

COASTAL CONSERVANCY

Staff Recommendation
December 2, 2004

GOBERNADOR CREEK FISH PASSAGE DESIGN

File No. 04-078
Project Manager: Mary Travis

RECOMMENDED ACTION: Authorization to disburse up to \$40,000 to the Community Environmental Council to prepare engineering designs, environmental documentation, and permit applications for the removal of three barriers to fish passage on Gobernador Creek in Santa Barbara County.

LOCATION: Lower Gobernador Creek, the principal tributary to Carpinteria Creek, unincorporated Santa Barbara County (Exhibit 1)

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: Project Location

Exhibit 2: Fish passage barriers in Carpinteria Creek watershed

Exhibit 3: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed forty thousand dollars (\$40,000) to the Community Environmental Council to prepare engineering designs, environmental documentation, and permit applications for the removal of three barriers to fish passage on Gobernador Creek in Santa Barbara County, subject to the following condition: Prior to the disbursement of any funds, the Community Environmental Council shall submit for the review and written approval of the Conservancy’s Executive Officer a work program, budget, and schedule, the names of any contractors to be employed in carrying out the work, and written evidence of each landowner’s permission to enter the project site for purposes of the project.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and criteria in Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding enhancement of coastal resources.
 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
 3. The project area has been identified in the certified Local Coastal Program of Santa Barbara County as requiring public action to resolve existing or potential resource protection problems.
 4. The Community Environmental Council is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the California Public Resources Code.”
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PROJECT SUMMARY:

Staff is recommending that the Conservancy provide up to \$40,000 to the Community Environmental Council (CEC) to prepare engineering designs, environmental documentation, and permit applications for the removal of three barriers to fish passage on Gobernador Creek in Santa Barbara County (Exhibit 1).

The Carpinteria Creek watershed is one of the largest on Santa Barbara County’s south coast and may offer the region’s best opportunity for restoring significant runs of the endangered southern California steelhead. The upper watershed has perennial flows and extremely high-quality trout habitat, while the lower creek, unlike most south coast streams, is not channelized, and runs freely under open spans at both the Union Pacific Railroad tracks and Highway 101. Historically Carpinteria Creek supported plentiful runs of anadromous steelhead, and the upper watershed continues to sustain a population of resident rainbow trout, but because of human modifications to the watershed—primarily the construction of several road crossings and other impediments to fish migration—anadromous steelhead now enter the stream in very small numbers, if at all.

Over the past few years CEC, a Santa Barbara-based nonprofit organization, has been working with the Carpinteria Creek Watershed Coalition to restore steelhead runs to the watershed and improve its ecological functioning. One effort, supported by a grant from the Wendy P. McCaw Foundation, has been to contact key landowners to ascertain their willingness to address fish passage barriers on their property. This past spring two private landowners who together have three severe barriers on Gobernador Creek agreed to work with CEC on plans for fish passage improvement on their property. One of the sites consists of a culverted road crossing made of boulders and concrete, which CEC hopes to replace with a bridge. The other two sites, located just downstream of the first, consist of concrete road crossings each with a box culvert over ten feet long, which, if it is feasible, CEC would like to remove and replace with one bridge. CEC has obtained a grant from the California Department of Fish and Game for planning and design at the first site, and intends to use the remainder of its McCaw Foundation grant for planning at the other two. With an additional grant of \$40,000 from the Conservancy, CEC would be able to prepare final designs for both projects, as well as prepare environmental documentation and permit applications.

Currently efforts are underway to remove or modify almost all other significant migration barriers in the Carpinteria/Gobernador Creek watershed, both upstream and downstream of the proposed project sites. CEC is the project lead or an active participant in all of these projects. CEC and the Carpinteria Creek Watershed Coalition will continue to try to engage remaining landowners so that eventually all barriers can be removed. The goal of reopening the entire Carpinteria Creek watershed to steelhead is within reach.

Site Description: Carpinteria Creek is located about ten miles southeast of the City of Santa Barbara and about 2.5 miles northwest of the Ventura County line. It is one of the largest of Santa Barbara County's coastal streams, draining a watershed of about fifteen square miles. The headwaters of Carpinteria Creek and its major tributary, Gobernador Creek, are in the Santa Ynez Mountains, within Los Padres National Forest. From elevations of 4,000 feet the creek descends through steep canyons and hillsides, winds through orchards and agricultural fields, and finally passes through the City of Carpinteria to its mouth at Carpinteria State Beach.

The specific project sites are located on lower Gobernador Creek within about a mile and a half of its confluence with Carpinteria Creek. All are private road crossings serving local landowners. The three barriers are described in detail in the report *Steelhead Assessment and Recovery Opportunities in Southern Santa Barbara County, California* (Matt W. Stoecker and Conception Coast Project, June 2002; see Exhibit 2 for a map of barriers in the Carpinteria Creek watershed). The lower two crossings are both made of concrete, and each conveys stream flow through a box culvert fitted with a metal debris grate at its inlet. The report characterizes both structures as severe barriers to steelhead migration. The most upstream of the three crossings is composed of boulder and concrete riprap, with three metal culverts ten inches in diameter. According to the Stoecker report this structure is impassable to steelhead migrating upstream during all flow conditions. See Exhibit 2 for the Stoecker report's map of barriers in the Carpinteria Creek watershed. The map identifies the three crossings as CA_GR_3, CA_GR_4, and CA_GR_5.

Project History: The 1997 listing of the southern steelhead under the federal Endangered Species Act gave momentum to local efforts to restore steelhead to Santa Barbara County streams. The release in 2002 of the Stoecker report has provided further impetus, as well as the basis for a systematic approach to removing barriers from the region's streams. The Carpinteria Creek Watershed Coalition, a community-based partnership of rural and urban landowners, nonprofit organizations, and resource agencies, has been working to carry out the report's recommendations for Carpinteria and Gobernador creeks. The Coalition's goals are to improve stream and watershed conditions for steelhead, assist landowners in protecting their property from bank erosion, and restore the habitat and water quality of the creek. CEC facilitates the group's monthly meetings and provides staff support for project development, grant writing, and outreach efforts.

As its first project, the Coalition began undertaking the removal of a low-flow ("Arizona") crossing on Carpinteria Creek located on property owned by the Cate School. The Conservancy, through a grant to CEC, is funding the planning and design of the project. The Coalition and CEC are also developing plans for removal of a second, privately-owned Arizona crossing, located where Casitas Pass Road crosses Carpinteria Creek. The Stoecker report identified this structure as the watershed's "keystone barrier"—that is, the most downstream barrier in the stream that blocks or seriously impedes upstream migration. The Coalition is also working with the Cachuma Resource Conservation District on a comprehensive watershed assessment and

management plan. The proposed Gobernador Creek projects are a result of landowner outreach by CEC and the Coalition, an effort they will continue.

Complementing the work of the Coalition and CEC, the Santa Barbara County Water Agency, with funding support from the Conservancy, is carrying out design and permitting for a number of fish passage improvement projects in the County's south coast streams. Among the barriers under study is the County-maintained flood control debris basin on Gobernador Creek. The Gobernador debris basin, which is a total barrier to fish passage, is located less than a quarter mile upstream of the proposed project site. Modifying this structure for fish passage will provide steelhead access to at least an additional mile and a half of prime habitat.

PROJECT FINANCING:

Coastal Conservancy	\$40,000
California Department of Fish and Game	\$48,843
Wendy P. McCaw Foundation	<u>\$50,000</u>
Total Project Cost	\$138,843

Funding for the proposed project would come from a grant from NOAA Fisheries to the Conservancy to carry out a Southern California Steelhead Improvement Program, the purpose of which is to facilitate steelhead recovery by increasing habitat quality and availability in southern California coastal streams. One component of the program entails preparation of plans for modification or removal of one or more barriers on Gobernador Creek.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 6 of the Conservancy's enabling legislation, Division 21 of the Public Resources Code (Sections 31251-31270), regarding enhancement of coastal resources.

Under §31251, the Conservancy may award grants for the purpose of enhancement of coastal resources that, because of natural or human-induced events, or incompatible land uses, have suffered loss of natural and scenic values. Consistent with this section, the proposed project would lead to improvements in the quality and availability of habitat in the Carpinteria Creek watershed for the benefit of endangered southern California steelhead, an important coastal resource whose numbers have dwindled because road crossings and other structures have impeded passage to historic spawning and rearing habitat.

The proposed authorization is consistent with §31252, in that the certified Local Coastal Program of Santa Barbara County identifies coastal streams as requiring public action to resolve resource protection problems, as described in the "Consistency with Local Coastal Program Policies" section below.

The proposed authorization is consistent with §31253, which states that the Conservancy may provide up to the total cost of any coastal resource enhancement project. In the present instance the Conservancy's contribution would be less than thirty percent of the funds needed to carry out the project.

CEC is a private, nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code and whose purposes are consistent with Division 21. As such, under §31013 CEC is qualified to receive Conservancy grants.

**CONSISTENCY WITH CONSERVANCY'S
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 5, Objective A** and **Objective B** of the Conservancy's Strategic Plan, the proposed project would promote coastal resource conservation by leading to removal of three severe barriers to fish passage in Gobernador Creek. When this and the other projects currently in the planning stages are implemented, steelhead will gain access to many miles of high-quality spawning and rearing habitat in the Carpinteria Creek watershed.

Consistent with **Goal 6, Objective A** of the Conservancy's Strategic Plan, the proposed project entails development of two plans to remove barriers to steelhead migration, which will aid in the recovery of this endangered species.

**CONSISTENCY WITH CONSERVANCY'S
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, in the following respects:

Required Criteria

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support from the public:** The project has the support of the Carpinteria Creek Watershed Coalition, comprising landowners, area residents, nonprofit organizations, and local, state, and federal agencies, including the California Department of Fish and Game and NOAA Fisheries. The Department of Fish and Game has supported the project with a grant of approximately \$48,000. The project also has the support of Assembly Member Hannah-Beth Jackson. Letters of support are attached as Exhibit 3.
4. **Location:** The proposed project sites are located within the coastal zone of Santa Barbara County.
5. **Need:** CEC has raised considerable funds from other sources for this project, but does not have enough to complete the design work, environmental review, and permitting necessary to ready the barrier removal projects for implementation.
6. **Greater-than-local interest:** The public trust value of the endangered southern steelhead is of great interest to all and a legacy too precious to lose. Restoring access to and quality of spawning and rearing habitat in the Carpinteria Creek watershed and in Santa Barbara County's south coast streams will be critical to the recovery of the population. Department of

Fish and Game biologists believe that Carpinteria Creek offers the best opportunity among all South Coast urban streams for restoring significant steelhead runs in the next few years.

Additional Criteria

7. **Urgency:** The southern California steelhead is the only steelhead population to have received endangered status under the federal Endangered Species Act, and it has experienced the most dramatic decline of all steelhead populations in the country. The California Department of Fish and Game has identified recovery of southern steelhead as a top management priority. Restoring access to spawning and rearing habitat will be crucial in achieving recovery.
9. **Leverage:** See the “Project Financing” section above.
12. **Readiness:** CEC is working on obtaining agreements from both landowners, and, upon Conservancy approval, would be ready to begin the project immediately.
13. **Realization of prior Conservancy goals:** The Conservancy’s preparation of the report *Inventory of Barriers to Fish Passage in California’s Coastal Watersheds* signals this agency’s focus on and commitment to the improvement of fish passage in coastal streams. As noted in the “Project History” section above, the Conservancy has funded the design of other fish passage projects in the Carpinteria Creek watershed. This project is another step toward the goal of opening the entire watershed to steelhead.
15. **Cooperation:** This project would not be possible without the cooperation of the two private landowners.

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The proposed project is consistent with the certified Local Coastal Program (LCP) of Santa Barbara County. Section 3.9.2 of the County’s LCP defines environmentally sensitive habitats as including those areas in which plant or animal life or their habitats are rare or especially valuable because of their special nature or role in an ecosystem. Section 3.9.2 specifically identifies as environmentally sensitive “rare and endangered species habitats” and “specialized wildlife habitats which are vital to species survival.” Such habitats are to be preserved and protected. Consistent with these sections, the goal of the proposed project is to improve habitat within south coast streams for the endangered southern California steelhead. The project is also consistent with LCP Section 3.3.4, which states that protection of watersheds is necessary to “insure continued biological productivity of coastal streams and wetlands.”

COMPLIANCE WITH CEQA:

The proposed project design, environmental review, and permitting activities are statutorily exempt from review under the California Environmental Quality Act (CEQA) pursuant to 14 Cal. Code of Regulations Section 15262, in that they would involve only feasibility analyses for projects that have not yet been approved. Consistent with that section, the environmental effects of the proposed future fish passage projects would be considered. The proposed activities are also categorically exempt under §15306, which exempts basic data collection and resource evaluation activities. Upon Conservancy approval of the project, staff will file a Notice of Exemption.