Agenda Item D.2
PUBLIC HEARING
Meeting Date: April 15, 2008

TO: Mayor and Council Members
Planning Agency Chair and Members

FROM: Steve Wagner, Community Services Director
Steve Chase, Planning & Environmental Services Director

CONTACT: Rosemarie Gaglione, Senior Project Manager
Laura M. Bridley, Contract Planner

SUBJECT: Case No. 08-053-DP RV01 and 07-MND-01 Addendum dated April 2008, San Jose Creek Capacity Improvement Project Development Plan located south and north of Hollister Avenue (APN's 071-190-017, 071-170-036, 071-140-060 and -040, and 071-090-036, -037 and -078, 071-260-001 thru 008, 071-140-046, 071-140-056)

RECOMMENDATION:

A. Open the public hearing on the San Jose Creek Capacity Improvement Project with Fish Passage Improvements;

B. Allow oral presentations from staff and the applicant regarding the project;

C. Provide directions regarding the project;

As Planning Agency

D. Adopt the Planning Agency Resolution entitled "A Resolution of the Planning Agency of the City of Goleta Recommending to the City Council Approval of a Final Mitigated Negative Declaration and Final Development Plan for the San Jose Creek Capacity Improvement Project, Located North and South of the Hollister Avenue Bridge and South Along Highway 217 (City of Goleta Cases 07-Mnd-01 Addendum dated April 2008 and 08-053-Dp Rv01 (Cz)", thereby recommending approval of various actions related to the project;

As City Council

E. Adopt the City Council Resolution entitled "A Resolution of the City Council of the City of Goleta Approving an Addendum dated April 2008 to the Final Mitigated Negative Declaration/Environmental Assessment for the San Jose Creek Capacity Improvement Project, Located North and South of The Hollister Avenue Bridge and South Along Highway 217 (City Of Goleta Cases Addendum Dated April 2008 to 07-Mnd-01 and 08-053-Dp Rv01)";

F. Adopt the City Council Resolution entitled "A Resolution of the City Council of the City of Goleta Approving 08-053-Dp Rv01 (Cz) for the San Jose Creek Capacity Improvement Project, Located North and South of the Hollister Avenue Bridge and South Along Highway 217 Assessor Parcel Numbers: 071-190-017, 071-170-036, 071-140-060 and -040, and 071-090-036, -037 and -078, 071-260-001 thru 008, 071-140-046, and 071-140-056"; and

G. Authorize transmittal of the portion of the project which lies in the Coastal Zone to the California Coastal Commission.

BACKGROUND:

Permit Authority

The City has regulatory authority over all flood hazard areas within its jurisdiction, and owns and maintains the Hollister Avenue Bridge, a component of the capacity improvement project. The Santa Barbara County Flood Control District (Flood Control) is an independent special district that owns and maintains the San Jose Creek Flood Control channel, consistent with its primary mission to provide flood protection. The Flood Control's approval is required for any changes to the Flood Control channel. Additionally, FEMA (Federal Emergency Management Agency) must also approve changes to flood hazard maps resulting from this project. Therefore, the City of Goleta and Flood Control both have permit authority and are working together to complete the San Jose Creek Capacity Improvement Project, which the Flood Control will maintain upon project completion.

Project Processing at the County of Santa Barbara

The concept for the San Jose Creek improvements arose after the devastating 1995 flooding in Old Town Goleta. Capacity improvements were conceptually identified in the Goleta Old Town Revitalization Plan in 1998, adopted by the County of Santa Barbara, but never formally pursued by Flood Control. When the City of Goleta incorporated in 2002, the project was added to the City's capital improvement project list and Penfield & Smith Engineers (P&S) was subsequently retained for design services.

Project Processing at the City of Goleta

The San Jose Creek Capacity Improvement Project was reviewed on an advisory basis by the City of Goleta Design Review Board on September 6, 2006. Additionally, as part of Penfield & Smith's design services, environmental consultants SAIC prepared a Draft Mitigated Negative Declaration/Environmental Assessment in March 2007. This Draft MND/EA was released for public review between March 6, 2007 and April 4, 2007, and considered at a public hearing of the Planning Agency and City Council on April 2, 2007. The public hearing complied with the requirements of the City of Goleta's adopted Environmental Review Guidelines. The Planning Agency recommended, and the City Council approved, the San Jose Creek Capacity Improvement Project on June 4, 2007, including approval of the Mitigated Negative Declaration.

Following the City's action in June 2007, the County of Santa Barbara, a project funding partner, identified the need for further investigation into specific fish-passage improvements for the proposed project. To this end, between July and December of 2007, the City of Goleta hosted two fish-passage design workshops facilitated by Ed Zapel, P.E. a specialty fish-passage consultant engineer. Attendees at the workshops included representatives from resource agencies, concerned local citizen groups, the County of Santa Barbara and City staff. The outcome of these workshops was the identification and successful hydraulic evaluation of a project that meets the flood control objectives and accommodates fish-passage.

In order to accommodate a fish passage component in the project, changes had to be made to the design and therefore the MND had to be amended to reflect those changes. The MND Addendum dated March 2008 and amended Development Plan incorporate the fish passage elements of the project.

Following the City's action, permits and approvals may also be required by the California Department of Fish & Game, for streambed alterations (per Fish & Game Code § 1602); the Army Corps of Engineers, under § 404 of the Clean Water Act, and related § 401 Certification from the Regional Water Quality Control Board; and possible consultations by the Army Corps of Engineers with the NOAA Fisheries and U.S. Fish & Wildlife Service (depending on project implications for endangered fish and other endangered species respectively).

DISCUSSION:

Project Description

The San Jose Creek Capacity Improvement Project is a capital improvement needed to address flooding in much of Old Town Goleta due to breakout along lower San Jose Creek. This breakout has resulted in historic flooding extending from Hollister Avenue south to the ocean and between Kellogg Avenue and Fairview Avenue. The proposed project would modify the existing concrete channel at the Hollister Avenue Bridge and southward along the Creek and Highway 217 to improve flood protection through the following components:

The overall project cost is estimated at $14 million. Current year Capital Improvement budget is over $10 million and the cost of this addendum is included in that.

- *Upstream of Hollister Avenue Bridge*: Approximately 80 feet upstream of Hollister Avenue a transition from the existing natural banks to the vertical walls required under Hollister Avenue would be constructed. The bottom of the channel would be shaped to include a 10 to 12-foot wide notch for fish passage.

- *Hollister Avenue Bridge*: No replacement of the existing Hollister Avenue Bridge over San Jose Creek would occur with the revised project incorporating fish

passage elements. Under the existing Hollister Avenue Bridge, the channel would be modified to create sufficient capacity for flood flows and a 10 to 12-foot wide notch for fish passage with depths of 2 to 3-feet. The existing trapezoidal concrete section would be removed and replaced with vertical walls. The distance between the vertical walls would be approximately 33 feet.

- *Transition Downstream of Hollister Avenue Bridge*: In the 70 feet immediately downstream of the bridge the existing concrete channel would be removed and replaced with a transition from the vertical walls under the bridge to the existing trapezoidal section on the west side of the channel and a new concrete section on the east side of the channel.

- An existing sewer line currently suspended from the steel bridge south of Hollister Avenue (noted above) would be removed and relocated so that it is no longer susceptible to damage from flood flows and debris floating down San Jose Creek. The sewer line would be relocated to go east underneath State Route 217 and connect to an existing sewer line beneath Ward Drive. This would thereby eliminate a sewer line crossing of San Jose Creek. This portion of the work would most likely use a jack and bore construction method to install the new sewer line under State Route 217 without disturbing the highway.

- *Channel Downstream of Hollister Avenue*: The existing concrete on the west side of the channel would remain for approximately 3,000 feet downstream of Hollister Ave. The existing concrete on the east side of the channel would be removed and replaced with a new concrete section that includes a 10 to 12-foot wide fish passage notch. The overall channel would be widened by 7 to 12-feet on the east side to accommodate the fish passage and flood control components of the project.

- The existing steel vehicle bridge between the parking areas serving the Sizzler Restaurant and Mission City Auto Leasing (located approximately 100 feet downstream of the Hollister Avenue Bridge) may be removed to provide the required channel capacity.

- The project will now remove over 4,000 ft of existing barrier to fish passage.

The geometry of the concrete surfaces will be refined during the final design process to efficiently meet both fish passage needs and Flood Control requirements. This could include changes to the height of the vertical wall inside the channel at various locations, changes to the length of the 3.5 foot high flood wall along the length of the project, and changes to the amount of existing channel slope requiring reconstruction. These changes would be contained within the existing project limits.

Concrete removed during the proposed channel modifications would be recycled. Excess excavated earthen materials would be used for Old Town redevelopment projects or other projects needing fill material. Approximately 900 cubic yards of fill from the creek widening would be placed in low areas on the banks north of Hollister Avenue,

and may be bounded by a low wall up to 18 inches in height to be constructed using boulders partially buried in the fill. Vegetation within these fill areas would be cleared, although some trees may remain where the fill depth would not adversely affect the trees or the fill can be modified around the trees.

Access for the creek bank and bridge work would be from the top of the bank and one or more temporary ramps constructed down the bank to the bed of the creek, located within the project limit areas. Equipment coming from the south would be trucked to the site via U.S. Highway 101, State Route 217 (Ward Memorial Boulevard), and Hollister Avenue. For equipment coming from the north, the route would be U.S. 101 to Patterson Avenue and then on Hollister Avenue.

Vegetation removed during construction would be replaced by landscaping with native plants (see Table 1, pg. 7 of the MND Addendum). These native plants would be installed along both sides of the creek upstream (north) of the bridge, along Hollister Avenue near the bridge, on the east side of the creek for about 140 feet downstream of the bridge, and along the west bank outside the flood wall for about 4,000 feet. Native and riparian vegetation removal and replacement is described in more detail in the Biological Resources section of the MND.

Please refer to the project plans (Attachment 8) and detailed work description in the Mitigated Negative Declaration Addendum/Environmental Assessment (Attachment 7).

Optional Bridge Replacement

As noted above, the steel vehicle bridge located 100 feet downstream from the Hollister Avenue Bridge must be removed. However, an optional element of the project is the replacement of this bridge that would accommodate the new channel design. To maintain the required clearance between the bottom of the bridge and creek flood flows, the new bridge deck elevation would be approximately 2.5 feet above the existing grade on the west side of the bridge and approximately 1 foot above the existing grade on the east side of the bridge. The change in bridge elevation on the east side could be accommodated by ramping the existing asphalt with little impact on the use of the adjacent paved area. On the west side of the bridge, the change in elevation would require the elimination of three existing parking spaces between the bridge and the Sizzler Restaurant due to the ramping and may require changes to the Sizzler Development Plan. All equipment would work within the creek bed during bridge construction.

No Action Alternative

The proposed Final MND Addendum analyzed a No Action Alternative and concluded no action would not reduce or eliminate flooding in Old Town Goleta. As flooding would not be eliminated or reduced, the No Action Alternative would be inconsistent with General Plan policy SE-IA-2, and would leave the sewer line suspended beneath the downstream metal bridge in a location subject to potential sewer spills. The proposed

final MND Addendum/EA uses the No Action Alternative as a baseline condition against which the impacts of the proposed project can be compared.

Project Alternatives

In May of 2004, a multi-disciplinary team convened by the City evaluated a series of project alternatives. The team prioritized the potential solutions, and identified twenty alternatives that emerged as warranting further analysis. These alternatives were further narrowed down to the proposed project. Please refer to the proposed Final MND Addendum/EA (Attachment 7) for a complete discussion of the alternatives considered in the San Jose Creek planning efforts.

Construction Schedule

Construction is scheduled to begin in March 2009 and extend through November 2009. Work within the creek will be completed during the dry season, generally from April 1st through October 31st.

If necessary approvals cannot be obtained, right-of-way acquired, and design completed to allow the award of a contract in February 2009, the main portion of project construction in the creek would need to be delayed an entire year to conform to the required environmental construction windows.

Final Development Plan Amendment (06-127-DP)

A Development Plan was approved by the Planning Agency and City Council in June 2007 for this project because it is located within the Coastal Zone where the City must obtain local permits due to the absence of a certified Local Coastal Program. Development Plans and Amendments thereto are required in the zone districts comprising the project area for any development, including grading, per Goleta Zoning Ordinance sections 35-74.3, 35-81.3, 35-84.3 and 35-85.3 and 35-174.10 (Amendments). Following the City's approval, a Coastal Development Permit application will be submitted to the California Coastal Commission for work within the Coastal Zone as the Commission has original permit jurisdiction at this time.

The property is currently developed with a concrete channel bank with sections of vegetation-lined banks. Adjacent land uses include medium to high density residential uses (DR-25 and DR-30) and a variety of light industrial and commercial land uses.

Environmental Analysis

- A draft Mitigated Negative Declaration /Environmental Assessment (MND/EA) was prepared by SAIC for the City, and released on March 6, 2007 with a public comment period closing on April 4, 2007. This document was prepared in accordance with the California Environmental Quality Act, as well as the National Environmental Policy Act, due to the potential future use of federal funds for portions of the project. The City Council held a public hearing on April 2, 2007, and the document was revised to reflect comments received. That document

with revisions was approved by the City Council and the Planning Agency at the June 4, 2007 meeting.

- With the inclusion of a fish passage element to the project, an Addendum to the MND/EA was prepared by SAIC to reflect changes in the project relative to fish passage.

Attachment 6 to this staff report provides the proposed Final MND Addendum/EA, dated April 2008.

The proposed final Addendum to the MND Addendum/EA, dated April 2008, identifies potentially significant adverse impacts that can be feasibly mitigated or avoided in the following areas: Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Hazards and Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Noise, and Traffic and Circulation. These issue areas are the same as those identified in the original MND/EA.

All mitigation measures identified in the MND Addendum/EA have been incorporated into the Development Plan's conditions of approval, provided in Attachment 3, Exhibit 2. These project conditions of approval would also apply to subsequent land use permits that would cover work required within the inland portion of the City.

General Plan, Coastal Act and Zoning Ordinance Consistency

The project, including the completion of the creek capacity improvements as well as the acquisition of necessary easements, is consistent with all applicable provisions of the City's General Plan/Coastal Land Use Plan, adopted by the City Council on October 2, 2006 and the Coastal Act. The project's consistency with provisions of the General Plan, Coastal Land Use Plan and Coastal Act is detailed in Attachment 4. Based on this consistency analysis, the City must also find that the project is consistent with its General Plan/Coastal Land Use Plan per the requirements of Government Code §65402, regulating actions by local agencies concerning real property transactions. Similarly, the project can also be found consistent with both the Coastal and Inland Zoning Ordinances, as detailed in Attachment 6.

ALTERNATIVES:

During project design and environmental review, a multi-disciplinary team was convened to analyze through an extensive process a multitude of project alternatives, as described in the Alternatives section of the Addendum dated April 2008 to the Mitigated Negative Declaration/Environmental Assessment (see Attachment 6).

GOLETA STRATEGIC PLAN:

The San Jose Creek Channel Capacity and Fish Passage Improvement Project is the highest priority capital improvement project for the City of Goleta and is consistent with the goal in the Goleta Strategic Plan entitled **"**EMPHASIZE OLD TOWN

REVITALIZATION." The increased flood conveyance capacity of the channel will allow for the redrawing of the 100 year FEMA flood hazard map which will encourage commercial and residential investment in Goleta Old Town.

FISCAL IMPACTS:

The overall project cost is estimated at $14 million. Current year Capital Improvement budget (604-5-9009-706) is $10.72 million. The cost of this addendum is included in that line item.

Submitted By:

_____	_____
Steve Chase, Director Planning & Environmental Services	Steve Wagner, Director Community Services Department

Reviewed By: Approved By:

_____	_____
Michelle Greene, Director Administrative Services	Daniel Singer City Manager

ATTACHMENTS:

1. A Resolution of the Planning Agency of the City of Goleta recommending to the City Council approval of various actions related to the San Jose Creek Capacity Improvement project.
2. A Resolution of the City Council of the City of Goleta approving the Final Mitigated Negative Declaration (07-MND-01) Addendum, dated April 2008, adopting CEQA Findings.
3. A Resolution of the City Council of the City of Goleta approving the Development Plan with conditions for the portions of the project located within the Coastal Zone.
4. General Plan Policy Consistency Summary
5. Zoning Ordinance Consistency Summary
6. Final Negative Declaration Addendum/Environmental Assessment (07-MND-01), April 2008, for the San Jose Creek Capacity Improvement Project
7. Project Plans (11 x 17 Reductions)

ATTACHMENT 1

Planning Agency Resolution 08-____

A Resolution of the Planning Agency of the City of Goleta recommending to the City Council approval of various actions related to the San Jose Creek Capacity Improvement project

RESOLUTION NO. 08-___

A RESOLUTION OF THE PLANNING AGENCY OF THE CITY OF GOLETA RECOMMENDING TO THE CITY COUNCIL APPROVAL OF A FINAL MITIGATED NEGATIVE DECLARATION AND FINAL DEVELOPMENT PLAN FOR THE SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT, LOCATED NORTH AND SOUTH OF THE HOLLISTER AVENUE BRIDGE AND SOUTH ALONG HIGHWAY 217 (CITY OF GOLETA CASES 07-MND-01 ADDENDUM DATED APRIL 2008 AND 08-053-DP RV01 (CZ)

WHEREAS, an application was submitted to the City of Goleta on August 17, 2006 by the Community Services Department, requesting a Final Development Plan; for capacity improvements to along the San Jose Creek Channel, between Kellogg Avenue and State Route 217;

WHEREAS, the City of Goleta prepared a final Mitigated Negative Declaration for the proposed project, dated May, 2007 that identified potential impacts, mitigation measures, monitoring requirements, and residual impacts for identified subject areas and that this document should be adopted;

WHEREAS, changes to the project were made following approval of the Mitigated Negative Declaration and Development Plan to provide for increased opportunity for fish passage as part of the project;

WHEREAS, the City of Goleta prepared an Addendum to the Mitigated Negative Declaration in April 2008 that identified potential impacts, mitigation measures, monitoring requirements and residual impacts for the identified subject areas and finds that this document should be adopted;

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws;

WHEREAS, the Planning Agency of the City of Goleta has considered the application for a Final Development Plan in accordance with Article III, §35-174 of the Goleta Municipal Code;

WHEREAS, the Planning Agency conducted a duly noticed public hearing on the project application on April 15, 2008, at which time all interested persons were given an opportunity to be heard;

WHEREAS, the Planning Agency has considered the entire administrative record, including application materials, staff report, the final Addendum to the

Mitigated Negative Declaration, and oral and written testimony from interested persons;

WHEREAS, the Planning Agency finds that approval of Case Nos. 08-053-DP RV01 would be consistent with the City of Goleta General Plan and Coastal Land Use Plan, the provisions of Article III (Inland Zoning Ordinance) of the Goleta Municipal Code; and the ability to make the required findings, including findings pursuant to the California Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED THAT THE PLANNING AGENCY OF THE CITY OF GOLETA HEREBY FINDS AND DETERMINES AS FOLLOWS:

Section 1. Recommendation for Approval of the Addendum dated April 2008 to Mitigated Negative Declaration/Environmental Assessment dated May, 2007 (07-MND-01).

Recommended Findings: The Planning Agency hereby recommends that the Council adopt the following findings pursuant to CEQA Section 15074:

a. The Planning Agency has considered the proposed Addendum dated April 2008 to the Final Mitigated Negative Declaration/Environmental Assessment for the San Jose Creek Capacity Improvement Project and the comments received during the public review process. The proposed Final Mitigated Negative Declaration/Environmental Assessment and Addendum have been prepared in compliance with the California Environmental Quality Act and to serve as an Environmental Assessment under the National Environmental Policy Act, so that, for whatever, if any, federal agency approvals might be required, the document could also serve as a basis for issuance of a Finding of No Significant Impact under NEPA. Therefore, the proposed final MND/EA constitutes adequate environmental analysis of the San Jose Creek Capacity Improvement Project (08-053-DP RV01), including a complete, accurate, adequate and good faith effort at full disclosure, and reflects the City of Goleta's independent judgment and analysis pursuant to Section 15090 of the State CEQA Guidelines.

b. Mitigation measures identified in the Addendum dated April 2008 to the Mitigated Negative Declaration have been agreed-to by the applicant and incorporated into the San Jose Creek Capacity Improvement Project, which would avoid or reduce all potentially significant impacts to less than significant levels. Additional mitigation measures would be applied as conditions of approval to minimize adverse but less than significant environmental effects. In the Planning Agency's independent judgment and analysis, based on the whole record, there is no substantial evidence that the San Jose Creek Capacity Improvement Project will have a significant effect on the environment. The

Planning Agency recommends to the City Council adoption of the Addendum dated April 2008 to the Final Mitigated Negative Declaration 07-MND-01.

c. A Mitigation Monitoring and Reporting Program prepared in compliance with the requirements of Public Resources Code § 21081.6, is included in the proposed Addendum dated April 2008 to the Final MND/EA for the San Jose Creek Capacity Improvement Project and applied as a condition of approval and is hereby adopted.

d. The location and custodian of documents associated with the environmental review process and decision for the San Jose Creek Capacity Improvement Project (07-MND-01 and 08-053-DP RV01) is the City of Goleta, Community Services Department, 130 Cremona Drive, Goleta CA 93117.

Recommended Action: The Planning Agency hereby recommends that the City Council adopt the Addendum dated April 2008 to the Mitigated Negative Declaration/Environmental Assessment for the San Jose Creek Capacity Improvement Project, adopt the CEQA findings, and adopt the Mitigation Monitoring Program contained in the MND Addendum.

Section 2. **Recommendation for the Final Development Plan**

Recommended Findings: The Planning Agency hereby recommends that the City Council adopt the following findings pursuant to Article II, Section 35-174.7 of Chapter 35, the Inland Zoning Ordinance, of the Goleta Municipal Code.

a. The site is adequate in size, shape, location and physical characteristics to accommodate the uses proposed, including creek improvements, landscaping and access areas, subject to the modifications necessary to accommodate project design.

b. Adverse impacts are mitigated to the maximum extent feasible, subject to conditions of approval identified in the following issue areas: air quality, biologic resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use/planning, noise, and transportation/traffic.

c. Streets and highways are adequately and properly designed and can accommodate the traffic generated by the project, subject to conditions of approval. The addition of project-generated traffic would not exceed any adopted thresholds for project-specific or cumulative traffic impacts, and would be mitigated through conditions of approval. Access to the site would be provided from Hollister Avenue and Kellogg Avenue, as well as access easements to San Jose Creek owned by the Santa Barbara County Flood Control District. A traffic management and control plan will be developed prior to project implementation that will mitigate any potential hazards created due to

temporary lane closures on Hollister Avenue and possibly Kellogg Avenue, during construction.

d. The project would be served by the Santa Barbara County Fire Department, the Santa Barbara County Flood Control District, the Goleta Water District, the Goleta Sanitary District, and the City of Goleta Police Department. These providers are not expected to experience any increase in service levels as a result of the project.

e. The project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The project will not be incompatible with the surrounding areas, including land uses such as Highway 217 to the east, neighborhood commercial to the west, light industrial and medium density housing to the south and northwest.

f. The project conforms to (1) the City of Goleta General and Coastal Land Use Plan, adopted September 2006, and its Land Use Element designating the subject and adjacent properties High Density Residential, Old Town, Open Space, Business Park and General Commercial and (2) the applicable provisions of Article II and III. The project is consistent with Goleta General and Coastal Land Use Plan Policies with the incorporation of mitigation measures and conditions of approval as discussed in the staff report dated April 15, 2008.

g. The project not in a designated rural area, and therefore compatibility with such areas is not an issue.

h. The project will not conflict with any easements required for public access through, or public use of a portion of the property, and will make use of the easements already held by the Flood Control District for maintenance of the San Jose Creek Channel.

PASSED, APPROVED, AND ADOPTED this ____ day of April, 2008.

_____

ERIC ONNEN, CHAIR

ATTEST:

_____

DEBORAH CONSTANTINO
DEPUTY CITY CLERK

APPROVED AS TO FORM:

_____

JULIE HAYWARD BIGGS,
CITY ATTORNEY

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

I, Deborah Constantino, Deputy City Clerk of the City of Goleta, do hereby certify that the foregoing Resolution No. 08-___ was duly adopted by the Planning Agency of the City of Goleta at a meeting, held on the 15th day of April 2008, by the following vote of the Planning Agency:

AYES:

NOES:

ABSENT:

(SEAL)

_____
DEBORAH CONSTANTINO
DEPUTY CITY CLERK

ATTACHMENT 2

City Council Resolution 08-____

A Resolution of the City Council of the City of Goleta approving the Final Mitigated Negative Declaration (07-MND-01) Addendum, dated April 2008, adopting CEQA Findings

CITY COUNCIL

RESOLUTION NO. 08-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA APPROVING AN ADDENDUM DATED APRIL 2008 TO THE FINAL MITIGATED NEGATIVE DECLARATION/ENVIRONMENTAL ASSESSMENT FOR THE SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT, LOCATED NORTH AND SOUTH OF THE HOLLISTER AVENUE BRIDGE AND SOUTH ALONG HIGHWAY 217 (CITY OF GOLETA CASES ADDENDUM DATED APRIL 2008 to 07-MND-01 AND 08-053-DP RV01)

WHEREAS, an application was submitted to the City of Goleta on August 17, 2006 by the Community Services Department, requesting a Final Development Plan for capacity improvements along segments of San Jose Creek Channel located within the Coastal zone, and generally between Kellogg Avenue and State Route 217;

WHEREAS, a draft Mitigated Negative Declaration/Environmental Assessment was prepared for the project by the City and its consultants, Penfield & Smith/SAIC;

WHEREAS, the draft Mitigated Negative Declaration/Environmental Assessment was released for public review between March 6, 2007 and April 4, 2007;

WHEREAS, the Planning Agency and City Council approved the Mitigated Negative Declaration/Environmental Assessment and project Development Plan on June 4, 2007 at a duly noticed public hearing;

WHEREAS, changes to the project were made following approval of the Mitigated Negative Declaration/Environmental Assessment and Development Plan to provide for increased opportunity for fish passage as part of the project;

WHEREAS, the City of Goleta prepared an Addendum to the Mitigated Negative Declaration in April 2008 that identified potential impacts, mitigation measures, monitoring requirements and residual impacts for the identified subject areas and finds that this document should be adopted.

WHEREAS, the procedures for processing the project application have been followed as required by state and local laws; and

WHEREAS, the Planning Agency and City Council jointly conducted a duly noticed public hearing on the project application on April 15, 2008, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the City Council has considered the entire administrative record, including application materials, staff report, the Mitigated Negative Declaration/Environmental Assessment and Addendum dated April 2008 and oral and written testimony from interested persons; and

WHEREAS, the City Council finds that approval of the Addendum dated April 2008 to the Mitigated Negative Declaration/Environmental Assessment for the San Jose Creek Capacity Improvement Project would be based on its ability to make the required findings, including findings pursuant to the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA); and

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF GOLETA HEREBY FINDS AND DETERMINES AS FOLLOWS:

Section 1. Recommendation for Approval of the Addendum dated April 2008 to the Mitigated Negative Declaration/Environmental Assessment dated May, 2007.

Recommended Findings: The Council hereby adopts the following findings pursuant to CEQA Section 15074:

a. The City Council has considered the proposed Final Mitigated Negative Declaration/Environmental Assessment for the San Jose Creek Capacity Improvement Project and the comments received during the public review process. The proposed Final Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act and to serve as an Environmental Assessment under the National Environmental Policy Act, so that, for whatever, if any, federal agency approvals might be required, the document could also serve as a basis for issuance of a Finding of No Significant Impact under NEPA. Therefore, the proposed Final MND/EA constitutes adequate environmental analysis of the San Jose Creek Capacity Improvement Project (08-053-DP RV01) including a complete, accurate, adequate and good faith effort at full disclosure, and reflects the City of Goleta's independent judgment and analysis pursuant to Section 15090 of the State CEQA Guidelines.

b. Mitigation measures identified in the Mitigated Negative Declaration Addendum dated April 2008 have been agreed-to by the applicant and incorporated into the San Jose Creek Capacity Improvement Project, which would avoid or reduce all potentially significant impacts to less than significant levels. Additional mitigation measures would be applied as conditions of approval to minimize adverse but less than significant environmental effects. In the City Council's independent judgment and analysis, based on the whole record, there is no substantial evidence that the San Jose Creek Capacity Improvement Project will have a significant effect on the environment. The Planning Agency recommends

to the City Council adoption of the Addendum dated April 2008 to the Final Mitigated Negative Declaration 07-MND-01.

c. A Mitigation Monitoring and Reporting Program prepared in compliance with the requirements of Public Resources Code § 21081.6, is included in the proposed Addendum dated April 2008 to the Final Mitigated Negative Declaration for the San Jose Creek Capacity Improvement Project and applied as a condition of approval and is hereby adopted.

d. The location and custodian of documents associated with the environmental review process and decision for the San Jose Creek Capacity Improvement Project (07-MND-01, Addendum dated April 2008 and 08-053-DP RV01) is the City of Goleta, Community Services Department, 130 Cremona Drive, Goleta CA 93117.

Recommended Action: The City Council hereby adopts the Addendum dated April 2008 to the Mitigated Negative Declaration/Environmental Assessment dated May 2007, adopts the CEQA findings and adopts the Mitigation Monitoring Program contained in the MND/EA.

PASSED, APPROVED, AND ADOPTED this ____ day of April, 2008.

MICHAEL BENNETT,
MAYOR

ATTEST:

DEBORAH CONSTANTINO
DEPUTY CITY CLERK

APPROVED AS TO FORM:

JULIE HAYWARD BIGGS,
CITY ATTORNEY

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

I, Deborah Constantino, Deputy City Clerk of the City of Goleta, do hereby certify that the foregoing Resolution No. 08-___ was duly adopted by the City Council of the City of Goleta at a meeting, held on the 15th day of April 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

(SEAL)

_____
DEBORAH CONSTANTINO
DEPUTY CITY CLERK

ATTACHMENT 3

CITY COUNCIL RESOLUTION 08-____

A Resolution of the City Council of the City of Goleta approving the Development Plan with conditions for the portions of the project located within the Coastal Zone

RESOLUTION NO. 08-___

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA APPROVING 08-053-DP RV01 (CZ) FOR THE SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT, LOCATED NORTH AND SOUTH OF THE HOLLISTER AVENUE BRIDGE AND SOUTH ALONG HIGHWAY 217ASSESSOR PARCEL NUMBERS APN's 071-190-017, 071-170-036, 071-140-060 and -040, and 071-090-036, -037 and -078, 071-260-001 thru 008, 071-140-046, and 071-140-056

WHEREAS, an application was submitted to the City of Goleta on August 17, 2006 by the Community Services Department, requesting a Final Development Plan; for capacity improvements to along the San Jose Creek Channel, between Kellogg Avenue and State Route 217;

WHEREAS, a Development Plan is required for portions of the project located within the Coastal Zone, in accordance with Government Code §65358(a), and Article III, §35-174 of the Goleta Municipal Code;

WHEREAS, the Planning Agency and City Council approved the Mitigated Negative Declaration/Environmental Assessment (07-MND-01) and project Development Plan (06-DVP-127) on June 4, 2007 at a duly noticed public hearing; and

WHEREAS, changes to the project were made following approval of the Mitigated Negative Declaration/Environmental Assessment and Development Plan to provide for increased opportunity for fish passage as part of the project;

WHEREAS, the City of Goleta prepared an Addendum to the Mitigated Negative Declaration in April 2008 that identified potential impacts, mitigation measures, monitoring requirements and residual impacts for the identified subject areas and finds that this document should be adopted.

WHEREAS, the Planning Agency of the City of Goleta has considered the application for a revised Development Plan in accordance with Government Code §65358(a), and Article III, §35-174 of the Goleta Municipal Code;

WHEREAS, the following City approvals are necessary in order for the project to proceed:

1. Approval by the Goleta City Council of a Final Development Plan, pursuant to Section 35-174, of Article II, Coastal Zoning Ordinance, of the Goleta Municipal Code;
2. Advisory approval of the Final Development Plans by the Goleta Design Review Board, pursuant to Resolution 07-22 adopting the Bylaws of the Design Review Board; Sections 35-174 (Development Plans) and 35-329 (Design Review Board) of Chapter 35, the Coastal Zoning Ordinance, of the

Goleta Municipal Code;

WHEREAS, the procedures for processing the proposal have been followed as required by state and local laws;

WHEREAS, the proposal was determined to be subject to CEQA and a Draft and Final Mitigated Negative Declaration/Environmental Assessment dated May 2007 was prepared, approved in June 2007, followed by an Addendum dated April 2008 to address project revisions associated with fish passage elements incorporated into a revised Development Plan;

WHEREAS, the proposal considered in the Mitigated Negative Declaration/Environmental Assessment Addendum dated April 2008 included a capital improvement project for channel modifications and bridge replacements along San Jose Creek, over an approximate 3,080-foot length involving multiple parcels;

WHEREAS, the Design Review Board of the City of Goleta considered the associated development projects at noticed public meetings and completed its advisory review of the project design at their September 6, 2006 meeting;

WHEREAS, the Planning Agency and City Council conducted a duly noticed public hearing to consider the revised proposal at a meeting on April 15, 2008 at which times all interested persons were given an opportunity to be heard;

WHEREAS, by adoption of Resolution 08-__, the City Council has adopted the Final Mitigated Negative Declaration/Environmental Assessment Addendum dated April 2008, made findings pursuant to the California Environmental Quality Act, and approved a mitigation monitoring and reporting program for the project;

WHEREAS, the City Council has considered the entire administrative record, including the staff reports, the Draft and Final Mitigated Negative Declaration/Environmental Assessment dated May 2007, the Addendum to the Final Mitigated Negative Declaration/Environmental Assessment dated April 2008, the recommendation of the Planning Agency, the application materials, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines as follows:

Section 1: **Environmental Determination.** The Council hereby determines as follows. By separate action set forth in Resolution 08-__, the City Council has adopted the Final Mitigated Negative Declaration/Environmental Assessment Addendum dated April 2008, made findings pursuant to the California Environmental Quality Act, and approved a mitigation monitoring and reporting program for the project. The project components encompassed by this approval are adequately addressed in the Final Mitigated Negative Declaration/Environmental Assessment dated May, 2007 and

Addendum dated April 2008.

Section 2: Adoption of Findings. The findings set forth in Exhibit 1 to this Resolution are hereby adopted and incorporated herein by this reference.

Section 3: Approval of Final Development Plan. The revised Development Plan, (08-053-DP RV01) with City Hearing Exhibit A stamp of April 15, 2008, is hereby approved subject to the conditions set forth in Exhibit 2 to this Resolution and incorporated herein by this reference.

PASSED AND ADOPTED by the City Council of the City of Goleta at a meeting held on the _____ day of _____ 2008.

_____
MICHAEL BENNETT, MAYOR

ATTEST:

_____
DEBORAH CONSTANTINO
CITY CLERK

APPROVED AS TO FORM:

_____
JULIE HAYWARD BIGGS
CITY ATTORNEY

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing City Council Resolution No. 08-__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the ___ day of _____, 2008, by the following vote of the Council:

AYES:

NOES:

ABSENT:

ABSTAIN:

(SEAL)

_____
DEBORAH CONSTANTINO
CITY CLERK

EXHIBIT 1
ADMINISTRATIVE FINDINGS
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT
DEVELOPMENT PLAN
(08-053-DP RV01)

1.0 FINAL DEVELOPMENT PLAN FINDINGS

Pursuant to Sections 35-174.2 and 35-174.7 of Article II, Coastal Zoning Ordinance, of the Goleta Municipal Code, a Preliminary or Final Development Plan shall be approved only if all of the following findings can be made:

a) The site for the project is adequate in size, shape, location, and physical characteristics to accommodate the density and intensity of development proposed.

The project site is adequate in size to accommodate the intensity and type of creek improvements proposed as demonstrated by its general containment within the Santa Barbara County Flood Control District channel property and easements as well as its compliance with zoning ordinance criteria.

b) That adverse impacts are mitigated to the maximum extent feasible.

Adverse impacts are mitigated to the maximum extent feasible, subject to conditions of approval for the following issue areas: air quality, biologic resources, cultural resources, geology/soils, hazards and hazardous materials, hydrology/water quality, land use, noise, and transportation/traffic.

c) That streets and highways are adequate and properly designed.

Streets and highways are adequately and properly designed and can accommodate the traffic generated by the project, subject to conditions of approval. The addition of project-generated traffic would not exceed any adopted thresholds for project-specific or cumulative traffic impacts, and would be mitigated through conditions of approval. Access to the site would be provided from Hollister Avenue and Kellogg Avenue, as well as access easements to San Jose Creek owned by the Santa Barbara County Flood Control District. A traffic management and control plan will be developed prior to project implementation that will mitigate any potential hazards created due to temporary lane closures on Hollister Avenue and Kellogg Avenue during construction.

d) That there are adequate public services, including but not limited to, fire protection, water supply, sewage disposal, and police protection to

serve the proposed project.

The project would be served by the Santa Barbara County Fire Department, the Santa Barbara County Flood Control District, the Goleta Water District, the Goleta Sanitary District, and the City of Goleta Police Department. These providers are not expected to experience any increase in service levels as a result of the project.

e) That the project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood and will not be incompatible with the surrounding area.

The project will not be detrimental to the health, safety, comfort, convenience, and general welfare of the neighborhood. The project will not be incompatible with the surrounding areas, including land uses such as Highway 217 to the east, neighborhood commercial to the west, light industrial and medium density housing to the south and north west.

f) That the project is in conformance with 1) the General Plan and 2) the applicable provisions of this Article.

The project conforms to (1) the City of Goleta General and Coastal Land Use Plan, adopted September 2006, and its Land Use Element designating the subject and adjacent properties High Density Residential, Old Town, Open Space, Business Park and General Commercial and (2) the applicable provisions of Article II and III. The project is consistent with Goleta General and Coastal Land Use Plan Policies with the incorporation of mitigation measures and conditions of approval as discussed in the staff report dated April 15, 2008.

g) In designated rural areas, the use is compatible with and subordinate to the scenic and rural character of the area.

The project is not located within a designated rural area.

h) That the project will not conflict with any easements required for public access through, or public use of a portion of the property.

The project will not conflict with any easements required for public access through, or public use of, a portion of the property, and will make use of the easements already held by the Flood Control District for maintenance of the San Jose Creek Channel.

EXHIBIT 2
CONDITIONS OF APPROVAL
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT
DEVELOPMENT PLAN
(08-053-DP RV01)

1. **AUTHORIZATION:** This Final Development Plan and the conditions set forth below authorize development proposed in Case No. 08-053-DP RV01 marked "Officially Accepted, April 15, 2008, City Council Exhibit A. Any deviations from the exhibits, project description, or conditions must be submitted to the City of Goleta for its review and approval. Deviations without the above-described approval will constitute a violation of the permit approval. The exhibits associated with this permit include:

08-053-DP RV01: Development Plan

- Preliminary Plans – San Jose Creek Capacity Improvement Project with Fish Passage (Sheets 1-8, dated March 2008)

2. **AUTHORIZED DEVELOPMENT**:

FINAL DEVELOPMENT PLAN (08-053-DP RV01)

The San Jose Creek Capacity Improvement Project is a capital improvement needed to address flooding in much of Old Town Goleta due to breakout along lower San Jose Creek. The proposed project would modify the existing concrete channel at the Hollister Avenue bridge and southward along the Creek and Highway 217 to improve flood protection through the following components:

Upstream of Hollister Avenue Bridge: Approximately 80 feet upstream of Hollister Avenue a transition from the existing natural banks to the vertical walls required under Hollister Avenue would be constructed. The bottom of the channel would be shaped to include a 10 to 12-foot wide notch for fish passage.

- *Hollister Avenue Bridge*: No replacement of the existing Hollister Avenue Bridge over San Jose Creek would occur with the revised project incorporating fish passage elements. Under the existing Hollister Avenue Bridge, the channel would be modified to create sufficient capacity for flood flows and a 10 to 12-foot wide notch for fish passage with depths of 2 to 3-feet. The existing trapezoidal concrete section would be removed and replaced with vertical walls. The distance between the vertical walls would be approximately 33 feet.

- *Transition Downstream of Hollister Avenue Bridge*: In the 70 feet immediately downstream of the bridge the existing concrete channel would be removed and replaced with a transition from the vertical walls under the bridge to the existing trapezoidal section on the west side of the channel and a new concrete section on the east side of the channel.

- An existing sewer line currently suspended from the steel bridge south of Hollister Avenue (noted above) would be removed and relocated so that it is no longer susceptible to damage from flood flows and debris floating down San Jose Creek. The sewer line would be relocated to go east underneath State Route 217 and connect to an existing sewer line beneath Ward Drive. This would thereby eliminate a sewer line crossing of San Jose Creek. This portion of the work would most likely use a jack and bore construction method to install the new sewer line under State Route 217 without disturbing the highway.

- *Channel Downstream of Hollister Avenue*: The existing concrete on the west side of the channel would remain for approximately 3,000 feet downstream of Hollister Ave. The existing concrete on the east side of the channel would be removed and replaced with a new concrete section that includes a 10 to 12-foot wide fish passage notch. he overall channel would be widened by 7 to 12-feet on the east side to accommodate the fish passage and flood control components of the project.

- The existing steel vehicle bridge between the parking areas serving the Sizzler Restaurant and Mission City Auto Leasing (located approximately 100 feet downstream of the Hollister Avenue Bridge) may be removed to provide the required channel capacity.

- The project will now remove over 4,000 ft of existing barrier to fish passage.

The geometry of the concrete surfaces will be refined during the final design process to efficiently meet both fish passage needs and flood control requirements. This could include changes to the height of the vertical wall inside the channel at various locations, changes to the length of the 3.5 foot high flood wall along the length of the project, and changes to the amount of existing channel slope requiring reconstruction. These changes would be contained within the existing project limits.

Concrete removed during the proposed channel modifications would be recycled. Excess excavated earthen materials would be used for Old Town redevelopment projects or other projects needing fill material. Approximately 900 cubic yards of fill from the creek widening would be placed in low areas on the banks north of Hollister Avenue, and may be bounded by a low wall up to 18 inches in height to be constructed using boulders that are partially

buried in the fill. Vegetation within these fill areas would be cleared, although some trees may remain where the fill depth would not adversely affect the trees or the fill can be modified around the trees.

Access for the creek bank and bridge work would be from the top of the bank and one or more temporary ramps constructed down the bank to the bed of the creek, located within the project limit areas. Equipment coming from the south would be trucked to the site via U.S. Highway 101, State Route 217 (Ward Memorial Boulevard), and Hollister Avenue. For equipment coming from the north, the route would be U.S. 101 to Patterson Avenue and then on Hollister Avenue.

Vegetation removed during construction would be replaced by landscaping with native plants (see Table 1, pg. 7 of the MND Addendum) These native plants would be installed along both sides of the creek upstream (north) of the bridge, along Hollister Avenue near the bridge, on the east side of the creek for about 140 feet downstream of the bridge, and along the west bank outside the flood wall for about 4,000 feet. Native and riparian vegetation removal and replacement is described in more detail in the Biological Resources section of the MND Addendum.

An optional element of the project is the replacement of the bridge 100 feet downstream from the Hollister Avenue Bridge, which would be removed to accommodate the new channel design. To maintain required clearance between the bottom of the bridge and creek flood flows, the new bridge deck elevation would be approximately 2.5 feet above the existing grade on the west side of the bridge and approximately 1 foot above the existing grade on the east side of the bridge. The change in bridge elevation on the east side could be accommodated by ramping the existing asphalt with little impact on the use of the adjacent paved area. On the west side of the bridge, the change in elevation would require the elimination of three existing parking spaces between the bridge and the Sizzler Restaurant due to the ramping and may require changes to the Sizzler Development Plan. All equipment would work within the creek bed during bridge construction.

Construction Schedule

Construction is anticipated to begin in March 2009 and extend through November 2009. Work within the creek will be completed during the dry season, generally from April 1st through October 31st. If necessary approvals cannot be obtained, right-of-way acquired, and design completed to allow the award of a contract in February 2009, the main portion of project construction in the creek would need to be delayed an entire year to conform to the required environmental

The grading, development, use and maintenance of the property, the size,

shape, arrangement, and location of structures, parking areas and landscape areas and the protection and preservation of resources shall conform to the project description in the staff report and the conditions of approval below. The property and any portions thereof shall be sold, leased or financed in compliance with this project description and the approved exhibits and conditions of approval hereto. All plans must be submitted for review and approval and shall be implemented as approved by the City of Goleta.

MITIGATION MEASURES FROM ADDENDUM DATED April 2008 TO 07-MND-01

AIR QUALITY

3. Dust generated by construction activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures listed below shall be implemented by the applicant.

   a) During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.

   b) During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever wind exceeds 15 miles per hour.

   c) After clearing, grading, earth-moving, or excavation is completed, the disturbed area must be treated by watering or revegetating; <u>or</u> by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.

   d) Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

   e) Trucks transporting fill material to and from the site shall be tarped from the point of origin. (Mitigation Measure AQ-1).

   Plan Requirements & Timing: All of the aforementioned requirements shall be noted on all plans submitted for approval of any LUP for the project.

   <u>MONITORING</u>: City staff shall perform periodic site inspections to verify compliance.

4. The contractor or builder shall designate a person or persons to monitor the

dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. (Mitigation Measure AQ-2).

Plan Requirements & Timing: The name and telephone number of such persons shall be provided to City staff and the APCD. The dust monitor shall be designated prior to issuance of any LUP for the project.

MONITORING: City staff shall contact the designated monitor as necessary to ensure compliance with dust control measures.

BIOLOGICAL RESOURCES

5. Red-legged Frog**:** A qualified monitor shall be present during installation of any water diversions, initial vegetation clearing, and excavation/rock placement work upstream of Hollister Avenue. The monitor will check the area for red-legged frogs prior to the work. If any are found, work would be halted until the frogs leave the work area or until consultation with the USFWS has been completed and authorization for take has been authorized so that they can be relocated upstream to suitable habitat by the monitor. (Mitigation Measure BIO 1).

Plan Requirements & Timing: The requirement for a red-legged frog monitor shall be included on all project plans prior to final approval, and a qualified monitor shall be on site prior to new ground disturbing activities and when any activities that could affect the species take place.

MONITORING: A qualified biological monitor shall be present during the work and will prepare daily monitoring logs of all observations. These logs shall be summarized into a weekly memo-style report.

6. A Native Tree Protection and Replacement Plan shall be prepared by a certified arborist or qualified expert and approved prior to vegetation clearing. All native trees to be removed, except willows which are included in the Riparian Vegetation Protection and Replacement Plan below, will be covered. This plan can be developed as a component of the Landscape Plan. (Mitigation Measure BIO 2).

Plan Requirements & Timing: The Plan shall be completed and approved prior to vegetation clearing and shall minimally include the following elements:

- Details on native trees that would be removed including species, diameter at breast height (DBH), overall health, general location, and reason for removal.

- Details on native trees that the contractor would preserve including species, diameter at breast height (DBH), overall health, general location, and what actions would be taken to preserve each tree (e.g., fencing around the drip line). The project would be designed to minimize damage to existing trees located within the fill area north of Hollister Avenue, by avoiding placement of soil around the trunks and providing adequate drainage.

- A Mitigation Plan to address native trees, excluding those included in the riparian vegetation (see condition 7), that would be removed (Table 4). The mitigation plan shall address species, size, source propagules, location, and timing of replacement tree planting. In addition, monitoring, performance criteria, and reporting shall be addressed. All trees removed will be replaced at a 10:1 ratio with the same species removed. Replacement trees will be from local stock, except as allowed in project permits. The Mitigation Plan will include a map of approximate planting locations.

Table 4. Native tree replacement

Species	***No. Removed***	***No. Replaced***
Coast live oak	1	10
Sycamore[1]	2 or 3	20 or 30
Note: 1. Actual number would be determined during construction.		

Monitoring: Biological monitors shall be present during vegetation clearing to ensure that tree removal is consistent with the Native Tree Protection and Replacement Plan. Weekly memo-style reports shall be completed with the results of monitoring as recorded on daily monitoring logs.

A restoration specialist shall oversee the planting, maintenance, and monitoring of replacement trees until they have met performance criteria. Monitoring shall occur for a minimum of five years and annual monitoring reports shall be prepared.

7. A Riparian Vegetation Protection and Replacement Plan shall be prepared and approved prior to vegetation clearing. This plan can be developed as a component of the Landscape Plan. (Mitigation Measure Bio 3).

Plan Requirements & Timing: The Plan shall be completed and approved prior to vegetation clearing and shall minimally include the following elements:

- Measures to minimize damage to riparian vegetation including avoidance and cutting riparian vegetation that must be removed, but not excavated, at ground level and covering cut stems with approximately 3-6 inches of native topsoil. Wooden mats will be placed over the fill prior to access by heavy equipment to avoid damage to the cut stems. This technique will increase the likelihood that willows and other riparian vegetation will resprout following construction.

- Eucalyptus trees to be removed within the riparian woodland upstream of the work area shall be clearly marked and checked by a biologist to verify that the trees are not used by monarch butterflies or roosting/nesting raptors. Removal will be performed in a manner that minimizes disturbance to adjacent native riparian vegetation, and native trees will be planted to replace them.

- A Mitigation Plan will be prepared to address native vegetation to be removed. The mitigation plan shall address species, size, source, and timing of replacement planting. In addition, monitoring, performance criteria, and reporting shall be addressed. It is anticipated that replacement planting will be conducted onsite were vegetation was removed. The boulder slope at the upstream end of the new channel walls would provide an excellent location for establishing willows, blackberry, and other riparian vegetation. All native riparian vegetation removed (approximately 0.25 acre) shall be replaced at a 2:1 ratio, as required by the Goleta General Plan, with the same species removed, if feasible. Eucalyptus trees removed will be replaced with native trees appropriate for the sites where the trees are removed. Replacement plants will be from local stock, except as allowed in project permits. The Mitigation Plan will include a map of planting locations.

Monitoring: Biological monitors shall be present during vegetation clearing to ensure that riparian vegetation removal is consistent with the Plan. Weekly memo-style reports shall be completed with the results of monitoring as recorded on daily monitoring logs.

A restoration specialist shall oversee the planting, maintenance, and monitoring of replacement vegetation until they have met the performance criteria. Monitoring shall occur for a minimum of five years, and annual monitoring reports shall be prepared.

8. The pre-approved Riparian Vegetation Protection and Replacement Plan shall include seasonal constraints on vegetation removal and nesting bird survey specifications to reduce impacts to nesting birds within the work area. (Mitigation Measure BIO 4).

Plan Requirements & Timing: The vegetation clearing timing restrictions and bird survey requirements shall be included on all project plans prior to final approval. The Plan shall be completed and approved prior to vegetation clearing and shall minimally include the following elements:

- Timing of vegetation removal. On the north side of Hollister Avenue, vegetation removal (including eucalyptus trees for biological and flood control mitigation) is recommended to occur during the non-nesting season from August 15 to February 1 to minimize disturbance to nesting

birds within the riparian corridor. If vegetation is to be removed within the breeding season, nesting bird surveys will be conducted as described below, and in compliance with permit conditions.

- Nesting bird surveys. If construction activities are scheduled during the nesting season (February 1 through August 15), a qualified biologist shall inspect the area to confirm the absence of nesting birds in the area of direct disturbance and to determine appropriate buffer areas from any nest sites found near the work area. Efforts shall be made to reduce impacts to riparian vegetation wherever feasible. A minimum of a 300-foot buffer shall be applied to raptor nest sites during nesting and fledging (per CE 8.4). The buffer for other species protected under the MBTA shall be established by a qualified biologist and will take into account the species, location of the nest, and potential for disturbance by construction activities.

Monitoring: Biological monitors shall conduct pre-disturbance surveys of the area, determine buffer areas, and be present during vegetation clearing (if vegetation is removed between February 1 and August 15) to ensure that riparian vegetation removal is consistent with the Plan and that predetermined buffer areas between the construction activities and known nests are clearly defined and implemented. Monitors shall have the authority to stop work in the immediate vicinity if a non-compliance event occurs. Weekly memo-style reports shall be completed with the results of monitoring as recorded on daily monitoring logs.

CULTURAL RESOURCES

9. Onsite monitoring by a qualified archeologist and appropriate Native American observer shall occur during all grading, excavation, and site preparation that involves earth moving operations. In the unlikely event archaeological remains or cultural resources are encountered during construction in the proposed project area, work shall be stopped immediately or redirected and the City shall be notified. A qualified archaeologist shall prepare a report assessing the significance of the find and provide recommendations regarding appropriate disposition. Disposition would be determined by the City in conjunction with the affected Native American nation. (Mitigation Measure Arch 1).

Plan Requirements & Timing: This condition shall be printed on all plans prior to LUP approval.

Monitoring: City staff shall periodically perform site inspections to verify compliance.

GEOLOGY & SOILS / HAZARDS & HAZARDOUS MATERIALS – see Hydrology & Water Resources

HYDROLOGY & WATER QUALITY

10. The Storm Water Pollution Prevention Plan (SWPPP) to be prepared under the provisions of the General Permit for Storm Water Discharges Associated with Construction Activities (CGP) shall specifically include measures to: (1) prevent erosion and sediment runoff from the construction site and from the post-construction site that could cause sedimentation in the creek or Goleta Slough; and (2) prevent discharge of construction materials, contaminants, washings, concrete, fuels, and oils to the creek. These measures shall include, at a minimum, physical devices to prevent sedimentation and discharges (e.g., silt fencing, straw bales), and routine monitoring of these devices and revegetation of disturbed soils that would remain exposed after construction. BMPs shall be developed and implemented based on the following guidance manuals: California Storm Water Best Management Practice Handbook (Stormwater Quality Task Force 1993) and Caltrans Storm Water Quality Handbook – Construction Contractor's Guide and Specifications (Caltrans 1997). Types of BMPs that would be implemented as appropriate to site conditions include:

Stockpile Management BMPs

- Include silt fencing, straw logs, or straw bales around the base of all stockpiles to intercept sediment and inhibit the flow of sediment-laden runoff from the stockpiles.

- Use soil binders or other cover on stockpiles to reduce runoff of sediments.

Grading and Filling BMPs

- Place silt fences, straw logs, or straw bales around areas to be graded, especially cut and fill slopes, to intercept any loose material that could erode and enter the creek during construction.

- Use soil binders, temporary mulches, or erosion control blankets or hydroseeding for temporarily bare slopes that would be exposed to wind and water erosion prior to beginning work and immediately after work.

- Revegetate disturbed soils that would remain after construction (can be part of the Landscape Plan).

- Stabilize construction entrances to the project site with gravel. This would help prevent sediment tracking from the construction area to paved roads.

Dewatering BMPs

- If dewatering is required, install sediment controls (either a sediment trap or sediment basin) to collect water from any dewatering operations. Filter out sediment from the sediment trap or sediment basin using a sump pit and perforated or silt standpipe with holes and wrapped in filter material.

Waste Management BMPs

- Properly maintained (offsite) all construction vehicles and equipment that enter the construction and grading areas to prevent leaks of fuel, oil, and other vehicle fluids. Vehicles working in the creek bed shall be inspected daily for leaks and immediately repaired if any are found.

- Conduct equipment and vehicle fueling off-site. If refueling is required at the project site, it shall be done within a bermed area with an impervious surface to collect spilled fluids.

- Prepare a spill prevention/spill response plan for the project site that includes training, equipment, and procedures to address spills from equipment, stored fluids, and other materials.

- Place all stored fuel, lubricants, paints, and other construction liquids in secured and covered containers within a bermed area.

- Conduct any mixing and storage of concrete and mortar in contained areas.

- Ensure that all equipment washing and major maintenance is prohibited at the project site, except for washdown of vehicles to remove dirt, which must only occur in a bermed area.

- Remove all refuse and excess material from the site as soon as possible. (Mitigation Measure WQ 1).

Plan Requirements & Timing: Requirements for BMPs to prevent pollution of the creek shall be included in construction contract documents and on all plans. The project-specific SWPPP shall be reviewed and approved by the City of Goleta or their designated representative prior to submittal to the Regional Water Quality Control Board.

Monitoring: Vehicle inspections for leaks shall be performed daily by the on-site construction management personnel or environmental monitor. Daily monitoring logs shall be kept to record these inspections and any remedial actions taken, and weekly summaries shall be submitted to the City.

LAND USE – INCLUDED IN BIOLOGICAL RESOURCES

NOISE

11. Construction activities for the proposed project shall be limited to weekdays between the hours of 8:00 a.m. and 5:00 p.m., in accordance with the City of Goleta General Plan Noise Element Policy 6.4. (Mitigation Measure N 1).

    Plan Requirements & Timing*:* The timing restriction for large equipment shall be shown on plans and included in permit applications.

    Monitoring*:* The City shall verify compliance throughout project construction.

12. All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system. (Mitigation Measure N 2)

    Plan Requirements & Timing*:* The requirement for maintained sound-control devices on construction equipment shall be included on the grading plan, and approved by the City prior to approval of the Land Use Permit and Coastal Development Permit. Sound-control devices shall be used on construction equipment throughout construction activities.

    Monitoring*:* The City shall verify compliance throughout project construction.

TRANSPORTATION/TRAFFIC

13. A qualified traffic engineer shall prepare a traffic management plan that defines how traffic operations will be managed and maintained on roadways during each phase of construction including any detours, signage, lane closures, or utility relocation work. (Mitigation Measure Trans 1).

    Plan Requirements & Timing: Engineering plans depicting affected roadways shall be prepared. These plans shall depict necessary lane closures, detours, any signage/lighting, flaggers, and other traffic control measures needed to avoid accidents and provide access to property and emergency response vehicles during construction. Said engineering plans shall be submitted for review and approval by City staff prior to Planning Agency consideration of the project.

Monitoring: Compliance with the traffic management plan will be a condition placed on the contractor selected to perform any construction activities for the project. A member of the prime contractor's construction crew shall be designated as responsible for ensure compliance with the traffic management plan. City staff shall periodically monitor in the field to verify compliance throughout all construction activities.

14. Kellogg Avenue will be repaired and refurbished to City of Goleta standards for "Minor Arterials" following project construction. (Mitigation Measure Trans 2).

Plan Requirements & Timing: The requirement for the contractor to repair and refurbish Kellogg Avenue to City of Goleta standards for "Minor Arterials" following construction shall be placed in the contractor bid solicitation package. This requirement shall be included in the contractor's scope of work for the project.

Monitoring: City staff shall inspect Kellogg Avenue following construction to insure compliance with Condition 14.

15. A qualified traffic engineer will review and approve final design plans for the Hollister Avenue Bridge and alterations to Kellogg Avenue resulting from the proposed project. (Mitigation Measure Trans 3).

Plan Requirements & Timing: Final design plans shall be reviewed and approved by a qualified traffic engineer and City staff prior to Planning Agency consideration of the project.

Monitoring: City staff shall ensure compliance with this requirement prior to Planning Agency consideration of the project.

UTILITIES & SERVICE SYSTEMS

16. Demolition and/or excess construction materials shall be separated onsite or offsite for reuse/recycling or proper disposal (e.g., concrete, asphalt). During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite or separated offsite. (Recommended Mitigation Measure Util 1).

Plan Requirements & Timing: This requirement shall be printed on the grading and construction plans. Materials shall be recycled as necessary throughout construction. All materials shall be recycled prior to occupancy clearance.

Monitoring: Compliance with construction waste recycling requirements will be a condition placed on the contractor selected to perform any construction activities for the project. A member of the prime contractor's construction crew shall be designated as responsible for ensuring compliance with the

recycling requirements. City staff shall periodically monitor in the field to verify compliance throughout all construction activities.

GENERAL CONDITIONS:

17. Approval of the Final Development Plan shall expire five (5) years after approval or conditional approval by the final decision maker, unless prior to the expiration date, substantial physical construction has been completed on the development or a time extension has been applied for by the applicant. The decision maker with jurisdiction over the project may, upon good cause shown, grant a time extension for one year.

18. Before using any land or structure, or commencing any work pertaining to the erection, moving, alteration, demolition, enlarging, or rebuilding of any building, structure, or improvement, the applicant shall obtain a Land Use Permit from the City of Goleta for the portions of the project located within the Coastal Zone. This permit is required by ordinance and is necessary to ensure implementation of the conditions required by the decision makers. Before any permit will be issued by the City of Goleta, the applicant must obtain written clearance from all departments having conditions. Such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Planning and Environmental Services. The following Land Use Permits are required:

    - Land Use Permit for grading and installation of creek improvements, per the Final Development Plan (08-053-DP RV01)

ATTACHMENT 4

San Jose Creek Capacity Improvement Project
General Plan Policy Consistency Summary

POLICY CONSISTENCY ANALYSIS

The following is an analysis of the proposed San Jose Creek Capacity Improvement project's consistency with applicable policies of Goleta General Plan/Coastal Land Use Plan and sections of the Coastal Act for the portion of the project in the Coastal Zone:

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
2.0 LAND USE ELEMENT (LU)		
LU 5 Public & Quasi Public Land Uses		
LU 5.2 Public & Quasi Public Land Use [GP/CLUP] This designation is intended to identify existing and planned land areas for public facilities, such as, but not limited to, community centers, governmental administration, governmental operations, libraries, and public schools. The designation also allows quasi-public uses, such as private schools, religious institutions, lodges, social clubs, day care centers, and similar uses. Land within the rights-of-way for US-101 and SR-217 are also designated within this use category. Public and quasi-public uses are also permitted in various other land use categories in order to provide maximum flexibility in determining locations for future public facilities. The Public and Quasi-Public use category does not include public and private parks, recreation, or open space, which are accommodated in a separate use category.	The project corridor, both within the Coastal Zone as well as within the Inland Area of the City, is designated P-QP. Allowable uses within this land use designation include governmental operations including provision for flood control facilities such as those to be constructed under the proposed project.	**Consistent**
3.0 OPEN SPACE ELEMENT: OPEN SPACE, RECREATION, AND COASTAL ACCESS (OS)		
OS 4 Trails and Bikeways		
OS 4.5 Creekside Trails [GP] Trails shall be sited to minimize damage to riparian areas while allowing some public access. To the extent feasible, trail corridors should be located outside riparian areas but provide occasional contact to streams to allow public access and enjoyment of the resources. Where feasible, public trail easements should be located	Pursuant to Figure 7-6 of the GP, a bikeway is planned for the entire length of San Jose Creek from north of Hollister to its confluence with Goleta Slough. Implementation of the proposed project would not preclude future construction of this facility through the project corridor.	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
within the boundaries of flood control easements. All trail construction should minimize removal of riparian vegetation and utilize natural features and/or lateral fencing to discourage public access to streamside areas not directly within the trail alignment. Any fences constructed along trail corridors should allow for wildlife movement. Where necessary to prevent disturbance of nesting birds, sections of trails may be closed on a seasonal basis. At such times, alternative trail segments should be provided, where feasible. In order to protect riparian resources, the number of creek crossings should be limited and maintenance should be conducted to minimize introduction and spread of invasive plants.		
4.0 CONSERVATION ELEMENT: LAND, MARINE, & AIR RESOURCES (CE)		
CE 1 Environmentally Sensitive Habitat Area Designations & Policy		
CE 1.6(d) Protection of ESHAs [GP/CLUP] ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within ESHAs or their buffers. The following shall apply: d. The following uses and development may be allowed in ESHAs or ESHA buffers only where there are no feasible, less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen impacts to the maximum extent feasible: 1) public road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, and 5) biological research.	The entirety of the San Jose Creek riparian corridor through the entirety of the project site is designated as an ESHA pursuant to the GP/CLUP. Construction of flood control improvements within San Jose Creek is necessary to protect people and private property from flooding. Due to the nature of these necessary public improvements they cannot avoid this corridor. In addition, the proposed project includes a significant riparian/wetland restoration and enhancement component including creation of 860 ft^2 of three-parameter wetlands, 15,480 ft^2 (includes the 860 ft^2 of 3-parameter wetlands) of one-parameter wetland, removal of 430 lineal feet of concrete lined channel bottom with a natural bottom	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
	downstream of the Hollister Bridge, removal of non-native trees and shrubs from the creek's riparian corridor, and replacement of all native trees proposed for removal at replacement ratios consistent with the GP.	
CE 1.7 Mitigation of Impacts to EHSAs [GP/CLUP] New development shall be sited and designed to avoid impacts to ESHAs. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Any impacts that cannot be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, with changes made as necessary based on annual monitoring reports. Where appropriate, mitigation sites shall be subject to deed restrictions. Mitigation sites shall be subject to the protections set forth in this plan for the habitat type unless the City has made a specific determination that the mitigation is unsuccessful and is to be discontinued.	Due to the nature of the proposed improvements, the San Jose Creek ESHA area cannot be avoided. To mitigate significant project impacts to the fullest extent possible, the project includes removal of 4,000 ft^2 of barrier to fish passage, and creation of 4500 ft^2 of wetlands both up and downstream of the Hollister Bridge. Removal of non-native trees from the creek's riparian corridor, and replacement of native trees that must be removed as a result of project construction also make the project consistent with this policy.	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
CE 1.8 ESHA Buffers [GP/CLUP] Development adjacent to an ESHA shall minimize impacts to habitat values or sensitive species to the maximum extent feasible. Native vegetation shall be provided in buffer areas to serve as transitional habitat. All buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect.	The proposed flood control improvements cannot avoid the ESHA buffer along San Jose Creek due to the nature of such improvements. However, the habitat restoration and enhancement component of the proposed project would minimize potential impacts to the creek's riparian corridor to the maximum extent feasible and in fact would significantly improve the streambed for aquatic species.	**Consistent**
CE 2 Protection of Creeks & Riparian Areas		
CE 2.3 Allowable Uses and Activities in Streamside Protection Areas [GP/CLUP] The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts: c. Maintenance of existing roads, driveways, utilities, structures, and drainage improvements. f. Resource restoration or enhancement projects. Any land use, construction, grading, or removal of vegetation that is not listed above is prohibited.	The proposed project involves construction of flood control improvements along with a habitat restoration and enhancement program for a significant stretch of streambed on either side of the Hollister Bridge as noted under subsections c & f of this policy.	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
CE 2.5 Maintenance of Creeks as Natural Drainage Systems [GP/CLUP] Creek banks, creek channels, and associated riparian areas shall be maintained or restored to their natural condition wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta's stormwater flows. The following standards shall apply: a. The capacity of natural drainage courses shall not be diminished by development or other activities. b. Drainage controls and improvements shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective. c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity. d. Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices shall be required in order to protect water quality and the biological functions of creek ecosystems. e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited	To mitigate significant project impacts to the fullest extent possible, the project includes removal of 4,000 ft^2 of barrier to fish passage, and creation of 4500 ft^2 of wetlands both up and downstream of the Hollister Bridge. Removal of non-native trees from the creek's riparian corridor, and replacement of native trees that must be removed as a result of project construction also make the project consistent with this policy.	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be located outside creek beds and banks.		
CE 2.6 Restoration of Degraded Creeks [GP/CLUP] Segments of several creeks in Goleta have been covered or channelized by concrete culverts, causing degradation of the creek ecosystem. Restoration activities for improving degraded creek resources shall include the following: a. Channelized creek segments and culverts shall be evaluated and removed to restore natural channel bed and bank, where feasible. b. Creek courses in public rights-of-way shall be uncovered as part of public works improvement projects. c. Barriers that prevent migration of fish such as anadromous salmonids from reaching their critical habitat shall be removed or modified. d. Restoration of native riparian vegetation and removal of exotic plant species shall be implemented, unless such plants provide critical habitat for monarch butterflies, raptors, or other protected animals. e. Creek rehabilitation projects shall be designed to maintain or improve flow capacity, trap sediments and other pollutants that decrease water quality, minimize channel erosion, prevent	The project includes removal of 4,000 ft^2 of barrier to fish passage, and creation of 4500 ft^2 of wetlands both up and downstream of the Hollister Bridge. Removal of non-native trees from the creek's riparian corridor, and replacement of native trees that must be removed as a result of project construction also make the project consistent with this policy.	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
new sources of pollutants from entering the creek, and enhance in-creek and riparian habitat. f. The use of closed-pipe drainage systems for fish-bearing creeks shall be prohibited unless there is no feasible, less environmentally damaging alternative. When the use of culverts is necessary, the culverts shall be oversized and have gravel bottoms that maintain the channel's width and grade.		
CE 3 Protection of Wetlands		
CE 3.5 Protection of Wetlands Outside the Coastal Zone [GP] The biological productivity and the quality of inland wetlands shall be protected and, where feasible, restored. The filling of wetlands outside the Coastal Zone is prohibited unless it can be demonstrated that: a. The wetland area is small, isolated, not part of a larger hydrologic system, and generally lacks productive or functional habitat value. b. The extent of the fill is the least amount necessary to allow reasonable development of a use allowed by the Land Use Element. c. Mitigation measures will be provided to minimize adverse environmental effects, including restoration or enhancement of habitat values of wetlands at another location on the site or at another appropriate offsite location within the City. A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally a wetland buffer shall be 100 feet, but in no case shall a wetland buffer be less than 50 feet. The buffer area shall serve as	Construction would result in temporary removal of up to 100 square feet (less than 1/100th of an acre) of wetland meeting the Army Corps definition. For state wetlands, up to 4,500 square feet of vegetated wetland on the stream banks would be temporarily lost and 1,000 square feet of the open water stream channel would be temporarily disturbed. Overall impacts to these resources are considered less than significant, and are located outside the Coastal Zone. Such temporary losses are unavoidable if this flood control project is implemented. The project does include removal of 4,000 ft. of barrier to fish passage, removal of invasive, non-native vegetation, and plantings of new replacement native riparian vegetation along the project corridor. The buffer area between these wetland areas and the top-of-bank would be replanted with native riparian trees and shrubs to ensure	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
transitional habitat with native vegetation and shall provide physical barriers to human intrusion.	that the wetlands that are either created or enhanced as part of this project have the most protective buffer that is feasible.	
CE 3.6 Mitigation of Wetland Fill [GP/CLUP] Where any dike or fill development is permitted in wetlands in accordance with the Coastal Act and the policies of this plan, at a minimum mitigation measures shall include creation or substantial restoration of wetlands of a similar type. Adverse impacts shall be mitigated at a ratio of 3:1 unless the project proponent provides evidence that the creation or restoration of a lesser area of wetlands will fully mitigate the adverse impacts of the fill. However, in no event shall the mitigation ratio be less than 2:1. All mitigation measures are subject to the requirements of CE 1.7.	See discussion above.	**Consistent**
CE 8 Protection of Special-Status Species		
CE 8.2 Protection of Habitat Areas [GP/CLUP] All development shall be located, designed, constructed, and managed to avoid disturbance of adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.	As noted in the proposed Addendum dated April 2008 to the final MND, the proposed project corridor includes habitat that could potentially accommodate three special status species, Southern tarplant, Southern steelhead, and the California red-legged frog. However, due to the fact that restrictions on the timing of project construction to the dry season, lack of any recent observations of either Southern tarplant or California red-legged frog within either the project corridor or upstream of the project, and mitigation requiring monitoring by a qualified biologist during installation of any creek	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
	diversions, initial vegetation removal, and excavation/rock placement upstream of Hollister, would ensure that adverse impacts on such special status species would be avoided. The 2008 incorporation of fish passage elements in the project description further supports consistency with this policy.	
CE 9 Protection of Native Woodlands		
CE 9.2 Tree Protection Plan [GP/CLUP] Applications for new development on sites containing protected native trees shall include a report by a certified arborist or other qualified expert. The report shall include an inventory of native trees and a Tree Protection Plan.	All native trees within the project corridor have been identified and mapped by a qualified biologist. Three Western sycamores and one Coast live oak would have to be removed for project construction. All other native trees within the project corridor would be protected and their critical root zones (CRZs) protected. This includes two large Western sycamores known as the "Witness Tree" located on the west bank of the creek next to the Sizzler restaurant and the "Sister Witness Tree" located approximately 150 feet north of the other Hollister Bridge. A tree protection and replacement plan for the project would have to be prepared and approved by the City prior to any vegetation removal for all native trees that would be impacted. Neither the Sister Witness Tree or the Witness Tree would be impacted by this project due to their location of the project corridor.	**Consistent**

CITY POLICY	DISCUSSION	POLICY CONSISTENCY
CE 9.4 Tree Protection Standards [GP/CLUP] The following impacts to native trees and woodlands shall be avoided in the design of projects except where no other feasible alternative exists: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy, and 5) alteration of drainage patterns. Structures, including roads and driveways, shall be sited to prevent any encroachment into the critical root zone and to provide an adequate buffer outside of the critical root zone of individual native trees in order to allow for future growth.	The proposed project has been designed to avoid impacts to all native trees within the project corridor with exception of three Western sycamores and one Coast live oak which cannot be feasibly avoided. Impacts to these trees would be mitigated through preparation and implementation of a tree protection and replacement plan as described above.	**Consistent**
CE 9.5 Mitigation of Impacts to Native Trees [GP/CLUP] Where the removal of mature native trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, at a ratio of 10 replacement trees for every one tree removed. Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established by ordinance. Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of trees that do not survive.	Mitigation for the proposed project would include a tree protection and replacement plan that would require planting of replacement native trees for the three Western sycamores and one Coast live oak on a 10:1 basis within the project corridor on either side of the stream banks.	**Consistent**

CE 10 Watershed Management and Water Quality		
CE 10.1 New Development and Water Quality [GP/CP] New development shall not result in the degradation of the water quality of groundwater basins or surface waters; surface waters include the ocean, lagoons, creeks, ponds, and wetlands. Urban runoff pollutants shall not be discharged or deposited such that they adversely affect these resources.	Construction activities including heavy equipment operations, concrete wash-out, and painting could potentially introduce substantial levels of associated pollutants into San Jose Creek. In addition, project grading activities would increase the potential for a temporary increase in stream erosion and introduction of sediment into the stream. Required mitigation however would reduce such impacts to less than significant levels through preparation and implementation of a project specific Stormwater Pollution Prevention Plan (SWPPP) addressing stockpile management best management practices (BMPs), grading BMPs, dewatering BMPs, and waste management BMPs.	**Consistent**
CE 10.2 Siting and Design of New Development [GP/CP] New development shall be sited and designed to protect water quality and minimize impacts to coastal waters by incorporating measures designed to ensure the following: a. Protection of areas that provide important water quality benefits, areas necessary to maintain riparian and aquatic biota, and areas susceptible to erosion and sediment loss. b. Limiting increases in areas covered by impervious surfaces. c. Limiting the area where land disturbances occur, such as clearing of vegetation, cut-and-fill, and grading, to reduce erosion and	In addition to implementation of water quality BMPs noted above, the proposed project would reduce the amount of concrete-lined streambed and replant stream banks with riparian trees and native vegetation.	**Consistent**

sediment loss. d. Limiting disturbance of natural drainage features and vegetation.		
CE 10.4 New Facilities [GP/CLUP] New bridges, roads, culverts, and outfalls shall not cause or contribute to creek bank erosion or creek or wetland siltation and shall include BMPs to minimize impacts to water quality. BMPs shall include construction phase erosion control, polluted runoff control plans, and soil stabilization techniques. Where space is available, dispersal of sheet flow from roads into vegetated areas, or other onsite infiltration practices, shall be incorporated into the project design.	The proposed project would be required to implement appropriate BMPs during construction to protect water quality as well as provide for the planting of appropriate riparian species to reduce erosion potential and stabilize the steam banks.	**Consistent**
CE 10.9 Landscaping to Control Erosion [GP/CLUP] Any landscaping that is required to control erosion shall use native or drought-tolerant noninvasive plants to minimize the need for fertilizer, pesticides, herbicides, and excessive irrigation.	All project landscaping, including landscaping for purposes of erosion control, would use native riparian species as part of the riparian restoration and enhancement plan.	**Consistent**
CE 12 Protection of Air Quality		
CE 12.3 Control of Emissions during Grading and Construction [GP] Construction site emissions shall be controlled by using the following measures: a. Watering active construction areas to reduce windborne emissions. b. Covering trucks hauling soil, sand, and other loose materials. c. Paving or applying nontoxic solid stabilizers on unpaved access roads and temporary parking areas. d. Hydroseeding inactive construction areas. e. Enclosing or covering open material stockpiles. f. Revegetating graded areas immediately upon completion of work.	The proposed project would be subject to air quality mitigation requiring sprinklering of all areas during grading operations and vehicle ramps, as well as covering and sprinklering of stockpile areas to prevent generation of fugitive dust. Monitoring of dust control would also be required including non-work periods such a holidays and weekends.	**Consistent**

5.0 SAFETY ELEMENT: COASTAL AND OTHER HAZARDS (SE)		
SE 6 Flood Hazards		
SE 6.8 Flood Control Projects [GP/CP] The City shall seek funding for and implement capital improvement projects to mitigate hazards for low-lying flood-prone areas. The City shall require restoration of natural processes in drainage ways where appropriate and feasible. For these flood control projects, methods that employ native plantings and natural-looking, "soft" stabilization shall be preferred over methods that rely solely on concrete channelization and other "hard" stabilization methods.	The proposed project is designed and intended to mitigate flooding of low-lying areas within Goleta's Old Town. Removal of existing concrete-lined streambed, use of rock revetments upstream of the new Hollister bridge to prevent scour and erosion around the bridge abutments, and the accompanying riparian restoration and enhancement plan would result in more "natural-looking" soft stabilization in the area of the new bridge.	**Consistent**
SE 6.9 Restoration of Armored or Channelized Stream Beds. [GP/CP] The City shall pursue opportunities to eliminate or soften existing concrete channels and/or rock- or concrete-stabilized banks from streams. (See CE 2.5.)	The proposed project would eliminate 4,000 feet of barrier to fish passage and replace non-native trees to soften the channel appearance.	**Consistent**
7.0 TRANSPORTATION ELEMENT (TE)		
TE 11 Bikeways Plan		
TE 11.1 Bikeways Plan Map [GP] Figure 7-6 identifies the locations of planned Class I, II, and III dedicated bike paths and local streets that are intended to serve as bike routes. The bikeways plan is intended to establish a safe, interconnected system of bikeways that is linked to walkways and trails to meet existing and anticipated mobility needs of residents for nonmotorized transportation. The plan includes links with existing and proposed bicycle routes in adjacent jurisdictions to interconnect with the regional system of facilities.	As noted under the discussion of Policy OS 4.5, the General Plan's Bikeways Plan Map shows a future bikeway along San Jose Creek through the entirety of the project site. Implementation of the proposed flood control project would not preclude or place obstacles in the way of future construction of this bikepath.	**Consistent**

TE 11.4 Facilities in New Development [GP] Bicycle facilities such as lockers, secure enclosed parking, and lighting shall be incorporated into the design of all new development to encourage bicycle travel and facilitate and encourage bicycle commuting. Showers and changing rooms should be incorporated into the design of all new development where feasible. Transportation improvements necessitated by new development should provide onsite connections to existing and proposed bikeways.	The proposed new Hollister Bridge would include Class II bikepath lanes in both directions maintaining the existing bike system linkage along Hollister.	**Consistent**
8.0 PUBLIC FACILITIES ELEMENT (PF)		
PF 10 Financing Public Facilities [GP]		
PF 10.3 Use of Existing Revenue Sources [GP] Existing ongoing revenues should be directed to the following needs: a. Meeting basic safety needs and removing hazards. b. Improving maintenance and operational efficiencies. c. Rehabilitating and enhancing existing facilities. d. Implementing General Plan objectives through strategic investments incrementally as part of a long-range strategy. e. Adding new capacity to improve levels of service. In applying these priorities, all needs should be addressed in a balanced program of funding. In evaluating projects, relative costs and benefits shall be considered along with the relative priorities.	The proposed project would address existing flooding problems within Goleta's Old Town, improve maintenance and operational efficiencies regarding flood control improvements, and rehabilitate existing flood control facilities and the Hollister Bridge.	**Consistent**

9.0 NOISE ELEMENT (NE)		
NE 6 Single-Event and Nuisance Noise		
NE 6.4 Restrictions on Construction Hours [GP] The City shall require, as a condition of approval for any land use permit or other planning permit, restrictions on construction hours. Noise-generating construction activities for projects near or adjacent to residential buildings and neighborhoods or other sensitive receptors shall be limited to Monday through Friday, 8:00 a.m. to 5:00 p.m. Construction in nonresidential areas away from sensitive receivers shall be limited to Monday through Friday, 7:00 a.m. to 4:00 p.m. Construction shall generally not be allowed on weekends and state holidays. Exceptions to these restrictions may be made in extenuating circumstances (in the event of an emergency, for example) on a case by case basis at the discretion of the Director of Planning and Environmental Services. All construction sites subject to such restrictions shall post the allowed hours of operation near the entrance to the site, so that workers on site are aware of this limitation. City staff shall closely monitor compliance with restrictions on construction hours, and shall promptly investigate and respond to all noncompliance complaints.	Required mitigation for the proposed project would limit construction hours and days of construction to those identified in this policy	**Consistent**
NE 6.5 Other Measures to Reduce Construction Noise [GP] The following measures shall be incorporated into grading and building plan specifications to reduce the impact of construction noise: a. All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system. b. Contractors shall implement appropriate additional noise	To address short-term construction noise impacts, mitigation for the project would all require all construction equipment to have properly maintained sound-control devices. Unmuffled exhaust systems on construction equipment would be prohibited.	**Consistent**

mitigation measures including but not limited to changing the location of stationary construction equipment, shutting off idling equipment, and installing acoustic barriers around significant sources of stationary construction noise. c. To the extent practicable, adequate buffers shall be maintained between noise generating machinery or equipment and any sensitive receivers. The buffer should ensure that noise at the receiver site does not exceed 65 dBA CNEL. For equipment that produces a noise level of 95 dBA at 50 feet, a buffer of 1600 feet is required for attenuation of sound levels to 65 dBA.		
OLD TOWN REVITALIZATION PLAN		
Public Facilities & Services Element		
REC-OT-3 The City shall place a high priority on planning and development of the Old San Jose Creek trail and enhancement of the creek corridor.	Implementation of the proposed project would not preclude or create obstacles to the future construction of the San Jose Creek trail. The riparian restoration component of the project represents a significant effort to enhance the creek corridor over the length of the project site.	**Consistent**
Resources & Constraints Element		
FLD-OT-1 The amount of property exposed to flood hazards and uncontrolled runoff shall be minimized through implementation of appropriate flood control and storm drainage improvements within the Project Area.	The proposed project represents one of the key flood control and storm water drainage improvements needed to reduce the exposure of property within Old Town to flood hazards.	**Consistent**

COASTAL ACT POLICIES:

Coastal Act Requirement	***Discussion***
Section 30231: *The biological productivity and 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 encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*	**Consistent**. The project on a whole would increase the amount of state and federal jurisdictional wetlands in the stream bed by removing concrete channelization near the Hollister Avenue Bridge and returning the area to a natural bottom (outside the coastal zone). Within the coastal zone, the project would remove 4,000 ft. of existing barrier to fish passage, and further cause no change in biological productivity and quality to habitat. Construction activities would be on the top of the bank and not in the channel bottom. Channel modification activities within the creek (outside the coastal zone) would result in a short-term disturbance during the dry season, generally from April 1st through October 31st. The work would be conducted when flow in the channel is expected to be very low to absent and result in little to no turbidity in the coastal zone due to implementation of sediment control measures, such as sediment barriers, to control sediment transport beyond the work area will be installed as part of the project.
Section 30233: *(a) 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 …(7) Restoration purposes.*	**Consistent**. The flood control modification in the channel is necessary to minimize flooding of adjacent properties during high runoff events by increasing the flow capacity of the channel and is the least environmentally damaging alternative. The amount of disturbance to the bed and banks of the channel would be minimized, and restoration of the disturbed areas by planting native species would improve the riparian habitat along the banks. The project would not affect wetland habitats within the coastal zone.
Section 30233: *(c) In addition to the other provisions of this section, diking, fillings, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary.*	**Consistent**. The flood control modification would enhance the functional capacity of the creek by lowering the existing bank by 2 to 3 feet and installing a flood wall. The bottom of the creek would remain unchanged (i.e., an existing concrete channel) within the coastal zone and would be enhanced to a natural bottom farther upstream.

Section 30236: *Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to … (2) flood control projects where no other method for protecting existing structures in the flood plain is feasible and where such protection is necessary for public safety or to protect existing development ….*	**Consistent**. The proposed project is an improvement to the existing channelized creek. No other method is feasible for providing flood protection to the adjacent properties while minimizing effects on environmental resources. As described above, sediment control measures will be implemented as part of the project. Within the coastal zone, the channel currently does not support wetland vegetation, except for filamentous green algae.
Section 30240: *(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 designated to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas.*	**Consistent**. Only a small portion of the project work area on the upstream (north) side of the Hollister Avenue Bridge is within Environmentally Sensitive Habitat, and that area is outside the Coastal Zone. The portion of the project area in the Coastal Zone is not within any of the designated environmentally sensitive habitat areas of the City of Goleta's General Plan/Coastal Land Use Plan (2006). The proposed project would not substantially alter the ecological function of the drainage, and disturbances associated with construction would be temporary. A proposed bike path adjacent to the drainage also would not be significantly degraded by channel maintenance. Reducing the potential for flooding of the bike path would be a benefit. Use of the bike path for periodic channel maintenance access would have minor effects on use of the path.
Section 30244: *Where development would adversely affect archaeological or paleontological resources as identified by the state Historic Resources Officer, reasonable mitigation measures shall be provided.*	**Consistent**. The San Jose Creek at Hollister Avenue Bridge is located within the Barbareño Chumash cultural area, which is upstream of the coastal zone portion of San Jose Creek. No historic or archaeological resources are recorded within the project area. No impacts on historic resources are anticipated. Although unlikely, unknown archaeological resources within the sensitive area could be encountered during construction and would have a potential to be significantly impacted. Thus, as mitigation, onsite monitoring by a qualified archeologist and appropriate Native American observer are is required during all earth moving operations.

Section 30251: *The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance … and, where feasible, to restore and enhance visual quality in visually degraded areas ….*	**Consistent**. The project would cause short-term visual effects when equipment is working in the channel and during construction of the flood wall. The flood wall will be planted with cascading native species which would improve the visual character of the area.
Section 30253*: New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the state Resources Control Board as to each particular development.*	**Consistent**. The proposed project would reduce flood hazards for the adjacent properties, thereby providing protection for life and property. The bank modification would be conducted in a manner to reduce bank erosion and enhance bank stability. Dust emissions during the work would be minimized using standard APCD requirements. No long-term dust would be generated by the project.

ATTACHMENT 5

San Jose Creek Capacity Improvement Project
Zoning Ordinance Consistency Summary

ZONING ORDINANCE CONSISTENCY ANALYSIS FOR SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT

The following is an analysis of the proposed project's consistency with applicable requirements of Goleta's Coastal and Inland Zoning Ordinances:

CITY ORDINANCE	DISCUSSION	ORDINANCE CONSISTENCY
COASTAL ZONING ORDINANCE (CZO)		
Division 3; Development Standards		
§35-65(1-3) Archaeology 1. When Developments are proposed for lots where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible 2. When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission 3. Native Americans shall be consulted when development proposal are submitted which impact significant archaeological or cultural sites.	Although extensive surveys of the project site have not found any archaeological or cultural remains or resources, this is an area of the City considered to be highly sensitive archaeologically. Pursuant to mitigation identified in the proposed final MND, onsite monitoring by a qualified archaeologist and Native American observer would be required during all grading, excavation, and site disturbing activities. If archaeological remains or resources are uncovered during such activities, such work shall be stopped or redirected at the direction of the monitor(s) until a qualified archaeologist prepares a report assessing the significance of the find and providing regarding appropriate disposition. Appropriate disposition shall be determined by the City through consultation with the affected Native American nation.	**Consistent**
Division 5; Overlay Districts		
§35-97.1 Environmentally Sensitive Habitat Area Overlay The purpose of this overlay district is to protect and preserve areas in which plant or animal life or their habitats are either	The proposed project would remove 4,000 ft of existing barrier to fish passage, and include the removal of non-native vegetation, and replace all native trees and	**Consistent**

CITY ORDINANCE	DISCUSSION	ORDINANCE CONSISTENCY
rare especially valuable because of their role in the ecosystem and which could be easily disturbed or degraded by human activities and developments. The intent of this overlay district is to ensure that all development in such areas is designed and carried out in a manner that will provide maximum protection to sensitive habitat areas.	shrubs lost to project construction at ratios deemed appropriate by the General Plan.	
§35-97.9(1) Development Standards for Wetlands All diking, dredging, and filling activities shall conform to the provisions of PRC §5 30233 and 30607.1 of the Coastal Act. Presently permitted maintenance dredging, when consistent with these provisions and where necessary for the maintenance of the tidal flow and continued viability of the wetland habitat, shall be subject to the following conditions: a. Dredging shall be prohibited in breeding and nursery areas and during periods of fish migration and spawning. b. Dredging shall be limited to the smallest area feasible. c. Designs for dredging and excavation projects shall include protective measures such as silt curtains, diapers, and weirs to protect water quality in adjacent areas during construction by preventing the discharge of refuse, petroleum spills, and unnecessary dispersal of silt materials. During permitted dredging operations, dredge spoils may only be temporarily stored on existing dikes, or on designated spoil storage areas, except in the Atascadero Creek area (including San Jose and San Pedro Creeks) where spoils may be stored on existing storage areas as delineated on the Spoil Storage Map dated February 1981. Projects which result in discharge of water into a wetland require a permit from the California Regional Water Quality	Vegetation removal for construction of the proposed flood control improvements would be limited to times of the year outside of the avian breeding season (February 1st to August 15th) unless nesting bird surveys prepared by a qualified biologist that provides for mitigation of project impacts on nesting birds. No other impacts to Coastal wetland resources would occur as a result of project implementation. BMPs to protect water quality from the adverse effects of work upstream of the Coastal Zone would be required and no dredging of fill of coastal wetlands would occur.	**Consistent**

CITY ORDINANCE	DISCUSSION	ORDINANCE CONSISTENCY
Control Board.		
§35-97.19(2) Development Standards for Stream Habitats No structures shall be located within the stream corridor except: public trails, dams for necessary water supply projects, flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, and other development where the primary function is for the improvement of fish and wildlife habitat. Culverts, fences, pipelines, and bridges (when support structures are located outside the critical habitat) may be permitted when no alternative route/location is feasible. All development shall incorporate the best mitigation measures feasible.	The proposed flood control improvements are necessary to protect existing development and people in Goleta's Old Town from the threat of future flooding. Bridge abutments for the new Hollister Bridge would be located outside of the streambed comprising critical habitat for the endangered Southern steelhead. To adequately increase flood conveyance capacity to prevent future flooding in the area, the existing Hollister Bridge must be replaced with a new bridge that provides for more channel free-board. Mitigation measures for the project include BMPs to protect water quality from the adverse impacts of project construction, erosion, and sedimentation.	**Consistent**
INLAND ZONING ORDINANCE (IZO)		
Division 3; Development Standards		
§35-211(2-4) Archaeology 2. When Developments are proposed for lots where archaeological or other cultural sites are located, project design shall be required which avoids impacts to such cultural sites if possible 3. When sufficient planning flexibility does not permit avoiding construction on archaeological or other types of cultural sites, adequate mitigation shall be required. Mitigation shall be designed in accord with guidelines of the State Office of Historic Preservation and the State of California Native American Heritage Commission 4. Native Americans shall be consulted	Although extensive surveys of the project site have not found any archaeological or cultural remains or resources, this is an area of the City considered to be highly sensitive archaeologically. Pursuant to mitigation identified in the proposed final MND, onsite monitoring by a qualified archaeologist and Native American observer would be required during all grading, excavation, and site disturbing activities. If archaeological remains or resources are uncovered	**Consistent**

CITY ORDINANCE	DISCUSSION	ORDINANCE CONSISTENCY
when development proposal are submitted which impact significant archaeological or cultural sites.	during such activities, such work shall be stopped or redirected at the direction of the monitor(s) until a qualified archaeologist prepares a report assessing the significance of the find and providing regarding appropriate disposition. Appropriate disposition shall be determined by the City through consultation with the affected Native American nation.	
§35-213(2) Flood Hazard Permitted development shall not cause or contribute to flood hazards or lead to expenditure of public funds for flood control works, i.e. dams, stream channelizations, etc.	The proposed project is designed and intended to reduce the potential for flooding in Goleta's Old Town and reduce future expenditures on flood control measures.	**Consistent**
§35-250.B.1 ESH-GOL Environmentally Sensitive Habitat Area-Goleta The purpose and intent of this overlay district is to protect and preserve specified areas in which plant species, animal species, and/or their habitats are rare of have special value because of their role in the ecosystem, and which could be easily disturbed or degraded by human activities and developments. The intent of this overlay district is to ensure that nay and all development permitted in such areas is designed and carried out in a manner that will provide maximum protection to sensitive habitats.	The proposed flood control improvements would be required to implement all feasible BMPs to protect water quality and riparian resources within the creek channel. Wetland and riparian restoration and enhancement elements of the project would protect and improve the existing riparian/wetland habitat within the project corridor. Project revisions outlined in the April 2008 Addendum to the Final MND, and staff report dated April 15, 2008, address fish passage improvements that will enhance habitat value of the creek as a result of this project.	**Consistent**

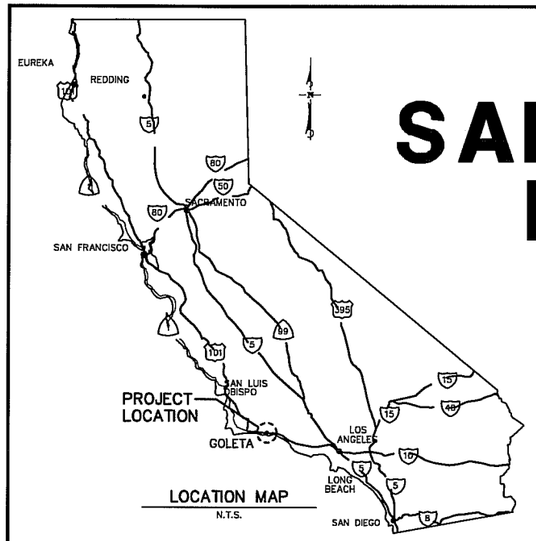
ATTACHMENT 6
Final Negative Declaration Addendum/Environmental Assessment (07-MND-01) April 2008, for the San Jose Creek Capacity Improvement Project

See Reference Binder at Planning Counter or City of Goleta website under Environmental Review Portal

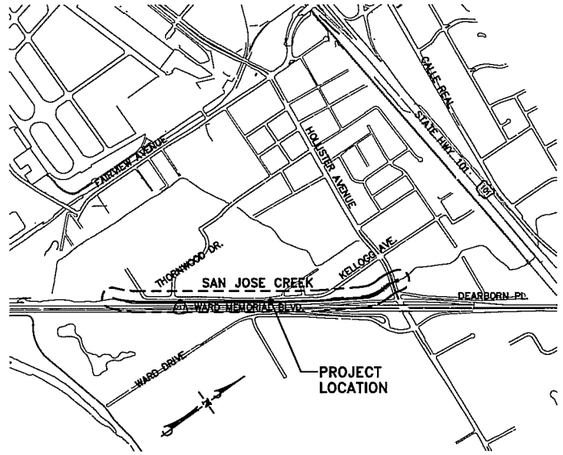
ATTACHMENT 7
Project Plans (11 x 17 Reductions)

PRELIMINARY PLAN
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT WITH FISH PASSAGE

CITY OF GOLETA
SANTA BARBARA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
MARCH 2008



LOCATION MAP
N.T.S.



VICINITY MAP
N.T.S.

LOCATION PLAN

LEGEND

- EXISTING FLOOD PLAIN
- PROPOSED FLOOD PLAIN

INDEX TO SHEETS

SCALE: 1"=300'
0 300 600 900

SURVEYOR'S NOTES:

TOPOGRAPHY PERFORMED BY RBF.

DATUM: HORIZONTAL DATUM: CCS ZONE V, NAD 1983, VERTICAL DATUM: NAVD 1988

NO.	DATE	REVISIONS	APPD.

Penfield & Smith
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· Construction Management ·
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Phone: (805) 963-9532 Fax: (805) 966-9801

DESIGN CEC CHECKED
BRUCE BURNWORTH DATE:
PROJECT ENGINEER
R.C.E. 34,394 (EXP. 9-30-09)

REGISTERED PROFESSIONAL ENGINEER
CRAIG A. STEWARD
NO 37253
EXPIRES
CIVIL
STATE OF CALIFORNIA

CITY OF GOLETA, CALIFORNIA
REVIEWED BY:
SIGNATURE DATE

TITLE SHEET
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT WITH FISH PASSAGE
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03
SHEET 1 OF 8
PLAN DATE MARCH 2008

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CONCRETE TRANSITION

$1\frac{1}{2}$:1 COMPOSITE REVETMENT

REMOVE EXISTING STEEL BRIDGE RELOCATE SEWER TO UNDER SR 217

A 6

B 6

C 6

HWY 217 (WARD MEMORIAL BLVD.)

UP TO 18" AREA FILL TO CONTAIN CREEK FLOW

EXISTING BRIDGE TO REMAIN

HOLLISTER AVENUE

EXISTING CALTRANS LANDSCAPING

KELLOGG AVENUE

LEGEND

- 48" TO 84" VERTICAL WALL
- $1\frac{1}{2}$: 1 ROCK SLOPE FULL VERTICAL WALL
- 1:1 SLOPE FISH PASSAGE
- EXISTING CHANNEL TO REMAIN

SCALE: 1"=40

0 40 80 120

NO.	DATE	REVISIONS	APP'D.

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PRELIMINARY PLAN
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT WITH FISH PASSAGE
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03
SHEET 2 OF 8
PLAN DATE MARCH 2008

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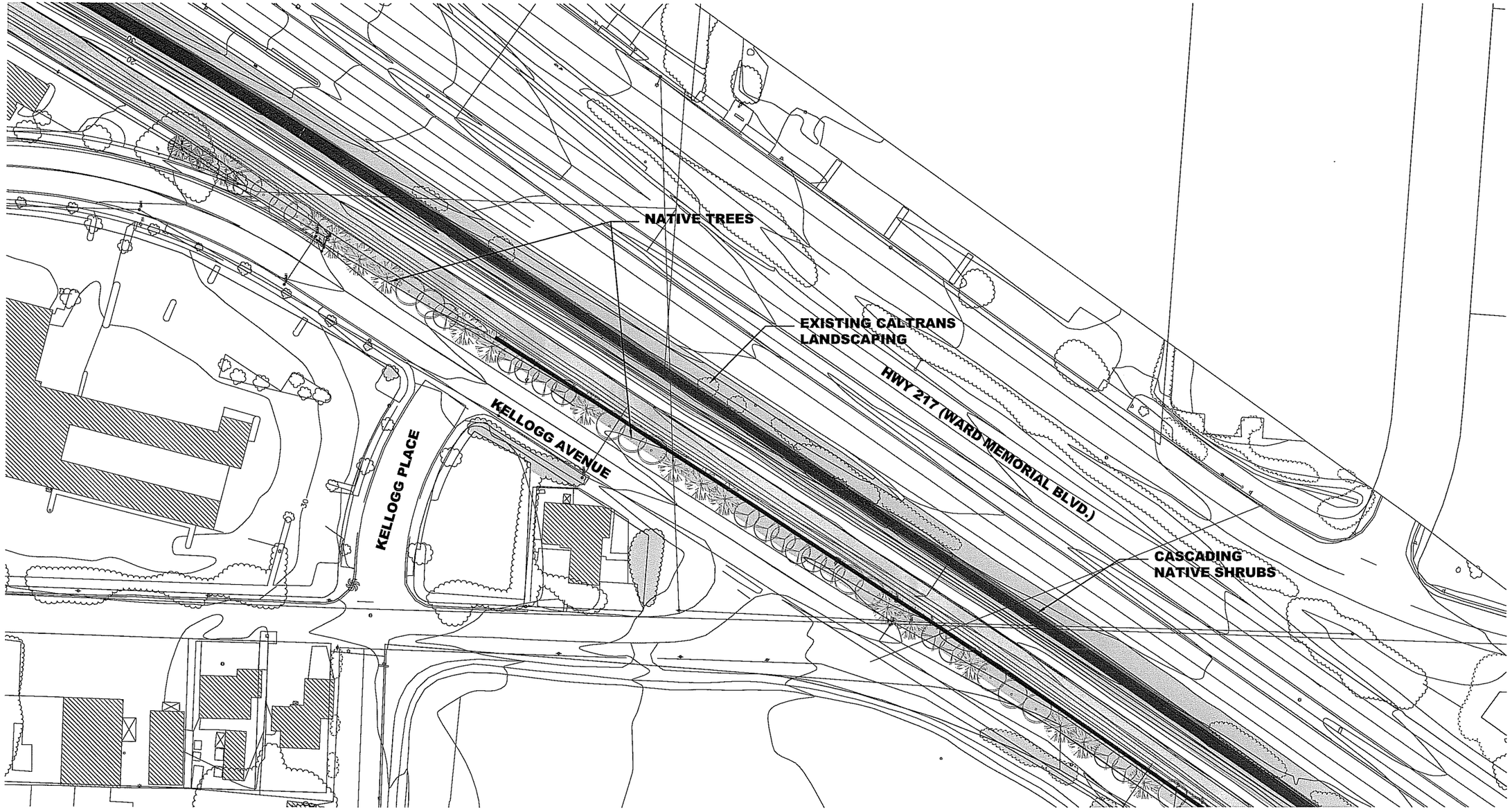

LEGEND

- 48" VERTICAL WALL
- 1:1 SLOPE
- FISH PASSAGE
- EXISTING CHANNEL TO REMAIN
- 42" FLOOD WALL

N

SCALE: 1"=40

0 40 80 120

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CITY OF GOLETA, CALIFORNIA

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PRELIMINARY PLAN
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT WITH FISH PASSAGE

CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03

SHEET 3 OF 8

PLAN DATE MARCH 2008

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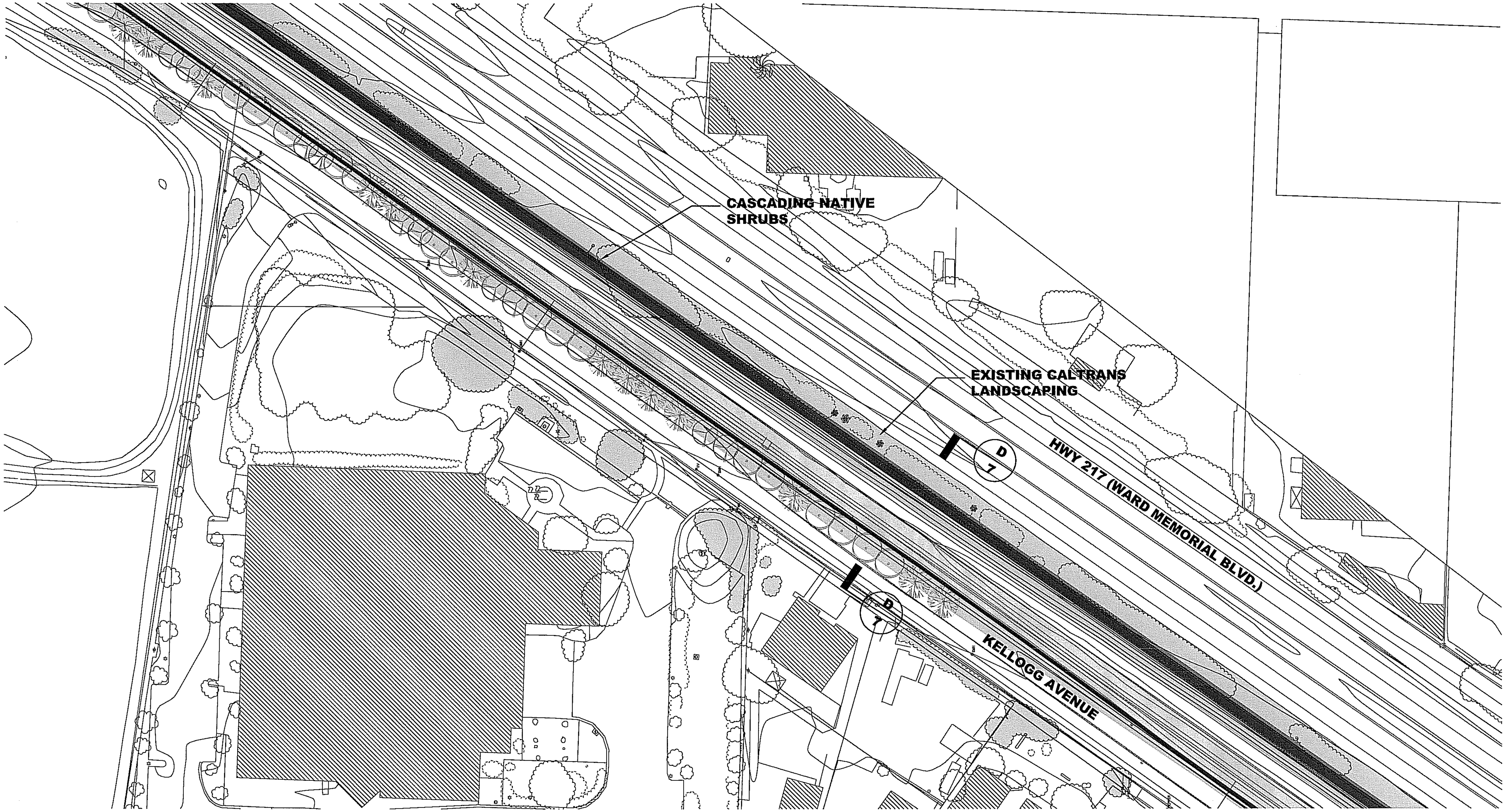

LEGEND

- 48" VERTICAL WALL
- 1:1 SLOPE
- FISH PASSAGE
- EXISTING CHANNEL TO REMAIN
- 42" FLOOD WALL

N

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PRELIMINARY PLAN
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT WITH FISH PASSAGE
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03
SHEET 4 OF 8
PLAN DATE MARCH 2008

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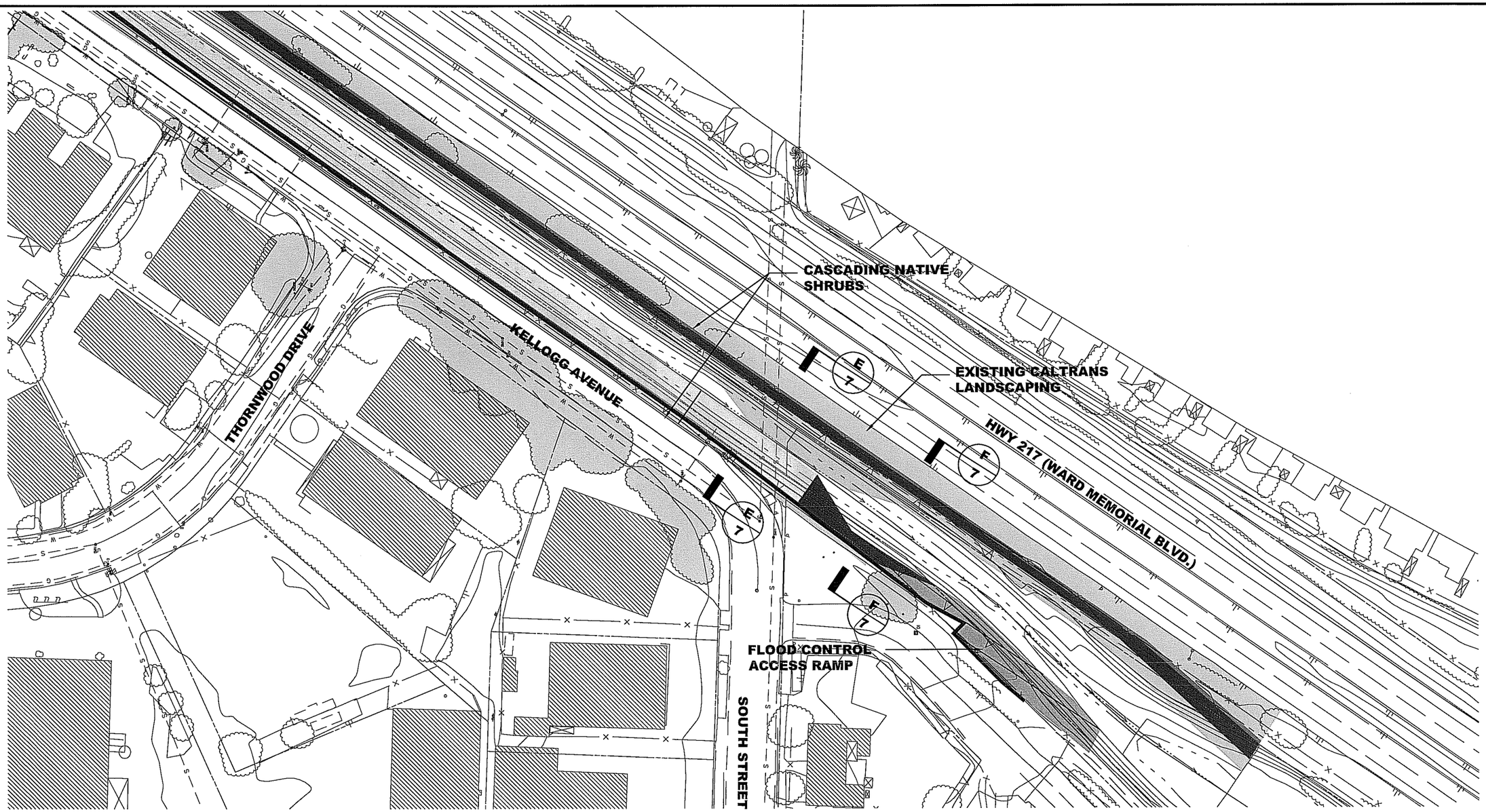

LEGEND

48" VERTICAL WALL
1:1 SLOPE
FISH PASSAGE

42" FLOODWALL
ACCESS RAMP

SCALE: 1"=40
0 40 80 120

NO.	DATE	REVISIONS	APP'D.

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STATE OF CALIFORNIA

CITY OF GOLETA, CALIFORNIA
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PRELIMINARY PLAN
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03
SHEET 5 OF 8
PLAN DATE MARCH 2008

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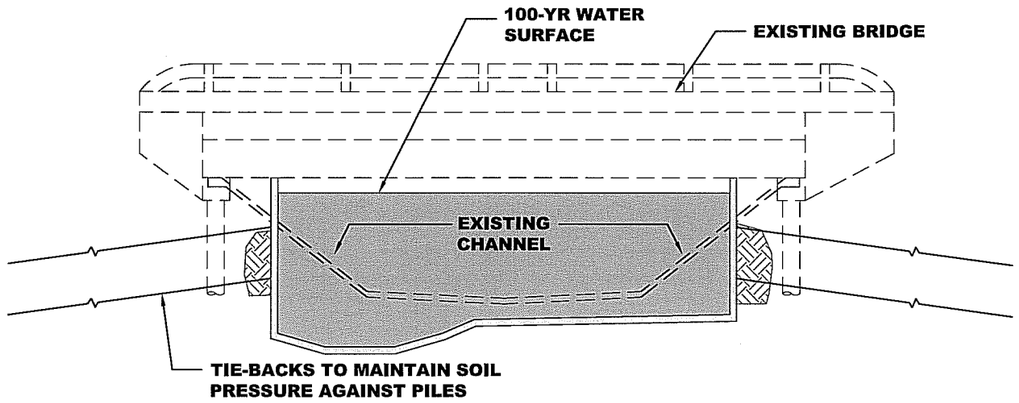

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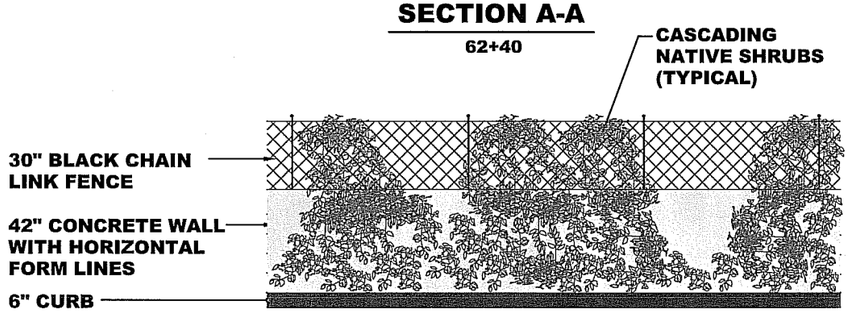

TYPICAL 42" WALL ELEVATION
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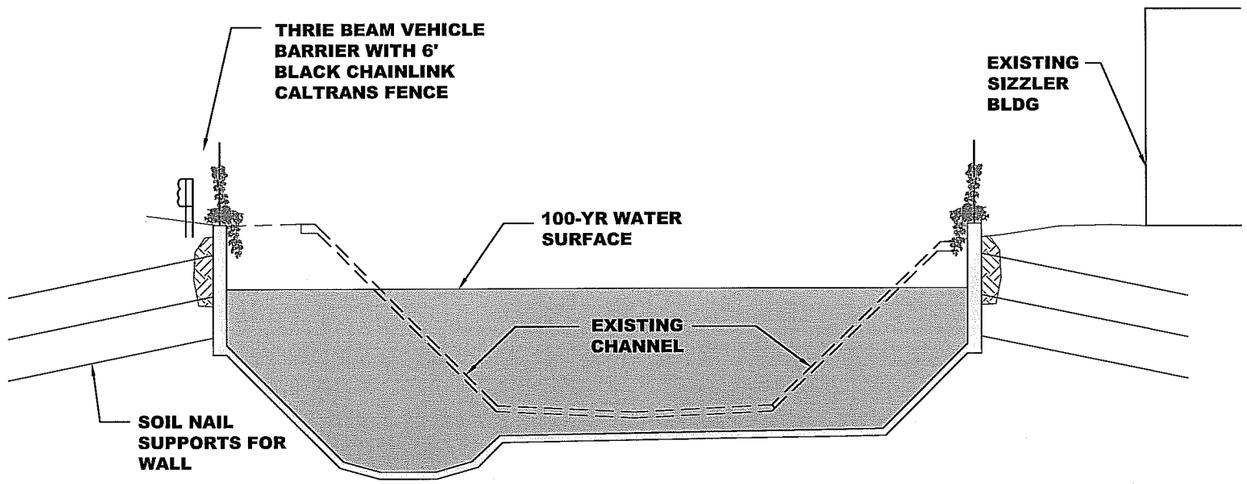

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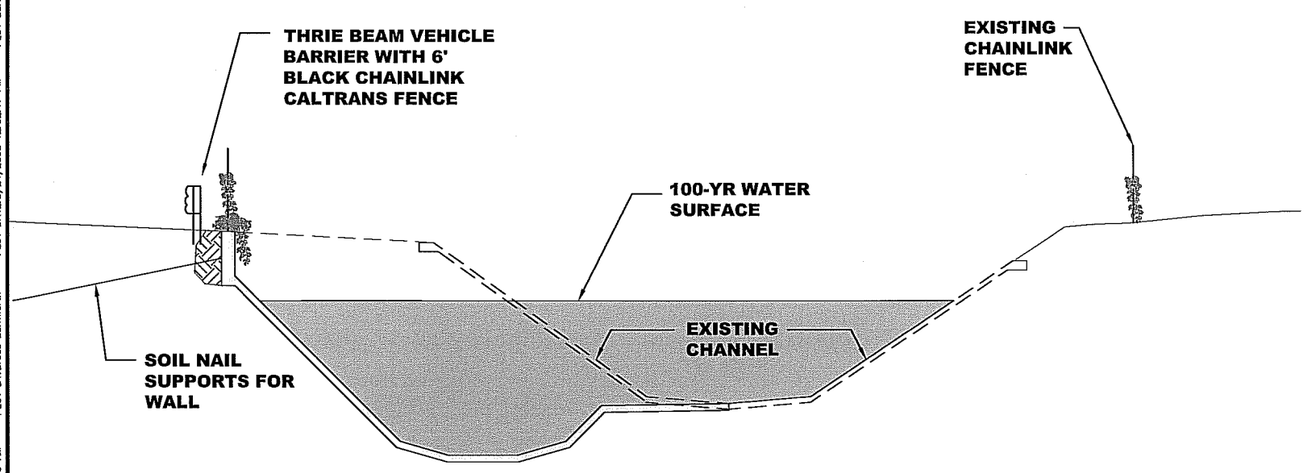

SECTION C-C
57+07

SCALE: 1"=5'
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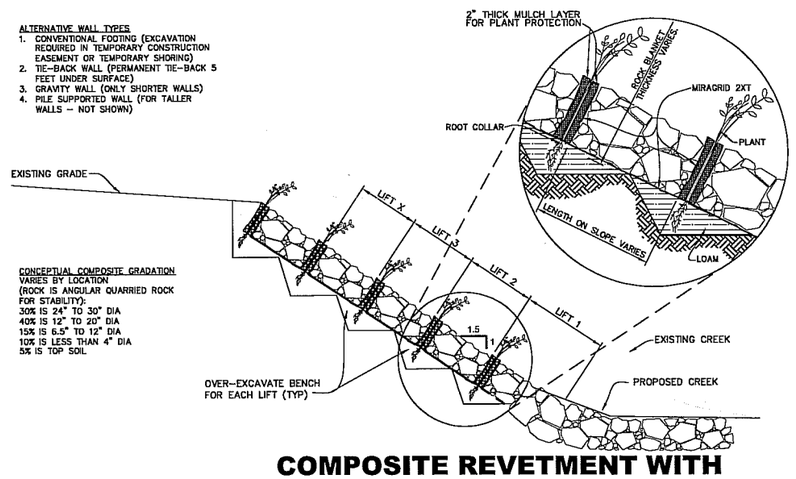
ALTERNATIVE WALL TYPES
1. CONVENTIONAL FOOTING (EXCAVATION REQUIRED IN TEMPORARY CONSTRUCTION EASEMENT OR TEMPORARY SHORING)
2. TIE-BACK WALL (PERMANENT TIE-BACK 5 FEET UNDER SURFACE)
3. GRAVITY WALL (ONLY SHORTER WALLS)
4. PILE SUPPORTED WALL (FOR TALLER WALLS -- NOT SHOWN)

CONCEPTUAL COMPOSITE GRADATION
VARIES BY LOCATION
(ROCK IS ANGULAR QUARRIED ROCK FOR STABILITY):
30% IS 24" TO 30" DIA
40% IS 12" TO 20" DIA
15% IS 6.5" TO 12" DIA
10% IS LESS THAN 4" DIA
5% IS TOP SOIL



COMPOSITE REVETMENT WITH JOINT PLANTINGS
NTS

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REGISTERED PROFESSIONAL ENGINEER CRAIG A. STEWARD NO 37253 EXPIRES CIVIL STATE OF CALIFORNIA

CITY OF GOLETA, CALIFORNIA
REVIEWED BY:
SIGNATURE DATE

SECTIONS AND DETAIL
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03
SHEET 6 OF 8
PLAN DATE MARCH 2008

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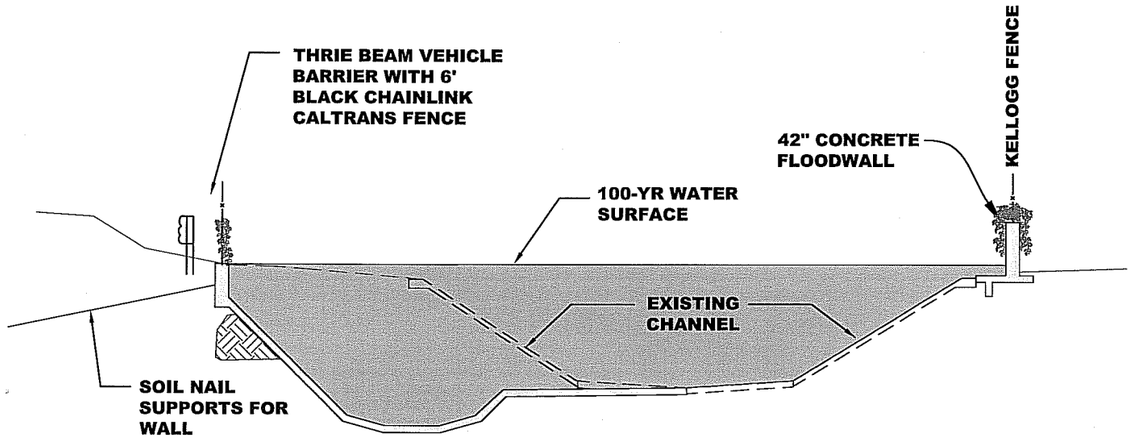

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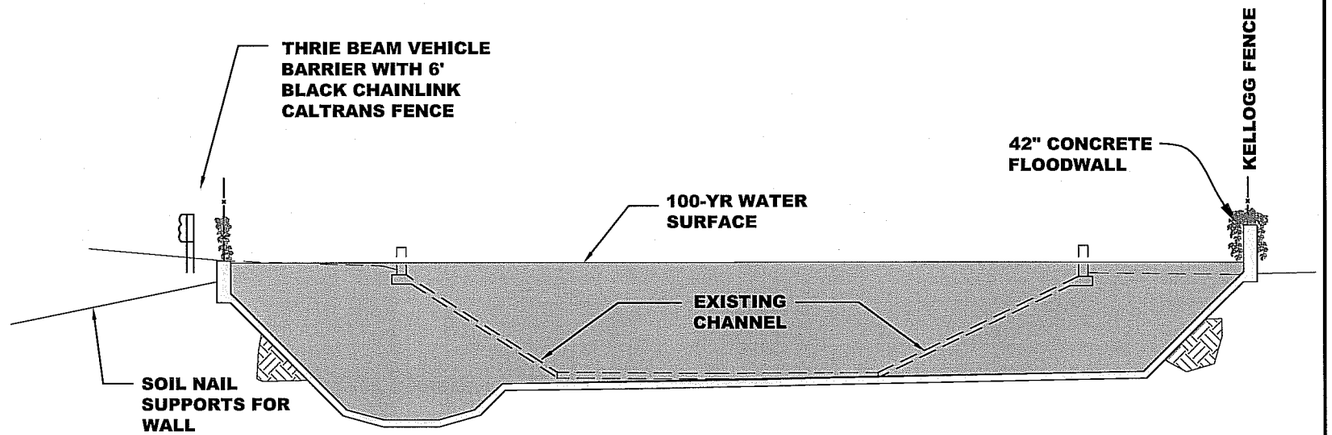

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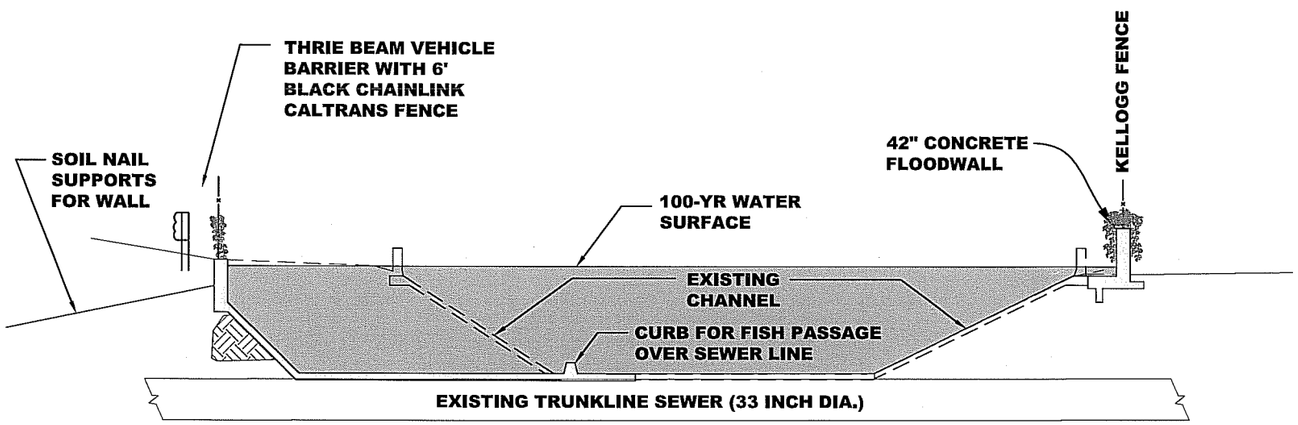

SECTION E-E

26+55

SCALE: 1"=5'

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NO.	DATE	REVISIONS	APP'D.

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DESIGN BWB/CEC CHECKED

BRUCE BURNWORTH DATE:

PROJECT ENGINEER

R.C.E. 34,394 (EXP. 9-30-09)

REGISTERED PROFESSIONAL ENGINEER
CRAIG A. STEWARD
NO 37253
EXPIRES
CIVIL
STATE OF CALIFORNIA

CITY OF GOLETA, CALIFORNIA

REVIEWED BY:

SIGNATURE DATE

SECTIONS
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03

SHEET 7 OF 8

PLAN DATE MARCH 08

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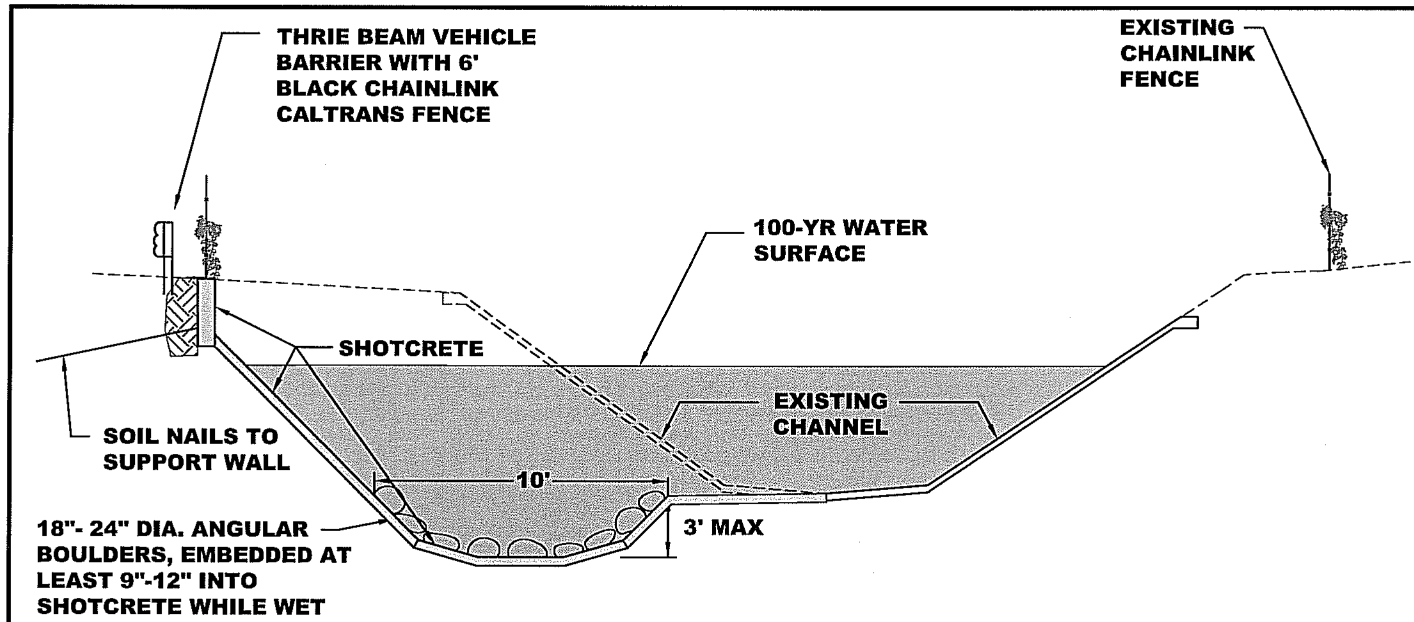
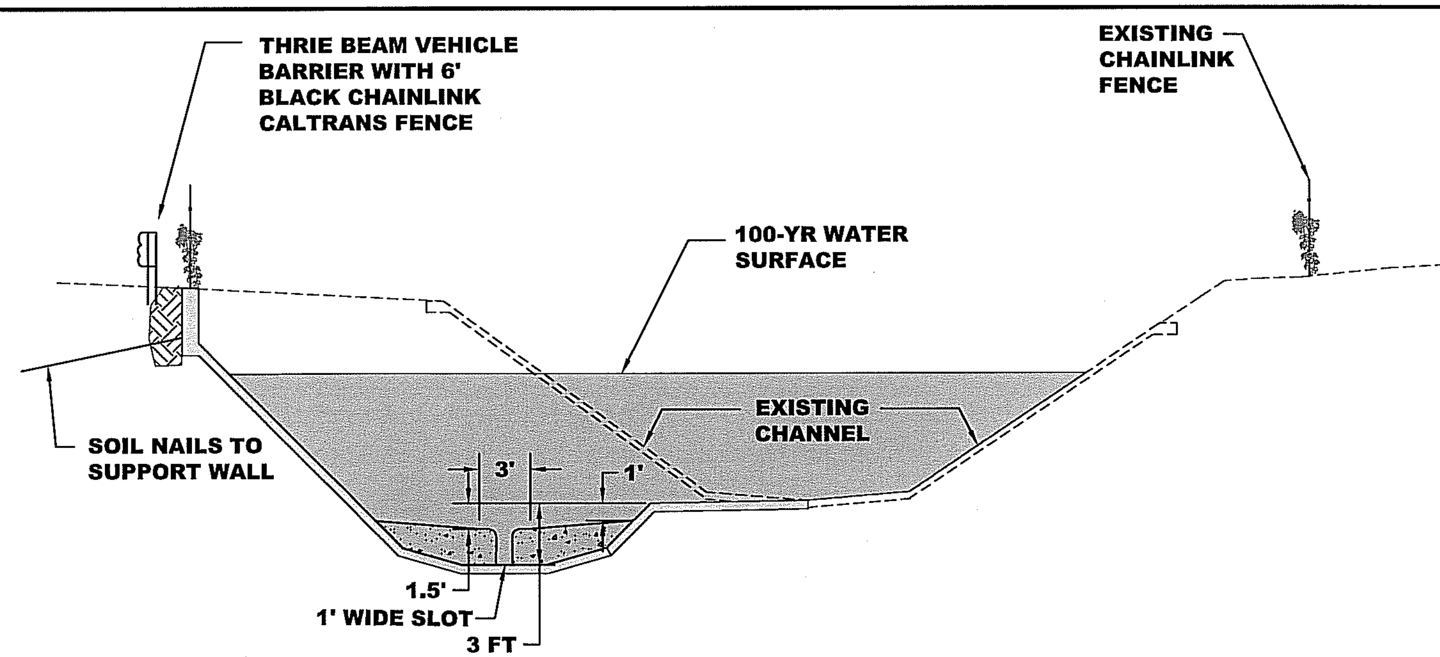


ROUGHENED PASSAGE CHANNEL- SECTION C-C

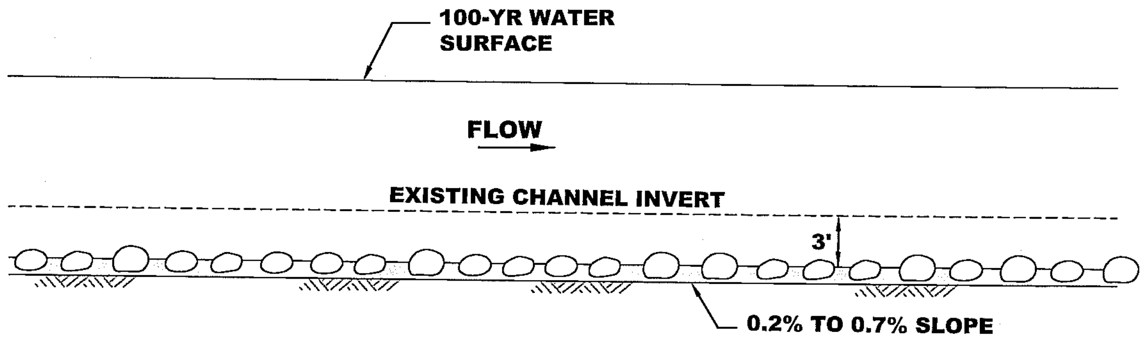
57+06



SLOTTED WEIR- SECTION C-C

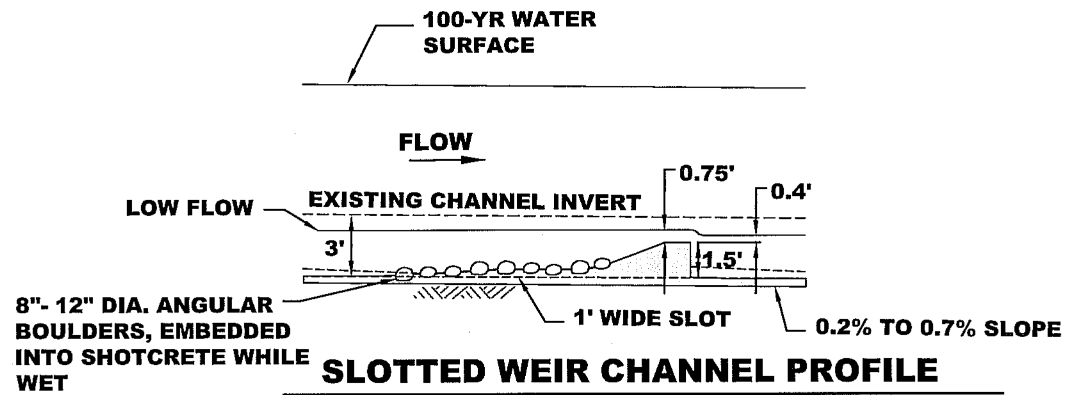
57+06

FISH PASSAGE CHANNEL ALTERNATIVES



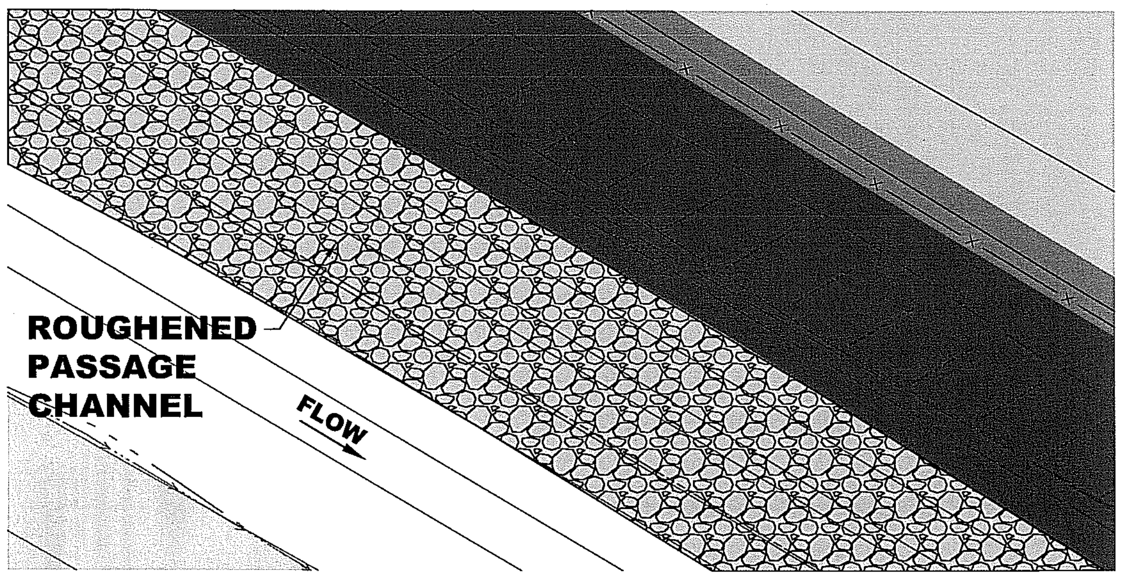
ROUGHENED PASSAGE CHANNEL PROFILE

57+06



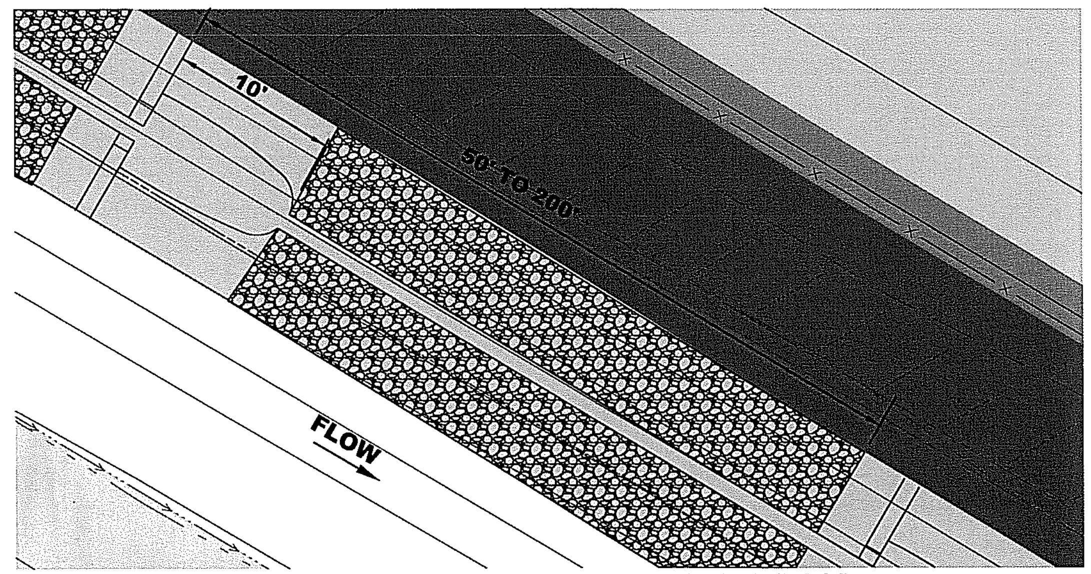
SLOTTED WEIR CHANNEL PROFILE

57+06



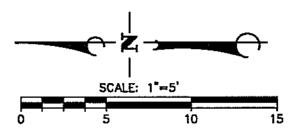
ROUGHENED PASSAGE CHANNEL PLAN

57+06.64



SLOTTED WEIR CHANNEL PLAN

57+06.64



CITY OF GOLETA

NO.	DATE	REVISIONS	APPD.

Penfield & Smith
Engineering · Surveying · Planning · Construction Management ·
111 East Victoria Street, Santa Barbara, CA 93101
Phone: (805) 963-9532 Fax: (805) 966-9801

DESIGN CEC CHECKED
BRUCE BURNWORTH DATE:
PROJECT ENGINEER
R.C.E. 34,394 (EXP. 09-30-09)

REGISTERED PROFESSIONAL ENGINEER CRAIG A. STEWARD NO 37253 EXPIRES CIVIL STATE OF CALIFORNIA

CITY OF GOLETA, CALIFORNIA
REVIEWED BY:
SIGNATURE DATE

PRELIMINARY PLAN
SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT
CITY OF GOLETA, CALIFORNIA

P&S PROJECT NO. 15581.03
SHEET 8 OF 8
PLAN DATE MARCH 2008

36-ENG SAVE DATE: 3/24/2008 12:45:23 PM PLOT BY:Bruce Burnworth PLOT DATE:3/24/2008 12:47:31 PM PLOT SCALE:1:1

DRAWING:r:\ocad\work\15581\phase 3\concepts drawings\1558concept shts23458bwbmar08.dwg