

COASTAL CONSERVANCY

Staff Recommendation
September 25, 2008

QUIOTA CREEK (LOWER SANTA YNEZ RIVER) FISH PASSAGE

File No. 06-020-01
Project Manager: Rachel Couch

RECOMMENDED ACTION: Authorization to redirect funds previously authorized for the Cachuma Conservation and Release Board to remove fish barrier Crossing #2 to remove instead fish barrier Crossing #6 and restore habitat on Quiota Creek, a tributary to the lower Santa Ynez River.

LOCATION: Quiota Creek, south of the City of Santa Ynez, Santa Barbara County (Exhibit 1)

PROGRAM CATEGORY: Resource Enhancement

EXHIBITS

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [April 2006 Staff Recommendation](#)

Exhibit 3: [a. Environmental Impact Report/Environmental Impact Statement](#)
[b. EIR/EIS Notice of Determination and Addendum](#)

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 the redirection of funds authorized to be disbursed to Cachuma Conservation and Release Board on April 27, 2006 for the removal of fish barrier Crossing #2 to remove instead fish barrier Crossing #6 and restore habitat on Quiota Creek, a tributary to the lower Santa Ynez River subject to the previously required conditions.”

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 project is consistent with Chapter 6 of Division 21 of the Public Resources Code (Sections 31251-31270) regarding the 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 and updated on September 20, 2007.
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 Conservancy has independently reviewed and considered the Environmental Impact Report/Environmental Impact Statement for the Lower Santa Ynez River Fish Management Plan and Cachuma Project Biological Opinion for Southern Steelhead trout, certified by COMB on November 22, 2004, and the Addendum prepared by COMB under CEQA and adopted on June 23, 2008 (collectively attached to the accompanying staff recommendation as Exhibit 3) and finds that the project as mitigated avoids or reduces the possible significant environmental effects to a level of insignificance, and that there is no substantial evidence that the project, as mitigated, may have a significant adverse effect on the environment, as defined in 14 Cal. Code Regulations Section 15382.”

PROJECT SUMMARY:

The project to improve fish passage on Quiota Creek, originally approved by the Conservancy on April 7, 2006, consisted of replacement of an Arizona crossing (Crossing #2) with a 48-foot bridge. The revised project will instead replace a temporary bridge and damaged concrete low flow crossing at Crossing #6 with a 48-foot bottomless-arched culvert with the same flow conveyance capacity and fish passage potential and will re-grade and restore the stream channel to natural conditions. The change in project location occurred as a result of landowner refusal to grant access to the Crossing #2 property.

Removal of all nine Quiota Creek fish passage impediments was recommended in the Lower Santa Ynez River Fish Management Plan (“Fish Management Plan”) completed in October 2000. Pursuant to the Fish Management Plan, Cachuma Conservation and Release Board (“CCRB”) is planning to remove or modify all nine barriers to fish passage by the year 2010. Crossing #2 and Crossing # 6 are identified as top priority barriers for removal in the Fish Management Plan.

See Exhibit 2 for additional project summary information.

Site Description:

Habitat enhancement activities on Quiota Creek represent one of the best opportunities for successful steelhead/rainbow trout restoration on the Lower Santa Ynez River. Steelhead access to the upper reach of Quiota Creek is impeded at nine sites where Refugio Road crosses the creek at-grade (Exhibit 1, map). While the most significant of the nine fish passage barriers on Quiota Creek is Crossing #2, the CCRB seeks to begin barrier removal with Crossing #6, due to landowner refusal to grant access at Crossing #2 at this time. Crossing #6 is the second highest priority identified in the Quiota Creek Watershed Fish Passage Enhancement Plan (2007), expected to be adopted by Cachuma Operations and Maintenance Board (“COMB”) in September 2008, and has been identified as the most feasible high priority barrier for removal on the creek at this time. The Plan was developed by landowners, regulators, and fish passage

engineers to evaluate fish passage fixes for each of the nine low-flow crossings. The Crossing #2 landowner has been engaged in the review process for Crossing #6. CCRB anticipates that the successful completion of the Crossing #6 project will facilitate negotiations for implementation of the Crossing #2 project in the near future.

Crossing #6 description

Crossing #6, located 2.8 miles upstream from the confluence of the Santa Ynez River, is considered a significant barrier to steelhead migration. The crossing currently consists of a temporary bridge and damaged concrete low flow or Arizona crossing. Its removal will open up over 3.2 miles of habitat for spawning and rearing steelhead/rainbow trout. Perennial flow conditions exist from below Crossing #6 upstream to the upper reaches of the creek with excellent habitat available for rearing and spawning trout. Throughout this middle-upper section there are a number of deep pools and undercut banks, with good riparian vegetation and instream cover available. CCRB biologists annually monitor the resident steelhead/trout population between Crossings #5 and #7, observing on average approximately 100 steelhead/rainbow trout ranging from young-of-the-year to adult/juvenile fish 10-12 inches in length during the summer months. The presence of multiple age classes of steelhead/rainbow trout within this section of Quiota Creek confirms its importance as a spawning and rearing stream for endangered steelhead trout.

The site is accessed by traveling south on Refugio Road from the town of Santa Ynez, approximately 8 miles to the east of Buellton. Crossing #6 is approximately 5 miles from the intersection of Highway 246 and Refugio Road.

See Exhibit 2 for additional site description information.

PROJECT FINANCING:

Project costs remain consistent with the Conservancy's April 27, 2006 authorization (Exhibit 2), which indicated that the anticipated source of Conservancy funds for this project is the Safe Neighborhood Parks, Clean Water, Clean Air and Coastal Protection Bond Act of 2000 (Proposition 12).

Funds were reappropriated in Fiscal Year 03/04 and an extension of funds to FY 09/10 was granted in 2008. CCRB acts as the fiscal agent for COMB.

Coastal Conservancy	\$371,800
CA Dept. of Fish & Game (planning grant)	\$ 50,000
Cachuma Conservation and Release Board	<u>\$128,200</u>
Total Project Cost	\$550,000

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

Project remains consistent with the Conservancy's April 27, 2006 authorization (Exhibit 2).

CONSISTENCY WITH CONSERVANCY'S STRATEGIC PLAN GOALS & OBJECTIVES:

Consistent with **Goal 6, Objective D** the proposed project will implement a fish passage barrier removal project identified in the watershed plan for the Lower Santa Ynez River, thereby improving habitat for anadromous steelhead trout.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA & GUIDELINES:

Project remains consistent with the Conservancy's April 27, 2006 authorization (Exhibit 2).

CONSISTENCY WITH THE COASTAL ACT:

Project remains consistent with the Conservancy's April 27, 2006 authorization (Exhibit 2).

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

Project remains consistent with the Conservancy's April 27, 2006 authorization (Exhibit 2).

COMPLIANCE WITH CEQA:

A Final Program and Project Specific EIR/EIS for the Lower Santa Ynez Fish Management Plan and Cachuma Project Biological Opinion for Southern Steelhead Trout ("EIR/EIS") was prepared and certified by COMB on November 22, 2004. The EIR/EIS evaluated the actions and projects identified in the Fish Management Plan and identified mitigation measures and alternatives to reduce adverse impacts.

A Notice of Determination for approval of the Addendum to the EIR/EIS was prepared in 2008 (Exhibit 3). The Addendum evaluated a third design alternative for fish barrier removal on Quiota Creek, that of a bottomless-arched culvert and found that this option would not have any additional impacts or environmental mitigation needs beyond those described in the original EIR/EIS and does not require any significant revisions to the EIR/EIS (See Exhibit 2, CEQA section).

The Quiota Creek Watershed Plan found that a bridge and a bottomless-arched culvert had essentially the same footprint and same passage benefit for steelhead/rainbow trout, flood conveyance, and road access and safety. The bottomless-arched culvert alternative is also preferred by landowners in that area of the watershed.

The EIR/EIS and Addendum identified potentially significant impacts on biological resources associated with replacement of Crossing #6 with a bottomless-arched culvert. Mitigation Measures have been adopted to assure that these potential impacts were eliminated or reduced to *less than significant levels*. Mitigation measures for Crossing #6 remain consistent with mitigation measures and residual impacts described in the April 2006 staff recommendation (see Exhibit 2), as summarized below:

Temporary Construction Related Impacts to Crossing #6

Discharge of sediments and concrete to the creek could result from construction activities in the creek, which could adversely affect aquatic life. This impact is significant but mitigable (Class II), because water will be diverted around the work site to prevent direct erosion of disturbed areas during construction, and erosion control and spill contingency plans will be implemented to contain spills or construction wash water, and to stabilize the affected areas after construction has ended. Additional protection would be provided through application of Mitigation Measure 1 in the EIR/EIS.

Construction impacts to Crossing #6 include disturbance to aquatic habitat in the channel bottom, patches of emergent wetlands or riparian herbs along the channel bed margins, riparian trees and shrubs, and annual non-native grassland on the creek banks. Modification of Crossing #6 will require the removal of a 30-inch diameter sycamore, 40-inch diameter coast live oak, and five 10-inch alder trees. The disturbance of riparian habitat, the loss of mature native riparian trees, and the removal of several small trees and pruning of several others are significant but mitigable impacts (Class II), because the creek bed and adjacent bank vegetation can be restored after construction. Impacts to habitats can be mitigated to a less than significant level by replacing the affected perennial herbs and shrub species and trees at the work site through restoration and planting (Mitigation Measures 2 and 3 in the EIR/EIS).

Construction of the bottomless-arched culvert at Crossing #6 would remove a pool upstream of the at-grade crossing. This would reduce available rearing habitat for rainbow/steelhead trout, red-legged frog, and western pond turtle. This impact is not significant because (1) the loss of the pool will be offset by the increased access to additional upstream pools that are currently inaccessible for steelhead; and (2) the loss of a single is a minor effect on the total pool area along Quiota Creek.

To mitigate the disturbance to aquatic life in the channel bottom, survey, capture and relocation of red-legged frogs, western pond turtles, and steelhead trout will be conducted using agency approved methods and personnel, and with the appropriate state and federal permits and approvals prior to construction. Capture and relocation of these species is considered a standard procedure and has been successfully implemented in the watershed on previous occasions. Any disturbance to these species would be minimal and accepted by the resource agencies. As such, any incidental adverse impact of temporary relocation is not significant (Class III).

Approximately 15,000 square feet of upland habitat consisting of annual grassland and oak woodland understory will be temporarily disturbed by construction of engineered fill slopes for the culvert approaches at Crossing #6. About 5,000 square feet of this habitat would be permanently removed. The impacts to upland bank vegetation are not significant because of the small area involved and because affected areas will be restored after construction.

Increased human presence along the project reach, and noise emissions from vehicles and construction equipment will result from construction activities. These construction impacts could discourage wildlife use along this portion of Quiota Creek during the daytime. This impact is

less than significant (Class III) because it would be restricted to daytime hours over one and possibly two summers.

Construction of the fish barrier removal project at Crossing #6 will require closing of Refugio Road for approximately three weeks. Alternative access for landowners and grazing lessees will be provided during this time. Fencing near crossings will be temporarily relocated 5 to 20 feet to exclude cattle from the work area. These temporary effects on cattle grazing operations along the creek are not significant (Class III).

In 2002, an investigation to determine the potential presence of archeological resources along the project reach was conducted. Impacts to cultural resources at Crossing #6 are not anticipated, as no cultural materials have been observed at the crossings and ground disturbances would occur in and adjacent to the creek, which does not contain cultural deposits. .

Operations-Related Impacts

Modification of the Crossing #6 will improve passage conditions for steelhead along Quiota Creek, which could result in greater numbers of adults traveling up the creek. Additional trout use is not expected to cause any new indirect impacts on existing land uses, since steelhead/rainbow trout already occur in the creek.

COMB adopted a mitigation monitoring or reporting plan (MMRP) on November 22, 2004. This plan will ensure that the previously described mitigation measures are implemented.

Staff recommends the Conservancy concur with the Addendum to the Final EIR/EIS prepared and adopted by COMB June 23, 2008 with respect to the Quiota Creek fish barrier removal project at Crossing #6, which finds that the project, as mitigated, avoids and reduces or the possible significant environmental effects to a level of insignificance. Staff further recommends the Conservancy find that there is no substantial evidence that the project, as mitigated, has the potential for significant adverse effect on the environment.

The Addendum to the Final EIR/EIS is attached for review.

COMB filed a Notice of Determination for the project with the County of Santa Barbara and was sent to the State Clearinghouse on July 22, 2008. The Addendum serves as a modification to the CEQA administrative record.