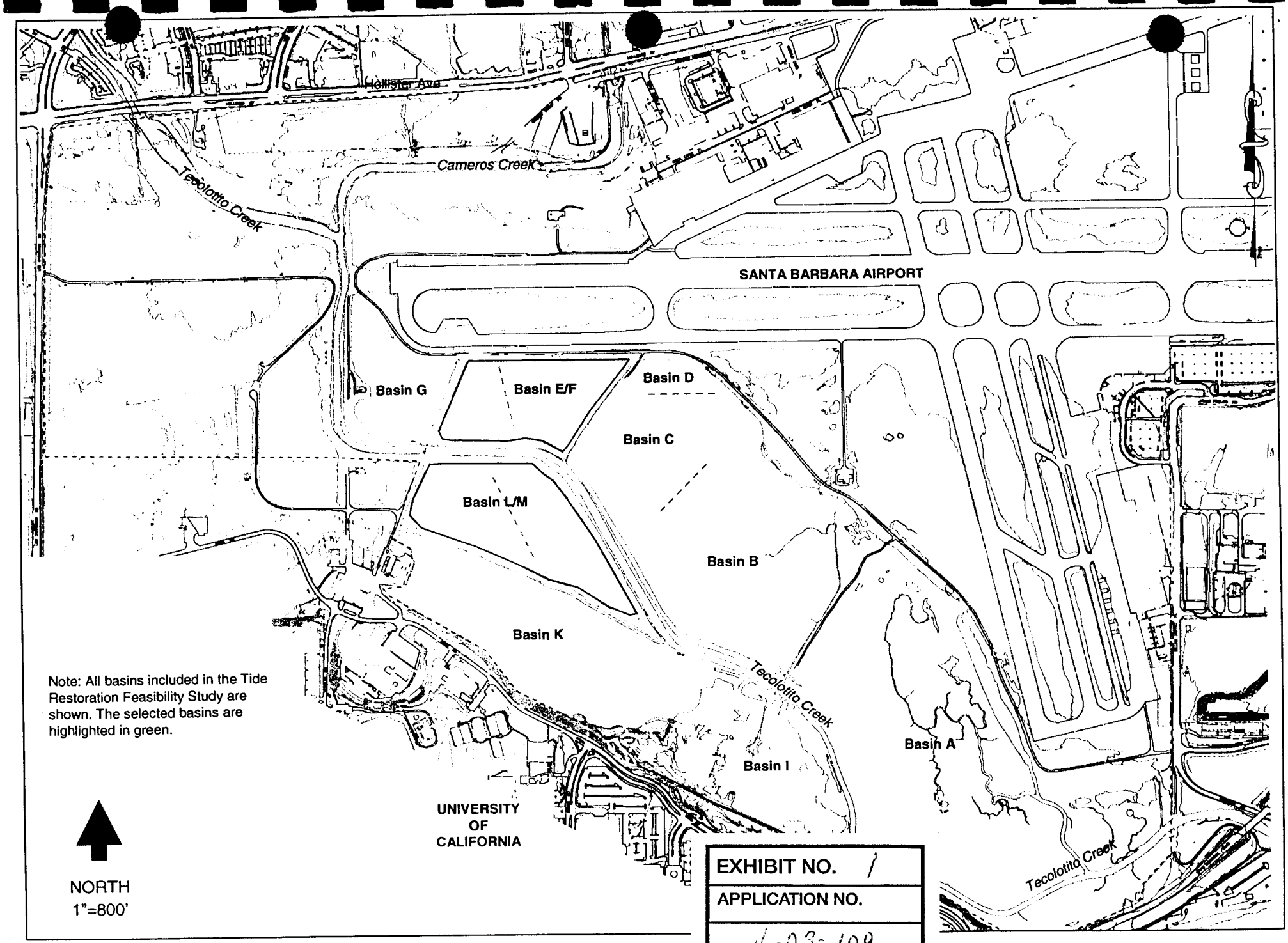

EXHIBIT NO. 1
APPLICATION NO.
4-03-109

Location of Field Experiment Basins

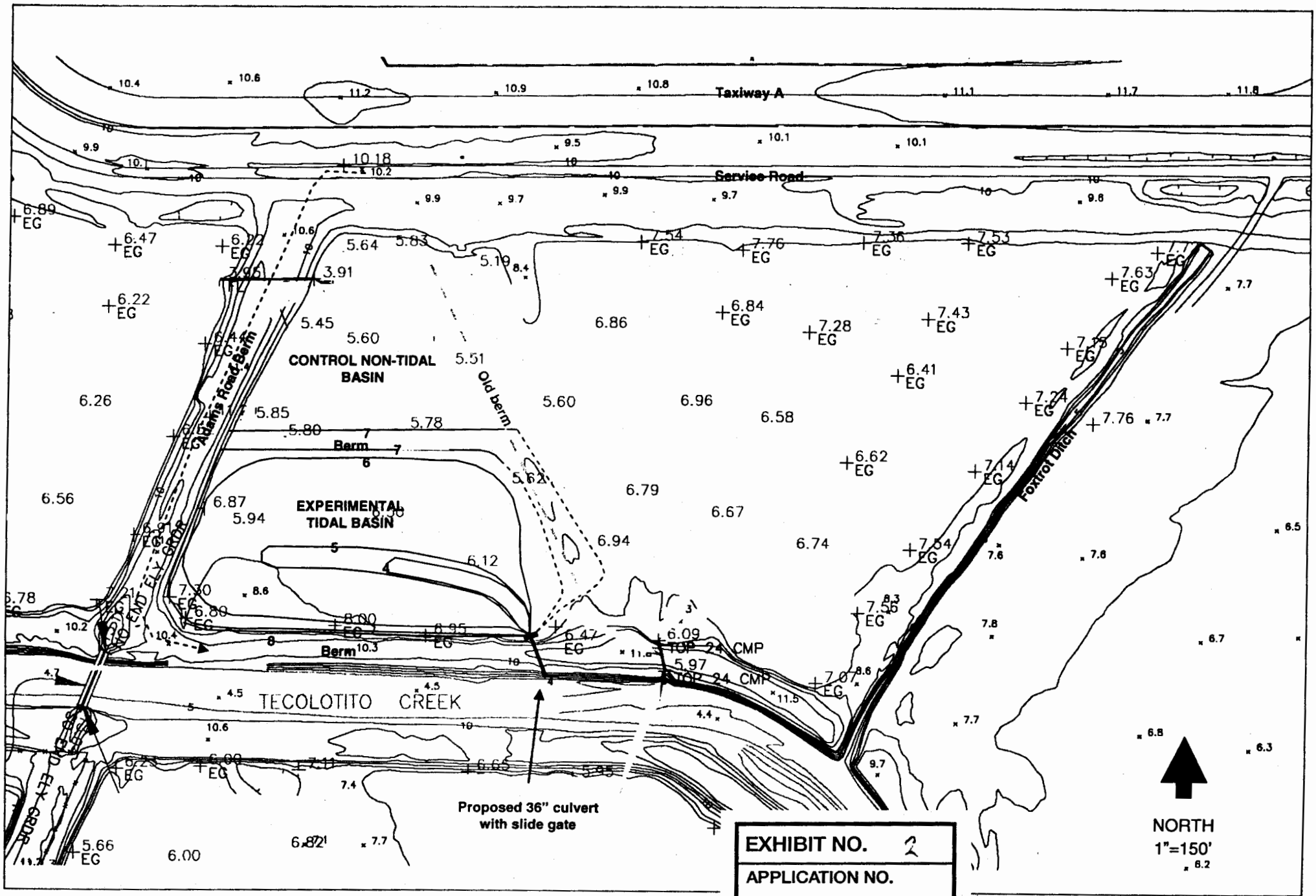

EXHIBIT NO. 2
APPLICATION NO.
4-03-109

Proposed Experimental Basin E/F

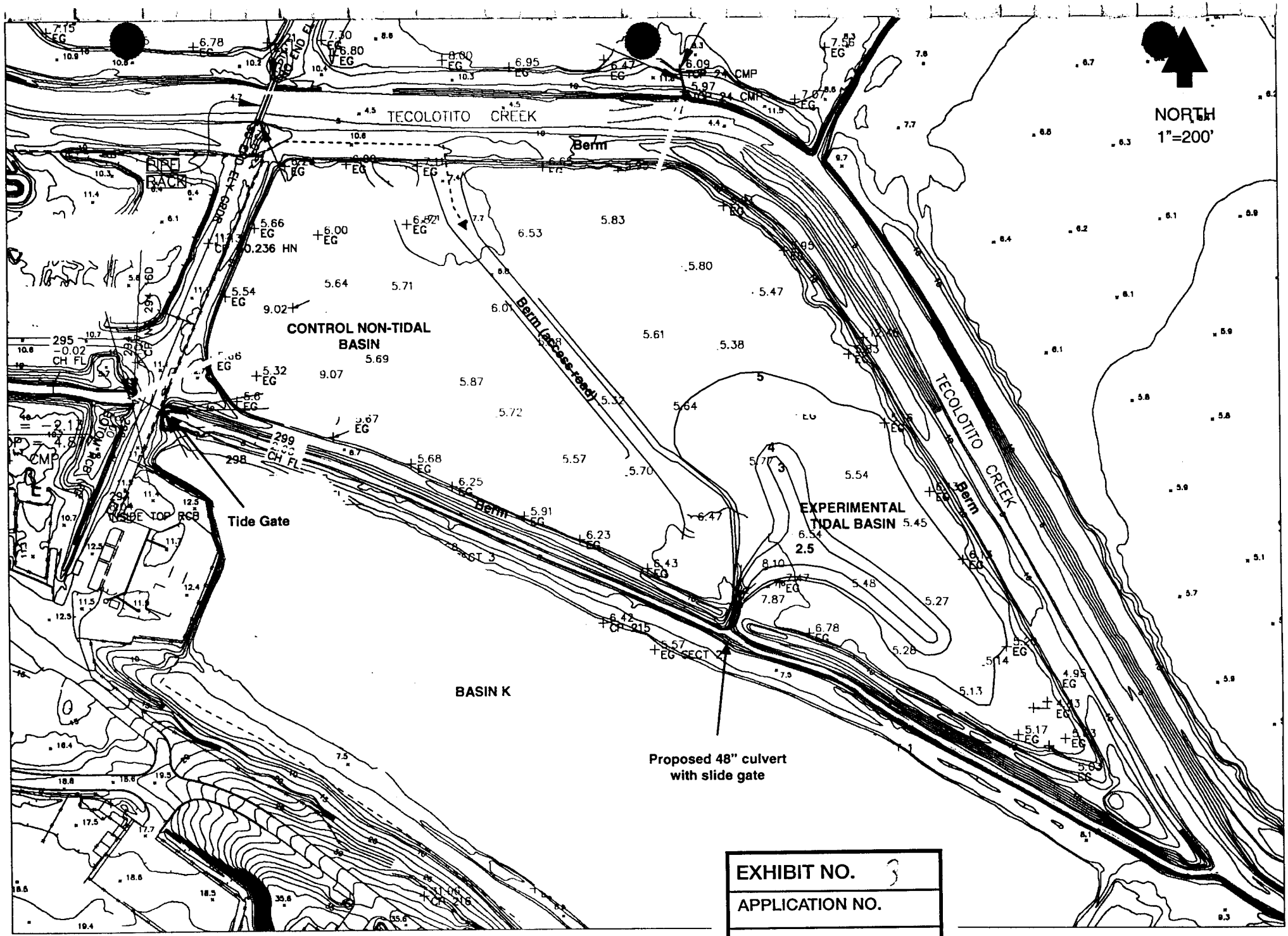

EXHIBIT NO. 3
APPLICATION NO.
4-00-109

Proposed Experimental Basin L/M

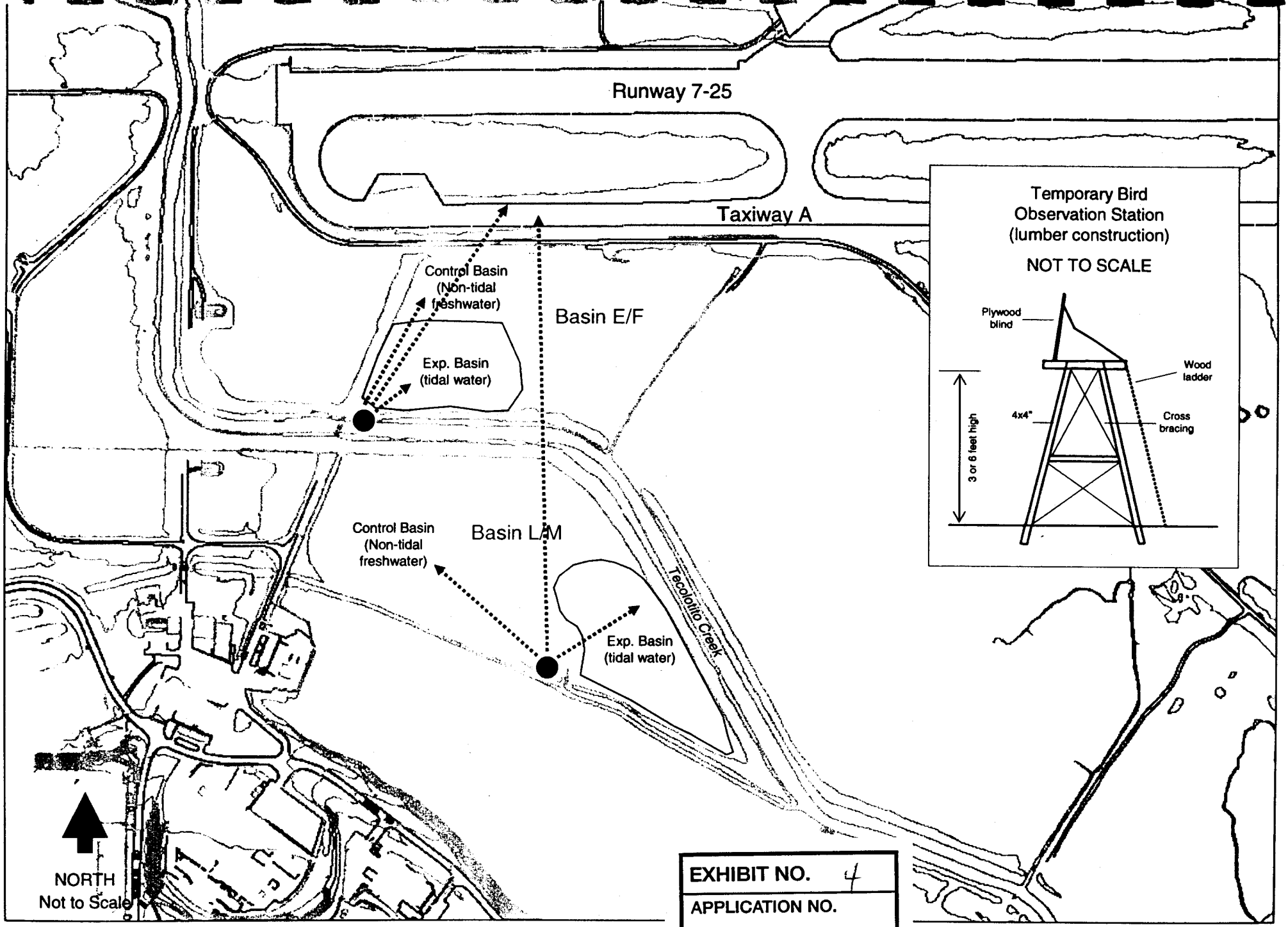

EXHIBIT NO. 4
APPLICATION NO.
4-03-109

Location of Bird Observation Stations

CITY OF SANTA BARBARA

Application Received 12/10/03 #5

AIRPORT DIRECTOR

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

EXHIBIT NO. 5
APPLICATION NO.
4-03-109

December 10, 2003

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

SUBJECT: APPLICATION FOR CDP FOR GOLETA SLOUGH TIDAL CIRCULATION EXPERIMENT AT THE SANTA BARBARA AIRPORT

Dear Mr. Timm:

The City of Santa Barbara Airport Department is seeking approval of a Coastal Development Permit (CDP) pursuant to Santa Barbara Municipal Code §28.45.009(p.) for the Goleta Slough Tidal Circulation Experiment. The Airport is proposing to implement the short-term field experiment to assess the feasibility of a long-term tidal restoration program. The proposed field experiment would involve creating two small tidal basins by excavating portions of larger non-tidal basins, and installing culverts that connect to tidal channels. Each experimental basin would be located adjacent to a "control basin" (i.e., an existing non-tidal basin) to allow a comparison of the hydrologic and ecological effects of tidal circulation against existing conditions. This experimental design would also allow a comparison of bird use in tidal and non-tidal areas to assess the effects on the bird strike conditions at the Airport.

The proposed experimental tidal basins would be constructed during the period of August through November 2004. The field experiment would end in November 2006, unless the experiment is either terminated early due to public safety concerns or continued for a longer period to collect additional data.

Efforts to restore tidal circulation to portions of Goleta Slough have been proposed on a number of occasions. However, the Federal Aviation Administration (FAA) and the Airport have expressed concerns that restoring tidal circulation to portions of Goleta Slough could modify bird activity near the airfield and possibly increase aviation bird strike hazards. To date, the Airport has not included tidal restoration in any of its mitigation efforts because of this concern. Similarly, Slough restoration projects located outside of the Airport property, including a $1.3 million Goleta Slough Tidal Restoration Project Enhancement Plan sponsored by the Coastal Conservancy, have been on hold, pending resolution of this issue.

To help resolve this dilemma, the California Coastal Conservancy encouraged the Airport to seek funding from the Conservancy to conduct an experiment that would help determine the causal relationship between bird strikes and a tidally-influenced wetland habitat. In 2001, the Airport requested and received a Southern California Wetlands Recovery Project Grant of $150,000 from the Coastal Conservancy to prepare a feasibility study for a potential tidal restoration experiment.

A preliminary draft feasibility study was completed by URS Corporation in February 2002. The study characterized baseline conditions by assessing existing bird activity in the area and analyzing the Airport's existing bird strike data. The study also provided an analysis of candidate tidal basins for the field experiment, modeled potential changes in hydrology and habitat in these basins and selected two basins as the recommended alternative for the experiment.

In February 2002, the preliminary draft Feasibility Study was submitted to the U.S. Department of Agriculture (USDA) Wildlife Services Division and the Federal Aviation Administration (FAA) for review (Attachment 9). In September 2002, the Airport received concurrence from both agencies allowing the Airport to design, construct and implement the experiment.

A key component of the experiment, and required by the FAA, will be that if at any time the monitoring data indicates that the tidal circulation has caused an increase in bird strike hazard, the experiment will be immediately halted and the basin(s) will be returned to pre-project conditions (i.e. non-tidal). The effects on bird strike hazard conditions at the Airport would be monitored during the field experiment to detect any adverse trends.

During certification of the LCP Amendment for the Airfield Safety Projects, the Coastal Commission included policy modifications, including new Policy C-11, which provides specific mitigation requirements for the Airfield Safety Projects, including a required 4:1 replacement ratio for impacts to seasonal wetlands, 2:1 replacement of creeks and open channels and 1:1 replacement of upland habitats. Policy C-11 requires the City to undertake a Goleta Slough Tidal Restoration experiment and present all documentation, findings and conclusions relative to tidal restoration to the Coastal Commission within five years of issuance of the Coastal Development Permit for the Airfield Safety Projects. In the event that the evidence demonstrates that tidal restoration will not significantly and adversely increase the potential for aircraft bird strikes, Policy C-11 requires the City to provide wetland mitigation in addition to that specified in the Wetland Restoration Plan for the Airfield Safety Projects through a long-term project to restore tidal circulation to portions of Goleta Slough. If the experiment determines that tidal restoration mitigation is infeasible, the City will provide additional in-kind seasonal wetland mitigation within Goleta Slough to meet the 4:1 requirement for seasonal wetlands replacement.

Wetland Habitat

Depending on its outcome, the Experiment will determine the feasibility of restoring tidal circulation to portions of Goleta Slough and thus may lead to future tidal restoration projects to enhance the diversity of habitat types within Goleta Slough. The Draft Goleta Slough Ecological Management Plan (GSEMP) also recommends restoring tidal circulation to historic tidal wetlands to restore the Slough's natural diversity of resources, habitats, physical processes and functions that have been lost or degraded. Specifically, GSEMP Action R-1.1 identifies restoration of tidal circulation and increasing habitat diversity by restoring tidal mud flats and high marsh habitats as priorities of the GSEMP.

Coastal Act Policy 30233(a) states that filling within coastal wetland areas may be allowed when there is no feasible less environmental damaging alternative, where feasible mitigation measures have been provided, and when the development is limited to specific types of uses including restoration purposes. Policy 30233(c) further states that dredging, diking or filling of coastal wetlands or estuaries shall maintain or enhance the functional capacity of the wetland or estuary. The proposed experiment involves dredging and fill within coastal wetlands.

The feasibility study for the tidal circulation experiment assessed all of the existing basins within Goleta Slough to establish their suitability for inclusion in the experiment. The feasibility study analyzed the basins based on the following criteria:

- Historically tidal area, now altered by diking or tide gates;
- Previously identified as potential sites for tidal restoration;
- Potential location for long-term tidal restoration;
- Easy access for vehicles, including heavy equipment;
- Proximity to a non-tidal basin or sub-basin where freshwater impounds which can be used as a control basin;
- Requires minimal ground disturbance;
- Includes a range of distances from the airfield;
- Does not include a basin with unique habitat features or wildlife values (e.g., Basins J and K); and
- Located on Airport property.

Based on these criteria, the feasibility study determined that Basins E/F and L/M were the most suitable alternative sites to conduct the experiment with the least amount of disturbance to the environment. All of the proposed mitigation measures identified in the Final Mitigated Negative Declaration (Exhibit D of Attachment 10) have been incorporated into the project design.

Sensitive Species

Policy C-15 of the Airport and Goleta Slough LCP requires special status plant and wildlife protection measures to be incorporated into the project design.

The southern steelhead trout is designated an endangered species along the South Coast by the National Marine Fisheries Service (NMFS). However, there have been no sightings or historic records of steelhead along Carneros, San Pedro, and Tecolotito creeks. It would be possible for transitory, individual adult steelhead to attempt to migrate upstream in Tecolotito Creek; however, such an occurrence is considered very unlikely. There are numerous passage impediments upstream of Hollister Avenue. Suitable spawning habitat may be present in Glen Annie Creek; however, summer rearing habitat appears to be limited or absent. Therefore, the Final Negative Declaration concluded that the project would result in a less than significant impact on Southern Steelhead (Exhibit D of Attachment 10, Exhibit D). Planning Commission Condition of Approval F-21 allows construction only between July 15 and November 1, when possible migration of steelhead is least likely to occur (Exhibit A of Attachment 10).

Belding's Savannah Sparrow is a subspecies of the widespread savannah sparrow that breeds in coastal salt marshes from northwestern Mexico to southern California, and as far north as Goleta. This subspecies was listed as endangered by the California Department of Fish and Game in 1974 and is a federal Species of Concern. The sparrow is a resident of pickleweed marshes and utilizes pickleweed marsh for nesting, perching, and singing. The species typically nests in the upper littoral zone of tidal pickleweed marshes, where their nests are safe from the highest tides that occur during the nesting season. In Goleta Slough, where many of the basins are non-tidal, the birds establish nesting territories above the water line created by the freshwater impoundments resulting from precipitation.

The construction of the proposed experimental basins would convert approximately 2.25 acres of pickleweed marsh habitat in Basin L/M that is suitable for nesting to mudflat or pickleweed marsh habitat that would be subject to tidal inundation and would not be suitable for nesting. The potential number of nesting birds that may be displaced by this activity is not known because the number of birds in a given area varies widely from year to year due to the varying amount of impounded freshwater in the basin resulting from rainfall.

Cumulatively, the Aviation Facilities Plan EIS/EIR (2002) identified that the proposed Airfield Safety Projects would affect about 1.3 acres of low-density breeding and foraging habitat for Belding's in the area surrounding Tecolotito Creek. The required mitigation for the Airfield Safety Projects would create approximately 5.5 acres of pickleweed marsh suitable as nesting habitat for Belding's savannah sparrow in Area R-2. This habitat restoration effort is scheduled to begin in 2005. While mitigation for the Airfield Safety Projects would be initiated after the construction of the Tidal Circulation experiment in late 2004, any long-term impacts to the Belding's savannah sparrow habitat would be fully offset, given that more Belding's savannah sparrow habitat would be created than would be impacted by both projects cumulatively.

Given the varying amounts of impounded freshwater in the basins from year to year, the resident population of Belding's savannah sparrow in Goleta Slough appears to be highly mobile and adaptable to changes in the amount of available nesting habitat. Thus, the species is anticipated to likely respond to the introduction of tidal inundation in the experimental basins by finding suitable nesting habitat at higher elevations within the experimental basins or within other basins in the Slough, just as it would in years with high rainfall. In addition, the margins of the newly created pickleweed marsh in the experimental basins would provide high quality habitat for the species because freshwater would not become impounded, resulting in less variation in water levels and more predictable conditions for the sparrow. Under these conditions, plant productivity is also expected to be greater than under the existing non-tidal conditions. The resident population of Belding's savannah sparrows appears to be very productive; hence, the short-term loss of 2.5 acres of nesting habitat would not adversely affect the stability and long-term reproductive success of the population. The Final Mitigated Negative Declaration concluded that displacement of potential nesting territories would be a potentially significant, avoidable impact. This impact would be reduced to a less than significant level with the incorporation of Planning Commission Conditions of Approval F-20, F-21, and I (Exhibit A of Attachment 10). These conditions would require monitoring prior to, during, and after construction and work would be terminated if it is found that nesting pairs are being disturbed. Planning Commission Condition F-21 prohibits construction of the experimental basins between November 1 and July 15 to avoid the rainy season and disruption of any active nesting territories during the breeding season of the Belding's savannah sparrow.

Water Quality

Section 30231 of the Coastal Act requires maintaining water quality control of runoff, preventing substantial interference with surface water flow, and maintaining natural vegetation buffers that protect riparian habitat and minimizing alterations of natural streams. Section 30232 requires protection against spillage of hazardous substances. The LCP Amendment incorporated new policies C-12, C-13 and C-14 to protect water quality during construction and operation of the proposed project.

The proposed project would result in an increase in tidal circulation to Basins E/F and L/M. By lowering the basin elevations, the capacity to accept tidal flows and flooding would be increased. The increase in tidal circulation would be beneficial to water quality, since the tidal flows would be exposed to more mudflat habitat during the tidal cycle, which is considered beneficial to surface water quality because of exposure to filter feeding invertebrates. The project would not result in greater surface runoff, since no impervious surfaces would be created.

In the short-term, project construction would involve earthwork to lower the basins, installation of culverts and restoration of habitat with landscaping improvements. Hence, there is a potential for disturbed soils to be discharged to Tecolotito Creek or Mesa Road Ditch as the result of direct dumping, accidental spills, and/or post-grading erosion during

the winter. Further, use of construction equipment could result in contamination of the creek water quality or native vegetation in the event of an inadvertent oil spillage or leakage during construction equipment use, refueling, maintenance or washing during the five-month construction process.

Planning Commission Condition of Approval F-21 requires that earthwork be conducted between July 15 and November 1, when soils are dry and there is no rain or runoff that could convey sediments to the tidal channels and Condition F-25 requires the implementation of the Storm Water Pollution Prevention Plan that incorporates Best Management Practices (BMPs) (Exhibit A of Attachment 10). Further, Condition F-25 requires that the basin bottoms be stabilized with pickleweed plants and erosion control mats after grading and prior to opening the culverts for tidal exchange. Consistent with LCP Policy C-13, a Water Quality Mitigation Plan (WQMP) has been developed for the project that provides post-development Best Management Practices (BMPs) and includes measures to prevent streambank erosion and creek or wetland siltation (Attachment 7). Monitoring activities consistent with this policy have been incorporated into the WQMP.

Cultural Resources

The project site is not located in any cultural resource sensitivity zone as identified by the Santa Barbara Airport Phase I Archeological Assessment dated 1993. The area of Goleta Slough containing Basins E/F and L/M has been subjected to repeated disturbance, including initial construction of the airfield and filling of the Slough by the Marine Corps in 1941 and again by the Airport during rerouting of Tecolotito Creek and extension of Runway 7/25 in 1970-1972. A low berm that separated Basins E and F was removed in 1999 as part of a Slough restoration project associated with mitigation for the Airport's Safety Area Grading project.

Further, extremely high runoff events, such as those that occurred in the El Nino years of 1995 and 1998, have deposited several feet of fine sediment in the basins. The area historically was comprised of inundated tidelands and is not thought to have supported any human settlements. Over time, the periodic deposition of sediment has increased the bottom elevation of the basins by several feet. Based on the above, the Final Mitigated Negative Declaration concluded that impacts to cultural resources would be less than significant.

Municipal Code

The Goleta Slough Reserve (G-S-R) Zone is intended to protect, preserve, and maintain the environmentally sensitive habitat areas of Goleta Slough (SBMC §29.25.010). Restoration activities consistent with Coastal Act Section 30233 are allowed in the G-S-R Zone with approval of a Coastal Development Permit.

The G-S-R Zone findings require the proposed project to incorporate enhancements to public educational and recreational opportunities at the Goleta Slough into the project design. The proposed experiment provides an educational opportunity to study the feasibility of restoring tidal circulation to the Goleta Slough and the effects on Airport

bird activity resulting from converting freshwater impoundments to tidal wetlands. In particular, the findings pertaining to bird activity could have application to other Airports with similar situations. Access to visit the experimental area could be granted to interested 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. These visits must be conducted in accordance with Transportation Security Administration (TSA) and Airport policies and regulations with respect to airport security, including the maximum number of attendees, tour routes and activities, security measures and transportation arrangements.

Status of Other Agency Permits

Applications have been filed for an Army Corps of Engineers (ACOE) Clean Water Act Section 404 permit, Regional Water Quality Control Board (RWCQB) Clean Water Act Section 401 Water Quality Certification and California Department of Fish and Game Section 1601 Streambed Alteration Agreement (Attachments 11-13).

Conclusion

Completion of the Tidal Circulation Experiment is an important step toward the goal of eventual tidal restoration in portions of Goleta Slough. Depending on its outcome, the Experiment may lead to future tidal restoration projects to enhance the diversity of habitat types in the Slough.

If you have any questions regarding this application, please contact me at (805) 692-6002 or Laurie Owens, Project Planner at (805) 692-6023.

Sincerely,

Karen Ramsdell

Karen Ramsdell
Airport Director

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

Attachments:

1. Coastal Development Permit application forms
2. Proof of applicant's interest in real property
3. Assessor's Parcel Maps
4. Stamped envelopes and mailing list
5. Vicinity map
6. Two sets of project plans

7. Project Description including Water Quality Management Plan and Stormwater Pollution Prevention Plan (SWPPP) dated September 2003
8. Biological Resources Report dated September 2003
9. Feasibility Study dated September 2003
10. Planning Commission Staff Report dated December 4, 2003, including Planning Commission Conditions of Approval and Final Mitigated Negative Declaration
11. Application to California Department of Fish and Game for Fish and Game Code Section 1601 Streambed Alteration Agreement
12. Application to Army Corps of Engineers for Clean Water Act Section 404 Permit
13. Application to Regional Water Quality Control Board for Clean Water Act Section 401 Water Quality Certification

EXHIBIT NO. 6
APPLICATION NO.
4-03-109

City of Santa Barbara
California

NOTICE OF FINAL ACTION
CITY OF SANTA BARBARA COASTAL DEVELOPMENT PERMIT

Date: January 9, 2004 **Application Number**: MST2003-00705; CDP2003-00021

Name of Applicant: Karen Ramsdell, Airport Director

Name of Owner: City of Santa Barbara

Project Address: 500 Fowler Road

Project Location: Near Fairview Avenue in the City of Santa Barbara, County of Santa Barbara

APN Number: APN 073-045-003

Project Description: The Airport is proposing to implement a short-term field experiment in the Goleta Slough to assess the feasibility of a long-term tidal restoration program. The proposed field experiment would involve creating two small tidal basins by excavating portions of larger non-tidal basins, and installing culverts that connect to tidal channels. Each experimental basin would be located adjacent to a "control basin" (i.e., an existing non-tidal basin) to allow a comparison of the hydrologic and ecological effects of tidal circulation with existing conditions. This experimental design would also allow a comparison of bird use in tidal and non-tidal areas to assess the effects on the bird strike conditions at the Airport.

The experimental tidal basins could be restored to pre-project conditions if the results of the experiment are not favorable, such as increased aviation bird strike hazard or failure to establish the desired ecological conditions. The effects on bird strike hazard conditions at the Airport would be monitored during the field experiment to detect any adverse trends. The field experiment includes a contingency plan to immediately terminate the experiment if significant bird strike hazards arise attributable to the field experiment.

The proposed experimental tidal basins would be constructed during the period of August through November 2004. The field experiment would end in November 2006, unless the experiment is either terminated early due to public safety concerns or continued for a longer period to collect additional data.

This is to inform you that on December 4, 2003, the Planning Commission of the City of Santa Barbara approved an application for a Coastal Development Permit for the project listed above. The project is located in the Non-Appealable jurisdiction of the City's Coastal Zone.

The decision is based on the following findings:

See attached PC Resolution No. 068-03 which includes findings and conditions.

The Coastal Development Permit is subject to the following conditions:

See attached PC Resolution No. 068-03 which includes findings and conditions.

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

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

City of Santa Barbara
California

CITY OF SANTA BARBARA PLANNING COMMISSION

RESOLUTION NO. 068-03
500 FOWLER ROAD (GOLETA SLOUGH TIDAL CIRCULATION)
COASTAL DEVELOPMENT PERMIT
DECEMBER 4, 2003

APPLICATION OF KAREN RAMSDELL, AGENT FOR CITY OF SANTA BARBARA, 500 FOWLER ROAD, APN 073-045-003, G-S-R/SD-3 GOLETA SLOUGH RESERVE AND COASTAL OVERLAY ZONES, GENERAL PLAN DESIGNATION: RECREATION AND OPEN SPACE (MST 2003-00705, CDP 2003-0021)

The Airport is proposing to implement a short-term field experiment in the Goleta Slough to assess the feasibility of a long-term tidal restoration program. The proposed field experiment would involve creating two small tidal basins by excavating portions of larger non-tidal basins, and installing culverts that connect to tidal channels. Each experimental basin would be located adjacent to a "control basin" (i.e., an existing non-tidal basin) to allow a comparison of the hydrologic and ecological effects of tidal circulation with existing conditions. This experimental design would also allow a comparison of bird use in tidal and non-tidal areas to assess the effects on the bird strike conditions at the Airport.

The experimental tidal basins could be restored to pre-project conditions if the results of the experiment are not favorable, such as increased aviation bird strike hazard or failure to establish the desired ecological conditions. The effects on bird strike hazard conditions at the Airport would be monitored during the field experiment to detect any adverse trends. The field experiment includes a contingency plan to immediately terminate the experiment if significant bird strike hazards arise attributable to the field experiment.

The proposed experimental tidal basins would be constructed during the period of August through November 2004. The field experiment would end in November 2006, unless the experiment is either terminated early due to public safety concerns or continued for a longer period to collect additional data.

The discretionary application required for this project is a recommendation to the California Coastal Commission for a Goleta Slough Reserve (G-S-R) Coastal Development Permit for a project in the Coastal Commission's Permanent Jurisdiction (SBMC §28.45.009(A.)).

The Planning Commission will consider approval of the Negative Declaration prepared for the project pursuant to the California Environmental Quality Act Guidelines Section 15074.

WHEREAS, the Planning Commission has held the required public hearing on the above application, and the Applicant was present.

WHEREAS, no one appeared to speak in favor of the application, and no one appeared to speak in opposition thereto, and the following exhibits were presented for the record:

1. Staff Report with Attachments, December 4, 2003
2. Site Plans

NOW, THEREFORE BE IT RESOLVED that the City Planning Commission:

I. Approved the subject application making the following findings and determinations:

A. Environmental Findings:

1. The Planning Commission has read and considered the Final Mitigated Negative Declaration together with comments received during the public review process. In this agency's independent judgment and analysis and on the basis of the record before the Commission, there is no substantial evidence that the project will have a significant effect on the environment.

2. Pursuant to Section §15074 of the California Environmental Quality Act Guidelines, the Planning Commission adopts the Final Mitigated Negative Declaration MST2003-00705.

3. The Planning Commission approves the Mitigation Monitoring and Reporting Program, which will monitor compliance with the mitigation measures agreed to by the applicant and conditions imposed on the project in order to mitigate or avoid significant effects on the environment.

4. The custodian of the environmental documents and record of the proceedings upon which this decision is based is the Environmental Analyst for the City of Santa Barbara Planning Division located at 630 Garden Street, Santa Barbara.

5. An Initial Study has been conducted by the lead agency, which has evaluated the potential for the proposed project to result in adverse effect, either individually or cumulatively, on wildlife resources. For this purpose, wildlife is defined as "all wild animals, bird, plants, fish, amphibians, and related ecological communities, including the habitat upon which the wildlife depends for its continued viability." The proposed project has the potential for adverse effect on wildlife resources and their habitat. Mitigation measures have been applied such that impacts will be less than significant. The project is therefore subject to payment of the California Department of Fish and Game environmental review fee.

B. Findings for the Goleta Slough Reserve Zone:

1. The project is consistent with the policies of the California Coastal Act as follows:

a. California Coastal Act Sections 30230, 30231 and 30232 - Marine Environment would be met because the Experiment will determine the feasibility of restoring tidal circulation to portions of Goleta Slough and thus may lead to future tidal restoration projects to enhance the diversity of habitat types within Goleta Slough, consistent with the Draft Goleta Slough Ecological Management Plan (GSEMP). Further, the mitigation measures included in the water environment and biological resources sections of the Final Mitigated Negative Declaration have been incorporated into the project. These mitigation measures, 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 Sections 30233 and 30236 - Marine Environment - would be met because project constitutes a project that will restore fish and wildlife habitat and all mitigation measures included in the Final Mitigated Negative Declaration have been incorporated into the design of the experiment. Through the feasibility study, the City has examined all reasonable alternative locations for the tidal circulation experiment and concluded that Basins E/F and L/M would be the least environmentally damaging.

c. California Coastal Act Section 30240 - Land Resources - would be met because the mitigation measures in the Final Mitigated Negative Declaration have been incorporated into the project design and would prevent impacts which would significantly degrade environmentally sensitive habitat areas of the Goleta Slough.

d. California Coastal Act Section 30244 - Land Resources - would be met because the project site is not located in any cultural resource sensitivity zone as identified by the Santa Barbara Airport Phase I Archeological Assessment dated 1993. The area of Goleta Slough containing Basins E/F and L/M has been subjected to repeated disturbance, including initial construction of the airfield and filling of the Slough by the Marine Corps in 1941 and again by the Airport during rerouting of Tecolotito Creek and extension of Runway 7/25 in 1970-1972. The Final Mitigated Negative Declaration concluded that impacts to cultural resources would be less than significant.

e. California Coastal Act Section 30251 - Development - would be met because development of the Tidal Circulation Experiment would not substantially affect views of scenic coastal areas.

f. California Coastal Act Section 30252 - Development - would be met because development of the Tidal Circulation Experiment would not further restrict access to the coast.

g. 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.

2. The project is consistent with all applicable policies of the City's Coastal Plan, all applicable implementing guidelines and all applicable provisions of the Municipal Code as follows:

Citywide Local Coastal Plan (LCP):

a. The Tidal Circulation Experiment 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 Tidal Circulation Experiment would be consistent with the Water and Marine Environments Policy 6.1 of the City-wide LCP because the Tidal Circulation Experiment would not result in significant unavoidable adverse impacts on sensitive biotic communities upon implementation of the mitigation measures contained in the Final Mitigated Negative Declaration which have been incorporated into the project design.

c. The Tidal Circulation Experiment 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 Tidal Circulation Experiment would improve water quality in the long term by providing new intertidal mud flat habitat and the Storm Water Pollution Prevention Plan would minimize construction-phase erosion and siltation that could affect the Goleta Slough and marine resources at the mouth of the Slough.

d. The Tidal Circulation Experiment would be consistent with the Water and Marine Environments Policy 6.8 of the City-wide LCP because the Tidal Circulation Experiment would restore tidal circulation to portions of Goleta Slough and support increased habitat diversity consistent with the Draft Goleta Slough Ecological Management Plan.

e. The Tidal Circulation Experiment 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 Final Mitigated Negative Declaration, all Best Management Practices and implementation of Airport and Goleta Slough LCP Policies C-12, C-13 and C-14.

f. The Tidal Circulation Experiment would be consistent with the Water and Marine Environments Policy 6.10 of the City-wide LCP because areas where creek banks are disturbed to construct the experiment would be planted with native vegetation appropriate to the Goleta Slough.

g. The Tidal Circulation Experiment would be consistent with the Water and Marine Environments Policy 6.11 of the City-wide LCP because the proposed project is being undertaken for purposes of restoration of fish and wildlife habitat and has incorporated the mitigation measures included in the Final Mitigated Negative Declaration.

Airport and Goleta Slough component of the LCP:

h. The Tidal Circulation Experiment 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 access by educational organizations would be provided.

i. The Tidal Circulation Experiment would be consistent with Policy C-1 of the Airport and Goleta Slough LCP because the Tidal Circulation Experiment is consistent with the Memorandum of Understanding with the California Department of Fish and Game, which supports restoration activities in the Reserve.

j. The Tidal Circulation Experiment 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.

k. The Tidal Circulation Experiment would be consistent with Policy C-5 of the Airport and Goleta Slough LCP because the development would implement a Stormwater Pollution Prevention Plan (SWPPP) to reduce the potential for sediment entering the Goleta Slough.

l. The Tidal Circulation Experiment would be consistent with Policy C-6 of the Airport and Goleta Slough LCP because experiment would support tidal action in the Slough.

m. The Tidal Circulation Experiment 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 experiment would result in enhancement and restoration of

wetland habitats and existing natural open space areas in the Goleta Slough.

n. The Tidal Circulation Experiment 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 restoration activities are permitted pursuant to PRC 30233.

o. The Tidal Circulation Experiment would be consistent with Policy C-10 of the Airport and Goleta Slough LCP because the proposed project implements key elements of the draft Goleta Slough Ecosystem Management Plan to restore tidal circulation and increase habitat diversity within Goleta Slough.

p. The Tidal Circulation Experiment 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. A Stormwater Pollution Prevention Plan (SWPPP) would be implemented to reduce the amount of sediment entering the Goleta Slough.

q. The Tidal Circulation Experiment 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, 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.

r. The Tidal Circulation Experiment 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 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.

s. The Tidal Circulation Experiment would be consistent with Policy C-15 of the Airport and Goleta Slough LCP because special status plant and wildlife protection measures identified in the Final Mitigated Negative Declaration have been incorporated into the project design.

t. The Tidal Circulation Experiment would be consistent with Cultural Resources Policy F-3 of the Airport and Goleta Slough LCP because the project site is not located in any cultural resource sensitivity zone as identified by the Santa Barbara Airport Phase I Archeological

Assessment dated 1993. The area of Goleta Slough containing Basins E/F and L/M has been subjected to repeated disturbance, including initial construction of the airfield and filling of the Slough by the Marine Corps in 1941 and again by the Airport during rerouting of Tecolotito Creek and extension of Runway 7/25 in 1970-1972. The Final Mitigated Negative Declaration concluded that impacts to cultural resources would be less than significant.

u. The Tidal Circulation Experiment 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.

LCP Implementing Guidelines and Municipal Code:

v. The project is consistent with the Phase III Implementing Guidelines for the Airport and Goleta Slough Component of the City's LCP, and the Municipal Code, including the requirements of the G-S-R/S-D-3 (Goleta Slough Reserve/Coastal Overlay) Zones.

C. 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 described in the findings for the Coastal Development Permit, above.

2. The project is consistent with the policies of the California Coastal Act as described in the findings for the Coastal Development Permit, above.

3. The proposed use is a restoration project 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 and would restore intertidal habitat.

5. A natural buffer area of 100 feet would be maintained in an undeveloped condition along the periphery of all wetland areas and all disturbed areas would be revegetated with native vegetation appropriate to Goleta Slough.

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 restore mud flat habitat that is presently underrepresented in Goleta Slough and a Stormwater Pollution Prevention Plan (SWPPP) would be implemented to reduce the amount of sediment entering the Goleta Slough. The project design also incorporates operational Best Management Practices as specified in the SWPPP.

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 alternative sites for the experiment within Goleta Slough, and has proposed the least environmentally damaging project alternative in Basins E/F and L/M which feasibly achieve the objectives of the project. All mitigation measures included in the Final Mitigated Negative Declaration have been incorporated into the design of the Tidal Circulation Experiment 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 Tidal Circulation Experiment in the Final Mitigated Negative Declaration 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.

11. The proposed use would minimize any adverse effects of waste water discharges, runoff and interference with surface water flow. Construction Phase Erosion Control and Polluted Runoff Control Plans have been 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.

12. Sedimentation from the proposed development has been reduced to a minimum and is compatible with the maintenance of the wetland area. The SWPPP 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. Opportunities for access by educational organizations would be provided upon request.

II. Said approval is subject to the following conditions:

A. The development of the Real Property approved by the Planning Commission on December 4, 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 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.

D. 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. A qualified wetlands biologist shall be retained by the Airport to design and oversee the implementation of the wetlands and sensitive species mitigation. The biologist shall have technical as well as management experience in order to coordinate the mitigation from design through implementation and monitoring.

E. 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 shall be present.

F. 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. 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.

2. During site grading and transportation of fill materials, regular water sprinkling shall occur. 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 but minimized so as to prevent runoff and ponding.

   Throughout construction, water trucks or sprinkler systems shall also be used to keep all areas of vehicle movement damp enough to minimize dust generation. At a minimum, this will include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency will be required whenever the wind speed exceeds 15 mph (*Required Mitigation Measure AQ-1*).

3. Trucks transporting fill material to and from the site shall be covered from the point of origin (*Required Mitigation Measure AQ-2*).

4. The haul route(s) for all construction-related trucks, three tons or more, entering or exiting the site, shall be approved by the Transportation Engineer (*Required Mitigation Measure AQ-3*).

5. After clearing, grading, earth moving or excavation is completed, the entire area of disturbed soil shall be treated to prevent wind pickup of soil. This may be accomplished by (*Required Mitigation Measure AQ-4*):

   (1) 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.

   (2) Seeding and watering until grass cover is grown;

   (3) Planting of native vegetation per plan;

   (4) Hydroseeding with native seed mixture;

   (5) Other methods approved in advance by the Air Pollution Control District.

6. Construction equipment shall be maintained in tune per the manufacturer's specifications (*Recommended Mitigation Measure AQ-5*).

7. Heavy-duty diesel-powered construction equipment manufactured after 1996 (with federally mandated "clean" diesel engines) shall be utilized wherever feasible (*Recommended Mitigation Measure AQ-6*).

8. The engine size of construction equipment shall be the minimum practical size (*Recommended Mitigation Measure AQ-7*).

9. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time (*Recommended Mitigation Measure AQ-8*).

10. Catalytic converters shall be installed on gasoline-powered equipment, if feasible (*Recommended Mitigation Measure AQ-9*).

11. Diesel catalytic converters shall be installed, if available (*Recommended Mitigation Measure AQ-10*).

12. Diesel particulate emissions shall be reduced using EPA or California certified and or verified control technologies like particulate traps (*Recommended Mitigation Measure AQ-11*).

13. Diesel powered equipment shall be replaced by electric equipment whenever feasible (*Recommended Mitigation Measure AQ-12*).

14. Construction-related truck trips shall not be scheduled during peak hours (7:30 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) to help reduce truck traffic on adjacent streets and roadways (*Recommended Mitigation Measure TC-1*).

15. The route of construction-related traffic shall be established to minimize trips through surrounding residential neighborhoods, subject to approval by the Transportation Manager (*Recommended Mitigation Measure TC-2*).

16. 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 (*Recommended Mitigation Measure TC-3*).

17. The location of construction parking and storage shall be provided in locations subject to the approval of the Transportation Manager. During construction, free parking spaces for construction workers shall be provided (*Recommended Mitigation Measure TC-4*).

18. Recycling and/or reuse of construction and green waste materials shall be implemented and containers shall be provided on site for that purpose during the construction period (*Recommended Mitigation Measure PF-1*).

19. All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices (*Recommended Mitigation Measure NOI-1*).

20. The project site shall be monitored by a qualified biologist for Belding's savannah sparrow. Prior to site preparation and construction activities, the Airport shall have a qualified biologist survey all breeding/nesting habitat within the project site every seven days for eight consecutive weeks. Documentation of findings, including negative findings shall be submitted to the California Department of Fish and Game (CDFG). If no breeding/nesting birds are observed and concurrence has been received from CDFG, site preparation and construction activities may begin. If breeding activities or an active nest is located in a work area, site preparation and construction activities shall not begin in that area until the nest becomes inactive, the young have fledged, the young are no longer being fed by the parents, the young have left the area and the young will no longer be impacted by the project.

    Once site preparation and construction activities have commenced, the project site shall be monitored for Belding's savannah sparrow on a weekly basis. Documentation of findings, including negative findings shall be submitted to the California Department of Fish and Game (CDFG). Site preparation or construction activities shall be suspended immediately in a given basin if the monitor determines that previously undetected breeding or nesting activity is occurring in that basin and these activities shall not resume until the monitor determines that the breeding and nesting activities described above have ceased. Noise measurements shall be taken during construction activities while bird activity is being concurrently monitored by a qualified biologist to determine whether certain noise levels at the construction site are disruptive to Belding savannah sparrow activity adjacent to the project site. If a significant disruption in foraging behavior is determined to be occurring, construction activities shall cease or be modified immediately in the affected basin(s) until the biologist develops recommendations and receives concurrence from CDFG on measures to reduce or eliminate the disturbance (*Required Mitigation Measure BIO-1*).

21. Construction shall be prohibited between November 1 and July 15 to avoid the rainy season, Belding's savannah sparrow breeding season and potential Steelhead migration (*Required Mitigation Measure BIO-2*).

22. Areas of temporary disturbance to pickleweed marsh, quail bush scrub, coyote bush scrub, and non-native weeds on the perimeter of the basins, at culvert locations, and at the ramp into Basin E/F shall be reseeded with local genetic stock and local pickleweed cuttings (*Required Mitigation Measure BIO-3*).

23. Areas of temporary disturbance due to the establishment of access roads on the south berm at Basin E/F and North Berm at Basin L/M shall be seeded with low-lying native perennial plants from Goleta Slough to reduce erosion and prevent colonization by weeds (*Required Mitigation Measure BIO-4*).

24. The west berm of Basin E/F shall be restored with seeds from the native plants located in the vicinity of the proposed disturbance (*Required Mitigation Measure BIO-5*).

25. The Storm Water Pollution Prevention Plan (SWPPP) utilizing Best Management Practices (BMPs) shall be used for grading and construction activities and approved by the Building Division to maintain all sediment on site and out of the drainage system. The plan shall include, at a minimum (*Required Mitigation Measure WE-1*):

    a. Fill material to be imported to the site shall consist of the following: (a) natural rock gravel and cobble for subgrade preparation and access road surface (at Basin L/M only), which shall not contain any contaminants; (b) coconut fiber mats (mesh type) that are biodegradable and will not introduce any contaminants; and (c) native plant seeds and vegetative matter. In the event that the experiment should be reverted, clean fill of a similar type shall be used to fill the basins.

    b. The following BMPs for effective temporary and final soil stabilization and to reduce sediment discharges from the site during and after construction shall be implemented: (a) construction shall occur during dry season when there is no rainfall per Mitigation Measure BIO-2; (b) no soils shall be stockpiled near the basins where runoff could enter the creek; (c) the culvert trenches shall be backfilled with low permeability materials to reduce piping and seepage which could destabilize the slopes of the berms; (d) a cofferdam shall be utilized during culvert installation to ensure that the exposed slopes of the berms will not be eroded; (e) to the extent practicable, the areas of disturbance shall be minimized; (f) no grading shall occur outside designated limits on the final engineering drawings; (g) temporary sediment control materials shall be maintained on-site throughout the duration of construction to allow implementation of temporary sediment controls in the event of an unpredicted rain, and for rapid response to failures or emergencies; (h) silt fences shall be deployed along the limits of grading to contain loose

soils and filter stormwater runoff, if necessary; (i) post-construction erosion on the basin slopes shall be managed by the use of erosion control blankets (i.e., coconut fiber mesh), as well as proposed pickleweed cuttings and native plants and seeding in the basins and along the berms, (j) the outer slope of the berms shall be stabilized with erosion control mats and vegetation after installing the culverts; and (k) polyethylene covers shall be used to cover exposed stockpiled materials prior to forecast storm events, and anchored to prevent damage by wind.

c. To reduce sediment tracking from the construction site onto private or public roads, a stabilized construction entrance/exit shall be constructed and maintained at construction site entrances and exits to reduce tracking of sediment as a result of construction traffic. The entrance shall be designed to prevent runoff from leaving the site. Stabilization material shall be 3 to 6-inch aggregate. The entrance shall be flared where it meets the existing road to provide an adequate turning radius.

d. To prevent non-stormwater discharges: (a) construction vehicle cleaning and maintenance shall not be performed on-site or in the Slough; (b) all construction vehicles shall be fueled off-site and outside of the Slough in a temporary fueling area designated by the Airport on a level, graded area that is at least 100 feet from all wetlands; (c) watertight shipping containers shall be used to store hand tools, small parts, and most construction materials that can be carried by hand, such as paint cans, solvents and grease; (d) spill clean-up materials, material safety data sheets, a material inventory, and emergency contact numbers shall be maintained and stored in a container; (e) solid wastes shall be loaded directly into trucks for off-site disposal; when on-site storage is necessary, solid wastes shall be stored in watertight dumpsters in the general storage area of the contractors yard; (f) when contaminated soils are encountered, the Airport shall be notified, the contaminated soils shall be contained, covered if stockpiled, and disposed of properly in accordance with all applicable regulations; and (g) portable toilets shall be located and maintained in the staging areas for the duration of the project.

e. The contractor shall inspect the adequacy of BMPs on the site prior to a forecast storm, after a rain event that causes runoff from the construction site, at 24-hour intervals during extended rain events, weekly during the rainy season, and every two weeks during the non-rainy season. The results of all inspections and assessments will be documented, a copy will be provided to the Airport Engineer within 24 hours of the inspection. Copies of the completed inspection checklists will be maintained with the SWPPP. A tracking or follow-up procedure shall follow any inspection that identifies deficiencies in BMPs.

f. If a discharge occurs or if the project receives a written notice or order from any regulatory agency, the Contractor shall immediately notify the Airport Engineer, and will file a written report to the Airport Engineer within 2 days of the discharge event, notice, or order. Corrective measures shall be implemented immediately following the discharge, notice or order. All discharges shall be documented. Discharges requiring reporting include: non-storm water, except conditionally exempted discharges, discharged to the slough without treatment by an approved BMP described in the SWPPP; storm water discharged to the slough where the BMPs have been overwhelmed or not properly maintained or installed; storm water runoff containing hazardous substances from spills discharged to the Slough; and where water quality sample results indicate elevated levels of non-visible pollutants.

g. The proposed basins shall be drained at or near the same locations of existing outlets.

h. The proposed basins shall be designed to drain freely to Goleta Slough, conveying both diurnal tidal waters and runoff from precipitation. No sediments or pollutants shall be discharged during construction, and post-construction sediment discharge shall be minimized by revegetating graded areas.

i. The proposed culverts and slide gates shall be designed to allow the free passage of tidal waters into and out of the basins without any scouring effects. The SWPPP shall contain various BMPs to reduce construction and post-construction erosion and to stabilize all affected slopes.

j. The Airport shall routinely monitor and repair the proposed culverts and slide gates, areas of revegetation, and areas that have been graded. The Airport shall restore and stabilize any areas that become eroded or damaged from precipitation or runoff.

k. Under the proposed SWPPP, the Airport shall conduct visual monitoring of receiving waters during and after construction to ensure that no discharge of pollutants or sediments occurs which could cause water quality exceedances. If it is determined that water quality standards are exceeded, the Airport shall conduct monitoring until it is determined that water quality standards are no longer being exceeded. An assessment of the potential sources of the excessive pollutant loadings will be conducted and corrective actions to remedy the water quality impacts shall be implemented.

G. 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.

H. Prior to issuance of the Certificate of Occupancy, the Airport shall repair any damaged public improvements (curbs, gutters, sidewalks, etc.) subject to the review and approval of the Public Works Department.

I. Following construction, the experimental basins shall be monitored for Belding's savannah sparrow activity monthly during the experimental period (*Required Mitigation Measure BIO-1*).

J. Weeding of areas of temporary disturbance to pickleweed marsh, quail bush scrub, coyote bush scrub, and non-native weeds on the perimeter of the basins, at culvert locations, and at the ramp into Basin E/F shall be performed on an as needed basis to comply with the performance standards, below. Weeding will occur at least six times per year, or more frequently, if necessary. Weeding will be performed primarily by hand methods, including hand tools and hand-held weed whips. Herbicides will only be used in situations where manual methods are not effective.

The restoration performance criteria are as follows: (1) Native plant cover must be at least 33 percent at the end of 2 years, and demonstrate evidence of ongoing and future expansion; and (2) Non-native invasive weeds must remain below 15 percent of the total vegetative cover at all times during the experiment. Formal site inspections to monitor progress towards the performance criteria shall be conducted six times a year during the field experiment. Native plant and weed cover shall be calculated during each visit to determine if the performance criteria are being met, or likely to be met, at the end of Year 2. The Airport shall prepare annual revegetation status report on the condition of the seeded areas during the field experiment. Annual reports will be completed by December 1st of each year. The annual revegetation monitoring period shall be from January through September. The annual reports shall contain a quantitative analysis of attainment of performance standards (*Required Mitigation Measure BIO-3*).

K. Weeding the areas of temporary disturbance due to the establishment of access roads on the south berm at Basin E/F and North Berm at Basin L/M shall be performed on an as

needed basis to comply with the performance standards, below. Weeding will occur at least six times per year, or more frequently, if necessary. Weeding will be performed primarily by hand methods, including hand tools and hand-held weed whips. Herbicides will only be used in situations where manual methods are not effective.

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L. Weeding on the west Berm of Basin E/F shall be performed on an as needed basis to comply with the performance standards, below. Weeding will occur at least six times per year, or more frequently, if necessary. Weeding will be performed primarily by hand methods, including hand tools and hand-held weed whips. Herbicides will only be used in situations where manual methods are not effective.

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M. If the basins must be reverted to their pre-project state, the full reversion shall occur within two years following the decision of the Airport Director to revert the project and shall utilize seed of local genetic stock and local pickleweed cuttings. In addition, the slide gates shall be removed and the culverts shall be plugged with concrete to restore the project area to its original condition. The basins shall be backfilled with imported clean fill with a soil texture that matches existing conditions (*Required Mitigation Measure BIO-6*).

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.

This motion was passed and adopted on the 4th day of December, 2003 by the Planning Commission of the City of Santa Barbara, by the following vote:

AYES: 4 NOES: 0 ABSTAIN: 0 ABSENT: 3 (Barnwell, House, Maguire)

I hereby certify that this Resolution correctly reflects the action taken by the City of Santa Barbara Planning Commission at its meeting of the above date.

Susan Gantz

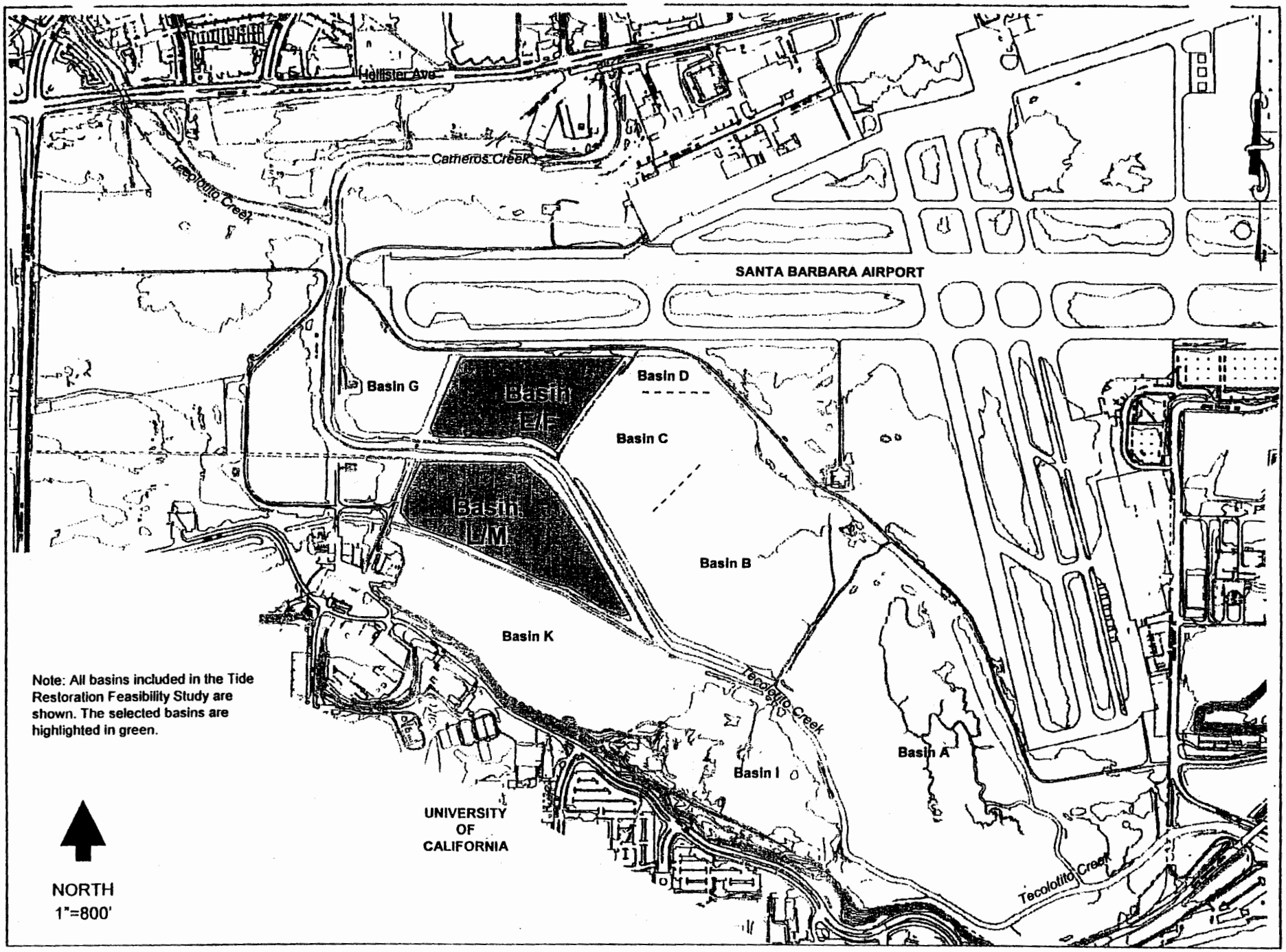
Susan Gantz, Planning Commission Secretary

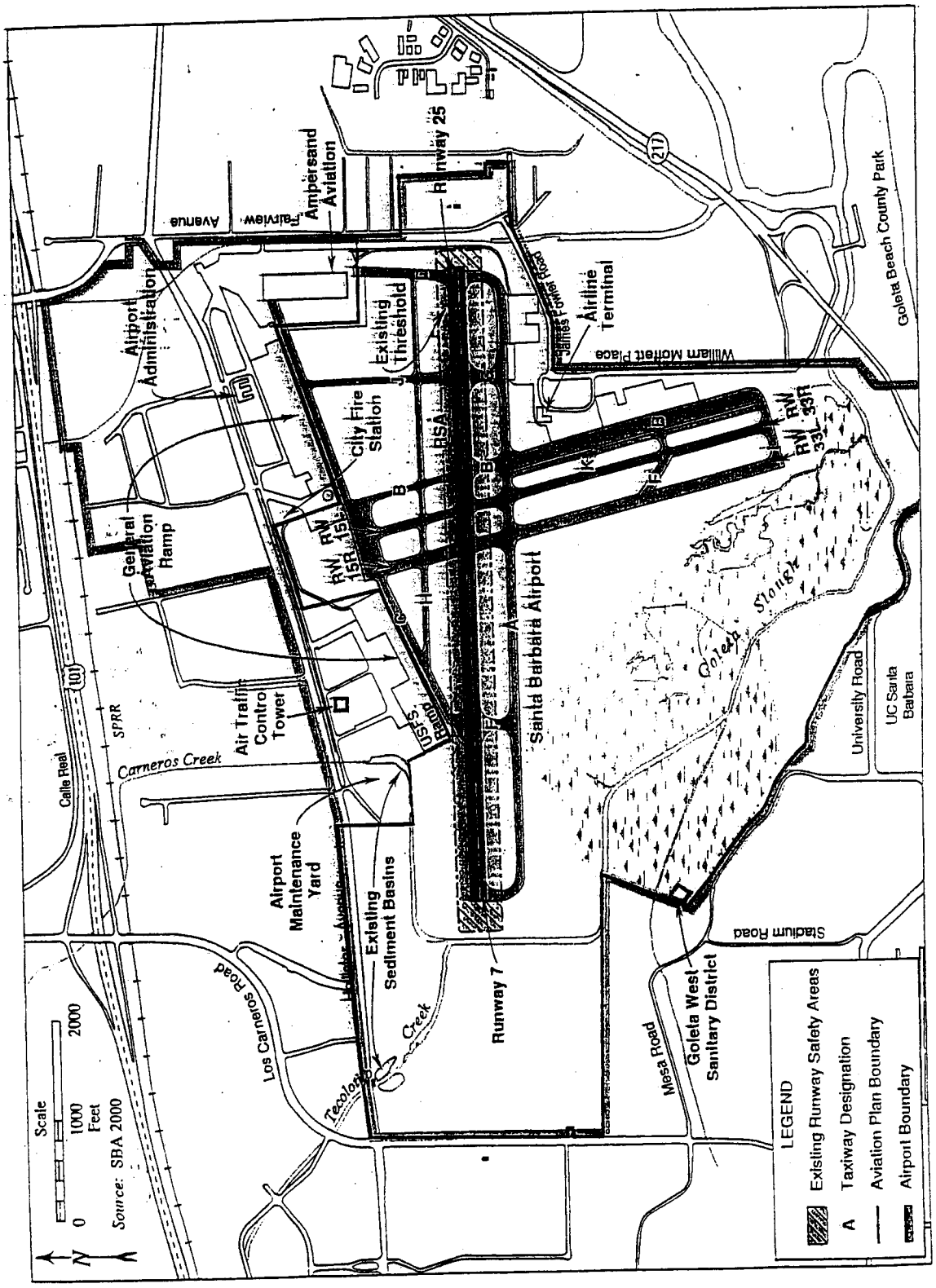
1/9/04

Date

THIS ACTION OF THE PLANNING COMMISSION CAN BE APPEALED TO THE CITY COUNCIL WITHIN TEN (10) DAYS AFTER THE DATE THE ACTION WAS TAKEN BY THE PLANNING COMMISSION.

ATTACHMENT 2





ATTACHMENT 3