Agenda Item C.1
PUBLIC HEARING
Meeting Date: April 7, 2026

TO: Mayor and Councilmembers

SUBMITTED BY: Luz "Nina" Buelna, Public Works Director

PREPARED BY: Autumn Glaeser, Assistant Public Works Director

SUBJECT: Addendum to the Initial Study Mitigated Negative Declaration for the San Jose Creek Channel Fish Passage Modification Project

RECOMMENDATION:

Adopt Council Resolution No. 26-_____ entitled "A Resolution of the Council of the City of Goleta, California, Making Findings Pursuant to CEQA Guidelines Section 15162, adopting the Addendum to the Initial Study Mitigated Negative Declaration for the San Jose Creek Capacity Improvement Project, in connection with the San Jose Creek Channel Fish Passage Modification Project (CIP No. 9117).

BACKGROUND:

The San Jose Creek watershed is the largest creek watershed draining into the City of Goleta. The San Jose Creek captures drainage from the Los Padres National Forest, the Goleta Foothills, and a large portion of the City. The San Jose Creek ends just upstream of Hollister Avenue and flows into the concrete San Jose Creek Channel. The original channel, constructed in 1962, diverted the San Jose Creek so that instead of flowing through Goleta Old Town, it flowed through the channel located east of Old Town and adjacent to State Route 217. The channel terminates at the confluence with San Pedro Creek and flows into the Goleta Slough. The San Jose Creek Channel and natural creek are maintained by the Santa Barbara County Flood Control and Water Conservation District (Flood Control).

The City began development of the San Jose Creek Capacity Improvement Project (Original Project) in 2005 to increase the capacity of the existing San Jose Creek Channel to contain the regulatory 100-year flood event and thereby remove a large portion of Old Town Goleta from the regulatory floodplain. In June of 2007, the City Council adopted a resolution (Resolution No. 07-24) approving under the California Environmental Quality Act (CEQA) an Initial Study Mitigated Negative Declaration (IS-MND) for the San Jose Creek Capacity Improvement Project. The project included widening the existing concrete channel, construction of flood walls, removal and replacement of the existing Hollister Avenue Bridge with a wider structure, removal of an existing secondary steel bridge, and

relocation of an existing sewer line. Following discussions with the California Department of Fish and Wildlife (CDFW), in 2008, the City Council adopted a new resolution (Resolution No. 08-16) approving an Addendum to the approved IS-MND. The Addendum modified the project scope to accommodate a fish passage facility within the channel to allow steelhead trout to migrate from the Goleta Slough upstream through the concrete channel, while all other elements of the original project remained (replacement of Hollister Avenue Bridge, removal of secondary steel bridge, and relocation of the sewer line). The fish passage elements required modifications to the channel cross-section to accommodate a low-flow fish passage and the installation of numerous fish passage weirs. From this point forward, the modified project was referred to as the San Jose Creek Capacity Improvement and Fish Passage Project (Enhanced Original Project). The City continued development of the Enhanced Original Project but due to funding limitations, the scope of the project was reduced such that the project limit terminated approximately 200-feet downstream of Hollister Avenue, thereby removing from the scope the replacement of the Hollister Avenue Bridge, the removal of the secondary steel bridge, and the channel capacity and fish passage improvements upstream of the new termination point. The reduced project was referred to as the "Phase 1 Project." Construction of the Phase 1 Project was completed in 2014.

In 2012, the City secured federal funding under the Highway Bridge Program to deliver, as a separate project, the Hollister Avenue Bridge Project (Phase 2 Project). Phase 2 Project encompassed construction of the remaining channel capacity and fish passage improvements (from 200 feet downstream of Hollister Avenue to upstream of Hollister Avenue), the replacement and widening of Hollister Avenue Bridge, and the removal of the secondary steel bridge. These improvements are currently under construction as part of the City's "Project Connect".

The Phase 1 Project fish-passage construction, completed in 2014, consisted of a low-flow (depressed) channel located on the east side of the new flood channel, along with concrete and timber weirs placed at set intervals. The Phase 1 Project constructed fish passage elements that did not function as intended. The system required unsustainable levels of maintenance and sediment removal, and the resulting facility did not provide a viable migration corridor for steelhead trout. In 2022, in compliance with the CDFW provisions of the Lake and Streambed Alteration (LSA) Agreement for the Hollister Avenue Bridge Project, the City established a revised fish passage project to modify the existing fish passage elements, Capital Improvement Project 9117 San Jose Creek Channel Fish Passage Modification Project (Phase 3 Project). Work on the Phase 3 Project began in 2022 after the City approved professional services agreements with Northwest Hydraulic Consultant (NHC) for design services and with Rincon Consultants, Inc. for environmental and permitting services. Public Works staff established a cooperative design team with CDFW, the National Marine Fisheries Service (NMFS), and the Santa Barbara County Flood Control District to oversee project development and to review and approve at critical project milestones.

Upon completion of all ongoing and planned construction projects along San Jose Creek (Hollister Avenue Bridge Project, San Jose Creek Channel Fish Passage Modification Project, and San Jose Creek Multi-Use Path Project, as well as the Caltrans Hwy 217

Bridge Replacements project, and the completed Hwy 101 bridge replacement over San Jose Creek) and acceptance of hydraulic modeling by FEMA, FEMA will approve a Letter of Map Revision (LOMR) which will revise the 100-year floodplain boundaries and thereby eliminate portions of Goleta Old Town from the regulatory flood plain.

DISCUSSION:

Following approval of the Phase 3 Project in 2022 by the City Council, design concepts were developed and assessed, and through the implementation of a scaled physical model constructed at NHC laboratories in Seattle, WA, an optimized design was ultimately identified and successfully tested by the entire design team. The selected design was then verified through 3D digital modeling. The design includes removing the 17 wooden weirs and 25 timber wedges in the channel, minor modifications to the 12 existing concrete weirs, and the installation of 70 new concrete vortex-type weirs. The project also includes minor re-grading of the natural channel bottom along approximately 300 feet of San Jose Creek upstream of Hollister Avenue. The Phase 3 Project design will be finalized in late 2026.

Between 2024 and 2025, the Public Works Project Team engaged with the permitting agencies to ensure alignment between the project and permitting requirements. In October and November 2025, permit applications were submitted to the U.S. Army Corps of Engineers (USACE), CDFW, the Central Coast Regional Water Quality Control Board (RWQCB), and to the California Coastal Commission (CCC).

Most elements of the Phase 3 Project are located within the constructed concrete San Jose Creek Channel, and the environmental impacts are considered minor. The Phase 3 Project was determined not to introduce new significant impacts beyond those already analyzed in the 2007 IS-MND and 2008 IS-MND Addendum, and would not worsen any previously identified significant impacts. The project will not require new mitigation measures beyond those identified in the 2007 IS-MND.

Staff retained Rincon Consultants to prepare an Addendum to the existing IS-MND to ensure CEQA compliance and address the current project design. The IS-MND was completed in 2007 for the original Phase 1 and Phase 2 Projects, San Jose Creek Capacity Improvement and Fish Passage Project, and an Addendum was completed in 2008. To support this Addendum, a current Restoration Plan, Biological Resources Assessment, and Aquatic Resources Delineation Report were prepared. Assembly Bill 52 requirements were addressed by preparing a Cultural Resources Technical Report, and project notification letters were submitted to the Chumash Tribes in the region.

Following the approval of the Addendum to the IS-MND, the completion of the project design, and the issuance of permits, Public Works staff will proceed to the construction of the Phase 3 Project.

Public Works staff is recommending that the City Council adopt the Addendum to the IS-MND for the San Jose Creek Channel Fish Passage Modification Project.

FISCAL IMPACTS:

There is no fiscal impact associated with the approval of the Addendum to the IS-MND for the San Jose Creek Channel Fish Passage Modification Project. The project has a total estimated budget of $7.3 million, funded from the General Fund as shown in Table 1 below.

Table 1: Project Costs – San Jose Creek Channel Fish Passage Modification Project

Project Components	Estimated Costs	Funding Source	Funding Amounts
Conceptual Design	$110,000	General Fund (101)	$7,325,000
Environmental	$247,500		
Final Design	$675,000		
Land Acquisition	$0		
Construction	$6,292,500		
Total:	**$7,325,000**	**Total:**	**$7,325,000**

ALTERNATIVES:

The City Council can elect not to adopt the Addendum to the IS-MND for the San Jose Creek Channel Fish Passage Modification Project, in which case the project will not be able to proceed into construction.

LEGAL REVIEW BY: Isaac Rosen, City Attorney

APPROVED BY: Robert Nisbet, City Manager

ATTACHMENTS:

1. Council Resolution No. 26-_____ entitled “A Resolution of the Council of the City of Goleta, California, Making Findings Pursuant to CEQA Guidelines Section 15162, Adopting the Addendum to the Initial Study Mitigated Negative Declaration for the San Jose Creek Capacity Improvement Project, in connection with the San Jose Creek Channel Fish Passage Modification Project (CIP No. 9117).

   Exhibit A – 2025 Addendum to the IS-MND for the San Jose Creek Channel Fish Passage Modification Project (CIP No. 9117),

Exhibit B – 2007 Original IS-MND for the San Jose Creek Capacity Improvement Project, and 2008 Addendum to IS-MND.

2. Presentation

ATTACHMENT 1

A Resolution of the Council of the City of Goleta, California, Making Findings Pursuant to CEQA Guidelines Section 15162, Adopting the Addendum to the Initial Study Mitigated Negative Declaration for the San Jose Creek Capacity Improvement Project In Connection With the San Jose Creek Channel Fish Passage Modification Project (CIP No. 9117)

RESOLUTION NO. 26-

A RESOLUTION OF THE COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, MAKING FINDINGS PURSUANT TO CEQA GUIDELINES SECTION 15162, ADOPTING THE ADDENDUM TO THE INITIAL STUDY MITIGATED NEGATIVE DECLARATION FOR THE SAN JOSE CREEK CAPACITY IMPROVEMENT PROJECT IN CONNECTION WITH THE SAN JOSE CREEK CHANNEL FISH PASSAGE MODIFICATION PROJECT (CIP NO. 9117)

WHEREAS, the City of Goleta ("City") is a municipal corporation organized and existing under the laws of the State of California; and

WHEREAS, in 2007, the City, acting as the lead agency under the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, section 15000 et seq.), prepared an Initial Study Mitigated Negative Declaration ("IS-MND") for the San Jose Creek Capacity Improvement Project, which consisted of modifications to existing concrete channeling and flood protection infrastructure in San Jose Creek to accommodate the regulatory 100-year flood event conveyance through the channel, including the widening of the existing concrete channeling, construction of flood walls, removal and replacement with a wider structure the existing Hollister Avenue Bridge, removal of an existing secondary steel bridge, and relocation of an existing sewer line ("Original Project"); and

WHEREAS, on June 4, 2007, the City Council approved Resolution No. 07-24 adopting the Final IS-MND (SCH #2007031035) (Exhibit B) for the Original Project together with an accompanying Mitigation Monitoring and Reporting Program ("MMRP"); and

WHEREAS, on April 15, 2008, the City Council approved Resolution No. 08-16 adopting an Addendum to the Final IS-MND (SCH #2007031035) (Exhibit B), to accommodate modifications to the scope of the Original Project to accommodate fish passage within the San Jose Creek Channel while retaining the regulatory 100-year flood event conveyance capacity within the channel and retaining the removal and replacement with a wider structure, the existing Hollister Avenue Bridge, removal of the existing secondary steel bridge, and relocation of the existing sewer line (“Enhanced Original Project”); and

WHEREAS, the City approved the Enhanced Original Project for construction in 2011; and

WHEREAS, due to funding limitations, the scope of the Enhanced Original Project was reduced such that the project limit terminated approximately 200-feet downstream of Hollister Avenue, thereby removing from the scope the replacement and widening of the Hollister Avenue Bridge, the removal of the secondary steel bridge, and the channel capacity and fish passage improvements upstream of the new termination point The Enhanced Original Project was reduced and became known as the "Phase 1 Project"; and

WHEREAS, in 2012, the City secured federal funding under the Highway Bridge Program, to deliver as a separate project the improvements not included in the construction of the Phase 1 Project, which consisted of the remaining channel capacity and fish passage improvements, the replacement and widening of Hollister Avenue Bridge, and the removal of the secondary steel bridge ("Phase 2 Project" or "Hollister Avenue Bridge Project"); and

WHEREAS, construction of the Phase 1 Project commenced in 2013 and was completed in 2014; and

WHEREAS, following construction of the Phase 1 Project, as a result of the fish passage facilities failing to meet all performance goals, the California Department of Fish and Wildlife (CDFW), per stipulations in the Streambed Alteration Agreement with the City of Goleta, Notification No. 1600-2016-0011-R5 approved on January 3, 2023 for the Phase 2 Project, required that the City of Goleta repair and install new facilities along the same footprint as those fish passage facilities that were constructed in the Phase 1 Project all in order to ensure proper fish passage function through the San Jose Creek Channel ("Phase 3 Project"); and

WHEREAS, in 2022 the City of Goleta City Council approved of the creation of a new capital improvement project or the San Jose Creek Channel Modification Fish Passage/Phase 3 Project to address the fish passage modifications required by CDFW; and

WHEREAS, design of the Phase 3 Project commenced in 2022 with anticipated completion of design in April 2026; and

WHEREAS, specifically, the Phase 3 Project includes the following: (1) removal of all timber wedges and existing wooden weirs downstream of Station 46+96; (2) modification of existing straight permanent concrete weirs upstream of Station 48+00; (3) addition of new vortex-type weirs within the fish line throughout the length of the constructed flood control channel; (4) extending the existing hydraulic channel section northward to the new Hollister Avenue Bridge Replacement Project; and (5) regrade of a short section of a portion of the natural channel bottom of San Jose Creek, north of the Hollister Avenue Bridge, to permit access for Southern California Distinct Population Segment steelhead (Oncorhynchus mykiss); and

WHEREAS, the project site for the Phase 3 Project is the same approximately 5.85-acre site analyzed in the adopted Final IS-MND for the Enhanced Original Project, located within San Jose Creek on the west side of State Route 217 in the City of Goleta, Santa Barbara County, California; and

WHEREAS, pursuant to CEQA Guidelines Section 15164, the City, as lead agency, has determined that an Addendum to the previously adopted Final IS-MND associated with the Enhanced Original Project is the appropriate form of CEQA documentation because only minor technical changes or additions are necessary and none of the conditions described in CEQA Guidelines Section 15162 requiring preparation of a Subsequent EIR or subsequent negative declaration have occurred; and

WHEREAS, the City caused to be prepared a thorough Addendum to the adopted Final IS-MND ("Addendum"), dated October 2025 (Exhibit A), prepared by Rincon Consultants, Inc., which analyzes the potential environmental effects of the Phase 3 Project in relation to the previously approved Enhanced Original Project across all applicable CEQA impact categories, including aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation, tribal cultural resources, utilities and service systems, wildfire, and mandatory findings of significance; and

WHEREAS, the Addendum concludes that the Phase 3 Project would not result in new significant environmental effects or a substantial increase in the severity of previously identified significant environmental effects, would not involve substantial changes to the circumstances under which the Enhanced Original Project was undertaken requiring major revisions to the adopted Final IS-MND, and would not involve new information of substantial importance showing significant effects not previously examined; and

WHEREAS, the Addendum further concludes that the analyses conducted, conclusions reached, and mitigation measures contained in the Final IS-MND adopted in June 2007 remain valid and applicable to the Phase 3 Project, and that the MMRP adopted for the Enhanced Original Project in June 2007 shall remain applicable to the Phase 3 Project; and

WHEREAS, pursuant to CEQA Guidelines Section 15164(c), the Addendum to an adopted negative declaration need not be circulated for public review, and this Addendum was not so circulated; and

WHEREAS, this Addendum and the 2007 Final IS-MND with the accompanying 2008 Addendum, together with all technical appendices and supporting materials, have

been presented to the City Council and made available for public inspection in advance of this meeting; and

WHEREAS, the City Council has independently reviewed and considered the Addendum, the adopted Final IS-MND and 2008 Addendum, the MMRP, and all other information in the record before making a decision on the Phase 3 Project, as required by CEQA Guidelines Section 15164(d).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Goleta as follows:

SECTION 1. Recitals

The foregoing Recitals are true and correct and are incorporated herein by this reference.

SECTION 2. Findings Regarding CEQA Compliance

The City Council hereby finds and determines as follows:

A. The City of Goleta is the lead agency for the Phase 3 Project under CEQA.

B. The adopted Final IS-MND (SCH #2007031035), dated May 2007, was lawfully adopted by the City for the Original Project in accordance with CEQA and the State CEQA Guidelines, and remains valid.

C. The adopted Addendum to the Final IS-MND (SCH #2007031035), dated April 2008, was lawfully adopted by the City for the Enhanced Original Project in accordance with CEQA and the State CEQA Guidelines, and remains valid.

D. The Phase 3 Project involves only minor technical changes and additions to the Enhanced Original Project, and none of the conditions set forth in CEQA Guidelines Section 15162(a) requiring preparation of a Subsequent EIR or subsequent negative declaration have occurred. Specifically:

   i. The Phase 3 Project does not involve substantial changes to the Enhanced Original Project that would require major revisions to the adopted Final IS-MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

   ii. No substantial changes have occurred with respect to the circumstances under which the Phase 3 Project is being undertaken that would require major revisions to the adopted Final IS-MND due to the involvement of new significant

environmental effects or a substantial increase in the severity of previously identified significant effects; and

iii. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Final IS-MND was adopted, shows that the Phase 3 Project will have one or more significant effects not discussed in the Final IS-MND, that significant effects previously examined will be substantially more severe, that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects, or that mitigation measures or alternatives considerably different from those analyzed in the Final IS-MND would substantially reduce one or more significant effects on the environment.

E. Pursuant to CEQA Guidelines Section 15164(b), preparation of an Addendum to the adopted Final IS-MND is the appropriate form of additional CEQA documentation for the Phase 3 Project.

F. The Addendum, dated October 2025, has been prepared in accordance with CEQA and the State CEQA Guidelines, and provides a sufficient analysis of the potential environmental effects of the Phase 3 Project. The Addendum is supported by substantial evidence in the record as a whole.

G. The analyses, conclusions, and mitigation measures set forth in the adopted Final IS-MND remain valid and applicable to the Phase 3 Project. The MMRP adopted in May 2007 in connection with the Enhanced Original Project remains applicable to the Phase 3 Project and shall be implemented accordingly.

SECTION 3. Adoption of the Addendum.

The City Council hereby adopts the Addendum to the Initial Study Mitigated Negative Declaration (SCH #2007031035), dated October 2025, for the San Jose Creek Channel Fish Passage Modification Project or Phase 3 Project, as prepared by the City of Goleta with the assistance of Rincon Consultants, Inc. The Addendum is attached hereto as Exhibit A and incorporated herein by this reference.

SECTION 4. MMRP.

The City Council hereby confirms that the Mitigation Monitoring and Reporting Program adopted in May 2007 in connection with the Enhanced Original Project remains in full force and effect and shall apply to the Phase 3 Project. All applicable mitigation measures identified in the adopted Final IS-MND shall be implemented in connection with the Phase 3 Project. Language has been added to the biological mitigation measures in the IS-MND Addendum to help clarify the intent of each measure. Although the language has been

slightly altered, the intent of the biological mitigation measures remains the same, such that these mitigation measures are not considerably different from those analyzed in the Final IS-MND and thus do not warrant the preparation of a Subsequent IS-MND.

SECTION 5. Reliance on Record

Each and every one of the findings and determinations in this Resolution are based on the competent and substantial evidence, both oral and written, contained in the entire record relating to the project. The findings and determinations constitute the independent findings and determinations of the City Council in all respects and are fully and completely supported by substantial evidence in the record as a whole.

SECTION 6. Limitations

The City Council analysis and evaluation of the Amended Project, including this Resolution, are based on the entire record, including the best information currently available. This includes competent and substantial evidence, both oral and written. It is inevitable that in evaluating a project, absolute and perfect knowledge of all possible aspects of the project will not exist. One of the major limitations on the analysis of the Amended Project is the City Council's lack of knowledge of future events. In all instances, best efforts have been made to form accurate assumptions. Somewhat related to this are the limitations on the City's ability to solve what are, in effect, regional, state, and national problems and issues. The City must work within the political framework within which it exists and with the limitations inherent in that framework.

SECTION 7. Custodian of Records

The documents and materials that constitute the record of proceedings upon which this Resolution is based are located at the City of Goleta, 130 Cremona Drive, Suite 120, Goleta, California 93117. The City Clerk is the custodian of records for the record of proceedings.

SECTION 8. Summaries of Information

All summaries of information in the findings, which precede this section, are based on the substantial evidence in the record. The absence of any particular fact from any such summary is not an indication that a particular finding is not based in part on that fact.

SECTION 9. Duration of the Resolution. This Resolution will remain effective until superseded by a subsequent Resolution

SECTION 10. Effective Date of the Resolution. This Resolution will become effective immediately after adoption.

SECTION 11. Certification of the Resolution. The City Clerk shall certify to the passage and adoption of this resolution and enter it into the book of original resolutions.

PASSED, APPROVED, AND ADOPTED this 7th day of April 2026.

_____
PAULA PEROTTE
MAYOR

ATTEST:

_____
DEBORAH LOPEZ
CITY CLERK

APPROVED AS TO FORM:

_____
ISAAC ROSEN
CITY ATTORNEY

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

I, DEBORAH S. LOPEZ, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Resolution No. 26-_ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the 7th day of April 2026 by the following roll call vote of the City Council:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

(SEAL)

_____
DEBORAH S. LOPEZ
CITY CLERK



San Jose Creek Channel Fish Passage Modification Project

Addendum to the Initial Study – Mitigated Negative Declaration
SCH #2007031035

prepared by

City of Goleta
130 Cremona Drive
Goleta, California 93117

prepared with the assistance of

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101

October 2025

RINCON CONSULTANTS

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Acronyms and Abbreviations

BMPs	Best Management Practices
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
EIR	Environmental Impact Report
GHG	Greenhouse Gas
IS-MND	Initial Study – Mitigated Negative Declaration
MMRP	Mitigation Monitoring and Reporting Program
RVPRP	Riparian Vegetation Protection and Replacement Plan
RWQCB	Regional Water Quality Control Board
SBCAPCD	Santa Barbara County Air Pollution Control District
SCCAB	South Central Coast Air Basin
SCH	State Clearinghouse
SLF	Sacred Lands File
SR	State Route
SSC	Species of Special Concern
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
USACE	United States Army Corps of Engineers
VMT	Vehicle Miles Traveled

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1 Introduction

This Addendum was prepared in accordance with the California Environmental Quality Act (CEQA) and the *State CEQA Guidelines*. This document has been prepared to serve as an Addendum to the previously approved Initial Study-Mitigated Negative Declaration (IS-MND) (State Clearinghouse [SCH] #2007031035) for the San Jose Creek Capacity Improvement and Fish Passage Project (Original Project). The City of Goleta (City) was the lead agency for the adopted Final IS-MND and is the lead agency for the environmental review in this Addendum.

This Addendum addresses the proposed modifications in relation to the previous environmental review document prepared for the Original Project. Section 15164 of the *State CEQA Guidelines* defines an Addendum as:

(a) The lead agency or responsible agency shall prepare an addendum to a previously certified Environmental Impact Report (EIR) if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR have occurred.

(b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.

(e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record.

1.1 Background and Purpose of the IS-MND Addendum

The Final IS-MND for the Original Project (SCH #2007031035) was adopted in May 2007 by the City. The adopted Final IS-MND consists of responses to public and agency comments received on the Draft IS-MND and the text of the Draft IS-MND. The adopted Final IS-MND is further supported by an accompanying Mitigation Monitoring and Reporting Program (MMRP). Information and technical analyses from the adopted Final IS-MND are utilized or referenced throughout this Addendum. In conjunction with adoption of the Final IS-MND, the City also adopted the MMRP and approved the Original Project.

As approved, the Original Project consisted of modifications to existing concrete channeling and flood protection infrastructure in San Jose Creek in Goleta. Components of the Original Project included the removal and replacement of portions of the existing concrete channeling with an improved channel design; removal and widening of the existing Hollister Avenue Bridge; removal of an existing secondary steel bridge (located approximately 100 feet downstream of the Hollister Avenue Bridge); and relocation of an existing sewer line currently suspended from the steel bridge so that the sewer line was no longer susceptible to damage from flood flows and debris flowing down San Jose Creek and would instead go east underneath State Route (SR) 217.

The City approved the Original Project in 2011 and construction began in 2013. At that time, the City proposed to construct fish passage and flood control improvements in the concrete stream channel downstream of Hollister Avenue as an initial phase of the Original Project. Due to timing and

funding considerations, the City decided to separate the removal and widening of the existing Hollister Avenue Bridge into a separate, yet related, project (Hollister Avenue Bridge Replacement Project) that has been permitted and is currently being constructed. The fish passage component of the Original Project proceeded as planned; however, a modification made to some of the timber weirs within the channel rendered them largely inoperable. Additionally, the weirs collected too much debris and sediment, causing them to be less effective for fish passage, and requiring higher maintenance efforts by City staff than expected.

Project Site

The project site is located in San Jose Creek within the city of Goleta, Santa Barbara County, California, along the west side of SR 217 (Figure 1). The approximately 5.85-acre project site is located on Assessor's Parcel Numbers 071-190-039, 071-190-035, 071-190-017, 071-170-086, 071-170-036, 071-140-080, 071-140-060, 071-140-040, 071-090-090, 071-090-089, 071-090-037, and 071-090-098. The topography of the project site is generally flat, with minor sloping south-southwest towards the Pacific Ocean. Surrounding land uses include commercial and residential uses to the north; commercial, office, and industrial uses to the south; SR 217 to the east; and commercial, office, industrial and open space (riparian) uses to the west. Access to the project site is provided by Hollister Avenue and South Kellogg Avenue.

Addendum

The City now proposes modifications to the Original Project, herein referred to the "Modified Project." As noted above, the fish passage portion of the Original Project became ineffective and is in need of repair to allow for unobstructed fish passage, which is the sole purpose of the Modified Project. This document is an Addendum to the previously adopted Final IS-MND and has been prepared by the City to evaluate the potential environmental impacts of the proposed Modified Project. This Addendum has been prepared in accordance with the relevant provisions of CEQA and Section 15164 of the *State CEQA Guidelines*. A detailed description of the Modified Project is provided in Section 2, *Project Description*, of this Addendum.

1.2 Basis for the Addendum

When an IS-MND has been adopted and a project is modified or otherwise changed after adoption, additional CEQA review may be necessary. The key considerations in determining the need for the appropriate type of additional CEQA review are outlined in Section 21166 of the Public Resources Code (CEQA) and Sections 15162, 15163 and 15164 of the *State CEQA Guidelines*.

Section 15162(a) of the *State CEQA Guidelines* provides that a Subsequent EIR is not required unless the following occurs:

(1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

(2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

(3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Pursuant to Section 15164(b) of the *State CEQA Guidelines*, an Addendum to an adopted negative declaration may be prepared by the Lead Agency that prepared the original negative declaration if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 have occurred that require preparation of a Subsequent EIR or negative declaration. An Addendum must include a brief explanation of the agency's decision not to prepare a Subsequent EIR and be supported by substantial evidence in the record as a whole (Section 15164[e]). The Addendum to an adopted negative declaration need not be circulated for public review but it may be included in or attached to the adopted negative declaration (Section 15164[c]). The decision-making body must consider the Addendum prior to making a decision on the project (Section 15164[d]).

An Addendum to the adopted Final IS-MND for the Original Project is appropriate to address the proposed Modified Project because the proposed modifications to the approved Original Project do not meet the conditions of Section 15162(a) for preparation of a Subsequent EIR or negative declaration. The proposed Modified Project would not result in new or more severe impacts related to: 1) substantial changes to the Original Project which requires major revisions to the adopted Final IS-MND; 2) substantial changes to the circumstances under which the Original Project are being undertaken which will require major revisions to the adopted Final IS-MND; or 3) new information of substantial importance showing significant effects not previously examined.

The adopted Final IS-MND and this Addendum to the adopted Final IS-MND serve as informational documents to inform decision-makers and the public of the potential environmental consequences of approving the proposed Modified Project. This Addendum neither controls nor determines the ultimate decision for approval of the proposed Modified Project, described herein in Section 2, *Project Description*. The information presented in this Addendum to the adopted Final IS-MND will be considered by the City alongside the adopted Final IS-MND prior to making a decision on the Modified Project.

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2 Project Description

The Modified Project would be located on the same project site as described and analyzed in the adopted Final IS-MND for the Original Project. As described in the Final IS-MND, the project site is within San Jose Creek east of SR 217. Figure 1 illustrates the location of the site within the region, Figure 2 shows the project site within the neighborhood context, and Figure 3 shows the project design.

As discussed in Section 1.1, *Background and Purpose* of the IS-MND Addendum, construction of the Original Project began in 2013; however, the fish passage component did not function as originally anticipated. The Modified Project includes redesign, maintenance, and repair (or removal) of the existing weirs within the San Jose Creek concrete channel, which were installed as part of the Original Project. The Modified Project also includes regrading of a short section of the natural portion of San Jose Creek, north of the Hollister Avenue Bridge. These modifications would permit access for southern California Distinct Population Segment of steelhead (*Oncorhynchus mykiss*; southern California steelhead). The existing flood control channel fish passage weirs require alterations to reduce sediment and debris accumulations, in addition to lowering the maintenance requirements for the City. The Modified Project would:

- Remove all (approximately 25) timber wedges throughout the channel, and all (17) existing wooden weirs downstream of Station 46+96.
- Modification of 12 existing straight permanent concrete weirs upstream of Station 48+00 by infilling existing notches and creating a new lowered section centered over the fish channel centerline (the 'Fish Line', which is the channel thalweg) about 5 feet in width and 1 foot lower than the rest of the weir crests.
- Addition of 70 new vortex-type weirs within the 'fish line' throughout the entire length of the constructed flood control channel, 13 of which (located at the downstream end of the channel) are combined with a low curb extending across the width of the upper driving surface along the western half of the channel invert. All weirs are confined to the invert of the flood control channel from Hollister Avenue Bridge to the downstream end of the channel and will be installed on top of the existing articulated concrete mat in the channel bottom. From the existing straight concrete weir at Station 48+00 upstream to the existing concrete weir at Station 59+00, two of these vortex weirs will be constructed between each pair of existing straight concrete weirs. The vortex weirs are angled in plan view, with the left and right wings angled downstream relative to the apex or center 'v' of the weir that points upstream.
- Of the 70 new vortex weirs to be added to the flood control channel, a total of 12 vortex weirs will be constructed within the new extension of the rectangular channel up to and under the new Hollister Avenue Bridge Replacement Project (a separate, yet related project further described below).
- Extending the Hollister Avenue Bridge 'hydraulic transition feature' (further described below) to the north to form an expanded bridge approach by re-grading the natural channel near the bridge and placing riprap on the banks and channel bottom.
- Re-grading the natural channel for approximately 320 feet upstream of the Hollister Avenue Bridge 'hydraulic transition feature' by excavating the unconsolidated channel bottom bed materials between the left/east and right/west descending channel bank toes to form a new natural channel bed gradient and channel profile commensurate with the approximate original

channel profile prior to original construction of the 1960s-era trapezoidal channel and bridge crossing. The majority of the channel bottom bed excavation is anticipated to be within the toe-to-toe width of the channel bed and below the ordinary high water line, with additional excavation along the lower portion of the left/eastern bank. The unconsolidated bed material to be excavated within this reach appears to be loose deposits that accumulated since original construction of the trapezoidal bridge opening in the early 1960s as a result of the artificial gradient reduction induced by the raised fixed bed formed by the trapezoidal channel paving under the original bridge.

The preferred design modifies the weir layout and configuration such that the weir crest will direct lowest flows to the center of the fish passage channel, mobilize sediment deposits between weirs, and allow woody debris to pass cleanly over the weirs. These measures will reduce the maintenance effort required to periodically clean the flood control channel. The vortex weirs feature a V-shaped geometry with the apex of the weirs pointing upstream centered over the lowest thalweg of the fish channel at the 'Fish Line'. The 13 combination vortex weirs and low cross curbs are configured with the vortex weir across the fish channel and the low broad cross weir arranged perpendicularly across the upper driving surface of the flood control channel invert. Refer to Appendices D and E for plan sets demonstrating the structure and cross-sections of the proposed weirs. These combination weirs are only to be implemented between Station 21+75 and Station 30+00. All weirs will have approach and exit slopes of 1:2 on the downstream side and 1:1 on the upstream side similar to existing straight weir shapes except for the low cross weir curbs which will have 1V:2H side slopes both upstream and downstream. The shallower upstream and downstream cross weir curb slopes are intended to facilitate driving maintenance vehicles over them.

Within a portion of the Project's footprint is the Hollister Avenue Bridge Replacement Project, which is a separate, yet related project that has been permitted and is currently being constructed. The Hollister Avenue Bridge Replacement Project includes key fish passage elements that have been designed in coordination with the Modified Project to culminate in complete fish passage along this section of San Jose Creek. The Hollister Avenue Bridge design (Caltrans 2015, URS 2014, URS 2015) includes the following components, which are included herein for informational purposes:

- Modification of the old existing trapezoidal channel shape through the Hollister Avenue Bridge reach (beneath the new bridge and to approximately 200 feet downstream, between Station 59+60 and 63+77) by lowering and widening the existing concrete flood control channel and extending the vertical sidewalls, forming the same rectangular shape as the downstream reach of the flood control channel. As a result, the entire concrete flood control channel will be rectangular in shape and no trapezoidal areas will remain. The channel sidewalls and invert will remain unchanged downstream of the Hollister Avenue Bridge modification.
- Re-grading the natural channel immediately upstream of Hollister Avenue Bridge to form an expanded bridge approach section about 120 feet in length (i.e., the 'hydraulic transition feature'), with mitered approach sidewalls to the rectangular bridge opening and articulated mat in the channel bottom.

The original 1960s construction of the concrete flood control channel raised the channel grade by up to 3 feet, causing a lowered stream gradient and subsequent channel invert aggradation and channel narrowing. Since the original construction, these morphologic changes have resulted in reduced flood capacity and unnaturally low stream gradient within San Jose Creek. In 2014, the City completed the Original Project which modified most of the existing trapezoidal channel to a wider rectangular channel. Currently in construction, the new Hollister Avenue Bridge Project will include

enlargement and lowering of the new section of the flood control channel immediately downstream and upstream of the Hollister Avenue Bridge, and will restore the original natural channel stream gradient, and increase its flood discharge capacity.

As part of the Modified Project, the proposed invert lowering in the first 200 feet of the historically adversely impacted natural channel would restore the original capacity and stabilize the gradient to a morphologically correct and appropriate channel dimension. These modifications to the flood control channel dimensions, the flood control channel fish passage weirs, and to the natural channel immediately upstream of the flood control channel will restore the migration corridor characteristics of this reach of San Jose Creek and enable unimpeded passage upstream to upper watershed habitat for southern California steelhead.

In addition to the weir work in the channel and grading of the natural creek, the upstream natural creek will also be restored with native riparian vegetation after construction is complete. Approximately 0.10 acre of native riparian trees and shrubs of local genetic stock will be installed along the creek banks where grading has occurred to improve habitat, provide bank stabilization, and to improve ecological function in a stretch of creek that is otherwise dominated by non-natives in the understory. An additional 0.16 acres will be enhanced with non-native weed removal.

On a regional level, southern California steelhead have been listed as endangered under the Federal Endangered Species Act from Santa Barbara south to the California/Mexico border and are a candidate species under the California Endangered Species Act. The Southern California Steelhead Recovery Plan (NMFS 2012) identifies removal of passage barriers within the Goleta Slough watershed as a critical recovery action. San Jose Creek is the largest sub-watershed within the Goleta Slough watershed; it has perennial flows and high-quality steelhead habitat in the upper watershed and the lower portion of the creek is urbanized and has a channelized section, where the Project is located. As noted above, the Modified Project will facilitate removal of barriers to allow anadromous steelhead to reach suitable perennial spawning and rearing habitats in the upper reaches of the creek that are presently not accessible. After the Project is completed, there would be no barriers to fish passage from the ocean to approximately 1.85 miles upstream of the Project site, where two partial barriers are present and are currently not proposed for removal. A total barrier is also present approximately 2.15 miles upstream of the Project site.

The Project will be constructed during the dry season, in the summer months when little to no water is present throughout most of the creek's reach within the study area. It is anticipated that the entirety of the upstream natural channel and a great majority of the concrete channel will be dry during construction; however, there is potential for creek flows to be present at the downstream portion of the concrete channel (an approximate 200-foot stretch). If water is present in this portion of the channel, a dewatering effort would be implemented prior to construction. A bladder dam or similar device would be placed at the downstream end of the concrete channel and work area, and then the work area would be dewatered by transferring the water immediately downstream into the natural channel. Construction will not occur in ponded or flowing water within the channel.

The following measures have been incorporated into the Modified Project and would be carried out as part of Modified Project Implementation.

Pre-Construction Special-Status Species Surveys

A qualified biologist shall survey the workspaces and access routes for other special-status plant and wildlife species with potential to occur within the study area, concurrently with the pre-construction survey described in IS-MND Mitigation Measure BIO-1. The biologist shall have general knowledge of the natural resources of the area and shall also be experienced in the identification of regionally occurring special-status plant and wildlife species.

The pre-construction survey shall include the work area and surrounding 100-foot buffer, with an emphasis on areas where native vegetation removal is necessary to complete the Modified Project, as these areas are more likely to harbor special-status plants and wildlife than cleared areas. If special-status plants or wildlife are found, the location shall be documented, and population and health characteristics shall be recorded. If special-status wildlife species are found, the biologist shall relocate non-listed animals to a safe location outside the project disturbance area in suitable habitat (e.g., adjacent woodland or chaparral habitat).

Plan Requirements & Timing: A qualified monitor shall be on site prior to ground-disturbing activities and during any activities that could affect special-status species with potential to occur within the project site.

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

General Protection Measures

Pursuant to the Statewide Restoration General Order (State Water Resources Control Board [SWRCB] 2022), the Modified Project is required to identify and incorporate General Protection Measures applicable to the Project. General Protection Measures are designed to minimize impacts to sensitive biological resources and protect water quality and sensitive habitats during construction. General Protection Measures include a range of measures, such as construction timing, environmental awareness trainings, erosion and pollution control, and invasive species prevention. General Protection Measures that will be followed by construction personnel are listed in Appendix A of this Addendum.

Plan Requirements & Timing: These requirements shall be described and detailed on the project site and within the Modified Project plans. Erosion/sediment control measures shall be installed within the project site prior to commencement of construction. Other measures related to closed containers, equipment containment, and construction materials and spoils shall be maintained throughout construction activities.

Monitoring: Biological monitors should ensure compliance prior to and throughout construction, in conjunction with monitoring activities as described in IS-MND Mitigation Measure BIO-1.

Figure 1 Regional Location



Imagery provided by Esri and its licensors © 2024.

22-12484 Bio
Fig 1 Regional Location

Project Location

N

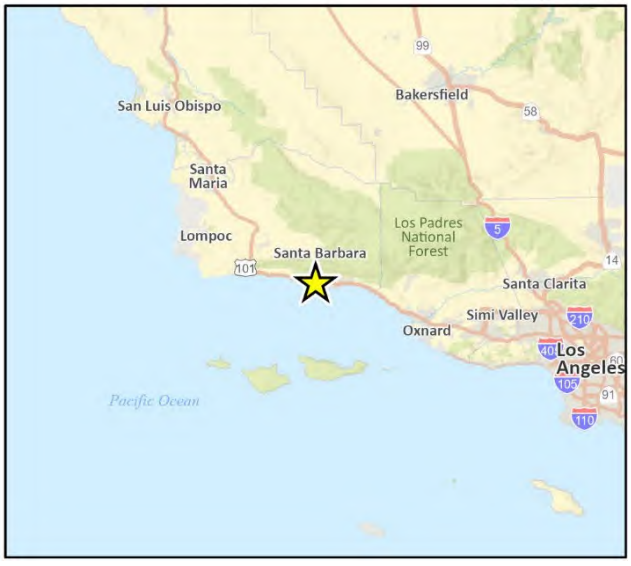
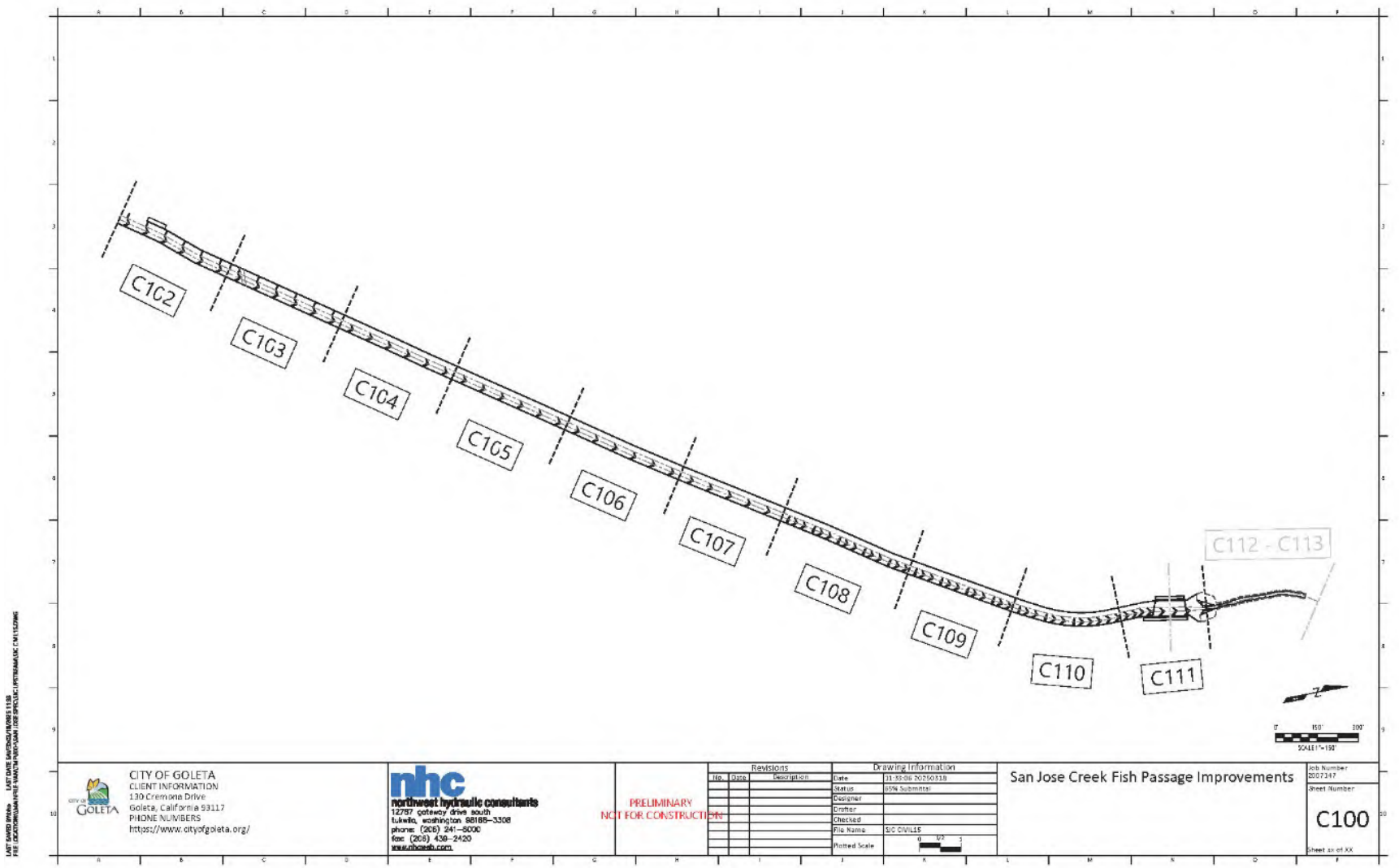


Figure 2 Project Site Location



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Additional data provided by USGS 2024, CA Coastal Commission 2025.

Figure 3 Project Design



Source: Northwest Hydraulic Consultants 2025

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3 Impact Analysis

A comparative analysis of the potential impacts associated with the proposed Modified Project and those of the approved Original Project analyzed in the adopted Final IS-MND has been prepared using the CEQA checklist as a guide. This checklist is consistent with the format and environmental topics and questions of the checklist used in the Final IS-MND, but also includes recent updates to reflect the most recently adopted checklist provided in Appendix G of the *State CEQA Guidelines*. The checklist considers the full range of environmental issues subject to analysis under CEQA (in rows), and then poses a series of questions (in columns) aimed at identifying the degree to which the issue was analyzed in the Final IS-MND. The checklist also includes a column identifying whether the proposed Modified Project constitutes new information of substantial importance relative to each environmental issue. The questions posed in each column are described below.

Where was impact analyzed?

This column provides a cross-reference to the portions of the adopted Final IS-MND where information and analyses may be found relative to the environmental issue listed under each topic. The cross-references identified in this column correspond with page numbers and section numbers of the adopted Final IS-MND.

Do proposed changes require major revisions to the adopted Final IS-MND?

In accordance with Section 15162(a)(1) of the *State CEQA Guidelines*, this column indicates whether the proposed Modified Project would involve new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts that, in turn, would require major revisions of the adopted Final IS-MND.

Do new circumstances require major revisions to the adopted Final IS-MND?

In accordance with Section 15162(a)(2) of the *State CEQA Guidelines*, this column indicates whether changes to the circumstances under which the Modified Project is undertaken or implemented have occurred that would involve new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts that, in turn, would require major revisions of the adopted Final IS-MND.

Is there any new information resulting in new or substantially more severe significant impacts?

In accordance with Sections 15162(a)(3)(A) and 15162(a)(3)(B) of the *State CEQA Guidelines*, this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the adopted Final IS-MND was certified, shows additional or substantially more severe significant impacts not discussed in the adopted Final IS-MND.

Do mitigation measures included in the adopted Final IS-MND address and/or resolve impacts?

In accordance with Sections 15162(a)(3)(C) and 15162(a)(3)(D) of the *State CEQA Guidelines*, this column indicates whether new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the adopted Final IS-MND was certified, shows that mitigation measures or alternatives in the adopted Final IS-MND would now be feasible, or identifies new mitigation measures or alternatives not in the adopted Final IS-MND that would reduce significant impacts, but which the applicant declines to adopt.

3.1 Aesthetics

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Have a substantial adverse effect on a scenic vista?	Page 19	No	No	No	N/A
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Page 19	No	No	No	N/A
c. In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Page 19	No	No	No	N/A
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	Page 19	No	No	No	N/A

a. Would the project have a substantial adverse effect on a scenic vista?

b. Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The Modified Project would be located on the same site as the Original Project. As described in the adopted Final IS-MND, views surrounding the project site are generally limited due to existing development, landscaping, and vegetation. However, views of the Santa Ynez Mountains are visible from certain vantage points along Hollister Avenue. SR 217, to the east of the project site, is designated as a local scenic corridor within the City's General Plan. The project site is not visible from any designated State Scenic Highways.

Views from Hollister Avenue and SR 217 would not be substantially affected by the Modified Project, as construction would be located within San Jose Creek and obscured by intervening vegetation, and Modified Project components would be located at ground-level. While a temporary obstruction of views may occur during Modified Project construction due to the presence of construction equipment, vehicles, and materials, the duration of construction would be brief and views from Hollister Avenue and SR 217 would be similar to existing conditions upon Modified Project completion.

Therefore, the Modified Project, similar to the Original Project, would not have a substantial adverse effect on scenic vistas. The Modified Project would not obstruct scenic views, or substantially damage a scenic resource visible from a State Scenic Highway. The Modified Project would result in no new or more severe impacts to scenic vistas or scenic resources beyond those identified in the previously adopted Final IS-MND. Similar to the Original Project, the Modified Project would have a less than significant impact on scenic vistas and no impact to scenic resources visible from a State Scenic Highway.

c. Would the project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from a publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The Modified Project would be located at the same site as the Original Project. The site has retained the same general appearance as was analyzed in the adopted Final IS-MND for the Original Project. The project site is located within an urbanized area primarily surrounded by commercial and industrial development. Similar to the Original Project, the Modified Project would consist of modifications to infrastructure within San Jose Creek and would not include the addition of new, tall structures that would conflict with existing regulations governing scenic quality. The Modified Project would result in no new or more severe impacts involving conflict with regulations that govern scenic quality beyond those identified in the previously adopted Final IS-MND. Similar to the Original Project, the Modified Project would have a less than significant impact.

d. Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?

The project site does not contain any substantial sources of light or glare. As described in the adopted Final IS-MND, the Original Project would not constitute any increase in light or glare in or around the project site.

Similar to the Original Project, the Modified Project would not introduce any new sources of light or glare to the project site. Construction lighting may be required during morning or evening work, but such lighting would be temporary and would cease upon the completion of construction activities. Therefore, the Modified Project would result in no new or more severe impacts to light and glare beyond those identified in the previously adopted Final IS-MND. Similar to the Original Project, the Modified Project would have no impact involving light and glare.

3.2 Agriculture and Forestry Resources

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Page 21	No	No	No	N/A
b. Conflict with existing zoning for agricultural use or a Williamson Act contract?	Page 21	No	No	No	N/A
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	N/A	No	No	No	N/A
d. Result in the loss of forest land or conversion of forest land to non-forest use?	N/A	No	No	No	N/A
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Page 21	No	No	No	N/A

a. Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

e. Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

As described in the adopted Final IS-MND, the project site is not on or adjacent to land currently under agricultural operation. According to the California Department of Conservation's Farmland Mapping and Monitoring Program, the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation 2022). Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance are located east of SR 217; however, these agricultural areas would not be impacted by Modified Project construction or operation. Therefore, the Modified Project would not affect an agricultural resource area, would not displace existing agricultural lands, and would not affect any land designated or zoned for agricultural uses, such as parcels under a Williamson Act contract.

The project site does not constitute forest land and is not zoned for forest land or timber land production. Thus, the Modified Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production, nor would the Modified Project result in the loss of forest land or conversion of forest land to non-forest use.

Therefore, the Modified Project would result in no new or more severe impacts to agriculture and forestry resources beyond those identified in the previously adopted Final IS-MND. Similar to the Original Project, the Modified Project would have no impact on agriculture and forestry resources.

3.3 Air Quality

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	Page 24	No	No	No	N/A
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Page 24	No	No	No	N/A
c. Expose sensitive receptors to substantial pollutant concentrations?	Page 24	No	No	No	N/A
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Page 24	No	No	No	N/A

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The Modified Project site, as with the Original Project site, is located in the South Central Coast Air Basin (SCCAB), an area that currently attains all national ambient air quality standards but does not attain the state standards for ozone or particulate matter (PM_{10}) (California Air Resources Board 2025). The Santa Barbara County Air Pollution Control District (SBCAPCD) regulates air emission sources within the Santa Barbara County portion of the SCCAB. As discussed in the adopted Final IS-MND, the Original Project would result in temporary construction emissions, including fugitive dust and emissions from construction equipment and vehicles. The Original Project would not include any new emissions-generating facilities. Similarly, the Modified Project would result in the same type of construction emissions, and also would not include any new emissions-generating facilities.

A project would be consistent with SBCAPCD's 2022 Ozone Plan if its direct and indirect emissions have been accounted for in the 2022 Ozone Plan's emissions forecast assumptions and if it would incorporate the standard fugitive dust control measures recommended by SBCAPCD during construction activities. The 2022 Ozone Plan is based on countywide employment data provided by the California Department of Finance. The 2022 Ozone Plan also states that its growth projections are similar to that of the 2019 Santa Barbara County Association of Governments' (SBCAG) Regional Growth Forecast 2050, in which assumptions about future land development patterns were used to generate future population and jobs forecasts for Santa Barbara County (SBCAG 2019). The

Modified Project would not directly increase population growth and would not increase the number of new employees in Goleta. Therefore, the Modified Project would not exceed SBCAG's growth forecasts of population and jobs for Goleta.

In addition, in accordance with standard practices in the City, the following standard SBCAPCD fugitive dust control measures, in the *Scope and Content of Air Quality Sections in Environmental Documents*, would be required for project implementation:

- 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 and from exceeding SBCAPCD's limit of 20 percent opacity for greater than three minutes in any 30-minute period. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency shall be required whenever the wind speed exceeds 15 miles per hour (mph). Reclaimed water shall be used whenever possible. However, reclaimed water shall not be used in or around crops for human consumption.
- The amount of disturbed area shall be minimized.
- On-site vehicle speeds shall be no greater than 15 mph when traveling on unpaved surfaces.
- A track-out prevention device shall be installed and operated where vehicles enter and exit unpaved roads onto paved streets. The track-out prevention device can include any device or combination of devices that are effective at preventing track out of dirt such as gravel pads, pipe-grid track-out control devices, rumble strips, or wheel washing systems.
- If stockpiling of material is involved, soil stockpiled for more than one day shall be covered, kept moist, or treated with soil binders to prevent dust generation.
- After clearing, grading, earth moving or excavation is completed, the disturbed area shall be treated by watering, or using roll-compaction, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur. All driveways and sidewalks to be paved/surfaced shall be completed as soon as possible.
- 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. The name and telephone number of such persons shall be provided to the SBCAPCD prior to grading/building permit issuance and/or map clearance.
- The project applicant shall comply with SBCAPCD Rule 345: Control of Fugitive Dust from Construction and Demolition Activities, including all applicable standards and measures therein.

As the Modified Project would not exceed SBCAG's growth forecasts of population and jobs, it would be accounted for in the 2022 Ozone Plan's emissions forecast assumptions. Additionally, the Modified Project would implement the above-mentioned SBCAPCD fugitive dust control measures. Therefore, the Modified Project would be consistent with the 2022 Ozone Plan. Similar to the Original Project, the Modified Project would have a less than significant impact involving conflict with an applicable air quality management plan.

b. Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

The adopted Final IS-MND for the Original Project determined that impacts involving net increases of criteria pollutants would be potentially significant, as construction of the Original Project would generate fugitive dust (PM_{10}) emissions, for which the SCCAB is in nonattainment. The adopted Final IS-MND required implementation of Mitigation Measures AQ-1 and AQ-2, which consist of dust control measures (AQ-1) and dust monitoring during construction (AQ-2). With implementation of Mitigation Measures AQ-1 and AQ-2, the Final IS-MND concluded that impacts would be less than significant with mitigation incorporated.

The Modified Project, as with the Original Project, would also generate fugitive dust emissions during construction. The scope of construction envisioned under the Modified Project does not exceed that included in the Original Project; thus, the Modified Project would not result in construction emissions exceeding those analyzed in the adopted Final IS-MND. Additionally, the Modified Project would adhere to SBCAPCD fugitive dust control measures, in the *Scope and Content of Air Quality Sections in Environmental Documents* (refer to Threshold 3.3[a]) in accordance with standard City construction practices. These fugitive dust control measures are more stringent than Mitigation Measures AQ-1 and AQ-2 presented in the adopted IS-MND. Therefore, impacts related to criteria pollutant emissions from project construction would be less than significant, and the Modified Project would result in no new or more severe impacts related to criteria pollutant emissions from construction beyond those identified in the previously adopted Final IS-MND for the Original Project. With adherence to SBCAPCD's fugitive dust control measures, implementation of Mitigation Measures AQ-1 and AQ-2 from the adopted Final IS-MND would not be required.

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

The Modified Project would occupy the same site as the Original Project, and is not in proximity to residences or other sensitive receptors that could be exposed to substantial pollutant concentrations from construction of the Modified Project. No new sensitive receptors have been constructed in proximity to the project site since adoption of the Final IS-MND. Therefore, the Modified Project would not result in new or more severe impacts related to exposure of sensitive receptors to air pollution beyond those identified in the previously adopted Final IS-MND for the Original Project.

d. Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The Modified Project would result in no new or more severe impacts related to odors beyond those identified in the previously adopted Final IS-MND for the Original Project. The Modified Project would, like the Original Project, involve infrastructure improvements that do not consist of a use that would generate other emissions adversely affecting a substantial number of people (such as those leading to odors) not already discussed in Threshold 3.3(c) above. Therefore, the Modified Project would not result in any new or significantly increased impacts from other emissions (such as those leading to odors) beyond those analyzed in the adopted Final IS-MND for the Original Project.

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3.4 Biological Resources

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Pages 33 and 34	No	No	No	Yes
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Page 34	No	No	No	Yes
c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Pages 34 and 35	No	No	No	Yes
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Page 35	No	No	No	N/A

		Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Page 35	No	No	No	Yes
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Page 35	No	No	No	N/A

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The Modified Project would occur within the same project site as the Original Project. As reported on page 33 of the adopted Final IS-MND, Original Project construction activities within San Jose Creek would occur during the dry season, which would avoid interference with southern California steelhead (as upstream migration would not occur at that time of year). As such, the Original Project would not result in an impact to southern California steelhead. Additionally, the adopted Final IS-MND determined no California red-legged frog (*Rana draytonii;* federally threatened, California Department of Fish and Wildlife [CDFW] Species of Special Concern [SSC]) were observed within, upstream, or downstream of the project site. However, adult California red-legged frog have a moderate potential to occur during times of migration, most specifically in the natural channel, but have a low potential to be found breeding within the project site. If individual California red-legged frogs were to be present during Original Project construction activities and were affected during construction, impacts would be potentially significant.

The Biological Resources Assessment Addendum found that several special-status wildlife species have a moderate, or higher, potential to occur within the project site.

- **Monarch butterfly** (*Danaus plexippus*; federally proposed threatened and CDFW Special Animal) has a low potential to overwinter in the project site. While mobile individuals are likely to avoid construction activities, overwintering roosts could be at risk. However, these known roosts are located north of the project site and out of the impact area. Nevertheless, indirect impacts to monarch butterfly could occur in the form of noise from the use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity.

- **Tidewater goby** (*Eucyclogobius newberryi*; federally endangered and CDFW SSC) has a moderate potential to occur within the project site, and only in the downstream end of the proposed work area. The species is not expected in the majority of the concrete channel nor in the upstream natural channel as there are not sufficient flows nor suitable tidally influenced habitat in these areas. **Southern California steelhead** have a moderate potential to occur within the project site, depending on the rainfall and associated flows. These special-status fish species are not expected to be directly impacted due to the restriction of in-stream work to the dry season. However, if water is present within the project site during Modified Project construction, direct impacts to tidewater goby and steelhead could occur in the form of injury or mortality through dewatering activities. Indirect impacts to special-status fish could occur from changes in water quality due to use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity.
- As discussed in the Final IS-MND, **California red-legged frog** has a moderate potential to occur within the project site. California red-legged frog are not anticipated to be indirectly impacted by Modified Project activities, since they are mobile and can escape noise, dust, and vibrations. Direct impacts to California red-legged frog may occur if individuals are present at the project site during construction activities.
- **Pallid bat** (*Antrozous pallidus*) has a moderate potential to occur within the project site. Direct impacts to pallid bat could occur in the form of injury or mortality through initial ground-disturbance activities and/or disturbance of roosting sites. However, no individuals or roosts were observed during surveys of the project site. Indirect impacts to pallid bat could occur in the form of noise from the use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity.
- **Cooper's hawk** (*Accipiter cooperii*), **white-tailed kite** (*Elanus leucurus*), and **least Bell's vireo** (*Vireo bellii pusillus*) have a moderate potential to occur within the project site. Because birds are highly mobile and would be able to avoid contact with construction equipment, the adults are likely to move away from construction activities and are not anticipated to be directly impacted through injury or mortality; however, impacts to eggs and nestlings could occur during the nesting season. Indirect impacts to special-status bird species could occur in the form of noise, dust, and vibrations from the use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity.

According to the Biological Resources Assessment Addendum prepared in support of the Modified Project (Appendix B), no special-status plant species were observed or detected during the reconnaissance survey conducted in March 20 and 21, 2024. One special-status plant species, Santa Barbara honeysuckle (*Lonicera subspicata*; California Rare Plant Rank 1B.2), was determined to have a moderate potential to occur within the project site. Direct impacts to Santa Barbara honeysuckle are anticipated to occur if this species is present during vegetation removal activities in suitable habitat; however, none have been observed. Potential indirect impacts may occur from Modified Project activities, such as the introduction of dust and other material from excavation and grading activities, which could degrade the habitat and prevent establishment of individual Santa Barbara honeysuckle plants. However, the Modified Project would incorporate Final IS-MND Mitigation Measure BIO-3, which requires preparation of a Riparian Vegetation Protection and Replacement Plan (RVPRP). The RVPRP would minimize damage to Santa Barbara honeysuckle through avoidance and restoration measures that would increase the likelihood that Santa Barbara honeysuckle would resprout following construction. Therefore, the Modified Project would not result in any new or significantly increased impacts involving special-status plant species beyond those analyzed in the adopted Final IS-MND for the Original Project.

Pre-construction special-status species surveys outlined in Section 1.3, *Project Description,* would reduce the potential for significant impacts by requiring a pre-construction survey and subsequent preparation of an enhancement, relocation, or exclusion plan if special-status wildlife species are found. In addition, general Best Management Practices (BMPs) outlined in Section 1.3, *Project Description,* would reduce the potential for significant impacts by requiring general housekeeping, erosion and sediment controls, staging placement, and hazardous materials control aimed at protecting wildlife. Furthermore, the Modified Project would implement Final IS-MND Mitigation Measures BIO-1 (California Red-Legged Frog), BIO-2 (Native Trees), BIO-3 (Riparian Vegetation), and BIO-4 (Breeding Birds). With implementation of the abovementioned measures, the Modified Project would not result in new or more severe impacts to special-status wildlife species beyond those identified in the previously adopted Final IS-MND for the Original Project.

Mitigation Measures

The Modified Project would implement Final IS-MND Mitigation Measures BIO-1, BIO-3, and BIO-4. Language has been added to the mitigation measures below to help clarify the intent of each measure. Although the language has been slightly altered herein, the intent of the mitigation measures remains the same, such that these mitigation measures are not considerably different from those analyzed in the Final IS-MND and thus do not warrant the preparation of a Subsequent IS-MND. Changes to the measures are shown in ~~strikethrough~~ and underline.

BIO-1 California Red-Legged Frog and Tidewater Goby

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 California 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.

Prior to the start of dewatering in the downstream portion of the concrete channel, a qualified biologist shall conduct a survey for tidewater goby. If tidewater goby is found, they will be relocated downstream of the cofferdam. Similarly, other native aquatic species will be relocated. A qualified monitor shall be present during installation of any water diversions installed at the lower portion of the concrete channel for tidewater goby.

Plan Requirements & Timing: The requirement for a California 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.

The requirement for a tidewater goby monitor shall be included on all Modified Project plans prior to final approval, and a qualified monitor shall be on-site during dewatering activities.

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

BIO-3 Riparian Vegetation

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

Plan Requirements & Timing: The ~~Plan~~ RVPRP 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 as part of the RVPRP 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 on-site where 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~~ 0.13 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.
- Seasonal constraints on vegetation removal and nesting bird survey specifications to reduce impacts to nesting birds within the work area, per Mitigation Measure BIO-4.

Monitoring: Biological monitors shall be present during vegetation clearing to ensure that riparian vegetation removal is consistent with the ~~Plan~~ RVPRP. 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.

BIO-4 Breeding Birds

The pre-approved Riparian Vegetation Protection and Replacement Plan (Mitigation Measure BIO-3) shall include seasonal constraints on vegetation removal and nesting bird survey specifications to reduce impacts to nesting birds within the work area.

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~~ RVPRP 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~~ RVPRP 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.

b. Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

The Final IS-MND found that the Original Project would involve removal of riparian trees and approximately 0.25 acre of native riparian vegetation, consisting of arroyo willow and associated understory. Additionally, the Original Project would involve the removal of non-native trees, shrubs, and herbaceous vegetation. Construction of the Original Project could result in the introduction of pollutants, such as motor fuels, into San Jose Creek, which could affect riparian habitat within San Jose Creek. The Final IS-MND determined that impacts to riparian habitat or other sensitive natural communities would be less than significant with implementation of Mitigation Measures BIO-2 and BIO-3.

The project site contains four sensitive plant communities: arroyo willow thickets, black cottonwood woodland, California sycamore coast live oak riparian woodland, and pickleweed mats. Direct impacts of the Modified Project to riparian habitat or sensitive natural communities would occur through construction of the 'hydraulic transition feature' in the upstream natural channel, which would permanently impact 0.08 acre of arroyo willow thickets. Direct impacts would occur to all four sensitive plant communities through grading the channel bottom in the upstream natural channel, which would temporarily impact 0.16 acres. Indirect impacts from dust and other construction equipment may occur, but due to the temporary nature of these activities and implementation of standard BMPs, the potential for substantial indirect impacts to sensitive natural communities is relatively low. As with the Original Project, the Modified Project would implement Mitigation Measures BIO-2 and BIO-3, which would reduce potential impacts to a less-than-significant level.

The project site occurs within National Oceanic and Atmospheric Administration-designated critical habitat for steelhead; however, the habitat is considered low-quality due to the lack of spawning habitat, fish passage barriers in the concrete channel, and sediment and debris accumulations in the concrete channel (Appendix B). The Modified Project would enhance this existing critical habitat through the provision of steelhead passage to the upper watershed for migration and spawning. The channel downstream of Hollister Avenue is lined with concrete and a complete barrier to upstream

movement of steelhead. The Modified Project is designed to improve the existing passage conditions for steelhead. Consequently, impacts to riparian habitat for steelhead would not be significant.

Therefore, the Modified Project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community, and the Modified Project would not create new or more severe impacts beyond those previously analyzed in the adopted Final IS-MND.

Mitigation Measures

Mitigation Measures BIO-2 and BIO-3 would be implemented to reduce potential impacts to riparian habitat and/or sensitive natural communities. Language has been added to the mitigation measures below to help clarify the intent of each measure. Although the language has been slightly altered herein, the intent of the mitigation measures remains the same, such that these mitigation measures are not considerably different from those analyzed in the Final IS-MND and thus do not warrant the preparation of a Subsequent IS-MND. Changes to the measures are shown in ~~strikethrough~~ and underline.

BIO-2 Native Trees

A Native Tree Protection and Replacement Plan (NTPRP) shall be prepared by a certified arborist or qualified expert and approved prior to vegetation clearing. All native trees to be removed, except willows (*Salix* spp.), which are included in the Riparian Vegetation Protection and Replacement Plan described below (Mitigation Measure BIO-3), will be covered. This plan can be developed as a component of the Landscape Plan.

Plan Requirements & Timing: The ~~Plan~~ NTPRP 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 **BIO3**), that would be removed (Table 4)~~ shall be prepared as part of the NTPRP to address protected native trees, excluding the willows which are mitigated as riparian vegetation per Mitigation Measure BIO-3, that would be removed. 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 protected native 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~~
~~Sycamore1 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~~ NTPRP. 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.

BIO-3 Riparian Vegetation

Refer to Threshold 3.4(a).

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

As discussed on page 34 of the Final IS-MND, construction of the Original Project would result in the temporary removal of up to 160 square feet of wetlands under the jurisdiction of the United States Army Corps of Engineers (USACE); up to 7,200 square feet of wetland under the jurisdiction of the State[1]; and up to 1,600 square feet of open water under the jurisdiction of the State. However, the Original Project would create approximately 860 square feet of wetlands under the jurisdiction of USACE. Additionally, the Original Project would implement Mitigation Measures BIO-2 and BIO-3, which would require the creation of additional wetlands and riparian tree replacement, such that overall impacts to State or federally protected wetlands would be less than significant.

San Jose Creek and its associated riparian areas occur within the project site. The Modified Project would result in a permanent impact to non-wetland waters of the U.S. under the jurisdiction of the USACE (0.02 acre), non-wetland waters of the State under the jurisdiction of the Central Coast Regional Water Quality Control Board (RWQCB) (0.09 acre), CDFW-jurisdictional streambeds (0.09 acre), City-designated wetlands (0.09 acre), and City Streamside Protections Areas (0.11 acre) through placement of riprap on the banks and channel bottom for the 'hydraulic transition feature'. Temporary impacts to non-wetland waters of the U.S. under the jurisdiction of USACE (4.49 acres), non-wetland waters of the State under the jurisdiction of the Central Coast RWQCB (5.14 acres), CDFW-jurisdictional streambeds (5.14 acres), City-designated wetlands (0.15 acres), and City Streamside Protections Areas (5.14 acres) would occur through installation of a regrading to form a new natural channel bed, operation of equipment along the channel bottom, and diversion if water is present where weirs need to be removed or built. Neither USACE wetland waters of the U.S., Central Coast RWQCB wetland waters of the State, nor coastal wetlands under the jurisdiction of the California Coastal Commission would be impacted.

General BMPs described in Section 1.3, *Project Description*, would reduce the potential for significant impacts by requiring general housekeeping, erosion and sediment controls, staging placement, and hazardous materials control aimed at protecting jurisdictional waters. Furthermore, the Modified Project would implement Final IS-MND Mitigation Measures BIO-2 (Native Trees) and BIO-3 (Riparian Vegetation). With implementation of these measures, the Modified Project would not result in new or more severe impacts to jurisdictional waters beyond those identified in the previously adopted Final IS-MND for the Original Project.

[1] "State wetlands are defined therein as "State wetlands require that only one of the .. [USACE] criteria must be met. This wetland definition is used by CDFW, the California Coastal Commission, the City of Goleta, and the U.S. Fish and Wildlife Service.

Mitigation Measures

Mitigation Measures BIO-2 and BIO-3 would be implemented to reduce potential impacts to jurisdictional waters. Language has been added to the mitigation measures below to help clarify the intent of each measure. Although the language has been slightly altered herein, the intent of the mitigation measures remains the same, such that these mitigation measures are not considerably different from those analyzed in the Final IS-MND and thus do not warrant the preparation of a Subsequent IS-MND. Changes to the measures are shown in ~~strikethrough~~ and underline.

BIO-2 Native Trees

Refer to Threshold 3.4(b).

BIO-3 Riparian Vegetation

Refer to Threshold 3.4(a).

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

As described on page 35 in the Final IS-MND, construction of the Original Project would not substantially interfere with terrestrial or aquatic wildlife movement. No mapped wildlife movement corridors are present within the project site. However, the project site includes San Jose Creek, through which wildlife may travel. Surrounding vegetated areas provide suitable small-scale wildlife movement corridors for wildlife to travel locally and are important in linking non-contiguous or fragmented wildlife habitats. The project site itself is primarily surrounded by urban development, including SR 217, Hollister Avenue Bridge, and Jonny D. Wallis Neighborhood Park, which lessens the likelihood of wildlife traveling through the project site. As described in Section 2, *Project Description*, the Modified Project would not introduce new barriers to the movement of any resident or migratory wildlife species (i.e., fish), as the Modified Project would replace existing fish weirs for steelhead migration. Therefore, the Modified Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species, and the Modified Project would not create new or more severe impacts beyond those previously analyzed in the adopted Final IS-MND.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

As discussed on page 35 of the Final IS-MND, the Original Project would be consistent with the Goleta General Plan. The Original Project would not impact Environmentally Sensitive Habitat Area (Coastal Act Policies 30107.5 and 30240) or the biological productivity of San Jose Creek (Coastal Act Policy 30231) within the Coastal Zone.

Mature/protected trees are identified as any native tree measuring 4 inches or greater DBH of the largest trunk. Multiple trees are present within the project site and surrounding area that have at least one trunk that is 4 inches in DBH or greater, including the Sister Witness Tree,[2] and therefore are considered City-protected trees. The Sister Witness Tree is located on the west bank of San Jose Creek, within the California sycamore-coast live oak riparian woodlands, outside the project site.

[2] The Sister Witness Tree is the largest western sycamore (Platanus racemosa) in the United States and is named because of its proximity to the "Witness Tree" located across Hollister Avenue.

Given the distance from Modified Project activities, the Sister Witness Tree is not expected to be impacted.

Native trees were identified within the black cottonwood woodlands, California sycamore-coast live oak riparian woodlands, and arroyo willow thick vegetation communities. The Modified Project will temporarily encroach upon the root zone of protected native trees located at or near the toe of the bank slope where grading will occur, and would potentially result in direct impacts to protected native trees. Indirect impacts to 17 trees would occur as a result of increased dust in the air; however, impacts would be negligible as the work area is situated adjacent to an active mining area where dust is already generated and is unlikely to change substantially from existing conditions.

The Modified Project would be required to comply with the City's policies and development standards regulating biological resources. The City does not currently have a tree protection ordinance in place, but Goleta General Plan Conservation Element Policy CE-9 states that removal of mature native trees shall be mitigated.

Implementation of Mitigation Measures BIO-2 and BIO-3 would ensure that any potential impacts to protected trees would be less than significant. Mitigation Measure BIO-2 would require the preparation of a NTPRP that identifies native trees that would be removed, identifies native trees that the contractor would preserve, and outlines the required mitigation required as a result of impacts. Mitigation Measure BIO-3 includes a RVPRP that aims 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. Pursuant to implementation of these mitigation measures, the Modified Project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance, and the Modified Project would not create new or more severe impacts beyond those previously analyzed in the adopted Final IS-MND.

Mitigation Measures

Mitigation Measure BIO-2 and BIO-3 would be implemented to reduce potential impacts to protected trees.

BIO-2 Native Trees

Refer to Threshold 3.4(c).

BIO-3 Riparian Vegetation

Refer to Threshold 3.4(a).

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

As described on page 35 of the Final IS-MND, there are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved local, regional, or state habitat conservation plans that apply to the Original Project site. The Modified Project site is the same as the Original Project site. Therefore, the Modified Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and the Modified Project would not create such impacts beyond those previously analyzed in the adopted Final IS-MND.

3.5 Cultural Resources

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Page 42	No	No	No	N/A
b. Cause a substantial adverse change in the significance of an archaeological pursuant to §15064.5?	Page 42	No	No	No	Yes
c. Disturb any human remains, including those interred outside of formal cemeteries?	Page 42	No	No	No	N/A

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

As discussed on page 42 in the Final IS-MND, no historical resources were identified on the project site. The Modified Project site is the same as the Original Project site. Consequently, the Original Project would result in no impacts to historical resources.

The Cultural Resources Technical Report prepared in support of the Modified Project (Appendix C) did not identify historical resources within the project site. Therefore, the Modified Project would result in no new or more severe impacts on historical resources beyond those identified in the Final IS-MND for the Original Project.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

As discussed in the Final IS-MND for the Original Project, no known archaeological resources are located on the project site. However, the project site is located in an archaeologically sensitive area due to the presence of fresh water. Therefore, the Final IS-MND concluded that unknown archaeological resources may be encountered during Original Project construction, and impacts to unknown archaeological resources may be potentially significant. However, implementation of IS-MND Mitigation Measure ARCH-1, which would include on-site monitoring during construction activities and an unanticipated discovery protocol, would reduce potential impacts to a less than significant level.

The Cultural Resources Technical Report prepared in support of the Modified Project (Appendix C) included a Sacred Lands File (SLF) request and a California Historical Resources Information System records search. The SLF results were positive, indicating the project site is located within a culturally

sensitive area. The California Historical Resources Information System records search did not identify any known archaeological resources within the project site. Additionally, a pedestrian survey conducted on April 4, 2025 did not identify any archaeological resources or deposits within the project site. The project site has been previously disturbed due to episodic flooding events within San Jose Creek and the Goleta Slough, historic-era cattle ranching and agricultural activities, as well as the installation and maintenance of the existing concrete-lined channel. The Cultural Resources Technical Report concluded that the project site is unlikely to contain intact, buried archaeological resources (Appendix C). However, given the cultural sensitivity of the area, unknown or previously unrecorded archaeological materials may exist within the project site. If these materials constitute unique archaeological resources under CEQA, disturbance of these resources during construction of the Modified Project could result in a substantial adverse change in the significance of an archaeological resource and impacts would be potentially significant. Similar to the Original Project, the Modified Project would implement Mitigation Measure ARCH-1 (Archaeological Monitoring), and impacts would be less than significant with mitigation incorporated. Thus, the Modified Project would result in no new or more severe impacts on archaeological resources beyond those identified in the Final IS-MND.

Mitigation Measure

Mitigation Measure ARCH-1 would be implemented to reduce potential impacts to archaeological resources.

ARCH-1 Archaeological Monitoring

On-site monitoring by a qualified archaeologist 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.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

As discussed in the Final IS-MND for the Original Project, no known human remains were recorded or anticipated within the project site. Consequently, the Final IS-MND concluded the Original Project would result in no impact to human remains.

The Cultural Resources Technical Report prepared in support of the Modified Project (Appendix C) did not identify human remains within the project site. However, given the cultural sensitivity of the project site and its location to fresh water, there is potential for the unanticipated discovery of human remains during Modified Project construction. In the event of an unanticipated discovery of human remains during construction, the State of California Health and Safety Code Section 7050.5 requires that all construction activities halt in the vicinity of the discovery and the County Coroner be contacted immediately. The County Coroner would make a determination of origin and disposition of the human remains pursuant to Public Resources Code Section 5097.98. If the human remains are determined to be prehistoric, the coroner would notify the Native American Heritage Commission, which would determine and notify a most likely descendant (MLD). The MLD would complete an inspection of the site within 48 hours of being granted access to the site. The MLD

would be responsible for the ultimate disposition of the remains, as required by Section 5097.98 of the Public Resources Code. Recommendations by the MLD may include: (1) the nondestructive removal and analysis of human remains and items associated with Native American human remains; (2) preservation of Native American human remains and associated items in place; (3) relinquishment of Native American human remains and associated items to the descendants for treatment; or (4) other culturally appropriate treatment.

With compliance with existing regulations prescribed in the State of California Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.8, the Modified Project would result in no impacts to human remains, similar to the Original Project. Thus, the Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND.

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3.6 Energy

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	N/A	No	No	No	N/A
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	N/A	No	No	No	N/A

a. Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b. Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

The adopted Final IS-MND did not include a separate section analyzing potential environmental impacts related to the topic of Energy because it was not required under the *State CEQA Guidelines* in effect at the time. The topic of energy use was, however, addressed in the Air Quality section of the adopted Final IS-MND in relation to the Original Project's potential construction emissions from energy use.

The Modified Project would require construction-related energy consumption in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the site, and vehicles used to transport materials to and from the site. The Modified Project would not require additional construction beyond that analyzed in the adopted Final IS-MND, and accordingly, would not result in an increase in construction-related energy consumption when compared to the Final IS-MND analysis. Similar to the Original Project, construction contractors would be required to comply with the provisions of California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the United States Environmental Protection Agency Construction Equipment Fuel Efficiency Standard, which would also minimize inefficient, wasteful, or unnecessary fuel consumption. These practices would result in efficient use of energy necessary to construct the project. In the interest of cost-efficiency, construction contractors also would not utilize fuel in a manner that is wasteful or unnecessary.

Operation of the Modified Project would not involve the use of electricity or natural gas. Therefore, construction and operation of the Modified Project would not involve the inefficient, wasteful, and unnecessary use of energy, and impacts would be less than significant. The Modified Project does not have the potential to conflict with state or local plans for renewable energy or energy efficiency, and no impact would occur.

As the Modified Project would not require additional construction when compared to the Original Project, and operation and maintenance activities would remain the same (and not require energy), the Modified Project would not result in new or more severe impacts related to energy than those previously identified in the Final IS-MND.

3.7 Geology and Soils

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	Page 45				N/A
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	Page 45	No	No	No	N/A
2. Strong seismic ground shaking?	Page 45	No	No	No	N/A
3. Seismic-related ground failure, including liquefaction?	Page 45	No	No	No	N/A
4. Landslides?	Page 45	No	No	No	N/A
b. Result in substantial soil erosion or the loss of topsoil?	Page 45	No	No	No	N/A
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Page 45	No	No	No	N/A
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Page 45	No	No	No	N/A

		Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Page 45	No	No	No	N/A
f.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	40	No	No	No	N/A

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

a.1 Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

a.2 Strong seismic ground shaking?

a.3 Seismic-related ground failure, including liquefaction?

a.4 Landslides?

The Original Project site is not located near an Alquist-Priolo Earthquake Fault Zone or other fault zone as analyzed in the Final IS-MND. According to the Final IS-MND for the Original Project, the site contains a limited potential for liquefaction due to proximity to San Jose Creek; however, no habitable structures are included as part of Original Project and the risk of loss, injury, or death due to liquefaction would be minimal. The Final IS-MND also determined that the Original Project site is not located in an identified landslide hazard area, and given the flat topography of the site, the potential for landslide occurrence is low.

Given the Modified Project site is the same as the Original Project site, the geological and soil conditions identified in the Final IS-MND for the Original Project would be applicable to the Modified Project. The Modified Project would not include habitable structures or components that would exacerbate seismic risks related to fault rupture, ground shaking, liquefaction, or landslides. Therefore, the potential for the Modified Project to increase the risk of loss, injury, or death due to fault rupture, ground shaking, liquefaction, or landslides would be the same as the Original Project as analyzed in the Final IS-MND, and the Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

b. Would the project result in substantial soil erosion or the loss of topsoil?

As discussed in the Final IS-MND, the Original Project would occur within San Jose Creek and would involve earth-moving activities during construction. Although no new source of sedimentation would be created, erosion and loss of sediment could occur during Original Project construction. The Final IS-MND determined that this impact would be less than significant with implementation of Mitigation Measure WQ-1, which requires implementation of a Storm Water Pollution Prevention Plan (SWPPP) that includes erosion control measures.

The Modified Project, similar to the Original Project, would also involve earth-moving activities during construction that could create soil erosion. As the Modified Project would disturb more than one acre of soil, the Modified Project would be subject to the requirements of SWRCB's National Pollution Discharge Elimination System Construction General Permit, which requires preparation and implementation of a SWPPP to control the discharge of pollutants, including sediment, into surface water drainages. Required elements of an SWPPP include (1) site description addressing the elements and characteristics specific to the project site; (2) descriptions of BMPs for erosion and sediment controls; (3) BMPs for construction waste handling and disposal; (4) implementation of approved local plans; and (5) proposed post-construction controls, including a description of local post-construction erosion and sediment control requirements. Therefore, the Modified Project would not require IS-MND Mitigation Measure WQ-1, which would be redundant with the existing regulatory requirement. With implementation of the requirements of the Construction General Permit, including preparation of the Modified Project-specific SWPPP, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

c. Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

The Modified Project would be located on the same project site as the Original Project. The Final IS-MND did not identify unusual soil conditions, including unstable or expansive soils, on the Original Project site. Furthermore, the Modified Project, as with the Original Project, would not include habitable structures that could increase the risk to life or property due to unstable or expansive soils. Therefore, the potential for the Modified Project to result in unstable soils or to be damaged from expansive soils would be the same as the Original Project analyzed in the Final IS-MND, and the Modified Project would result in no new or more severe impacts related to unstable or expansive soils beyond those identified in the Final IS-MND for the Original Project.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Similar to the Original Project, the Modified Project would not require septic tanks or alternative wastewater disposal systems, and no impact would occur, and the Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

f. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

As discussed on page 40 of the Final IS-MND, no paleontological resources were expected to occur within the Original Project site. The Modified Project would be located on the same project site as the Original Project. Therefore, there are no known unique paleontological or geological features present within the Modified Project site. No impact to such features would occur from the implementation of the Original Project or the Modified Project. The Modified Project would result in no new or more severe impacts to unique paleontological resources or sites or unique geologic features beyond those identified in the Final IS-MND for the Original Project.

3.8 Greenhouse Gas Emissions

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Page 24	No	No	No	N/A
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Page 24	No	No	No	N/A

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

The Final IS-MND did not include a separate section analyzing potential environmental impacts related to the topic of greenhouse gas (GHG) emissions because it was not required under the *State CEQA Guidelines* in effect at the time. The topic of GHG emissions was, however, addressed in the Air Quality section of the Final IS-MND in relation to the Original Project's potential emissions during construction and operation.

Construction of the Modified Project would result in GHG emissions during construction, primarily from fuel consumption associated with heavy equipment, light-duty vehicles, and machinery. The Modified Project would not require additional construction beyond that analyzed in the adopted Final IS-MND, and accordingly, would not result in an increase in construction-related GHG emissions when compared to the Final IS-MND analysis. The project would utilize construction contractors that would be required to comply with applicable California Air Resources Board regulations, such as accelerated retrofitting, repowering, or replacement of heavy-duty diesel on-road and off-road equipment. Construction contractors are required to comply with the provisions of California Code of Regulations Title 13, Sections 2449 and 2485, and California Air Resources Board regulations, which prohibit diesel-fueled commercial and off-road vehicles from idling for more than five minutes, minimizing unnecessary GHG emissions. Construction equipment would be subject to the United States Environmental Protection Agency Construction Equipment Fuel Efficiency Standard, which would minimize inefficient fuel consumption and, subsequently, GHG emissions. These construction equipment standards (i.e., Tier 4 efficiency requirements) are contained in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. Furthermore, in the interest of cost efficiency, construction contractors would not utilize fuel in a manner that is

wasteful or unnecessary, which would also have the effect of minimizing GHG emissions. Operation of the Modified Project would result in minimal generation of GHG emissions from vehicle travel to and from the project site for maintenance activities.

Since the Modified Project would have no increased impacts relative to GHG emissions, the Modified Project would also not lead to any increased potential to conflict with any applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases. Therefore, the Modified Project would result in a less than significant impact involving GHG emissions.

3.9 Hazards and Hazardous Materials

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Page 49	No	No	No	N/A
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Page 49	No	No	No	N/A
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?	Page 49	No	No	No	N/A
d. Be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Page 49	No	No	No	N/A
e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Page 49	No	No	No	N/A

		Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
f.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Page 49	No	No	No	N/A
g.	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	Page 49	No	No	No	N/A

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

The Final IS-MND determined the Original Project would result in a potentially significant impact involving the routine transport, use, or disposal of hazardous materials and the accidental release of hazardous materials in the environment. These impacts were determined to be potentially significant due to the use of paints, solvents, fuels, lubricants, and other materials associated with construction equipment and construction activities. However, these potentially significant impacts were determined to be mitigated to a less than significant level through the implementation of Mitigation Measure WQ-1, which requires preparation of a SWPPP to prevent discharge of construction materials, contaminants, washings, concrete, fuels, and oils to San Jose Creek.

Similar to the Original Project, construction and operation of the Modified Project would involve the transport, use, and disposal of hazardous materials. The Modified Project would be required to comply with applicable standards that regulate the transport, use, and disposal of hazardous materials, and adherence to these standards would minimize the Modified Project's potential to create a significant hazard to the public or the environment through the transport, use, disposal, or accidental release of hazardous materials. As discussed under Threshold 3.7(b), the Modified Project would be subject to the requirements of SWRCB's Construction General Permit, which requires preparation and implementation of a SWPPP to control the discharge of pollutants into surface water drainages. Consequently, the Modified Project would not require IS-MND Mitigation Measure WQ-1, which would be redundant with the existing regulatory requirement. With implementation of the requirements of the Construction General Permit, including preparation of the Modified Project-specific SWPPP, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

c. Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

The Final IS-MND determined that no existing or proposed schools are located within 0.25 mile of the Original Project site. The Modified Project would be located on the same site as the Original Project, and no schools within 0.25 mile of the site have been constructed since adoption of the Final IS-MND. Therefore, the Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

d. Would the project be located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

As discussed on page 49 of the Final IS-MND, there are no recorded hazardous material sites on lists compiled pursuant to Government Code Section 65962.5 within the Original Project site, and the Original Project would have no impact in this regard. The Modified Project would occur on the same project site as the Original Project, and no hazardous material sites within the Modified Project site have been recorded since adoption of the Final IS-MND (California Department of Toxic Substances Control 2025; State Water Resources Control Board 2025). Therefore, the Modified Project would have no new or more severe impacts related to contaminated sites beyond those identified in the Final IS-MND for the Original Project.

e. For a project located in an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

As discussed on page 49 in the Final IS-MND, the Original Project site is within two miles of the Santa Barbara Municipal Airport. No private airports or airstrips are present in the Original Project site's vicinity. Given the distance of the Original Project site to the Santa Barbara Municipal Airport's runways, the Final IS-MND determined the Original Project would pose no safety risk or hazard resulting from proximity to the airport.

The Modified Project would occur on the same site as the Original Project. The Modified Project site is located within the Airport Influence Area, noise contours, and Safety Zone 2 for the Santa Barbara Airport (SBCAG 2023). However, the Modified Project would not include new residences or employment opportunities at the Modified Project site, such that people would be subject to a potential safety hazard or excessive noise. Therefore, the Modified Project would have no new or more severe impacts related to airport hazards beyond those identified in the Final IS-MND for the Original Project.

f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Final IS-MND determined the Original Project would not interfere with an adopted emergency response plan or emergency evacuation plan.

Construction vehicles would access the Modified Project site via ingress and egress at Hollister Avenue and South Kellogg Avenue. Similar to the Original Project, the Modified Project would intermittently increase traffic on local roadways through the addition of construction vehicles; however, this impact would be temporary and would cease upon the completion of construction activities. Furthermore, the Modified Project would not involve any temporary lane closures during

construction activities. The addition of construction vehicles to these roadways would not result in impairment or interference with an adopted emergency response or emergency evacuation plan. Operation of the Modified Project would involve minimal vehicle trips for maintenance activities. The Modified Project would have no new or more severe impacts related to interference with an adopted emergency response plan or emergency evacuation plan beyond those identified in the Final IS-MND for the Original Project.

g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The Final IS-MND determined the Original Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires, as the Original Project site is located within the urbanized city of Goleta.

The Modified Project site is not located within a State Responsibility Area or fire hazard severity zone (California Department of Forestry and Fire Protection 2025). Land uses surrounding the Modified Project site consist of urbanized (commercial and industrial) land uses, riparian vegetation associated with San Jose Creek, and SR 217. Due to the urbanized nature of the site's surroundings and lack of wildland areas, the risk of fire within or near the Modified Project site is relatively low. Furthermore, the Modified Project would not involve the construction of habitable structures or permanent employment of people at the Modified Project site. The Modified Project would have no new or more severe impacts related to exposure of people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires beyond those identified in the Final IS-MND for the Original Project.

3.10 Hydrology and Water Quality

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Page 52	No	No	No	N/A
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Page 52	No	No	No	N/A
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
(i) Result in substantial erosion or siltation on- or off-site	Page 52	No	No	No	N/A
(ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site	Page 53	No	No	No	N/A
(iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff	Page 53	No	No	No	N/A
(iv) Impede or redirect flood flows?	Page 53	No	No	No	N/A

		Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
d.	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Page 53	No	No	No	N/A
e.	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	N/A	No	No	No	N/A

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

The Final IS-MND determined that the Original Project would not result in any wastewater discharge that violates a State or federal water quality standard. However, construction of the Original Project would involve the use of paints, solvents, fuels, lubricants, and other materials associated with construction equipment and construction activities that could adversely affect water quality if improperly used or stored at the project site. If construction materials were to enter San Jose Creek, such impacts to water quality would be potentially significant. The Final IS-MND concluded that with implementation of Mitigation Measure WQ-1, which requires preparation of a SWPPP and the use of BMPs to minimize discharge of construction materials to San Jose Creek, the Original Project's impact would be less than significant with mitigation incorporated.

Construction activities under the Modified Project would be subject to State, regional, and local laws and regulations related to water quality. Similar to the Original Project, construction activities associated with the Modified Project could have the potential to affect water quality in San Jose Creek, should construction materials inadvertently enter the creek. However, construction of the Modified Project would disturb more than one acre and would therefore be required to obtain coverage under a Construction General Permit, which requires preparation and implementation of a SWPPP to control the discharge of pollutants into surface water drainages. As discussed under Threshold 3.7(b), the SWPPP would specify BMPs for construction waste handling and disposal such that the potential for construction materials to enter San Jose Creek is minimized. Therefore, the Modified Project would not require IS-MND Mitigation Measure WQ-1, which would be redundant with the existing regulatory requirement. With implementation of the requirements of the Construction General Permit, including preparation of the Modified Project-specific SWPPP, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

b. Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The Final IS-MND determined that the Original Project would have no impact on groundwater supplies or groundwater recharge, as the Original Project would not reduce groundwater supplies and the removal of concrete lining would likely increase infiltration within the project site.

The Modified Project would not introduce new impervious surfaces to the project site and would not require a water supply during construction or operational activities. Similar to the Original Project, the Modified Project would have no impact on groundwater supplies or groundwater recharge, and would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site?

The Final IS-MND determined that the Original Project would not substantially alter the drainage pattern of San Jose Creek. However, if precipitation occurred during construction of the Original Project, sedimentation as a result of project site erosion could occur. While the increase in sediment would be temporary and associated with construction activities, this impact would be potentially significant. The Final IS-MND determined that with implementation of Mitigation Measure WQ-1, which would require a SWPPP with erosion and sediment control measures, the Original Project's impact would be less than significant with mitigation incorporated.

The Modified Project consists of the redesign, maintenance, and repair or removal of existing weirs within the San Jose Creek concrete channel, and would not have the potential to substantially alter the existing drainage pattern of San Jose Creek. Additionally, the Modified Project would not introduce new impervious surfaces to the project site. Similar to the Original Project, construction activities associated with the Modified Project could have the potential to result in erosion or sedimentation. However, the Modified Project would be subject to the requirements of the Construction General Permit, which requires preparation and implementation of a SWPPP that would specify BMPs for erosion and sediment control such that the potential for erosion and sedimentation is minimized. Therefore, the Modified Project would not require IS-MND Mitigation Measure WQ-1, which would be redundant with the existing regulatory requirement. With implementation of the requirements of the Construction General Permit, including preparation of the Modified Project-specific SWPPP, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

The Final IS-MND determined that the Original Project would have a less than significant impact associated with increased runoff and polluted runoff, as the Original Project would not alter existing drainage patterns or introduce a new source of runoff to the project site.

As discussed under Threshold 3.10(c.i), the Modified Project would neither substantially alter the existing drainage pattern of San Jose Creek nor introduce new impervious surfaces to the project site. Similar to the Original Project, the Modified Project would not introduce a new source of runoff to the project site. Additionally, implementation of the SWPPP, as required by the Construction General Permit, would include the use of BMPs that would minimize the potential for sediment or construction materials to be transported off-site via stormwater runoff. Therefore, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

iv. Impede or redirect flood flows?

d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The Final IS-MND identified that the project site is located outside of a tsunami hazard area but within a 100-year floodplain. The Original Project would increase the capacity of the existing San Jose Creek drainage to prevent the flooding of structures by the 100-year flood flow. The Final IS-MND determined that the Original Project would have a less than significant impact involving impediment of flood flows or the release of pollutants due to project inundation.

As discussed under Threshold 3.10(c.i), the Modified Project would neither substantially alter the existing drainage pattern of San Jose Creek nor introduce new impervious surfaces to the project site. The project site is located within a regulatory floodway and Zone AE, which is defined as a special flood hazard area with a one percent annual chance of flooding (100-year floodplain) (Federal Emergency Management Agency 2018). The Modified Project would not introduce new habitable structures to the project site, require permanent employees at the project site that could be at risk during a flood event, or introduce new structures that would have the potential to impede or redirect flood flows outside of San Jose Creek.

The southern portion of the project site is located within a tsunami hazard area (DOC 2025). There is no potential for seiche at the project site due to the lack of a significant water body in the immediate vicinity. The Modified Project would not involve the storage of hazardous materials at the project site and consequently would not have the potential to risk the release of pollutants due to project inundation during a flood or tsunami event. Therefore, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Although this impact was not explicitly addressed in the Final IS-MND because it was not included in the *State CEQA Guidelines* in effect at the time, as discussed throughout this section of the Addendum, the Modified Project would have no new or more severe significant impacts related to water quality or groundwater than those identified in the previously adopted Final IS-MND for the Original Project. The Modified Project would therefore also not have any new or more severe significant impacts related to its potential to conflict with or obstruct the implementation of a water quality control plan or sustainable groundwater management plan.

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3.11 Land Use and Planning

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Physically divide an established community?	Page 57	No	No	No	N/A
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Page 57	No	No	No	N/A

a. Would the project physically divide an established community?

The Final IS-MND determined that the Original Project would not physically divide an established community. The Modified Project would be located on the same site as the Original Project. Land uses surrounding the Modified Project site consist of urbanized (commercial and industrial) land uses, riparian vegetation associated with San Jose Creek, and SR 217. Similar to the Original Project, the Modified Project would not include linear components, such as new roadways, that would have the potential to physically divide an established community. The Modified Project would have no new or more severe impacts related to the division of an established community beyond those identified in the Final IS-MND for the Original Project.

b. Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The Final IS-MND determined the Original Project would not result in inconsistencies with existing land use and zoning designations. However, the Original Project site contains Environmentally Sensitive Habitat Area. Pursuant to Goleta General Plan Policy CE 1.6, components of the Original Project, such as flood improvements, are generally permitted in an Environmentally Sensitive Habitat Area where there is no feasible, less environmentally damaging alternative and where mitigation measures would avoid or lessen impact to the maximum extent feasible. The Final IS-MND determined that impacts would be less than significant with implementation of mitigation measures throughout the Final IS-MND.

The Modified Project site has a Goleta General Plan land use designation of Public/Quasi-public and Commercial-Old Town (City of Goleta 2023). The Modified Project consists of the redesign, maintenance, and repair or removal of existing weirs within the San Jose Creek concrete channel, and would not introduce new land uses or operational activities not previously analyzed in the Final IS-MND that would conflict with the Public/Quasi-public and Commercial-Old Town land use designations. The Modified Project would represent a continuation of existing operational activities,

and as such, would not conflict with applicable land use plans, policies or regulations adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the Modified Project would have no new or more severe impacts related to conflict with any land use plan, policy, or regulation beyond those identified in the Final IS-MND for the Original Project.

3.12 Mineral Resources

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Page not available[3]	No	No	No	N/A
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	Page not available	No	No	No	N/A

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

The Final IS-MND determined the Original Project would not result in the loss or availability of any known mineral resource or identified resource recovery site, as no known mineral resources occur within the Original Project site. The Modified Project would occur on the same site as the Original Project. Additionally, the Modified Project would not involve the extraction of mineral resources. Consistent with the findings of the Final IS-MND for the Original Project, the Modified Project would have no impact on mineral resources, and no new or more severe impacts on mineral resources of value or important mineral resource recovery sites.

[3] The Final IS-MND is missing pages 59 through 68, which correspond to the Mineral Resources, Noise, Population and Housing, Public Services, and Recreation sections of the environmental analysis. To supplement the analysis, this Addendum uses the findings of the Final IS-MND Addendum No. 1 for the San Jose Creek Capacity Improvement Project, adopted in April 2008, which contains the analysis for the Original Project.

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3.13 Noise

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Page not available	No	No	No	N/A
b. Generate excessive groundborne vibration or groundborne noise levels?	Page not available	No	No	No	N/A
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?	Page not available	No	No	No	N/A

a. Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

The Final IS-MND determined that the Original Project would create a short-term impact through the generation of construction noise, which would temporarily exceed the City's noise standards. However, implementation of Mitigation Measures N-1 and N-2 would reduce impacts to a less than significant level, and would require limiting the hours of construction (N-1) and maintenance of sound control devices for construction equipment (N-2). Once construction is completed, the Original Project would not generate noise during operation, and there would be no permanent increase in ambient noise levels in the project vicinity.

Similar to the Original Project, construction of the Modified Project would result in noise generation by construction equipment and haul trucks. As construction of the Modified Project would be similar to construction of the Original Project, construction noise could potentially exceed the City's noise standards.

Goleta General Plan Policy NE 6.4 restricts construction activities in nonresidential areas to the hours of 7:00 a.m. to 4:00 p.m., Monday through Friday. The Modified Project would be located in a nonresidential area and would thus adhere to these construction hours. Additionally, Goleta General Plan Policy NE 6.5 requires the following measures to be incorporated into grading and building plan specifications to reduce construction noise:

- All construction equipment shall have properly maintained sound-control devices, and no equipment shall have an unmuffled exhaust system.
- Contractors shall implement appropriate additional noise 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.
- To the extent practicable, adequate buffers shall be maintained between noise-generating machinery or equipment and any sensitive receptors. The buffer should ensure that noise at the receptor site does not exceed 65 decibels A-weighted (dBA) Community Noise Equivalent Level. 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.

As the Modified Project would involve grading activities, it would be required to comply with Goleta General Plan Policy NE 6.5. Adherence to both Policies NE 6.4 and NE 6.5 would minimize potential temporary noise increases associated with construction of the Modified Project. Similar to the Original Project, the Modified Project would not result in a permanent increase in ambient noise levels in the project vicinity. Consequently, the Modified Project would not require IS-MND Mitigation Measures N-1 and N-2, which would be redundant with existing regulatory requirements. With adherence to Goleta General Plan Policies NE 6.4 and NE 6.5, the Modified Project would not result in new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

b. Would the project generate excessive groundborne vibration or groundborne noise levels?

The Final IS-MND determined that construction activities associated with the Original Project would have a less than significant impact involving groundborne noise or vibration, as vibration-generating activities (such as concrete removal) would occur over short periods of time.

The Modified Project would not require additional types of construction equipment than those analyzed for the Original Project in the Final IS-MND. Therefore, there would be no new sources of groundborne vibration during project construction. Impacts would be less than significant, and the Modified Project would not result in new or substantially more severe significant impacts related to vibration beyond those identified in the Final IS-MND for the Original Project.

c. Would the project be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, and expose people residing or working in the project area to excessive noise levels?

The Final IS-MND determined that the Original Project's impacts involving exposure to excessive airport noise levels would be less than significant. As discussed under Threshold 3.9(e) in Section 3.9, *Hazards and Hazardous Materials*, the Modified Project site is located within noise contours for the Santa Barbara Airport (SBCAG 2023). However, the Modified Project would not include new residences or permanent employment opportunities at the Modified Project site, such that people would be subject to excessive noise. The Modified Project would have no new or more severe impacts related to airport noise beyond those identified in the Final IS-MND for the Original Project

3.14 Population and Housing

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	Page not available	No	No	No	N/A
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Page not available	No	No	No	N/A

a. Would the project induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?

The Final IS-MND determined the Original Project would have no impact involving substantial unplanned population growth as the Original Project's components would not have the potential to directly or indirectly induce population growth. As with the Original Project, the Modified Project does not include construction of residences or the creation of substantial employment opportunities. The Modified Project would therefore not result in new or substantially more severe significant impacts related to substantial unplanned population growth than those identified in the Final IS-MND for the Original Project.

b. Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The Final IS-MND determined the Original Project would have no impact involving the displacement of existing people or housing, as no people or housing occur within the Original Project site. The Modified Project would occur on the same site as the Original Project. The Modified Project would not involve new project components that would require demolition of existing housing or create long-term disturbances to residential land uses that would lead to the displacement of substantial numbers of people and necessitate construction of replacement housing. The Modified Project would therefore not result in new or substantially more severe significant impacts from substantial displacement of existing people or housing than those identified in the Final IS-MND for the Original Project.

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3.15 Public Services

		Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:						
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:						
1	Fire protection?	Page not available	No	No	No	N/A
2	Police protection?	Page not available	No	No	No	N/A
3	Schools?	Page not available	No	No	No	N/A
4	Parks?	Page not available	No	No	No	N/A
5	Other public facilities?	Page not available	No	No	No	N/A

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for:

1. Fire protection?

2. Police protection?

3. Schools?

4. Parks?

5. Other public facilities?

The Final IS-MND determined the Original Project would have no impact on public services as the Original Project would not physically impact any existing public services within the project vicinity; nor would it indirectly result in the need for an increased capacity, amount, or requirement for public services.

As discussed in Section 3.14, *Population and Housing*, the Modified Project, like the Original Project, would not include residential or commercial development that would induce population growth. The Modified Project would not introduce new land uses to the project site that could change the existing demand for public services. No new fire protection facilities, police protection facilities, schools, parks, or other public facilities would need to be constructed to serve the Modified Project. The Modified Project would therefore not result in new or substantially more severe significant impacts on public services than those identified in the Final IS-MND for the Original Project.

3.16 Recreation

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Page not available	No	No	No	N/A
b. Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Page not available	No	No	No	N/A

a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

b. Would the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The Final IS-MND determined the Original Project would have no impact involving recreational facilities, as the proposed improvements would neither include recreational facilities nor cause an increased need for recreational facilities in Goleta.

As discussed in Section 3.14, *Population and Housing*, the Modified Project, like the Original Project, would not induce population growth. The Modified Project would not introduce new land uses to the project site that could change the existing demand for recreational facilities. Similar to the Original Project, the Modified Project would neither include recreational facilities nor necessitate the construction of new or expanded recreational facilities. The Modified Project would therefore not result in new or substantially more severe significant impacts involving recreation than those identified in the Final IS-MND for the Original Project.

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3.17 Transportation

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Page 73	No	No	No	N/A
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	N/A	No	No	No	N/A
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	Page 73	No	No	No	N/A
d. Result in inadequate emergency access?	Page 73	No	No	No	N/A

a. Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

As described on page 73 of the Final IS-MND, the Original Project would not affect existing or planned bus stops or bicycle lanes, and would not conflict with a program, plan, ordinance, or policy addressing the circulation system. The Final IS-MND determined that no impact would occur.

The circulation system in the vicinity of the Modified Project site includes Hollister Avenue and South Kellogg Avenue, with respective pedestrian facilities (sidewalks) along each roadway. There are no bicycle lanes or public transit stops along these roadways. Construction vehicles would access the Modified Project site via ingress and egress at South Kellogg Avenue and Hollister Avenue. Similar to the Original Project, the Modified Project would intermittently increase traffic on local roadways through the addition of construction vehicles; however, this impact would be temporary and would cease upon the completion of construction activities. The Modified Project would not involve changes to the existing roadway system, including construction within roadway rights-of-way or lane closures, that would alter existing circulation patterns. The Modified Project would not involve construction-related traffic greater than that analyzed in the Final IS-MND. Therefore, the Modified Project would not result in new or more severe impacts related to conflicts with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities beyond those identified in the Final IS-MND for the Original Project.

b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

CEQA Guidelines Section 15064.3(b), added in November 2018, defines acceptable criteria for analyzing transportation impacts under CEQA. It states that land use projects with vehicle miles traveled (VMT) exceeding an applicable threshold of significance may result in a significant transportation impact and that projects that decrease VMT compared to existing conditions should be presumed to have a less than significant transportation impact. The Final IS-MND, adopted in 2007 prior to the 2018 updates, did not include a VMT analysis.

The change in VMT regulations does not constitute a new impact or significant new information under CEQA. Similar to the Original Project, the Modified Project would maintain existing operation and maintenance activities at the site after construction has been completed, and would not result in increased vehicle travel to and from the site when compared to existing conditions. Therefore, the Modified Project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), and impacts would be less than significant. The Modified Project would have no new or more severe impacts related to VMT.

c. Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?

As discussed on page 73 of the Final IS-MND, there is the potential for construction equipment to encroach into both Hollister Avenue and South Kellogg Avenue, and create roadway hazards. Additionally, construction of the Original Project may damage South Kellogg Avenue in a manner that could create a roadway hazard. The Final IS-MND determined the Original Project's impact would be less than significant with implementation of Mitigation Measures TRANS-1, TRANS-2, and TRANS-3, which would require a traffic management plan (TRANS-1), repair of South Kellogg Avenue following construction (TRANS-2), and review of the final design plans for Hollister Avenue Bridge and South Kellogg Avenue (TRANS-3).

In contrast to the Original Project, the Modified Project would not involve alterations to the Hollister Avenue Bridge and South Kellogg Avenue. The Modified Project would temporarily and intermittently increase traffic on local roadways through the addition of construction vehicles; however, construction vehicles and equipment would be staged within the Modified Project site and not along roadway right-of-way such that the presence of construction equipment would create a roadway hazard. Construction of the Modified Project would not involve any temporary lane closures during construction activities such that detours or signage would be required. Therefore, the Modified Project would not have any new or more severe significant impacts related to roadway hazards beyond those identified in the Final IS-MND for the Original Project. The Modified Project would have a less than significant impact, and no mitigation would be required, which would be a lesser level of impact than the Original Project.

d. Would the project result in inadequate emergency access?

As discussed on page 73 of the Final IS-MND, the Original Project would not change the basic configuration of either Hollister Avenue or South Kellogg Avenue, but would result in slight alterations to the Hollister Avenue Bridge and would narrow South Kellogg Avenue. The Original Project's design changes to these roadways were determined to have a less than significant impact involving inadequate emergency access.

Similar to the Original Project, the Modified Project would intermittently increase traffic on local roadways through the addition of construction vehicles; however, this impact would be temporary and would cease upon the completion of construction activities. Furthermore, the Modified Project would not involve any temporary lane closures during construction activities. The addition of construction vehicles to these roadways would not result in inadequate emergency access. Operation of the Modified Project would involve minimal vehicle trips for maintenance activities. Therefore, the Modified Project would have no new or more severe impacts related to inadequate emergency access beyond those identified in the Final IS-MND for the Original Project.

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3.18 Tribal Cultural Resources

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	Page 42	No	No	No	Yes
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	Page 42	No	No	No	Yes

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

a. *Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?*

b. *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?*

The Final IS-MND did not include a separate section analyzing potential impacts related to the topic of tribal cultural resources because it was not required under the *State CEQA Guidelines* in effect at the time. The topic of tribal cultural resources was, however, addressed in the Cultural Resources section of the Final IS-MND. The Final IS-MND determined that the Original Project would result in a potentially significant impact to buried archaeological resources (including tribal cultural resources) due to the possibility that construction activities could disturb or damage undiscovered archaeological resources. However, implementation of IS-MND Mitigation Measure ARCH-1, which would include on-site monitoring during construction activities and an unanticipated discovery protocol, would reduce potential impacts to a less than significant level.

As discussed in Section 3.5, *Cultural Resources*, the Cultural Resources Technical Report prepared in support of the Modified Project included a SLF request that returned positive results. Additionally, as detailed in the Cultural Resources Technical Report, outreach with the Barbareño Band of Chumash Indians confirmed there is a high chance of cultural sensitivity within the project site, and the Tribe suggested Native American monitoring during ground-disturbing activities that reach 18 feet in depth (Appendix C). Although no tribal cultural resources were identified during preparation of the Cultural Resources Technical Report, given the cultural sensitivity of the area, unknown or previously unrecorded tribal cultural resources may exist within the project site, and the discovery of such resources is always a possibility during ground-disturbing activities. Therefore, similar to the Original Project, the Modified Project may result in a potentially significant impact to tribal cultural resources. As with the Original Project, the Modified Project would implement Mitigation Measure ARCH-1 (Archaeological Monitoring), and impacts would be less than significant with mitigation incorporated. Thus, the Modified Project would result in no new or more severe impacts on archaeological resources beyond those identified in the Final IS-MND.

Mitigation Measure

Mitigation Measure ARCH-1 would be implemented to reduce potential impacts to tribal cultural resources.

ARCH-1 Archaeological Monitoring

Refer to Threshold 3.5(b) in Section 3.5, *Cultural Resources*.

3.19 Utilities and Service Systems

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
Would the project:					
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Page 77	No	No	No	N/A
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Page 77	No	No	No	N/A
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Page 77	No	No	No	N/A
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Page 77	No	No	No	N/A
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Page 77	No	No	No	N/A

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

The Final IS-MND determined the Original Project would have no impact involving the relocation or construction of new or expanded water, wastewater treatment, and stormwater drainage facilities, as the Original Project would not generate a substantial demand for such facilities.

The Modified Project would consist of maintenance and repair or removal of existing fish passage weirs in San Jose Creek, and would not result in a permanent increase in demand for water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. Consequently, the Modified Project would not necessitate the construction or expansion of new water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities. The Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

b. Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The Final-IS-MND determined that the Original Project would have no impact on water supplies as the Original Project would not require a permanent water supply and any water needed for construction activities would constitute a temporary demand that could be satisfied with existing water supplies.

Similar to the Original Project, the Modified Project would not require a permanent water supply. The Modified Project would not require additional construction beyond that analyzed in the Final IS-MND and, accordingly, would not result in an increase in temporary water demand for construction activities when compared to the Final IS-MND analysis. Therefore, the Modified Project would result in no new or more severe impacts related to water supply availability beyond those identified in the Final IS-MND for the Original Project.

c. Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

The Final IS-MND determined that the Original Project would have no impact on wastewater capacity, as the Original Project would not generate wastewater flows during construction or operation.

Similar to the Original Project, the Modified Project would not generate wastewater flows during construction or operation, given the nature of Modified Project activities. Consequently, the Modified Project would not result in a determination by the Goleta Sanitation District that it does not have adequate capacity to serve the Modified Project. The Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

d. Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

e. Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

The Final IS-MND determined that the Original Project would have a less than significant impact involving solid waste, as the Original Project would not result in the generation of solid waste in violation of any federal, State, or local solid waste regulations or statutes.

Construction of the Modified Project would generate solid waste through the removal of all timber wedges throughout the concrete channel, and all existing wooden weirs downstream of Station 46+96. Pursuant to Chapter 8.10, Article IV of the Goleta Municipal Code, construction contractors are required to divert 65 percent of all construction and demolition waste by weight from landfill disposal for any new structure. The City would prepare a Waste Management Plan which would indicate how solid waste generated during demolition and construction would be diverted in accordance with City requirements. With adherence to existing regulations, construction of the Modified Project would not generate solid waste in excess of the capacity of local infrastructure. The Modified Project would not result in greater impacts involving solid waste when compared to the Original Project, and impacts would remain less than significant. The Modified Project would result in no new or more severe impacts beyond those identified in the Final IS-MND for the Original Project.

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3.20 Wildfire

	Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	N/A	No	No	No	N/A
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	N/A	No	No	No	N/A
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	N/A	No	No	No	N/A
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	N/A	No	No	No	N/A

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The Final IS-MND did not include a separate section analyzing potential impacts related to the topic of wildfire because it was not required under the *State CEQA Guidelines* in effect at the time. The topic of wildfire was, however, addressed in the Hazards and Hazardous Materials section of the Final IS-MND. Although a separate chapter evaluating wildfire impacts was not included in the Final IS-MND, a separate discussion of wildfire is included in this Addendum pursuant to the most recent version of the *State CEQA Guidelines* in which wildfire is included in the Appendix G checklist as a separate resource category.

The Modified Project site is not located within a State Responsibility Area or fire hazard severity zone (California Department of Forestry and Fire Protection 2025). The Modified Project would not include components that would substantially impair an adopted emergency response plan or emergency evacuation plan (refer to Threshold 3.9[f]). The Modified Project would not expose project occupants to pollutant concentrations from a wildfire, as the Modified Project would not introduce occupants to the site. The Modified Project would not require the installation or maintenance of associated infrastructure that may exacerbate wildfire risks, as proposed infrastructure improvements would consist of alterations to fish passage weirs. The Modified Project would not exposure people or structures to significant post-fire risks of flooding or landslides, as no people or structures would occur on-site. Therefore, no impact would occur. The Modified Project would thus not result in new or more severe impacts than the Original Project.

3.21 Mandatory Findings of Significance

		Where was Impact Analyzed in the IS-MND?	Do Proposed Changes Require Major Revisions to the IS-MND?	Do New Circumstances Require Major Revisions to the IS-MND?	Any New Information Resulting in New or Substantially More Severe Significant Impacts?	Do IS-MND Mitigation Measures Address and/or Resolve Impacts?
a.	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	Page 78	No	No	No	Yes
b.	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Page 79	No	No	No	Yes
c.	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Page 79	No	No	No	N/A

a. Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

As discussed in Section 3.4, *Biological Resources,* the Modified Project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. As discussed in Section 3.5, *Cultural Resources,* the project site does not contain any known historical or archaeological or tribal resources. The Modified Project would therefore not eliminate an important example of major periods of California history or prehistory. With implementation of IS-MND Mitigation Measures BIO-1 through BIO-4 and ARCH-1, this impact would be less than significant with mitigation incorporated, and the Modified Project's impact would be the same as or less than that analyzed in the adopted Final IS-MND for the Original Project.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

The Modified Project would not significantly change the current use or operation of the project site. While the Modified Project may have some construction impacts, such as increased noise and construction-related air emissions, these impacts would be temporary and were previously analyzed in the Final IS-MND. The Modified Project would not add permanent residents or employees to the project site. The Modified Project would not involve road closures and would not introduce a substantial amount of vehicle traffic to local roadways, such as Hollister Avenue and South Kellogg Avenue, such that the Modified Project and cumulative projects in the vicinity of the project site would result in a cumulative impact to transportation. Therefore, the Modified Project's contribution to cumulative impacts would not be cumulatively considerable, and impacts would be less than significant with implementation of the mitigation measures referenced throughout this environmental document. The Modified Project would not result in new or more severe cumulative impacts than the Original Project.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

In general, impacts on human beings are associated with air quality, hazards and hazardous materials, noise, and wildfire. As discussed in Section 3.3, *Air Quality*, the Modified Project would not conflict with or obstruct the implementation of SBCAPCD's 2022 Ozone Plan and would not expose human beings to substantial air pollutant emissions in excess of regional and localized significance thresholds. As discussed in Section 3.9, *Hazards and Hazardous Materials,* compliance with federal, State, and local laws regarding the transportation of hazardous materials would prevent accidental release of hazardous materials during construction, and the Modified Project would not involve the use of hazardous materials during operation. As discussed in Section 3.13, *Noise*, project construction noise would not be significant, and operation of the Modified Project would not involve noise-generating components. As discussed in Section 3.20, *Wildfire,* the project site is not within a Fire Hazard Severity Zone and would not include components that would

exacerbate post-fire risks of flooding/landslides or require installation or maintenance of associated infrastructure that would result in temporary or ongoing impacts to the environment.

Therefore, the Modified Project would not substantially adversely affect human beings, directly or indirectly. The Modified Project's impact would be the same as or less than that analyzed in the adopted Final IS-MND for the Original Project.

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4 Conclusion

As established in the analysis above regarding the potential environmental effects that may be generated as compared to the Original Project, it is concluded that substantial changes are not proposed to the Original Project nor have substantial changes occurred that would require major revisions to the adopted Final IS-MND prepared for the Original Project. Impacts beyond those identified and analyzed in the adopted Final IS-MND would not be expected to occur as a result of the Modified Project. Overall, the proposed modifications to the Original Project that constitute the Modified Project would result in no new impact or mitigation information of substantial importance that would generate new, more severe impacts or require new mitigation measures compared to those identified for the Original Project in the adopted Final IS-MND.

Therefore, the City of Goleta concludes that the analyses conducted, conclusions reached, and mitigation measures in the Final IS-MND adopted in May 2007 remain valid. As such, the Modified Project would not result in conditions identified in *State CEQA Guidelines* Section 15162 requiring supplemental environmental review or a Subsequent EIR, and these are therefore not required for the Modified Project. It can be emphasized that the Modified Project would remain subject to previously adopted, applicable, mitigation measures included in the Final IS-MND for the Original Project. The MMRP adopted for the Original Project in May 2007 would remain applicable to the Modified Project. Based on the above analysis, this Addendum to the previously adopted Final IS-MND for the project has been prepared in accordance with Section 15164 of the *State CEQA Guidelines*.

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Appendix A

State Water Resources Control Board General Protection Measures

General Protection Measures

General Protection Measures (GPMs) as described in the State Water Board Statewide Restoration General Order (SRGO) – GPMs (SWRCB 2022) that will be followed by construction personnel are listed below.

- **GPM-1: Receipt and Copies of All Permits and Authorizations.** Work will not begin until all necessary permits and authorizations have been received (e.g., United States Army Corps of Engineers [USACE], United State Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], State and Regional Boards, California Department of Fish and Wildlife [CDFW]). The project proponent will ensure that a readily available copy of the applicable agency permits and authorizations (e.g., USFWS Biological Opinion, NMFS Biological Opinion, Section 404 permit, etc.) is maintained by the construction foreman/manager on the project site for the duration of project activities.
- **GPM-2: Construction Work Windows.** Construction work windows may be required in order to avoid impacts to aquatic resources and associated beneficial uses during the wet season. Project proponents must also follow the applicable Regional Board's construction work windows, unless otherwise approved.
- **GPM-3: Construction Hours.** Construction activities will generally be limited to daylight hours, to the extent feasible. If nighttime construction is necessary, including in tidally influenced waters where tides may limit daylight access and work schedules, all project lighting (e.g., staging areas, equipment storage sites, roadway, and construction footprint) will be selectively placed and directed onto the roadway or construction site and away from aquatic habitats. Light glare shields will be used to reduce the extent of illumination into aquatic habitats. If the works are is near surface waters, the lightning will be shielded so that it does not shine directly into the water.
- **GPM-4: Environmental Awareness Training.** For projects occurring in aquatics resources (e.g., wetlands, riparian areas, etc.), prior to engaging existing or new personnel in construction activities, new construction personnel will participate in environmental awareness training conducted by an agency-approved biologist or resource specialist. 9 Construction personnel will be informed regarding the identification, potential presence, legal protections, avoidance and minimization measures, and applicable general protection measures for all aquatic resources with the potential to occur within or immediately adjacent to the project site. Construction personnel will be informed of the procedures to follow should aquatic resources be disturbed during construction activities. For projects where the agency-approved biologist or resource specialist is not regularly on the project site, training may be provided via online/web-based meeting with an interactive portion (e.g., web-based or in-person discussion) to be included during remote training sessions. For projects that may continue over an extended duration and require excessive training events, a training video developed under the supervision of the FWS-approved biologist or resource specialist may be used to train new personnel, as long as an FWS-approved biologist or resource specialist is available via phone to answer questions about the training or that may arise during construction.

- **GPM-5: Environmental Monitoring.** As required in the Notice of Availability (NOA), a resource specialist will ensure that all applicable protective measures are implemented during project construction. The resource specialist will have authority to stop any work if they determine that any permit requirement is not fully implemented. The resource specialist will prepare and maintain a monitoring log of construction site conditions and observations, which will be kept on file.
- **GPM-6: Work Area and Speed Limits.** Construction work and materials staging will be restricted to designated work areas, routes, staging areas, temporary interior roads, or the limits of existing roadways. Prior to initiating construction or grading activities, brightly colored fencing or flagging or other practical means will be erected to demarcate the limits of the project activities, including the boundaries of designated staging areas; ingress and egress corridors; stockpile areas for spoils disposal, soil, and materials; and equipment exclusion zones. Flagging or fencing will be maintained in good repair for the duration of project activities. Vehicles will obey posted speed limits on public roadways and will limit speeds to 20 miles per hour (mph) within the project area on unpaved surfaces and unpaved roads (to reduce dust and soil erosion) or in areas where specialstatus species have the potential to occur. Speeds greater than 20 mph may be permitted in the project area where special-status species are not expected to occur (e.g., within areas from which special-status species have been excluded) and where there is no risk of generating excessive dust (e.g., surfaces are paved, saturated, or have treated with other measures to prevent dust).
- **GPM-7: Environmentally Sensitive Areas:** Monitoring, flagging, or fencing will be used, where appropriate, to minimize disturbance to environmentally sensitive areas (e.g., waters and wetlands). If fencing is used:
  - Fencing used must be approved by CDFW and/or USFWS for compatibility with species under their jurisdiction, as applicable, that may occur on site.
  - The agency-approved biologist or resource specialist will determine the location of fencing prior to the start of construction (e.g., between active work area(s) and sensitive resources).
  - Fencing will remain in place throughout the duration of the construction activities and will be inspected and maintained regularly by the agency-approved biologist or resource specialist until completion of the project.
  - Repairs to the fencing will be made within 24 hours of discovering any failure.
  - Fencing will be removed when all construction equipment is removed from the site, the area is cleared of debris and trash, and the area is returned to natural conditions.
- **GPM-8: Prevent Spread of Invasive Species.** The spread or introduction of invasive exotic plant species by arriving vehicles, equipment, imported gravel, and other materials, will be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project areas will be removed and properly disposed of in a manner that will not promote their spread. Equipment will be cleaned of any sediment or vegetation at designated wash stations before entering or leaving the project area to avoid spreading pathogens or exotic/invasive species. Isolated infestations of noxious weeds identified in the project area will be treated with approved eradication methods at an appropriate time to prevent further formation of seed and destroy viable plant parts and seed. Wash sites must be in confined areas that limit run-off to any surrounding habitat and on a flat grade. Upland areas will use rice straw or invasive species-free local slash/mulch for erosion control, while the remainder of the project area will use certified, weed-free erosion control materials. Mulch must be certified weed-free. The project proponent will follow the guidelines in the CDFW's California Aquatic Invasive Species Management Plan (CDFW 2008) and Aquatic Invasive Species Disinfection/Decontamination

Protocols (CDFW 2016), where relevant. Construction supervisors and managers will be educated on weed identification and the importance of controlling and preventing the spread of noxious weeds. The project proponent will follow any applicable local guidance to prevent the spread of invasive animal species. Construction supervisors and managers will be responsible for implementation of appropriate protocols (e.g., disinfection of equipment and footwear) to prevent the spread of invasive animals.

- **GPM-9: Practices to Prevent Pathogen Contamination.** The project proponent will review and implement restoration design considerations and best management practices as published by the Working Group for Phytophthoras in Native Habitats, when there is a risk of introduction and spread of plant pathogens in site plantings (Working Group for Phytophthoras in native Habitats 2016).
- **GPM-10: Equipment Maintenance and Materials Storage.** Vehicle traffic will be confined to existing roads and the proposed access route(s). All machinery must be in good working condition, showing no signs of fuel or oil leaks. Oil, grease, or other fluids will be washed off at designated wash stations prior to equipment entering the construction site. Inspection and evaluation for the potential for fluid leakage will be performed daily during construction. Where possible, and where it would not result in greater impact to aquatic resources, no equipment refueling, or fuel storage will take place within 100 feet of a body of water. All fuel and chemical storage, servicing, and refueling will be done in an upland staging area or other suitable location (e.g., barges) with secondary containment to prevent spills from traveling to surface water or drains. Project proponents will establish staging areas for equipment storage and maintenance, construction materials, fuels, lubricants, solvents, and other possible contaminants in coordination with resource agencies. Staging areas will have a stabilized entrance and exit and will be located in upland areas to the extent possible and at least 100 feet from bodies of water unless site-specific circumstances do not provide such a setback or would result in further damage to sensitive resources, in which case the maximum setback possible will be used. Fluids will be stored in appropriate containers with covers and properly recycled or disposed of offsite. Machinery stored on site will have pans or absorbent mats placed underneath potential leak areas as a precautionary measure to further reduce the potential for impact from an unintended or previously undetectable leak.
- **GPM-11: Material Disposal.** All refuse, debris, unused materials, and supplies that cannot reasonably be secured will be removed daily from the project work area and deposited at an appropriate disposal or storage site. All construction debris will be removed from the project work area immediately upon project completion. The Water Quality and Hazardous Materials measures (below), will be implemented as applicable to ensure proper handling and disposal of hazardous materials.
- **GPM-12: Fugitive Dust Control.** To reduce dust, construction vehicles will be speed restricted as described in GPM-6, Work Area and Speed Limits when traveling on non-paved surfaces. Stockpiled materials susceptible to wind-blown dispersal will be covered with plastic sheeting or other suitable material to prevent movement of the material. During construction, water (e.g., trucks and portable pumps with hoses) or other approved methods will be used to control fugitive dust, as necessary. Dust suppression activities must not result in a discharge to waters of the state unless such discharges are approved by the State or Regional Board.
- **GPM-13: Trash Containment and Removal.** During project activities all trash will be properly contained within sealed containers and removed from the work site and disposed of as necessary to maintain a trash-free work area (e.g., trash containers will not be used beyond capacity and fully close/seal).

- **GPM-14: Project Cleanup after Completion.** Work pads, temporary falsework, and other construction items will be removed from the 100-year floodplain by the end of the construction window. Removal of materials must not result in discharge to waterbodies.
- **GPM-15: Revegetate Disturbed Areas.** All temporarily disturbed areas will be de-compacted and seeded/planted with an assemblage of native riparian, wetland, and/or upland plant species suitable for the area. The project proponent will develop a revegetation plan, including (as applicable) a schedule; plans for grading of disturbed areas to pre-project contours; planting palette with plant species native to the project area; invasive species management; performance standards; success criteria; and maintenance requirements (e.g., watering, weeding, and replanting). Plants for revegetation will come primarily from active seeding and planting; natural recruitment may also be proposed if site conditions allow for natural recruitment to reestablish vegetation and avoid potential negative risks associated with erosion and impacts to water quality. Plants imported to the restoration areas will come from local stock, and to the extent possible, local nurseries. Only native plants (genera) will be used for restoration efforts. Certified weed-free native mixes and mulch will be used for restoration planting or seeding. Revegetation activities within and adjacent to waters of the state will commence as soon as is practicable after construction activities at a site are complete.

Water Quality and Hazardous Materials Measures

Water Quality and Hazardous Materials (WQHM) Measures as described in the State Water Board SRGO – GPMs (SWRCB 2022) that will be followed by construction personnel are listed below.

- **WQHM-1: Staging Areas and Stockpiling of Materials and Equipment.** Staging, storage, and stockpile areas must be outside of waters of the state. To the extent feasible, staging will occur on access roads or other previously disturbed upland areas, such as developed areas, paved areas, parking lots, areas with bare ground or gravel, and areas clear of vegetation, to avoid aquatic habitats and limit disturbance to surrounding habitats. Similarly, all maintenance equipment and materials (e.g., road rock and project spoil) will be restricted to the existing service roads, paved roads, or other determined designated staging areas. See GPM-10 for more details regarding protection measures for materials storage.

Staging areas will be established for equipment storage and maintenance, construction materials, fuels, lubricants, solvents, and other possible contaminants in coordination with resource agencies. Staging areas will have a stabilized entrance and exit and will be located at least 100 feet from bodies of water unless site-specific circumstances do not provide such a setback, in such cases the maximum setback possible will be used. If an off-road site is chosen and if special-status species are potentially present, the Biological Monitor will survey the selected site to verify that no aquatic resources would be disturbed by staging activities.

Stockpiling of materials, portable equipment, vehicles and supplies (e.g., chemicals), will be restricted to the designated construction staging areas. If rain is predicted in the forecast during the dry season, and stockpiled soils will remain exposed and unworked for more than 7 days, then erosion and sediment control measures must be used. If there is a high-wind scenario (to be defined by the approving Water Board as appropriate for an individual project site), then soils will be covered at all times. Temporary stockpiling of material onsite will be minimized. Stockpiled material will be placed in upland areas far enough away from aquatic habitats that these materials cannot discharge to a water of the state.

- **WQHM-3: Erosion and Sediment Control Measures.** For projects that do not require coverage under a NPDES permit per GPM WQHM-2 of the State Water Board SRGO – GPMs (SWRCB 2022), the project proponent will develop and implement erosion and sediment control measures (or plan), which will include appropriate BMPs to reduce the potential release of water quality pollutants to receiving waters. BMPs may include the following measures:
  - Employ tackifiers, soil binders, or mulch as appropriate for erosion control.
  - Install sediment control measures, such as straw bales, silt fences, fiber rolls, or equally effective measures, at repair areas adjacent to stream channels, drainage canals, and wetlands, as needed. Sediment control measures will be monitored during and after each storm event for effectiveness. Modifications, repairs, and improvements to sediment control measures will be made as needed to protect water quality.
  - No sediment control products will be used that include synthetic or plastic monofilament or cross-joints in the netting that are bound/stitched (such as straw wattles, fiber rolls, or erosion control blankets), and which could trap snakes, amphibians, and other wildlife.
- **WQHM-4: Hazardous Materials Management and Spill Response Plan.** As part of the SWPPP or Erosion Control Plan (WQHM-2 and WQHM-3), project proponent will prepare and implement a hazardous materials management and spill response plan. Project proponent will ensure that any hazardous materials are stored at the staging area(s) with an impermeable membrane between the ground and hazardous material and that the staging area is designed to prevent the discharge of pollutants to groundwater and runoff water. Project proponent will stop work, follow the spill response plan, and arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills. (See WQHM-6. Accidental Discharge of Hazardous Materials for accidental discharges of a reportable quantity of a hazardous material, sewage, or an unknown material.) Project proponent will notify regulatory agencies within 24 hours of any leaks or spills. Project proponent will properly contain and dispose of any unused or leftover hazardous products off-site. Project proponent will use and store hazardous materials, such as vehicle fuels and lubricants, in designated staging areas located away from stream channels and wetlands, according to local, state, and federal regulations, as applicable. Also see GPM-10: Equipment Maintenance and Materials Storage for more detail on spill prevention.
- **WQHM-6. Accidental Discharge of Hazardous Materials.** Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

As soon as (A) discharger has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:

- first call – 911 (to notify local response agency)
- then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
- Lastly, follow the required OES procedures as set forth in: http://www.caloes.ca.gov/FireRescueSite/Documents/CalOESSpill_Booklet_Feb2014_FINAL_BW_Acc.pdf (Cal OES 2014)

Following notification to OES, the discharger will notify the State or Regional Board (and other agencies requiring notification in their respective permits), as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

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Appendix B

Biological Resources Assessment Addendum



San Jose Creek Channel Fish Passage Modification Project

Biological Resources Assessment Addendum

prepared for

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Executive Summary

Rincon Consultants, Inc. (Rincon) has prepared this Biological Resources Assessment (BRA) to document existing conditions and provide a basis for evaluation of potential impacts to biological resources for the City of Goleta (City) San Jose Creek Channel Fish Passage Modification Project (Project) located in Goleta, Santa Barbara County, California. The proposed Project seeks to achieve improved and unimpeded passage for the southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*; southern California steelhead; federally endangered, candidate state endangered) through the concrete flood control portion of the San Jose Creek flood control channel, and upstream to the natural migration corridor that leads to spawning and rearing habitat in the upper watershed. Modifications to the concrete flood control channel and a small portion of the upstream natural channel of San Jose Creek are necessary to meet these objectives. These modifications include removing the existing non-functioning wooden weirs, modifying the existing concrete weirs, adding new vortex-type weirs, and re-grading a small reach of the upstream natural channel to restore the original channel gradient. Additionally, the creek will be restored with native riparian vegetation after construction is complete. Native trees, shrubs, and forbs of local genetic stock will be installed along the creek banks to improve habitat, provide bank stabilization, and to improve ecological function in a stretch of creek that is otherwise dominated by non-natives in the understory.

This BRA is an addendum to the BRA previously completed for the original construction of the fish passage project, herein referred to as the San Jose Creek Capacity Improvement and Fish Passage Project (Entrix 2010). In 2013, the City constructed the San Jose Creek Capacity Improvement and Fish Passage Project, which included a fish passage component. The currently proposed Project aims to install enhanced fish passage system within San Jose Creek.

This BRA addendum includes a literature review to identify and evaluate any newly listed or candidate species, an evaluation of the potential for them to occur in the project area, and updates to the regulatory setting to reflect recent regulatory changes. In addition, this report documents existing site conditions via a desktop analysis and field surveys, including a reconnaissance survey, jurisdictional delineation, and tree survey, to evaluate potential impacts to biological resources based upon current Project plans. The 5.85-acre work area, along with a 100-foot buffer, was assessed, for a total of 28.45 acres, hereinafter referred to as the "study area."

Rincon assessed the potential for 86 special-status species (28 plant species and 58 wildlife species) to occur in the vicinity of the study area. Of these 86 species, 32 species (6 plants and 26 animals) were evaluated as having potential to occur. Five special-status plants have a low potential to occur. One special-status plant has a moderate potential to occur within the study area: Santa Barbara honeysuckle (*Lonicera subspicata* var. *subspicata*; California Rare Plant Rank 1B.2). Thirteen special-status wildlife species have a low potential to occur within the study area. Seven federally or state-listed special-status wildlife species were determined to have a moderate potential in the study area: southern California steelhead, California red-legged frog (*Rana draytonii*; federally threatened), southwestern pond turtle (*Actinemys pallida*; federally proposed threatened and CDFW Species of Special Concern [SSC]), Cooper's hawk (*Accipiter cooperii*, state Watch List), white tailed kite (*Elanus leucurus*, state Fully Protected), least Bell's vireo (*Vireo bellii pusillus*; federally and state endangered), and pallid bat (*Antrozous pallidus*, CDFW SSC). One special-status species was determined to have a high potential to occur: tidewater goby (*Eucyclogobius newberryi*; federally endangered and CDFW SSC). One special-status species was present: monarch butterfly

(*Danaus Plexippus*; federally proposed threatened and CDFW Special Animal). During the March 20, 2024 field survey, a monarch butterfly individual was observed flying through the study area. However, no roosting colonies were observed. Additionally, the study area provides potential nesting habitat for bird species protected under California Fish and Game Code and the federal Migratory Bird Treaty Act. No other special-status, federally, or state listed or proposed species were observed or otherwise detected within the study area.

The entirety of the study area within San Jose Creek is within designated critical habitat for southern California steelhead DPS. No other critical habitat is designated within the study area. Tidewater goby critical habitat is located approximately 40 feet southwest (downstream) of the study area.

Four vegetation communities designated as California Department of Fish and Wildlife (CDFW) sensitive natural communities are present in the study area: arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance), black cottonwood woodland (*Populus trichocarpa* Forest & Woodland Alliance), California sycamore-coast live oak riparian woodland (*Platanus racemosa – Quercus agrifolia* Woodland Alliance), and pickleweed mats (*Sarcocornia pacifica* [*Salicornia depressa*] Herbaceous Alliance). Each of the four vegetation communities and one land cover type qualify as City-designated Environmentally Sensitive Habitat Area (ESHA) and are present in the study area: black cottonwood woodland and California sycamore-coast live oak riparian woodland constitute Riparian ESHA and Raptor Roosting ESHA; arroyo willow thickets constitute Riparian ESHA; and open water constitutes Open Water ESHA. The City does not currently have a tree protection ordinance in place, but the General Plan Conservation Element states that removal of mature native trees shall be mitigated. The General Plan does not define mature native trees. As such, to err on the conservative side, mature/protected trees were defined in this report as any native tree measuring 4 inches or greater in diameter at breast height (DBH) of the largest trunk. Multiple trees are present within the study area that have at least one trunk that is 4 inches in DBH or greater, including the Sister Witness Tree[1] and therefore, these are considered City-protected trees.

One jurisdictional hydrologic feature (San Jose Creek) is present within the study area. San Jose Creek is subject to the jurisdictions of the United States Army Corps of Engineers (USACE) pursuant to Section 404 of the Clean Water Act (CWA), CDFW pursuant to California Fish and Game Code 1600 et seq., Regional Water Quality Control Board (RWQCB) pursuant to Section 401 of the CWA and the California Water Code (Porter-Cologne Water Quality Control Act), California Coastal Commission (CCC) per the California Coastal Act, and the City per the General Plan.

As previously identified in the 2010 BRA (Entrix 2010) and Initial Study / Final Mitigated Negative Declaration / Environmental Assessment (IS-MND/EA) (07-MND-01, City of Goleta 2007) for the San Jose Creek Capacity Improvement and Fish Passage Project, direct and indirect impacts will occur as a result of the proposed Project; therefore, the project has the potential to impact special-status species with potential to occur within the study area, sensitive natural communities, critical habitat, and jurisdictional waters. However, the Project has been designed to avoid and minimize potential adverse impacts to biological resources and incorporates resource protection design features that will be implemented during construction, including pre-construction surveys for nesting birds and special-status species with potential to occur on site, general best management practices, a Native Tree Protection and Replacement Plan, and a Riparian Vegetation Protection and Replacement Plan. Direct and indirect impacts to the San Jose Creek system would be minimized with implementation of project design features, and there will be a net benefit to aquatic species as a result of improved

[1] The Sister Witness Tree is the largest western sycamore (*Platanus racemosa*) in the United States and is named because of its proximity to the "Witness Tree" located across Hollister Avenue. The Sister Witness Tree measures 52.2 feet in circumference, has a 95.5-foot canopy, and a height of 94 feet (City of Goleta 2013).

low-flow passage conditions. The overall purpose of the Project is to restore ecological function and improve habitat conditions for steelhead in San Jose Creek by modifying the channel within the flood control reach and immediately upstream natural reach.

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1 Introduction

This report documents the findings of a Biological Resource Assessment (BRA) conducted by Rincon Consultants, Inc. (Rincon) for the City of Goleta (City) San Jose Creek Channel Fish Passage Modification Project (Project). The Project is located in Goleta, Santa Barbara County, California. The proposed Project seeks to achieve improved and unimpeded passage for the southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*; southern California steelhead; federally endangered, candidate state endangered) through the concrete flood control portion of the San Jose Creek channel, and upstream to the natural migration corridor that leads to spawning and rearing habitat in the upper watershed. This BRA is an addendum to the BRA previously completed for the original construction of the San Jose Creek Capacity Improvement and Fish Passage Project (Entrix 2010). This BRA addendum includes a literature review to identify and evaluate any newly listed or candidate species, an evaluation of the potential for them to occur in the project, and updates to the regulatory setting to reflect recent regulatory changes. In addition, this report documents existing site conditions via a desktop analysis and field surveys, including a reconnaissance survey, jurisdictional delineation, and tree survey, to evaluate potential impacts to biological resources based upon current Project plans. This report describes existing biological conditions in the study area as defined in Section 1.3, and evaluates the potential for long-term (permanent) and construction (temporary) direct and indirect impacts to special-status species, sensitive natural communities and habitats, wildlife movement, jurisdictional waters, including wetlands, and local policy-protected trees, as well as recommends (as appropriate) avoidance and minimization measures to reduce potential impacts to these regulated biological resources.

1.1 Project Location

The Project is located in San Jose Creek within the City along the west side of State Route (SR) 217 (Figure 1 and Figure 2). It is approximately 5.85 acres and located on Assessor's Parcel Numbers (APNs) 071-190-039, 071-190-035, 071-190-017, 071-170-086, 071-170-036, 071-140-080, 071-140-060, 071-140-040, 071-090-090, 071-090-089, 071-090-037, and 071-090-098. The approximate center location is latitude 34.431653°N and longitude -119.821308°W (WGS-84 datum). The site is within the *Goleta*, *California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle (USGS quad; USGS 2024). The Public Land Survey System depicts the Project within Township 4N, Range 28W, Section 16, and Township 4N, Range 28W, Section 9, San Bernardino Meridian (Earth Point 2024). The southern portion of the Project site is within the Coastal Zone. See Figure 1 for the regional location of the Project.

Figure 1 Regional Location



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22-12484 Bio
Fig 1 Regional Location

Project Location

N

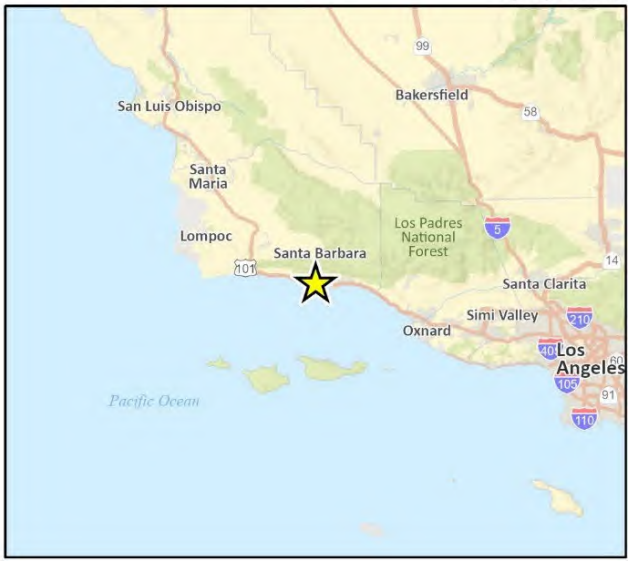


Figure 2 Project Location Map



Imagery provided by Microsoft Bing, Esri, and their licensors © 2025.
Additional data provided by USGS 2024, CA Coastal Commission 2025.

22-12484 BIO
Fig 2 Project Site Footprint

1.2 Project History

The original construction of the concrete flood control channel raised the channel grade by up to 3 feet, causing a lowered stream gradient and subsequent channel invert aggradation and channel narrowing. Since original construction in the early 1960s, these morphologic changes have resulted in a natural channel of reduced flood capacity and unnaturally low stream gradient. In addition, due to break out flood waters from the channel, it was determined that the channel should be increased in capacity to accommodate a 100-year flood event. The Project was constructed as the San Jose Creek Capacity Improvement and Fish Passage Project. The City prepared an Initial Study / Final Mitigated Negative Declaration / Environmental Assessment in 2007 (IS-MND/EA) (07-MND-01, City of Goleta 2007), Science Applications International Corporation, Inc. (SAIC) prepared an Addendum to the Mitigated Negative Declaration / Environmental Assessment (MND/EA) in 2008 (SAIC 2008), and Entrix prepared the BRA in October 2010 (Entrix 2010). The City approved the project in 2011 and construction began in 2013. At that time, the project constructed fish passage and flood control capacity improvements in the concrete stream channel downstream of Hollister Avenue as an initial phase of the Project, with the replacement of the Hollister Avenue Bridge over San Jose Creek following in a subsequent phase (Caltrans 2015, URS 2014, URS 2015). Due to timing and funding consideration, the City opted to treat replacement of the bridge as a separate project.

The fish passage component of the project proceeded as planned; however, the installed timber weirs did not function as originally anticipated, and the overall fish passage facility retained too much sediment and debris. The end result was ineffective for fish passage and required an unreasonable and unattainable level of maintenance efforts by the City. The goal of the currently proposed Project is to create a fish passage facility that works and meets latest design protocols for fish passage. The project will remove all wooden weirs, modify the previously installed weirs, and install additional weirs. Some biological and permitting aspects of the San Jose Creek Capacity Improvement and Fish Passage Project remain relevant to the Project, such as previous agency coordination that addressed both projects collectively (Caltrans 2015).

1.3 Project Description

The Project seeks to achieve improved and unimpeded passage for southern California steelhead through the concrete flood control portion of the San Jose Creek flood control channel, and upstream to the natural migration corridor that leads to spawning and rearing habitat in the upper watershed. Modifications to the flood control channel and a small portion of the upstream natural channel of San Jose Creek are necessary to meet these objectives. The existing fish passage weirs located within the constructed flood control channel were installed by the City in 2013 and require modification to optimize fish passage in conjunction with reducing sediment and debris accumulations, in addition to lowering the maintenance requirements for the City, and to improve fish passage. The design team, composed of staff from Northwest Hydraulic Consultants (NHC), City of Goleta, Santa Barbara County Flood Control and Water Conservation District (SBCFCWCD), National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW), utilized a physical scale model and numerical modeling methods to develop the preferred configurations of the proposed weir modifications and the upstream approaching natural channel. The selected design includes the following proposed modifications:

- Remove all (approximate quantity = 25) timber wedges throughout the channel and all (quantity = 17) existing wooden weir structures downstream of Station 46+96.
- Modification of 12 existing straight permanent concrete weirs upstream of Station 48+00 by infilling existing notches and creating a new lowered section centered over the fish channel centerline (the 'Fish Line', which is the channel thalweg) about 5 feet in width and 1 foot lower than the rest of the weir crests.
- Addition of 70 new vortex-type weirs within the 'fish line' throughout the entire length of the constructed flood control channel, 13 of which (located at the downstream end of the channel) are combined with a low curb extending across the width of the upper driving surface along the western half of the channel invert. All weirs are confined to the invert of the flood control channel from Hollister Avenue Bridge to the downstream end of the channel and will be installed on top of the existing articulated concrete mat in the channel bottom. From the existing straight concrete weir at Station 48+00 upstream to the existing concrete weir at Station 59+00, two of these vortex weirs will be constructed between each pair of existing straight concrete weirs. The vortex weirs are angled in plan view, with the left and right wings angled downstream relative to the apex or center 'v' of the weir that points upstream.
- Of the 70 new vortex weirs to be added to the flood control channel, a total of 12 vortex weirs will be constructed within the new extension of the rectangular channel up to and under the new Hollister Avenue Bridge (a separate, yet related project further described below).
- Extending the Hollister Avenue Bridge 'hydraulic transition feature' (further described below) to the north to form an expanded bridge approach by re-grading the natural channel near the bridge and placing riprap on the banks and channel bottom.
- Re-grading the natural channel for approximately 320 feet upstream of the Hollister Avenue Bridge 'hydraulic transition feature' by excavating the unconsolidated channel bottom bed materials between the left/east and right/west descending channel bank toes to form a new natural channel bed gradient and channel profile commensurate with the approximate original channel profile prior to original construction of the 1960s-era trapezoidal channel and bridge crossing. The majority of the channel bottom bed excavation is anticipated to be within the toe-to-toe width of the channel bed and below the ordinary high water line, with additional excavation along the lower portion of the left/eastern bank. The unconsolidated bed material to be excavated within this reach appears to be loose deposits that accumulated since original construction of the trapezoidal bridge opening in the early 1960s as a result of the artificial gradient reduction induced by the raised fixed bed formed by the trapezoidal channel paving under the original bridge.

The preferred design modifies the weir layout and configuration such that the weir crest will direct lowest flows to the center of the fish passage channel, mobilize sediment deposits between weirs, and allow woody debris to pass cleanly over the weirs. These measures will reduce the maintenance effort required to periodically clean the flood control channel. The vortex weirs feature a V-shaped geometry with the apex of the weirs pointing upstream centered over the lowest thalweg of the fish channel at the 'Fish Line'. The 13 combination vortex weirs and low cross curbs are configured with the vortex weir across the fish channel and the low broad cross weir arranged perpendicularly across the upper driving surface of the flood control channel invert. Refer to Appendices F and G for plan sets demonstrating the structure and cross-sections of the proposed weirs. These combination weirs are only to be implemented between Station 21+75 and Station 30+00. All weirs will have approach and exit slopes of 1:2 on the downstream side and 1:1 on the upstream side similar to existing straight weir shapes except for the low cross weir curbs which will have 1V:2H side slopes

both upstream and downstream. The shallower upstream and downstream cross weir curb slopes are intended to facilitate driving maintenance vehicles over them.

Within a portion of the Project's footprint is the Hollister Avenue Bridge Replacement Project, which is a separate, yet related project that has been permitted and is currently being constructed. The Hollister Avenue Bridge Replacement Project includes key fish passage elements that have been designed in coordination with the Fish Passage Project to culminate in complete fish passage along this section of San Jose Creek. The Hollister Avenue Bridge design (Caltrans 2015, URS 2014, URS 2015) includes the following components, which are included herein for informational purposes:

- Modification of the old existing trapezoidal channel shape through the Hollister Avenue Bridge reach (beneath the new bridge and to approximately 200 feet downstream, between Station 59+60 and 63+77) by lowering and widening the existing concrete flood control channel and extending the vertical sidewalls, forming the same rectangular shape as the downstream reach of the flood control channel. As a result, the entire concrete flood control channel will be rectangular in shape and no trapezoidal areas will remain. The channel sidewalls and invert will remain unchanged downstream of the Hollister Avenue Bridge modification.
- Re-grading the natural channel immediately upstream of Hollister Avenue Bridge to form an expanded bridge approach section about 120 feet in length (i.e., the 'hydraulic transition feature'), with mitered approach sidewalls to the rectangular bridge opening and articulated mat in the channel bottom.

The original 1960s construction of the concrete flood control channel raised the channel grade by up to 3 feet, causing a lowered stream gradient and subsequent channel invert aggradation and channel narrowing. Since the original construction, these morphologic changes have resulted in reduced flood capacity and unnaturally low stream gradient within San Jose Creek. In 2014, the City completed the San Jose Creek Capacity Improvement and Fish Passage Project which modified most of the existing trapezoidal channel to a wider rectangular channel. Currently in construction, the new Hollister Avenue Bridge Replacement Project will include enlargement and lowering of the new section of the flood control channel immediately downstream and upstream of the Hollister Avenue Bridge, and will restore the original natural channel stream gradient, and increase its flood discharge capacity.

As part of the Fish Passage Project, invert lowering in the first 200 feet of the historically adversely impacted natural channel will restore the original capacity, and stabilize the gradient to a morphologically correct and appropriate channel dimension. These modifications to the flood control channel dimensions, the flood control channel fish passage weirs, and to the natural channel immediately upstream of the flood control channel will restore the migration corridor characteristics of this reach of San Jose Creek and enable unimpeded passage upstream to upper watershed habitat for southern California steelhead.

In addition to the weir work in the channel and grading of the natural creek, the upstream natural creek will also be restored with native riparian vegetation after construction is complete. Approximately 0.10 acre of native riparian trees and shrubs of local genetic stock will be installed along the creek banks where grading has occurred to improve habitat, provide bank stabilization, and to improve ecological function in a stretch of creek that is otherwise dominated by non-natives in the understory. An additional 0.16 acres will be enhanced with non-native weed removal.

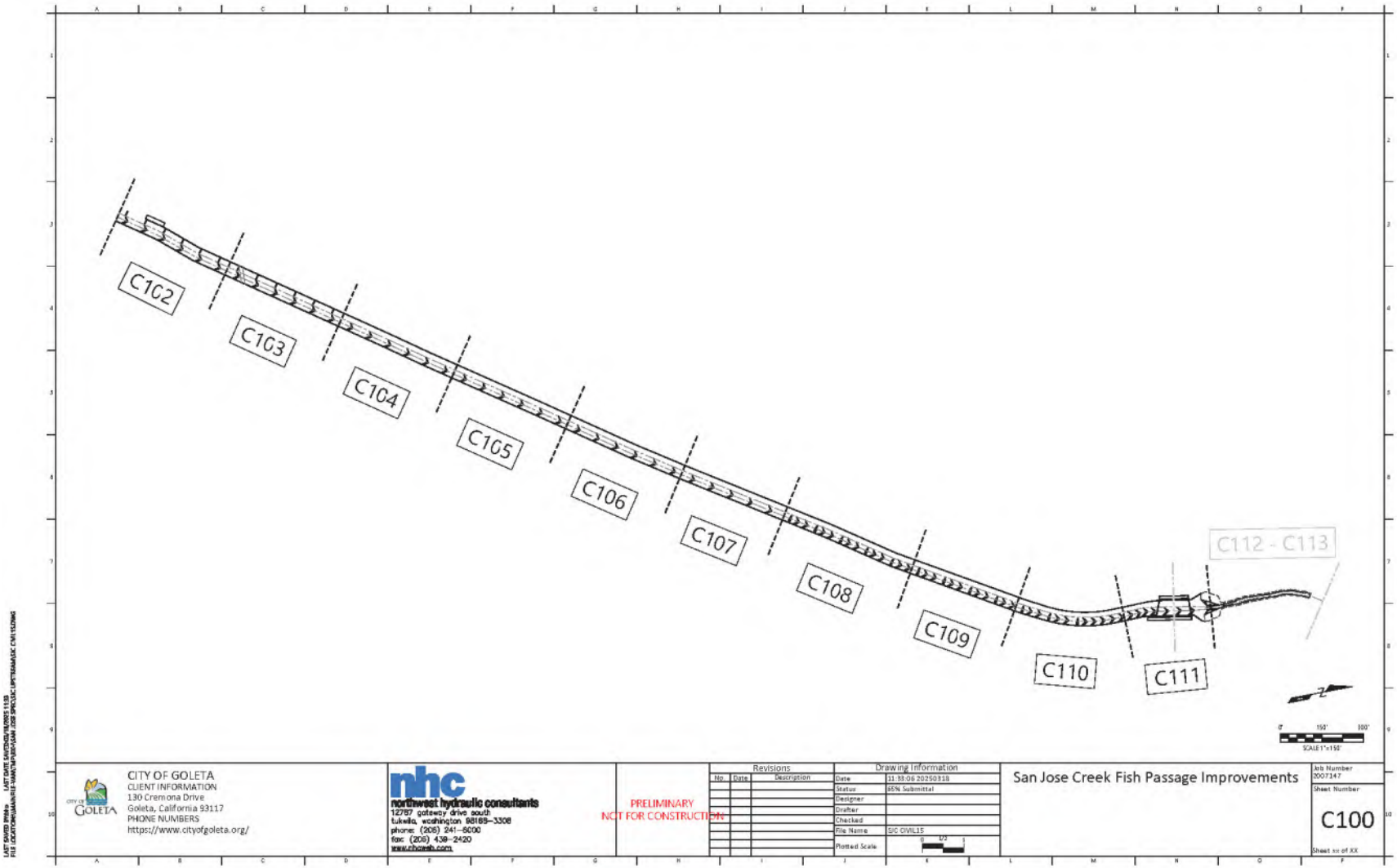
On a regional level, southern California steelhead have been listed as endangered under the Federal Endangered Species Act from Santa Barbara south to the California/Mexico border and are a candidate species under the California Endangered Species Act. The Southern California Steelhead

Recovery Plan (NOAA NMFS 2012) identifies removal of passage barriers within the Goleta Slough watershed as a critical recovery action. San Jose Creek is the largest sub-watershed within the Goleta Slough watershed; it has perennial flows and high-quality steelhead habitat in the upper watershed and the lower portion of the creek is urbanized and has a channelized section, where the Project is located. As noted above, the Project will facilitate removal of barriers to allow anadromous steelhead to reach suitable perennial spawning and rearing habitats in the upper reaches of the creek that are presently not accessible. After the Project is completed, there would be no barriers to fish passage from the ocean to approximately 1.85 miles upstream of the Project site, where two partial barriers are present and are currently not proposed for removal. A total barrier is also present approximately 2.15 miles upstream of the Project site.

The Project will be constructed during the dry season, in the summer months when little to no water is present throughout most of the creek's reach within the study area. It is anticipated that the entirety of the upstream natural channel and a great majority of the concrete channel will be dry during construction; however, there is potential for creek flows to be present at the downstream portion of the concrete channel (an approximate 200-foot stretch). If water is present in this portion of the channel, a dewatering effort would be implemented prior to construction. A bladder dam or similar device would be placed at the downstream end of the concrete channel and work area, and then the work area would be dewatered by transferring the water immediately downstream into the natural channel. Construction will not occur in ponded or flowing water within the channel.

Appendix F through H includes figures that show the geometry of weir types, location of weirs, extents of the channel modifications, and sample existing versus proposed cross-section views in the channel modification area. Appendix F also provides an overview of the Project design (Figure 3).

Figure 3 Overview of Project Design



Project Construction Activities

The Project-specific IS-MND (City 2007) and IS-MND Addendum (SAIC 2008) include measures that the proposed Project will adhere to. No new measures are proposed for the Project. These measures are briefly listed below and described in detail in Section 5 Impact Analysis and Mitigation Measures. Per the Statewide Restoration General Order (SRGO; State Water Resources Control Board [SWRCB] 2022), the Project is required to identify and incorporate General Protection Measures (GPMs) applicable to the Project. The following surveys, GPMs, and CEQA measures are incorporated into the Project and will be carried out as part of Project implementation.

Pre-Construction Special-Status Species Surveys

IS-MND BIO-1 described in Section 5 requires a pre-construction survey for California red-legged frog (CRLF; *Rana draytonii)* prior to new ground disturbing activities and when any activities that could affect the species take place. A qualified biologist shall survey the workspaces and access routes for other special-status plant and wildlife species with potential to occur within the study area, concurrently with the preconstruction survey described in IS-MND BIO 1. The biologist shall have general knowledge of the natural resources of the area and shall also be experienced in the identification of regionally occurring special-status plant and wildlife species.

The pre-construction survey shall include the work area and surrounding 100-foot buffer, with an emphasis on areas where native vegetation removal is necessary to complete the Project as these areas are more likely to harbor special-status plants and wildlife than cleared areas. If special-status plants or wildlife are found, the location shall be documented, and population and health characteristics shall be recorded. If special-status wildlife species are found, the biologist shall relocate non-listed animals to a safe location outside the project disturbance area in suitable habitat (e.g., adjacent woodland or chaparral habitat).

Plan Requirements & Timing: Concurrently with the CRLF pre-construction surveys described in IS-MND BIO-1, a qualified monitor shall be on site prior to new ground disturbing activities and when any activities that could affect special-status species with potential to occur within the study area.

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

General Protection Measures

Per the SRGO (SWRCB 2022), the Project is required to identify and incorporate GPMs applicable to the project. These measures are designed to minimize impacts to sensitive biological resources and protect water quality and sensitive habitats during construction. GPMs include a range of measures, such as timing, environmental awareness trainings, erosion and pollution control, and invasive species prevention. GPMs as described in Final Order Attachment A of the SRGO – GPMs that will be followed by construction personnel are listed in Appendix I.

Plan Requirements & Timing: These requirements will be described and detailed on the site, Project plans, and posted at the work site. Erosion/sediment GPMs shall be installed in the area prior to commencement of construction. Other GPMs related to closed containers, equipment containment, and construction materials and spoils shall be maintained throughout construction activities.

Monitoring: Biological monitors should ensure compliance prior to and throughout construction, in conjunction with monitoring activities as described in IS-MND BIO-1.

CEQA Measures

The Project's measures are listed below and described in detail in Section 5 Impact Analysis and Mitigation Measures.

- IS-MND BIO-1 California Red-legged Frog
- IS-MND BIO 2 Native Trees
- IS-MND BIO-3 Riparian Vegetation
- IS-MND BIO-4 Breeding Birds

1.4 Regulatory Summary

Regulated or sensitive resources studied and analyzed herein include special-status plant and wildlife species, nesting birds and raptors, sensitive plant communities, jurisdictional waters and wetlands, wildlife movement, regionally protected resources (e.g., Habitat Conservation Plans [HCPs], Natural Community Conservation Plans [NCCPs]), and locally protected resources, such as protected trees. Regulatory authority over biological resources is shared by federal, state, and local authorities. Primary authority for regulation of general biological resources lies within the land use control and planning authority of local jurisdictions (in this instance, the City of Goleta).

Definition of Special-Status Species

For the purposes of this report, special-status species include:

- Species listed as threatened or endangered under the Federal Endangered Species Act (FESA), including proposed and candidate species;
- Species listed as candidate, threatened, or endangered under the California Endangered Species Act (CESA);
- Wildlife species designated as Fully Protected, Species of Special Concern, or Watch List under the California Fish and Game Code (CFGC) and/or by the CDFW;
- Plant species listed as State Rare (SR) under the Native Plant Protection Act (NPPA);
- Plant species designated by the California Native Plant Society (CNPS) with California Rare Plant Ranks (CRPR) 1A, 1B, 2A and 2B;
- Species designated as sensitive by the U.S. Forest Service or Bureau of Land Management, if the Project would affect lands administered by these agencies; and
- Species designated as locally important by the Local Agency and/or otherwise protected through ordinance, local policy, or HCPs/NCCPs.

Environmental Statutes

For the purpose of this report, potential impacts to biological resources were analyzed based on the following statutes (Appendix A):

- California Environmental Quality Act (CEQA)
- Federal Endangered Species Act (FESA)

- California Endangered Species Act (CESA)
- Native Plant Protection Act (NPPA)
- Federal Clean Water Act (CWA)
- California Fish and Game Code (CFGC)
- Migratory Bird Treaty Act (MBTA)
- The Bald and Golden Eagle Protection Act
- Porter-Cologne Water Quality Control Act
- California Coastal Act
- City of Goleta

Guidelines for Determining CEQA Significance

The following threshold criteria, as defined by the CEQA Guidelines Appendix G Initial Study Checklist, were used to evaluate potential environmental effects. Based on these criteria, the proposed project would have a significant effect on biological resources if it would:

a) Have substantial adverse effects, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

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2 Methodology

The Project site includes an approximately 5.85-acre work area where the proposed construction will occur and a 100-foot survey buffer, for a total of 28.45 acres, herein referred to as the study area (Figure 2). The following sections describe the methodology for the literature review and field surveys.

2.1 Literature Review

Rincon conducted an updated literature review to characterize the nature and extent of biological resources on and adjacent to the Project site. Rincon reviewed Project-related documents, which included previous field surveys, including vegetation community mapping, jurisdictional delineations, tree inventory, botanical surveys, least Bell's vireo (LBVI; *Vireo bellii pusillus*), CRLF, tidewater goby (*Eucyclogobius newberryi)* habitat assessments, and roosting bat surveys conducted on the Project site. The following documents were reviewed:

San Jose Creek Capacity Improvement and Fish Passage Project

- Biological Resources Survey Report (Entrix 2010)
- Initial Study/Final Mitigated Negative Declaration/Environmental Assessment (City 2007)
- Final Mitigated Negative Declaration/Environmental Assessment Addendum (SAIC 2008)
- California Red-Legged Frog and Other Wildlife Survey Report (SAIC 2007)

Other Adjacent Projects

- Hollister Avenue Bridge Replacement Project Biological Resources Summary Report (URS 2014)
- Hollister Avenue Bridge Replacement Project Natural Environment Study (NES; Caltrans 2015)
- Hollister Avenue Bridge Replacement Project IS-MND (URS 2015)
- Ekwill Street and Fowler Road Extensions Project Least Bell's Vireo Focused Survey Report (Rincon 2021)
- San Jose Creek Multi-use Path Project BRA (Rincon 2019)

Database queries of the U.S. Fish and Wildlife Service (USFWS) Critical Habitat Portal (2024a), USFWS Information for Planning and Consultation (IPaC; 2024b), CDFW California Natural Diversity Database (CNDDB; 2024a), and California Native Plant Society (CNPS) online Inventory of Rare and Endangered Plants of California (2024) were conducted to obtain comprehensive information regarding State and federally listed species, and other special-status species, considered to have potential to occur. The CDFW CNDDB was queried for data within 5.0 miles of the Project site, while the remaining databases were queried for data within the *Goleta, California* USGS 7.5-minute topographic quadrangle where the Project is located and the surrounding five quadrangles *Dos Pueblos Canyon, Lake Cachuma, San Marcos Pass, Little Pine Mtn.,* and *Santa Barbara* (three remaining quadrangles of a standard nine-quad search consist solely of the Pacific Ocean). The results of database queries and lists of special-status species compiled from the project-related documents were reviewed by Rincon's regional biological experts for accuracy and completeness. The final list of special-status biological resources (species and sensitive natural communities) was

evaluated based on documented occurrences from the literature review and biologists' expert opinions on species known to occur in the region. The evaluation results and justification were compiled into a table and are further discussed in Section 4.

The following resources were also reviewed for additional information on existing conditions relating to biological resources and site-specific conditions within the study area:

- Current and historical aerial photographs of the site (Google Earth 2024 and 2025)
- Regional and site-specific topographic maps (USGS 2024)
- Climatic data (U.S. Climate Data 2025)
- United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) Web Soil Survey (2025a)
- CDFW Special Animals List (2025b)
- CDFW Special Vascular Plants, Bryophytes, and Lichens List (2025c)
- CDFW Biogeographic Information and Observation System (BIOS; 2024d)
- iNaturalist (iNaturalist 2025)

The potential for wildlife movement corridors was evaluated based on the California Essential Habitat Connectivity Project commissioned by the California Department of Transportation and CDFW (Spencer et al. 2010).

2.2 Field Reconnaissance Survey

Rincon biologists Kendra Bonsall and Julie Love conducted a reconnaissance-level field survey on March 20 and 21, 2024. Data from previous field surveys were used to inform the March 20 and 21, 2024 surveys. The survey on March 20, 2024 was conducted from 0915 to 1640 with temperatures ranging from 57 to 68 degrees Fahrenheit, partly cloudy skies, and calm winds (less than 5 miles per hour [mph]). The survey on March 21, 2024 was conducted from 0930 to 1345 with temperatures ranging from 58 to 65 degrees Fahrenheit, overcast skies, and calm winds. The survey was conducted as part of the BRA addendum to characterize the existing conditions within the study area, and to investigate the presence, or potential presence, of any newly listed or candidate special-status species. Field data were collected for vegetation communities, including sensitive vegetation communities, land covers, wildlife migration, and movement corridors. Portions of the project (i.e., Hollister Avenue Bridge) were previously evaluated in the study area (Entrix 2010, Caltrans 2015, URS 2014), and in those areas data collection was limited. Biological resources observed were photographed and recorded using a submeter-accurate Global Positioning System (GPS) unit (i.e., Geode GNS3 submeter) and Environmental Systems Research Institute, Inc. (ESRI) Field Maps application on Samsung tablets.

Plant species nomenclature and taxonomy followed *The Jepson Manual: Vascular Plants of California, Second Edition* (Baldwin et al. 2012) and the Jepson eFlora (Jepson Flora Project eds. 2024). All plant species encountered were identified to the lowest taxonomic level possible given the condition of the materials during the survey. The vegetation community mapping and classification system used for this analysis is based on *A Manual of California Vegetation, Second Edition* (MCV2; Sawyer et al. 2009, CNPS 2024), and was modified as needed to accurately describe the existing habitats observed on-site. The land cover types that are not described in the MCV2 were classified using conventional naming practices (e.g., mixed woodland).

2.3 Jurisdictional Delineation Survey

A jurisdictional delineation survey was conducted to document potentially jurisdictional waters within the Project site, concurrently with the reconnaissance survey on March 20 and 21, 2024. The survey was conducted on foot to identify and evaluate potential wetlands and non-wetland aquatic resources that might exhibit positive indicators of an ordinary high water mark (OHWM) and/or presence of bed and banks that might constitute waters of the United States Army Corps of Engineers (USACE) waters of the United States (U.S.), CDFW-jurisdictional streambed/riparian habitat, Central Coast Regional Water Quality Control Board (RWQCB) waters of the State, California Coastal Commission (CCC) coastal wetlands, City wetlands, and City Streambeds Protection Areas (SPA). During the field delineation, general site characteristics were noted and vegetation present on-site was documented. Current federal and state policies, methods, and guidelines were used to identify and delineate potential jurisdictional waters (Appendix A). Data collection points in the study area were focused on areas containing potential wetland and non-wetland features and were chosen as best representation of the conditions at the study area. Detailed methodology is provided in the Aquatic Resources Delineation Report prepared by Rincon (Rincon 2025; Appendix E).

2.4 Protected Tree Survey

A tree survey was conducted to inventory the protected native trees within the Project site, concurrently with the reconnaissance survey on March 20 and 21, 2024. Data from previous inventories from the Hollister Avenue Bridge Replacement Project were used as feasible and expanded where needed (Caltrans 2015, URS 2014). Trees within the Project footprint with a diameter-at-breast-height (DBH) of 4 inches[2] or greater were mapped and tree condition and level of expected impact were documented. A tree protection zone was mapped by recording the extent of the canopy at eight cardinal directions. This information was then provided to the Geographic Information System team, who produced a graphic of the tree protection zones within the Project site. The tree protection zone is defined as the area within the tree dripline out to approximately 5-feet from the dripline to account for the tree's critical root zone.

Tree locations were recorded using a Geode GPS device capable of submeter accuracy and the ESRI Field Maps application on Samsung tablets, as close to the base of the trunk as possible. Relationships among the trees (e.g., multiple trunks arising from the same root, mature clones of a no longer present parent tree) were not determined, as only above ground portions of the trees were examined. For each tree, the DBH was measured at 4.5 feet above natural grade using a DBH tape, or slightly higher or lower where a limb or swelling interfered; if the trunk split at or below 4.5 feet, the tree was considered a multi-trunk tree. Data collected included the following information for each tree: scientific and common name, DBH and visually estimated height, crown spread in eight compass directions representing the dripline, and a health assessment by visual tree assessment.

[2] The City does not currently have a tree protection ordinance in place, but the General Plan Conservation Element (CE; City 2009) Policy CE-9 states that removal of mature native trees shall be mitigated. The General Plan CE-9 does not define mature native trees. As such, to err on the conservative side, mature/protected trees will be defined as any native tree measuring 4 inches or greater in DBH of the largest trunk. This value is based on the County Deciduous Oak Tree Protection and Regeneration Ordinance (County of Santa Barbara 2003), which protects deciduous oak trees measuring 4 inches DBH, although the Project is not required to meet the standards of this ordinance. The same definition was used on the adjacent Hollister Avenue Bridge Replacement Project.

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3 Existing Conditions

This section summarizes the general environmental setting, vegetation communities and land covers present, and plants and animals observed in the study area. Representative photographs of the study area are provided in Appendix B and a complete list of all plant and animal species observed on-site during the field surveys is presented as Appendix C.

3.1 Physical Characteristics

Topography and Geography

The study area is generally flat, ranging between approximately one and 52 feet above mean sea level. The weather in Santa Barbara County is typical of a Mediterranean climate. Summers are warm and dry while winters are cool and wet having an average high temperature of 70 degrees Fahrenheit and low of 53 degrees Fahrenheit, with average annual precipitation of 19.43 inches and most of the precipitation falling between November and March (U.S. Climate Data 2025). The study area is located within San Jose Creek, along SR 217, and consists primarily of a concrete channel. The upstream portion of the study area is a natural channel, located upstream of the existing Hollister Avenue Bridge. Adjacent land uses include SR 217 to the east, commercial buildings to the west, the upstream natural channel portion of San Jose Creek (predominantly arroyo willow thickets) and adjacent parklands to the north, and the downstream natural portion of San Jose Creek to the south. The Hollister Avenue Bridge bisects the northern portion of the study area. San Jose Creek continues downstream until its confluence with the Pacific Ocean at Goleta Beach, approximately 0.9 mile downstream from the study area.

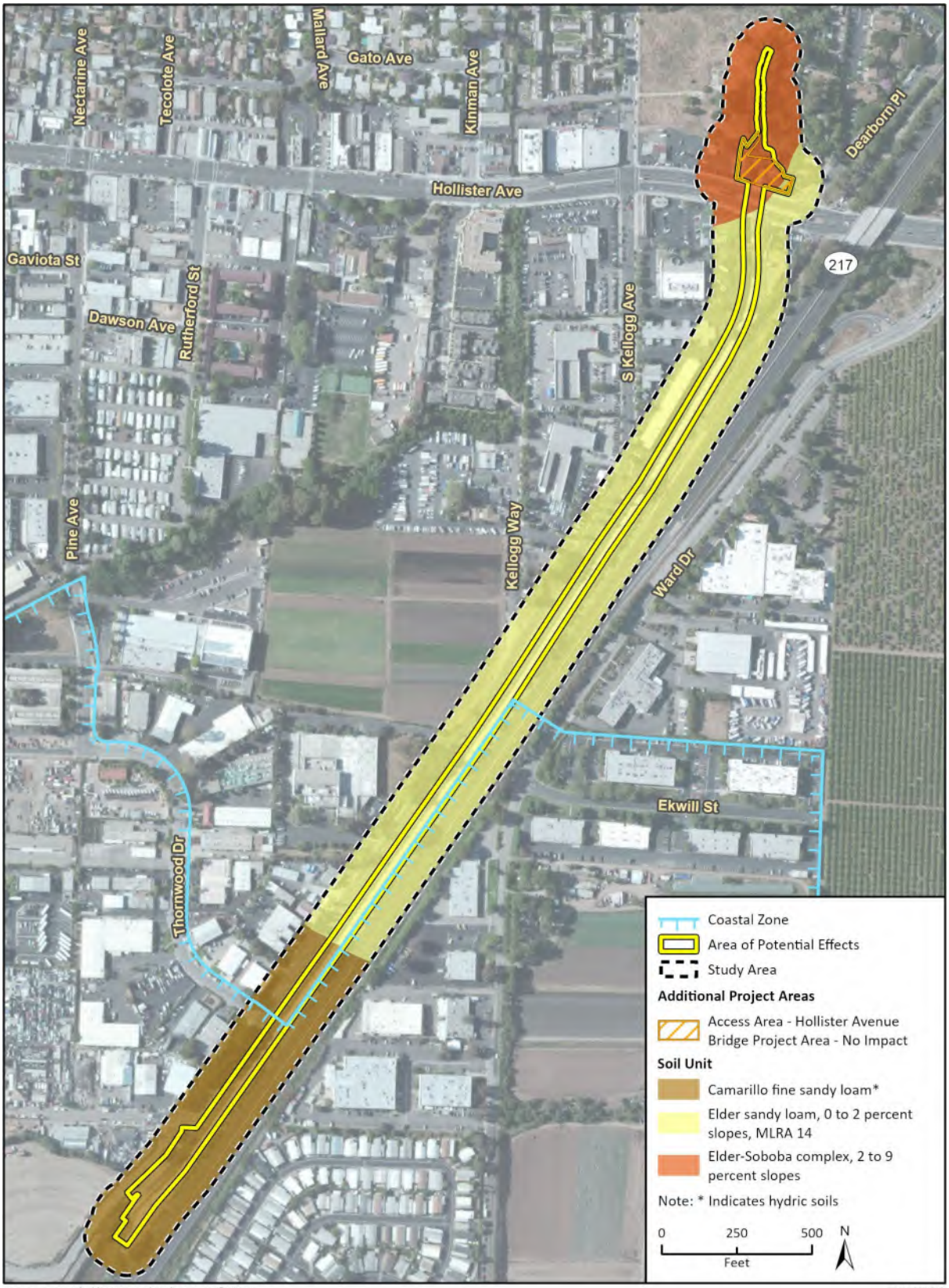
Watershed and Drainages

The study area is located in San Jose Creek, within the San Pedro Creek Watershed (12-digit Hydrologic Unit Code [HUC] 180600130202; USGS 2025). San Jose Creek is mapped as an intermittent stream at the upstream portion of the study area (within the natural channel) to Hollister Avenue Bridge and then mapped as a perennial stream river from Hollister Avenue Bridge to the downstream section of the concrete channel (USGS 2025). However, site conditions indicate that the perennial section of the creek does not extend entirely throughout the concrete channel and instead ends nearer to where the natural channel bottom meets the southern end of the concrete channel. San Jose Creek flows parallel to SR 217 (north to south) and eventually converges with San Pedro Creek and Atascadero Creek and ultimately leads to the Pacific Ocean via the Goleta Slough, approximately one mile south of the study area. No other jurisdictional features were observed or mapped by NWI or NHD within the study area.

Soils

The Web Soil Survey identifies three soil map units within the study area: Camarillo fine sandy loam, Elder sandy loam, 0 to 2 percent slopes MLRA 14, and Elder-Soboba complex, 2 to 9 percent slopes (USDA, NRCS 2025a,Figure 4). Only the Camarillo fine sandy loam soil map unit is considered a hydric soil (USDA, NRCS 2025b). Each of these soils map units are described in detail below:

Figure 4 Soils



Imagery provided by Esri and its licensors © 2025.
Additional data provided by USDA-NRCS SSURGO 2024.

22-12484 BIO
Fig X Soils

- **Camarillo fine sandy loam (Ca)** is a poorly drained soil occurring on flood plains. It is formed from alluvium derived from calcareous sedimentary rock. A typical soil profile contains two distinct horizon; the first between 0 to 19 inches containing fine sandy loam, and the second horizon between 19 to 57 inches containing loam. The runoff class is low, and the soil is considered hydric. This soil is mapped within the southern portion of the study area and covers approximately 17 percent of the total area.
- **Elder sandy loam, 0 to 2 percent slopes MLRA 14 (EaA)** is a well-drained soil occurring on the flood plains and alluvial fans. It is formed from mixed alluvium and a typical soil profile contains four distinct horizons. The first horizon occurs between 0 to 8 inches and contains sandy loam, the second horizon occurs to a depth of 23 inches and contains sandy loam, the third horizon occurs to a depth of 31 inches and contains sandy loam, and the fourth horizon occurs to a depth of 60 inches and contain sandy loam. Available water storage is moderate (about 6.6 inches), and the runoff class is low. This soil is not considered hydric. This soil is mapped within the middle portions of the study area, between the other two mapped soil units, and covers approximately 55 percent of the total area.
- **Elder-Soboba complex, 2 to 9 percent slopes (Eb)** is a well-drained soil occurring on alluvial fans. It is formed from stratified alluvium derived from sedimentary rock. A typical soil profile contains two distinct horizons. The first horizon is between 0 to 30 inches and contains sandy loam, and the second horizon is between 30 to 72 inches and contains stratified loamy sand to loam. The runoff class is very medium, and the soil is not considered hydric. This soil is mapped within the natural channel at the northern portion of the study area and covers approximately 28 percent of the total area.

3.2 Vegetation Communities and Land Cover Types

Eight vegetation communities and four land cover types were documented within the study area during the field survey: annual brome grassland (*Avena* spp. – *Bromus* spp. Herbaceous Semi-Natural Alliance), arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance), black cottonwood woodland (*Populus trichocarpa* Forest & Woodland Alliance), California sycamore coast live oak riparian woodland (*Platanus racemosa* – *Quercus agrifolia* Woodland Alliance), coyote brush scrub (*Baccharis pilularis* Shrubland Alliance), eucalyptus grove (*Eucalyptus* spp. Woodland Semi-Natural Alliance), pickleweed mats (*Sarcocornia pacifica* [*Salicornia virginica*] Herbaceous Alliance), and the disturbed vegetation, mixed woodland, open water, urban development, and urban stream channel land cover types (Figure 5a through Figure 5e). Four vegetation communities designated as CDFW-sensitive are present in the study area, including arroyo willow thickets, black cottonwood woodland, California sycamore coast live oak riparian woodland, and pickleweed mats. Table 1 provides the approximate acreage and percent area of the vegetation communities and land cover types within the study area.

Table 1 Summary of Vegetation Communities and Land Cover Types

Type	Biological Study Area	
	Approximate Acreage	Approximate Percent Area
Vegetation Communities		
Annual brome grassland	0.25	1%
Arroyo willow thickets*+	0.80	3%
Black cottonwood woodland*+	0.33	1%
California sycamore - coast live oak riparian woodlands*+	0.35	1%
Coyote brush scrub	0.82	3%
Eucalyptus groves	0.38	1%
Mixed woodland	0.33	1%
Pickleweed mats*+	0.01	<1%
Subtotal	**2.94**	
Land Cover Types		
Disturbed vegetation – Hollister Avenue Bridge	0.31	1%
Open water+	0.13	1%
Urban development	20.20	71%
Urban stream channel	4.54	16%
Subtotal	**25.51**	
Total	**28.45**	**100%**

*CDFW-sensitive natural community

+ City-designated ESHA

Brief descriptions of the vegetation communities and land cover types present in the study area are provided below. Representative photographs of the vegetation communities and land cover types are provided in Appendix B. A list of plants observed within the study area during the surveys is provided in Appendix C.

Annual Brome Grassland

Wild oats and annual brome grasslands (*Avena* spp. – *Bromus* spp. Herbaceous Semi-Natural Alliance) are generally found in open areas in valleys and foothills throughout coastal and interior California. This non-native vegetation community typically occurs on soils consisting of fine-textured loams or clays that are somewhat poorly drained. Non-native annual grasses and weedy annual and perennial forbs, primarily of Mediterranean origin, dominate this vegetation type, probably as a result of human disturbance. Scattered native grass and wildflower species, representing remnants of the original vegetation may also be common (Sawyer et al. 2009, CNPS 2024). This vegetation alliance is ranked GNASNA due to the predominance of non-native species and is not considered sensitive (CDFW 2025a).

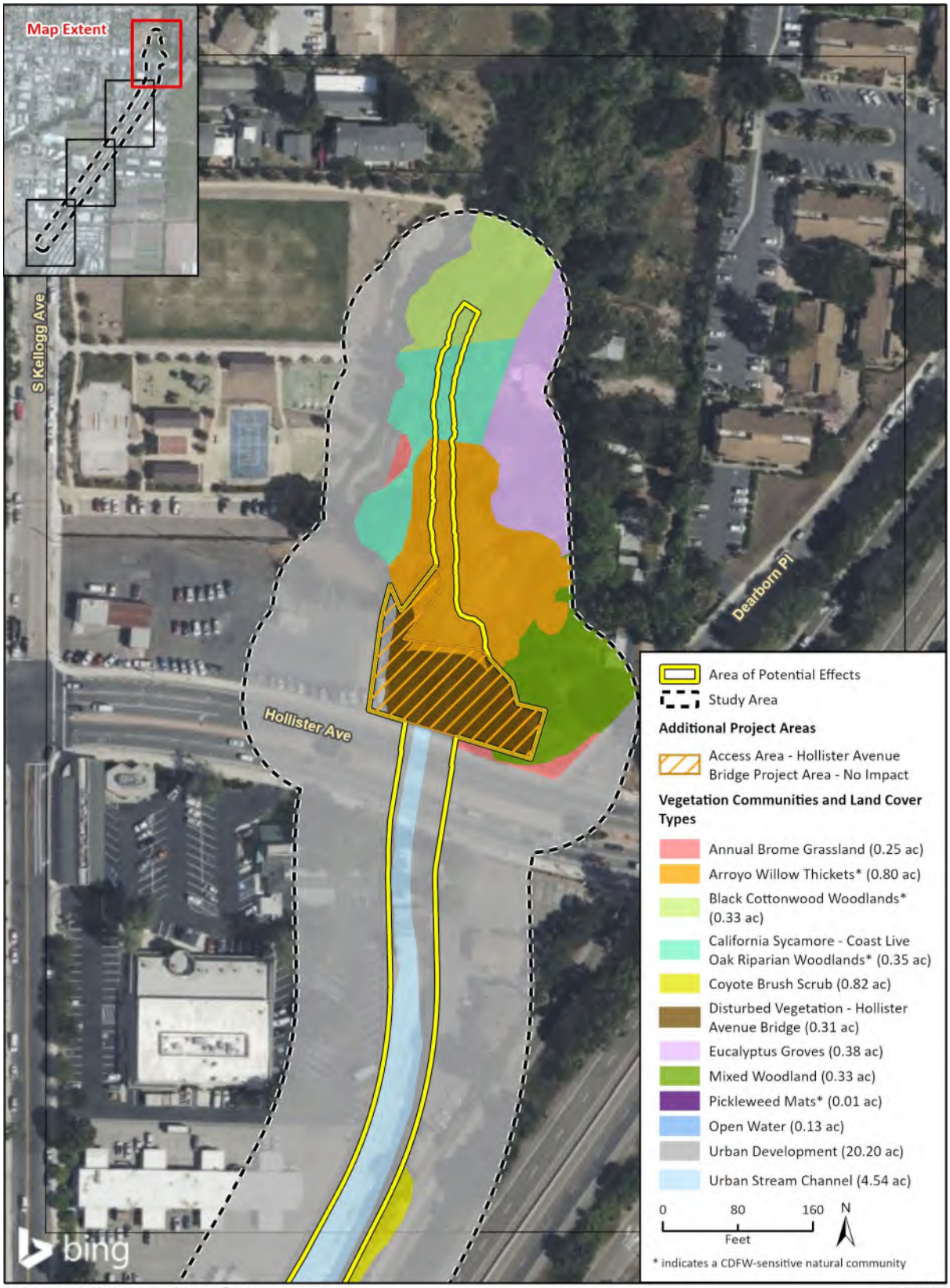
Annual brome grassland covers an approximately 0.25-acre section of the study area, along the west side of the concrete channel at the southern portion of the study area and a small portion on the west side of the natural channel at the northern portion of the study area, outside of any impact areas. This vegetation community contains only non-native grasses and is dominated by ripgut brome (*Bromus diandrus*). Other non-native species observed included redstem filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), and smilo grass (*Stipa miliacea*).

Figure 5a Vegetation Communities and Landcover Types – Overview



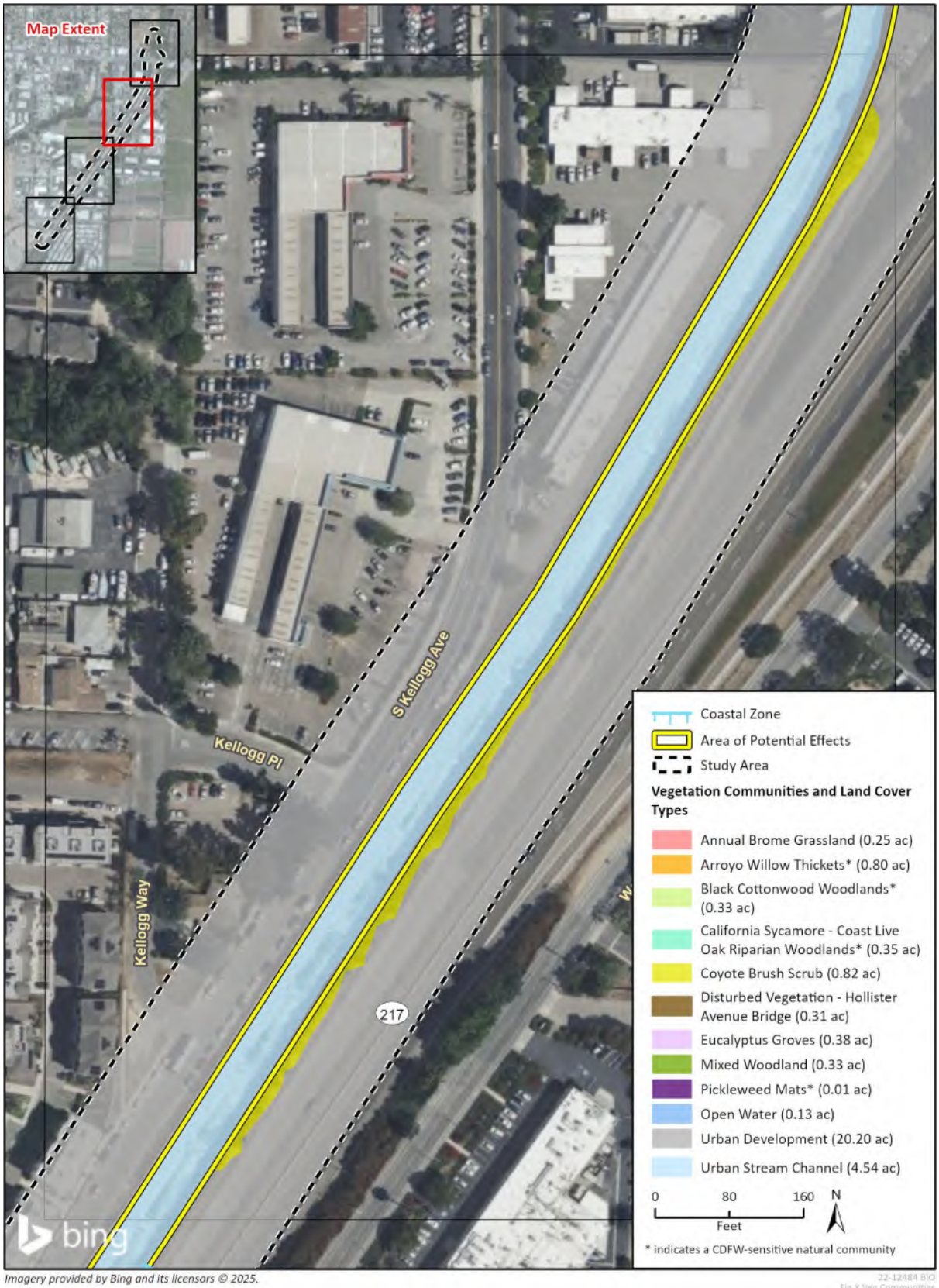
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Figure 5b Vegetation Communities and Landcover Types – Panel 1



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Figure 5c Vegetation Communities and Landcover Types – Panel 2



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Figure 5d Vegetation Communities and Landcover Types – Panel 3



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Figure 5e Vegetation Communities and Landcover Types – Panel 4



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Arroyo Willow Thickets

Arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance) commonly occur along stream banks and benches, slope seeps, and alongside drainages between 0 to 7,120 feet above mean sea level. This native vegetation community is characterized by having arroyo willow (*Salix lasiolepis*) as dominant in the shrub canopy (>50% relative cover) (Sawyer et al. 2009, CNPS 2024). This vegetation community (ranked G4S4) is considered a CDFW-sensitive natural community (CDFW 2025a).

Arroyo willow thickets cover an approximately 0.80-acre section of the study area, within the natural channel temporary impact area at the northern portion of the study area and adjacent to the pickleweed mats on the east bank at the southern portion of the study area, outside of the concrete channel temporary impact area. This vegetation community is dominated by arroyo willow. Other native species in this vegetation community include mugwort (*Artemisia douglasiana*), California blackberry (*Rubus ursinus*), creek clematis (*Clematis ligusticifolia*), and poison oak (*Toxicodendron diversilobum*). A few patches of the invasive non-native giant reed (*Arundo donax*) are present in this vegetation community. Other non-native species observed included iceplant (*Carpobrotus edulis*) and cape ivy (*Delairea odorata*).

Black Cottonwood Woodland

Black cottonwood woodland (*Populus trichocarpa* Forest & Woodland Alliance) is primarily found in seasonally flooded and permanently saturated soils on stream banks and alluvial terraces. This native vegetation community is characterized by having black cottonwood (*Populus trichocarpa*) dominant or co-dominant in the tree canopy with other species such as white alder (*Alnus rhombifolia*), western sycamore (*Platanus racemosa*), and arroyo willow (Sawyer et al. 2009, CNPS 2024). This vegetation community (ranked G5S3) is considered a CDFW-sensitive natural community (CDFW 2025a).

Within the study area, black cottonwood woodland covers an approximately 0.33-acre section at the northern-most section of the study area. A small portion of this vegetation community is within the natural channel temporary impact area. This vegetation community is dominated by black cottonwood. Other native species found included white alder, island cherry tree (*Prunus ilicifolia* ssp*. lyonia*), blue elderberry (*Sambucus Mexicana*), and arroyo willow. Non-native species observed included cape ivy, shamel ash (*Fraxinus uhdei*), and blue gum eucalyptus (*Eucalyptus globulus*).

California Sycamore Coast Live Oak Riparian Woodland

California sycamore - coast live oak riparian woodlands (*Platanus racemosa – Quercus agrifolia* Woodland Alliance) are typically found in gullies, intermittent streams, springs, seeps, stream banks, and terraces adjacent to floodplains that are subject to high-intensity flooding and consist of rocky or cobbly alluvium with permanent moisture at depth. Elevations for this native community range between two and 7,874 feet above mean sea level. California sycamore (*Platanus racemosa*) and coast live oak (*Quercus agrifolia*) are dominant in the tree layer in a riparian setting (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked G3S3, which is considered a CDFW-sensitive natural community (CDFW 2025a).

This vegetation community covers an approximately 0.35-acre section of the study area at the northernmost section of the study area. A portion of this vegetation community intersects the natural channel temporary impact area. California sycamore coast live oak riparian woodlands are dominated by California western sycamore and coast live oaks. Other native species within the vegetation community included arroyo willow, California bay (*Umbellularia californica*), and wild

cucumber (*Marah fabacea*). Non-native species observed included shamel ash, English ivy (*Hedera helix*), and garden nasturtium (*Tropaeolum majus*).

Coyote Brush Scrub

Coyote brush scrub (*Baccharis pilularis* Shrubland Alliance) is typically found on coastal bluffs, terraces, stabilized dunes of coastal bars, spits along the coastline, river mouths, stream sides, open exposed slopes, ridges, and gaps in forest stands. Soils are variable, sandy to relatively heavy clay. The shrub canopy is dominated by coyote brush (*Baccharis pilularis*), deer weed (*Acmispon glaber*), and California sagebrush (*Artemisia californica*), and occasional coast live oak (*Quercus agrifolia*) trees. The shrub canopy is generally relatively open with a scattered distribution of shrubs with annual grasses such as wild oats (*Avena* spp.) and bromes (*Bromus* spp.), and annual herbs such as redstem filaree in gaps between shrubs (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked G5S5, which is not considered a sensitive natural community (CDFW 2025a).

Coyote brush scrub covers an approximately 0.82-acre section of the study area, along the east side of the downstream end of the concrete channel, along the State Route (SR) 217, outside of any impact areas. The vegetation community is dominated by coyote brush (*Baccharis pilularis*). Non-native species observed included pampas grass (*Cortaderia selloana*), fountain grass (*Pennisetum alopecuroides*), and castor bean (*Ricinus communis*).

Disturbed Vegetation – Hollister Avenue Bridge

The disturbed vegetation land cover type is not characterized in the MCV2 classification system. Disturbed vegetation covers approximately 0.31 acre in the study area, within Hollister Avenue Bridge area at the northern end of the study area. Vegetation species in this land cover type were removed during the separate project associated with Hollister Avenue Bridge. Remaining vegetation is sparse and previously disturbed, consisting primarily of annual non-native grasses, such as wild oats and bromes.

Eucalyptus Groves

Eucalyptus groves (*Eucalyptus* spp. Woodland Semi-Natural Alliance) are found planted as trees, groves, and windbreaks, as well as in settings where it has become naturalized on uplands or bottomlands and adjacent to stream courses, lakes, or levees from zero to 6,234 feet above mean sea level. Eucalyptus species (*Eucalyptus* spp.) contain more than 80 percent cover within the tree layer (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked GNASNA and is not considered sensitive (CDFW 2025a).

Eucalyptus groves cover an approximately 0.38-acre section of the study area, in a small area in the northeastern portion of the study area, outside of any impact areas. This vegetation community is dominated by arroyo willow. Other native species in this vegetation community include mugwort, California blackberry, and poison oak. A few patches of the invasive non-native giant reed are present in this vegetation community. Other non-native species observed included iceplant and cape ivy.

Mixed Woodland

The mixed woodland community is not characterized in the MCV2 classification system. Mixed woodland covers approximately 0.33 acre in the study area, within the natural channel at the northeastern end of the study area. Species in the mixed woodland community include southern

California black walnut (*Juglans californica*) (some of which appear to have been planted as part of a previously existing orchard, that were cut and have resprouted from their bases), jacaranda (*Jacaranda mimosifolia*), and other non-native grasses. The understory is disturbed and consists primarily of annual non-native grasses dominated by cape ivy and garden nasturtium.

Open Water

The open water land cover type is not characterized in the MCV2 classification system. The open water land cover type includes the portion of San Jose Creek within the natural channel and concrete channel at the southernmost end of the study area. Open water covers approximately 0.13 acre in the study area. This land cover type is mostly devoid of vegetation and bordered by arroyo willow thickets on the east bank and urban development on the west bank. Shorebirds such as snowy egret (*Egretta thula*) and great blue heron (*Ardea Herodias*) may feed in this land cover type. Additionally, native fish species, such as the federally endangered tidewater goby and top smelt (*Atherinops affinis*) may utilize the open water land cover type, specifically in the natural channel.

Pickleweed Mats

Pickleweed mats (*Sarcocornia pacifica* [*Salicornia depressa*] Herbaceous Alliance) are found on coastal salt marshes and alkaline flats. Native pickleweed (*Sarcocornia pacifica*) is dominant or co-dominant in the subshrub and herbaceous layers with algae and other species such as bulrush (*Bolboschoenus maritimus*), swamp grass (*Crypsis schoenoides*), salt grass (*Distichlis spicata*), and alkali heath (*Frankenia salina*) (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked G4S3, which is considered a CDFW-sensitive natural community (CDFW 2025a).

Pickleweed mats cover less than 0.01-acre section of the study area, in a small area on the eastern bank at the downstream portion of the study area, outside of any impact areas. This vegetation community is dominated by pickleweed with alkali heliotrope (*Heliotropium curassavicum*) also present. No non-native species were observed in this vegetation community.

Urban Development

The urban development land cover is characterized by type existing paved areas, roads, structures, or other urban areas that have limited vegetative cover due to pavement or compaction; landscaped and ornamental vegetation is present.

Within the study area, the urban development land cover type covers the greatest area in the study area, at approximately 20.20 acres. Urban development includes the existing Hollister Avenue Bridge, the concrete channel, rip rap along the west bank of the natural channel, SR 217, and Jonny D. Wallis Neighborhood Park. Native species observed included coyote brush, western sycamore, and black cottonwood saplings in the concrete channel. Non-native species observed included red brome (*Bromus madritensis* ssp*. rubens*), bottlebrush (*Callistemon* sp.), castor bean, tree tobacco (*Nicotiana glauca*) and ornamental shrubs and trees.

Urban Stream Channel

The urban stream channel land cover includes the portion of San Jose Creek in the concrete channel. Within the study area, the urban stream channel land cover type covers most of San Jose Creek within the study area, at approximately 4.54 acres. The urban stream channel is entirely lined with concrete, surrounded by urban development, and devoid of vegetation. During the dry months, the urban stream channel generally lacks surface flow.

3.3 General Wildlife

Various wildlife species were observed in the study area. Riparian and woodland habitats support a robust suite of passerine species in the study area. Common avian species observed included California scrub jay (*Aphelocoma californica*), spotted towhee (*Pipilo maculatus*), downy woodpecker (*Picoides pubescens*), acorn woodpecker (*Melanerpes formicivorus*), red-shouldered hawk (*Buteo lineatus*), and bushtit (*Psaltriparus minimus*). Three nests were observed during the surveys on March 20 and 21, 2024; one unidentified nest located under Hollister Avenue Bridge, one unidentified nest at the northern portion of the study area, on the east bank of San Jose Creek, and one raptor nest at the northeastern portion of the study area in a eucalyptus tree. A spotted towhee was observed in the nest on the east bank of San Jose Creek. However, spotted towhees typically nest on the ground and was likely scavenging the nest. The surveyors could not confirm the species or if the nests were active or not during the reconnaissance survey. Western fence lizard (*Sceloporus occidentalis*) was also observed. No mammals were observed in the study area, but a vole (*Microtus californicus*) mortality was observed just outside of the study area, along Hollister Avenue. An individual monarch butterfly (*Danaus plexippus*) was observed flying through the study area. No overwintering monarch roosts were observed. No aquatic species were observed, other than invertebrates. Special-status species are discussed below in Sections 4 and 5. A complete list of all plant and animal species observed on-site during the field surveys is presented as Appendix C.

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4 Sensitive Biological Resources

This section discusses special-status species and sensitive biological resources observed in the study area and evaluates the potential for the project site to support additional special-status species and sensitive biological resources. Assessments for the potential occurrence of special-status species are based upon known ranges, habitat preferences for the species, species occurrence records from the database review, previous reports for the project site, and the results of surveys of the project site. The potential for each special-status species to occur in the study area was evaluated according to the following criteria:

- **No Potential.** Habitat on and adjacent to the site is clearly unsuitable for the species requirements (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime), and species would have been identifiable on the site if present (e.g., oak trees). Protocol surveys (if conducted) did not detect species.
- **Low Potential.** Few of the habitat components (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime) meeting the species requirements are present, and/or the majority of habitat on and adjacent to the site is unsuitable or of very poor quality. The species is not likely to be found on the site. Protocol surveys (if conducted) did not detect species.
- **Moderate Potential**. Some of the habitat components (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime) meeting the species requirements are present, and/or only some of the habitat on or adjacent to the site is unsuitable. The species has a moderate probability of being found on the site.
- **High Potential.** All the habitat components (foraging, breeding, cover, substrate, elevation, hydrology, plant community, site history, disturbance regime) meeting the species requirements are present and/or most of the habitat on or adjacent to the site is highly suitable. The species has a high probability of being found on the site.
- **Present.** Species was observed on the site or has been recorded (e.g., CNDDB, other reports) on the site recently (within the last five years).

4.1 Special-Status Species

The literature review identified 86 special-status plant and animal species (28 plant species and 58 wildlife species) that are known to occur in the vicinity of the study area. Of these 86 species, 14 species (6 plants and 25 animals) were evaluated as having potential to occur. A discussion of the findings is provided in each section below. A complete list of special-status species evaluated for this Project is presented in Appendix D.

Special-Status Plant Species

Based on the results of the literature review and field surveys, five special-status plant species have a low potential to occur within the study area and one special-status plant species has a moderate potential to occur within the study area, Santa Barbara honeysuckle (CRPR List 1B.2, *Lonicera subspicata* var. *subspicata*). No special-status plant species have a high potential to occur within the study area. Each special-status plant species, its listing status, and its potential to occur is included in Table 2.

Table 2 Special-Status Plant Species with Potential to Occur within the Study Area

Scientific Name	Common Name	Status[1]	Potential to Occur
Atriplex coulteri	Coulter's saltbush	CRPR 1B.2	Low Potential
Atriplex serenana var. *davidsonii*	Davidson's saltscale	CRPR 1B.2	Low Potential
Centromadia parryi ssp. *australis*	southern tarplant	CRPR 1B.1	Low Potential
Lonicera subspicata var. *subspicata*	Santa Barbara honeysuckle	CRPR 1B.2	Moderate Potential
Ribes amarum var. *hoffmannii*	Hoffman's bitter gooseberry	CRPR 3	Low Potential
Suaeda esteroa	estuary seablite	CRPR 1B.2	Low Potential

CRPR = California Rare Plant Rank

1B = Rare, Threatened, or Endangered in California and elsewhere

3 = Need more information (Review List)

.1 = Seriously endangered in California (>80% of occurrences threatened/ high degree and immediacy of threat)

.2 = Moderately threatened in California (20-80% of occurrences threatened/moderate degree and immediacy of threat)

[1] CDFW 2025b

For the purposes of this BRA, special-status plant species that have a low potential to occur are not addressed further in this section. The remaining 22 special-status plant species identified during the literature review are not anticipated to occur based on a variety of factors, including the disturbance history of the site, lack of suitable soils or habitat, the study area's location in relation to the species known geographic range, elevation of the site, and/or inappropriate hydrologic conditions. Please see Appendix D for complete justification on each species' potential to occur. No special-status plants were observed during the reconnaissance-level survey. However, note that the surveys were not protocol-level botanical surveys and did not include systematic transects over the entire study area. In addition, some species are annual and may not be evident and identifiable outside of blooming periods. Species with a moderate potential to occur within the study area (Santa Barbara honeysuckle) are further discussed below.

Santa Barbara Honeysuckle

Santa Barbara honeysuckle is a perennial evergreen shrub/vine commonly found in chaparral, cismontane woodland, and coastal scrub habitats. The species is ranked by the CNPS as a List 1B.2 species, meaning the species is moderately threatened in California. Suitable woodland habitat is present within the northern (upstream) portion of the study area. Thirteen CNDDB occurrences are documented within 5 miles of the study area. The closest occurrence is approximately 2 miles southwest of the study area, near Los Carneros Road, from 2013 (Occurrence 143). The species was not observed during the field reconnaissance survey on March 20 and 21, 2024; if the species was present, it would be identifiable given its shrub life form and the survey being conducted during its blooming season. The species has a moderate potential to occur in the study area.

Special-Status Wildlife Species

Based on the results of the literature review and field reconnaissance survey, a total of 26 special-status wildlife species have potential to occur within the study area. Thirteen special-status wildlife species have a low potential to occur within the study area, 11 have a moderate potential, one has a high potential to occur, and one is present. Each special-status wildlife species, its listing status, and its potential to occur is included in Table 3.

Table 3 Special-Status Wildlife Species with Potential to Occur within the Study Area

Scientific Name	Common Name	Status[1]	Potential to Occur
Invertebrates			
Bombus caliginosus	obscure bumble bee	SA	Low (foraging) Low (nesting)
Bombus crotchii	Crotch bumble bee	SCE	Low (foraging) No Potential (nesting)
Bombus pensylvanicus	American bumble bee	SA	Low(foraging) Low (nesting)
Danaus plexippus	monarch butterfly	FPT	Present (individual) Low Potential (overwintering)
Fish			
Eucyclogobius newberryi	tidewater goby	FE, SSC	High
Oncorhynchus mykiss irideus pop. 10	steelhead - southern California DPS	FE, SE	Moderate
Amphibians			
Rana draytonii	California red-legged frog	FT, SSC	Moderate (transient) Low (estivation)
Taricha torosa	coast range newt	SSC	Low (transient) Low (estivation)
Reptiles			
Anniella pulchra	Northern California legless lizard	SSC	Low (transient) Low (estivation)
Actinemys pallida	southwestern pond turtle	FPT, SSC	Moderate (transient) Low (estivation)
Birds			
Accipiter cooperii	Cooper's hawk	WL	Moderate (nesting) Moderate (foraging)
Agelaius tricolor	tricolored blackbird	ST, SSC	Low (nesting) Low (foraging)
Ardea alba	great egret	SA	No Potential (nesting) Moderate (foraging)
Ardea herodias	great blue heron	SA	No Potential (nesting) Moderate (foraging)
Coccyzus americanus	yellow-billed cuckoo	FT, SE	Low (nesting) Low (foraging)
Elanus leucurus	white tailed kite	FP	Low (nesting) Moderate (foraging)
Empidonax traillii extimus	southwestern willow flycatcher	FE, SE	Low (nesting) Low (foraging)
Nannopterum auritum	double-crested cormorant	WL	No Potential (nesting) Low (foraging)
Nycticorax nycticorax	black-crowned night heron	SA	No Potential (nesting) Low (foraging)
Rallus obsoletus levipes	light-footed Ridgway's rail	FE, SE	No Potential (nesting) Low (foraging)
Riparia riparia	bank swallow	ST	Low (nesting) Low (foraging)

Scientific Name	Common Name	Status[1]	Potential to Occur
Vireo bellii pusillus	least Bell's vireo	FE, SE	Moderate (nesting) Moderate (foraging)
Mammals			
Antrozous pallidus	pallid bat	SSC	Low (roosting) Moderate (foraging)
Corynorhinus townsendii	Townsend's big-eared bat	SSC	Low (roosting) Low (foraging)
Lasiurus cinereus	hoary bat	SA	Moderate (roosting) Moderate (foraging)
Myotis yumanensis	Yuma myotis	SA	Moderate (roosting) Moderate (foraging)

FE = Federal Endangered
FT = Federal Threatened
FC = Federal Candidate
FPT = Federal Proposed Threatened
SE = State Endangered
ST = State Threatened
SCE = State Candidate Endangered
SSC = CDFW Species of Special Concern
FP = CDFW Fully Protected
WL = CDFW Watch List
SA = CDFW Special Animal
[1] CDFW 2025b

The remaining special-status wildlife species are not anticipated to occur based on a variety of factors, including the disturbance history of the site, lack of suitable habitat, inappropriate hydrologic conditions, and/or the study area location in relation to the species known elevation range. A summarized life history account, rationale for each wildlife species with moderate or high potential to occur, and where in the study area the species has potential to occur is provided within the subsections below. Species that are not federally or state-listed (e.g., CDFW Special Animal) or with low potential to occur are not included in the subsections below. Please see Appendix D for complete justification on each species' potential to occur.

Monarch Butterfly

The monarch butterfly (*Danaus plexippus*) is a Federally Proposed Threatened (FPT) and CDFW Special Animal species that is known for their long-distant annual migration. The California overwintering populations overwinter in roost sites that extend along the Pacific coast from northern Mendocino County to Baja California, Mexico. Roosts are located in wind-protected tree groves (typically eucalyptus, Monterey pine, or Monterey cypress), with nectar and water sources nearby. The large aggregations are typically in groves that offer wind protection, slightly warmer temperatures, and basking sites. Large aggregations are fairly predictable as monarchs typically use the same sites each year (Meade 1999). Roosting branches are commonly found over drainages, as the drainage provides an exit for cold air in extreme weather, helping to protect butterflies from freezing (Meade 2013).

Suitable habitat may be present within the eucalyptus grove, in the northeast portion of the study area, outside of the Project site. Overwintering populations have been observed as recently as 2023 within eucalyptus trees of the neighboring areas, approximately 0.15 mile west of the study area. The closest overwintering sites are approximately 0.2 mile north of the study area (Xerces Site ID: 2763) and 0.15 mile west of the study area (Xerces Site ID: 3174; Xerces 2024). An individual monarch was observed during the March 2024 survey. No overwintering sites were observed within the study area. However, the survey was conducted at the end of the overwintering season (October – March). Eucalyptus trees within the study area are limited. The groves are not dense

enough and lack edge barriers to provide wind protection and insulation, lack understory plants for nectar source and a good water source. Individual species are present within the study area and may transit through the study area. However, there is a low potential for the species to overwinter within the study area.

Tidewater Goby

Tidewater goby is a Federally Endangered (FE) species and a CDFW Species of Species Concern (SSC). This is an estuarine/lagoon-adapted species that is endemic to the California coast, mainly in small lagoons and near stream mouths in the uppermost brackish portion of larger bays. Tidewater gobies inhabit discrete lagoons, estuaries, or stream mouths separated by mostly marine conditions, and are generally absent from areas where the coastline is steep and streams do not form lagoons or estuaries. Reproduction begins in spring, usually late April or May, and continues into the fall, although usually the greatest numbers of offspring are produced in the first half of this time period. The reproductive period is generally associated with the closure and filling of the estuary (late spring to fall). Breeding occurs in slack, shallow waters of seasonally disconnected or tidally muted lagoons, estuaries, and sloughs (USFWS 2005).

Suitable habitat for this species is found in the study area within the downstream portion of San Jose Creek. The Goleta Slough, including the lower portions of the Atascadero, San Jose, and San Pedro creeks, are considered designated critical habitat for the species. The mapped critical habitat is just south/downstream (approximately 40 feet) of the Project site, overlapping with a small portion of the southern extent of the study area. Critical habitat does not extend into the work area within the concrete channel. The closest occurrence is approximately 0.65 miles south at the Goleta Slough and mouth of the Atascadero Creek, south of the SR 217 bridge (Occurrence 90, CDFW 2024a). No tidewater gobies were observed during the 2024 March field surveys or protocol tidewater goby surveys conducted in 2010 (Entrix 2010). The species has a high potential to occur in the study area, specifically in the downstream natural channel. However, if individuals were present, they would be located outside the work area. The species has moderate potential to occur in the downstream end of the work area, specifically in the last 200 feet of the concrete channel. However, habitat is poor due to the concrete nature of the channel and its presence would be limited to when water is present in suitable depths in the concrete channel. The concrete channel may provide suitable habitat for transit and foraging but does not support breeding habitat. The species is not expected in the majority of the concrete channel nor in the upstream natural channel as there are not sufficient flows nor suitable tidally influenced habitat in these areas.

Steelhead – Southern California DPS

Southern California steelhead Distinct Population Segment (DPS) (*Oncorhynchus mykiss irideus* pop. 10) is a FE and State Endangered (SE) species. The range of the species is from the Santa Maria River along the San Luis Obispo/Santa Barbara County line in the north to the Tijuana River just north of the United States/Mexico border in the south. Southern California steelhead (steelhead) requires cool, clear, well-oxygenated water with sufficient food, but they have adapted to living under highly variable environmental conditions. Important aquatic environmental factors for steelhead include temperature, dissolved oxygen, salinity, and water depth.

Habitat quality for steelhead within the Goleta Slough Complex, which includes San Jose, San Pedro, Maria Ygnacio, and Atascadero creeks, varies greatly within the watershed. Within San Jose Creek, the habitat quality transitions from low quality within and downstream of the study area, to good quality habitat upstream where upstream spawning and rearing habitats exists (NOAA NMFS 2012).

In addition, San Jose Creek is designated critical habitat for the species (NOAA 2021). The study area lacks rearing pool habitat, and the substrate is primarily silt and sand. Surveys for the species were conducted in June and October 2013 by URS (URS 2014). There are no documented CNDDB records of this species within five miles of the study area (CDFW 2024d). However, there are multiple historical sightings of the species in San Jose Creek as documented in Stoecker et al. 2002, including a sighting of one 23-inch individual trying to swim up the concrete channel in 1975 and numerous recent sightings upstream of Cathedral Oaks Road in 2024 (iNaturalist 2025). At the time of the survey, the creek was dry, and no steelhead were observed. Steelhead have a moderate potential to occur during high flow, migration periods, and a low potential to spawn within the study area.

Southwestern Pond Turtle

The southwestern pond turtle (SWPT; *Actinemys pallida*) is a FPT species and SSC. The species is found in ponds, lakes, rivers, creeks, marshes, and irrigation ditches, with abundant vegetation (Reese 1996). It requires basking sites of logs, rocks, cattail mats, or exposed banks. Pond turtle is active from approximately February to November. It will estivate during summer droughts by burying itself in soft bottom mud. When creeks and ponds dry up in summer, some turtles will travel along the creek until they find an isolated deep pool, others stay within moist mats of algae in shallow pools, and many turtles move to woodlands above the creek or pond and bury themselves in loose soil. Pond turtle will overwinter underground until temperatures warm up and the heavy winter flows of the creek subside (Holland 1994, Bury and Germano 2008).

Suitable habitat for this species is found in the study area within San Jose Creek and its adjacent upland habitat. However, the study area lacks basking habitat within the creek. The species would likely be found foraging or moving through the area and is unlikely to be found nesting. The closest occurrence is approximately 0.75 mile east of the study area within Atascadero Creek from 2009 (Occurrence 106, CDFW 2024a). This species has a moderate potential to transit through the study area but has a low potential to be found breeding within the study area.

California Red-Legged Frog

CRLF, a Federally Threatened (FT) species and SSC, occurs in lowlands and foothills in or near permanent sources of deep water with dense, shrubby, or emergent riparian vegetation. Breeding for CRLF generally occurs between November and April in permanent and semi-permanent natural ponds, backwater portions of streams, and small artificial impoundments. This species requires 11-20 weeks of permanent water for larval development and must have access to estivation habitat (USFWS 2002). The juveniles inhabit slow moving, shallow riffle habitats in creeks or margins of ponds, whereas adults can be found close to ponds or deep pools in creeks where there is emergent vegetation, undercut banks, or root wads that offer shelter from predators. Adults may also be found in a variety of upland areas near ephemeral water bodies or away from the water taking refuge in small mammal or other animal burrows. CRLF movements are variable, and dispersing individuals can travel over land between breeding sites up to 1.7 miles (Bulger et al. 2003). Movements often occur along riparian corridors; however, drier upland sites are utilized during the rainy season.

San Jose Creek contains intermittent and perennial freshwater habitat and may provide areas for CRLF migration during the rainy season, specifically in the natural channel portion of the study area. Multiple observations of this species have been documented within 5 miles of the study area (CDFW 2024a). The closest observation is approximately 3.6 miles north of the study area in an unidentified location in the Santa Ynez Mountain range, but the occurrence is historical (1969, Occurrence 20).

CRLF movements are variable, and dispersing individuals can travel over land between breeding sites up to 1.7 miles (Bulger et al. 2003). Movements often occur along riparian corridors; however, drier upland sites are utilized during the rainy season. The study area is not considered suitable estivation habitat based on the lack of areas with deep (greater than 1.6 feet) still or slow-moving water. Adult CRLFs have a moderate potential to occur during times of migration, most specifically in the natural channel, but have a low potential to be found breeding within the study area.

Cooper's Hawk

The Cooper's hawk (*Accipiter cooperii*) is a CDFW Watchlist (WL) species that typically inhabits woodlands and forest edges but can also be found in urban parks and neighborhoods where trees are present. Nests are constructed 25 to 50 feet high in a variety of tree species, including pines, oaks, beeches, and spruces. Nests are made of sticks and are often lined with bark flakes and green twigs. Cooper's hawks are aerial predators that feed primarily on medium-sized birds, such as mourning dove (*Zenaida macroura*), American robin (*Turdus migratorius*), California quail (*Callipepla californica*), and European starling (*Sturnus vulgaris*). In addition to preying on adult birds, Cooper's hawks will also occasionally rob nests and hunt rabbits, rodents, and bats (Cornell Lab of Ornithology 2024a).

Suitable foraging habitat for the species is present throughout the study area, and suitable nesting habitat for the species exists in the study area. The closest occurrence is approximately 1.4 miles east of the study area within More Mesa from 2009 (Occurrence 30, CDFW 2024a). The Cooper's hawk has a moderate potential to forage and nest within the study area.

White Tailed Kite

White-tailed kite (*Elanus leucurus*), a state Fully Protected (FP) species, breeds regularly along the Santa Barbara coastline. This species nests in trees, usually with a dense canopy, but nest trees can vary from single, isolated trees to trees within large woodlands, including (in order of frequency used) oaks, pines, Monterey cypress, eucalyptus, and willows (Holmgren 2000). Nest and roost trees are often placed in woodlands adjacent to grasslands, meadows, or marshes which are utilized as foraging habitat.

The study area provides suitable nesting and roosting habitat for the species, as large eucalyptus are present within the study area. The closest occurrence is approximately 1.5 miles east of the study area within More Mesa in 2009 (Occurrence 115, CDFW 2024a). This species has a moderate potential to transient through the study area but has a low potential to be found breeding within the Study Area.

Least Bell's Vireo

LBVI is a FE and SE species, largely associated with early successional (5 to 10 years old) riparian scrub and woodlands with a developed canopy layer and dense shrubs at 3 to 6 feet. Preferred habitat is typically dominated by species such as willows (*Salix* spp.), mulefat (*Baccharis salicifolia*), and Fremont cottonwood (*Populus fremontii*). The most critical structural component of nesting habitat in California is a dense shrub layer 2 to 10 feet above the ground. For foraging LBVI requires structurally diverse canopy, with a preference for heights between 10 and 20 feet (USFWS 1989, Kus 1998, USFWS 1998). LBVI primarily eat insects and spiders (Sibley 2014), often foraging on willows within riparian habitat.

Marginally suitable foraging and nesting habitat is present within the arroyo willow thickets at the northern portion of the study area. Riparian habitat within the study area contains relatively narrow and limited willow with high levels of ambient disturbance from the adjacent public pathways. There are no known occurrences within five miles of the study area (CNDDB 2024a). Focused LBVI surveys were conducted for the City for the Ekwill Street and Fowler Road Extensions Project between May and July 2021, and no LBVI were detected (Rincon 2021). Based on habitat conditions within the study area, LBVI is unlikely to utilize the area for nesting. LBVI has a moderate potential to occur as a transient, foraging, or migratory species.

Pallid Bat

The pallid bat (*Antrozous pallidus*) is a SSC that occurs over a wide variety of habitat types, including deserts, grasslands, shrublands, woodlands, and forests. While it is most common in open, dry habitats with rocky areas for roosting, it can be found roosting under bridges and in some areas in old structures such as barns. They are very sensitive to disturbance of their roost sites, and these sites must protect bats from high temperatures. The pallid bat is a resident species that occurs throughout the state, commonly at elevations below 6,000 feet.

Marginally suitable woodland habitat and Hollister Avenue Bridge are present at the northern portion of the study area. However, the Hollister Avenue Bridge is heavily trafficked by humans. No suitable shrubland, rocky and open dry areas, or low disturbance roosting areas are present within the study area. The closest occurrence is approximately 2.9 miles west of the Study Area near Coal Oil Point in 2017 (Occurrence 84, CDFW 2024a). The pallid bat has a low potential to roost and moderate potential to forage within the study area.

Other Protected Species

Nesting Birds

The study area contains habitat that can support nesting birds, including raptors, protected under CFGC Section 3503 and the MBTA (16 United States Code Sections 703–712). Potential nesting sites for raptors within the study area are located within the woodland, eucalyptus grove, and riparian habitats. Other species of birds are also likely to utilize the shorter chaparral shrub habitat (i.e., coyote brush) within the study area. Furthermore, nests were identified in the study area during the reconnaissance survey, as described in Section 3.3.

4.2 Sensitive Natural Communities and Critical Habitat

CDFW-Sensitive Natural Communities

Vegetation communities are considered sensitive biological resources if they have limited distributions, have high wildlife value, include special-status species, or are particularly susceptible to disturbance. The CDFW ranks natural and sensitive communities using NatureServe's Heritage Methodology, the same system used to assign global and state rarity ranks for plant and animal species in the CNDDB. Plant communities with a rating of S1, S2, or S3 are considered sensitive communities by the CDFW. One sensitive natural vegetation community within 5 miles of the study area was identified during the literature review: southern coastal salt marsh. This vegetation community is approximately 0.90 mile southwest of the study area, within the Goleta Slough State Marine Conservation Area.

The current Sensitive Natural Communities List (CDFW 2025a) was referenced to determine sensitivity status of the vegetation communities and landcover types within the study area. Four vegetation communities that are designated as CDFW-sensitive were identified during the field survey and are present in the study area: arroyo willow thickets, black cottonwood woodland, California sycamore coast live oak riparian woodland, and pickleweed mats. These vegetation communities are also considered Environmentally Sensitive Habitat Areas (ESHAs), as described below in Section 4.5.

Arroyo willow thickets, black cottonwood woodland, and California sycamore coast live oak riparian woodlands are located at the northern (upstream) portion of the study area. These communities are mature, healthy, and varied in complexity and have the potential to support common and sensitive wildlife species as described herein. Pickleweed mats are located in a small portion on the east bank of the southern (downstream) portion of the study area. No other vegetation alliances designated sensitive or potentially rare in the hierarchical list are present in the study area.

Critical Habitat

Critical habitat for two species was identified in the study area: steelhead - southern California DPS and tidewater goby (Figure 6). Critical habitat for steelhead - southern California DPS has been designated within San Jose Creek, extending from the Santa Ynez Mountains to the Pacific Ocean (NOAA 2021). The entirety of the Project site is within designated critical habitat for steelhead - southern California DPS. Tidewater goby critical habitat is within the study area, but outside of the Project site, approximately 40 feet southwest (downstream) of the Project site.

No other critical habitat is designated within the study area. CRLF critical habitat is located approximately 5 miles north of the study area, in the Santa Ynez mountain range. Western snowy plover (*Charadrius alexandrines*) critical habitat is designated along the shoreline of the Ellwood Mesa Open Space, approximately 2.75 miles southwest of the study area.

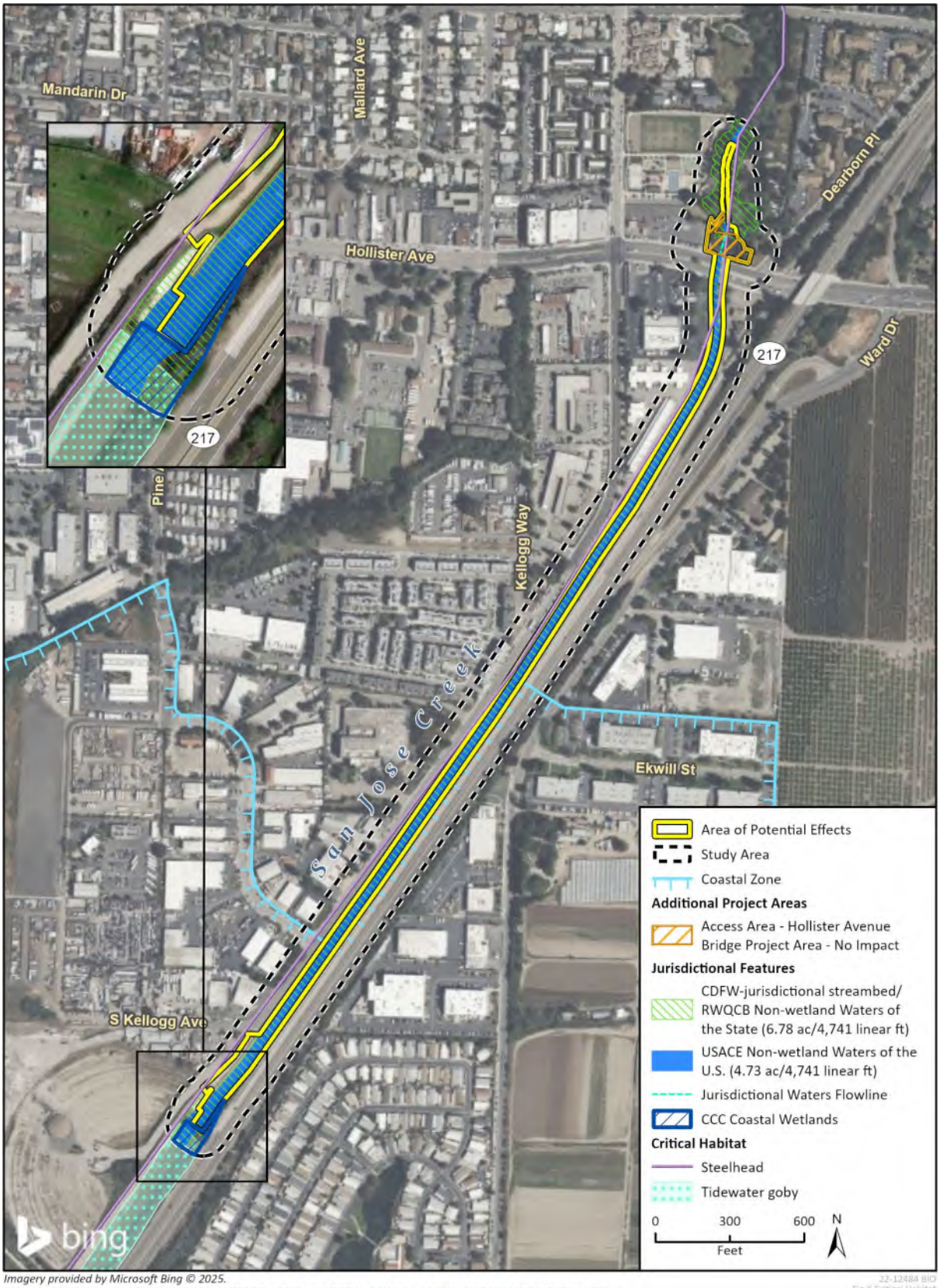
4.3 Jurisdictional Waters and Wetlands

Based upon the findings of Rincon's jurisdictional delineation, San Jose Creek is subject to USACE, Central Coast RWQCB, CDFW, CCC, and City jurisdiction. A brief summary of the creek's characteristics and jurisdictional waters is included herein. A detailed analysis of jurisdictional waters is included in the Aquatic Resources Delineation Report for the Project (Rincon 2025), which is included as Appendix E. See Figure 7a through Figure 7e for the location and extent of jurisdiction within the study area. Table 4 below summarizes the total acreage of jurisdictional waters within the study area.

Table 4 Potentially Jurisdictional Waters Delineated within the Study Area

	USACE		RWQCB		CDFW	CCC	City	City
Feature	Non-wetland Waters of the U.S. (acres/ linear feet)	Wetland Waters of the U.S. (acres/ linear feet)	Non-wetland Waters of the State (acres/ linear feet)	Wetland Waters of the State (acres/ linear feet)	CDFW-jurisdictional Streambeds (acres/ linear feet)	Coastal Wetlands (acres/ linear feet)	Wetlands (acres/ linear feet)	Streamside Protection Areas (acres/ linear feet)
San Jose Creek	4.73/4,741	–	6.78/4,741	–	6.78/4,765	0.28/247	1.65/580	30.60/5,022

Figure 6 Critical Habitat



Imagery provided by Microsoft Bing © 2025.
Critical Habitat data provided by US Fish and Wildlife Service and National Oceanic and Atmospheric Administration, 2025.

Figure 7a Jurisdictional Waters – Overview

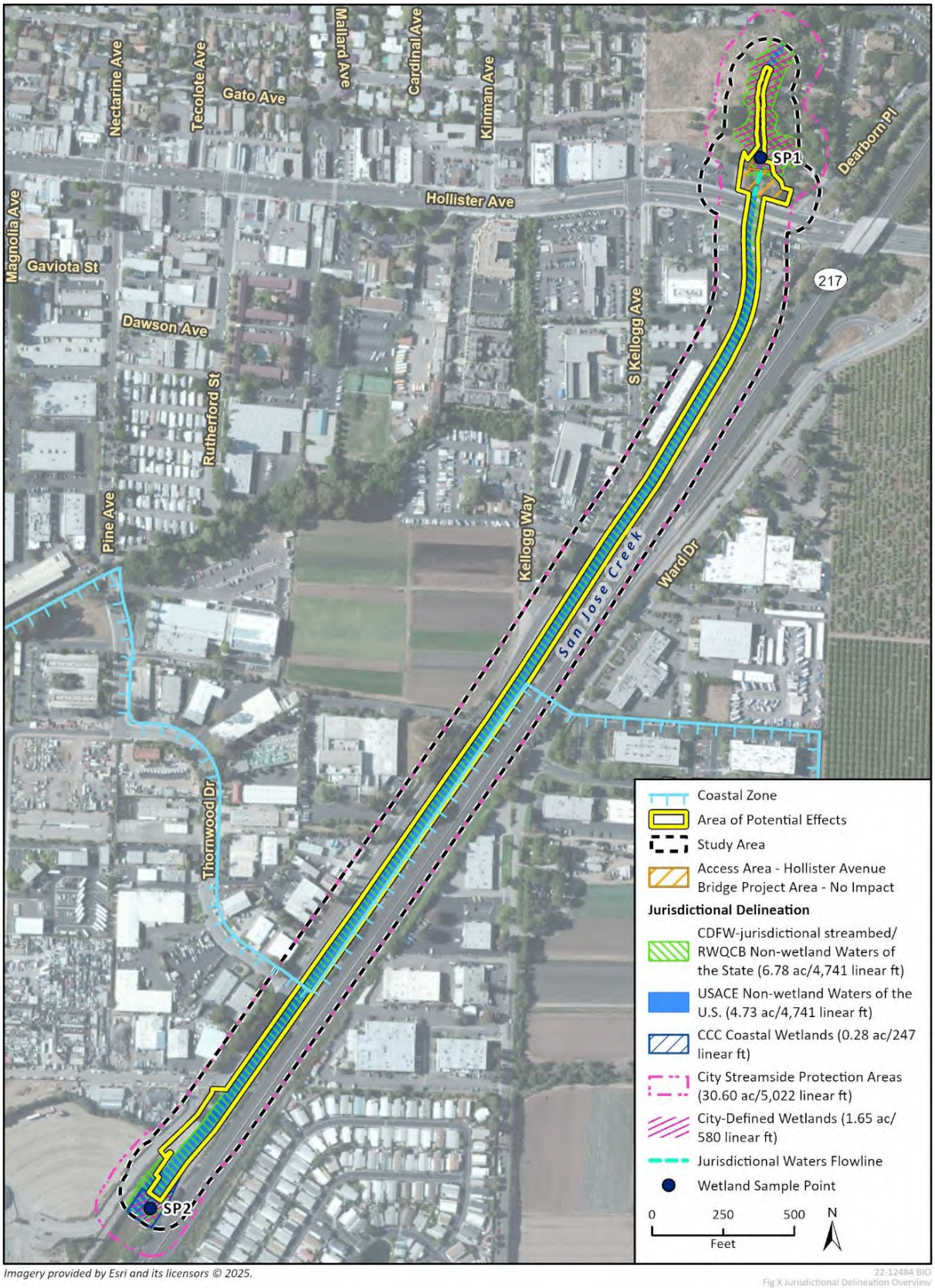
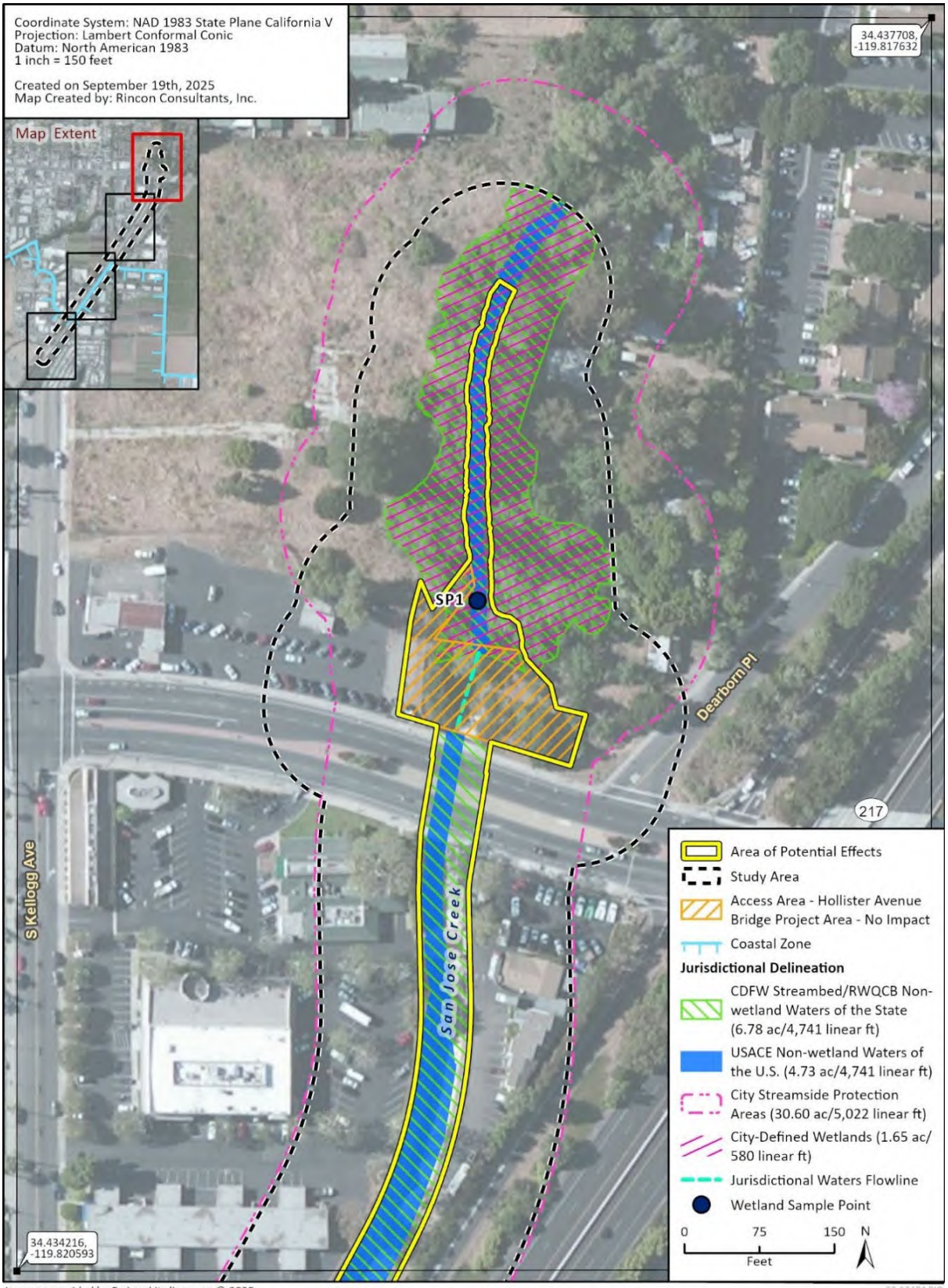


Figure 7b Jurisdictional Waters – Panel 1



Imagery provided by Esri and its licensors © 2025.
Additional data provided by California Coastal Commission 2021.

Figure 7c Jurisdictional Waters – Panel 2

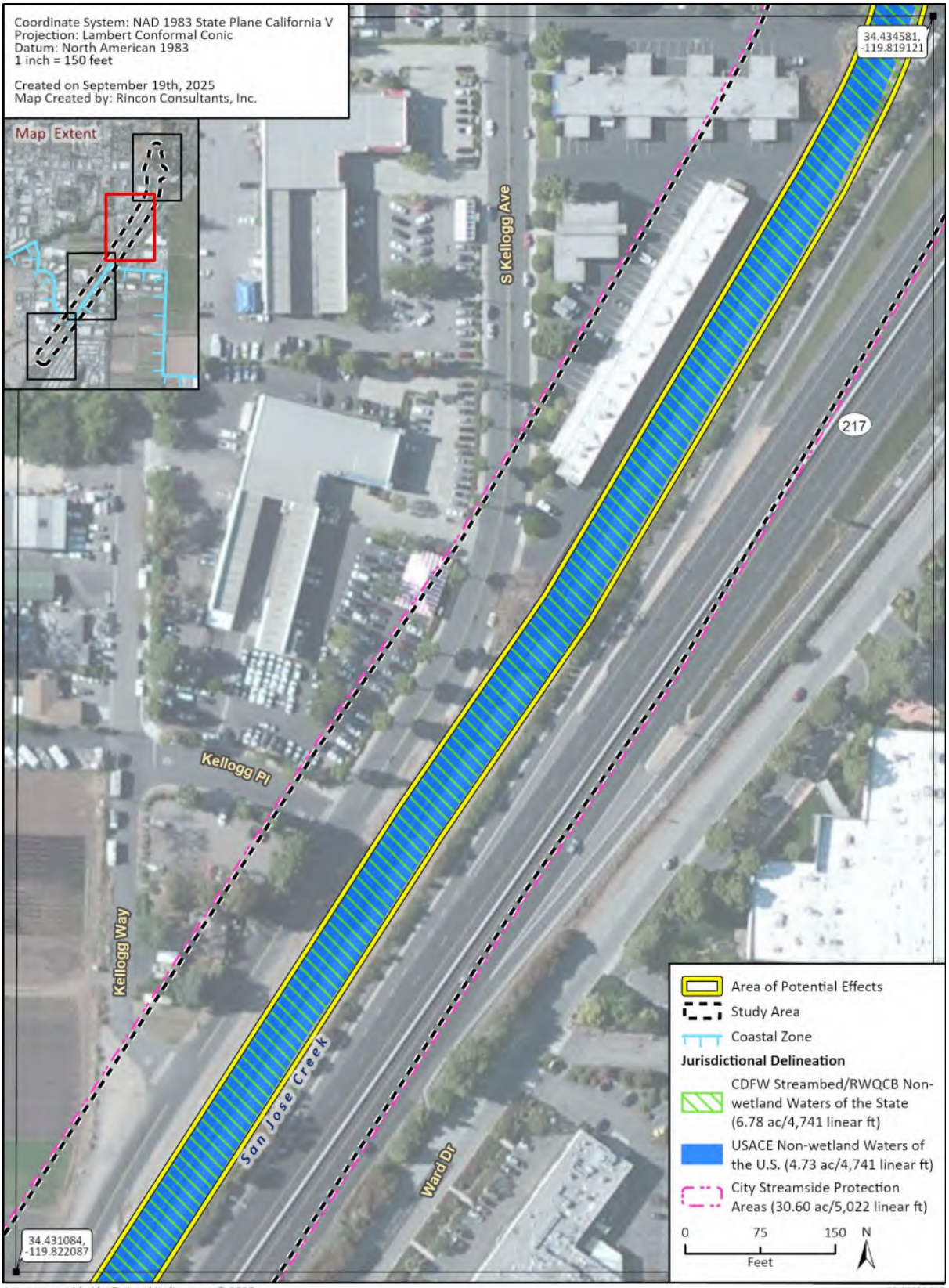


Figure 7d Jurisdictional Waters – Panel 3

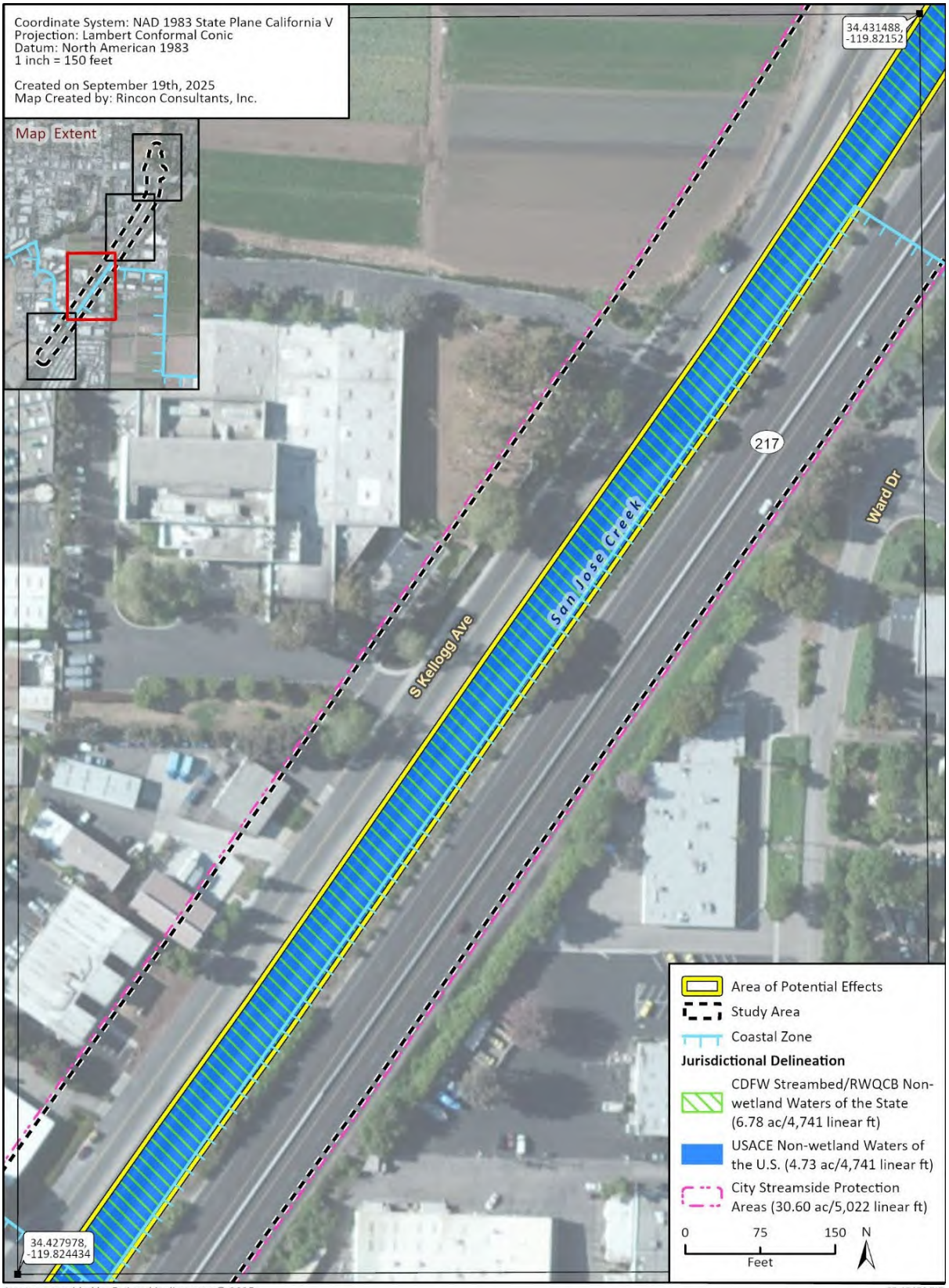


Figure 7e Jurisdictional Waters – Panel 4



San Jose Creek flows north to southwest through the study area and leads to the Goleta Slough which leads to the Pacific Ocean. Within the study area, the upstream natural channel and the concrete channel of San Jose Creek is an intermittent system; the riverbed surface is dry for most of the year, except during storm events. Within the study area, the downstream natural channel of San Jose Creek is a perennial system with and estuarine influence from the Goleta Slough; water is present year-round.

San Jose Creek is a non-wetland water of the U.S. likely subject to USACE jurisdiction pursuant to Section 404 of the Clean Water Act; a non-wetland water of the State likely subject to the Central Coast RWQCB pursuant to Section 401 of the Clean Water Act and the California Water Code (Porter-Cologne Water Quality Control Act); a CDFW-jurisdictional streambed pursuant to CFGC 1600; a coastal wetland under the jurisdiction of the CCC per the CCA; a coastal wetland under the jurisdiction of the City per General Plan Conservation Element sub policy CE 3.1, Definition of Wetlands; and a SPA under the jurisdiction of the City per General Plan Conservation Element policy CE 2, Protection of Creeks and Riparian Areas. No wetland waters of the U.S. nor wetland waters of the State are present.

The findings and conclusions presented in this report regarding regulatory agency jurisdiction over San Jose Creek represent the professional opinion of the consultant biologists. These findings and conclusions should be considered preliminary and at final discretion of the applicable resource agency.

4.4 Wildlife Movement

Wildlife movement corridors, or habitat linkages, are generally defined as connections between areas of suitable habitat that allow for physical and genetic exchange between otherwise isolated wildlife populations. Such linkages may serve a local purpose, such as providing a linkage between foraging and denning areas, or they may be regional in nature. Some habitat linkages may serve as migration corridors, wherein wildlife periodically move away from an area and then subsequently return. Others may be important as dispersal corridors for young wildlife. A group of habitat linkages in an area can form a wildlife corridor network. The California Essential Habitat Connectivity Project, commissioned by the California Department of Transportation (Caltrans) and CDFW, identifies “Natural Landscape Blocks” which support native biodiversity and the “Essential Connectivity Areas” which link them (Spencer et al. 2010).

No mapped wildlife movement corridors are present within the study area. However, the study area includes San Jose Creek which is an important water source that wildlife may travel through. Surrounding vegetated areas at the northern and southern end of the Study Area provide suitable small-scale wildlife movement corridors for wildlife to travel locally and are important in linking non-contiguous or fragmented wildlife habitats. The Project site itself, is surrounded by urban development, including SR 217, Hollister Avenue Bridge, and Johnny D. Wallis Neighborhood Park, which make it less ideal as a wildlife movement route.

4.5 Resources Protected by Local Policies and Ordinances

The study area occurs within the city of Goleta and is subject to the City of Goleta General Plan and City of Goleta Creek and Watershed Management Plan policies. Chapter 4 of the City of Goleta General Plan (City of Goleta 2006) includes policies to protect biological resources, mature trees, water quality and wildlife nurseries, and movement corridors. San Jose Creek and associated riparian areas (i.e., arroyo willow thickets, California sycamore-coast live oak riparian woodland, black cottonwood woodland, and pickleweed mat vegetation communities) are considered to be EHSAs under the City of Goleta General Plan. The policies which specifically address issues of environmental protection are provided in Appendix A.

Environmentally Sensitive Habitat Areas

The City defines ESHA as 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, and which could be easily disturbed or degraded by human activities. ESHAs include habitats such as riparian or marsh areas, wetlands, open water, oak woodlands, and habitats for special-status species (e.g., raptor roosting habitat) (City 2009).

Within the study area, the City designates San Jose Creek as Riparian/Marsh/Vernal Pool ESHA. Field verification indicates that Riparian and Marsh ESHA is present in the study area; however, vernal pools were not identified within the study area. Additionally, field verification indicates that Raptor Roosting ESHA and Open Water ESHA are present.

Four vegetation communities and one land cover type qualify as ESHA and are present in the study area as follows:

- **Riparian ESHA and Raptor Roosting ESHA:** black cottonwood woodland, California sycamore-coast live oak riparian woodland
- **Riparian ESHA:** arroyo willow thickets
- **Marsh ESHA:** pickleweed mats
- **Open Water ESHA:** open water

Arroyo willow thickets, black cottonwood woodland, and California sycamore-coast live oak riparian woodlands are located at the northern (upstream) portion of the study area. These communities are mature, healthy, and varied in complexity and have the potential to support common and sensitive wildlife species. Pickleweed mats are located in a small portion on the east bank of the southern (downstream) portion of the study area. Open water includes the portion of San Jose Creek within the natural channel at the southernmost end of the study area. These communities, except for the open water land cover type, are also designated as CDFW-sensitive natural communities as described in Section 4.2. No other vegetation communities or land cover types designated as ESHA are present in the study area.

Protected Trees

The City does not currently have a tree protection ordinance in place, but the General Plan Conservation Element (CE; City 2009) Policy CE-9 states that removal of mature native trees shall be mitigated. The General Plan CE-9 does not define mature native trees. As such, to err on the

conservative side, mature/protected trees were defined in this report as any native tree measuring 4 inches or greater in DBH of the largest trunk. This value is based on the County Deciduous Oak Tree Protection and Regeneration Ordinance (County of Santa Barbara 2003), which protects deciduous oak trees measuring 4 inches DBH, although the Project is not required to meet the standards of this ordinance. The same definition was used on the adjacent Hollister Avenue Bridge Project.

A total of 47 protected trees of 8 species were documented during the native tree survey, primarily in the northern portion of the study area (Figure 8a through Figure 8c). Of the 47 trees, 45 have at least one trunk that is 4 inches in DBH or greater, including the Sister Witness Tree, and therefore are considered City protected trees. The Sister Witness Tree is a historic sycamore tree known for its significance in local heritage and environmental conservation. The Sister Witness Tree is located on the west bank of San Jose Creek at the northern portion of the study area, within the California sycamore-coast live oak riparian woodlands, outside the Project site. The native trees are primarily within the black cottonwood woodlands, California sycamore-coast live oak riparian woodlands, and arroyo willow thick vegetation communities. Three unidentified native trees were observed at the northern portion of the study area, two which are outside of the Project site and one within the Project site. Table 5 below shows the number of protected trees with DBH range in the study area.

Table 5 Summary of Protected Native Trees in Study Area

Common Name	Scientific Name	Number of Trees in Study Area	Diameter at Breast Height (DBH) Range
Arroyo willow	*Salix lasiolepis*	15	3 – 12
Black cottonwood	*Populus trichocarpa*	6	5 – 25
Blue elderberry	*Sambucus mexicana*	3	6 – 16
California bay	*Umbellularia californica*	1	>4
Coast live oak	*Quercus agrifolia*	4	>4 – 30
Other native tree	Unknown	3	>4 – 11
Southern California black walnut	*Juglans californica*	3	11 – 16
Western sycamore	*Platanus racemosa*	10	8 – 199*
White alder	*Alnus rhombifolia*	2	12 – 14
Total Number of Trees		**47**	

*Sister Witness Tree (City of Goleta 2012)

4.6 Habitat Conservation Plans

The Project is not subject to an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan. Therefore, habitat conservation plans are not mentioned further.

Figure 8a Native Tree Locations – Overview



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22-12484 BIO
Fig X Tree Location Overview

Figure 8b Protected Native Tree Locations – Panel 1

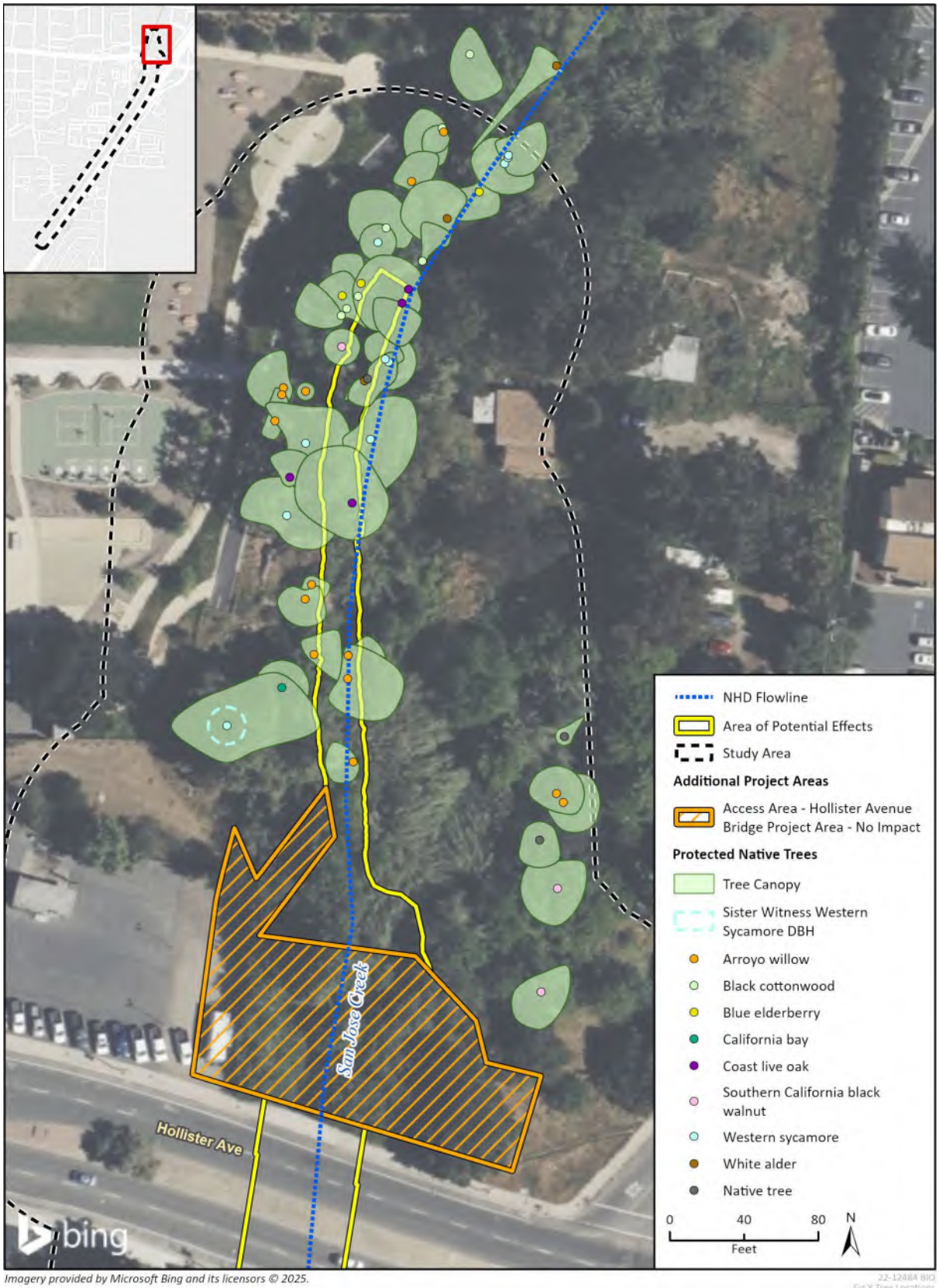


Figure 8c Protected Native Tree Locations – Panel 2



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5 Mitigation Measures and Impact Analysis

The Project will incorporate design measures to avoid and minimize potential adverse impacts to special-status species and sensitive biological resources. Additionally, the Project will adhere to all special conditions outlined in resource agency permits. The following provides a summary of special-status species and sensitive biological resources that may occur within the Project site and the associated Project design measures to avoid or minimize possible adverse impacts to such resources.

Prior to impacts occurring to USACE, Central Coast RWQCB, CDFW, and/or CCC jurisdictional aquatic resources, the City will obtain the following permits: USACE Nationwide Permit 27 (Aquatic Habitat Restoration), RWQCB Section 401 General Water Quality Certification for Statewide Habitat Restoration Projects, Restoration Management Permit per CFGC Section 1672e&f (equivalent to a Section 1602 Lake and Streambed Alteration Agreement), and CCC Coastal Development Permit (CDP). Additionally, the City is seeking to receive a concurrence letter from the NMFS waiving the need for a separate or new FESA Section 7 consultation and associated BO/Incidental Take Statement for steelhead, as was issued in 2011 for the original iteration of the Project. Similarly, the City is seeking to waive a CESA Incidental Take Permit (ITP) for steelhead under CFGC Section 1672b (equivalent to Section 2081) under the Restoration Management Permit Act. The City is seeking to use the 2025 USFWS Programmatic Biological and Conference Opinion, California Statewide Restoration Programmatic Consultation (2022-0005149-S7) (USFWS 2025), or 1997 USFWS Programmatic Consultation and Conference for Listed Coastal Species (1-8-96-F-11) (USFWS 1997), or to receive a project-specific Biological Opinion for tidewater goby from USFWS. Lastly, although no impacts to CRLF are anticipated, to be conservative, the City is seeking to use the 2025 USFWS Programmatic Biological and Conference Opinion, California Statewide Restoration Programmatic Consultation (2022-0005149-S7) (USFWS 2025) or 2020 USFWS Programmatic BO for CRLF (USFWS 2020).

The City will implement measures required by the resource agencies. Existing mitigation measures from the IS-MND (City 2007, SAIC 2008) for this Project are described below. Please note language has been added to the mitigation measures below to help clarify the intent of each measure. Although the language has been slightly altered herein, the intent of the mitigation measures remain the same. Impacts to sensitive biological resources will be less than significant, as it was during the original San Jose Creek Capacity Improvement and Fish Passage Project, and no new mitigation measures are being proposed. However, BIO-1 has been modified to include measures for the protection of tidewater goby. BIO-3 has been modified to include a 1:1 replacement ratio for removal of native riparian, which is a reduction from the previous 2:1 replacement measure. This change has been made to reflect the long-term beneficial nature of the Project and that impacts to native riparian vegetation would be solely temporary. Although the language has been slightly altered herein, the intent of the mitigation measures remains the same, such that these mitigation measures are not considerably different from those analyzed in the Final IS-MND. All substantive changes related to the aforementioned changes related to tidewater goby and native vegetation have been indicated in underline. Lastly, portions of the measures that applied to the capacity improvement portion of the original project but do not apply to the current fish passage portion of the project have been designated as such with footnotes. Per the SRGO (SWRCB 2022), GPMs are incorporated into the Project and will be carried out as part of Project implementation, as described

IS-MND BIO-1 California Red-Legged Frog and Tidewater Goby

A qualified monitor shall be present during installation of any water diversions, initial vegetation clearing, and excavation/rock placement work upstream of Hollister Avenue for CRLF. The monitor will check the area for CRLF 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.

Prior to the start of dewatering in the downstream portion of the concrete channel, qualified biologists shall conduct a survey for tidewater goby. If tidewater goby is found, they will be relocated downstream of the cofferdam. Similarly, other native aquatic species will be relocated. A qualified monitor shall be present during installation of any water diversions installed at the lower portion of the concrete channel for tidewater goby.

Plan Requirements & Timing: The requirement for a CRLF 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.

The requirement for a tidewater goby monitor shall be included on all Project plans prior to final approval, and a qualified monitor shall be on-site during dewatering activities.

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

IS-MND BIO-2 Native Trees

A Native Tree Protection and Replacement Plan (NTPRP) shall be prepared by a certified arborist or qualified expert and approved prior to vegetation clearing. All native trees to be removed[3], except willows (*Salix* spp.), which are included in the Riparian Vegetation Protection and Replacement Plan described below (IS-MND BIO-3), will be covered. This plan can be developed as a component of the Landscape Plan.

Plan Requirements & Timing: The NTPRP 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, DBH, overall health, general location, and reason for removal.
- Details on native trees that the contractor would preserve including species, 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 will be prepared as part of the NTPRP to address protected native trees, excluding the willows which are mitigated as riparian vegetation per IS-MND BIO-3, that would be removed. The mitigation plan shall address species, size, source propagules, location, and timing of replacement tree planting. In addition, monitoring, performance criteria, and

[3] Language is from existing mitigation measures from the IS-MND (City 2007, SAIC 2008). Tree removal is not anticipated in the current proposed Project design.

reporting shall be addressed. All protected native trees removed will be replaced at a 10:1[4] 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.

Monitoring: Biological monitors shall be present during vegetation clearing to ensure that tree removal is consistent with the NTPRP. 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.

IS-MND BIO-3 Riparian Vegetation

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

Plan Requirements & Timing: The RVPRP 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[5] 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 as part of the RVPRP 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 on-site 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 shall be replaced at a 1:1 ratio[6], 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[5]. Replacement plants will be from local stock, except as allowed in project permits. The mitigation plan will include a map of planting locations.

[4] Language is from existing mitigation measures from the IS-MND (City 2007, SAIC 2008). The 10:1 replacement ratio was meant for impacts due to removal of trees for development in the previous San Jose Creek Capacity Improvement and Fish Passage project (Entrix 2010, City 2007, SAIC 2008). This replacement ratio does not apply to the fish passage portion of the original project nor the repairs in the current proposed Project design.

[5] Language is from existing mitigation measures from the IS-MND (City 2007, SAIC 2008). Eucalyptus removal is not anticipated in the current proposed Project design.

[6] Language is from existing mitigation measures from the IS-MND (City 2007, SAIC 2008). The 2:1 replacement ratio was meant for impacts due to removal from development in the previous San Jose Creek Capacity Improvement and Fish Passage project (Entrix 2010, City 2007, SAIC 2008). This replacement ratio does not apply to the fish passage portion of the original project nor repairs in the current proposed Project design. It has been changed to 1:1 to reflect the long-term beneficial nature of the Project and that impacts to native riparian vegetation would be solely temporary.

- Include seasonal constraints on vegetation removal and nesting bird survey specifications to reduce impacts to nesting birds within the work area per IS-MND BIO-4.

Monitoring: Biological monitors shall be present during vegetation clearing to ensure that riparian vegetation removal is consistent with the RVPRP. 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.

IS-MND BIO-4 Breeding Birds

The pre-approved RVPRP (IS-MND BIO-3) shall include seasonal constraints on vegetation removal and nesting bird survey specifications to reduce impacts to nesting birds within the work area.

Plan Requirements & Timing: The vegetation clearing timing restrictions and bird survey requirements shall be included on all project plans prior to final approval. The RVPRP 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. 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 RVPRP 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.

5.1 Special-Status Species Impact Analysis

The proposed project would have a significant effect on biological resources if it would:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

Special-Status Plant Species

No special-status plant species were observed or detected during the reconnaissance survey. One special-status plant species, Santa Barbara honeysuckle (CRPR List 1B.2), was determined to have a moderate potential to occur within the study area. Direct impacts to individuals are anticipated to occur if those species are present during vegetation removal activities in suitable habitat where these plant species have potential to occur, specifically in the upstream natural channel. Potential indirect impacts may occur from project activities, such as dust and other material from excavation and grading activities or the introduction of noxious weeds into previously un-infested areas which could degrade the habitat and prevent establishment of individuals. No other special-status species are expected to occur due to the lack of habitat and developed/disturbed landcover within the study area.

The project will incorporate IS-MND BIO-3 and the pre-construction special-status surveys and general GPMs as outlined in Section 1.3 *Project Description* to avoid direct and indirect impacts to special-status plant individuals. Therefore, potential impacts to special-status plants will be less than significant. Specifically, the RVPRP aims 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, including mitigation to address removed native vegetation.

Special-Status Wildlife Species

Thirteen special-status wildlife species have a low potential to occur within the study area, 11 have a moderate potential, one has a high potential to occur (tidewater goby), and one is present (monarch butterfly individual), as described in Table 3. Nesting special-status bird species and/or nesting birds protected under the MBTA and CFGC have potential to occur in the study area during the nesting season.

Special-Status Fish

Very limited tidewater goby habitat was present in the downstream end of the concrete channel during the 2024 March field surveys due to the limited creek flows, and generally the concrete substrate does not provide good habitat if water depths are sufficient. No tidewater gobies were observed during protocol tidewater goby surveys conducted in 2010 (Entrix 2010). However, given the proximity to the species' critical habitat at the southern extent of the study area and known occurrences within the Goleta slough, the species has a high potential to occur in the study area; specifically, in the downstream natural channel. However, if individuals were present, they would likely be located outside the work area and no direct impacts would be anticipated. The species has moderate potential to occur in the downstream end of the work area, specifically in the last 200 feet of the concrete channel. However, habitat is poor due to the concrete nature of the channel

and its presence would be limited to when water is present in suitable depths in the concrete channel. The concrete channel may provide suitable habitat for transit and foraging but does not support breeding habitat, therefore no direct impacts to breeding habitat are expected. Indirect impacts to special-status fish could occur from Project activities, such as changes in water quality from use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity. The species is not expected in the majority of the concrete channel nor in the upstream natural channel as there are not sufficient flows nor suitable tidally influenced habitat in these areas. Furthermore, Water Quality and Hazardous Materials Measures as described in Appendix I will be implemented during construction, including but not limited to staging areas outside of waters of the state, erosion and sediment control measures, and spill response plan.

No steelhead were observed during the 2024 field surveys as flows were not sufficient to support the species. Steelhead have a moderate potential to occur within the Project site, depending on the rainfall and associated flows. The former San Jose Creek Capacity Improvement and Fish Passage Project was reviewed by the USACE and NMFS in 2011. The USACE determined that the project would not adversely affect southern steelhead and its designated critical habitat in San Jose Creek (NOAA NMFS 2011). NMFS concluded that the project is expected to be beneficial to steelhead as its implementation is expected to significantly improve fish passage conditions at this location (NOAA NMFS 2011).

Work in the stream will be conducted during the dry season, between May 15 and October 15, when there is no water in the creek in most years. Therefore, special-status fish species are not expected to be directly impacted due to the restriction of in-stream work to the dry season. As described in the Project Description in Section 1.3, the Project will not introduce new barriers to movement of any resident or migratory fish species, as the Project is designed to improve the existing passage condition for steelhead at this location. If water is present within the Project site, direct impacts to tidewater goby and steelhead could occur in the form of injury or mortality through dewatering activities, if required by the Project.

Potential direct impacts to special-status fish are not expected since Project activities would occur during the dry season. Indirect impacts to tidewater goby and other special-status fish would be reduced to less than significant through implementation of GPMs as described in Section 1.3 *Project Description*. Furthermore, the Project is designed to improve fish passage for steelhead and other fish species by reducing sediment and debris accumulations.

Special-Status Invertebrates

The monarch butterfly is present within the study area. However, there is a low potential for the species to overwinter in the study area due to lack of wind protection and insulation, lack of understory plants for nectar sources and lack of a good water source within the eucalyptus grove. Direct impacts to the monarch butterfly could occur in the form of injury or mortality through initial ground disturbance activities and/or removal of suitable foraging and roosting habitat, if required by the Project. Direct impacts to the species, including injury or mortality, could also result from heavy equipment, vegetation clearing, and vehicular transport. Since individual monarchs are relatively mobile and would be able to avoid contact with construction equipment, the species is likely to move away from construction activities and are not anticipated to be directly impacted through injury or mortality. Overwintering monarch roosts are not mobile and direct impacts, including injury or mortality, may occur. Marginally suitable habitat for overwintering roosts is present in the northern portion of the study area, outside of the Project site. Indirect impacts to

monarchs could occur in the form of noise from use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity.

Pre-construction special-status species surveys as outlined in Section 1.3 *Project Description* would ensure that any potential impacts would be less than significant by requiring a pre-construction survey and subsequent preparation of an enhancement, relocation, or exclusion plan if special-status wildlife are found. In addition, GPMs as outlined in Section 1.3 *Project Description* would ensure that any potential impacts would be less than significant by requiring general housekeeping, erosion and sediment controls, staging placement, and hazardous materials control aimed at protecting wildlife.

Special-Status Reptiles and Amphibians

Special-status reptile and amphibian species are not anticipated to be directly or indirectly impacted by project activities, since they are mobile and can escape noise, dust, and vibrations. Construction may temporarily impact sensitive wildlife by increasing predation as a result of trash and food being left in the construction area, although substantial changes from existing conditions are not anticipated. Indirect impacts resulting from runoff from the Project site and/or immediate vicinity during or following construction activities would be addressed through adherence to existing County and state stormwater regulations. Specifically, CRLF has moderate potential to occur and may transiently occur in these areas; specifically, in the natural channel portion of the study area.

Potential direct and indirect temporary impacts to CRLF and other special-status reptiles and amphibians would be reduced to less than significant through implementation of IS-MND BIO-1, which requires a biological monitor present during installation of initial vegetation clearing and excavation/rock placement work upstream of Hollister Avenue, and pre-construction special-status species surveys and GPMs, as described in Section 1.3 *Project Description*.

Special-Status Mammals

Direct impacts to pallid bat could occur in the form of injury or mortality through initial ground-disturbance activities and/or disturbance of roosting sites. No individuals or roosts were found within the study area during surveys. Because bats are relatively mobile and would be able to avoid contact with construction equipment, the adults of the species are likely to move away from construction activities and are not anticipated to be directly impacted through injury or mortality. Indirect impacts to these species could occur in the form of noise from use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity. Construction may also temporarily impact sensitive wildlife by increasing predation as a result of trash and food being left in the construction area, although substantial changes from existing conditions are not anticipated.

Potential direct and indirect temporary impacts to special-status mammals would be reduced to less than significant through implementation of pre-construction special-status species surveys and GPMs, as described in Section 1.3 *Project Description*.

Special-Status and Nesting Birds

There is a moderate potential for Cooper's hawk, white-tailed kite, and LBVI to occur within the study area. In addition, migratory or other common nesting birds, while not designated as special-status species, are protected by the CFGC and MBTA and have the potential to occur in the study area. Take of these species is prohibited by federal and state law and must be avoided. Since birds

are highly mobile and would be able to avoid contact with construction equipment, the adults are likely to move away from construction activities and are not anticipated to be directly impacted through injury or mortality; however, impacts to eggs and nestlings could occur during the nesting season. Indirect impacts to special-status bird species could occur in the form of noise, dust, and vibrations from the use of heavy equipment and/or vehicles that result in altered behavior and other species-specific patterns of activity. Indirect impacts could also result from loss of potential nesting or foraging habitat from vegetation removal or disturbance of nests within the study area.

Implementation of IS-MND BIO-4 would reduce the potential for adverse effects to special-status birds and nesting birds, including raptors, to a less than significant level.

5.2 Sensitive Natural Communities and Critical Habitat Impact Analysis

The proposed project would have a significant effect on biological resources if it would:

b) Have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service.

The study area contains four CDFW-sensitive natural communities: arroyo willow thickets, black cottonwood woodland, California sycamore - coast live oak riparian woodland, and pickleweed mats. The Project will permanently and temporarily impact three of these sensitive natural communities, pickleweed mats excluded, as shown in Table 6 and displayed in Figure 9.

Table 6 Impacts to Vegetation Communities and Land Covers

	Project-wide		Within CDFW-jurisdictional streambed	
Vegetation Community/ Land Cover Type	**Permanent Impacts (acres)**	**Temporary Impacts (acres)**	**Permanent Impacts (acres)**	**Temporary Impacts (acres)**
Native Vegetation Community				
Arroyo willow thickets*+	0.08	0.09	0.08	0.09
Black cottonwood woodland*+	0	0.02	0	0.02
California sycamore - coast live oak riparian woodland*+	0	0.05	0	0.05
Subtotal	**0.08**	**0.16**	**0.08**	**0.16**
Non-native Vegetation Community				
Annual brome grassland	0	0.07	0	0
Developed Land Cover Types				
Urban development	0	0.72	0	0.60
Urban stream channel	0	4.39	0	4.39
Total	**0.08**	**5.34**	**0.08**	**5.15**

*CDFW-sensitive natural community

+ City-designated ESHA

Implementation of the proposed Project would require the removal of existing vegetation in areas where Project activities are proposed, solely in the upstream natural channel. Existing vegetation will be permanently removed from the placement of un-grouted riprap for the Hollister Avenue

Bridge 'hydraulic transition feature' and temporarily impacted during the re-grading of the natural channel upstream of the Hollister Avenue Bridge 'hydraulic transition feature.' Impacts will be mitigated, as appropriate, according to implementation of IS-MND BIO-2 and BIO-3. Only minor trimming of individual trees may occur. Indirect impacts from dust and other construction equipment may occur but due to the temporary nature of these activities and implementation of standard BMPs, the potential for substantial impacts to sensitive natural communities is relatively low.

The study area occurs within NOAA-designated critical habitat for steelhead; however, the habitat is considered low-quality due to the lack of spawning habitat, fish passage barriers in the concrete channel, and sediment and debris accumulations in the concrete channel. The critical habitat will benefit from this project by providing steelhead passage to the upper watershed for migration and spawning. The channel downstream of Hollister Avenue is lived with concrete and a complete barrier to upstream movement of steelhead (Stoecker et al. 2002). The Project is designed to increase flood conveyance capacity and improve the existing passage conditions for steelhead. Therefore, impacts to critical habitat for steelhead are not expected and no further actions are recommended.

5.3 Jurisdictional Waters and Wetlands Impact Analysis

The proposed project would have a significant effect on biological resources if it would:

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

As discussed above, San Jose Creek and its associated riparian areas occur within the Project area. Permanent impacts associated with Project activities will occur in the upstream natural channel as a result of re-grading the natural channel and placing riprap on the banks and channel bottom to extend the Hollister Avenue Bridge 'hydraulic transition feature' to the north to form an expanded bridge approach. No permanent impacts associated with Project activities will occur within the downstream portion of the channel nor within the concrete channel. Temporary impacts associated with Project activities in the upstream natural channel will include accessing the natural channel from the western bank via a temporary access ramp that will be built partially within the Project footprint (eastern and downhill portion), which will be situated in the same location as where the riprap will be placed for the 'hydraulic transition feature'. The remainder of the temporary access ramp (western and uphill portion) will be located within the construction footprint of the Hollister Avenue Bridge project area, an area that has already been impacted and therefore no impacts will occur as a result of the Project. Temporary impacts will also occur from re-grading the natural channel over a distance of about 320 feet by excavating the unconsolidated channel bottom bed materials between the left and right channel bank toes to form a new natural channel bed gradient and channel profile commensurate with the approximate original channel profile. No temporary impacts will occur in the downstream natural channel. Temporary impacts associated with Project activities in the concrete channel will include accessing the concrete channel from the western bank via the existing concrete ramp into the channel; operation of equipment along the channel bottom to construct the project; and removing the existing weirs and building the new weirs. Temporary impacts in the concrete channel may also include the use of a temporary diversion if water is present where weirs need to be removed or built. Upon project completion, the diversion will be removed. Equipment will not be operated in, or traverse through, ponded or flowing water.

Non-wetland waters of the U.S., non-wetland waters of the State, CDFW-jurisdictional streambed/riparian habitat, and City-designated wetlands and SPAs will be permanently and temporarily impacted in the upstream natural channel. Permanent impacts would occur in the natural channel from placement of riprap on the banks and channel bottom for the 'hydraulic transition feature'. Temporary impacts would occur from activities such as removal of all timber wedge structures in the concrete channel, addition of new vortex-type weirs in the concrete channel, operation of equipment in the channel bottom, and re-grading the upstream natural channel bottom. Non-wetland waters of the U.S., non-wetland waters of the State, and CDFW-jurisdictional streambeds, and the City SPA will be temporarily impacted in the concrete channel. Temporary impacts would occur as a result of installation of operation of equipment along the channel bottom and diversion if water is present where weirs need to be removed or built. No USACE wetland waters of the U.S., Central Coast RWQCB wetland waters of the State, nor coastal wetlands under the jurisdiction of the California Coastal Commission would be impacted. Impacts to jurisdictional waters are summarized in Table 7 and displayed in Figure 10.

In addition to complying with applicable regulations and permit conditions, the Project includes surveys, GPMs, and CEQA measures as outlined Section 0 and indirect impacts from construction materials that could adversely affect water quality (e.g., increase turbidity, alter pH, decrease dissolved oxygen levels) will be avoided.

Implementation of IS-MND BIO-2 and BIO-3 would ensure that any potential impacts to jurisdictional waters that support protected native trees and riparian vegetation would be less than significant. IS-MND BIO-2 requires the preparation of a NTPRP that details protected native trees that would be removed, details protected native trees that the contractor would preserve, and outlines the required mitigation required as a result of impacts. IS-MND BIO-3 includes a RVPRP that aims to minimize damage to riparian vegetation and will outline the required mitigation required as a result of impacts from removed native vegetation. All riparian vegetation that will be temporarily impacted at the toe of the bank slopes of the upstream natural channel will be restored in place, including replacement of protected native trees that will need to be removed as a result of re-grading the natural channel to match the historic elevation and ensure fish passage.

Table 7 Impacts to Potentially Jurisdictional Waters Delineated within the Study Area

	USACE		RWQCB		CDFW	CCC	City	City
Feature	Non-wetland Waters of the U.S. (acres/linear feet)	Wetland Waters of the U.S. (acres/linear feet)	Non-wetland Waters of the State (acres/linear feet)	Wetland Waters of the State (acres/linear feet)	CDFW-jurisdictional Streambeds (acres/linear feet)	Coastal Wetlands (acres/linear feet)	Wetlands (acres/linear feet)	Streamside Protection Areas (acres/linear feet)
San Jose Creek								
Permanent Impact – Natural Channel	0.02/57	–	0.09/57	–	0.09/57	0	0.09/57	0.11/57
Permanent Impact – Concrete Channel	0	–	0	–	0	–	–	–
Temporary Impact – Natural Channel	0.11/320	–	0.15/320	–	0.15/320	0	0.15/320	0.15/320
Temporary Impact – Concrete Channel	4.38/4,162	–	4.99/4,162	–	4.99/4,162	–	0/0	4.99/4,162
Total Permanent Impact	**0.02/57**	**–**	**0.09/69**	**–**	**0.09/69**	**0**	0.09/57	0.11/57
Total Temporary Impact	**4.49/4,482**	**–**	**5.14/4,482**	**–**	**5.14/4,482**	**0**	**0.15/320**	**5.14/4,482**

5.4 Wildlife Movement Impact Analysis

The proposed project would have a significant effect on biological resources if it would:

d) Interfere substantially with the movement of any resident or migratory fish or wildlife species or with established resident or migratory wildlife corridors, or impede the use of wildlife nursery sites.

No mapped wildlife movement corridors are present within the study area. However, the study area is within San Jose Creek, which wildlife may travel through. Surrounding vegetated areas provide suitable small-scale wildlife movement corridors for wildlife to travel locally and are important in linking non-contiguous or fragmented wildlife habitats. The Project site itself is primarily surrounded by urban development, including SR 217, Hollister Avenue Bridge, and Jonny D. Wallis Neighborhood Park, which make it less ideal as a wildlife movement route. As described in the Project Description in Section 1.3, the Project will not introduce new barriers to movement of any resident or migratory wildlife species (i.e., fish), as the Project is replacing existing fish weirs for steelhead migration. Therefore, the Project impacts on wildlife movement would be less than significant.

5.5 Resources Protected by Local Policies and Ordinances Impact Analysis

The proposed project would have a significant effect on biological resources if it would:

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance

Environmentally Sensitive Habitat Areas

The proposed Project would be required to comply with the goals, policies, and measures of the City's policies and development standards regulating biological resources. Implementation of BIO-2 through BIO-4 would ensure that any potential impacts to ESHAs (e.g., Riparian/Marsh ESHA, Raptor Roosting ESHA, and Open Water ESHA) would be less than significant, as further discussed below in the Protected Trees section.

Protected Trees

Given the distance from Project activities, the Sister Witness Tree is not expected to be impacted. Native trees were identified throughout the study area within the black cottonwood woodlands, California sycamore – coast live oak riparian woodlands, and arroyo willow thick vegetation communities. Seventeen individual protected native trees, excluding arroyo willows which are treated as habitat and not as individual trees per IS-MND BIO-2, are located at or near the toe of the creek banks and will be temporarily impacted by encroachment into the root zone only, as shown in Table 8 and displayed in Figure 11. The depth of grading adjacent to where the temporarily impacted trees are located ranges from 3 feet downstream, tapering to 0 feet at the upstream limit. For mature trees located along creek banks, structural anchor roots establish on the uphill side of the tree, up the bank; these roots will not be impacted by grading. For mature trees located along creek banks, feeder roots establish in the creek bottom and on the downhill side of the tree, down the bank; these roots will be minimally impacted by grading. Trees are not expected to be

structurally destabilized. No trees will be directly removed, indirectly removed as a result of grading in the channel bottom, nor trimmed. Indirect impacts to individuals would occur as a result of increased dust in the air; however, impacts would be negligible as the work area is situated adjacent to the active mining area where dust is already generated and is unlikely to change substantially from existing conditions.

Table 8 Impacts to Protected Native Trees

	Project-wide	Within CDFW-jurisdictional streambed
Protected Native Tree Species	Encroachment/Temporary Impacts (# of individuals)	Encroachment/Temporary Impacts (# of individuals)
Arroyo willow	6	6
Black cottonwood	1	1
Blue elderberry	1	1
Coast live oak	3	3
Other native tree	2	2
Southern California black walnut	1	1
Western sycamore	3	3
Total	**17**	**17**

Note: Temporary impact to the root zone only. Actual number would be determined during construction.

The proposed Project would be required to comply with the goals, policies, and measures of the City's policies and development standards regulating biological resources. The City does not currently have a tree protection ordinance in place, but the General Plan Conservation Element (CE; City 2009) Policy CE-9 states that removal of mature native trees shall be mitigated.

Implementation of IS-MND BIO-2 and BIO-3 would ensure that any potential impacts would be less than significant. IS-MND BIO-2 requires the preparation of a NTPRP that details protected native trees that would be removed, details protected native trees that the contractor would preserve, and outlines the required mitigation required as a result of impacts. IS-MND BIO-3 includes a RVPRP that aims to minimize damage to riparian vegetation and will outline the required mitigation required as a result of impacts from removed native vegetation. All riparian vegetation that will be temporarily impacted at the toe of the creek banks in the upstream natural channel will be restored in place. Native shrubs and trees will be installed, including the same protected native tree species that will be temporarily encroached upon in the root zone as a result of re-grading the natural channel to match the historic elevation and ensure fish passage.

5.6 Habitat Conservation Plans Impact Analysis

The proposed project would have a significant effect on biological resources if it would:

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state habitat conservation plan.

The Project parcel does not occur within any HCP, NCCP, or other approved local, regional, or state habitat conservation plan areas. The proposed Project would not conflict with the provisions of any such plans. Therefore, the proposed Project would have no impact to HCP, NCCP, or other approved local, regional, or state habitat conservation plans.

Figure 9 Impacts to Sensitive Natural Vegetation Communities

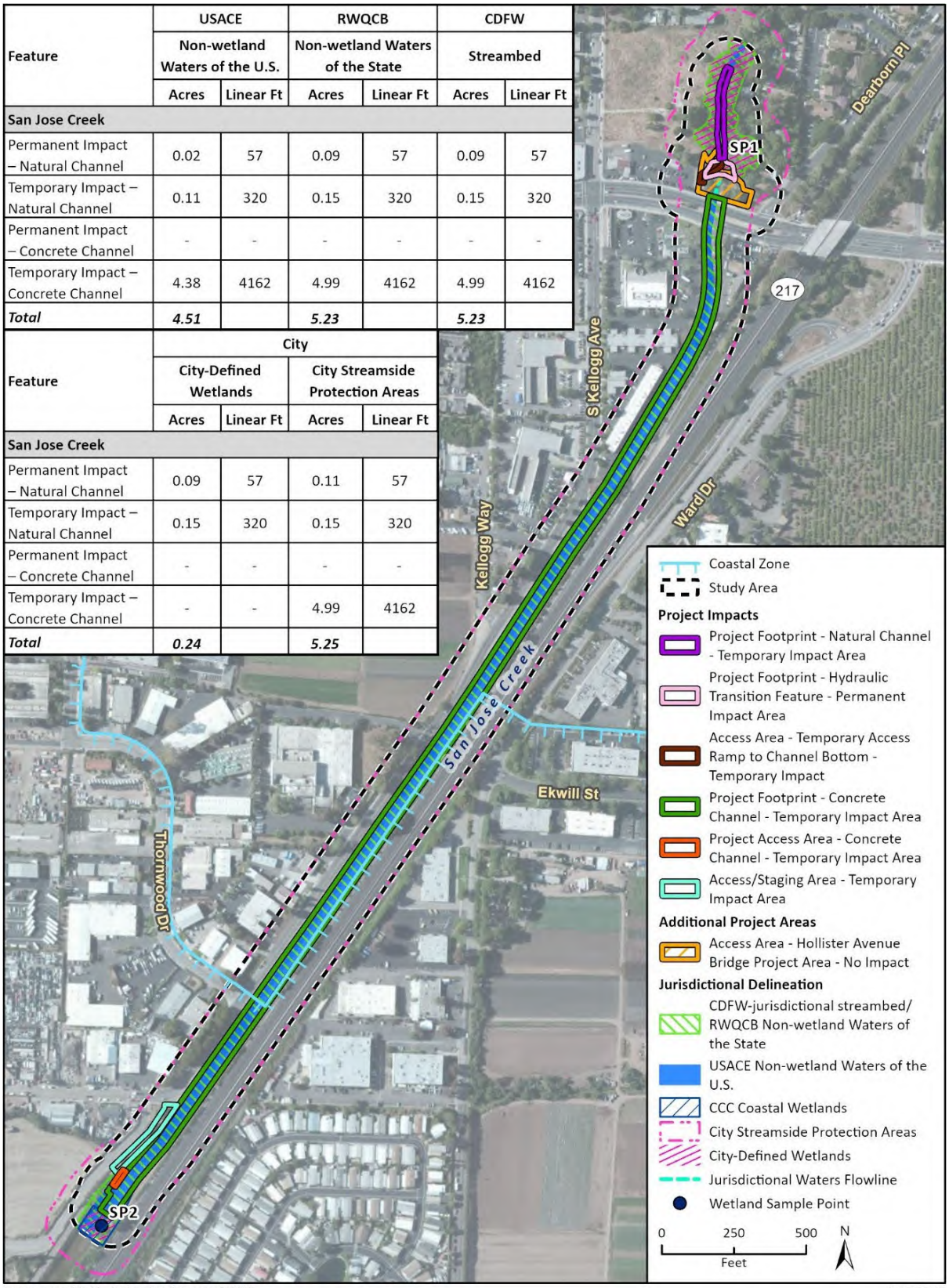


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Figure 10 Impacts to Jurisdictional Waters

Feature	USACE		RWQCB		CDFW	
	Non-wetland Waters of the U.S.		Non-wetland Waters of the State		Streambed	
	Acres	Linear Ft	Acres	Linear Ft	Acres	Linear Ft
San Jose Creek						
Permanent Impact – Natural Channel	0.02	57	0.09	57	0.09	57
Temporary Impact – Natural Channel	0.11	320	0.15	320	0.15	320
Permanent Impact – Concrete Channel	-	-	-	-	-	-
Temporary Impact – Concrete Channel	4.38	4162	4.99	4162	4.99	4162
Total	***4.51***		***5.23***		***5.23***	

Feature	City			
	City-Defined Wetlands		City Streamside Protection Areas	
	Acres	Linear Ft	Acres	Linear Ft
San Jose Creek				
Permanent Impact – Natural Channel	0.09	57	0.11	57
Temporary Impact – Natural Channel	0.15	320	0.15	320
Permanent Impact – Concrete Channel	-	-	-	-
Temporary Impact – Concrete Channel	-	-	4.99	4162
Total	***0.24***		***5.25***	



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22-12484 BIO
Fig X Jurisdictional Delineation Overview Impacts

Figure 11 Impacts to Protected Native Trees



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22-13484 BIO
Fig X Tree Location Overview Impacts

6 Limitations, Assumptions, and Use Reliance

This Biological Resources Assessment has been performed in accordance with professionally accepted biological investigation practices conducted at this time and in this geographic area. The biological investigation is limited by the scope of work performed. Reconnaissance biological surveys for certain taxa may have been conducted as part of this assessment but were not performed during a particular blooming period, nesting period, or particular portion of the season when positive identification would be expected if present, and therefore, cannot be considered definitive. The biological surveys are limited also by the environmental conditions present at the time of the surveys. In addition, general biological (or protocol) surveys do not guarantee that the organisms are not present and will not be discovered in the future within the site. In particular, mobile wildlife species could occupy the site on a transient basis, or re-establish populations in the future. Our field studies were based on current industry practices, which change over time and may not be applicable in the future. No other guarantees or warranties, expressed or implied, are provided. The findings and opinions conveyed in this report are based on findings derived from site reconnaissance, jurisdictional areas, review of CNDDB RareFind5, and specified historical and literature sources. Standard data sources relied upon during the completion of this report, such as the CNDDB, may vary with regard to accuracy and completeness. In particular, the CNDDB is compiled from research and observations reported to CDFW that may or may not have been the result of comprehensive or site-specific field surveys. Although Rincon believes the data sources are reasonably reliable, Rincon cannot and does not guarantee the authenticity or reliability of the data sources it has used. Additionally, pursuant to our contract, the data sources reviewed included only those that are practically reviewable without the need for extraordinary research and analysis.

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Appendix A

Regulatory Setting

Regulatory Setting

The following is a brief summary of the regulatory context under which biological resources are managed at the federal, state, and local levels. A number of federal and state statutes provide a regulatory structure that guides the protection of biological resources. Agencies with the responsibility for protection of biological resources within the project site include the following:

- U.S. Army Corps of Engineers (wetlands and other waters of the United States)
- U.S. Fish and Wildlife Service (federally listed species and migratory birds)
- National Marine Fisheries Service (marine wildlife and anadromous fishes)
- Central Coast Regional Water Quality Control Board (waters of the State)
- California Department Fish and Wildlife (riparian areas, streambeds, and lakes; state-listed species; nesting birds, marine resources)
- California Coastal Commission
- City of Goleta

United States Army Corps of Engineers

The United States Army Corps of Engineers (USACE) is responsible for administering several federal programs related to ensuring the quality and navigability of the nation's waters.

Clean Water Act Section 404

Congress enacted the Clean Water Act (CWA) "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." The CWA establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters. The basis of the CWA was enacted in 1948 and was called the Federal Water Pollution Control Act, but the law was significantly reorganized and expanded in 1972. "Clean Water Act" became the law's common name with amendments in 1972.

Section 404 of the CWA establishes a program to regulate the discharge of dredged or fill material into waters of the United States, including wetlands. Section 404 of the CWA authorizes the Secretary of the Army, acting through the USACE, to issue permits regulating the discharge of dredged or fill materials into the "navigable waters at specified disposal sites." Section 404 requires that a permit be issued before dredged or fill material may be discharged into waters of the United States, unless the activity is exempt from regulation under Section 404 (e.g., certain farming and forestry activities).

Waters of the U.S.

The USACE and US Environmental Protection Agency (USEPA) have undertaken several efforts to modernize their regulations defining "waters of the United States" (e.g., the 2015 Clean Water Rule and 2020 Navigable Waters Protection Rule), but these efforts have been frustrated by legal challenges which have invalidated the updated regulations. As a result of the Supreme Court ruling in *Sackett v. Environmental Protection Agency*, EPA and USACE issued a final rule that amends the "Revised Definition of 'Waters of the United States'" to conform key aspects of the regulatory text to the U.S. Supreme Court's decision (88 Federal Register 61964–61969, September 8, 2023).

Under the "Revised Definition of 'Waters of the United States'; Conforming" rule, the term "waters of the United States" is defined as follows (33 CFR 328.3[a]):

(1) Waters which are:
   (i) Currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
   (ii) The territorial seas; or
   (iii) Interstate waters;

(2) Impoundments of waters otherwise defined as waters of the United States under this definition, other than impoundments of waters identified under paragraph (a)(5) of this section;

(3) Tributaries of waters identified in paragraph (a)(1) or (2) of this section that are relatively permanent, standing or continuously flowing bodies of water;

(4) Wetlands adjacent to the following waters:
   (i) Waters identified in paragraph (a)(1) of this section; or
   (ii) Relatively permanent, standing or continuously flowing bodies of water identified in paragraph (a)(2) or (a)(3) of this section and with a continuous surface connection to those waters;

(5) Intrastate lakes and ponds not identified in paragraphs (a)(1) through (4) of this section that are relatively permanent, standing or continuously flowing bodies of water with a continuous surface connection to the waters identified in paragraph (a)(1) or (a)(3) of this section.

In addition, the amended regulations include eight types of excluded waters (33 CFR 328.3[b]) which are not "waters of the United States" even where they otherwise meet the terms of paragraphs (a)(2) through (5) of this section:

(1) Waste treatment systems, including treatment ponds or lagoons, designed to meet the requirements of the Clean Water Act;

(2) Prior converted cropland designated by the Secretary of Agriculture. The exclusion would cease upon a change of use, which means that the area is no longer available for the production of agricultural commodities. Notwithstanding the determination of an area's status as prior converted cropland by any other Federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with EPA;

(3) Ditches (including roadside ditches) excavated wholly in and draining only dry land and that do not carry a relatively permanent flow of water;

(4) Artificially irrigated areas that would revert to dry land if the irrigation ceased;

(5) Artificial lakes or ponds created by excavating or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing;

(6) Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating or diking dry land to retain water for primarily aesthetic reasons;

(7) Waterfilled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States; and

(8) Swales and erosional features (e.g., gullies, small washes) characterized by low volume, infrequent, or short duration flow.

The lateral limits of USACE jurisdiction in non-tidal waters is defined by the "ordinary high-water mark" (OHWM) unless adjacent wetlands are present. The OHWM is a line on the shore or edge of a channel established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed upon the bank, shelving, changes in the character of soil, destruction of vegetation, or the presence of debris (33 CFR 328.3(e)). As such, waters are recognized in the field by the presence of a defined watercourse with appropriate physical and topographic features. If wetlands occur within, or adjacent to, waters of the United States, the lateral limits of USACE jurisdiction extend beyond the OHWM to the outer edge of the wetlands (33 CFR 328.4 (c)). The upstream limit of jurisdiction in the absence of adjacent wetlands is the point beyond which the OHWM is no longer perceptible (33 CFR 328.4; see also 51 FR 41217).

Wetlands

The USACE defines wetlands as "those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3). Indicators of three wetland parameters (hydric soils, hydrophytic vegetation, and wetlands hydrology), as determined by site investigation, must be present at a site for USACE to classify the site as a wetland (Environmental Laboratory 1987).

Applicable Case Law and Agency Guidance

The USACE's regulations defining "waters of the United States" have been subject to legal interpretation, and two influential Supreme Court decisions have narrowed the definition to exclude certain classes of waters that bear an insufficient connection to navigable waters. In *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* (2001), the United States Supreme Court stated that the USACE's CWA jurisdiction does not extend to ponds that "are not adjacent to open water." In reaching its decision, the Court concluded that the "Migratory Bird Rule," which served as the basis for the USACE's asserted jurisdiction, was not supported by the CWA. The Migratory Bird Rule extended CWA jurisdiction to intrastate waters "which are or would be used as habitat by birds protected by Migratory Bird Treaties or which are or would be used as habitat by other migratory birds which cross state lines…" The Court was concerned that application of the Migratory Bird Rule resulted in "reading the term 'navigable waters' out of the statute. Highlighting the language of the CWA to determine the statute's jurisdictional reach, the Court stated, "the term 'navigable' has at least the import of showing us what Congress had in mind as its authority for enacting the CWA: its traditional jurisdiction over waters that were or had been navigable in fact or which could reasonably be so made." This decision stands for the proposition that non-navigable isolated, intrastate waters are not waters of the United States and thus are not jurisdictional under the CWA.

In 2006, the United States Supreme Court decided *Rapanos v. United States* and *Carabell v. United States* (collectively "Rapanos"), which were consolidated cases determining the extent of CWA jurisdiction over waters that carry only an infrequent surface flow. The court issued no majority opinion in Rapanos. Instead, the justices authored five separate opinions including the "plurality" opinion, authored by Justice Scalia (joined by three other justices), and a concurring opinion by Justice Kennedy. To guide implementation of the decision, the USACE and USEPA issued a joint guidance memorandum ("Rapanos Guidance Memorandum") in 2008 stating that "regulatory jurisdiction under the CWA exists over a water body if either the plurality's or Justice Kennedy's standard is satisfied."

According to the plurality opinion in Rapanos, "the waters of the United States include only relatively permanent, standing or flowing bodies of water" and do not include "ordinarily dry channels through which water occasionally or intermittently flows." In addition, while all wetlands that meet the USACE definition are considered adjacent wetlands, only those adjacent wetlands that have a continuous surface connection because they directly abut the tributary (e.g., they are not separated by uplands, a berm, dike, or similar feature) are considered jurisdictional under the plurality standard.

Under Justice Kennedy's opinion, "the USACE's jurisdiction over wetlands depends upon the existence of a significant nexus between the wetlands in question and navigable waters in the traditional sense. Wetlands possess the requisite nexus, and thus come within the statutory phrase 'navigable waters,' if the wetlands, either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity of other covered waters more readily understood as 'navigable.' When, in contrast, wetlands' effects on water quality are speculative or insubstantial, they fall outside the zone fairly encompassed by the statutory term 'navigable waters.'" Justice Kennedy identified "pollutant trapping, flood control, and runoff storage" as some of the critical functions wetlands can perform relative to other waters. He concluded that, given wetlands' ecological role, "mere adjacency" to a non-navigable tributary was insufficient to establish CWA jurisdiction, and that "a more specific inquiry, based on the significant nexus standard, is therefore necessary."

Interpreting these decisions, and according to the Rapanos Guidance Memorandum, the USACE and USEPA will assert jurisdiction over the following waters:

- Traditional navigable waters;
- Wetlands adjacent to traditional navigable waters;
- Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically three months); and,
- Wetlands that directly abut such tributaries.

The USACE and USEPA will decide jurisdiction over the following waters based on a fact-specific analysis to determine whether they have a significant nexus with a traditional navigable water:

- Non-navigable tributaries that are not relatively permanent;
- Wetlands adjacent to non-navigable tributaries that are not relatively permanent; and,
- Wetlands adjacent to but that do not directly abut a relatively permanent non-navigable tributary.

Where a significant nexus analysis is required, the USACE and USEPA will apply the significant nexus standard as follows:

- A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters; and,
- Significant nexus includes consideration of hydrologic and ecologic factors.

The USACE and USEPA generally will not assert jurisdiction over the following features:

- Swales or erosional features (e.g., gullies, small washes characterized by low volume, infrequent, or short duration flow); and
- Ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water.

Rivers and Harbors Act Section 10

Section 10 of the Rivers and Harbors Act of 1899 requires authorization from the USACE for the construction of any structure in or over any navigable water of the United States. Structures or work outside the limits defined for navigable waters of the United States require a Section 10 permit if the structure or work affects the course, location, or condition of the water body. The law applies to any dredging or disposal of dredged materials, excavation, filling, re-channelization, or any other modification of a navigable water of the United States, and applies to all structures and work. It further includes, without limitation, any wharf, dolphin, weir, boom breakwater, jetty, groin, bank protection (e.g., riprap, revetment, bulkhead), mooring structures such as pilings, aerial or subaqueous power transmission lines, intake or outfall pipes, permanently moored floating vessel, tunnel, artificial canal, boat ramp, aids to navigation, and any other permanent, or semi-permanent obstacle or obstruction. It is important to note that Section 10 applies only to navigable waters, and thus does not apply to work in non-navigable wetlands or tributaries. In some cases, Section 10 authorization is issued by the USACE concurrently with CWA Section 404 authorization, such as when certain Nationwide Permits are used.

Coastal Zone Management Act of 1972

The Coastal Zone Management Act of 1972 (16 USC 1451 et seq.), administered by the National Oceanic and Atmospheric Administration (NOAA), provides for the management of the nation's coastal resources, including the Great Lakes. The goal is to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone." Each federal agency activity within or outside of the coastal zone that affects any land or water use or natural resources of the coastal zone must be carried out in a manner consistent to the maximum extent practicable with the enforceable policies of the approved state management programs. The policies of the California Coastal Act of 1976 (Coastal Act) govern the types of developments and uses allowed within wetlands and other waters within the Coastal Zone, including open coastal waters. Along the Pacific coast, open coastal waters extend from the mean high-water (MHW) line to the state's outer limit of jurisdiction, approximately 3 miles offshore.

Regional Water Quality Control Board

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) have jurisdiction over "waters of the State," which are defined as any surface water or groundwater, including saline waters, within the boundaries of the state (California Water Code sec. 13050(e)). These agencies also have responsibilities for administering portions of the CWA.

Clean Water Act Section 401

Section 401 of the CWA requires an applicant requesting a federal license or permit for an activity that may result in any discharge into navigable waters (such as a Section 404 Permit) to provide state certification that the proposed activity will not violate state and federal water quality standards. In California, CWA Section 401 Water Quality Certification (Section 401 Certification) is issued by the RWQCBs and by the SWRCB for multi-region projects. The process begins when an applicant submits an application to the RWQCB and informs the USACE (or the applicable agency from which a license or permit was requested) that an application has been submitted. The USACE will then determine a "reasonable period of time" for the RWQCB to act on the application; this is typically 60 days for routine projects and longer for complex projects but may not exceed one year. When the period has elapsed, if the RWQCB has not either issued or denied the application for Section 401 Certification, the USACE may determine that Certification has been waived and issue the requested permit. If a Section 401 Certification is issued it may include binding conditions, imposed either through the Certification itself or through the requested federal license or permit.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code section 13000 et seq.), the policy of the State is as follows:

- The quality of all the waters of the State shall be protected
- All activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason
- The State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation

The Porter-Cologne Act established nine RWQCBs (based on watershed boundaries) and the SWRCB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The SWRCB and RWQCBs have numerous nonpoint source related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

Section 13260 of the Porter-Cologne Act requires any person discharging or proposing to discharge waste that could affect the quality of waters of the State to file a Report of Waste Discharge with the appropriate RWQCB. The RWQCB may then authorize the discharge, subject to conditions, by issuing Waste Discharge Requirements (WDRs). While this requirement was historically applied primarily to outfalls and similar point source discharges, the SWRCB's *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*, effective May 2020, make it clear that the agency will apply the Porter-Cologne Act's requirements to discharges of dredge and fill material as well. The *Procedures* state that they are to be used in issuing CWA Section 401 Certifications and WDRs and largely mirror the existing review requirements for CWA Section 404 Permits and Section 401 Certifications, incorporating most elements of the USEPA's

Section 404(b)(1) Guidelines. Following issuance of the *Procedures*, the SWRCB produced a consolidated application form for dredge/fill discharges that can be used to obtain a CWA Section 401 Water Quality Certification, WDRs, or both.

Non-Wetland Waters of the State

The SWRCB and RWQCBs have not established regulations for field determinations of waters of the state except for wetlands currently. In many cases the RWQCBs interpret the limits of waters of the State to be bounded by the OHWM unless isolated conditions or ephemeral waters are present. However, in the absence of statewide guidance each RWQCB may interpret jurisdictional boundaries within their region and the SWRCB has encouraged applicants to confirm jurisdictional limits with their RWQCB before submitting applications. As determined by the RWQCB, waters of the State may include riparian areas or other locations outside the OHWM, leading to a larger jurisdictional area over a given water body compared to the USACE.

Wetland Waters of the State

Procedures for defining wetland waters of the State pursuant to the SWRCB's *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* went into effect May 28, 2020. The SWRCB defines an area as wetland if, under normal circumstances:

(i) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both;

(ii) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and

(iii) the area's vegetation is dominated by hydrophytes or the area lacks vegetation.

The SWRCB's Implementation Guidance for the Wetland Definition and Procedures for Discharges of Dredge and Fill Material to Waters of the State (2020), states that waters of the U.S. and waters of the State should be delineated using the standard USACE delineation procedures, taking into consideration that the methods shall be modified only to allow for the fact that a lack of vegetation does not preclude an area from meeting the definition of a wetland.

California Coastal Act of 1976

The Coastal Act (Public Resources Code Section 30000 et seq.) was enacted to establish policies and guidelines that provide direction for the conservation and development of the California coastline. The Coastal Act established the California Coastal Commission (CCC) and created a state and local government partnership to ensure that public concerns regarding coastal development are addressed. Some of the basic goals of this program are to protect, maintain, and, where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and artificial resources; maximize public access to and public recreational opportunities along the coast; and ensure priority for coastal-dependent and coastal-related development over other development on the coast.

The CCC serves as the coastal management and regulatory agency with jurisdiction over the Coastal Zone (Public Resources Code Section 30103). The California Coastal Zone generally extends seaward 3 miles and inland anywhere from 0.5 miles to 5 miles. The CCC is responsible for assisting in the preparation, review, and certification of Local Coastal Programs/Local Coastal Plans (LCPs), which

are developed by municipalities for that portion of their jurisdiction that falls within the Coastal Zone. Once the LCP has been certified, regulatory responsibility is delegated to the local jurisdiction, although the CCC retains jurisdiction over the immediate shoreline.

In accordance with the CCA, the CCC defines coastal wetlands as generally extending seaward to the state's outer limit of jurisdiction (i.e., three nautical miles from the Mean Hight Tide Line (MHTL) and inland generally 1,000 yards from the MHTL (CCC 2011). In contrast to wetland waters of the U.S., potential coastal wetland features are defined by the presence of one of the three USACE wetland indicators (California Code of Regulations Title 14 (14 CCR)). The one parameter definition as follows:

> Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. (14 CCR Section 13577).

United States Fish and Wildlife Service

The United States Fish and Wildlife Service (USFWS) implements several laws protecting the Nation's fish and wildlife resources, including the Endangered Species Act (ESA; 16 United States Code [USC] Sections 153 et seq.), the Migratory Bird Treaty Act (MBTA; 16 USC Sections 703-711) and the Bald and Golden Eagle Protection Act (16 USC Section 668).

Endangered Species Act

The USFWS and NOAA National Marine Fisheries Service (NMFS) share responsibility for implementing the ESA. Generally, the USFWS implements the FESA for terrestrial and freshwater species, while the NMFS implements the FESA for marine and anadromous species. Projects that would result in "take" of any threatened or endangered wildlife species, or a threatened or endangered plant species if occurring on federal land, are required to obtain permits from the USFWS or NMFS through either Section 7 (interagency consultation with a federal nexus) or Section 10 (Habitat Conservation Plan) of the ESA, depending on the involvement by the federal government in funding, authorizing, or carrying out the project. The permitting process is used to determine if a project would jeopardize the continued existence of a listed species and what measures would be required to avoid jeopardizing the species. "Take" under federal definition means to harass, harm (which includes habitat modification), pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct. Proposed or candidate species do not have the full protection of the ESA; however, the USFWS and NMFS advise project applicants that they could be elevated to listed status at any time.

Migratory Bird Treaty Act

The MBTA of 1918 implements four international conservation treaties that the U.S. entered into with Canada in 1916, Mexico in 1936, Japan in 1972, and Russia in 1976. It is intended to ensure the sustainability of populations of all protected migratory bird species. The law has been amended with the signing of each treaty, as well as when any of the treaties were amended, such as with Mexico in

1976 and Canada in 1995. The MBTA prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the USFWS.

The list of migratory bird species protected by the law, in regulations at 50 CFR Part 10.13, is primarily based on bird families and species included in the four international treaties. A migratory bird species is included on the list if it meets one or more of the following criteria:

1. It occurs in the United States or U.S. territories as the result of natural biological or ecological processes and is currently, or was previously listed as, a species or part of a family protected by one of the four international treaties or their amendments.
2. Revised taxonomy results in it being newly split from a species that was previously on the list, and the new species occurs in the United States or U.S. territories as the result of natural biological or ecological processes.
3. New evidence exists for its natural occurrence in the United States or U.S. territories resulting from natural distributional changes and the species occurs in a protected family.

In 2004, the Migratory Bird Treaty Reform Act limited the scope of the MBTA by stating the MBTA applies only to migratory bird species that are native to the United States or U.S. territories, and that a native migratory bird species is one that is present as a result of natural biological or ecological processes. The MBTRA requires the USFWS to publish a list of all nonnative, human-introduced bird species to which the MBTA does not apply, and an updated list was published in 2020. The 2020 update identifies species belonging to biological families referred to in treaties the MBTA implements but are not protected because their presence in the United States or U.S. territories is solely the result of intentional or unintentional human-assisted introductions.

Bald and Golden Eagle Protection Act

The Bald and Golden Eagle Protection Act prohibits anyone, without a permit issued by the USFWS, from “taking” bald or golden eagles, including their parts (including feathers), nests, or eggs. The Act provides criminal penalties for persons who “take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export or import, at any time or any manner, any bald eagle ... [or any golden eagle], alive or dead, or any part, nest, or egg thereof.” The Act defines “take” as “pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb.”

“Disturb” means “to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior.”

In addition to immediate impacts, this definition also covers impacts that result from human-induced alterations initiated around a previously used nest site during a time when eagles are not present, if, upon the eagle's return, such alterations agitate or bother an eagle to a degree that interferes with or interrupts normal breeding, feeding, or sheltering habits, and causes injury, death or nest abandonment.

California Department of Fish and Wildlife

The California Department of Fish and Wildlife (CDFW) derives its authority from the Fish and Game Code of California and administers several State laws protecting fish and wildlife resources and the habitats upon which they depend.

California Endangered Species Act

The California Endangered Species Act (CESA) (Fish and Game Code Section 2050 et. seq.) prohibits take of state listed threatened or endangered. Take under CESA is defined as "Hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" (Fish and Game Code sec. 86). This definition does not prohibit indirect harm by way of habitat modification, except where such harm is the proximate cause of death of a listed species. Where incidental take would occur during construction or other lawful activities, CESA allows the CDFW to issue an Incidental Take Permit upon finding, among other requirements, that impacts to the species have been minimized and fully mitigated. Unlike the federal ESA, CESA's protections extend to candidate species during the period (typically one year) while the California Fish and Game Commission decides whether the species warrants CESA listing.

Native Plant Protection Act

The CDFW also has authority to administer the Native Plant Protection Act (NPPA) (Fish and Game Code Section 1900 et seq.). The NPPA requires the CDFW to establish criteria for determining if a species, subspecies, or variety of native plant is endangered or rare, and prohibits the take of listed plant species. Effective in 2015, CDFW promulgated regulations (14 CCR 786.9) under the authority of the NPPA, establishing that the CESA's permitting procedures would be applied to plants listed under the NPPA as "Rare." With this change, there is little practical difference for the regulated public between plants listed under CESA and those listed under the NPPA.

Fully Protected Species Laws

The CDFW enforces Sections 3511, 4700, 5050, and 5515 of the Fish and Game Code, which prohibit take of species designated as Fully Protected. The CDFW is not allowed to issue an Incidental Take Permit for Fully Protected species; therefore, impacts to these species must be avoided. The exception is situations where a Natural Community Conservation Plan (NCCP) is in place that authorizes take of the fully protected species.

Avian Protection Laws

California Fish and Game Code sections 3503, 3503.5, and 3513 describe unlawful take, possession, or destruction of native birds, nests, and eggs. Section 3503.5 of the Code protects all birds-of-prey and their eggs and nests against take, possession, or destruction of nests or eggs. Section 3513 makes it a state-level offense to take any bird in violation of the federal Migratory Bird Treaty Act.

Protection of Lakes and Streambeds

California Fish and Game Code section 1602 states that it is unlawful for any person to "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake" without first notifying the California Department of Fish and Wildlife (CDFW) of that activity. Thereafter, if CDFW determines and informs the entity that

the activity will not substantially adversely affect any existing fish or wildlife resources, the entity may commence the activity. If, however, CDFG determines that the activity may substantially adversely affect an existing fish or wildlife resource, the entity may be required to obtain from CDFW a Streambed Alteration Agreement (SAA), which will include reasonable measures necessary to protect the affected resource(s), before the entity may conduct the activity described in the notification. Upon receiving a complete Notification of Lake/Streambed Alteration, CDFW has 60 days to present the entity with a Draft SAA. Upon review of the Draft SAA by the applicant, any problematic terms are negotiated with CDFW and a final SAA is executed.

The CDFW has not defined the term "stream" for the purposes of implementing its regulatory program under Section 1602, and the agency has not promulgated regulations directing how jurisdictional streambeds may be identified, or how their limits should be delineated. However, four relevant sources of information offer insight as to the appropriate limits of CDFW jurisdiction as discussed below.

- **The plain language of Section 1602 of CFGC** establishes the following general concepts:
  - References "river," "stream," and "lake"
  - References "natural flow"
  - References "bed," "bank," and "channel"
- **Applicable court decisions**, in particular *Rutherford v. State of California* (188 Cal App. 3d 1276 (1987), which interpreted Section 1602's use of "stream" to be as defined in common law. The Court indicated that a "stream" is commonly understood to:
  - Have a source and a terminus
  - Have banks and a channel
  - Convey flow at least periodically, but need not flow continuously and may at times appear outwardly dry
  - Represent the depression between the banks worn by the regular and usual flow of the water
  - Include the area between the opposing banks measured from the foot of the banks from the top of the water at its ordinary stage, including intervening sand bars
  - Include the land that is covered by the water in its ordinary low stage
  - Include lands below the OHWM
- **CDFW regulations** defining "stream" for other purposes, including sport fishing (14 CCR 1.72) and streambed alterations associated with cannabis production (14 CCR 722(c)(21)), which indicate that a stream:
  - Flows at least periodically or intermittently
  - Flows through a bed or channel having banks
  - Supports fish or aquatic life
  - Can be dry for a period of time
  - Includes watercourses where surface or subsurface flow supports or has supported riparian vegetation

- **Guidance documents**, *including A Field Guide to Lake and Streambed Alteration Agreements* (CDFG 1994) and *Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants* (Brady and Vyverberg 2013), which suggest the following:
  - A stream may flow perennially or episodically
  - A stream is defined by the course in which water currently flows, or has flowed during the historic hydrologic course regime (approximately the last 200 years)
  - Width of a stream course can reasonably be identified by physical or biological indicators
  - A stream may have one or more channels (single thread vs. compound form)
  - Features such as braided channels, low-flow channels, active channels, banks associated with secondary channels, floodplains, islands, and stream-associated vegetation, are interconnected parts of the watercourse
  - Canals, aqueducts, irrigation ditches, and other means of water conveyance can be considered streams if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife
  - Biologic components of a stream may include aquatic and riparian vegetation, all aquatic wildlife including fish, amphibians, reptiles, invertebrates, and terrestrial species which derive benefits from the stream system
  - The lateral extent of a stream can be measured in different ways depending on the particular situation and the type of fish or wildlife resource at risk

The tenets listed above, among others, are applied to establish the boundaries of streambeds in various environments. Importance of each factor may be weighted based on site-specific considerations and the applicability of the indicators to the streambed at hand.

Local Jurisdiction

City of Goleta General Plan

CE 2.2 Streamside Protection Areas (SPA) are established along both sides of the creeks and the purpose of the designation is to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA includes the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area.

CE 2.3 Allowable Uses and Activities in SPAs include land uses and activities such as:

- Resource restoration or enhancement projects.

CE 2.5 Maintenance of Creeks as Natural Drainage Systems. [GP/CP] 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 should apply:

- The capacity of natural drainage courses shall not be diminished by development or other activities.
- 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.

- 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.
- Drainage controls in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. On-site treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems.
- Alteration of creeks for the purpose of road or driveway crossings shall be prohibited 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, unless an environmentally superior alternative exists.

Policy CE 3: Protection of Wetlands objective is to preserve, protect, and enhance the functions and values of Goleta's wetlands.

CE 3.1 Definition of Wetlands. Wetlands are defined as any area that meets the definition of a wetland as defined by the California Coastal Commission, California Department of Fish and Game, and U.S. Fish and Wildlife Service. The most protective of definitions shall be applied and used to determine the boundary of a wetland. The City of Goleta uses the identification of a single indicator (soil, hydrology, or plants) to determine the boundary of a wetland.

CE 3.2 Designation of Wetland ESHAs. Wetland ESHAs are included on Figure 4-1. In the Coastal Zone, wetlands are lands that may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens. Goleta's wetlands are associated with small lagoons at the mouths of Bell Canyon and Tecolote Creeks, vernal pools, and freshwater marshes and ponds or impoundments, such as Lake Los Carneros. All wetlands are defined as ESHAs. Any unmapped areas that meet the criteria identified in CE 3.1 are wetlands and shall be granted all of the protections for wetlands set forth in this plan.

Policy CE 8: Protection of Special-Status Species objective is to preserve and protect habitats for threatened, endangered, or other special-status species of plants and animals in order to maintain biodiversity.

CE 8.1 ESHA Designation includes habitats such as, but are limited to, the following:

- Special-status plant species such as Santa Barbara honeysuckle, southern tarplant (*Centromadia parryi* ssp*. australis*) and black-flowered figwort (*Scrophularia atrata*).
- Habitat capable of supporting special-status invertebrate species, such as the globose dune beetle (*Coelus globosus*), and roosting habitat for the monarch butterfly.
- Aquatic habitat capable of supporting special-status fish species such as the steelhead and tidewater goby.
- Habitat capable of supporting special-status amphibians and reptiles such as the CRLF and WPT.
- Nesting and roosting areas for various species of raptors such as Cooper's hawk, red-tailed hawk (*Buteo jamaicensis*), white-tailed kite, and turkey vulture (*Cathartes aura*).

- Nesting habitat for other special-status bird species such as western snowy plover, southwestern willow flycatcher (*Empidonax traillii extimus*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Dendroica petechia*), or tri-colored blackbird (*Agelaius tricolor*).
- Nesting and foraging habitat for special-status mammals such as pallid bat, western red bat (*Lasiurus blossevillii*), Yuma myotis, and American badger (*Taxidea taxus*).

CE 8.2 Protection of Habitat Areas. All development should 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.

CE 8.4 Buffer Areas for Raptor Species. Development should be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development. If an active raptor nest site exists on a subject property, whenever feasible no vegetation clearing, grading, construction, or other development activity shall be allowed within a 300-foot radius of the nest site during the nesting and fledging season.

Appendix B

Site Photographs



Photograph 1. View of the natural channel portion of San Jose Creek within the northern portion of the study area, facing north. Arroyo willow thickets present along banks of San Jose Creek. March 20, 2024.



Photograph 2. View of natural channel meeting concrete channel at Hollister Ave Bridge within the northern portion of the study area at SP-1, facing south. Arroyo willow thickets present along banks of San Jose Creek. March 20, 2024.



Photograph 3. View of urban stream channel and urban development landcover (the concrete channel portion of San Jose Creek with fish weirs) within the central portion of the study area, facing south. March 20, 2024.



Photograph 4. View of mixed woodland and eucalyptus grove at northern portion of study area, facing north. March 20, 2024.



Photograph 5. View of black cottonwood woodland (on right) and urban developed land cover (on left) in northern portion of study area, facing northeast. March 20, 2024.



Photograph 6. View of Sister Witness Tree and California sycamore coast live oak riparian woodland within the northern portion of the study area, facing south. March 20, 2024.



Photograph 7. View of California sycamore coast live oak riparian woodland and the natural channel portion of San Jose Creek within the northern portion of the study area, facing north. March 20, 2024.



Photograph 8. View of annual brome grassland and developed landcover, outside of the concrete channel, at the southern portion of the study area, facing northeast. March 21, 2024.



Photograph 9. View of the urban stream channel and urbane development land cover (concrete channel portion with wooden fish weirs) and coyote brush scrub along top of concrete channel (to right), within the central portion of the study area, facing northeast. March 21, 2024.



Photograph 10. View of end of open water and concrete channel at southern portion of study area with arroyo willow thickets and pickleweed mats along eastern bank of San Jose Creek, facing south. March 21, 2024.



Photograph 11. View of the open water, arroyo willow thickets, and pickleweed mat at SP-2 at southern portion of study area along eastern bank of San Jose Creek, facing northeast. March 21, 2024.



Photograph 12. View of raptor nest in eucalyptus grove (circled in red), facing northeast. March 20, 2024.



Photograph 13. View of unidentified nest under Hollister Ave Bridge (circled in red), facing east. March 21, 2024.

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Appendix C

Floral and Faunal Compendium

Plant Species Observed Within the Study Area on March 20 and 21, 2024

Scientific Name[1] and Sensitivity Status[2]	Common Name	Vegetation Communities and Landcovers									
		Wetland Indicator Status[3]	Annual Brome Grasslands	Arroyo Willow Thickets	Black Cottonwood Woodland	California Sycamore-Coast Live Oak Riparian Woodland	Coyote Brush Scrub	Urban Development	Eucalyptus Groves	Mixed Woodland	Pickleweed Mats
Native											
Alnus rhombifolia	white alder	FACW			✓						
Artemisia douglasiana	mugwort	FAC		✓							
Baccharis pilularis	coyote brush	UPL					✓*	✓*			
Baccharis salicifolia	mulefat	FAC						✓			
Cerastium spp.	chickweed	UPL		✓							
Clematis ligusticifolia	creek clematis	FAC		✓							
Galium spp.	bedstraw	–			✓					✓	
Heliotropium curassavicum	alkali heliotrope	FACU									✓
Heterotheca grandiflora	telegraph weed	UPL						✓			
Juglans californica (CRPR 4.2)	california black walnut	FACU								✓*	
Marah fabacea	wild cucumber	UPL		✓	✓	✓		✓			
Notholithocarpus densiflorus	tan oak	UPL								✓	
Pholistoma auritum	fiesta flower	UPL		✓							
Platanus racemosa	western sycamore	FAC		✓		✓*		✓			
Populus trichocarpa (*P. balsamifera*)	black cottonwood	FAC			✓*			✓			
Prunus ilicifolia ssp. *lyonii*	island cherry tree	UPL								✓	
Ptelea trifoliata	hoptree	UPL			✓						
Quercus agrifolia	coast live oak	UPL				✓*		✓			
Rubus ursinus	California blackberry	FAC		✓							
Salicornia pacifica (*S. virginica*)	pickleweed	OBL						✓			✓
Salix lasiolepis	arroyo willow	FAC		✓*	✓	✓					
Sambucus mexicana (*S. nigra*)	blue elderberry	FACU		✓	✓						
Scrophularia californica	California figwort	FACU		✓	✓						
Solanum douglasii	douglas nightshade	FAC		✓							
Toxicodendron diversilobum	poison oak	FACU		✓							
Umbellularia californica	California bay	FAC				✓		✓			
Non-native											
–	ornamental shrubs and trees	UPL						✓			
Arundo donax	giant reed	FACW		✓							
Bromus diandrus	ripgut brome		✓*	✓							
Bromus rubens	red brome	UPL						✓			
Callistemon spp.	bottlebrush	UPL						✓			
Campsis radicans	trumpet vine	FACU						✓			
Carpobrotus edulis	iceplant	UPL		✓							
Citrus limon	lemon	UPL								✓	
Citrus reticulata	tangerine	UPL								✓	
Conium maculatum	poison hemlock	FACW								✓	
Cortaderia selloana	pampas grass	UPL					✓				

Scientific Name[1] and Sensitivity Status[2]	Common Name	Vegetation Communities and Landcovers									
		Wetland Indicator Status[3]	Annual Brome Grasslands	Arroyo Willow Thickets	Black Cottonwood Woodland	California Sycamore-Coast Live Oak Riparian Woodland	Coyote Brush Scrub	Urban Development	Eucalyptus Groves	Mixed Woodland	Pickleweed Mats
Cupressaceae	cypress	UPL						✓			
Delairea odorata	cape ivy	FAC		✓	✓					✓	
Eucalyptus globulus	blue gum eucalyptus	UPL			✓				✓		
Eriobotrya japonica	loquat	UPL						✓		✓	
Erodium cicutarium	redstem filaree	UPL	✓								
Fraxinus uhdei	Shamel ash	UPL			✓	✓					
Hedera helix	English ivy	FACU				✓					
Hordeum marinum/murinum	foxtail	FAC/FACU						✓			
Hypochaeris glabra	smooth cat's ear	UPL	✓								
Jacaranda mimosifolia	jacaranda	UPL								✓*	
Juniperus horizontalis	creeping juniper	FACU						✓			
Lactuca serriola	prickly wild lettuce	UPL						✓			
Lonicera spp.	ornamental honeysuckle	UPL						✓			
Malva parviflora	cheese weed	UPL	✓					✓			
Medicago polymorpha	burclover	UPL	✓								
Nerium oleander	oleander	UPL						✓			
Nicotiana glauca	tree tobacco	FAC						✓			
Oxalis pes-caprae	Bermuda buttercup	UPL	✓	✓	✓			✓			
Pennisetum alopecuroides	fountain grass	UPL					✓	✓			
Phoenix/Washingtonia spp.	palm	UPL		✓							
Phytolacca isosandra	tropical pokeweed	UPL			✓						
Plantago lanceolata	English plantain	FAC	✓								
Platanus X hispanica	London plane tree	UPL						✓			
Poaceae	unidentifiable annual non-native grasses	UPL			✓	✓		✓		✓*	
Poaceae	turf grass	UPL						✓			
Ricinus communis	castor bean	FACU		✓	✓		✓	✓		✓	
Rumex crispus	curly dock	FAC	✓								
Silybum marianum	milkthistle	UPL	✓								
Sonchus asper/oleraceus	sow thistle	UPL	✓								
Stipa miliacea	smilo grass	UPL			✓						
Tabebuia ssp.	trumpet tree	UPL			✓						
Tropaeolum majus	garden nasturtium	UPL		✓	✓	✓				✓	
Vinca major	periwinkle	FACU		✓	✓						

*dominant species

UPL = Uplands

FACU = Facultative Upland

FAC = Facultative

FACW = Facultative Wetland

[1] Jepson 2025

[2] CDFW 2025c

[3] USACE 2022

Note: The open water and urban stream channel land cover types do not contain vegetation and are not included in this table. The disturbed vegetation land cover type is also not included since most of the vegetation in this land cover type was removed during the separate project associated with Hollister Avenue Bridge, and remaining vegetation is sparse and previously disturbed.

Wildlife Species Observed within the Study Area on March 20 and 21, 2024

Scientific Name	Common Name	Status[1]	Native or Introduced
Birds			
Anas platyrhynchos	mallard	–	Native
Aphelocoma californica	California scrub-jay	–	Native
Baeolophus inornatus	oak titmouse	–	Native
Buteo jamaicensis	red-tailed hawk	–	Native
Buteo lineatus	red-shouldered hawk	–	Native
Calypte anna	Anna's hummingbird	–	Native
Cathartes aura	turkey vulture	–	Native
Chamaea fasciata	wrentit	–	Native
Colombia livia	rock pigeon	–	Introduced
Corvus brachyrhynchos	American crow	–	Native
Dryobates pubescens	downy woodpecker	–	Native
Geothlypis trichas	common yellowthroat	–	Native
Haemorhous mexicanus	house finch	–	Native
Junco hyemalis	dark-eyed junco	–	Native
Larus californicus	California gull	–	Native
Larus occidentalis	western gull	–	Native
Leiothylpis celata	orange-crowned warbler	–	Native
Megaceryle alcyon	Belted kingfisher	–	Native
Melanerpes formicivorus	acorn woodpecker	–	Native
Melospiza crissalis	California towhee	–	Native
Melospiza melodia	song sparrow	–	Native
Mimus polyglottos	northern mockingbird	–	Native
Psaltriparus mimimus	bushtit	–	Native
Sayornis nigricans	black phoebe	–	Native
Sturnus vulgaris	European starling	–	Introduced
Mammals			
Microtus californicus	vole*	–	Native
Insects			
Danaus plexippus	monarch (individual)	FPT (overwintering monarchs only)	Native
Pieris rapae	cabbage butterfly	–	Introduced
Reptiles			
Sceloporus occidentalis	western fence lizard	–	Native

FPT = Federal Proposed Threatened

*mortality

1 CDFW 2025b

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Appendix D

Special-Status Species Evaluation Tables

Special-Status Species in the Regional Vicinity of the Study Area

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Arctostaphylos refugioensis Refugio manzanita	None/None G3/S3 1B.2 SBBG	Perennial evergreen shrub. Chaparral. On sandstone. Elevations: 900-2690ft. (274-820m.) Blooms (May) Dec-Mar.	No Potential	No suitable chapparal habitat is present within the study area. This species does not occur within the elevation of the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 3.5 miles north of the study area. However, this occurrence is historical (1974).
Astragalus didymocarpus var. milesianus Miles' milk-vetch	None/None G5T2/S2 1B.2	Annual herb. Coastal scrub. Clay soils. Elevations: 65-295ft. (20-90m.) Blooms Mar-Jun.	No Potential	No suitable coastal scrub present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Atriplex coulteri Coulter's saltbush	None/None G3/S1S2 1B.2	Perennial herb. Coastal bluff scrub, coastal dunes, coastal scrub, valley and foothill grassland. Alkaline (sometimes), clay (sometimes). Elevations: 10-1510ft. (3-460m.) Blooms Mar-Oct.	Low Potential	No suitable coastal bluff scrub or dunes, or foothill grassland habitat is present within the study area. However, suitable clay soils are present at the southern section of the study area. There are four CNDDB occurrences within a 5-mile radius of the study area, with the closest occurrences in the relative area of the study area (exact location and year unknown). This species was not observed during the March 2024 survey.
Atriplex serenana var. *davidsonii* Davidson's saltscale	None/None G5T1/S1 1B.2	Annual herb. Coastal bluff scrub, coastal scrub. Alkaline. Elevations: 35-655ft. (10-200m.) Blooms Apr-Oct.	Low Potential	Coastal scrub habitat is present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area, with the closest occurrence approximately 1.6 miles from the study area. However, this occurrence is historical (1948). This species was not observed during the March 2024 survey.
Calochortus fimbriatus late-flowered mariposa-lily	None/None G3/S3 1B.3	Perennial bulbiferous herb. Chaparral, cismontane woodland, riparian woodland. Serpentinite (sometimes). Elevations: 900-6250ft. (275-1905m.) Blooms Jun-Aug.	No Potential	This species does not occur within the elevation of the study area.
Calystegia sepium ssp. *binghamiae* Santa Barbara morning-glory	None/None G5TXQ/SX 1A	Perennial rhizomatous herb. Marshes and swamps. Elevations: 15-15ft. (5-5m.) Blooms Aug.	No Potential	No suitable marsh or swamp habitat is present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Centromadia parryi ssp. *australis* southern tarplant	None/None G3T2/S2 1B.1	Annual herb. Marshes and swamps, valley and foothill grassland, vernal pools. Often in disturbed sites near the coast at marsh edges; also in alkaline soils sometimes with saltgrass. Sometimes on vernal pool margins. Elevations: 0-1575ft. (0-480m.) Blooms May-Nov.	Low Potential	Suitable disturbed areas near the coast and alkaline soils present within the study area. However, there are no vernal pools, marshes, or swamps habitat present within the study area. There are thirteen CNDDB occurrences within a 5-mile radius of the study area. The closest occurrence overlaps the northern portion of the study area, although this and most other occurrences are historical. This species was not observed during the March 2024 survey.
Delphinium umbraculorum umbrella larkspur	None/None G3/S3 1B.3	Perennial herb. Chaparral, cismontane woodland. Mesic sites. Elevations: 1310-5250ft. (400-1600m.) Blooms Apr-Jun.	No Potential	This species does not occur within the elevation of the study area.
Fritillaria ojaiensis Ojai fritillary	None/None G3/S3 1B.2 SBBG	Perennial bulbiferous herb. Broadleaf upland forest, chaparral, cismontane woodland, lower montane coniferous forest. Rocky sites. Sometimes on serpentine; sometimes along roadsides. Elevations: 740-3275ft. (225-998m.) Blooms Feb-May.	No Potential	This species does not occur within the elevation of the study area.
Hordeum intercedens vernal barley	None/None G3G4/S3S4 3.2	Annual herb. Coastal dunes, coastal scrub, valley and foothill grassland, vernal pools. Vernal pools, dry, saline streambeds, alkaline flats. 5-. Elevations: 15-3280ft. (5-1000m.) Blooms Mar-Jun.	No Potential	No suitable coastal dunes, coastal scrub, or foothill grassland habitat present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Horkelia cuneata var. *puberula* mesa horkelia	None/None G4T1/S1 1B.1	Perennial herb. Chaparral, cismontane woodland, coastal scrub. Sandy or gravelly sites. Elevations: 230-2660ft. (70-810m.) Blooms Feb-Jul(Sep).	No Potential	This species does not occur within the elevation of the study area.
Juncus luciensis Santa Lucia dwarf rush	None/None G3/S3 1B.2	Annual herb. Chaparral, great basin scrub, lower montane coniferous forest, meadows and seeps, vernal pools. Vernal pools, ephemeral drainages, wet meadow habitats and streamsides. Elevations: 985-6695ft. (300-2040m.) Blooms Apr-Jul.	No Potential	This species does not occur within the elevation of the study area.
Lasthenia conjugens Contra Costa goldfields	FE/None G1/S1 1B.1	Annual herb. Cismontane woodland, playas, valley and foothill grassland, vernal pools. Vernal pools, swales, low depressions, in open grassy areas. Elevations: 0-1540ft. (0-470m.) Blooms Mar-Jun.	No Potential	No suitable cismontane woodland, playas, foothill grassland, and vernal pools present within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 2.5 miles southwest. However, this occurrence is historical (1973).

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Lasthenia glabrata ssp. *coulteri* Coulter's goldfields	None/None G4T2/S2 1B.1 SBBG	Annual herb. Marshes and swamps, playas, vernal pools. Usually found on alkaline soils in playas, sinks, and grasslands. 1-. Elevations: 5-4005ft. (1-1220m.) Blooms Feb-Jun.	No Potential	No suitable marshes, swamps, playas, or vernal pools are present within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 1.8 miles away. However, this occurrence is historical (1982).
Layia heterotricha pale-yellow layia	None/None G2/S2 1B.1 SBBG	Annual herb. Cismontane woodland, coastal scrub, pinyon and juniper woodland, valley and foothill grassland. Alkaline or clay soils; open areas. Elevations: 985-5595ft. (300-1705m.) Blooms Mar-Jun.	No Potential	This species does not occur within the elevation of the study area.
Lonicera subspicata var. *subspicata* Santa Barbara honeysuckle	None/None G5T2?/S2? 1B.2 SBBG	Perennial evergreen shrub. Chaparral, cismontane woodland, coastal scrub. Elevations: 35-3280ft. (10-1000m.) Blooms (Feb)May-Aug (Dec).	Moderate Potential	Suitable woodland habitat and sandy loam soils are present within the study area. There are thirteen CNDDB occurrences within a 5-mile radius of the study area. The closest occurrence is approximately 2 miles southwest (2013). This species was not observed during the March 2024 survey.
Malacothrix saxatilis var. *arachnoidea* Carmel Valley malacothrix	None/None G5T2/S2 1B.2	Perennial rhizomatous herb. Chaparral, coastal scrub. Rock outcrops or steep rocky roadcuts. Elevations: 80-3400ft. (25-1036m.) Blooms (Mar)Jun-Dec.	No Potential	This species does not occur within the elevation of the study area.
Monardella hypoleuca ssp. *hypoleuca* white-veined monardella	None/None G4T3/S3 1B.3 SBBG	Perennial herb. Chaparral, cismontane woodland. Dry slopes. Elevations: 165-5005ft. (50-1525m.) Blooms (Apr)May-Aug(Sep-Dec).	No Potential	This species does not occur within the elevation of the study area.
Nasturtium gambelii Gambel's water cress	FE/ST G1/S1 1B.1 SBBG	Perennial rhizomatous herb. Marshes and swamps. Freshwater and brackish marshes at the margins of lakes and along streams, in or just above the water level. Elevations: 15-1085ft. (5-330m.) Blooms Apr-Oct.	No Potential	No suitable marsh or swamp habitat is present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Pelazoneuron puberulum var. *sonorense* Sonoran maiden fern	None/None G5T3/S2 2B.2	Meadows and seeps. Along streams, seepage areas. 50-610m. Blooms Jan-Sep.	No Potential	No suitable meadows or sweeps are present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Pleuridium mexicanum Mexican earthmoss	None/None G5/S1 2B.1	Moss. Chaparral. Sandstone. Elevations: 1445-1445ft. (440-440m.)	No Potential	This species does not occur within the elevation of the study area.
Quercus dumosa Nuttall's scrub oak	None/None G3/S3 1B.1	Perennial evergreen shrub. Chaparral, closed-cone coniferous forest, coastal scrub. Generally on sandy soils near the coast; sometimes on clay loam. Elevations: 50-1310ft. (15-400m.) Blooms Feb-Apr(May-Aug).	No Potential	Suitable sandy loam soils are present within the study area. However, no suitable closed cone coniferous forest or coastal scrub is present in the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 5 miles away. However, this occurrence is historical (1959).
Ribes amarum var. *hoffmannii* Hoffmann's bitter gooseberry	None/None G4?T3/S3 3	Perennial deciduous shrub. Chaparral, riparian woodland. Elevations: 15-3905ft. (5-1190m.) Blooms Mar-Apr.	Low Potential	Suitable riparian woodland habitat is present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area. This species was not observed during the March 2024 survey.
Scrophularia atrata black-flowered figwort	None/None G2?/S2? 1B.2	Perennial herb. Chaparral, closed-cone coniferous forest, coastal dunes, coastal scrub, riparian scrub. Sand, diatomaceous shales, and soils derived from other parent material; around swales and in sand dunes. Elevations: 35-1640ft. (10-500m.) Blooms Mar-Jul.	No Potential	No suitable habitat is present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area, with the most recent occurrence approximately 3.3 miles away. However, both occurrences are historical (1958 and 1966).
Suaeda esteroa estuary seablite	None/None G3/S2 1B.2	Perennial herb. Marshes and swamps. Coastal salt marshes in clay, silt, and sand substrates. Elevations: 0-15ft. (0-5m.) Blooms (Jan-May) Jul-Oct.	Low Potential	No suitable marshes or swamps are present within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 1.15 miles southeast of the study area. However, this occurrence is historical (1979). This species was not observed within the study area during the March 2024 survey.
Thermopsis macrophylla Santa Ynez false lupine	None/SR G1/S1 1B.3 SBBG	Perennial rhizomatous herb. Chaparral. In open areas such as fuel breaks, after burns; on sandstone. Elevations: 1395-4595ft. (425-1400m.) Blooms Apr-Jun.	No Potential	This species does not occur within the elevation of the study area.

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Cordylanthus maritimus ssp. *Maritimus* Salt Marsh Bird's-beak	FE/SE G4?T1/S1 1B.2	Marshes and swamps, coastal dunes. Limited to the higher zones of salt marsh habitat. 0-10 m.	No Potential	No suitable marshes, swamps or coastal dunes are present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Arenaria paludicola marsh sandwort	FE/SE G1/S1 1B.1	Marshes and swamps. Growing up through dense mats of Typha, Juncus, Scirpus, etc. in freshwater marsh. Sandy soil. 3-170 m.	No Potential	No suitable freshwater marshes or dense mats of *Typha* spp., *Juncus* spp., or *Scirpus* spp. are present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Invertebrates				
Bombus caliginosus obscure bumble bee	None/None G2G3/S1S2	Coastal areas from Santa Barbara County north to Washington state. Food plant genera include Baccharis, Cirsium, Lupinus, Lotus, Grindelia and Phacelia.	Low Potential (foraging and nesting)	Baccharis food sources present within the study area, outside of the project site, along the east side of the concrete channel along SR 217. There are no CNDDB occurrences within a 5-mile radius of the study area.
Bombus crotchii Crotch's bumble bee	None/SCE G2/S2	Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	Low Potential (foraging) No Potential (nesting)	Most preferred food sources not present within the study area. There are six CNDDB occurrences within a 5-mile radius of the study area, with the closest occurrence within the relative area of the study area, although this occurrence is historical (1959). This species was not observed during the March 2024 survey. Suitable nesting habitat is not present due to concrete channel and dense riparian vegetation in upstream end of study area. Vegetation in downstream end is also tidally influenced.
Bombus pensylvanicus American bumble bee	None/None G3G4/S2	Long-tongued; forages on a wide variety of flowers including vetches (Vicia), clovers (Trifolium), thistles (Cirsium), sunflowers (Helianthus), etc. Nests above ground under long grass or underground. Queens overwinter in rotten wood or underground.	Low Potential (foraging and nesting)	Suitable foraging habitat is present within the study area, however, no suitable nesting habitat is present. This species occurs outside of the range of the study area. No CNDDB occurrences were recorded within 5 miles of the study area.
Cicindela hirticollis gravida sandy beach tiger beetle	None/None G5T2/S2	Inhabits areas adjacent to non-brackish water along the coast of California from San Francisco Bay to northern Mexico. Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.	No Potential	Sandy areas adjacent to water is present at the downstream portion of the study area. However, sand within the study area may not contain enough moisture for this species as it is not always adjacent to a permanent source of water. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 3.5 miles south. However, the occurrence is historical (2003).
Coelus globosus globose dune beetle	None/None G1G2/S1S2	Inhabitant of coastal sand dune habitat; erratically distributed from Ten Mile Creek in Mendocino County south to Ensenada, Mexico. Inhabits foredunes and sand hummocks; it burrows beneath the sand surface and is most common beneath dune vegetation.	No Potential	No suitable coastal sand dunes and sand hammocks are present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area. However, one occurrence is historical (1966). The closest occurrence is approximately 1 mile south along the coastline. This species was not observed during the March 2024 survey.
Danaus plexippus monarch butterfly	FPT/None G4T1T2Q/S2	Winter roost sites extend along the coast from northern Mendocino to Baja California, Mexico. Roosts located in wind-protected tree groves (eucalyptus, Monterey pine, cypress), with nectar and water sources nearby.	Present (individuals only) Low Potential (overwintering)	Eucalyptus trees are present within the study area and in the surrounding area. However, eucalyptus groves are limited in the surrounding area. This species has been observed as recently as 2023 within eucalyptus trees of the neighboring areas 0.15 miles west of the study area. The closest overwintering sites are approximately 0.2 miles north of the study area (Xerces Site ID: 2763) and 0.15 miles west of the study area (Xerces Site ID: 3174; Xerces 2024). An individual monarch was observed during the March 2024 survey. However, no overwintering sites were observed within the study area.
Eugnosta busckana Busck's gallmoth	None/None G1G3/S2S3	Coastal southern California. Tiny micro-moth (1 cm) with larva forming galls on host plant Encelia californica (California brittlebush). Adult flight period is during winter, generally from November to February, and have been reported at UV lights and porch lights.	No Potential	No suitable host plants, *Encelia californica*, present within the study area. The closest CNDDB occurrence is approximately 4.3 miles northeast. However, this occurrence is historical (1999).
Linderiella occidentalis California linderiella	None/None G2G3/S2S3	Seasonal pools in unplowed grasslands with old alluvial soils underlain by hardpan or in sandstone depressions. Water in the pools has very low alkalinity, conductivity, and total dissolved solids.	No Potential	No suitable vernal pools and depressions are present within the study area. There is one CNDDB occurrence approximately 2.5 miles from the study area. However, this occurrence is historical (1955).
Tryonia imitator mimic tryonia California brackishwater snail	None/None G2/S2	Inhabits coastal lagoons, estuaries and salt marshes, from Sonoma County south to San Diego County. Found only in permanently submerged areas in a variety of sediment types; able to withstand a wide range of salinities.	No Potential	No suitable coastal lagoons, estuaries, and salt marshes are present within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 1.7 miles southwest. However, this occurrence is historical (1966).
Fish				
Eucyclogobius newberryi tidewater goby	FE/None G3/S3	Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels.	High Potential	Suitable shallow stream present within the study area. There are six CNDDB occurrences within a 5-mile radius of the study area, the closest occurrence recorded 0.65 miles south at the mouth of the Atascadero Creek. Critical habitat is found along the coast and ends where the southern end of the study area starts.

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Oncorhynchus mykiss irideus pop. 10 steelhead - southern California DPS	FE/SE G5T1Q/S1	Federal listing refers to populations from Santa Maria River south to southern extent of range (San Mateo Creek in San Diego County). Southern steelhead likely have greater physiological tolerances to warmer water and more variable conditions.	Moderate Potential	No suitable breeding habitat or connectivity is present within the study area. However, this species may attempt to pass through San Jose Creek. San Jose Creek is designated critical habitat for the species. There are no CNDDB occurrences within a 5-mile radius of the study area. This species was not observed during the March 2024 survey.
Reptiles				
Anniella pulchra northern California legless lizard	None/None G3/S2S3 SSC	Sandy or loose loamy soils under sparse vegetation. Soil moisture is essential. They prefer soils with a high moisture content.	Low Potential	Suitable sandy and loamy soils are present within the study area, however, the moisture content is not preferrable. There are eight CNDDB occurrences within a 5-mile radius of the study area, with the closest occurrence approximately 1.5 miles southeast. All occurrences are historical except for one 2012 observation approximately 4 miles east of the study area.
Aspidoscelis tigris stejnegeri coastal whiptail	None/None G5T5/S3 SSC	Found in deserts and semi-arid areas with sparse vegetation and open areas. Also found in woodland and riparian areas. Ground may be firm soil, sandy, or rocky.	No Potential	No suitable desert habitat is present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Actinemys pallida southwestern pond turtle	FPT/None G3G4/S3 SSC	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	Moderate Potential	Suitable aquatic habitat is present within the study area. However, no suitable upland habitat for basking and egg-laying is present within the study area. There are six CNDDB occurrences within a 5-mile radius of the study area. The closest and most recent occurrence was 0.75 miles east of the study area within Atascadero Creek (2015). This species was not observed during the March 2024 survey.
Phrynosoma blainvillii coast horned lizard	None/None G4/S4 SSC	Frequents a wide variety of habitats, most common in lowlands along sandy washes with scattered low bushes. Open areas for sunning, bushes for cover, patches of loose soil for burial, and abundant supply of ants and other insects.	No Potential	No suitable chapparal or coastal scrub habitat or open areas for sunning present within the study area. There are two CNDDB occurrences within a 5 mile radius of the study area, both approximately 4.9 miles north of the study area.
Salvadora hexalepis virgultea coast patch-nosed snake	None/None G5T4/S3 SSC	Brushy or shrubby vegetation in coastal Southern California. Require small mammal burrows for refuge and overwintering sites.	No Potential	No suitable brushy or shrubby vegetation within the study area. No burrows observed within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 4.9 miles northeast. However, this occurrence is historical (1979).
Thamnophis hammondii two-striped gartersnake	None/None G4/S3S4 SSC	Coastal California from vicinity of Salinas to northwest Baja California. From sea to about 7,000 ft elevation. Highly aquatic, found in or near permanent fresh water. Often along streams with rocky beds and riparian growth.	No Potential	No suitable permanent freshwater present in the study area. No CNDDB occurrences within a 5-mile radius of the study area.
Amphibians				
Anaxyrus californicus arroyo toad	FE/None G2G3/S2 SSC	Semi-arid regions near washes or intermittent streams, including valley-foothill and desert riparian, desert wash, etc. Rivers with sandy banks, willows, cottonwoods, and sycamores; loose, gravelly areas of streams in drier parts of range.	No Potential	Suitable riparian vegetation such as willows are present within the study area. However, this species does not occur within the range of the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Rana boylii pop. 6 foothill yellow-legged frog – south coast DPS	FE/SE G3T1/S1	Southern Coast Ranges from Monterey Bay south through San Gabriel Mountains; west of the Salinas River in Monterey Co, south through Transverse Ranges, and east through San Gabriel Mountains. Historically may have ranged to Baja California. Partly shaded shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying and at least 15 weeks to attain metamorphosis.	No Potential	No suitable shaded streams with rocky substrate present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Rana draytonii California red-legged frog	FT/None G2G3/S2S3 SSC	Lowlands and foothills in or near permanent sources of deep water with dense, shrubby or emergent riparian vegetation. Requires 11-20 weeks of permanent water for larval development. Must have access to estivation habitat.	Moderate Potential	No suitable emergent vegetation present within the study area. However, there is some available terrestrial estivation habitat available. There are six CNDDB occurrences within the 5-mile radius of the study area, with the closest occurrence approximately 3.6 miles north. Critical habitat is located along the northern edge of the CNDDB 5-mile boundary. This species was not observed during the March 2024 survey.
Taricha torosa coast range newt	None/None G4/S4 SSC	Coastal drainages from Mendocino County to San Diego County. Lives in terrestrial habitats and will migrate over 1 km to breed in ponds, reservoirs and slow moving streams.	Low Potential	Suitable terrestrial and coastal drainages are present within the study area. There are five CNDDB occurrences within a 5-mile radius of the study area. However, three of these occurrences are historical (1580, 1960, 1990). This species was not observed during the March 2024 survey.
Birds				
Accipiter cooperii Cooper's hawk	None/None G5/S4 WL	Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.	Moderate Potential (nesting and foraging)	Suitable woodland and live oaks present within the study area. There are two CNDDB occurrences of nests within a 5-mile radius of the study area, both of which are approximately 1.4 miles east of the study area. This species was not observed during the March 2024 survey.

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Agelaius tricolor tricolored blackbird	None/ST G1G2/S2 SSC	Highly colonial species, most numerous in Central Valley and vicinity. Largely endemic to California. Requires open water, protected nesting substrate, and foraging area with insect prey within a few km of the colony.	Low Potential (nesting and foraging)	No suitable open water, nesting substrate, and foraging habitat present within the study area. There are three CNDDB occurrences within a 5-mile radius of the study area. Three nest sites recorded within approximately a 3-mile radius of the study area. The closest recorded nest is within 0.5 miles. This species was not observed during the March 2024 survey.
Aimophila ruficeps canescens southern California rufous-crowned sparrow	None/None G5T3/S4 WL	Resident in Southern California coastal sage scrub and sparse mixed chaparral. Frequents relatively steep, often rocky hillsides with grass and forb patches.	No Potential	No suitable chapparal, coastal scrub or nearby rocky hillsides present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area, both approximately 4.25 miles away. However, both occurrences are historical (1992 and 1994).
Ammodramus savannarum grasshopper sparrow	None/None G5/S3 SSC	Dense grasslands on rolling hills, lowland plains, in valleys and on hillsides on lower mountain slopes. Favors native grasslands with a mix of grasses, forbs and scattered shrubs. Loosely colonial when nesting.	No Potential	No suitable grassland habitat on rolling hills, lowland plains, or valleys present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area, the closest occurrence approximately 1.3 miles from the study area. However, both occurrences were within grassland habitat.
Aquila chrysaetos golden eagle	None/None G5/S3 FP WL	Rolling foothills, mountain areas, sage-juniper flats, and desert. Cliff-walled canyons provide nesting habitat in most parts of range; also, large trees in open areas.	No Potential	No suitable foothills, mountain areas, sage-juniper or desert habitat present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Ardea alba great egret	None/None G5/S4	Colonial nester in large trees. Rookery sites located near marshes, tide-flats, irrigated pastures, and margins of rivers and lakes.	Moderate Potential (foraging only)	No suitable nesting or rookery habitat within the study area. Suitable foraging areas present within the study area. There is one CNDDB nest occurrence within a 5-mile radius of the study area, approximately 0.6 miles south of the study area. This species was not observed during the March 2024 survey. The species may transient through the study area.
Ardea herodias great blue heron	None/None G5/S4	Colonial nester in tall trees, cliffsides, and sequestered spots on marshes. Rookery sites in close proximity to foraging areas: marshes, lake margins, tide-flats, rivers and streams, wet meadows.	Moderate Potential (foraging only)	No suitable nesting or rookery habitat within the study area. Suitable foraging areas present within the study area. There are two CNDDB nest occurrences within a 5-mile radius of the study area, approximately 0.6 miles south of the study area. This species was not observed during the March 2024 survey. The species may transient through the study area.
Artemisiospiza belli belli Bell's sparrow	None/None G5T2T3/S3 WL	Nests in chaparral dominated by fairly dense stands of chamise. Found in coastal sage scrub in south of range. Nest located on the ground beneath a shrub or in a shrub 6-18 inches above ground. Territories about 50 yds apart.	No Potential	No suitable chapparal or other nesting requirements present within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 4.5 miles northeast of the study area. However, this occurrence is historical (1994).
Athene cunicularia burrowing owl	None/None G4/S2 SSC	Open, dry annual or perennial grasslands, deserts, and scrublands characterized by low-growing vegetation. Subterranean nester, dependent upon burrowing mammals, most notably, the California ground squirrel.	No Potential	No suitable desert, or scrubland habitat present. There are two CNDDB occurrences within a 5-mile radius of the study area, each of them within grassland habitat.
Brachyramphus marmoratus marbled murrelet	FE/SE G3/S2	Feeds near-shore; nests inland along coast from Eureka to Oregon border and from Half Moon Bay to Santa Cruz. Nests in old-growth redwood-dominated forests, up to six miles inland, often in Douglas-fir.	No Potential	No suitable old-growth redwood forest habitat is found within the study area. There are no CNDDB occurrences for this species within a 5-mile radius of the study area.
Buteo regalis ferruginous hawk	None/None G4/S3S4 WL	Open grasslands, sagebrush flats, desert scrub, low foothills and fringes of pinyon and juniper habitats. Eats mostly lagomorphs, ground squirrels, and mice. Population trends may follow lagomorph population cycles.	No Potential	No suitable sagebrush flats, desert scrub, or pinyon and juniper habitats present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Charadrius nivosus nivosus western snowy plover	FT/None G3T3/S3 SSC	Sandy beaches, salt pond levees and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	No Potential	No suitable beaches, shores or gravelly soils present within the study area. Critical Habitat is present approximately 3.4 miles southwest of the study area along the coastline. There are three CNDDB occurrences within a 5-mile radius of the study area, with the most recent occurrence in 2014.
Coccyzus americanus yellow billed cuckoo	FT/SE G5T2T3/S1	Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	Low Potential (nesting and foraging)	Suitable riparian habitat is present within the study area. However, there are no CNDDB occurrences for this species within a 5-mile radius of the study area.
Coturnicops noveboracensis yellow rail	None/None G4/S2 SSC	Summer resident in eastern Sierra Nevada in Mono County. Freshwater marshlands.	No Potential	No suitable freshwater marshes present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Egretta thula snowy egret	None/None G5/S4	Colonial nester, with nest sites situated in protected beds of dense tules. Rookery sites situated close to foraging areas: marshes, tidal-flats, streams, wet meadows, and borders of lakes.	Moderate Potential (foraging only)	No suitable tules for nesting present within the study area. However, there are streams in the areas surrounding the study area that could provide foraging habitat. There are no CNDDB occurrences within a 5-mile radius of the study area. The species may be transient through the study area.

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Elanus leucurus white-tailed kite	None/None G5/S3S4 FP	Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	Moderate Potential (foraging) Low Potential (nesting)	Suitable deciduous woodlands present within the study area. Suitable nearby open grassland and marshes present in the areas surrounding the study area. Somewhat suitable nesting habitat present in the upstream potion of the study area (deciduous woodland). There are two CNDDB occurrences of nests within a 5-mile radius of the study area, approximately 1.5 miles east. This species was not observed during the March 2024 survey.
Empidonax traillii extimus southwestern willow flycatcher	FE/SE G5T2/S3	Riparian woodlands in Southern California.	Low Potential (foraging and nesting)	Suitable riparian habitat is present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area. This species was not observed during the March 2024 survey.
Eremophila alpestris actia California horned lark	None/None G5T4Q/S4 WL	Coastal regions, chiefly from Sonoma County to San Diego County. Also main part of San Joaquin Valley and east to foothills. Short-grass prairie, "bald" hills, mountain meadows, open coastal plains, fallow grain fields, alkali flats.	No Potential	No suitable prairies, meadows, or plains are present within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 3 miles southwest of the study area.
Falco mexicanus prairie falcon	None/None G5/S4 WL	Inhabits dry, open terrain, either level or hilly. Breeding sites located on cliffs. Forages far afield, even to marshlands and ocean shores.	No Potential	No suitable open habitat or cliffs present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Gymnogyps californianus California condor	FE/SE G1/S2 FP	Require vast expanses of open savannah, grasslands, and foothill chaparral in mountain ranges of moderate altitude. Deep canyons containing clefts in the rocky walls provide nesting sites. Forages up to 100 miles from roost/nest.	No Potential	No suitable open habitat, mountains, or rocky areas present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Laterallus jamaicensis coturniculus California black rail	None/ST G3T1/S2 FP	Inhabits freshwater marshes, wet meadows and shallow margins of saltwater marshes bordering larger bays. Needs water depths of about 1 inch that do not fluctuate during the year and dense vegetation for nesting habitat.	No Potential	No suitable marshes, wet meadows, or shallow margins of saltwater marshes bordering larger bays present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.
Nannopterum auritum double-crested cormorant	None/None G5/S4 WL	Colonial nester on coastal cliffs, offshore islands, and along lake margins in the interior of the state. Nests along coast on sequestered islets, usually on ground with sloping surface, or in tall trees along lake margins.	Low Potential (foraging only)	No suitable nesting habitat within the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 0.85 miles south. The species may transient through the study area.
Nycticorax nycticorax black-crowned night heron	None/None G5/S4	Colonial nester, usually in trees, occasionally in tule patches. Rookery sites located adjacent to foraging areas: lake margins, mud-bordered bays, marshy spots.	Low Potential (foraging only)	No suitable nesting or rookery habitat within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area. The species may transient through the study area.
Passerculus sandwichensis beldingi Belding's savannah sparrow	None/SE G5T3/S3	Inhabits coastal salt marshes, from Santa Barbara south through San Diego County. Nests in Salicornia on and about margins of tidal flats.	No Potential	No suitable coastal salt marsh habitat within the study area. Pickleweed mats are present in the southern part of the study area, but in limited extent and located adjacent to mature willows. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 1 mile southeast.
Rallus obsoletus levipes light-footed Ridgway's rail	FE/SE G3T1T2/S1 FP	Found in salt marshes traversed by tidal sloughs, where cordgrass and pickleweed are the dominant vegetation. Requires dense growth of either pickleweed or cordgrass for nesting or escape cover; feeds on molluscs and crustaceans.	Low Potential (foraging only)	No suitable salt marshes for nesting are present. Small patches of pickleweed mats are present at the southern portion of the study area. There is one CNDDB occurrence within a 5-mile radius of the study area, approximately 1.5 miles from the study area. However, this occurrence is historical (1969) and has not been seen in the area since.
Riparia riparia bank swallow	None/ST G5/S3	Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	Low Potential (nesting and foraging)	Suitable riparian habitat with sandy soils are present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area. There are two known occurrences in CNDDB within a 5-mile radius of the study area. However, both are historical occurrences (1913 and 1927).
Sternula antillarum browni California least tern	FE/SE G4T2T3Q/S2 FP	Nests along the coast from San Francisco Bay south to northern Baja California. Colonial breeder on bare or sparsely vegetated, flat substrates: sand beaches, alkali flats, landfills, or paved areas.	No Potential	No suitable coastline nesting habitat present within the study area. There is one CNDDB occurrence within a 5 mile radius of the study area, approximately 3.2 miles away.
Vireo bellii pusillus least Bell's vireo	FE/SE G5T2/S3	Summer resident of Southern California in low riparian in vicinity of water or in dry river bottoms; below 2000 ft. Nests placed along margins of bushes or on twigs projecting into pathways, usually willow, Baccharis, mesquite.	Moderate Potential (nesting and foraging)	Suitable riparian habitat near water or dry river bottoms and nesting habitat are present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area. This species was not observed during the March 2024 survey.
Mammals				
Antrozous pallidus pallid bat	None/None G4/S3 SSC	Found in a variety of habitats including deserts, grasslands, shrublands, woodlands, and forests. Most common in open, dry habitats with rocky areas for roosting. Roosts in crevices of rock outcrops, caves, mine tunnels, buildings, bridges, and hollows of live and dead trees which must protect bats from high temperatures. Very sensitive to disturbance of roosting sites.	Low Potential (roosting) Moderate Potential (= foraging)	No suitable shrubland, rocky and open dry areas or low disturbance roosting areas present within the study area. However, woodland habitat and Hollister Avenue Bridge is present within the study area. The Hollister Ave Bridge could be used as roosting habitat, however, since the bridge is heavily trafficked by humans, it's unlikely it would be used by this species. There is one CNDDB occurrence within the 5-mile radius of the study area, approximately 2.9 miles away.

Scientific Name Common Name	Status Fed/State ESA CRPR[1]	Habitat Requirements	Potential to Occur	Rationale
Corynorhinus townsendii Townsend's big-eared bat	None/None G4/S2 SSC	Occurs throughout California in a wide variety of habitats. Most common in mesic sites, typically coniferous or deciduous forests. Roosts in the open, hanging from walls & ceilings in caves, lava tubes, bridges, and buildings. This species is extremely sensitive to human disturbance.	Low Potential (roosting and foraging)	No suitable mesic forests present within the study area. The Hollister Ave Bridge could be used as roosting habitat, however, since the bridge is heavily trafficked by humans, it's unlikely it would be used by this species. There is one CNDDB occurrence within a 5-mile radius of the study area. However, this occurrence is historical (1985).
Eumops perotis californicus western mastiff bat	None/None G4G5T4/S3S4 SSC	Occurs in open, semi-arid to arid habitats, including coniferous and deciduous woodlands, coastal scrub, grasslands, and chaparral. Roosts in crevices in cliff faces and caves, and buildings. Roosts typically occur high above ground.	Low Potential (roosting and foraging)	Suitable woodland habitat present. However, coastal scrub, grasslands, chapparal and high roosting habitat not present within the study area. There are two CNDDB occurrences within a 5 mile radius of the study area, approximately 1.3 miles east. This species was not observed during the March 2024 survey.
Lasiurus cinereus hoary bat	None/None G3G4/S4	Typically roosts in trees in deciduous and coniferous forests and woodlands but occasionally roosts in rocks crevices. Forages in open areas, typically along riparian corridors or over water. Diet primarily consists of moths.	Moderate Potential (roosting and foraging)	Suitable woodlands, riparian vegetation, and food sources present within the study area. There are two CNDDB occurrences within a 5-mile radius of the study area, approximately 1.3 miles east. This species was not observed during the March 2024 survey.
Lasiurus frantzii western red bat	None/None G4/S3 SSC	Roosts primarily in trees, 2-40 ft above ground, from sea level up through mixed conifer forests. Prefers habitat edges and mosaics with trees that are protected from above and open below with open areas for foraging.	No Potential	No suitable habitat edges, trees that are protected from above and open areas for foraging present within the study area. There are three CNDDB occurrences within a 5-mile radius of the study area, with the closest observation approximately 1.3 miles east of the study area. This species was not observed during the March 2024 survey.
Myotis yumanensis Yuma myotis	None/None G5/S4	Occurs in a variety of lowland and upland habitats including desert scrub, riparian, and woodlands and forests. Distribution is closely tied to bodies of water. Roosts in a variety of areas including caves, cliffs, mines, crevices in live trees, and buildings and other man-made structures.	Moderate Potential (roosting and foraging)	Suitable woodlands, riparian, and roosting habitat is present within the study area. The Hollister Ave Bridge could be used as roosting habitat, however, since the bridge is heavily trafficked by humans, it's unlikely it would be used by this species. There are two CNDDB occurrences within 1.5 miles of the study area. This species was not observed during the March 2024 survey.
Neotoma lepida intermedia San Diego desert woodrat	None/None G5T3T4/S3S4 SSC	Occurs in scrub habitats of southern California from San Luis Obispo County to San Diego County.	No Potential	No suitable scrub habitats and moderate to dense canopies present within the study area. One CNDDB occurrence is documented approximately 4 miles north the study area, in the Santa Ynez Mountains.
Nyctinomops macrotis big free-tailed bat	None/None G5/S3 SSC	Low-lying arid areas in Southern California. Need high cliffs or rocky outcrops for roosting sites. Feeds principally on large moths.	No Potential	No suitable cliffs and rocky outcrops present within the study area. There are no CNDDB occurrences within a 5-mile radius of the study area.

Regional Vicinity refers to within a 5-mile search radius of the study area.

Status (Federal/State)

FE = Federal Endangered
FT = Federal Threatened
FC = Federal Candidate
SE = State Endangered
ST = State Threatened
SCE = State Candidate Endangered
SSC = CDFW Species of Special Concern
FP = CDFW Fully Protected
WL = CDFW Watch List

CRPR (CNPS California Rare Plant Rank)

1A = Presumed extirpated in California, and rare or extinct elsewhere
1B = Rare, Threatened, or Endangered in California and elsewhere
2B= Rare, Threatened, or Endangered in California, but more common elsewhere
3 = Need more information (Review List)

CRPR Threat Code Extension

.1 = Seriously endangered in California (>80% of occurrences threatened/high degree and immediacy of threat)
.2 = Moderately threatened in California (20-80% of occurrences threatened/moderate degree and immediacy of threat)
.3 = Not very endangered in California (<20% of occurrences threatened/low degree and immediacy of threat)

Other Statuses

G1 or S1 Critically Imperiled Globally or Subnationally (state)
G2 or S2 Imperiled Globally or Subnationally (state)
G3 or S3 Vulnerable to extirpation or extinction Globally or Subnationally (state)
G4/5 or S4/5 Apparently secure, common and abundant

Additional notations may be provided as follows

T – Intraspecific Taxon (subspecies, varieties, and other designations below the level of species)
Q – Questionable taxonomy that may reduce conservation priority
? – Inexact numeric rank
SBBG – Santa Barbara Botanic Garden

References: CDFW 2025b, 2025c

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Appendix E

Aquatic Resources Delineation Report



San Jose Creek Channel Fish Passage Modification Project

Aquatic Resources Delineation Report

prepared for

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RINCON CONSULTANTS

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Executive Summary

Rincon Consultants, Inc. (Rincon) has prepared this Aquatic Resources Delineation Report to determine the location and extent of waters, including wetlands, that are potentially subject to the jurisdiction of the United States Army Corps of Engineers (USACE), Central Coast Regional Water Quality Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), California Coastal Commission (CCC), and the City of Goleta (City) for the City's San Jose Creek Channel Fish Passage Modification Project (Project) located in Goleta, Santa Barbara County, California. The proposed Project seeks to achieve improved and unimpeded passage for the southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*; southern California steelhead; federally endangered, candidate state endangered) through the concrete flood control portion of the San Jose Creek flood control channel, and upstream to the natural migration corridor that leads to spawning and rearing habitat in the upper watershed. Modifications to the concrete flood control channel and a small portion of the upstream natural channel of San Jose Creek are necessary to meet these objectives. These modifications include removing the existing non-functioning wooden weirs and wedges, modifying the existing concrete weirs, adding new concrete vortex-type weirs, and re-grading a small reach of the upstream natural channel to restore the original channel gradient. Additionally, the upstream natural channel will be restored with native riparian vegetation after construction is complete. Native trees and shrubs of local genetic stock will be installed along the creek banks to improve habitat, provide bank stabilization, and to improve ecological function in a stretch of creek that is otherwise dominated by non-natives in the understory. The overall purpose of the Project is to restore ecological function and improve habitat conditions for steelhead in San Jose Creek by modifying the channel within the flood control reach and immediately upstream natural reach.

This report includes a literature review and documents existing site conditions via a desktop analysis and field surveys, including a jurisdictional delineation. The 5.85-acre work area, along with a 100-foot buffer, was assessed, for a total of 28.45 acres, hereinafter referred to as the "study area."

One jurisdictional hydrologic feature (San Jose Creek) is present within the study area. San Jose Creek is subject to the jurisdictions of the USACE pursuant to Section 404 of the Clean Water Act (CWA), CDFW pursuant to California Fish and Game Code (CFGC) 1600 et seq., Central Coast RWQCB pursuant to Section 401 of the CWA and the California Water Code (Porter-Cologne Water Quality Control Act), and CCC per the California Coastal Act. San Jose Creek also supports City-defined wetlands and Streamside Protection Areas (SPA) pursuant to the City's General Plan Conservation Element.

1 Introduction

Rincon Consultants, Inc. (Rincon) conducted a jurisdictional waters and wetlands delineation for the City of Goleta's (City) San Jose Creek Channel Fish Passage Modification Project (Project), located in the city of Goleta, Santa Barbara County, California. The delineation was conducted to determine the location and extent of jurisdictional waters, including wetlands, within the Project site that are potentially subject to the jurisdiction of the United States Army Corps of Engineers (USACE), Central Coast Regional Water Quality Control Board (Central Coast RWQCB), California Department of Fish and Wildlife (CDFW), California Coastal Commission (CCC), and the City.

The proposed Project seeks to achieve improved and unimpeded passage for the southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*; southern California steelhead; federally endangered, candidate state endangered) through the concrete flood control portion of the San Jose Creek channel, and upstream to the natural migration corridor that leads to spawning and rearing habitat in the upper watershed. As the Project is a fish passage restoration project that is wholly located within jurisdictional waters, construction may be subject to the permit requirements of the USACE pursuant to Section 404 of the Clean Water Act (CWA), Central Coast RWQCB pursuant to Section 401 of the CWA and Porter-Cologne Water Quality Act, CDFW pursuant to Section 1600 et. seq. of the CFGC, and CCC pursuant to the California Coastal Act (CCA). As such, the City will obtain coverage under the following permits: USACE Nationwide Permit 27 (Aquatic Habitat Restoration), Central Coast RWQCB Section 401 General Water Quality Certification for Statewide Habitat Restoration Projects, CDFW Restoration Management Permit per CFGC Sections 1672(e) and (f) (equivalent to a Section 1602 Lake and Streambed Alteration Agreement), and a CCC Coastal Development Permit (CDP). Actual jurisdictional areas are determined by the state and federal authorities at the time that permits are requested.

1.1 Project Location

The Project is located in San Jose Creek within the city of Goleta, Santa Barbara County, California, along the west side of State Route (SR) 217 (Figure 1 and Figure 2). The Project site is approximately 5.85 acres and located on Assessor's Parcel Numbers (APNs) 071-190-039, 071-190-035, 071-190-017, 071-170-086, 071-170-036, 071-140-080, 071-140-060, 071-140-040, 071-090-090, 071-090-089, 071-090-037, and 071-090-098. The approximate center location is latitude 34.431653°N and longitude -119.821308°W (WGS-84 datum). The site is within the *Goleta*, *California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle (USGS quad; USGS 2024). The Public Land Survey System depicts the Project within Township 4N, Range 28W, Section 16, and Township 4N, Range 28W, Section 9, San Bernardino Baseline and Meridian (Earth Point 2024). The southern portion of the Project site is within the Coastal Zone. See Figure 1 for the regional location of the Project.

Figure 1 Regional Location



Figure 2 Project Location Map



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Additional data provided by USGS 2024, CA Coastal Commission 2025.

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Fig 2 Project Site Footprint

1.2 Project History

The original construction of the concrete flood control channel raised the channel grade by up to 3 feet, causing a lowered stream gradient and subsequent channel invert aggradation and channel narrowing. Since original construction in the early 1960s, these morphologic changes have resulted in a natural channel of reduced flood capacity and unnaturally low stream gradient. Due to break out flood waters from the channel, and a lack of fish-passage, it was determined that the channel should be increased in capacity to accommodate a 100-year flood event and fish=passage elements installed along the channel. This project was constructed as the San Jose Creek Capacity Improvement and Fish Passage Project and the City prepared an Initial Study / Final Mitigated Negative Declaration / Environmental Assessment in 2007 (IS-MND/EA) (07-MND-01, City of Goleta 2007), Science Applications International Corporation, Inc. (SAIC) prepared an Addendum to the Mitigated Negative Declaration / Environmental Assessment (MND/EA) in 2008 (SAIC 2008), and Entrix prepared a Biological Resources Assessment (BRA) in October 2010 (Entrix 2010). The City approved the project in 2011 and construction began in 2013. At that time, the project constructed fish passage and flood control capacity improvements in the concrete stream channel downstream of Hollister Avenue as an initial phase of the Project, with the replacement of the Hollister Avenue Bridge over San Jose Creek following in a subsequent phase (Caltrans 2015, URS 2014, URS 2015). Due to timing and funding considerations, the City opted to treat replacement of the bridge as a separate project.

The fish passage component of the project proceeded as planned; however, the installed timber weirs did not function properly, and the overall fish passage facility retained too much sediment and debris. The end result was ineffective for fish passage and required an unreasonable and unattainable level of maintenance efforts by the City. The goal of the currently proposed Project is to create a fish passage facility that works and meets latest design protocols for fish passage. The project will remove all wooden weirs, modify the previously installed weirs, and install additional weirs. Some biological and permitting aspects of the San Jose Creek Capacity Improvement Project remain relevant to the Project, such as previous agency coordination that addressed both projects collectively (Caltrans 2015).

1.3 Project Description

The Project seeks to achieve improved and unimpeded passage for southern California steelhead through the concrete flood control portion of the San Jose Creek channel, and upstream to the natural migration corridor that leads to spawning and rearing habitat in the upper watershed. Modifications to the flood control channel and a small portion of the upstream natural channel of San Jose Creek are necessary to meet these objectives. The existing fish passage weirs located within the constructed flood control channel were installed by the City in 2013 and require modification to optimize fish passage in conjunction with reducing sediment and debris accumulations. The design team, composed of staff from Northwest Hydraulic Consultants (NHC), City of Goleta, SBCFCWCD, National Oceanic and Atmospheric Administration (NOAA) National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW), utilized a physical scale model and numerical modeling methods to develop the preferred configurations of the proposed weir modifications and the upstream approaching natural channel. The selected design includes but is not limited to, removal of timber wedge structures, modifications to existing weirs, and re-grading the natural channel, as further described in the Project's BRA (Rincon 2025).

The preferred design modifies the weir layout to direct low flows to the fish passage channel, mobilize sediment, and pass woody debris more effectively, reducing maintenance needs.

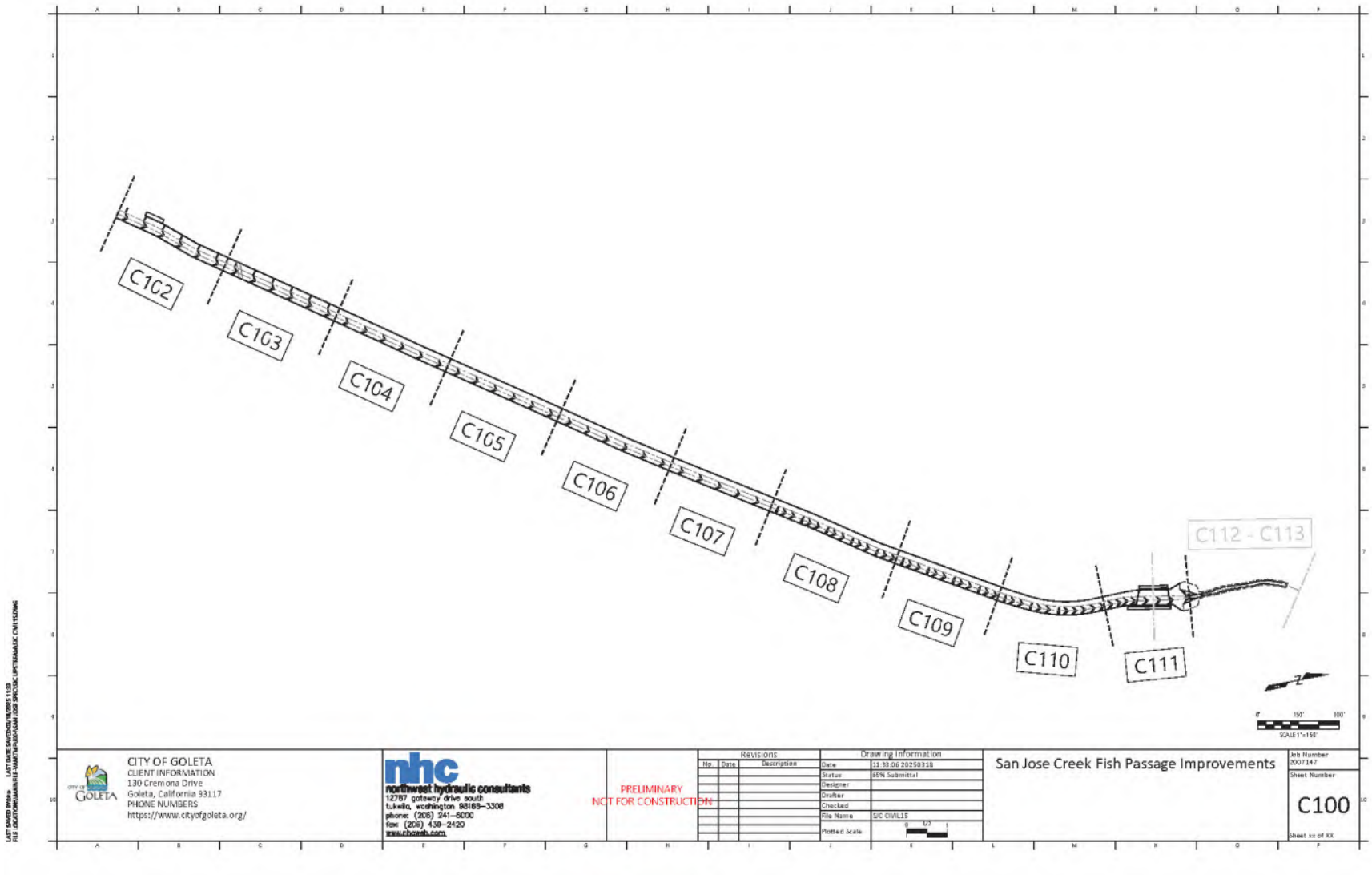
Within a portion of the Project's footprint is the Hollister Avenue Bridge Replacement Project, which is a separate, yet related project that has been permitted and is currently being constructed. The Hollister Avenue Bridge Replacement Project includes key fish passage elements that have been designed in coordination with the Fish Passage Project to culminate in complete fish passage along this section of San Jose Creek. The Hollister Avenue Bridge design (Caltrans 2015, URS 2014, URS 2015) includes modifications to the remaining section of the old existing trapezoidal channel shape and re-grading, as further described in in the Project's BRA (Rincon 2025).

These modifications to the flood control channel dimensions, the flood control channel fish passage weirs, and to the natural channel immediately upstream of the flood control channel will restore the migration corridor characteristics of this reach of San Jose Creek and enable unimpeded passage upstream to upper watershed habitat for southern California steelhead. In addition to the weir work in the channel and grading of the natural creek, the upstream natural creek will also be restored with native riparian vegetation after construction is complete.

The Project will be constructed during the dry season, in the summer months when little to no water is present throughout most of the creek's reach within the study area. It is anticipated that the entirety of the upstream natural channel and a great majority of the concrete channel will be dry during construction; however, there is potential for creek flows to be present at the downstream portion of the concrete channel (an approximate 200-foot stretch). If water is present in this portion of the channel, a dewatering effort would be implemented prior to construction. Construction will not occur in ponded or flowing water within the channel.

Appendix A through C includes figures that show the geometry of weir types, location of weirs, extents of the channel modifications, and sample existing versus proposed cross-section views in the channel modification area. Appendix B also provides an overview of the Project design (Figure 3). A full project description is provided in the Project's BRA (Rincon 2025).

Figure 3 Overview of Project Design



2 Methodology

For the Project, the study area was established to contain all the Project components, including construction areas (i.e., impact areas) and grading limits, plus a 100-foot buffer. The study area analyzed in this report encompasses approximately 28.45 acres. The jurisdictional delineation included a literature review of existing studies, maps, and other publications. After completion of the literature review, a field delineation was conducted to identify, describe, and map all potential jurisdictional waters within the study area. The jurisdictional delineation was conducted in accordance with USACE, CDFW, Central Coast RWQCB, and CCC procedures, as outlined below. Appendix D presents a discussion of pertinent regulations and definitions pertaining to this jurisdictional delineation. In addition, representative site photographs were taken. A plant list was compiled. Vegetation communities and land cover types were mapped, as outlined below.

2.1 Literature Review

Prior to the field survey, Rincon reviewed aerial imagery of the study area (Earth Point 2024), the United States Geological Survey (USGS) *Goleta*, *California* 7.5-minute topographic quadrangle (USGS quad; USGS 2025), the Web Soil Survey (United States Department of Agriculture, Natural Resources Conservation Service [USDA, NRCS] 2025a), and the National Hydric Soils List by State: California (USDA, NRCS 2025b). These resources were reviewed to better characterize the site and its surroundings from a hydrologic, geologic, and topographic perspective and to determine if any soil units mapped in the study area were classified as hydric. Additionally, the National Wetlands Inventory (NWI; United States Fish and Wildlife Service [USFWS] 2025) and the National Hydrography Dataset (NHD; USGS 2025) were reviewed to determine if any wetlands or other waters were mapped in or near the study area.

Rincon also reviewed information available in the San Jose Creek Capacity Improvement Project and other adjacent projects, including Hollister Avenue Bridge Replacement Project and San Jose Creek Multi-use Path Project, as listed below:

San Jose Creek Capacity Improvement and Fish Passage Project

- Biological Resources Survey Report (Entrix 2010)
- Initial Study/Final Mitigated Negative Declaration/Environmental Assessment (City 2007)
- Final Mitigated Negative Declaration/Environmental Assessment Addendum (SAIC 2008)

Other Adjacent Projects

- Hollister Avenue Bridge Replacement Project Biological Resources Summary Report (URS 2014)
- Hollister Avenue Bridge Replacement Project Natural Environment Study (NES; Caltrans 2015)
- Hollister Avenue Bridge Replacement Project IS-MND (URS 2015)
- San Jose Creek Multi-use Path Project BRA (Rincon 2019)

2.2 Field Survey

Rincon biologists Julie Love and Kendra Bonsall conducted a formal jurisdictional delineation field survey on March 20 and 21, 2024. Data from previous field surveys were used to inform the March 20 and 21, 2024 surveys (Entrix 2010, Caltrans 2015). Potentially jurisdictional features within the site were inspected to record existing conditions and determine potential wetlands and non-wetland aquatic resources that might exhibit indicators of an ordinary high water mark (OHWM) and/or presence of bed and banks that might constitute jurisdictional waters. Wetland sample points were taken at representative locations to determine the presence/absence of wetland indicators, such as hydrophytic vegetation, hydric soils, and wetland hydrology. Soil test pits confirmed the soil conditions from the sample point. Soils data was collected using a shovel and Munsell color chart. Portions of the project (i.e., Hollister Avenue Bridge) are currently under construction and were previously impacted in the study area, and in those areas data collection was limited.

The extent of potential jurisdictional waters, sample points, vegetation communities/land covers vegetation boundaries, and photopoints were collected in the field using a Geode Global Navigation Satellite System (GNSS) Receiver unit with sub-meter accuracy paired with Samsung tablets. All collected data was collected in the Environmental Systems Research Institute, Inc. (ESRI) ArcGIS Field Maps application and were subsequently transferred to Rincon's Geographic Information System (GIS) software program (i.e., ArcGIS Pro) to produce all figures and to determine lengths and acreages. Width measurements were also estimated in the field.

Non-Wetland Waters of the United States

The lateral limits of USACE jurisdiction (i.e., width) for non-wetland waters were determined by the presence of physical characteristics indicative of the OHWM. The OHWM was identified in accordance with the applicable Code of Federal Regulations (CFR) sections (33 CFR 328.3 and 33 CFR 328.4) and Regulatory Guidance Letter 05-05 (USACE 2005), as well as in reference to various relevant technical publications, including, but not limited to: *Review of Ordinary High Water Mark Indicators for Delineating Arid Streams in the Southwestern United States* (USACE 2004), *Distribution of Ordinary High Water Mark (OHWM) Indicators and Their Reliability in Identifying the Limits of "Waters of the United States" in Arid Southwestern Channels* (USACE 2006), and *A Field Guide to Identification of the Ordinary High Water Mark (OHWM) in the Arid West Region of the United States* (USACE 2008b).

Additionally, Rincon evaluated sources of water, potential connections and distances to Traditional Navigable Waters (TNWs), stream flow duration and other factors that affect whether waters may qualify as "waters of the U.S." under current USACE regulations (33 CFR 328.3), including, but not limited to, the recent Sackett v. USEPA court ruling and the conforming Revised Definition of Waters of the United States (United States Environmental Protection Agency [USEPA] 2023). A more detailed regulatory definition of USACE jurisdiction can be found in Appendix D.

Wetland Waters of the U.S.

Potential wetland features were evaluated for presence of wetland indicators; specifically, hydrophytic vegetation, hydric soils, and wetland hydrology, generally in accordance with routine delineation procedures within the *Wetlands Delineation Manual* (USACE 1987) and *Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (USACE 2008b). The USACE Arid West 2022 Regional Wetland Plant List was used to determine the wetland status of the examined vegetation by the following indicator status categories: Upland (UPL),

Facultative Upland (FACU), Facultative (FAC), Facultative Wetland (FACW), and Obligate Wetland (OBL) (USACE 2022).

Potential wetland waters of the U.S. were evaluated in accordance with the *Sackett v. USEPA* court ruling and the conforming Revised Definition of Waters of the United States (USEPA 2023). The court ruling and conforming Revised Definition of Waters of the United States decided "adjacent wetlands" are waters of the U.S. only if there is a continuous surface connection between the wetland and a navigable or relatively permanent water body, such that it is difficult to determine the boundary between the wetland and the water body. The revised definition notes "temporary interruptions to surface connection may sometimes occur because of phenomena like low tides or dry spells." The Conforming Rule defines the term "adjacent" to mean "having a continuous surface connection." A more detailed regulatory definition of USACE jurisdiction can be found in Appendix D.

Waters of the State

The limits of "waters of the State," as defined under the Porter-Cologne Water Quality Control Act, are any surface water or groundwater, including saline waters, within the boundaries of the state. The top of bank or outer edge of riparian, whichever was greater, was used to represent the limits of non-wetland waters of the State.

Potential State wetland features were evaluated pursuant to the State Water Resources Control Board's *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (SWRCB 2021), which relies on the same three parameters as the USACE definition (hydrophytic vegetation, wetland hydrology, and hydric soils) but allows for naturally unvegetated areas meeting the other two parameters to be considered wetlands. A more detailed regulatory definition of RWQCB jurisdiction can be found in Appendix D.

CDFW-jurisdictional Streambeds

The extent of potential streambeds, streambanks, lakes and riparian habitat subject to CDFW jurisdiction under Sections 1600 et seq. of the CFGC was delineated by reviewing the topography and morphology of potentially jurisdictional features to determine the outer limit of riparian vegetation, where present, or the tops of banks for stream features. A more detailed regulatory definition of CDFW jurisdiction can be found in Appendix D.

Coastal Wetlands

The coastal wetlands were determined in accordance with the CCA and CCC regulations, which define coastal wetlands as one- parameter wetlands located within the Coastal Zone, which is generally extends seaward to the state's outer limit of jurisdiction (i.e., 3 nautical miles from the mean high tide line [MHTL]) and inland generally 1,000 yards from the MHTL. The one-parameter definition is as follows:

> "Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.

For purposes of this section, the upland limit of a wetland shall be defined as:

(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not." (14 CCR Section 13577)

Areas potentially qualifying as Coastal Act wetlands were mapped based on the presence of any one of the USACE's three wetland parameters (predominance of hydrophytic vegetation, hydric soils, or wetland hydrology). The CCC is the responsible agency that issues Coastal Development Permits in Goleta as the City does not have a certified Local Coastal Program (LCP). A more detailed regulatory definition of CCC jurisdiction can be found in Appendix D.

City-defined Wetlands and Streamside Protection Areas

Pursuant to General Plan Conservation Element sub policy CE 3.1, Definition of Wetlands, the City defines wetland boundaries by a single parameter (i.e., hydric soils, hydrophytic vegetation, or hydrology) and directly cites the Coastal Commission definitions contained in 14 CCR 13577(b). Boundaries of City wetlands were delineated as coterminous with CDFW-jurisdictional streambeds in the natural channel.

Pursuant to General Plan Conservation Element policy CE 2, Protection of Creeks and Riparian Areas, watercourses and their associated riparian areas are defined as Environmentally Sensitive Areas (ESHA) and Streamside Protection Areas (SPA). The SPA includes the creek channel, wetlands, and/or riparian zone and an adjacent 100-foot upland buffer on both sides of the creek. Boundaries of City SPA were delineated as 100-foot buffer from the edge of the TOB of the creek channel and/or riparian vegetation, which was defined as coterminous with CDFW-jurisdictional streambeds.

Vegetation Community and Land Cover Mapping

Plant species nomenclature and taxonomy followed *The Jepson Manual: Vascular Plants of California, Second Edition* (Baldwin et al. 2012) and the Jepson eFlora (Jepson Flora Project eds. 2024). All plant species encountered were identified to the lowest taxonomic level possible given the condition of the materials during the survey. The vegetation community mapping and classification system used for this analysis is based on *A Manual of California Vegetation, Second Edition* (MCV2; Sawyer et al. 2009, CNPS 2024), and was modified as needed to accurately describe the existing habitats observed on-site. The land cover types that are not described in the MCV2 were classified using conventional naming practices (e.g., mixed woodland). A list of dominant, abundant, and conspicuous plant species for each vegetation community within the study area was compiled during the surveys (Appendix E).

3 Existing Conditions

This section summarizes the general environmental setting, vegetation communities and land covers observed, soil types encountered, and local hydrology in the study area.

3.1 Topography, Land Use, and Climate

The topography of the study area is generally flat. Elevations range from 3 feet above mean sea level to 51 feet above mean sea level. The weather in Santa Barbara County is typical of a Mediterranean climate. Summers are warm and dry while winters are cool and wet. Average temperatures in Santa Barbara County include a high temperature of 70 degrees Fahrenheit and low of 53 degrees Fahrenheit, with average annual precipitation of 19.43 inches and most of the precipitation falling between November and March (U.S. Climate Data 2025). The study area is located within San Jose Creek, along SR 217, and consists primarily of a concrete channel. The upstream portion of the study area is a natural channel, located upstream of the existing Hollister Avenue Bridge. Adjacent land uses include SR 217 to the east, commercial buildings to the west, the upstream natural channel portion of San Jose Creek (predominantly arroyo willow thickets) and adjacent parklands to the north, and the downstream natural portion of San Jose Creek to the south. The Hollister Avenue Bridge bisects the northern portion of the study area. San Jose Creek continues downstream until its confluence with the Pacific Ocean at Goleta Beach, approximately 0.9 mile downstream from the study area. The study area ranges between approximately one and 52 feet above mean sea level.

3.2 Hydrology

The study area is located in San Jose Creek, within the San Pedro Creek Watershed (12-digit Hydrologic Unit Code [HUC] 180600130202; USGS 2025). San Jose Creek is mapped as an intermittent stream at the upstream portion of the study area (within the natural channel) to Hollister Avenue Bridge and then mapped as a perennial stream river from Hollister Avenue Bridge to the downstream section of the concrete channel (USGS 2025). However, site conditions indicate that the perennial section of the creek ends closer to where the natural channel bottom meets the southern end of the concrete channel and does not extend entirely throughout the concrete channel. The natural channel at the southern end of the Project site is also the limit of tidal influence within San Jose Creek. San Jose Creek flows parallel to SR 217 (north to south) and eventually converges with San Pedro Creek and Atascadero Creek and ultimately leads to the Pacific Ocean via the Goleta Slough, approximately one mile south of the study area. No other jurisdictional features were observed or mapped by NWI or NHD within the study area.

3.3 Vegetation Communities and Other Land Covers

Eight vegetation communities and four land cover types were documented within the study area during the field survey: annual brome grassland (*Avena* spp. – *Bromus* spp. Herbaceous Semi-Natural Alliance), arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance), black cottonwood woodland (*Populus trichocarpa* Forest & Woodland Alliance), California sycamore coast live oak riparian woodland (*Platanus racemosa* – *Quercus agrifolia* Woodland Alliance), coyote brush scrub

(*Baccharis pilularis* Shrubland Alliance), eucalyptus grove (*Eucalyptus* spp. Woodland Semi-Natural Alliance), pickleweed mats (*Sarcocornia pacifica* [*Salicornia virginica*] Herbaceous Alliance), and the disturbed vegetation, mixed woodland, open water, urban development, and urban stream channel land cover types (Figure 4a through Figure 4e). Four vegetation communities designated as CDFW-sensitive are present in the study area, including arroyo willow thickets, black cottonwood woodland, California sycamore coast live oak riparian woodland, and pickleweed mats. Table 1 provides the approximate acreage and percent area of the vegetation communities and land cover types within the study area.

Table 1 Summary of Vegetation Communities and Land Cover Types

	Study Area	
Type	**Approximate Acreage**	**Approximate Percent Area**
Vegetation Communities		
Annual brome grassland	0.25	0.9%
Arroyo willow thickets*+	0.80	2.8%
Black cottonwood woodland*+	0.33	1.2%
California sycamore - coast live oak riparian woodlands*+	0.35	1.2%
Coyote brush scrub	0.82	2.9%
Eucalyptus groves	0.38	1.3%
Mixed woodland	0.33	1.2%
Pickleweed mats*+	0.01	<0.1%
Subtotal	**2.94**	
Land Cover Types		
Disturbed vegetation – Hollister Avenue Bridge	0.31	1.1%
Open water+	0.13	0.5%
Urban development	20.20	71.0%
Urban stream channel	4.54	15.9%
Subtotal	**25.51**	
Total	**28.45**	**100%**

*CDFW-sensitive natural community

+ City-designated ESHA

Figure 4a Vegetation Communities and Landcover Types – Overview



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Fig X Veg Communities Overview

Figure 4b Vegetation Communities and Landcover Types – Panel 1

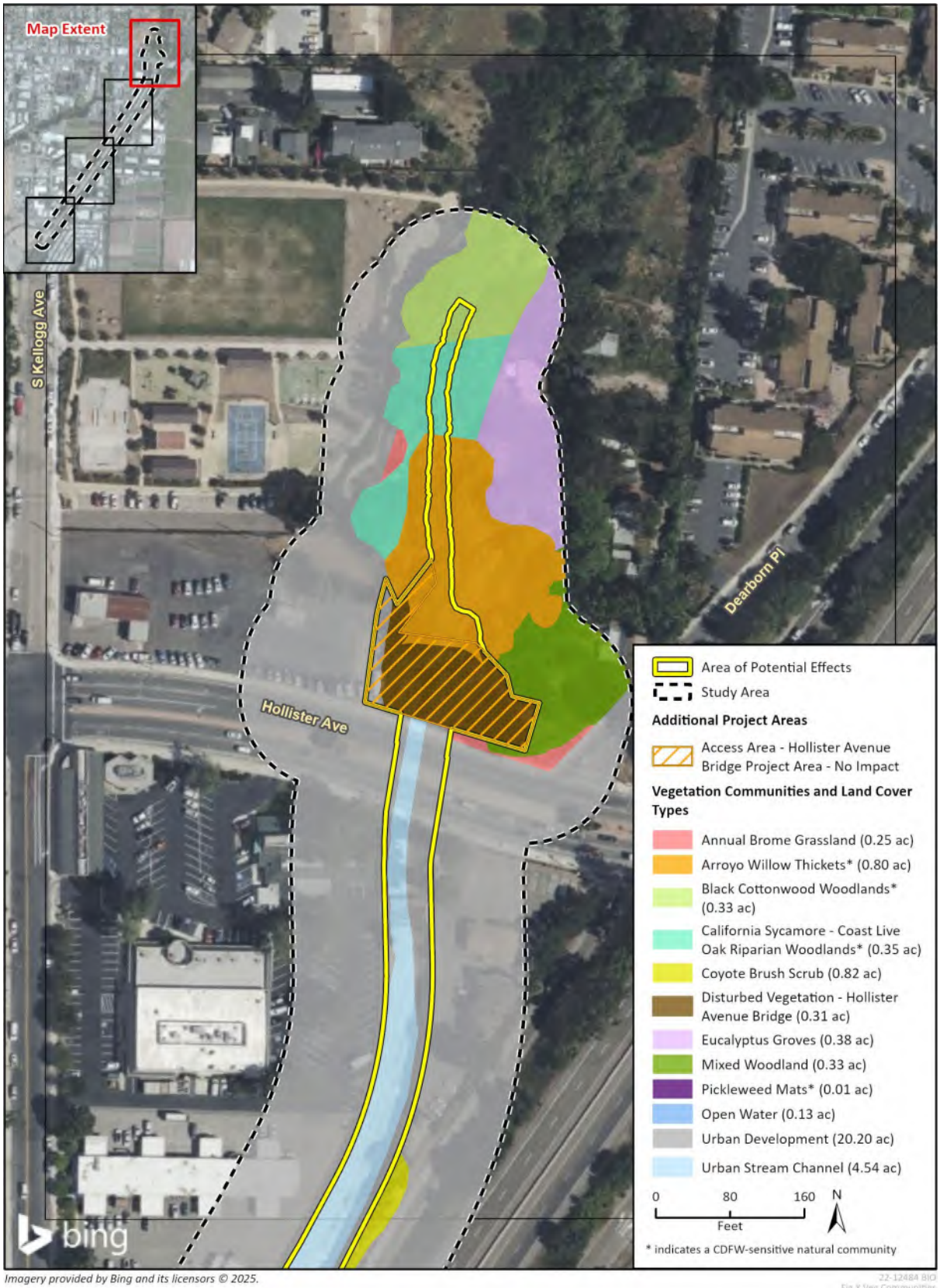
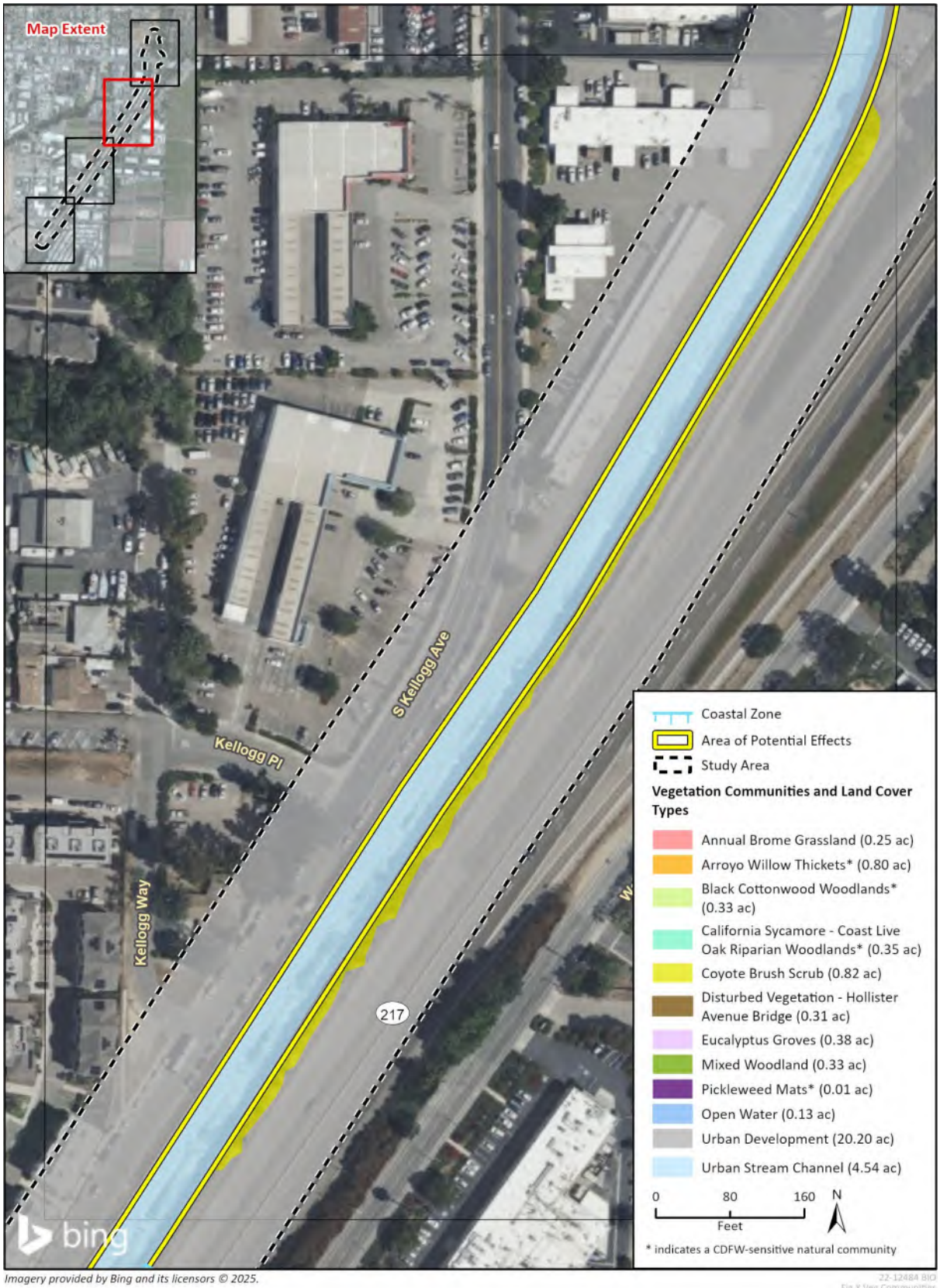


Figure 4c Vegetation Communities and Landcover Types – Panel 2



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Fig X Veg Communities

Figure 4d Vegetation Communities and Landcover Types – Panel 3



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Fig X Veg Communities

Figure 4e Vegetation Communities and Landcover Types – Panel 4



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Brief descriptions of the vegetation communities and land cover types present in the study area are provided below. A list of plants observed within the study area during the surveys is provided in Appendix E. Representative photographs of the vegetation communities and land cover types are provided in Appendix H.

Annual Brome Grassland

Wild oats and annual brome grasslands (*Avena* spp. – *Bromus* spp. Herbaceous Semi-Natural Alliance) are generally found in open areas in valleys and foothills throughout coastal and interior California. This non-native vegetation community typically occurs on soils consisting of fine-textured loams or clays that are somewhat poorly drained. Non-native annual grasses and weedy annual and perennial forbs, primarily of Mediterranean origin, dominate this vegetation type, probably as a result of human disturbance. Scattered native grass and wildflower species, representing remnants of the original vegetation may also be common (Sawyer et al. 2009, CNPS 2024).

This vegetation alliance is ranked GNASNA due to the predominance of non-native species and is not considered sensitive (CDFW 2025).

Annual brome grassland covers an approximately 0.25-acre section of the study area, along the west side of the concrete channel at the southern portion of the study area and a small portion on the west side of the natural channel at the northern portion of the study area, outside of any impact areas. This vegetation community contains only non-native grasses and is dominated by ripgut brome (*Bromus diandrus*). Other non-native species observed included redstem filaree (*Erodium cicutarium*), cheeseweed (*Malva parviflora*), and smilo grass (*Stipa miliacea*).

Arroyo Willow Thickets

Arroyo willow thickets (*Salix lasiolepis* Shrubland Alliance) commonly occur along stream banks and benches, slope seeps, and alongside drainages at elevations between sea level and 7,120 feet. This native vegetation community is characterized by having arroyo willow (*Salix lasiolepis*) as dominant in the shrub canopy (>50% relative cover) (Sawyer et al. 2009, CNPS 2024). This vegetation community (ranked G4S4) is considered a CDFW-sensitive natural community (CDFW 2025).

Arroyo willow thickets cover an approximately 0.80-acre section of the study area, within the natural channel temporary impact area at the northern portion of the study area and adjacent to the pickleweed mats on the east bank at the southern portion of the study area, outside of the concrete channel temporary impact area. This vegetation community is dominated by arroyo willow. Other native species in this vegetation community include mugwort (*Artemisia douglasiana*), California blackberry (*Rubus ursinus*), creek clematis (*Clematis ligusticifolia*), and poison oak (*Toxicodendron diversilobum*). A few patches of the invasive non-native giant reed (*Arundo donax*) are present in this vegetation community. Other non-native species observed included iceplant (*Carpobrotus edulis*) and cape ivy (*Delairea odorata*).

Black Cottonwood Woodland

Black cottonwood woodland (*Populus trichocarpa* Forest & Woodland Alliance) is primarily found in seasonally flooded and permanently saturated soils on stream banks and alluvial terraces. This native vegetation community is characterized by having black cottonwood (*Populus trichocarpa*) dominant or co-dominant in the tree canopy with other species such as white alder (*Alnus rhombifolia*), western sycamore (*Platanus racemosa*), and arroyo willow (Sawyer et al. 2009, CNPS 2024). This vegetation community (ranked G5S3) is considered a CDFW-sensitive natural community (CDFW 2025).

Within the study area, black cottonwood woodland covers an approximately 0.33-acre section at the northernmost section of the study area. A small portion of this vegetation community is within the natural channel temporary impact area. This vegetation community is dominated by black cottonwood. Other native species found included white alder, island cherry tree (*Prunus ilicifolia* ssp*. lyonia*), blue elderberry (*Sambucus Mexicana*), and arroyo willow. Non-native species observed included cape ivy, Shamel ash (*Fraxinus uhdei*), and blue gum eucalyptus (*Eucalyptus globulus*).

California Sycamore Coast Live Oak Riparian Woodland

California sycamore - coast live oak riparian woodlands (*Platanus racemosa – Quercus agrifolia* Woodland Alliance) are typically found in gullies, intermittent streams, springs, seeps, stream banks, and terraces adjacent to floodplains that are subject to high-intensity flooding and consist of rocky or cobbly alluvium with permanent moisture at depth. Elevations for this native community range between two and 7,874 feet above mean sea level. California sycamore (*Platanus racemosa*) and coast live oak (*Quercus agrifolia*) are dominant in the tree layer in a riparian setting (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked G3S3, which is considered a CDFW-sensitive natural community (CDFW 2025).

This vegetation community covers an approximately 0.35-acre section of the study area at the northernmost section of the study area. A portion of this vegetation community intersects the natural channel temporary impact area. California sycamore coast live oak riparian woodlands are dominated by California western sycamore and coast live oaks. Other native species within the vegetation community included arroyo willow, California bay (*Umbellularia californica*), and wild cucumber (*Marah fabacea*). Non-native species observed included Shamel ash, English ivy (*Hedera helix*), and garden nasturtium (*Tropaeolum majus*).

Coyote Brush Scrub

Coyote brush scrub (*Baccharis pilularis* Shrubland Alliance) is typically found on coastal bluffs, terraces, stabilized dunes of coastal bars, spits along the coastline, river mouths, stream sides, open exposed slopes, ridges, and gaps in forest stands. Soils are variable, sandy to relatively heavy clay. The shrub canopy is dominated by coyote brush (*Baccharis pilularis*), deer weed (*Acmispon glaber*), and California sagebrush (*Artemisia californica*), and occasional coast live oak (*Quercus agrifolia*) trees. The shrub canopy is generally relatively open with a scattered distribution of shrubs with annual grasses such as wild oats (*Avena* spp.) and bromes (*Bromus* spp.), and annual herbs such as redstem filaree in gaps between shrubs (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked G5S5, which is not considered a sensitive natural community (CDFW 2025).

Coyote brush scrub covers an approximately 0.82-acre section of the study area, along the east side of the downstream end of the concrete channel, along the State Route (SR) 217, outside of any impact areas. The vegetation community is dominated by coyote brush (*Baccharis pilularis*). Non-native species observed included pampas grass (*Cortaderia selloana*), fountain grass (*Pennisetum alopecuroides*), and castor bean (*Ricinus communis*).

Disturbed Vegetation – Hollister Avenue Bridge

The disturbed vegetation land cover type is not characterized in the MCV2 classification system. Disturbed vegetation covers approximately 0.31 acre in the study area, within Hollister Avenue Bridge area at the northern end of the study area. Vegetation species in this land cover type were removed during the separate project associated with Hollister Avenue Bridge. Remaining vegetation

is sparse and previously disturbed, consisting primarily of annual non-native grasses, such as wild oats and bromes.

Eucalyptus Groves

Eucalyptus groves (*Eucalyptus* spp. Woodland Semi-Natural Alliance) are found planted as trees, groves, and windbreaks, as well as in settings where it has become naturalized on uplands or bottomlands and adjacent to stream courses, lakes, or levees from zero to 6,234 feet above mean sea level. Eucalyptus species (*Eucalyptus* spp.) contain more than 80 percent cover within the tree layer (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked GNASNA and is not considered sensitive (CDFW 2025).

Eucalyptus groves cover an approximately 0.38-acre section of the study area, in a small area in the northeastern portion of the study area, outside of any impact areas. This vegetation community is dominated by arroyo willow. Other native species in this vegetation community include mugwort, California blackberry, and poison oak. A few patches of the invasive non-native giant reed are present in this vegetation community. Other non-native species observed included iceplant and cape ivy.

Mixed Woodland

The mixed woodland community is not characterized in the MCV2 classification system. Mixed woodland covers approximately 0.33 acre in the study area, within the natural channel at the northeastern end of the study area. Species in the mixed woodland community include southern California black walnut (*Juglans californica*) (some of which appear to have been planted as part of a previously existing orchard, that were cut and have resprouted from their bases), jacaranda (*Jacaranda mimosifolia*), and other non-native grasses. The understory is disturbed and consists primarily of annual non-native grasses dominated by cape ivy and garden nasturtium.

Open Water

The open water land cover type is not characterized in the MCV2 classification system. The open water land cover type includes the portion of San Jose Creek within the natural channel and concrete channel at the southernmost end of the study area. Open water covers approximately 0.13 acre in the study area. This land cover type is mostly devoid of vegetation and bordered by arroyo willow thickets on the east bank and urban development on the west bank. Shorebirds such as snowy egret (*Egretta thula*) and great blue heron (*Ardea Herodias*) may feed in this land cover type. Additionally, native fish species, such as the federally endangered tidewater goby and top smelt (*Atherinops affinis*) may utilize the open water land cover type, specifically in the natural channel.

Pickleweed Mats

Pickleweed mats (*Sarcocornia pacifica* [*Salicornia depressa*] Herbaceous Alliance) are found on coastal salt marshes and alkaline flats. Native pickleweed (*Sarcocornia pacifica*) is dominant or co-dominant in the subshrub and herbaceous layers with algae and other species such as bulrush (*Bolboschoenus maritimus*), swamp grass (*Crypsis schoenoides*), salt grass (*Distichlis spicata*), and alkali heath (*Frankenia salina*) (Sawyer et al. 2009, CNPS 2024). This vegetation community is ranked G4S3, which is considered a CDFW-sensitive natural community (CDFW 2025).

Pickleweed mats cover less than 0.01-acre section of the study area, in a small area on the eastern bank at the downstream portion of the study area, outside of any impact areas. This vegetation

community is dominated by pickleweed with alkali heliotrope (*Heliotropium curassavicum*) also present. No non-native species were observed in this vegetation community.

Urban Development

The urban development land cover is characterized by type existing paved areas, roads, structures, or other urban areas that have limited vegetative cover due to pavement or compaction; landscaped and ornamental vegetation is present.

Within the study area, the urban development land cover type covers the greatest area in the study area, at approximately 20.20 acres. Urban development includes the existing Hollister Ave Bridge, the concrete channel, rip rap along the west bank of the natural channel, SR 217, and Jonny D. Wallis Neighborhood Park. Native species observed included coyote brush, western sycamore, and black cottonwood saplings in the concrete channel. Non-native species observed included red brome (*Bromus madritensis* ssp*. rubens*), bottlebrush (*Callistemon* sp.), castor bean, tree tobacco (*Nicotiana glauca*) and ornamental shrubs and trees.

Urban Stream Channel

The urban stream channel land cover includes the portion of San Jose Creek in the concrete channel. Within the study area, the urban stream channel land cover type covers most of San Jose Creek within the study area, at approximately 4.54 acres. The urban stream channel is entirely lined with concrete, surrounded by urban development, and devoid of vegetation. During the dry months, the urban stream channel generally lacks surface flow.

3.4 Soils

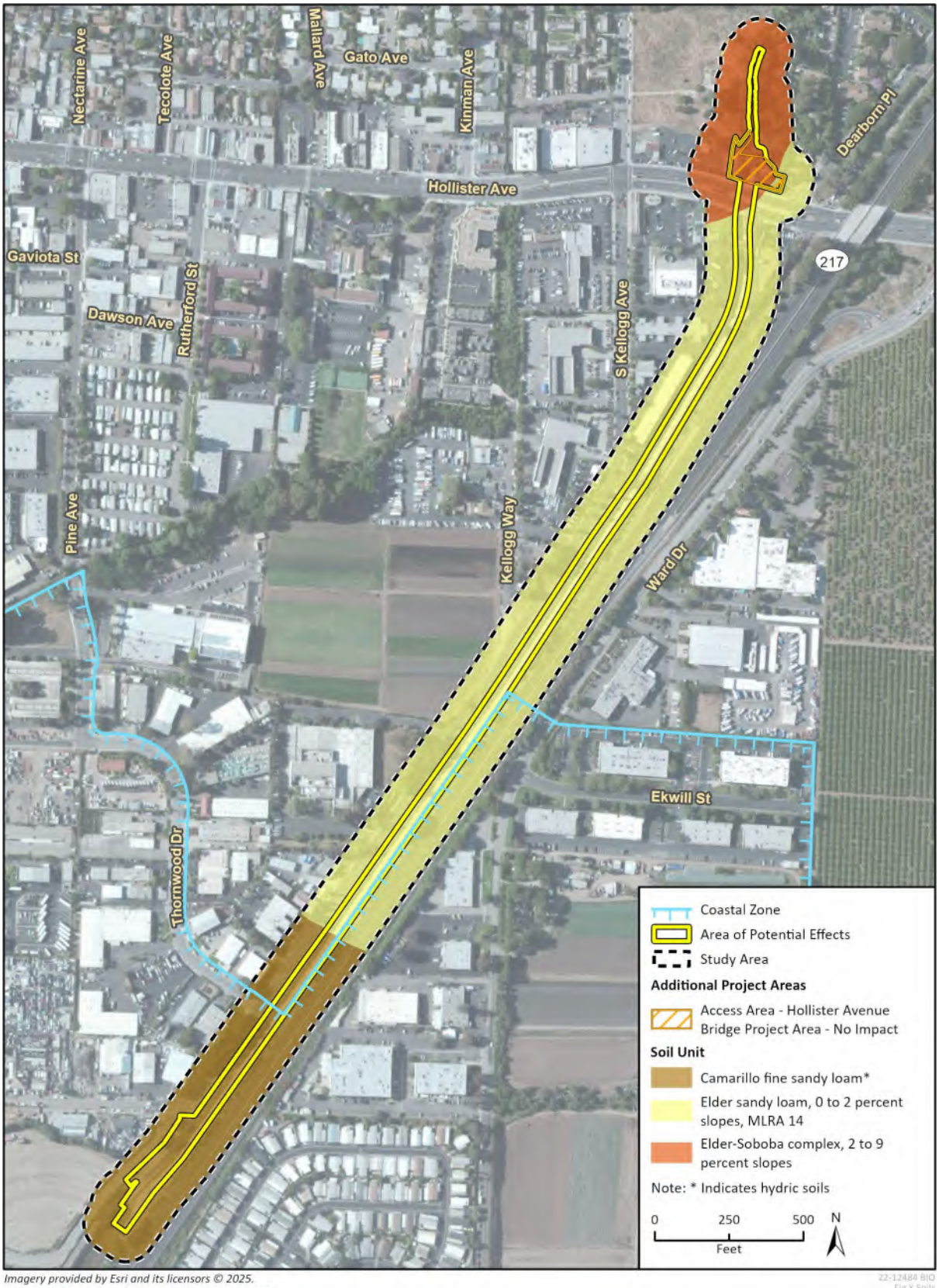
The USDA NRCS Web Soil Survey identifies three soil map units within the study area: Camarillo fine sandy loam, Elder sandy loam, 0 to 2 percent slopes MLRA 14, and Elder-Soboba complex, 2 to 9 percent slopes (USDA, NRCS 2025a, Figure 5). Only the Camarillo fine sandy loam soil map unit is considered a hydric soil (USDA, NRCS 2025b). Each of these soils map units are described in detail below:

Camarillo fine sandy loam (Ca) is a poorly drained soil occurring on flood plains. It is formed from alluvium derived from calcareous sedimentary rock. A typical soil profile contains two distinct horizons; the first between 0 to 19 inches containing fine sandy loam, and the second horizon between 19 to 57 inches containing loam. The runoff class is low, and the soil is considered hydric. This soil is mapped within the southern portion of the study area and covers approximately 17 percent of the total area.

Elder sandy loam, 0 to 2 percent slopes MLRA 14 (EaA) is a well-drained soil occurring on the flood plains and alluvial fans. It is formed from mixed alluvium and a typical soil profile contains four distinct horizons. The first horizon occurs between 0 to 8 inches and contains sandy loam, the second horizon occurs to a depth of 23 inches and contains sandy loam, the third horizon occurs to a depth of 31 inches and contains sandy loam, and the fourth horizon occurs to a depth of 60 inches and contain sandy loam. Available water storage is moderate (about 6.6 inches), and the runoff class is low. This soil is not considered hydric. This soil is mapped within the middle portions of the study area, between the other two mapped soil units, and covers approximately 55 percent of the total area.

Elder-Soboba complex, 2 to 9 percent slopes (Eb) is a well-drained soil occurring on alluvial fans. It is formed from stratified alluvium derived from sedimentary rock. A typical soil profile contains two distinct horizons. The first horizon is between 0 to 30 inches and contains sandy loam, and the second horizon is between 30 to 72 inches and contains stratified loamy sand to loam. The runoff class is very medium, and the soil is not considered hydric. This soil is mapped within the natural channel at the northern portion of the study area and covers approximately 28 percent of the total area.

Figure 5 Soils



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Additional data provided by USDA-NRCS SSURGO 2024.

22-12484 BIO
Fig X Soils

4 Assessment of Jurisdictional Waters and Wetlands

Based upon the findings of Rincon's jurisdictional delineation, San Jose Creek is subject to USACE, Central Coast RWQCB, CDFW, CCC, and City jurisdiction. Table 2 summarizes the total acreage of jurisdictional waters on-site within the study area by regulatory agency. Figure 6a through Figure 6e depict the location and extent of USACE, Central Coast RWQCB, CDFW, CCC, and City jurisdiction within the study area.

Table 2 Potentially Jurisdictional Waters Delineated within the Study Area

	USACE		RWQCB		CDFW	CCC	City	City
Feature	Non-wetland Waters of the U.S. (acres/ linear feet)	Wetland Waters of the U.S. (acres/ linear feet)	Non-wetland Waters of the State (acres/ linear feet)	Wetland Waters of the State (acres/ linear feet)	CDFW-jurisdictional Streambeds (acres/ linear feet)	Coastal Wetlands (acres/ linear feet)	Wetlands (acres/ linear feet)	Streamside Protection Areas (acres/ linear feet)
San Jose Creek	4.73/4,741	–	6.78/4,741	–	6.78/4,765	0.28/247	1.65/580	30.60/5,022

The findings and conclusions presented in this report regarding regulatory agency jurisdiction over San Jose Creek represent the professional opinion of the consultant biologists. These findings and conclusions should be considered preliminary and at final discretion of the applicable resource agency.

Figure 6a Jurisdictional Areas – Overview

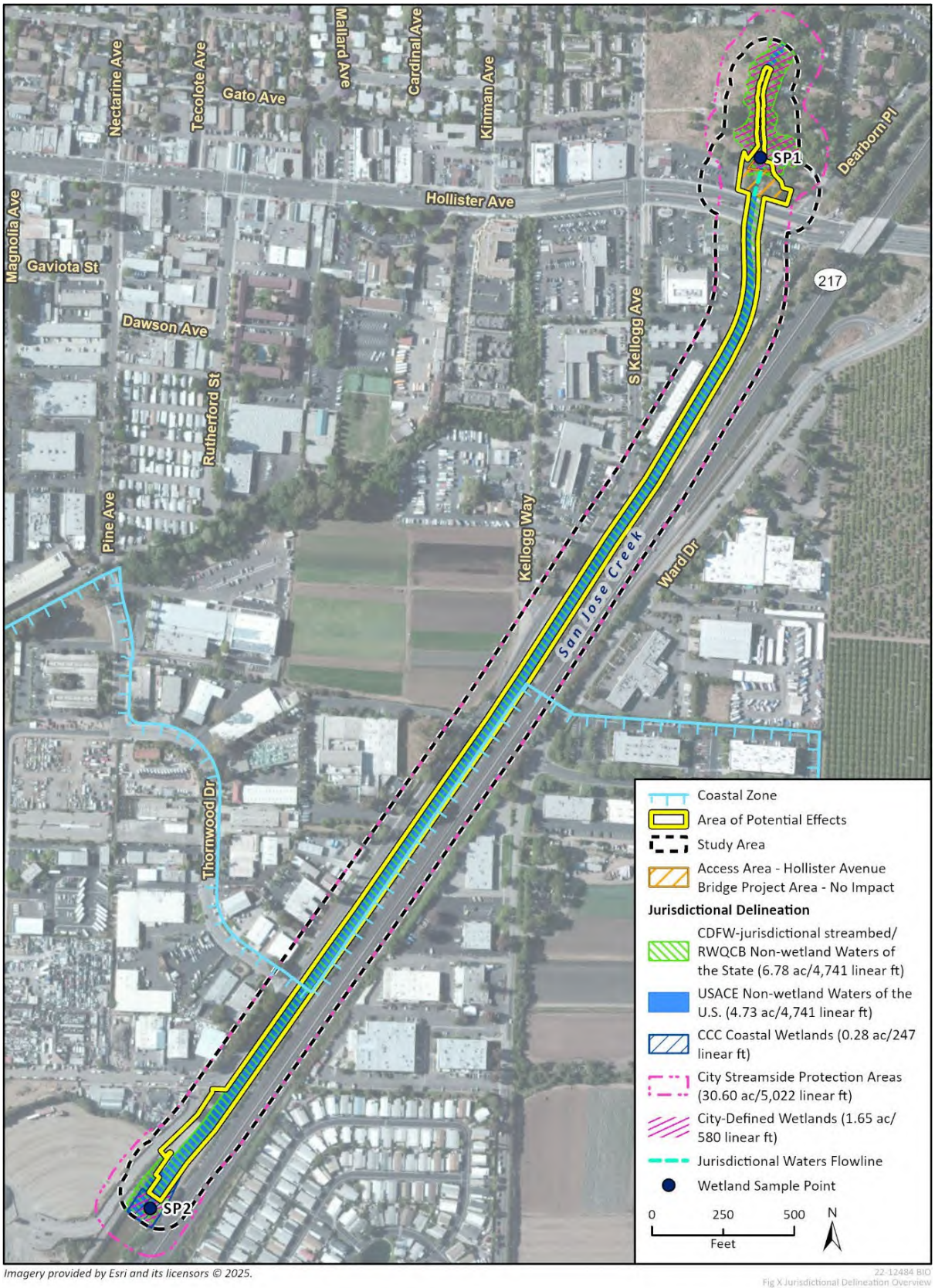
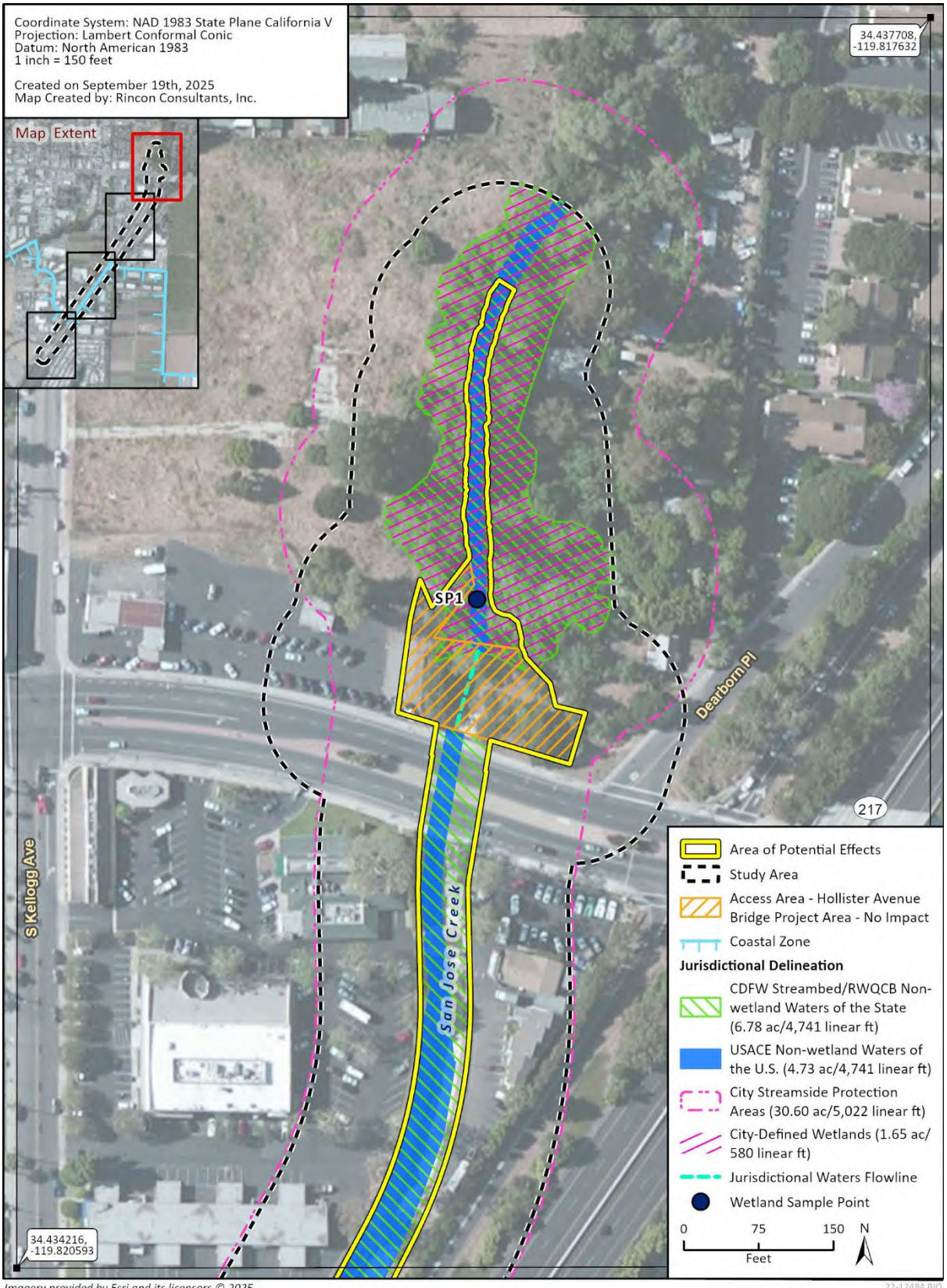
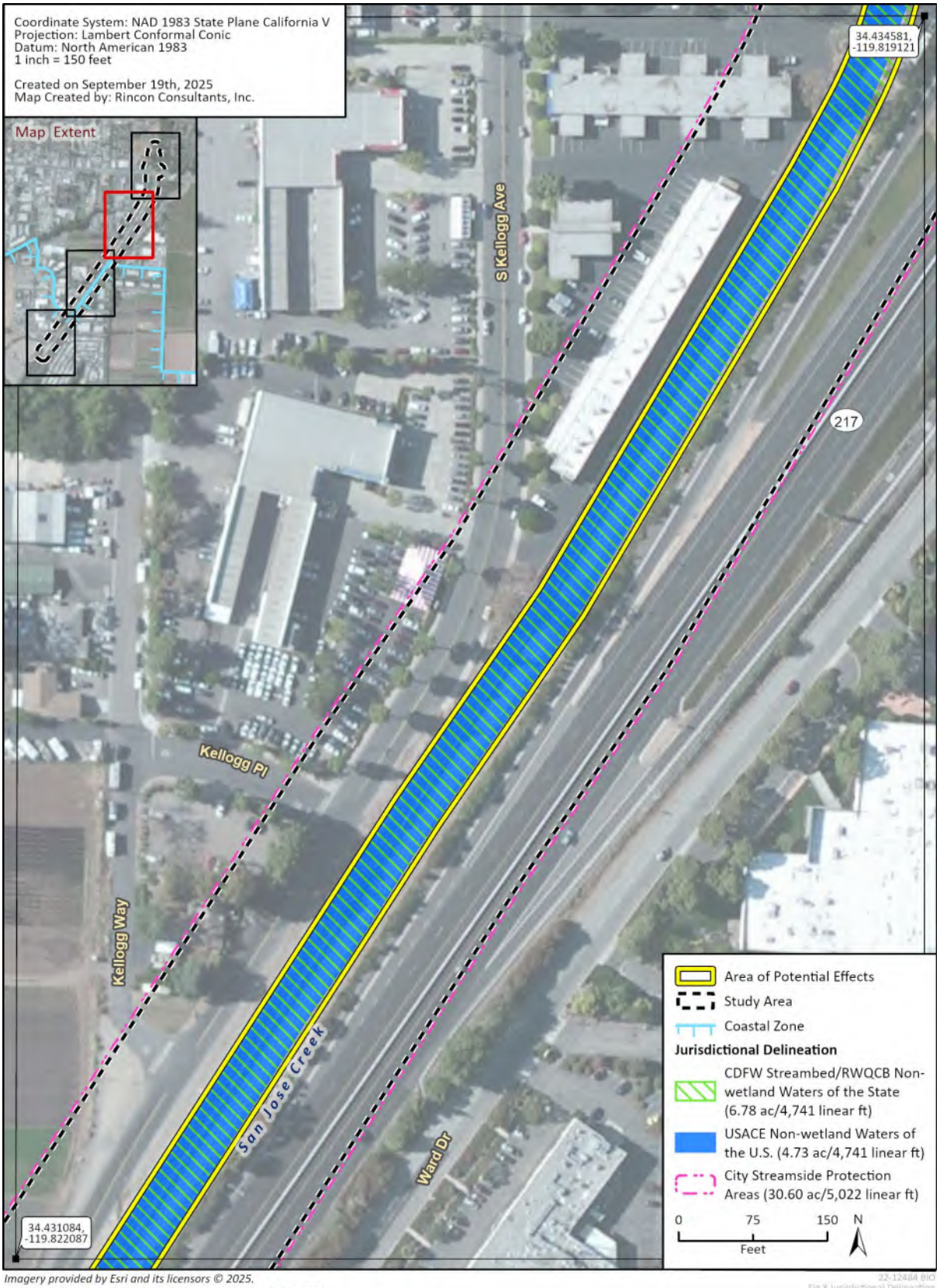


Figure 6b Jurisdictional Areas – Panel 1



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Additional data provided by California Coastal Commission 2021.

Figure 6c Jurisdictional Areas – Panel 2



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Additional data provided by California Coastal Commission 2021.

Figure 6d Jurisdictional Areas – Panel 3

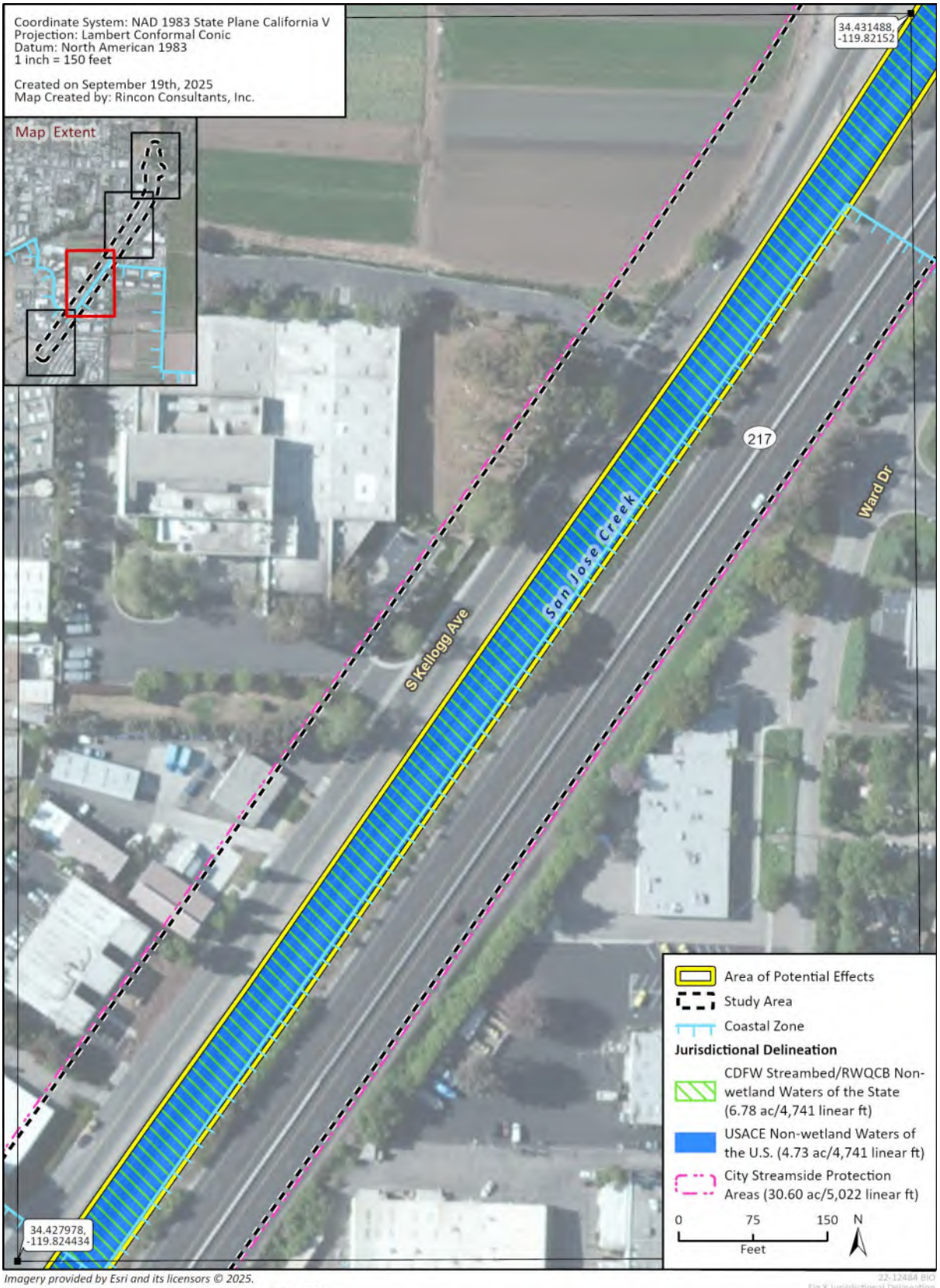


Figure 6e Jurisdictional Areas – Panel 4



4.1 San Jose Creek

Within the study area, the upstream natural channel and the concrete channel of San Jose Creek is an intermittent system; the riverbed surface is dry for most of the year, except during storm events. During the survey, water was present due to recent rainfall. Within the study area, the downstream natural channel of San Jose Creek is a perennial system with and estuarine influence from the Goleta Slough; water is present year-round.

Within the study area, the creek transitions upstream to downstream from a natural channel to a concrete channel and back to a natural channel. Upstream of Hollister Avenue, the creek is trapezoidal and contains moderately sloped banks (~30-45 degrees) in the natural channel. The creek is non-confined, narrow terraces are present along the creek bottom, and moderate microtopography is present along the creek bottom. In the concrete channel, the creek contains moderately sloped banks (~30-45 degrees) in the trapezoidal portions of the channel and vertical banks in the rectangular portion of the channel. Downstream of the concrete channel, the creek is once again natural-bottomed and trapezoidal with moderately sloped banks (~30-45 degrees). A small floodplain terrace is located on the east side. No terrace is present on the west bank, which is covered in riprap.

The creek contains a clear OHWM, which was present at the edge of the flowing water in the upstream natural channel, at the toe of slope of the trapezoidal and rectangular concrete channel, and at the edge of the flowing water again at the downstream natural channel. The OHWM channel was approximately 15 feet wide throughout the study area and 1 to 2 feet deep in the upstream natural channel; the depth within the downstream natural channel is unknown. A TOB is observable throughout the entirety of the creek, which varies in height from 10 to 15 feet high and 30 to 40 feet wide, and was defined by an abrupt change in gradient. Riparian vegetation extends beyond the TOB in the upstream natural channel and is lacking beyond the TOB along the concrete channel and downstream natural channel, as further described below. The Arid West Ephemeral and Intermittent Streams OHWM Datasheet is provided in Appendix F.

Within the upstream natural channel, the channel bottom substrate consists of mostly sandy soils, along with larger sized grains up to cobble, and the banks consist of sandy loam. Within the concrete channel, limited soil has accumulated upstream of the weirs and within the gaps in the interlocking articulated mat. Soil that has been built up upstream of the weirs is regularly wiped out by high flows and sometimes is removed by City staff during maintenance. Within the downstream natural channel, the channel bottom substrate is sand to boulder in size, and the banks consist of silty loam and loam.

Within the upstream natural channel at the northern end of the study area, riparian vegetation was primarily observed above the OHWM and along the creek banks. Dominant hydrophytic vegetation[1] along the banks include black cottonwood (FAC), western sycamore (FAC), and arroyo willow (FACW) in the tree stratum. Within the concrete channel, little to no vegetation occurs within the concrete channel. A few successional tree and shrub saplings and herbaceous species are present within the sediment collected upstream of the weirs and with the soil that has settled within the gaps in the interlocking articulated mat; however, these individual plants are regularly wiped out during high flows and sometimes removed by City staff during maintenance. Within the downstream natural channel at the southern end of the study area, riparian vegetation was

[1] OBL indicates obligate, FACW indicates facultative wetland, FAC indicates facultative, FACU indicates facultative upland, and UPL indicates upland in the Arid West Regional Wetland Plant List (USACE 2020).

primarily observed above the OHWM and along the eastern creek bank. Dominant hydrophytic vegetation species along the eastern bank include western sycamore (FAC) and arroyo willow (FACW) in the tree stratum and poison oak (FACU), creek clematis (FAC), and wild cucumber (UPL) in the woody shrub and vine stratum. The western bank is entirely rip-rap, with a solitary willow located at the TOB.

Although no aquatic invertebrates or fish were observed in the upstream natural channel, suitable habitat would be present when water is present. Algae, leaf litter, limited small woody debris, and cobbles would provide habitat. Extremely limited habitat for fish and aquatic inverts is present in the concrete channel due to the lack of natural undisturbed habitat; however, during high flows the concrete channel may be used by inverts and fish. Although no aquatic invertebrates or fish were observed in the downstream natural channel, suitable habitat is present due to the presence of deep water; algae, leaf litter, woody debris, vegetative overhang, and cobbles provide habitat.

The main stressor to San Jose Creek in the study area is the concrete channel itself. Armoring of the channel bottom and banks prevents the movement of the creek and provides little to no habitat. Other stressors include non-point source discharges from urban runoff from surrounding lands, riprap placed on the western bank in the downstream natural channel, human visitation in the form of homeless encampments in the upstream natural channel, and trash originating from surrounding lands.

4.1.1 Waters of the U.S.

San Jose Creek is likely regulated as a potential water of the U.S. San Jose Creek contains 4.73 acres of waters of the U.S. within the study area, comprised entirely of non-wetland waters of the U.S. No wetland waters of the U.S. are present, as further described below. The upstream natural channel bottom has wetland hydrology but lacks hydric soil and hydrophytic vegetation. The downstream natural channel bottom has wetland hydrology and hydrophytic vegetation, but lacks hydric soil.

The location of the wetland sampling points were determined based upon the likely presence of a wetland due to the hydrophytic vegetation and landform. Two wetland determination data points (sample points, or SP) were evaluated to confirm if USACE wetland waters of the U.S. were present within the study area, one at the northern portion of the study area and one at the southern portion of the study area. USACE Wetland Determination Data Forms (USACE wetland forms) are provided in Appendix G. Details from the wetland determination sample points are discussed further below.

Wetland Sample Points

SP-1 was conducted within the wetted natural channel at the northern portion of the study area (Figure 6b). Sampling points were not conducted along the banks since the banks were too sloped to support wetlands. At SP-1, wetland hydrology was present and indicators included surface water (A1), saturation (A3), drift deposits (B3), and drainage patterns (B10), indicating wetland hydrology is present. Per the Arid West Regional Supplemental (USACE 2008b), for wetland delineation purposes, an area is considered to be vegetated if it has 5 percent or more total plant cover at the peak of the growing season. SP-1 lacked sufficient vegetation in each stratum to be considered vegetated. A formal soil pit could not be completed due to the presence of water along the entirety of the channel bottom (approximately 1 foot deep). A preliminary soil sample was dug out of the channel bottom, revealing a naturally problematic sandy bottom; however, enough fines were present that it was determined that redox would be observed if present. Notably, the City performed a formal jurisdictional delineation in this same location in October 2013 for the adjacent

Hollister Avenue Bridge Replacement Project, and at that time redox formations and hydric soils were absent (Caltrans and City of Goleta 2015). Leaf litter and dead algae were also observed within the wetted channel. Although wetland hydrology is present, the feature was determined not to be wetland waters of the U.S. nor State under the jurisdiction of the USACE or Central Coast RWQCB, respectively, due to the lack of hydrophytic vegetation and hydric soils (Appendix G). See Photograph 2 in Appendix H for documentation of SP-1.

SP-2 was conducted on a small floodplain on the east side of the natural channel at the southern portion of the study area (Figure 6e). At SP-2, wetland hydrology was present and indicators included drift deposits (B3) and a positive FAC-neutral test (D5), indicating wetland hydrology is present. Hydrophytic vegetation was present, dominated by arroyo willow (FACW) in the tree stratum, giant reed (FACW) in the shrub stratum, and pickleweed (OBL) in the herb stratum. No sandy redox or depleted matrix was observed because there were not enough redox concentrations present to qualify for this indicator. No redox dark surface was observed because not enough redox concentrations were present to qualify for this indicator. Soil conditions indicate hydric soils may be forming because redox is present, but not in high enough concentrations to be considered wetland hydric soils; it is possible that the floodplain is possibly disturbed enough or not submerged long enough to form fully hydric soils per the USACE definition. Due to the lack of hydric soil indicators, hydric soils are not present. Although hydrophytic vegetation and wetland hydrology are present, the feature was determined not to be wetland waters of the U.S. nor State under the jurisdiction of the USACE or Central Coast RWQCB, respectively, due to the lack of hydric soils (Appendix G). See Photograph 10 in Appendix H for documentation of SP-2.

4.1.2 Waters of the State

San Jose Creek is likely regulated as a potential water of the State pursuant to the Porter-Cologne Water Quality Control Act and is delineated by the top of bank or the outer dripline of riparian vegetation, whichever is greater, for the extent of Central Coast RWQCB jurisdiction. San Jose Creek contains 6.78 acres of non-wetland waters of the State within the study area. No wetland waters of the State are present. As described in Section 4.1.1, the upstream natural channel bottom has wetland hydrology, but lacks hydric soil and hydrophytic vegetation. The downstream natural channel bottom has wetland hydrology and hydrophytic vegetation, but lacks hydric soil.

4.1.3 CDFW-jurisdictional Streambeds

San Jose Creek is likely regulated as a potential CDFW-jurisdictional streambed pursuant to CFGC Section 1600 et seq and is delineated by the TOB, or the outer dripline of riparian vegetation, whichever is greater, for the extent of CDFW jurisdiction. Within the upstream natural channel, the riparian limit largely defined the limit of the CDFW-jurisdictional streambed, while the TOB defined the limit of the CDFW-jurisdictional streambed in the concrete channel and downstream natural channel. San Jose Creek contains 6.78 acres of CDFW-jurisdictional streambed subject to the jurisdiction of CDFW/City within the study area.

4.1.4 Coastal Wetlands

The portion of San Jose Creek at the southern end of the study area located within the Coastal Zone is likely regulated as a potential coastal wetland pursuant to the CCA and is delineated by the hydrophytic vegetation, wetland hydrology, and open water within the natural channel. Specifically, hydrophytic vegetation and wetland hydrology are present on the east bank as described in Section

4.1.1, and in addition, open water is present within the active channel as described in Section 3.3. San Jose Creek contains 0.28 acres of wetland subject to the jurisdiction of the CCC in southern extent of the study area, located outside of the Project site.

4.1.5 City-defined Wetlands

San Jose Creek is regulated as a City-defined wetland pursuant to General Plan Conservation Element sub policy CE 3.1 and is coterminous with the extent of CDFW-jurisdictional streambeds in the natural channel, where hydrophytic vegetation and/or wetland hydrology is present. San Jose Creek contains 1.65 acres of wetland subject to the jurisdiction of City in the northern portion of the study area and in the southern portion of the study area, located outside of the Project site.

4.1.6 City Streamside Protection Areas

San Jose Creek is regulated as a City SPA pursuant to General Plan Conservation Element policy CE 2 and is delineated by the creek channel, wetlands, and/or riparian zone and an adjacent 100-foot upland buffer on both sides of the creek. Boundaries of City SPA were delineated as 100-foot buffer from the edge of the TOB of the creek channel and/or riparian vegetation, which was defined as coterminous with CDFW-jurisdictional streambeds. San Jose Creek contains 30.60 acres of SPAs.

5 Conclusions and Recommendations

One jurisdictional water is present within the study area, San Jose Creek, which is a non-wetland water of the U.S. likely subject to USACE jurisdiction pursuant to Section 404 of the Clean Water Act; a non-wetland water of the State likely subject to the Central Coast RWQCB pursuant to Section 401 of the Clean Water Act and the California Water Code (Porter-Cologne Water Quality Control Act); a CDFW-jurisdictional streambed pursuant to CFGC 1600; a coastal wetland under the jurisdiction of the CCC per the CCA; a coastal wetland under the jurisdiction of the City per General Plan Conservation Element sub policy CE 3.1, Definition of Wetlands; and a SPA under the jurisdiction of the City per General Plan Conservation Element policy CE 2, Protection of Creeks and Riparian Areas. No wetland waters of the U.S. nor wetland waters of the State are present.

Jurisdictional waters are unavoidable since the Project design is within San Jose Creek to achieve improved and unimpeded passage for southern California steelhead. Prior to impacts occurring to USACE, Central Coast RWQCB, CDFW, and/or CCC jurisdictional waters, the City will obtain the following permits: USACE Nationwide Permit 27 (Aquatic Habitat Restoration), RWQCB Section 401 General Water Quality Certification for Statewide Habitat Restoration Projects, CDFW Restoration Management Permit per CFGC Sections 1672(e) and (f) (equivalent to a Section 1602 Lake and Streambed Alteration Agreement), and a CCC CDP.

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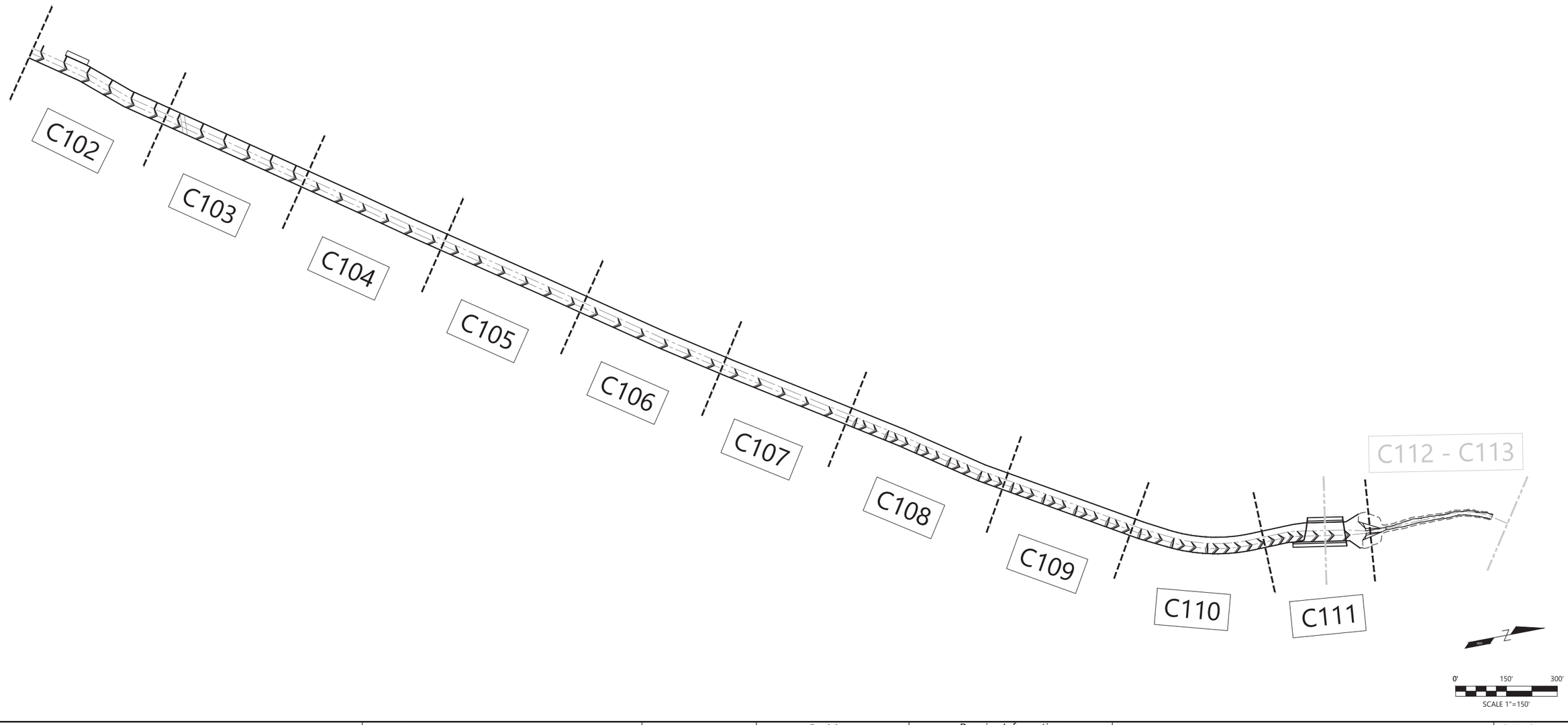
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Appendix A

Engineering Project Design and Cross-Sections



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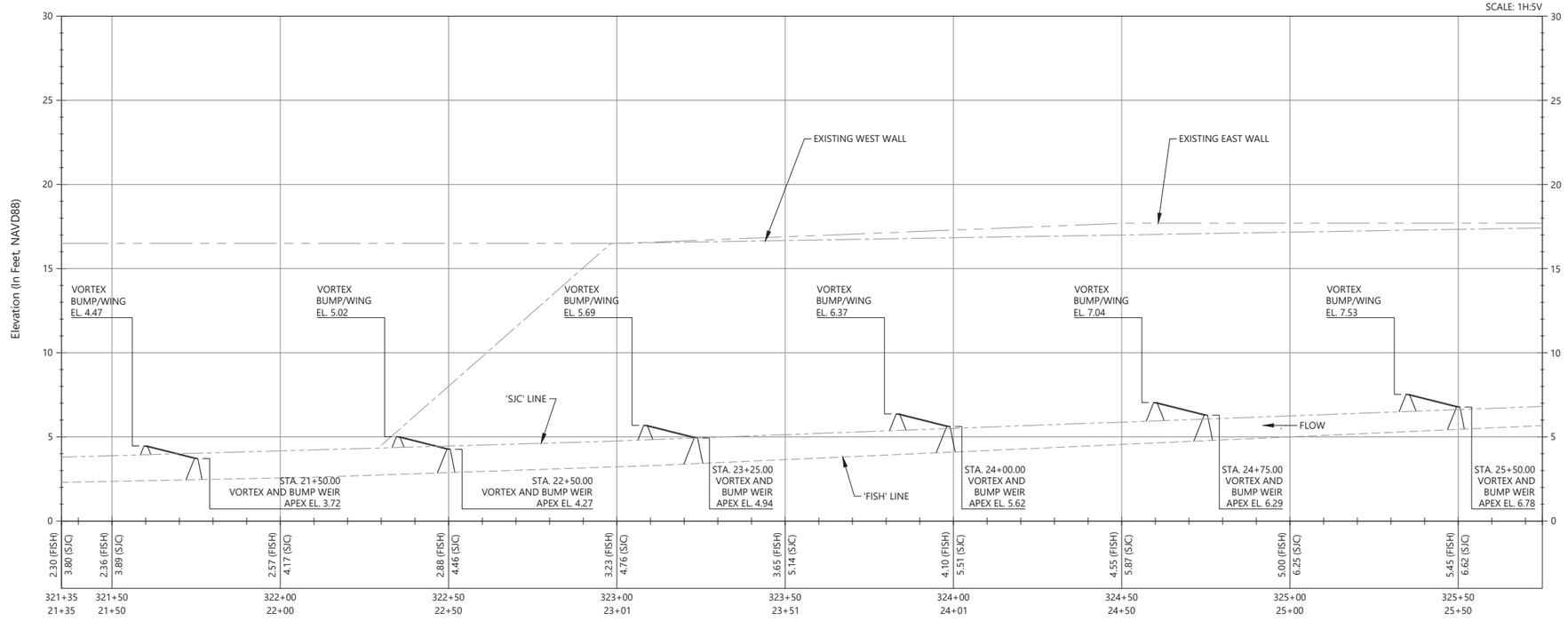
San Jose Creek Fish Passage Improvements

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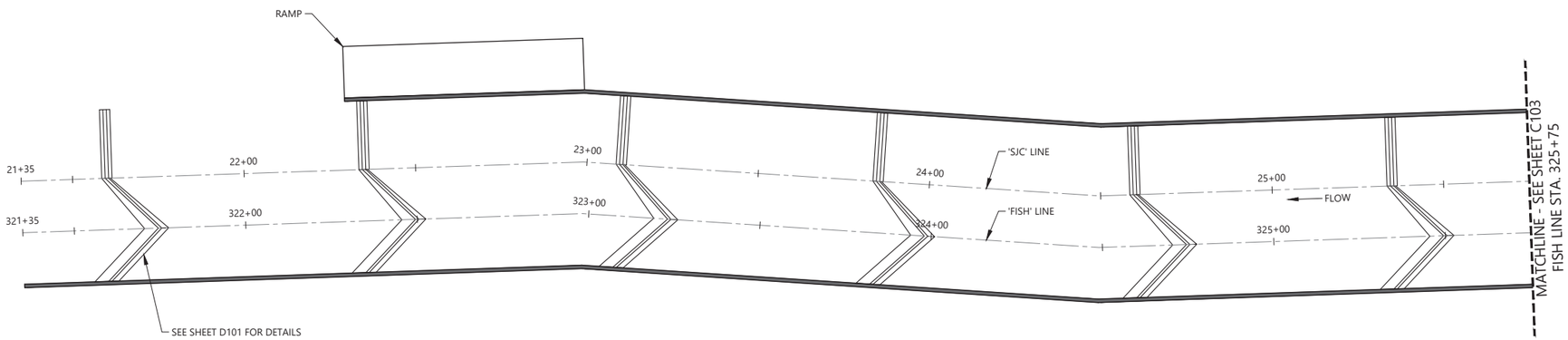


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- 'SJC' LINE
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- EXISTING EAST WALL
- PROPOSED WEIR

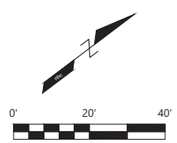
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Scale: 1"=20'



PLAN - FISH LINE STA. 321+35 TO 325+75

Scale: 1"=20'



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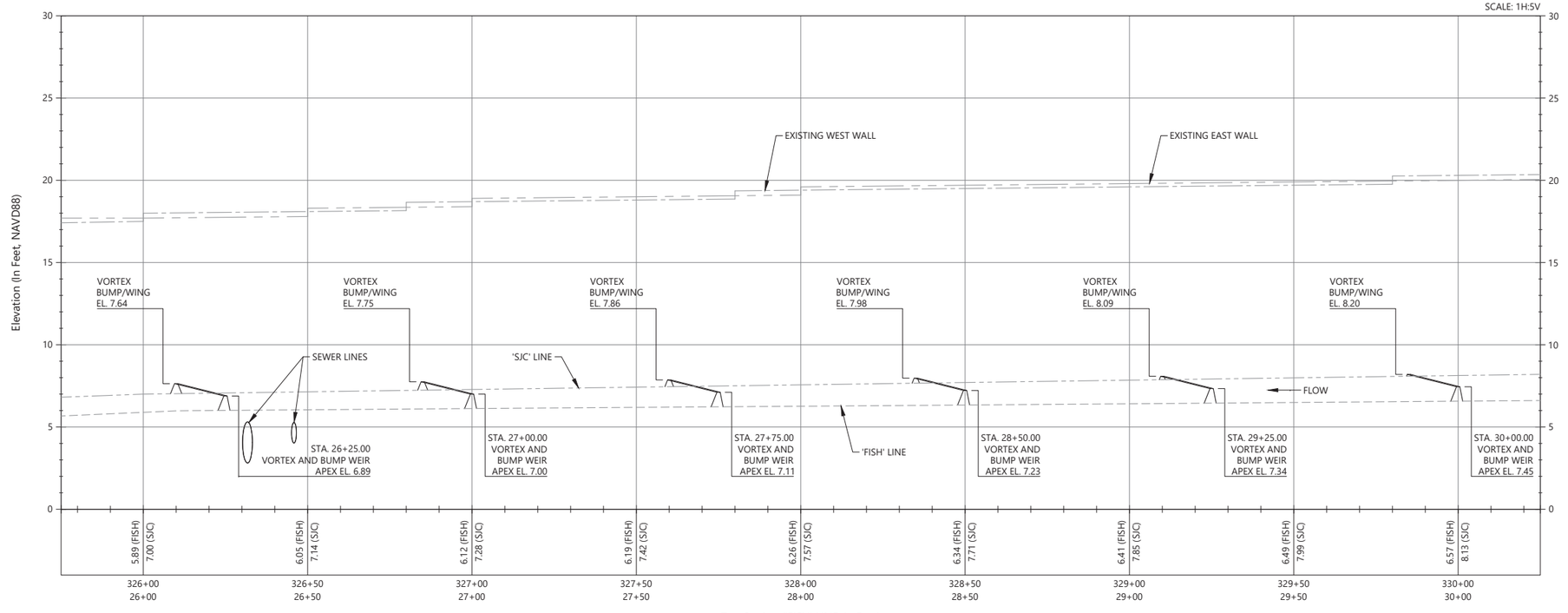
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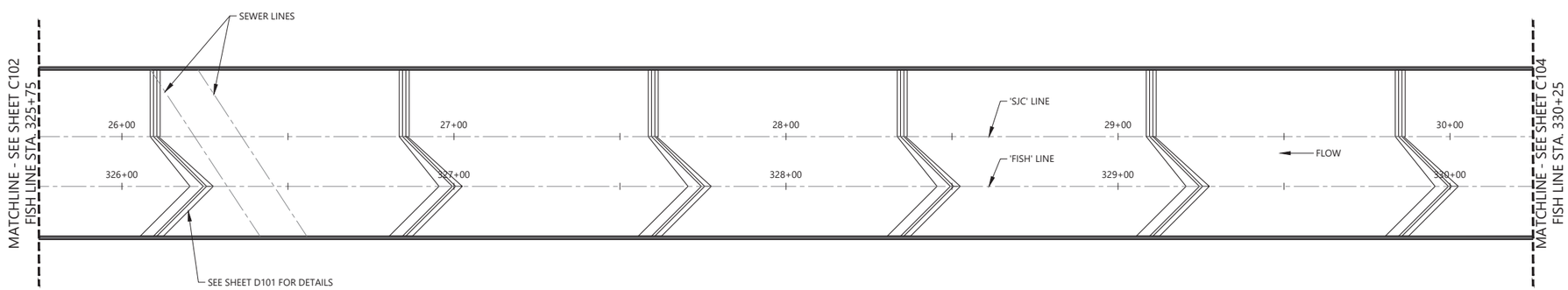
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PROFILE - FISH LINE STA. 325+75 TO 330+25

Scale: 1"=20'



PLAN - FISH LINE STA. 325+75 TO 330+25

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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San Jose Creek Fish Passage Improvements

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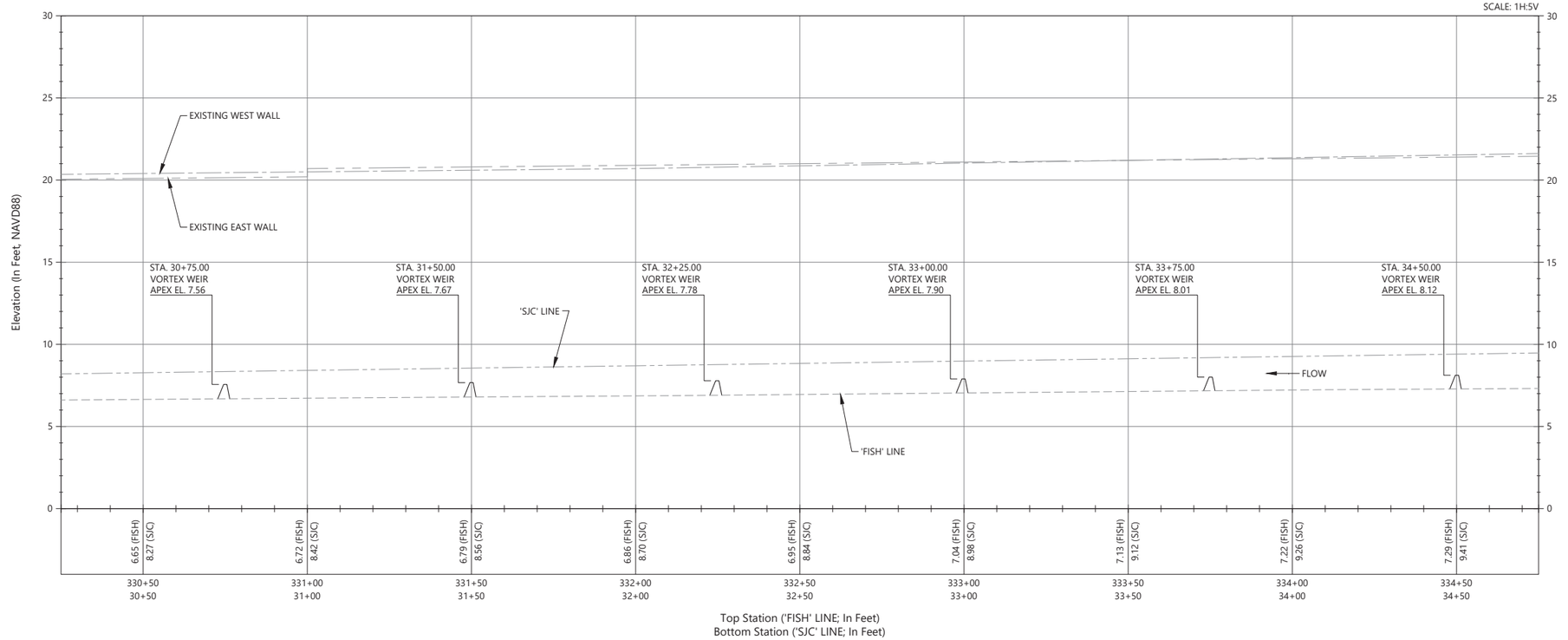
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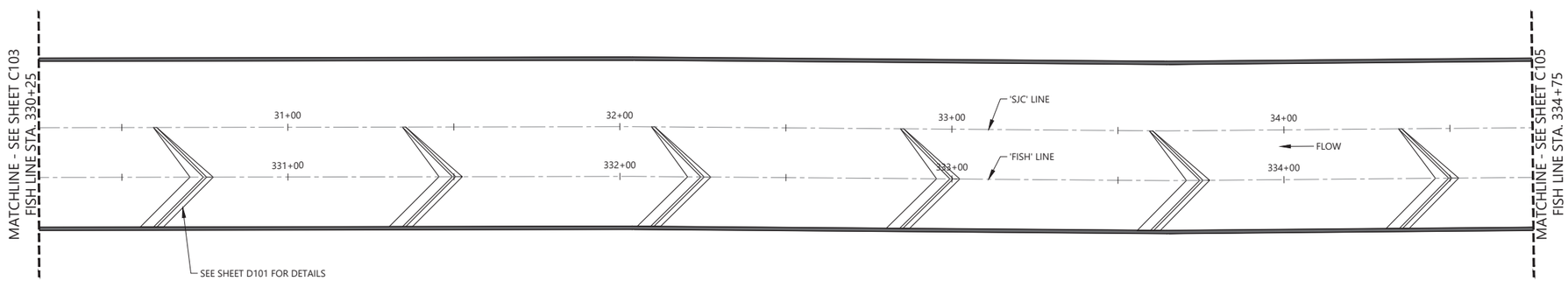
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- EXISTING EAST WALL
- PROPOSED WEIR



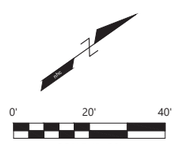
PROFILE - FISH LINE STA. 330+25 TO 334+75

Scale: 1"=20'



PLAN - FISH LINE STA. 330+25 TO 334+75

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

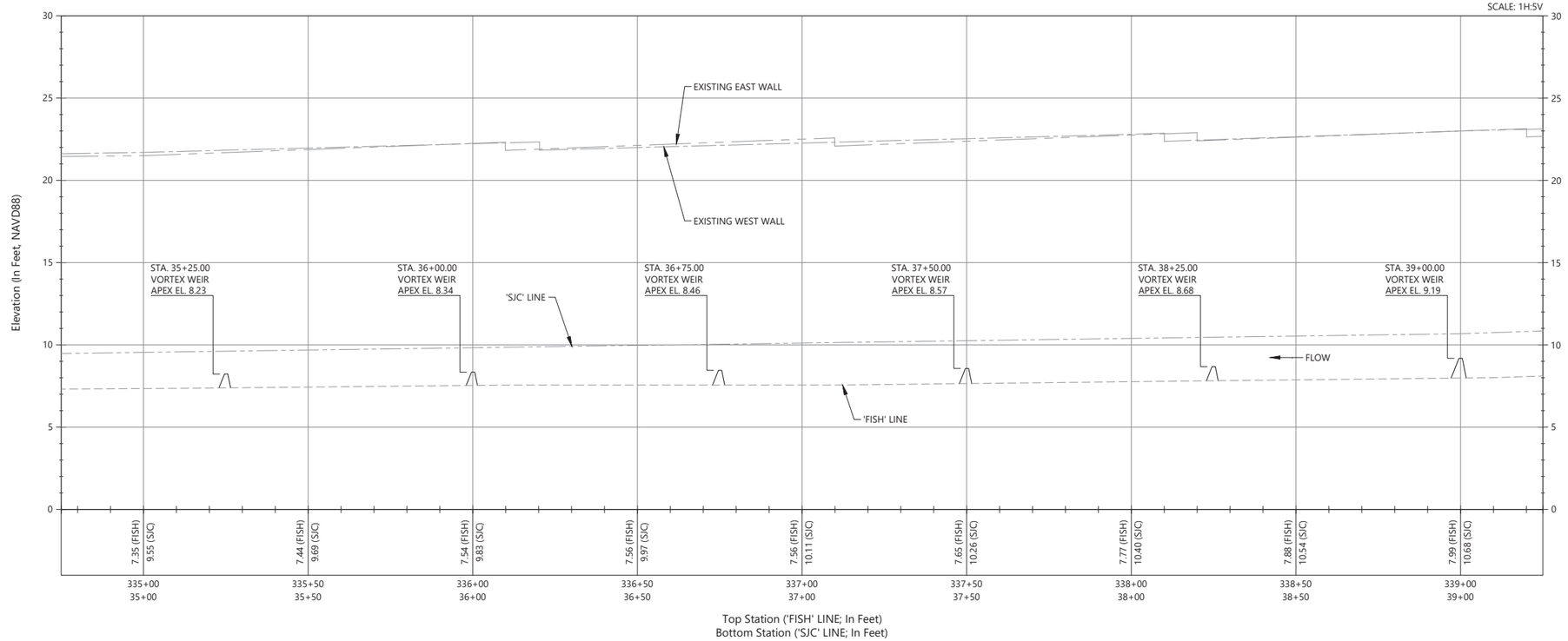
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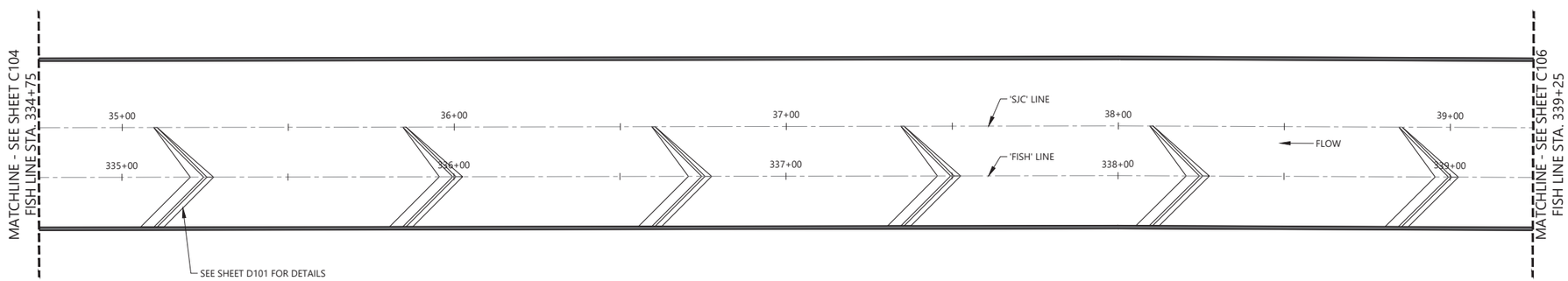


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- EXISTING EAST WALL
- PROPOSED WEIR

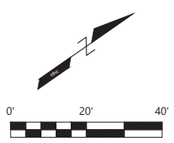
PROFILE - FISH LINE STA. 334+75 TO 339+25

Scale: 1"=20'



PLAN - FISH LINE STA. 334+75 TO 339+25

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

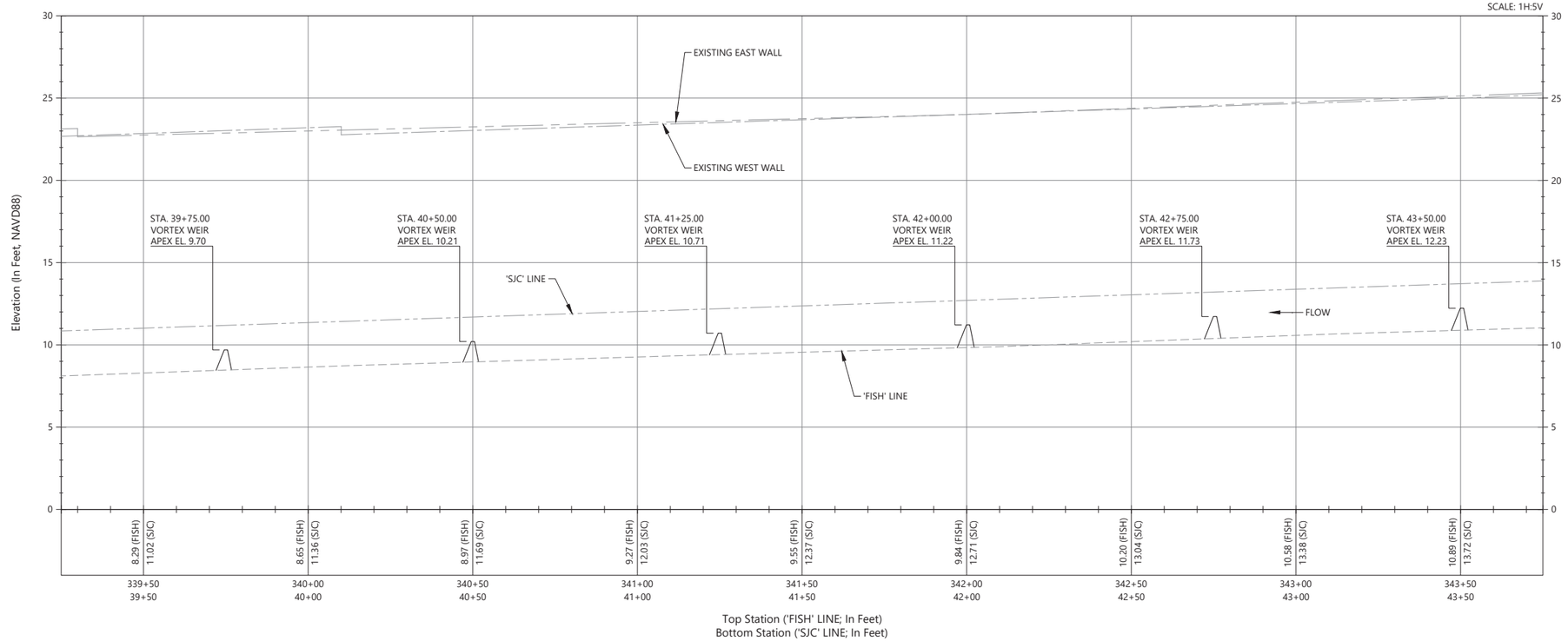
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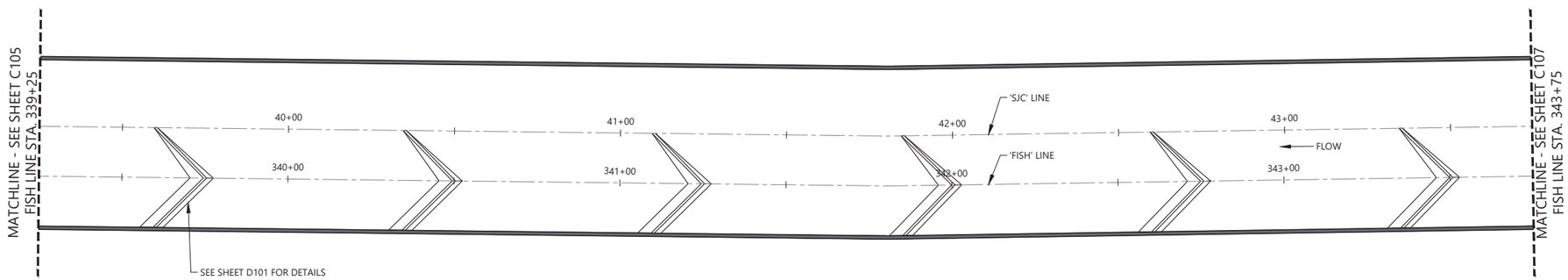
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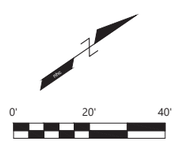
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Scale: 1"=20'



PLAN - FISH LINE STA. 339+25 TO 343+75

Scale: 1"=20'



LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

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San Jose Creek Fish Passage Improvements

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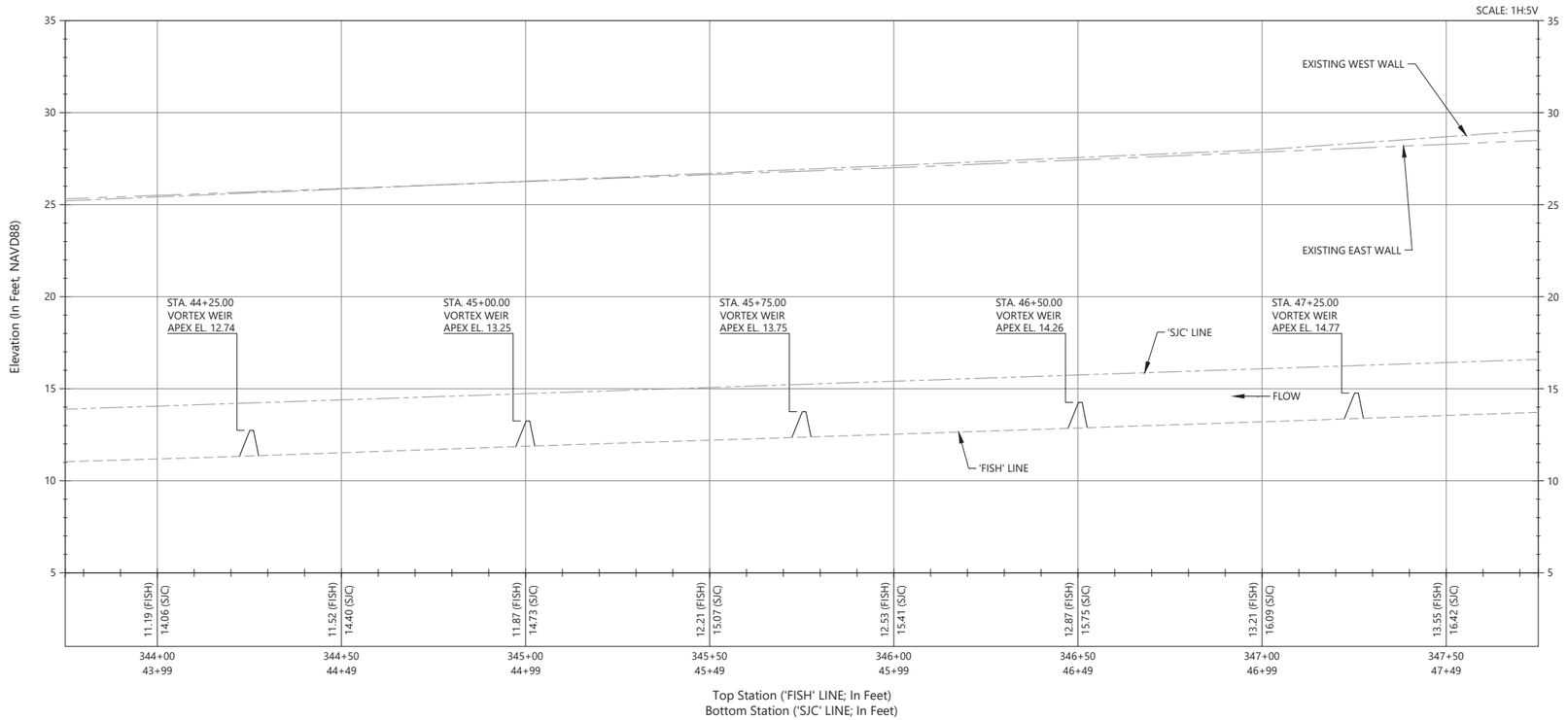
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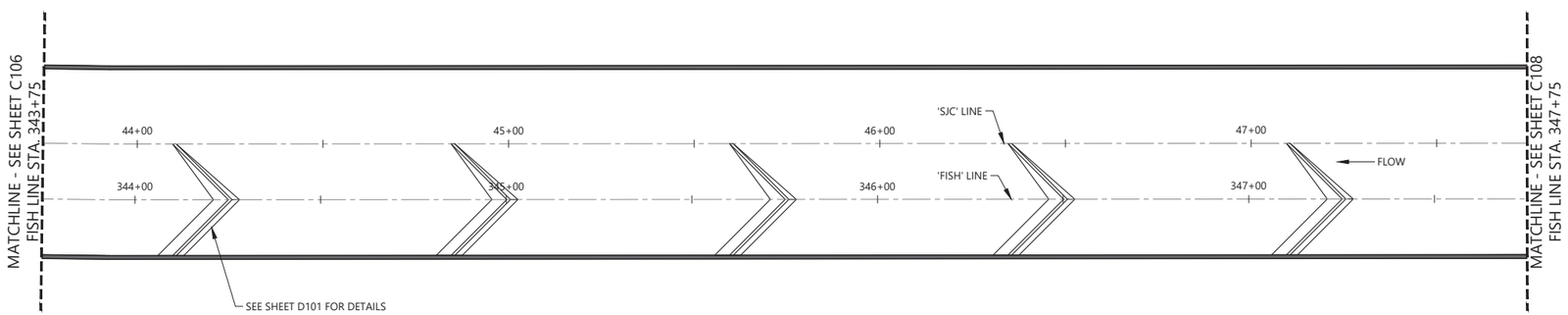
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- PROPOSED WEIR



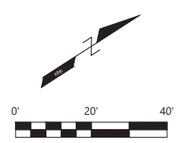
PROFILE - FISH LINE STA. 343+75 TO 347+75

Scale: 1"=20'



PLAN - FISH LINE STA. 343+75 TO 347+75

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

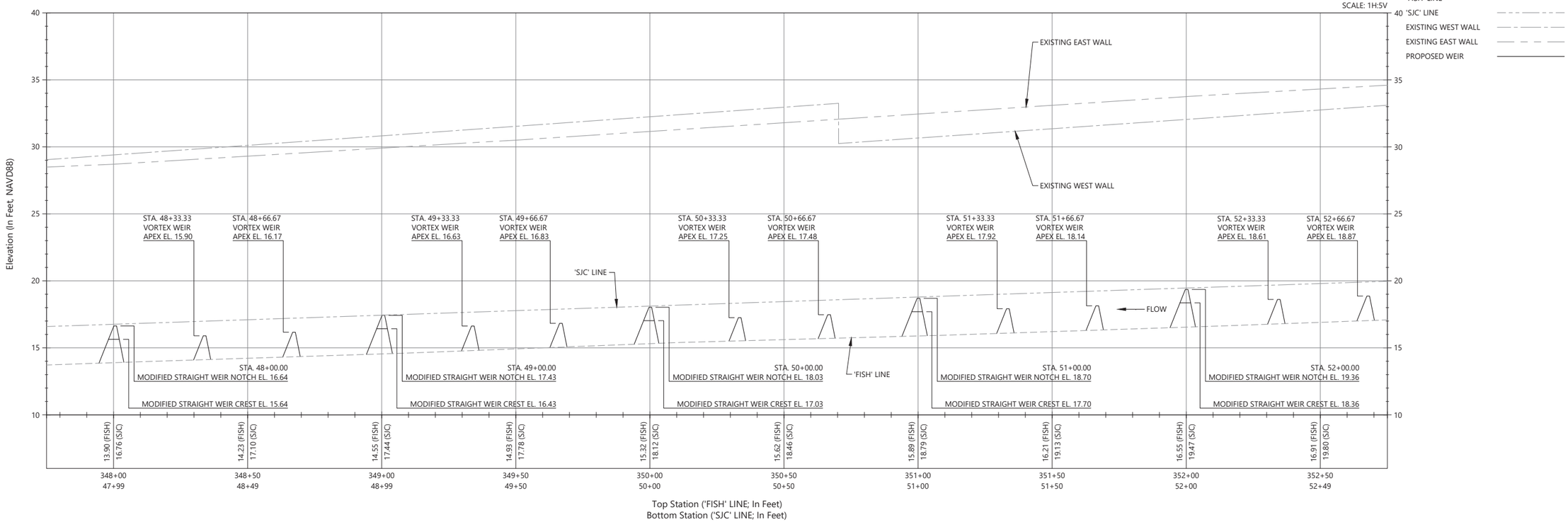
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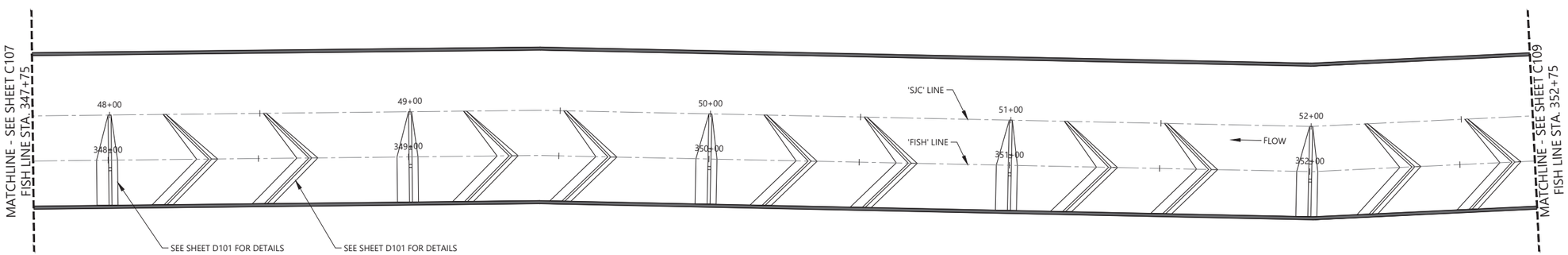


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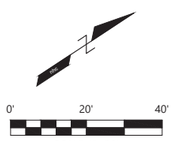
PROFILE - FISH LINE STA. 347+75 TO 352+75

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PLAN - FISH LINE STA. 347+75 TO 352+75

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

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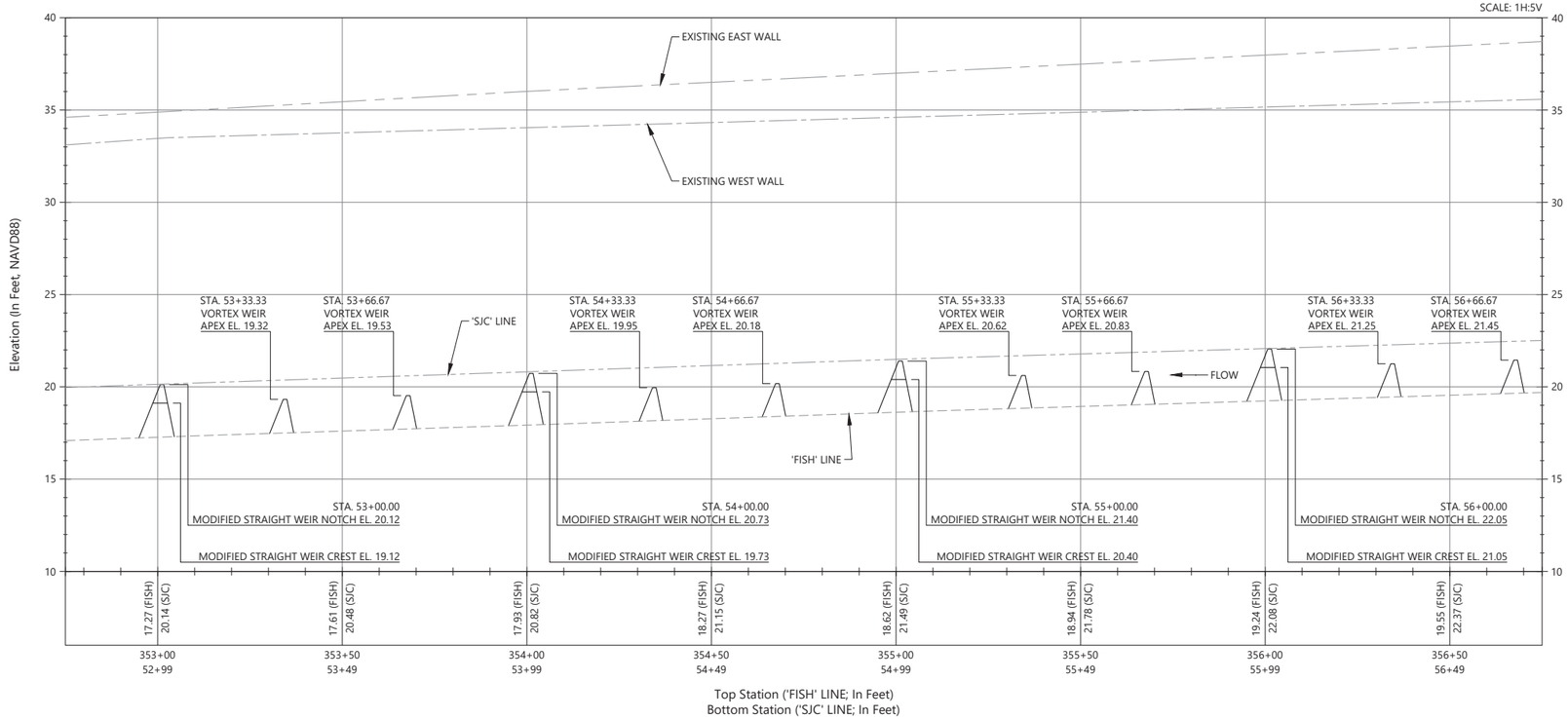
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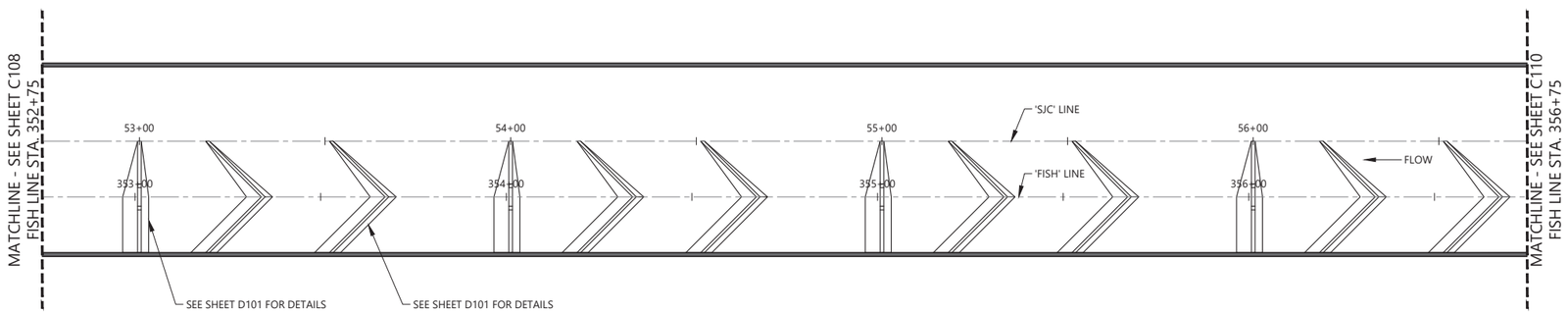
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- EXISTING EAST WALL
- PROPOSED WEIR



PROFILE - FISH LINE STA. 352+75 TO 356+75

Scale: 1"=20'



PLAN - FISH LINE STA. 352+75 TO 356+75

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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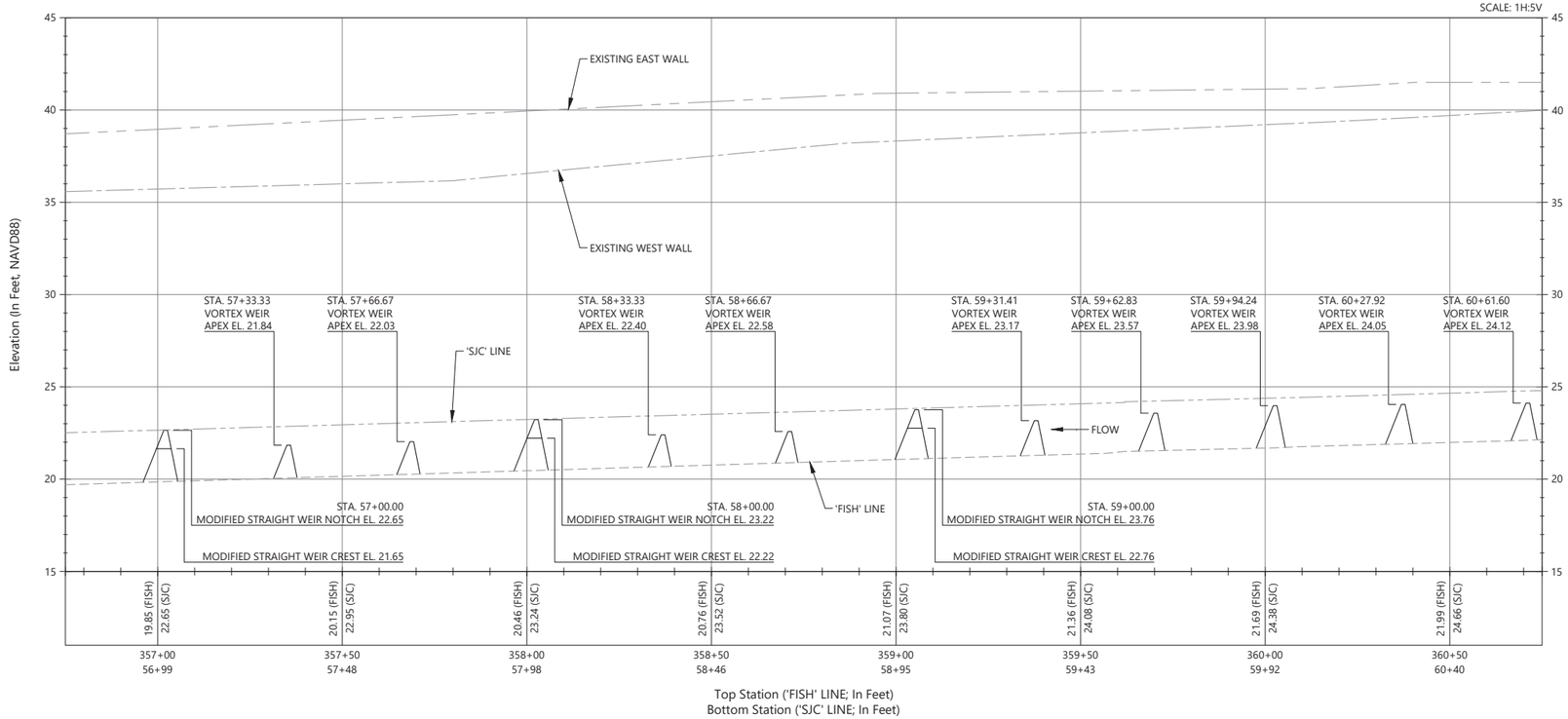
C109

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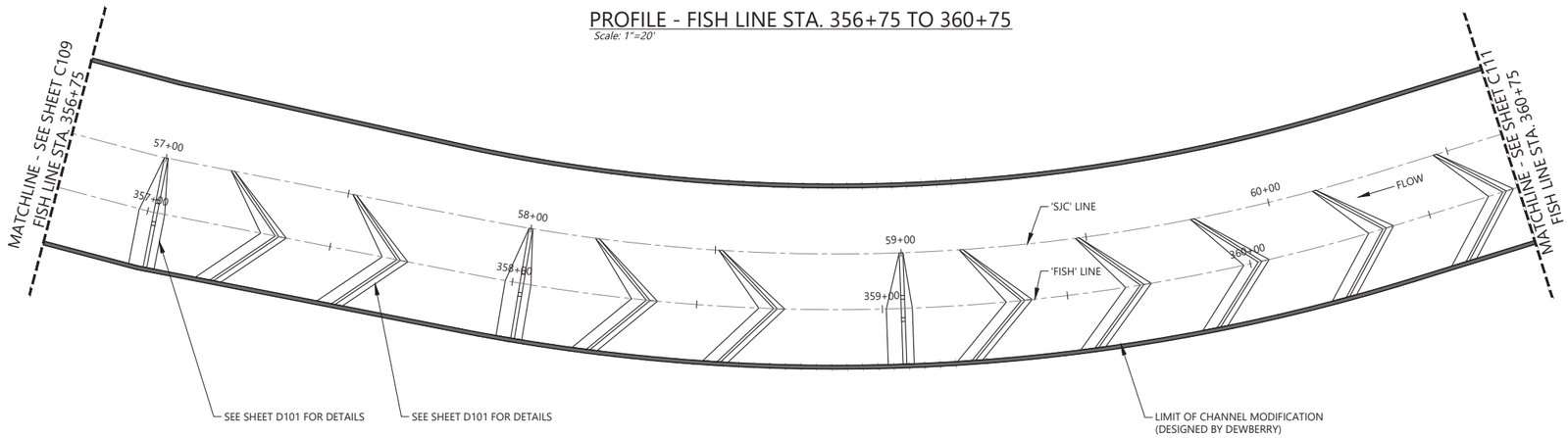
LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



PROFILE - FISH LINE STA. 356+75 TO 360+75

Scale: 1"=20'



PLAN - FISH LINE STA. 356+75 TO 360+75

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

CITY OF GOLETA
CLIENT INFORMATION
130 Cremona Drive
Goleta, California 93117
PHONE NUMBERS
https://www.cityofgoleta.org/

northwest hydraulic consultants
12787 gateway drive south
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phone: (206) 241–6000
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www.nhcweb.com

PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
No.	Date	Description

Drawing Information	
Date	11:33:06 20250318
Status	65% Submittal
Designer	
Drafter	
Checked	
File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

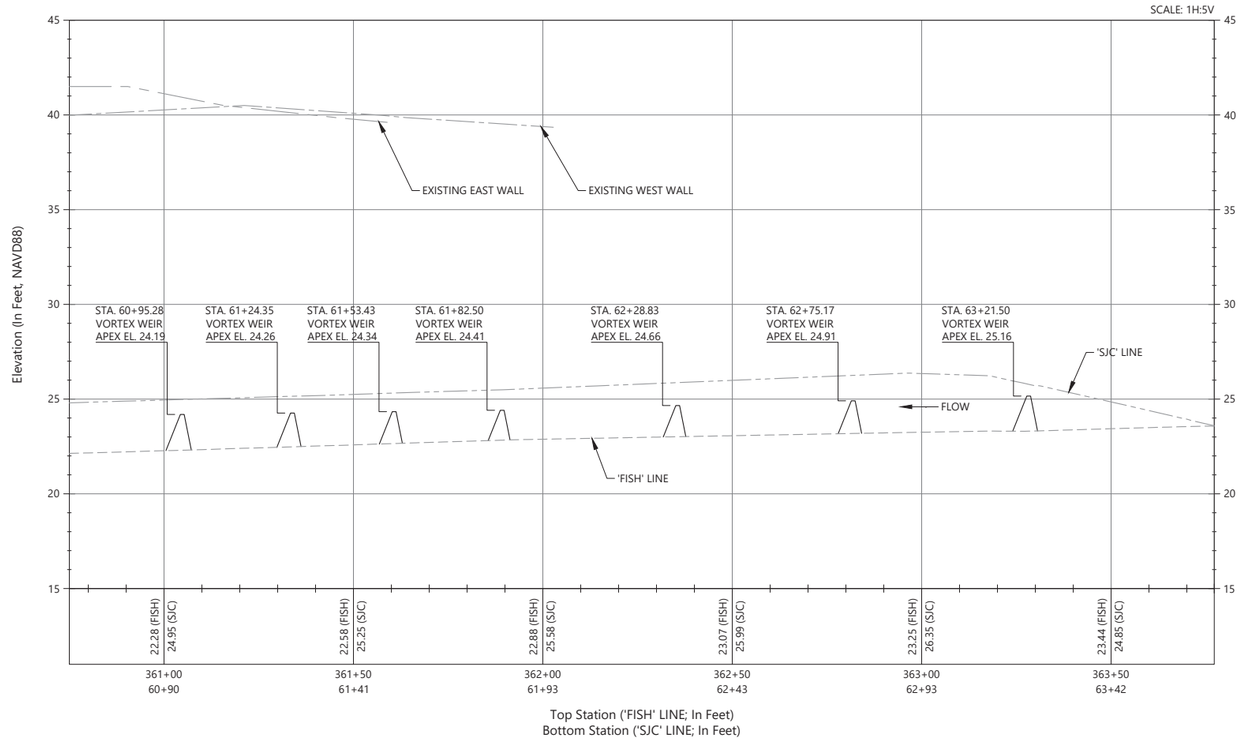
C110

Sheet xx of XX

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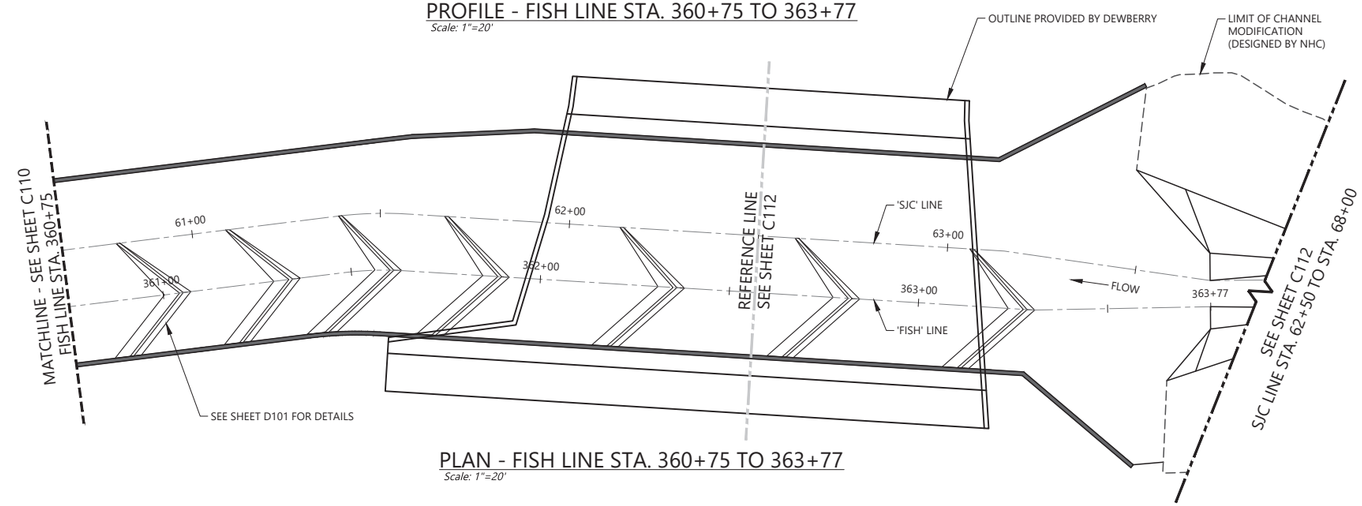
LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



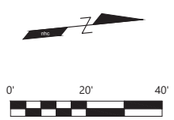
PROFILE - FISH LINE STA. 360+75 TO 363+77

Scale: 1"=20'



PLAN - FISH LINE STA. 360+75 TO 363+77

Scale: 1"=20'



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File Name	SJC CIVIL15
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San Jose Creek Fish Passage Improvements

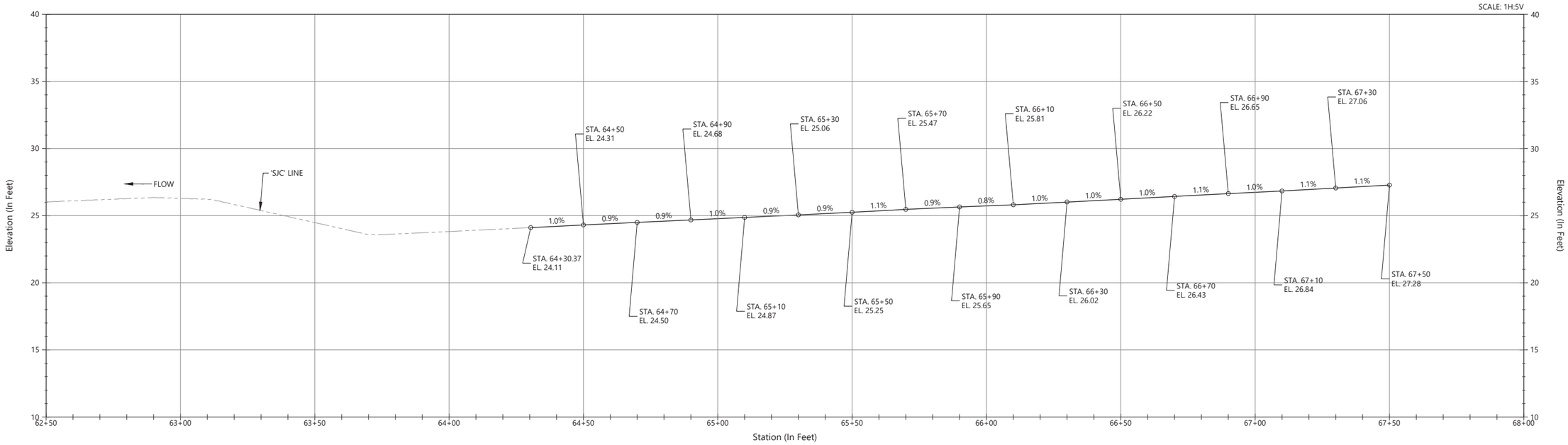
Job Number 2007147

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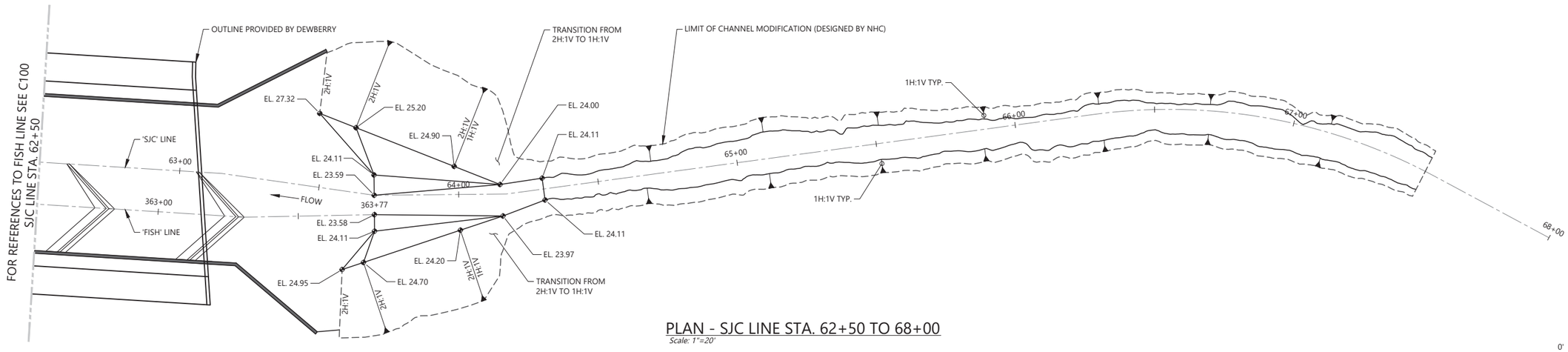
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FILE LOCATION:\\MAINFILE-VAN\TMP\BXH\SAN JOSE SPEC\SJC UPSTREAM\SJC CIVIL15.DWG



PROFILE - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'



PLAN - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'

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File Name	SJC CIVIL15
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San Jose Creek Fish Passage Improvements

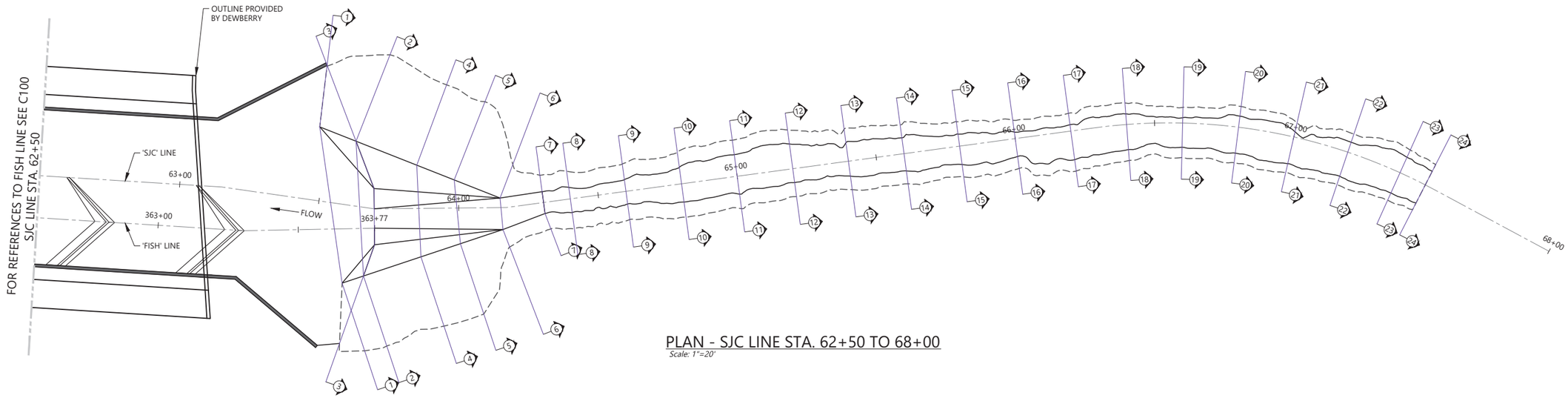
Job Number 2007147

Sheet Number

C112

Sheet xx of XX

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PLAN - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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Drawing Information	
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Designer	
Drafter	
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File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

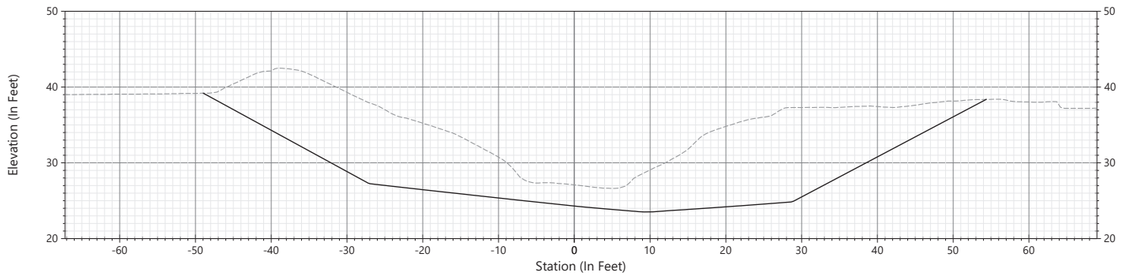
Job Number 2007147

Sheet Number

C113

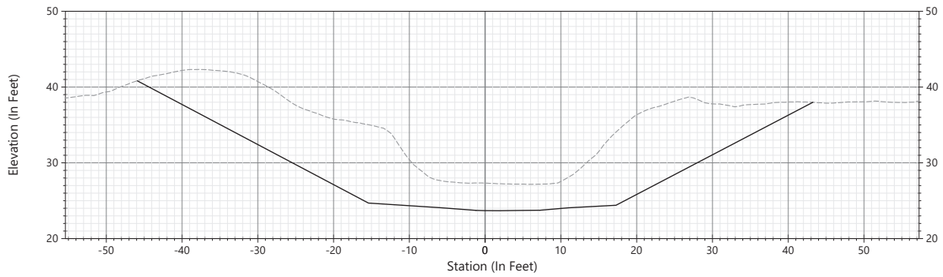
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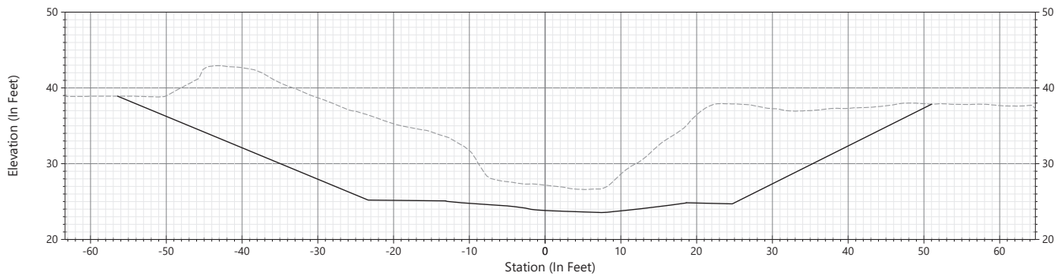
SECTION 1 - STA. 63+54.18

Scale: 1"=10'



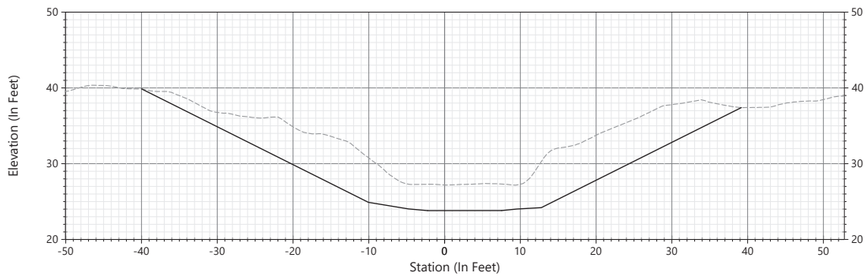
SECTION 4 - STA. 63+85.76

Scale: 1"=10'



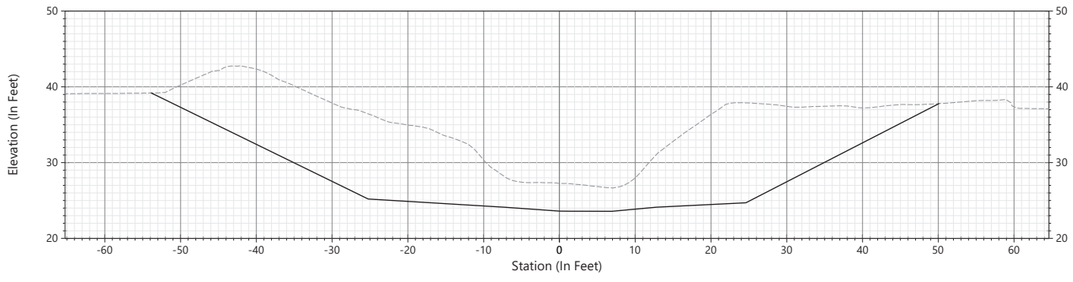
SECTION 2 - STA. 63+64.64

Scale: 1"=10'



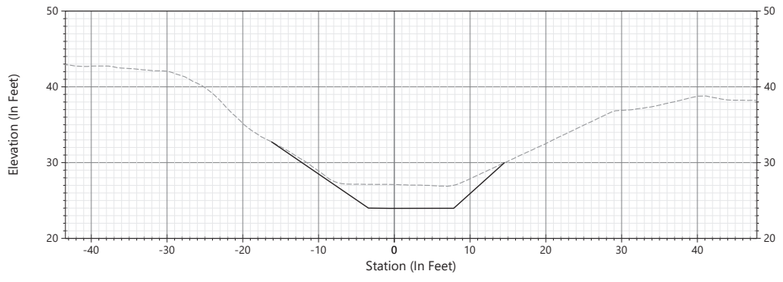
SECTION 5 - STA. 63+99.37

Scale: 1"=10'



SECTION 3 - STA. 63+69.90

Scale: 1"=10'



SECTION 6 - STA. 64+15.06

Scale: 1"=10'

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File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

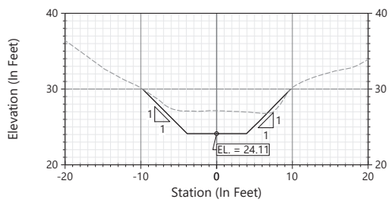
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Sheet Number

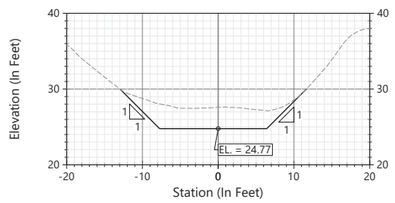
C114

Sheet xx of XX

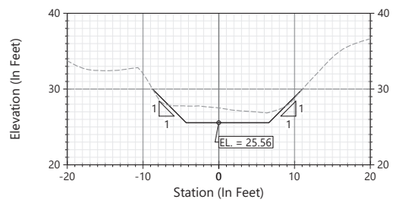
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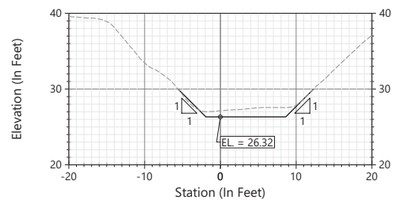
SECTION 7 - STA. 64+30.37
Scale: 1"=10'



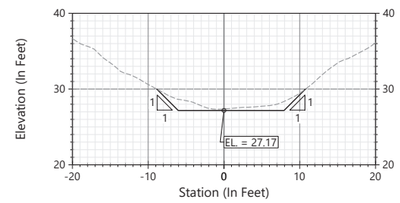
SECTION 11 - STA. 65+00.00
Scale: 1"=10'



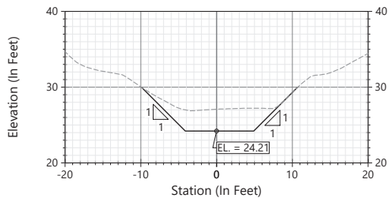
SECTION 15 - STA. 65+80.00
Scale: 1"=10'



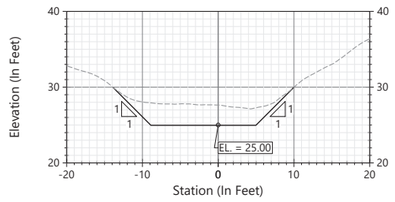
SECTION 19 - STA. 66+60.00
Scale: 1"=10'



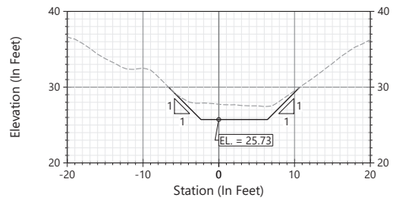
SECTION 23 - STA. 67+40.00
Scale: 1"=10'



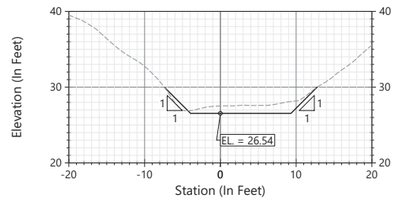
SECTION 8 - STA. 64+40.00
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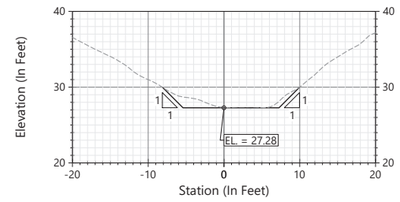
SECTION 12 - STA. 65+20.00
Scale: 1"=10'



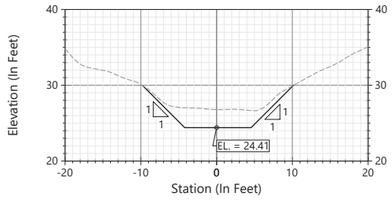
SECTION 16 - STA. 66+00.00
Scale: 1"=10'



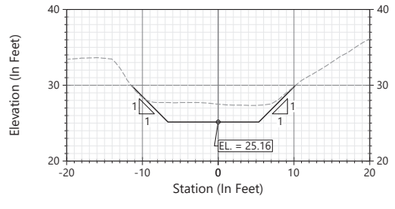
SECTION 20 - STA. 66+80.00
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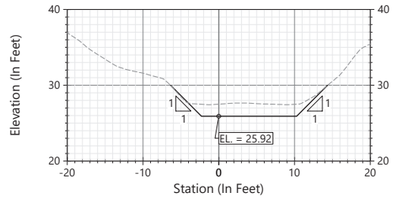
SECTION 24 - STA. 65+50.00
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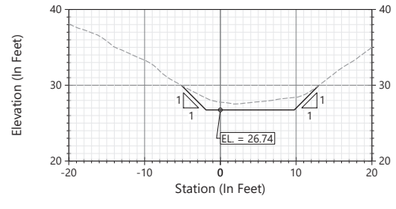
SECTION 9 - STA. 64+60.00
Scale: 1"=10'



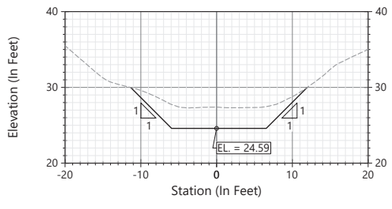
SECTION 13 - STA. 65+40.00
Scale: 1"=10'



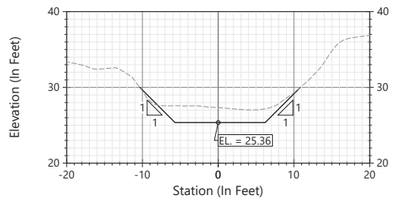
SECTION 17 - STA. 66+20.00
Scale: 1"=10'



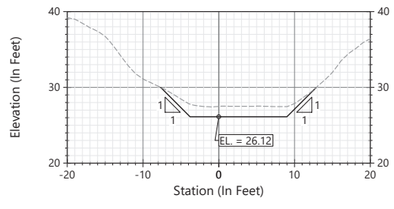
SECTION 21 - STA. 67+00.00
Scale: 1"=10'



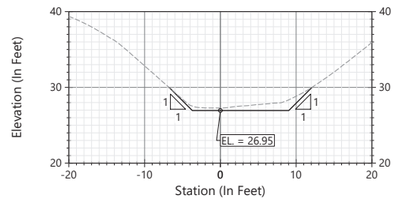
SECTION 10 - STA. 64+80.00
Scale: 1"=10'



SECTION 14 - STA. 65+60.00
Scale: 1"=10'



SECTION 18 - STA. 66+40.00
Scale: 1"=10'



SECTION 22 - STA. 67+20.00
Scale: 1"=10'

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San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

C115

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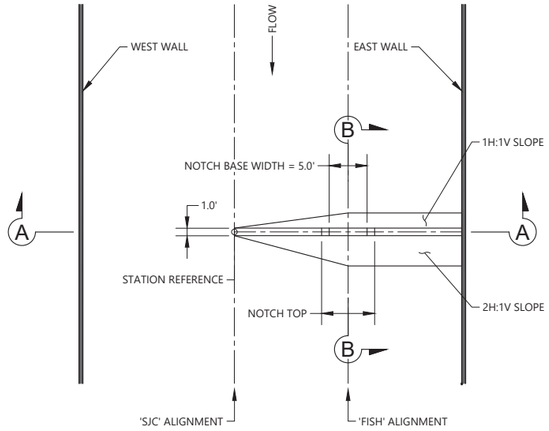
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Appendix B

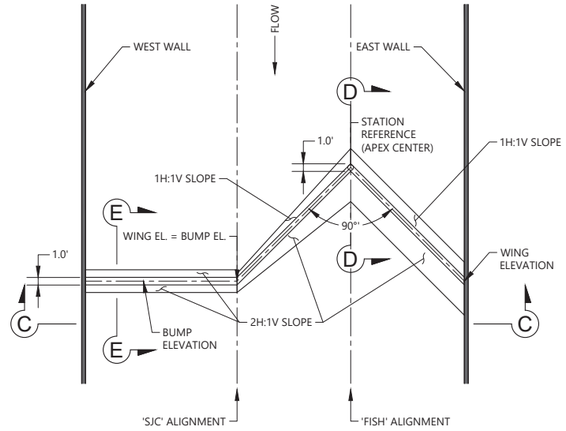
Engineering Cross-Section Detail

LEGEND	
STATION (ft)	WEIR TYPE
21+75.00	VORTEX AND BUMP
22+50.00	VORTEX AND BUMP
23+25.00	VORTEX AND BUMP
24+00.00	VORTEX AND BUMP
24+75.00	VORTEX AND BUMP
25+50.00	VORTEX AND BUMP
26+25.00	VORTEX AND BUMP
27+00.00	VORTEX AND BUMP
27+75.00	VORTEX AND BUMP
28+50.00	VORTEX AND BUMP
29+25.00	VORTEX AND BUMP
30+00.00	VORTEX AND BUMP
30+75.00	VORTEX
31+50.00	VORTEX
32+25.00	VORTEX
33+00.00	VORTEX
33+75.00	VORTEX
34+50.00	VORTEX
35+25.00	VORTEX
36+00.00	VORTEX
36+75.00	VORTEX
37+50.00	VORTEX
38+25.00	VORTEX
39+00.00	VORTEX
39+75.00	VORTEX
40+50.00	VORTEX
41+25.00	VORTEX
42+00.00	VORTEX
42+75.00	VORTEX
43+50.00	VORTEX
44+25.00	VORTEX
45+00.00	VORTEX
45+75.00	VORTEX
46+50.00	VORTEX
47+25.00	VORTEX
48+00.00	MODIFIED STRAIGHT
48+33.33	VORTEX
48+66.67	VORTEX
49+00.00	MODIFIED STRAIGHT
49+33.33	VORTEX
49+66.67	VORTEX

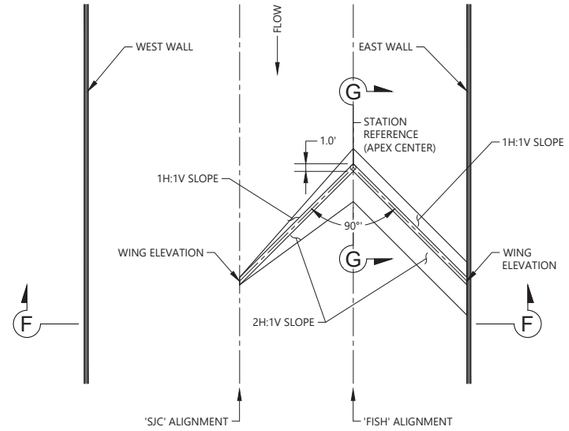
LEGEND	
STATION (ft)	WEIR TYPE
50+00.00	MODIFIED STRAIGHT
50+33.33	VORTEX
50+66.67	VORTEX
51+00.00	MODIFIED STRAIGHT
51+33.33	VORTEX
51+66.67	VORTEX
52+00.00	MODIFIED STRAIGHT
52+33.33	VORTEX
52+66.67	VORTEX
53+00.00	MODIFIED STRAIGHT
53+33.33	VORTEX
53+66.67	VORTEX
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54+33.33	VORTEX
54+66.67	VORTEX
55+00.00	MODIFIED STRAIGHT
55+33.33	VORTEX
55+66.67	VORTEX
56+00.00	MODIFIED STRAIGHT
56+33.33	VORTEX
56+66.67	VORTEX
57+00.00	MODIFIED STRAIGHT
57+33.33	VORTEX
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60+61.60	VORTEX
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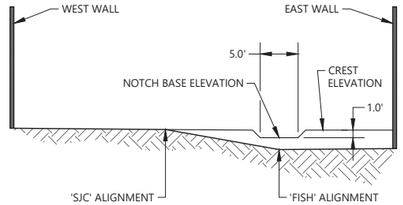
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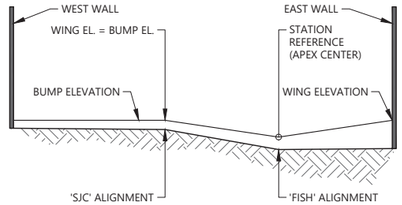
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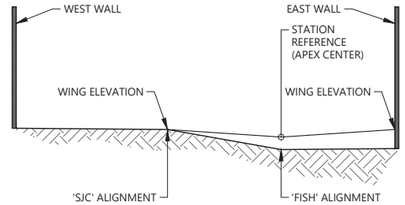
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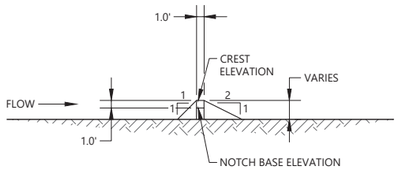
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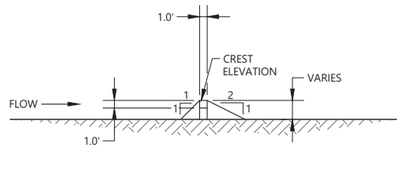
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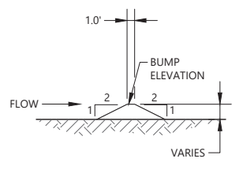
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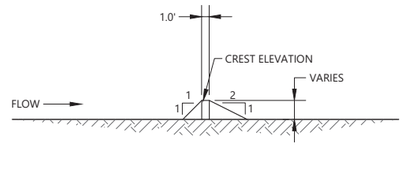
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D SECTION
Scale: 1"=10'



E SECTION
Scale: 1"=10'



G SECTION
Scale: 1"=10'

MODIFIED STRAIGHT WEIR

VORTEX AND BUMP WEIR

VORTEX WEIR

CITY OF GOLETA
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12787 gateway drive south
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PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
No.	Date	Description

Drawing Information	
Date	11:18:30 20240625
Status	65% Submittal
Designer	
Drafter	
Checked	
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San Jose Creek Fish Passage Improvements

Weir Details

Job Number 2007147

Sheet Number

D101

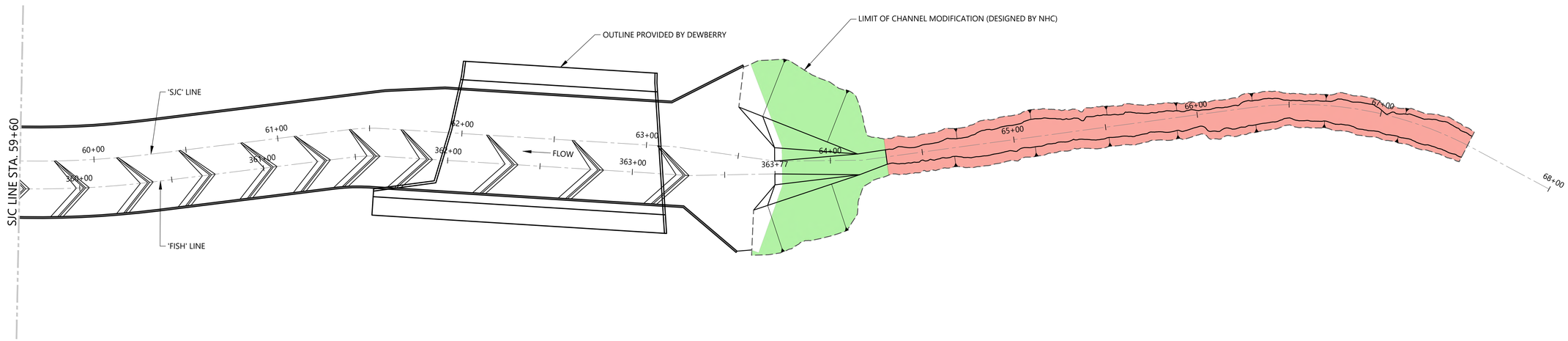
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Appendix C

Engineering Cut and Fill

CUT/FILL SUMMARY (INCLUDES 3 FEET OVEREXCAVATION IN THE TRANSITION BOWL)				
STATION (ft)	AREA (SQ. ft)	CUT (CU. YARD)	FILL (CU. YARD)	NET (CU. YARD)
63+74 TO 64+30	4622.58	1451	619.1	831.90
64+30 TO 67+50	6559.34	321.78	4.59	317.09
TOTAL	11181.92	1772.78	623.69	1149.00



PLAN - SJC LINE STA. 59+60 TO 67+50
Scale: 1"=30'

0' 30' 60'
SCALE 1"=30'

CITY OF GOLETA
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130 Cremona Drive
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PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
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Status	65% Submittal
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Drafter	
Checked	
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San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

C116

Sheet xx of XX

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Appendix D

Regulatory Framework

Regulatory Framework

The following is a brief summary of the regulatory context under which biological resources are managed at the federal, State, and local levels. A number of federal and State statutes provide a regulatory structure which guide the protection of jurisdictional features. Agencies with the responsibility for protection of jurisdictional features within the Project site include:

- United States Army Corps of Engineers (non-wetland waters and wetlands of the United States)
- Regional Water Quality Control Board (waters of the State)
- California Department Fish and Wildlife (riparian areas, streambeds, and lakes)
- California Coastal Commission (coastal wetlands)

United States Army Corps of Engineers Jurisdiction

The United States Army Corps of Engineers (USACE) is responsible for administering several federal programs related to ensuring the quality and navigability of the nation's waters.

Clean Water Act Section 404

Congress enacted the Clean Water Act (CWA) "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404 of the CWA authorizes the Secretary of the Army, acting through the USACE, to issue permits regulating the discharge of dredged or fill materials into the "navigable waters at specified disposal sites."

Section 502 of the CWA further defines "navigable waters" as "waters of the United States, including the territorial seas." "Waters of the United States" are broadly defined at 33 CFR Part 328.3 to include navigable waters, perennial and intermittent streams, lakes, rivers, ponds, as well as wetlands, marshes, and wet meadows. In recent years the USACE and US Environmental Protection Agency (USEPA) have undertaken several efforts to modernize their regulations defining "waters of the United States" (e.g., the 2015 Clean Water Rule and 2020 Navigable Waters Protection Rule), but these efforts have been frustrated by legal challenges which have invalidated the updated regulations. Thus, the agencies' longstanding definition of "waters of the United States," which dates from 1986, remains in effect albeit with supplemental guidance interpreting applicable court decisions as described below.

Waters of the U.S.

In summary, USACE and USEPA regulations define "waters of the United States" as follows:

1. All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
2. All interstate waters including interstate wetlands;
3. All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:

   i. Which are or could be used by interstate or foreign travelers for recreational or other purposes; or
   ii. From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or
   iii. Which are used or could be used for industrial purpose by industries in interstate commerce;

4. All impoundments of waters otherwise defined as waters of the United States;
5. Tributaries of waters identified in paragraphs (a)(1)-(4) of this section;
6. The territorial sea;
7. Wetlands adjacent to waters (other than waters that are themselves wetlands) identified in items 1-6 above.

Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the CWA, the final authority regarding CWA jurisdiction remains with the USEPA.

Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA are not waters of the United States.

The lateral limits of USACE jurisdiction in non-tidal waters is defined by the "ordinary high-water mark" (OHWM) unless adjacent wetlands are present. The OHWM is a line on the shore or edge of a channel established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed upon the bank, shelving, changes in the character of soil, destruction of vegetation, or the presence of debris (33 CFR 328.3(e)). As such, waters are recognized in the field by the presence of a defined watercourse with appropriate physical and topographic features. If wetlands occur within, or adjacent to, waters of the United States, the lateral limits of USACE jurisdiction extend beyond the OHWM to the outer edge of the wetlands (33 CFR 328.4 (c)). The upstream limit of jurisdiction in the absence of adjacent wetlands is the point beyond which the OHWM is no longer perceptible (33 CFR 328.4; see also 51 FR 41217).

Wetlands

The USACE defines wetlands as “those areas that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions” (33 CFR 328.3). The USACE’s delineation procedures identify wetlands in the field based on indicators of three wetland parameters: hydrophytic vegetation, hydric soils, and wetland hydrology. The following is a discussion of each of these parameters.

Hydrophytic Vegetation

Hydrophytic vegetation dominates areas where frequency and duration of inundation or soil saturation exerts a controlling influence on the plant species present. Plant species are assigned wetland indicator status according to the probability of their occurring in wetlands. More than fifty percent of the dominant plant species must have a wetland indicator status to meet the hydrophytic vegetation criterion. The USACE published the National Wetland Plant List (USACE 2018), which separates vascular plants into the following four basic categories based on plant species frequency of occurrence in wetlands:

- **Obligate Wetland (OBL).** Almost always occur in wetlands
- **Facultative Wetland (FACW).** Usually occur in wetlands, but occasionally found in non-wetlands
- **Facultative (FAC).** Occur in wetlands or non-wetlands
- **Facultative Upland (FACU).** Usually occur in non-wetlands, but may occur in wetlands
- **Obligate Upland (UPL).** Almost never occur in wetlands

The USACE considers OBL, FACW and FAC species to be indicators of wetlands. An area is considered to have hydrophytic vegetation when greater than 50 percent of the dominant species in each vegetative stratum (tree, shrub, and herb) fall within these categories. Any species not appearing on the United States Fish and Wildlife Service's list is assumed to be an upland species, almost never occurring in wetlands. In addition, an area needs to contain at least 5% vegetative cover to be considered as a vegetated wetland.

Hydric Soils

Hydric soils are saturated or inundated for a sufficient duration during the growing season to develop anaerobic or reducing conditions that favor the growth and regeneration of hydrophytic vegetation. Field indicators of wetland soils include observations of ponding, inundation, saturation, dark (low chroma) soil colors, bright mottles (concentrations of oxidized minerals such as iron), gleying (indicates reducing conditions by a blue-grey color), or accumulation of organic material. Additional supporting information includes documentation of soil as hydric or reference to wet conditions in the local soils survey, both of which must be verified in the field.

Wetland Hydrology

Wetland hydrology is inundation or soil saturation with a frequency and duration long enough to cause the development of hydric soils and plant communities dominated by hydrophytic vegetation. If direct observation of wetland hydrology is not possible (as in seasonal wetlands), or records of wetland hydrology are not available (such as stream gauges), assessment of wetland hydrology is frequently supported by field indicators, such as water marks, drift lines, sediment deposits, or drainage patterns in wetlands.

Applicable Case Law and Agency Guidance

The USACE's regulations defining "waters of the United States" have been subject to legal interpretation, and two influential Supreme Court decisions have narrowed the definition to exclude certain classes of waters that bear an insufficient connection to navigable waters. In *Solid Waste Agency of Northern Cook County v. Army Corps of Engineers* (2001), the United States Supreme Court stated that the USACE's CWA jurisdiction does not extend to ponds that "are not adjacent to open water." In reaching its decision, the Court concluded that the "Migratory Bird Rule," which served as the basis for the USACE's asserted jurisdiction, was not supported by the CWA. The Migratory Bird Rule extended CWA jurisdiction to intrastate waters "which are or would be used as habitat by birds protected by Migratory Bird Treaties or which are or would be used as habitat by other migratory birds which cross state lines…" The Court was concerned that application of the Migratory Bird Rule resulted in "reading the term 'navigable waters' out of the statute. Highlighting the language of the CWA to determine the statute's jurisdictional reach, the Court stated, "the term 'navigable' has at least the import of showing us what Congress had in mind as its authority for enacting the CWA: its traditional jurisdiction over waters that were or had been navigable in fact or which could reasonably be so made." This decision stands for the proposition that non-navigable

isolated, intrastate waters are not waters of the United States and thus are not jurisdictional under the CWA.

In 2006 the United States Supreme Court decided *Rapanos v. United States* and *Carabell v. United States* (collectively "Rapanos"), which were consolidated cases determining the extent of CWA jurisdiction over waters that carry only an infrequent surface flow. The court issued no majority opinion in Rapanos. Instead, the justices authored five separate opinions including the "plurality" opinion, authored by Justice Scalia (joined by three other justices), and a concurring opinion by Justice Kennedy. To guide implementation of the decision, the USACE and USEPA issued a joint guidance memorandum ("Rapanos Guidance Memorandum") in 2008 stating that "regulatory jurisdiction under the CWA exists over a water body if either the plurality's or Justice Kennedy's standard is satisfied."

According to the plurality opinion in Rapanos, "the waters of the United States include only relatively permanent, standing or flowing bodies of water" and do not include "ordinarily dry channels through which water occasionally or intermittently flows." In addition, while all wetlands that meet the USACE definition are considered adjacent wetlands, only those adjacent wetlands that have a continuous surface connection because they directly abut the tributary (e.g., they are not separated by uplands, a berm, dike, or similar feature) are considered jurisdictional under the plurality standard.

Under Justice Kennedy's opinion, "the USACE's jurisdiction over wetlands depends upon the existence of a significant nexus between the wetlands in question and navigable waters in the traditional sense. Wetlands possess the requisite nexus, and thus come within the statutory phrase 'navigable waters,' if the wetlands, either alone or in combination with similarly situated lands in the region, significantly affect the chemical, physical, and biological integrity of other covered waters more readily understood as 'navigable.' When, in contrast, wetlands' effects on water quality are speculative or insubstantial, they fall outside the zone fairly encompassed by the statutory term 'navigable waters.'" Justice Kennedy identified "pollutant trapping, flood control, and runoff storage" as some of the critical functions wetlands can perform relative to other waters. He concluded that, given wetlands' ecological role, "mere adjacency" to a non-navigable tributary was insufficient to establish CWA jurisdiction, and that "a more specific inquiry, based on the significant nexus standard, is therefore necessary."

Interpreting these decisions, and according to the Rapanos Guidance Memorandum, the USACE and USEPA will assert jurisdiction over the following waters:

- Traditional navigable waters;
- Wetlands adjacent to traditional navigable waters;
- Non-navigable tributaries of traditional navigable waters that are relatively permanent where the tributaries typically flow year-round or have continuous flow at least seasonally (e.g., typically three months); and,
- Wetlands that directly abut such tributaries.

The USACE and USEPA will decide jurisdiction over the following waters based on a fact-specific analysis to determine whether they have a significant nexus with a traditional navigable water:

- Non-navigable tributaries that are not relatively permanent;
- Wetlands adjacent to non-navigable tributaries that are not relatively permanent; and,

- Wetlands adjacent to but that do not directly abut a relatively permanent non-navigable tributary.

Where a significant nexus analysis is required, the USACE and USEPA will apply the significant nexus standard as follows:

- A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by all wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical and biological integrity of downstream traditional navigable waters; and,
- Significant nexus includes consideration of hydrologic and ecologic factors.

The USACE and USEPA generally will not assert jurisdiction over the following features:

- Swales or erosional features (e.g., gullies, small washes characterized by low volume, infrequent, or short duration flow); and,
- Ditches (including roadside ditches) excavated wholly in and draining only uplands and that do not carry a relatively permanent flow of water.

Rivers and Harbors Act Section 10

Section 10 of the Rivers and Harbors Act of 1899 requires authorization from the USACE for the construction of any structure in or over any navigable water of the United States. Structures or work outside the limits defined for navigable waters of the United States require a Section 10 permit if the structure or work affects the course, location, or condition of the water body. The law applies to any dredging or disposal of dredged materials, excavation, filling, re-channelization, or any other modification of a navigable water of the United States, and applies to all structures and work. It further includes, without limitation, any wharf, dolphin, weir, boom breakwater, jetty, groin, bank protection (e.g., riprap, revetment, bulkhead), mooring structures such as pilings, aerial or subaqueous power transmission lines, intake or outfall pipes, permanently moored floating vessel, tunnel, artificial canal, boat ramp, aids to navigation, and any other permanent, or semi-permanent obstacle or obstruction. It is important to note that Section 10 applies only to navigable waters, and thus does not apply to work in non-navigable wetlands or tributaries. In some cases, Section 10 authorization is issued by the USACE concurrently with CWA Section 404 authorization, such as when certain Nationwide Permits are used.

Regional Water Quality Control Board Jurisdiction

The State Water Resources Control Board (SWRCB) and nine Regional Water Quality Control Boards (RWQCBs) have jurisdiction over “waters of the State,” which are defined as any surface water or groundwater, including saline waters, within the boundaries of the state (California Water Code sec. 13050(e)). These agencies also have responsibilities for administering portions of the CWA.

Clean Water Act Section 401

Section 401 of the CWA requires an applicant requesting a federal license or permit for an activity that may result in any discharge into navigable waters (such as a Section 404 Permit) to provide state certification that the proposed activity will not violate state and federal water quality

standards. In California, CWA Section 401 Water Quality Certification (Section 401 Certification) is issued by the RWQCBs and by the SWRCB for multi-region projects. The process begins when an applicant submits an application to the RWQCB and informs the USACE (or the applicable agency from which a license or permit was requested) that an application has been submitted. The USACE will then determine a "reasonable period of time" for the RWQCB to act on the application; this is typically 60 days for routine projects and longer for complex projects but may not exceed one year. When the period has elapsed, if the RWQCB has not either issued or denied the application for Section 401 Certification, the USACE may determine that Certification has been waived and issue the requested permit. If a Section 401 Certification is issued it may include binding conditions, imposed either through the Certification itself or through the requested federal license or permit.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act (Porter-Cologne Act) is the principal law governing water quality regulation in California. It establishes a comprehensive program to protect water quality and the beneficial uses of water. The Porter-Cologne Act applies to surface waters, wetlands, and ground water and to both point and nonpoint sources of pollution. Pursuant to the Porter-Cologne Act (California Water Code section 13000 et seq.), the policy of the State is as follows:

- The quality of all the waters of the State shall be protected
- All activities and factors affecting the quality of water shall be regulated to attain the highest water quality within reason
- The State must be prepared to exercise its full power and jurisdiction to protect the quality of water in the State from degradation

The Porter-Cologne Act established nine RWQCBs (based on watershed boundaries) and the SWRCB, which are charged with implementing its provisions and which have primary responsibility for protecting water quality in California. The SWRCB provides program guidance and oversight, allocates funds, and reviews RWQCB decisions. In addition, the SWRCB allocates rights to the use of surface water. The RWQCBs have primary responsibility for individual permitting, inspection, and enforcement actions within each of nine hydrologic regions. The SWRCB and RWQCBs have numerous nonpoint source related responsibilities, including monitoring and assessment, planning, financial assistance, and management.

Section 13260 of the Porter-Cologne Act requires any person discharging or proposing to discharge waste that could affect the quality of waters of the State to file a Report of Waste Discharge with the appropriate RWQCB. The RWQCB may then authorize the discharge, subject to conditions, by issuing Waste Discharge Requirements (WDRs). While this requirement was historically applied primarily to outfalls and similar point source discharges, the SWRCB's *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State*, effective May 2020, make it clear that the agency will apply the Porter-Cologne Act's requirements to discharges of dredge and fill material as well. The *Procedures* state that they are to be used in issuing CWA Section 401 Certifications and WDRs, and largely mirror the existing review requirements for CWA Section 404 Permits and Section 401 Certifications, incorporating most elements of the USEPA's *Section 404(b)(1) Guidelines*. Following issuance of the *Procedures*, the SWRCB produced a consolidated application form for dredge/fill discharges that can be used to obtain a CWA Section 401 Water Quality Certification, WDRs, or both.

Non-Wetland Waters of the State

The SWRCB and RWQCBs have not established regulations for field determinations of waters of the state except for wetlands currently. In many cases the RWQCBs interpret the limits of waters of the State to be bounded by the OHWM unless isolated conditions or ephemeral waters are present. However, in the absence of statewide guidance each RWQCB may interpret jurisdictional boundaries within their region and the SWRCB has encouraged applicants to confirm jurisdictional limits with their RWQCB before submitting applications. As determined by the RWQCB, waters of the State may include riparian areas or other locations outside the OHWM, leading to a larger jurisdictional area over a given water body compared to the USACE.

Wetland Waters of the State

Procedures for defining wetland waters of the State pursuant to the SWRCB's *State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* went into effect May 28, 2020. The SWRCB defines an area as wetland if, under normal circumstances:

(i) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both;

(ii) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and

(iii) the area's vegetation is dominated by hydrophytes or the area lacks vegetation.

The SWRCB's *Implementation Guidance for the Wetland Definition and Procedures for Discharges of Dredge and Fill Material to Waters of the State* (2020), states that waters of the U.S. and waters of the State should be delineated using the standard USACE delineation procedures, taking into consideration that the methods shall be modified only to allow for the fact that a lack of vegetation does not preclude an area from meeting the definition of a wetland.

California Department of Fish and Wildlife Jurisdiction

California Fish and Game Code section 1602 states that it is unlawful for any person to "substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake" without first notifying the California Department of Fish and Wildlife (CDFW) of that activity. Thereafter, if CDFW determines and informs the entity that the activity will not substantially adversely affect any existing fish or wildlife resources, the entity may commence the activity. If, however, CDFG determines that the activity may substantially adversely affect an existing fish or wildlife resource, the entity may be required to obtain from CDFW a Streambed Alteration Agreement (SAA), which will include reasonable measures necessary to protect the affected resource(s), before the entity may conduct the activity described in the notification. Upon receiving a complete Notification of Lake/Streambed Alteration, CDFW has 60 days to present the entity with a Draft SAA. Upon review of the Draft SAA by the applicant, any problematic terms are negotiated with CDFW and a final SAA is executed.

The CDFW has not defined the term "stream" for the purposes of implementing its regulatory program under Section 1602, and the agency has not promulgated regulations directing how jurisdictional streambeds may be identified, or how their limits should be delineated. However, four relevant sources of information offer insight as to the appropriate limits of CDFW jurisdiction as discussed below.

- **The plain language of Section 1602 of CFGC** establishes the following general concepts:
  - References "river," "stream," and "lake"
  - References "natural flow"
  - References "bed," "bank," and "channel"
- **Applicable court decisions**, in particular *Rutherford v. State of California* (188 Cal App. 3d 1276 (1987), which interpreted Section 1602's use of "stream" to be as defined in common law. The Court indicated that a "stream" is commonly understood to:
  - Have a source and a terminus
  - Have banks and a channel
  - Convey flow at least periodically, but need not flow continuously and may at times appear outwardly dry
  - Represent the depression between the banks worn by the regular and usual flow of the water
  - Include the area between the opposing banks measured from the foot of the banks from the top of the water at its ordinary stage, including intervening sand bars
  - Include the land that is covered by the water in its ordinary low stage
  - Include lands below the OHWM
- **CDFW regulations** defining "stream" for other purposes, including sport fishing (14 CCR 1.72) and streambed alterations associated with cannabis production (14 CCR 722(c)(21)), which indicate that a stream:
  - Flows at least periodically or intermittently
  - Flows through a bed or channel having banks
  - Supports fish or aquatic life
  - Can be dry for a period of time
  - Includes watercourses where surface or subsurface flow supports or has supported riparian vegetation
- **Guidance documents**, *including A Field Guide to Lake and Streambed Alteration Agreements* (CDFG 1994) and *Methods to Describe and Delineate Episodic Stream Processes on Arid Landscapes for Permitting Utility-Scale Solar Power Plants* (Brady and Vyverberg 2013), which suggest the following:
  - A stream may flow perennially or episodically
  - A stream is defined by the course in which water currently flows, or has flowed during the historic hydrologic course regime (approximately the last 200 years)
  - Width of a stream course can reasonably be identified by physical or biological indicators
  - A stream may have one or more channels (single thread vs. compound form)
  - Features such as braided channels, low-flow channels, active channels, banks associated with secondary channels, floodplains, islands, and stream-associated vegetation, are interconnected parts of the watercourse
  - Canals, aqueducts, irrigation ditches, and other means of water conveyance can be considered streams if they support aquatic life, riparian vegetation, or stream-dependent terrestrial wildlife

- Biologic components of a stream may include aquatic and riparian vegetation, all aquatic animals including fish, amphibians, reptiles, invertebrates, and terrestrial species which derive benefits from the stream system
- The lateral extent of a stream can be measured in different ways depending on the particular situation and the type of fish or wildlife resource at risk

The tenets listed above, among others, are applied to establish the boundaries of streambeds in various environments. Importance of each factor may be weighted based on site-specific considerations and the applicability of the indicators to the streambed at hand.

California Coastal Commission Jurisdiction

In October 1972, the United States Congress passed Title 16 USC Sections 1451-1464, which established a federal coastal zone management policy and created a federal coastal zone. By that legislation, the Congress declared a national interest in the effective management, beneficial use, protection and development of the coastal zone in order to balance the nation's natural, environmental and aesthetic resource needs with commercial-economic growth. The Congress found and declared that it was a national policy "to encourage and assist the states to exercise effectively their responsibilities in the coastal zone through the development and implementation of management programs to achieve wise use of the land and water resources of the coastal zone giving full consideration to ecological, cultural, historic, and aesthetic values as well as to the need for economic development (16 USC Section 1452b). As a result of that federal enactment, coastal states were provided a policy and source of funding for the implementation of federal goals.

The California Coastal Zone Conservation Act of 1972 (Proposition 20) was a temporary measure passed by the voters of the state as a ballot initiative. It set up temporary regional Coastal Commissions with permit authority and a directive to prepare a comprehensive coastal plan. The coastal commissions under Proposition 20 lacked the authority to implement the Coastal Plan but were required to submit the Plan to the legislature for "adoption and implementation."

The California Coastal Act (CCA) of 1976 is the permanent enacting law approved by the State legislature. The Coastal Act established a different set of policies, a different boundary line, and different permitting procedures than Proposition 20. Furthermore, it provides for the transfer of permitting authority, with certain limitations reserved for the State, to local governments through adoption and certification of LCPs by the California Coastal Commission (CCC).

In accordance with the CCA, the CCC defines coastal wetlands as generally extending seaward to the state's outer limit of jurisdiction (i.e., three nautical miles from the Mean Hight Tide Line (MHTL) and inland generally 1,000 yards from the MHTL (CCC 2011). In contrast to wetland waters of the U.S., potential coastal wetland features are defined by the presence of one of the three USACE wetland indicators (California Code of Regulations Title 14 (14 CCR)). The one parameter definition as follows:

> Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated

substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. (14 CCR Section 13577).

For purposes of this section, the upland limit of a wetland shall be defined as:

(A) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover;

(B) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(C) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not." (14 CCR Section 13577)

City Wetlands and Streambed Protection Areas

Pursuant to General Plan Conservation Element sub policy CE 3.1, Definition of Wetlands, the City defines wetland boundaries by a single parameter (i.e., hydric soils, hydrophytic vegetation, or hydrology) and directly cites the Coastal Commission definitions contained in 14 CCR 13577(b). Boundaries of City wetlands were delineated as coterminous with CCC coastal wetlands.

Pursuant to General Plan Conservation Element policy CE 2, Protection of Creeks and Riparian Areas, watercourses and their associated riparian areas are defined as Environmentally Sensitive Areas (ESHA) and Streamside Protection Areas (SPA). Boundaries of City SPA were delineated as coterminous with CDFW-jurisdictional streambeds.

Appendix E

Plant Species Observed in Study Area

Plant Species Observed Within the Study Area on March 20 and 21, 2024

Scientific Name[1] and Sensitivity Status[2]	Common Name	Wetland Indicator Status[3]	Vegetation Communities and Landcovers: Annual Brome Grasslands	Arroyo Willow Thickets	Black Cottonwood Woodland	California Sycamore-Coast Live Oak Riparian Woodland	Coyote Brush Scrub	Urban Development	Eucalyptus Groves	Mixed Woodland	Pickleweed Mats
Native											
Alnus rhombifolia	white alder	FACW			✓						
Artemisia douglasiana	mugwort	FAC		✓							
Baccharis pilularis	coyote brush	UPL					✓*	✓*			
Baccharis salicifolia	mulefat	FAC						✓			
Cerastium spp.	chickweed	UPL		✓							
Clematis ligusticifolia	creek clematis	FAC		✓							
Galium spp.	bedstraw	–			✓					✓	
Heliotropium curassavicum	alkali heliotrope	FACU									✓
Heterotheca grandiflora	telegraph weed	UPL						✓			
Juglans californica (CRPR 4.2)	california black walnut	FACU								✓*	
Marah fabacea	wild cucumber	UPL		✓	✓	✓		✓			
Notholithocarpus densiflorus	tan oak	UPL								✓	
Pholistoma auritum	fiesta flower	UPL		✓							
Platanus racemosa	western sycamore	FAC		✓		✓*		✓			
Populus trichocarpa (*P. balsamifera*)	black cottonwood	FAC			✓*			✓			
Prunus ilicifolia ssp. *lyonii*	island cherry tree	UPL								✓	
Ptelea trifoliata	hoptree	UPL			✓						
Quercus agrifolia	coast live oak	UPL				✓*		✓			
Rubus ursinus	California blackberry	FAC		✓							
Salicornia pacifica (*S. virginica*)	pickleweed	OBL						✓			✓
Salix lasiolepis	arroyo willow	FAC		✓*	✓	✓					
Sambucus mexicana (*S. nigra*)	blue elderberry	FACU		✓	✓						
Scrophularia californica	California figwort	FACU		✓	✓						
Solanum douglasii	douglas nightshade	FAC		✓							
Toxicodendron diversilobum	poison oak	FACU		✓							
Umbellularia californica	California bay	FAC				✓		✓			
Non-native											
–	ornamental shrubs and trees	UPL						✓			
Arundo donax	giant reed	FACW		✓							
Bromus diandrus	ripgut brome		✓*	✓							
Bromus rubens	red brome	UPL						✓			
Callistemon spp.	bottlebrush	UPL						✓			
Campsis radicans	trumpet vine	FACU						✓			
Carpobrotus edulis	iceplant	UPL		✓							
Citrus limon	lemon	UPL								✓	
Citrus reticulata	tangerine	UPL								✓	
Conium maculatum	poison hemlock	FACW								✓	
Cortaderia selloana	pampas grass	UPL					✓				
Cupressaceae	cypress	UPL						✓			

Scientific Name[1] and Sensitivity Status[2]	Common Name	Vegetation Communities and Landcovers									
		Wetland Indicator Status[3]	Annual Brome Grasslands	Arroyo Willow Thickets	Black Cottonwood Woodland	California Sycamore-Coast Live Oak Riparian Woodland	Coyote Brush Scrub	Urban Development	Eucalyptus Groves	Mixed Woodland	Pickleweed Mats
Delairea odorata	cape ivy	FAC		✓	✓					✓	
Eucalyptus globulus	blue gum eucalyptus	UPL			✓				✓		
Eriobotrya japonica	loquat	UPL						✓		✓	
Erodium cicutarium	redstem filaree	UPL	✓								
Fraxinus uhdei	Shamel ash	UPL			✓	✓					
Hedera helix	English ivy	FACU				✓					
Hordeum marinum/murinum	foxtail	FAC/FACU						✓			
Hypochaeris glabra	smooth cat's ear	UPL	✓								
Jacaranda mimosifolia	jacaranda	UPL								✓*	
Juniperus horizontalis	creeping juniper	FACU						✓			
Lactuca serriola	prickly wild lettuce	UPL						✓			
Lonicera spp.	ornamental honeysuckle	UPL						✓			
Malva parviflora	cheese weed	UPL	✓					✓			
Medicago polymorpha	burclover	UPL	✓								
Nerium oleander	oleander	UPL						✓			
Nicotiana glauca	tree tobacco	FAC						✓			
Oxalis pes-caprae	Bermuda buttercup	UPL	✓	✓	✓			✓			
Pennisetum alopecuroides	fountain grass	UPL					✓	✓			
Phoenix/Washingtonia spp.	palm	UPL		✓							
Phytolacca isosandra	tropical pokeweed	UPL			✓						
Plantago lanceolata	English plantain	FAC	✓								
Platanus X hispanica	London plane tree	UPL						✓			
Poaceae	unidentifiable annual non-native grasses	UPL			✓	✓		✓		✓*	
Poaceae	turf grass	UPL						✓			
Ricinus communis	castor bean	FACU		✓	✓		✓	✓		✓	
Rumex crispus	curly dock	FAC	✓								
Silybum marianum	milkthistle	UPL	✓								
Sonchus asper/oleraceus	sow thistle	UPL	✓								
Stipa miliacea	smilo grass	UPL			✓						
Tabebuia ssp.	trumpet tree	UPL			✓						
Tropaeolum majus	garden nasturtium	UPL		✓	✓	✓				✓	
Vinca major	periwinkle	FACU		✓	✓						

*dominant species

UPL = Uplands

FACU = Facultative Upland

FAC = Facultative

FACW = Facultative Wetland

[1] Jepson 2025

[2] CDFW 2025c

[3] USACE 2022

Note: The open water and urban stream channel land cover types do not contain vegetation and are not included in this table. The disturbed vegetation land cover type is also not included since most of the vegetation in this land cover type was removed during the separate project associated with Hollister Avenue Bridge, and remaining vegetation is sparse and previously disturbed.

Appendix F

Arid West Ephemeral and Intermittent Streams Ordinary High Water Mark Datasheet

Arid West Ephemeral and Intermittent Streams OHWM Datasheet

Project: San Jose Creek Fish Passage | **Date:** 3/20/24 | **Time:** 1620
Project Number: | **Town:** | **State:** CA
Stream: | **Photo begin file#:** | **Photo end file#:**
Investigator(s): J. Love, K. Bonsall | PP# 108

Y [X] / N [ ] Do normal circumstances exist on the site?

Y [ ] / N [X] Is the site significantly disturbed?

Location Details: sp1

Projection: **Datum:**
Coordinates:

Potential anthropogenic influences on the channel system:

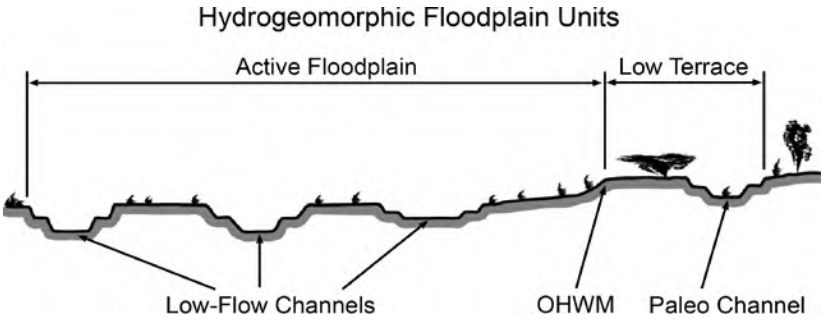
Park nearby, HAB & concrete channel just ds; homeless encampments

Brief site description:

trapezoidal, natural streambed

Checklist of resources (if available):

- [X] Aerial photography
  Dates:
- [X] Topographic maps
- [ ] Geologic maps
- [X] Vegetation maps
- [X] Soils maps
- [ ] Rainfall/precipitation maps
- [X] Existing delineation(s) for site
- [ ] Global positioning system (GPS)
- [ ] Other studies
- [ ] Stream gage data
  Gage number:
  Period of record:
- [ ] History of recent effective discharges
- [ ] Results of flood frequency analysis
- [ ] Most recent shift-adjusted rating
- [ ] Gage heights for 2-, 5-, 10-, and 25-year events and the most recent event exceeding a 5-year event



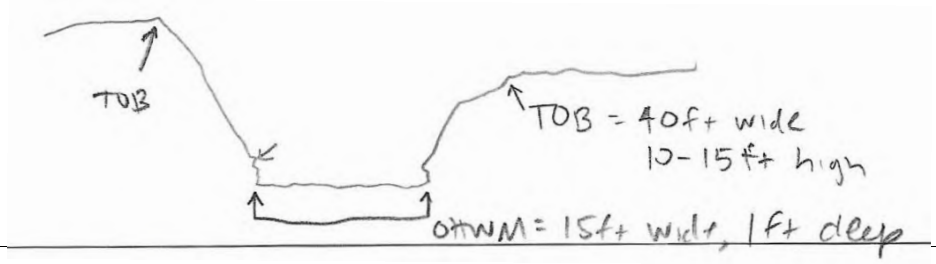
Procedure for identifying and characterizing the floodplain units to assist in identifying the OHWM:

1. Walk the channel and floodplain within the study area to get an impression of the geomorphology and vegetation present at the site.
2. Select a representative cross section across the channel. Draw the cross section and label the floodplain units.
3. Determine a point on the cross section that is characteristic of one of the hydrogeomorphic floodplain units.
   a) Record the floodplain unit and GPS position.
   b) Describe the sediment texture (using the Wentworth class size) and the vegetation characteristics of the floodplain unit.
   c) Identify any indicators present at the location.
4. Repeat for other points in different hydrogeomorphic floodplain units across the cross section.
5. Identify the OHWM and record the indicators. Record the OHWM position via:
   - [ ] Mapping on aerial photograph
   - [X] GPS
   - [ ] Digitized on computer
   - [ ] Other:

Project ID: SJC fish **Cross section ID:** SP1 **Date:** 3/20/24 **Time:** 1620

Cross section drawing:

facing n/us



OHWM

GPS point: _____

Indicators:

- [X] Change in average sediment texture
- [X] Change in vegetation species
- [X] Change in vegetation cover
- [X] Break in bank slope
- [ ] Other: _____
- [ ] Other: _____

Comments:

no veg in channel/OHWM; veg on banks and sand in OHWM, changes to sandy loam on bank

Floodplain unit: [X] Low-Flow Channel [ ] Active Floodplain [ ] Low Terrace

GPS point: _____

Characteristics of the floodplain unit:

Average sediment texture: _____sand_____

Total veg cover: 1 % Tree: 1 % Shrub: 0 % Herb: 0 %

Community successional stage:

- [ ] NA
- [ ] Early (herbaceous & seedlings)
- [X] Mid (herbaceous, shrubs, (saplings))
- [ ] Late (herbaceous, shrubs, mature trees)

Indicators:

- [ ] Mudcracks
- [ ] Ripples
- [X] Drift and/or debris
- [X] Presence of bed and bank
- [ ] Benches
- [ ] Soil development
- [X] Surface relief
- [ ] Other: _____
- [ ] Other: _____
- [ ] Other: _____

Comments:

low flow= OHWM
micro topo surf relief

Project ID: SSJ Fish **Cross section ID:** SP1 **Date:** 3/20/24 **Time:** 1620

Floodplain unit: ☐ Low-Flow Channel ☐ Active Floodplain ☐ Low Terrace X bank

GPS point: _____

Characteristics of the floodplain unit:

Average sediment texture: sandy loam

Total veg cover: 95 % Tree: 20 % Shrub: 20 % Herb: 55 %

Community successional stage:

- ☐ NA
- ☐ Early (herbaceous & seedlings)
- ☒ Mid (herbaceous, shrubs, saplings)
- ☒ Late (herbaceous, shrubs, mature trees)

Indicators:

- ☐ Mudcracks
- ☐ Ripples
- ☒ Drift and/or debris
- ☒ Presence of bed and bank
- ☒ Benches
- ☒ Soil development
- ☒ Surface relief
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

Comments:

small bench on west side, moderate surf relief

Floodplain unit: ☐ Low-Flow Channel ☐ Active Floodplain ☐ Low Terrace

GPS point: _____

Characteristics of the floodplain unit:

Average sediment texture: _____

Total veg cover: _____ % Tree: _____% Shrub: _____% Herb: _____%

Community successional stage:

- ☐ NA
- ☐ Early (herbaceous & seedlings)
- ☐ Mid (herbaceous, shrubs, saplings)
- ☐ Late (herbaceous, shrubs, mature trees)

Indicators:

- ☐ Mudcracks
- ☐ Ripples
- ☐ Drift and/or debris
- ☐ Presence of bed and bank
- ☐ Benches
- ☐ Soil development
- ☐ Surface relief
- ☐ Other: _____
- ☐ Other: _____
- ☐ Other: _____

Comments:

Appendix G

Wetland Determination Data Forms

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: San Jose Creek Fish Passage City/County: Goleta/Santa Barbara County Sampling Date: 3/20/24
Applicant/Owner: City of Goleta State: CA Sampling Point: SP1
Investigator(s): J. Love, K. Bonsall Section, Township, Range: Section 9, Township 4N, Range 28W
Landform (hillside, terrace, etc.): channel bottom Local relief (concave, convex, none): none Slope (%): 0
Subregion (LRR): LRR C Lat: 34.436087 Long: -119.819118 Datum: WGS84
Soil Map Unit Name: Elder-Soboba complex NWI classification: R4SBC

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)
Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes x No ____
Are Vegetation No , Soil Yes , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes ____ No X
Hydric Soil Present? Yes ____ No X
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** ____ **No** X

Remarks:
Sample point is located in wetted channel; 60 ft x 15 ft sample area parallel and within channel. Wetlands cannot be present on banks due to slope. Photo Point #108.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 60' x 15')	Absolute % Cover	Dominant Species?	Indicator Status
1. *Populus tricopcarpa* (POPBAL)	1	NA	FAC
2.			
3.			
4.			
	1 =Total Cover		
Sapling/Shrub Stratum (Plot size: 60' x 15')			
1. None			
2.			
3.			
4.			
5.			
	0 =Total Cover		
Herb Stratum (Plot size: 60' x 15')			
1. None			
2.			
3.			
4.			
5.			
6.			
7.			
8.			
	0 =Total Cover		
Woody Vine Stratum (Plot size: 60' x 15')			
1. None			
2.			
	0 =Total Cover		

% Bare Ground in Herb Stratum 99 % Cover of Biotic Crust 0

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: ____ (A)
Total Number of Dominant Species Across All Strata: ____ (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: ____ (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)
Prevalence Index = B/A =	

Hydrophytic Vegetation Indicators:
___ Dominance Test is >50%
___ Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** ____ **No** X

Remarks:
Unvegetated channel bottom were sample point is located. For wetland delineation purposes, an area is considered to be vegetated if it has 5 percent or more total plant cover at the peak of the growing season. Leaf litter present. Sloped banks outside SP are dominated by SALLAS.

SOIL

Sampling Point: SP1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- X Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: none

Depth (inches): ___

Hydric Soil Present? **Yes** ___ **No** X

Remarks:
A soil pit could not be properly dug and sampled due to 1ft of water present along entirety of channel bottom. 100% sandy bottom. Naturally prob sandy bottom, but enough fines are present so that redox could be observed if present. USACE JD protocol survey completed for the City in October 2013 in the same location for the Hollister Ave. Bridge Proj did not revealed no hydric soils at this location. Not mapped as USDA-NRCS hydric.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- X Surface Water (A1)
- ___ High Water Table (A2)
- X Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- X Drift Deposits (B3) **(Riverine)**
- X Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes X No ___ Depth (inches): 12

Water Table Present? Yes X No ___ Depth (inches): unknown

Saturation Present? Yes X No ___ Depth (inches): unknown

(includes capillary fringe)

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
Water table and soil saturation preseumed present due to depth of water within the channel; could not measure. Leaf litter, dead algae present. FAC-neutral = 0:0

U.S. Army Corps of Engineers
WETLAND DETERMINATION DATA SHEET – Arid West Region
See ERDC/EL TR-08-28; the proponent agency is CECW-CO-R

OMB Control #: 0710-0024, Exp: 11/30/2024
Requirement Control Symbol EXEMPT:
(Authority: AR 335-15, paragraph 5-2a)

Project/Site: San Jose Creek Fish Passage | City/County: Goleta/Santa Barbara County | Sampling Date: 3/21/24
Applicant/Owner: City of Goleta | State: CA | Sampling Point: SP2
Investigator(s): J. Love, K. Bonsall | Section, Township, Range: Section 16, Township 4N, Range 28W
Landform (hillside, terrace, etc.): floodplain terrace | Local relief (concave, convex, none): none | Slope (%): 0
Subregion (LRR): LRR C | Lat: 34.425829 | Long: -119.826006 | Datum: WGS84
Soil Map Unit Name: Camarillo fine sandy loam (hydric) | NWI classification: R4SBCx

Are climatic / hydrologic conditions on the site typical for this time of year? Yes x No ____ (If no, explain in Remarks.)
Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes X No ____
Are Vegetation No , Soil Yes , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes X No ____
Hydric Soil Present? Yes ____ No X
Wetland Hydrology Present? Yes X No ____

Is the Sampled Area within a Wetland? **Yes** ____ **No** X

Remarks:
Sample point located on a small floodplain on east side of channel; 60' x 20' sample area along floodplain and parallell with channel. Soil pit is at N/upstream end of sample point.

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: 60' x 20')	Absolute % Cover	Dominant Species?	Indicator Status
1. *Salix lasiolepis*	67	Yes	FACW
2.			
3.			
4.			
	67	=Total Cover	
Sapling/Shrub Stratum (Plot size: 60' x 20')			
1. *Arundo donax*	3	Yes	FACW
2. *Toxicodendron diversilobum*	< 1	No	UPL
3.			
4.			
5.			
	3	=Total Cover	
Herb Stratum (Plot size: 60' x 20')			
1. *Salicornia pacifica*	10	Yes	OBL
2. *Heliotropium curassivicum*	< 1	No	FACU
3. *Chenopodium album*	<< 1	No	FACU
4. *other un-IDable coyuledons*	<< 1	No	
5.			
6.			
7.			
8.			
	10	=Total Cover	
Woody Vine Stratum (Plot size: 60' x 20')			
1. None			
2.			
		=Total Cover	

% Bare Ground in Herb Stratum 20 % Cover of Biotic Crust 0

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 3 (A)
Total Number of Dominant Species Across All Strata: 3 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100.0% (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	10	x 1 =	10
FACW species	70	x 2 =	140
FAC species	0	x 3 =	0
FACU species	0	x 4 =	0
UPL species	0	x 5 =	0
Column Totals:	80 (A)		150 (B)
Prevalence Index = B/A =			1.88

Hydrophytic Vegetation Indicators:
X Dominance Test is >50%
X Prevalence Index is ≤3.0[1]
___ Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)
[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? **Yes** X **No** ____

Remarks:
SALLAS on outer edge of floodplain and sample point. Bare ground and SALPAC on creekside of floodplain and sample area.

SOIL

Sampling Point: SP2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth	Matrix		Redox Features					
(inches)	Color (moist)	%	Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-5	10YR 3/2	100	N/A	0	N/A	N/A	Silty Loam	
5-8	10YR 3/2	99	5YR 4/4	1	C	M	Silty Loam	Prominent redox concentrations
8-9	10YR 4/3	99	not detectable	<1	CS	M	Silty Loam	color looks visibly darker but not by test
8-9	10YR 2/2	1	N/A	0	N/A	N/A	Silty Loam	redox is on surface of soil grains and not concentrated enough to determine a color
9-16	10YR 4/3	99	5YR 4/6	1	C	M	Loam	Prominent redox concentrations

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5) **(LRR C)**
- ___ 1 cm Muck (A9) **(LRR D)**
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 1 cm Muck (A9) **(LRR C)**
- ___ 2 cm Muck (A10) **(LRR B)**
- ___ Iron-Manganese Masses (F12) **(LRR D)**
- ___ Reduced Vertic (F18)
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (F22)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: none

Depth (inches): ___

Hydric Soil Present? **Yes** ___ **No** x

Remarks:
USDA-mapped as hydric. No sandy redox and depleted matrix because not enough redox concentrations. No redox dark surface because not enough redox. Soil conditions indicate hydric soils are forming because redox is present but not in high enough concentrations. Floodplain possibly disturbed enough to not get fully hydric soils. Redox color could not be determined because it was too spread out and not concentrated.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1) **(Nonriverine)**
- ___ Sediment Deposits (B2) **(Nonriverine)**
- ___ Drift Deposits (B3) **(Nonriverine)**
- ___ Surface Soil Cracks (B6)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Water-Stained Leaves (B9)
- ___ Salt Crust (B11)
- ___ Biotic Crust (B12)
- ___ Aquatic Invertebrates (B13)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Water Marks (B1) **(Riverine)**
- ___ Sediment Deposits (B2) **(Riverine)**
- X Drift Deposits (B3) **(Riverine)**
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Shallow Aquitard (D3)
- X FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes ___	No x	Depth (inches): ___
Water Table Present?	Yes ___	No x	Depth (inches): ___
Saturation Present? (includes capillary fringe)	Yes ___	No x	Depth (inches): ___

Wetland Hydrology Present? **Yes** X **No** ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:
FAC-neutral = 3:0. Soil is too sandy for surface soil cracks.

Appendix H

Site Photographs



Photograph 1. View of the natural channel portion of San Jose Creek within the northern portion of the study area, facing north. Arroyo willow thickets present along banks of San Jose Creek. March 20, 2024.



Photograph 2. View of natural channel meeting concrete channel at Hollister Ave Bridge within the northern portion of the study area at SP-1, facing south. Arroyo willow thickets present along banks of San Jose Creek. March 20, 2024.



Photograph 3. View of urban stream channel and urban development landcover (the concrete channel portion of San Jose Creek with fish weirs) within the central portion of the study area, facing south. March 20, 2024.



Photograph 4. View of mixed woodland and eucalyptus grove at northern portion of study area, facing north. March 20, 2024.



Photograph 5. View of black cottonwood woodland (on right) and urban developed land cover (on left) in northern portion of study area, facing northeast. March 20, 2024.



Photograph 6. View of California sycamore coast live oak riparian woodland and the natural channel portion of San Jose Creek within the northern portion of the study area, facing north. March 20, 2024.



Photograph 7. View of annual brome grassland and developed landcover, outside of the concrete channel, at the southern portion of the study area, facing northeast. March 21, 2024.



Photograph 8. View of the urban stream channel and urbane development land cover (concrete channel portion with wooden fish weirs) and coyote brush scrub along top of concrete channel (to right), within the central portion of the study area, facing northeast. March 21, 2024.



Photograph 9. View of end of open water and concrete channel at southern portion of study area with arroyo willow thickets and pickleweed mats along eastern bank of San Jose Creek, facing south. March 21, 2024.

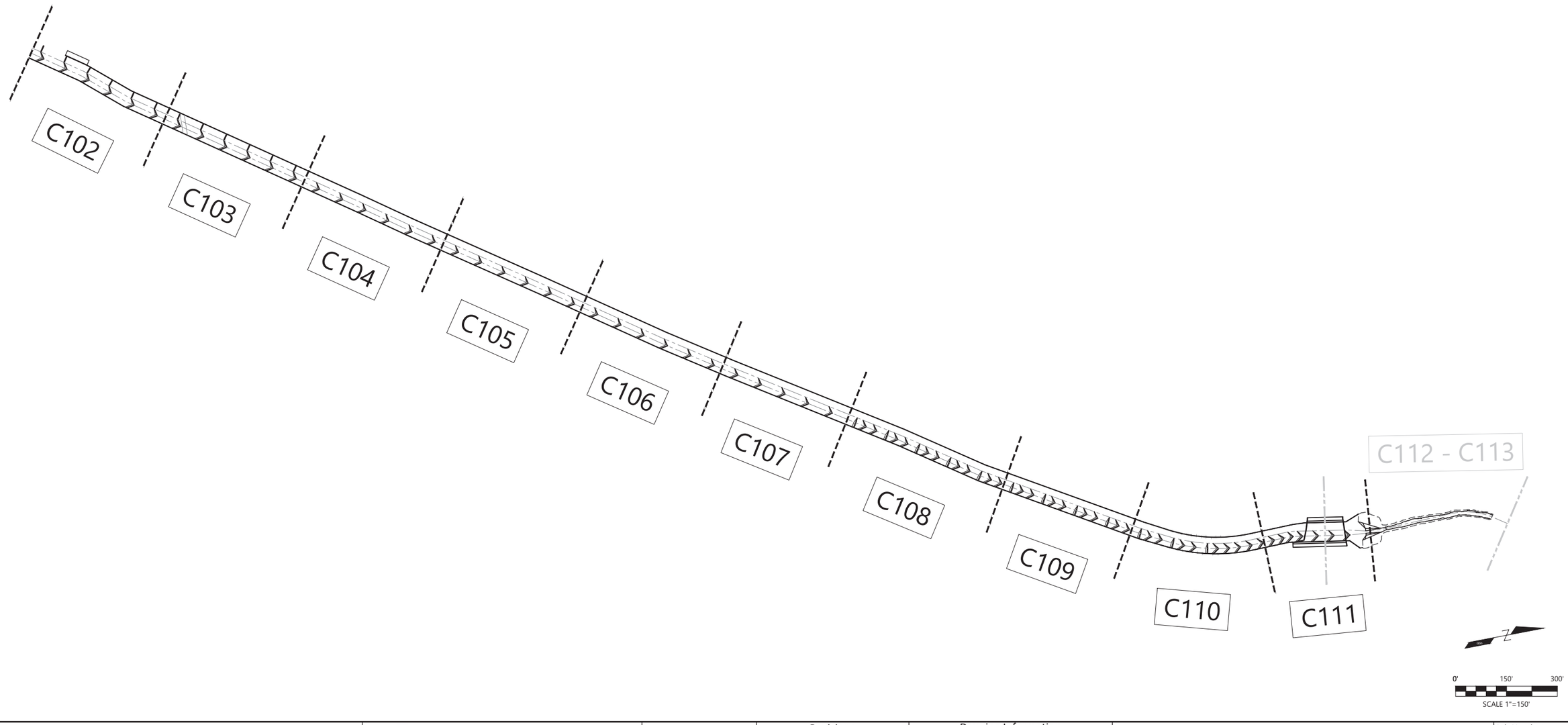


Photograph 10. View of the open water, arroyo willow thickets, and pickleweed mat at SP-2 at southern portion of study area along eastern bank of San Jose Creek, facing northeast. March 21, 2024.

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Appendix F

Engineering Project Design and Cross-sections



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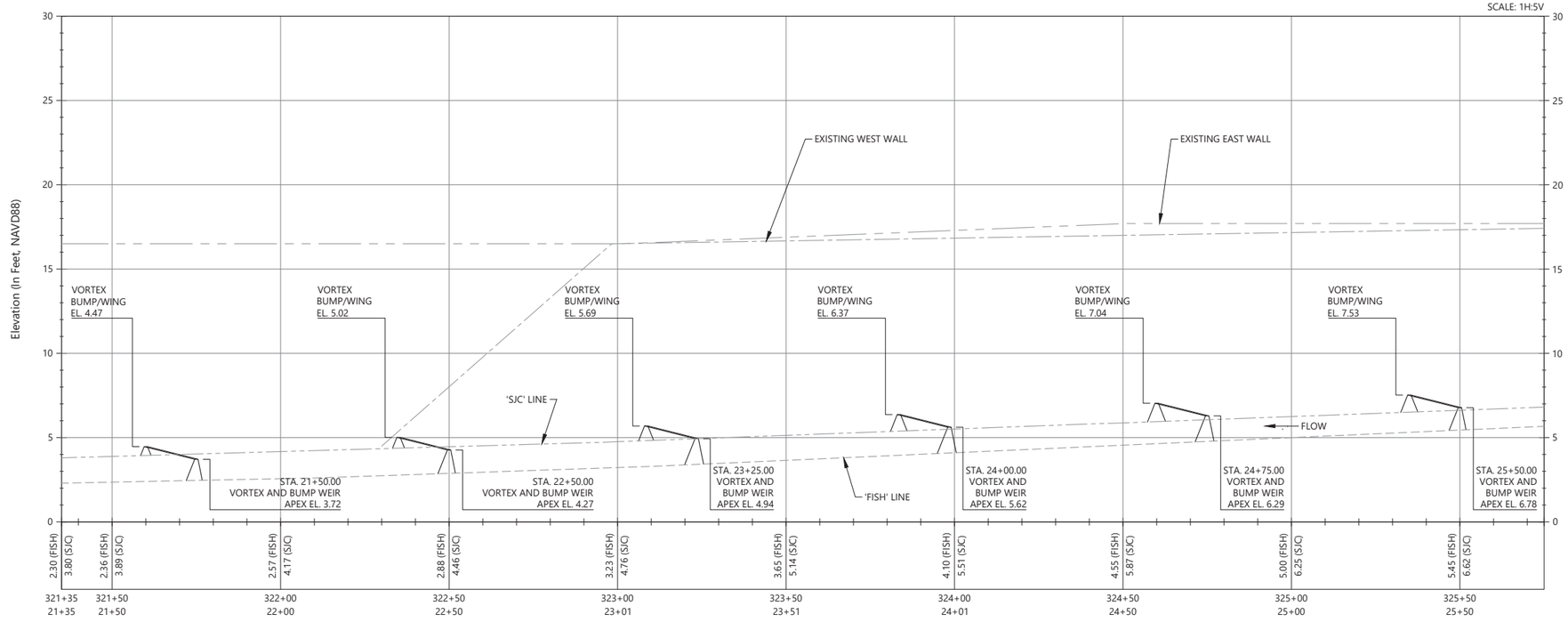
San Jose Creek Fish Passage Improvements

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2007147

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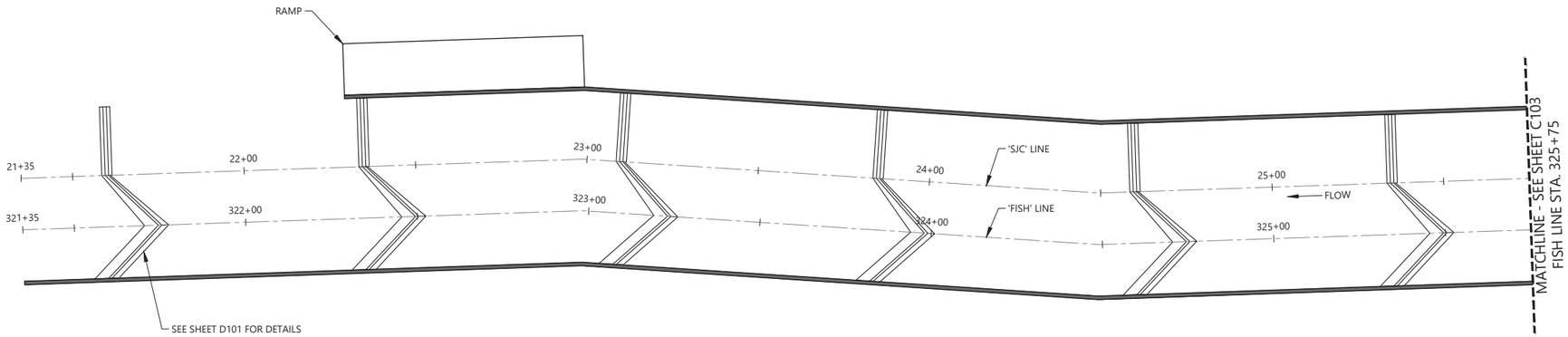


LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

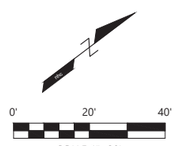
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Scale: 1"=20'



PLAN - FISH LINE STA. 321+35 TO 325+75

Scale: 1"=20'



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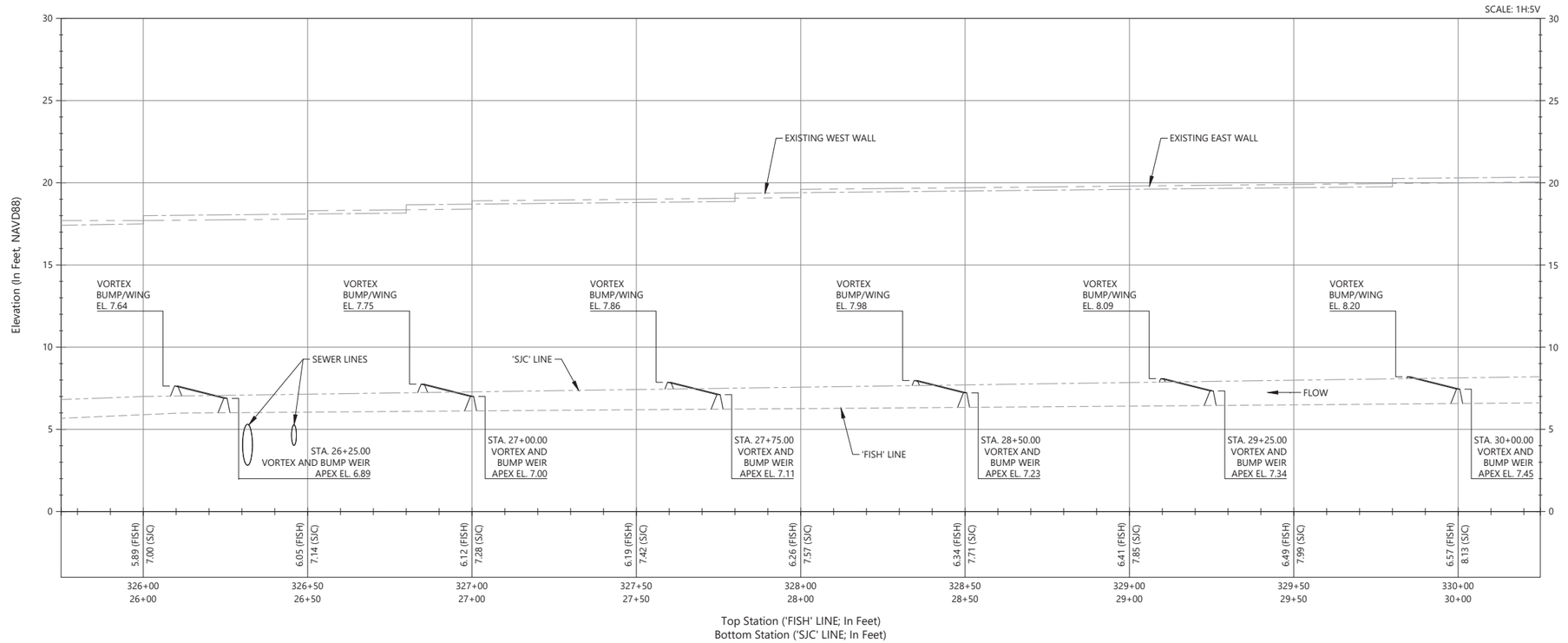
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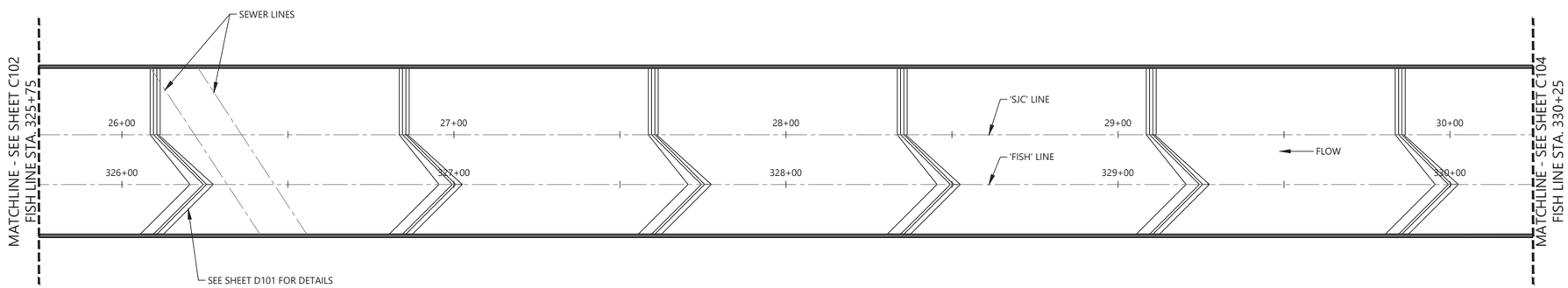
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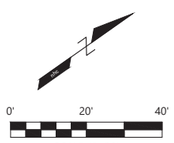
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Scale: 1"=20'



PLAN - FISH LINE STA. 325+75 TO 330+25

Scale: 1"=20'



LEGEND

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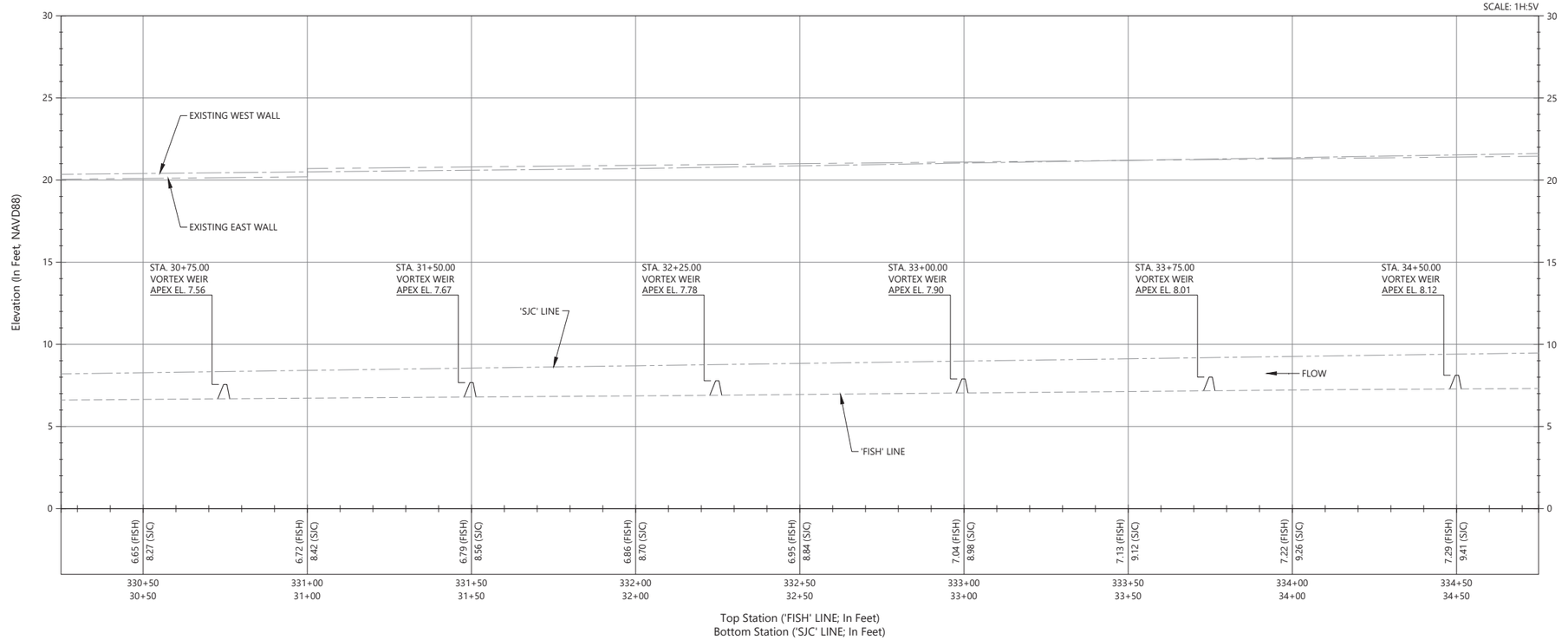
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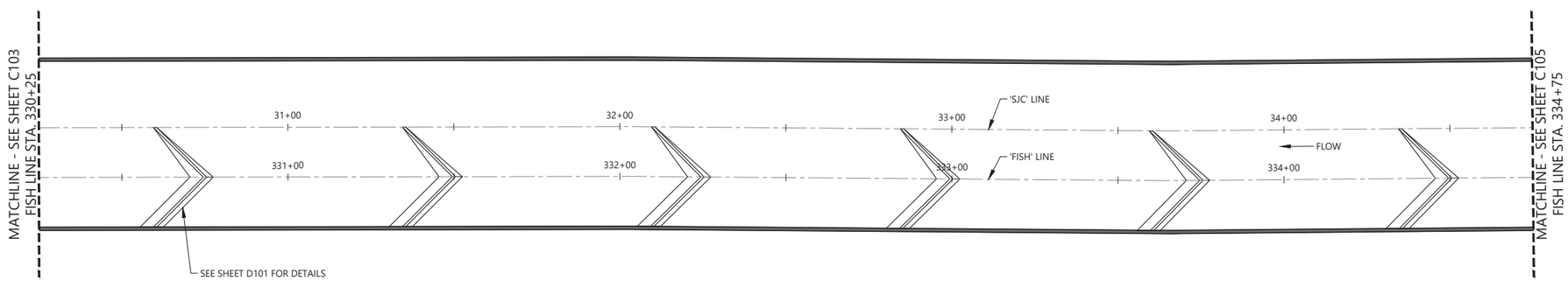
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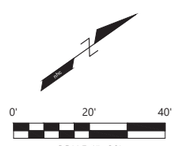
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Scale: 1"=20'



PLAN - FISH LINE STA. 330+25 TO 334+75

Scale: 1"=20'



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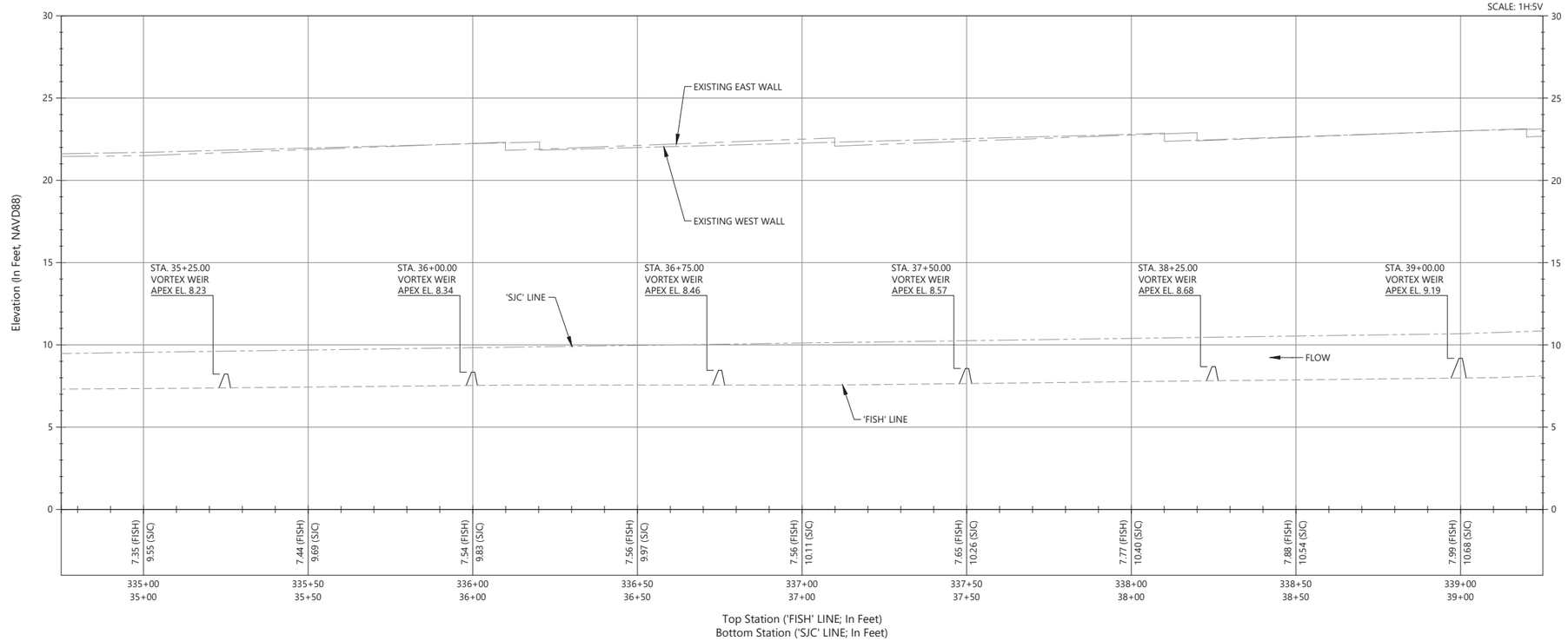
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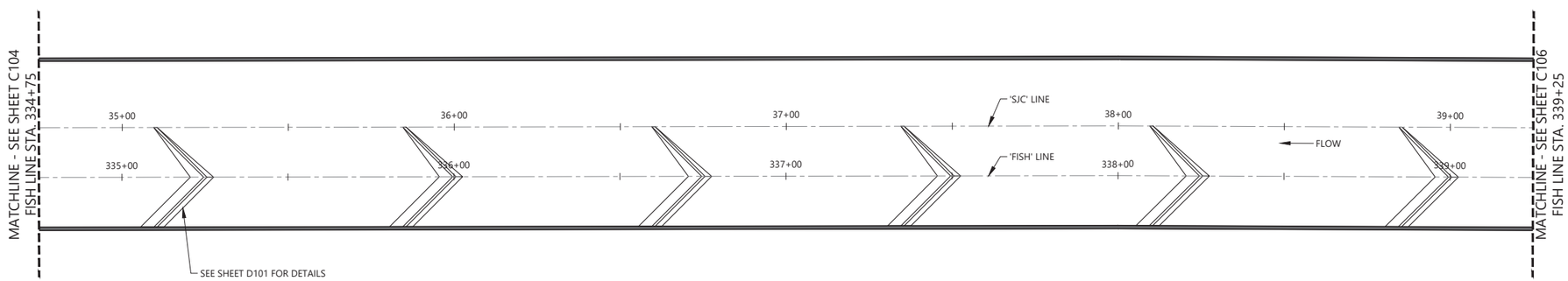
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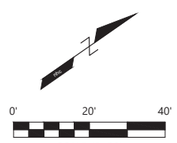
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Scale: 1"=20'



PLAN - FISH LINE STA. 334+75 TO 339+25

Scale: 1"=20'



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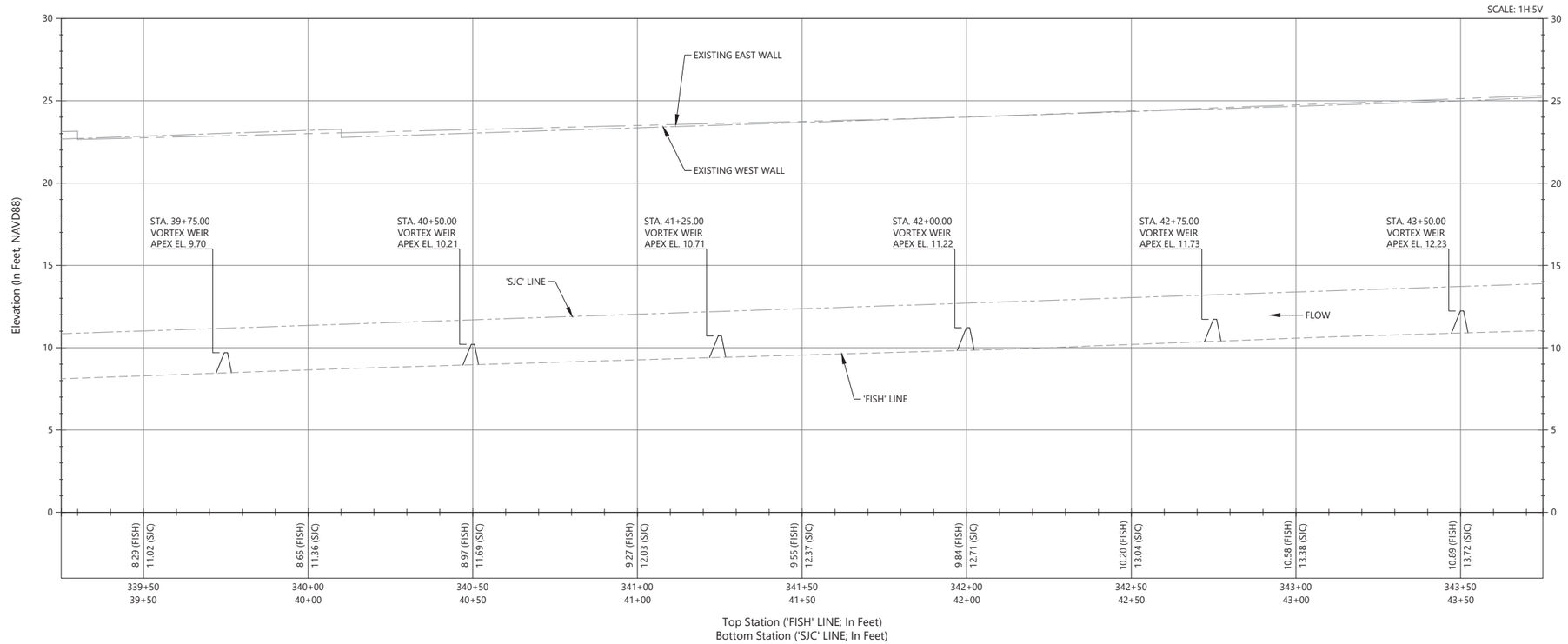
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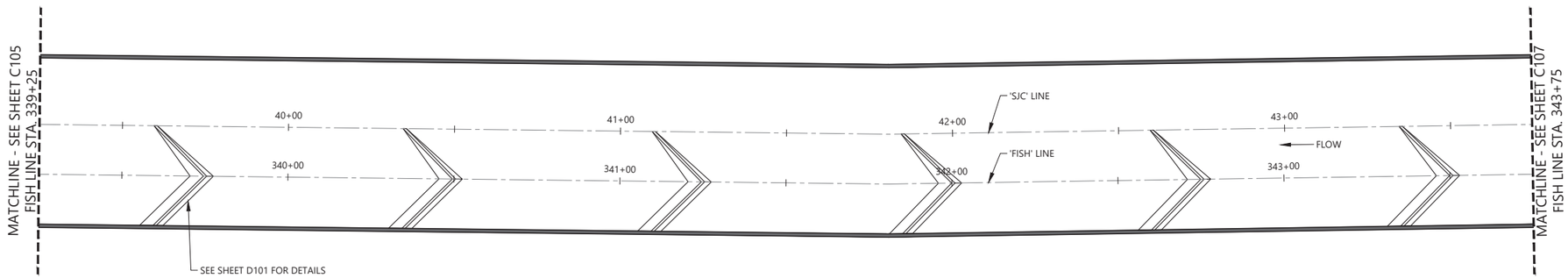
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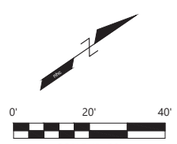
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PLAN - FISH LINE STA. 339+25 TO 343+75

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San Jose Creek Fish Passage Improvements

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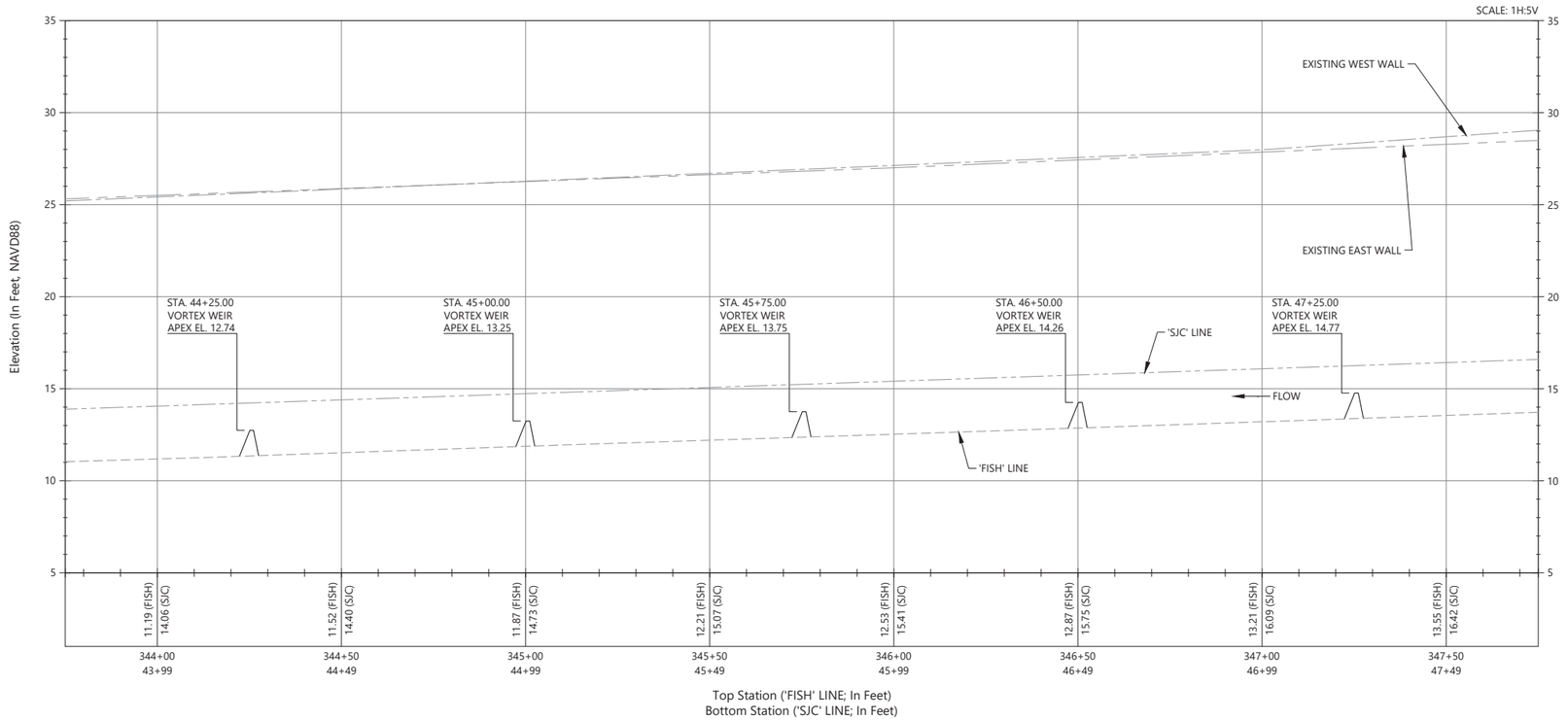
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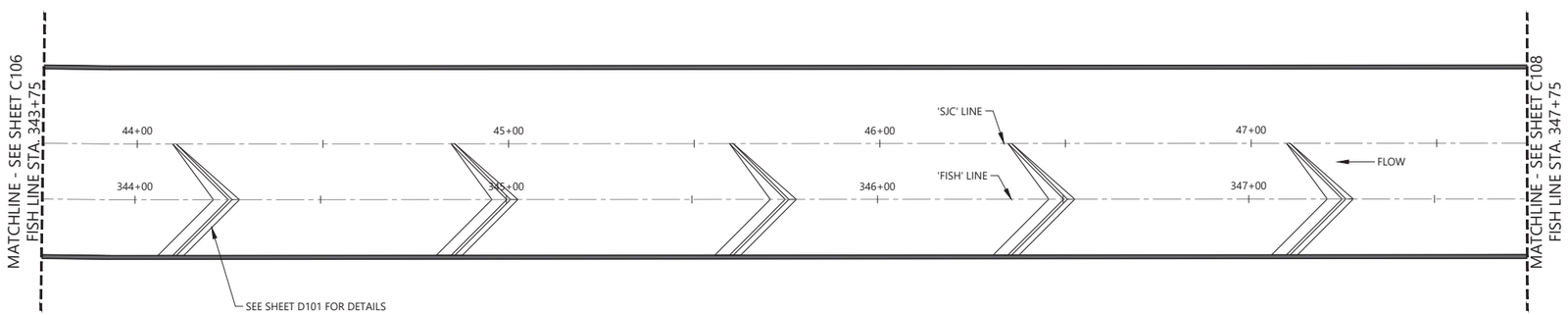
LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
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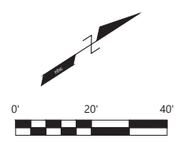
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Scale: 1"=20'



PLAN - FISH LINE STA. 343+75 TO 347+75

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

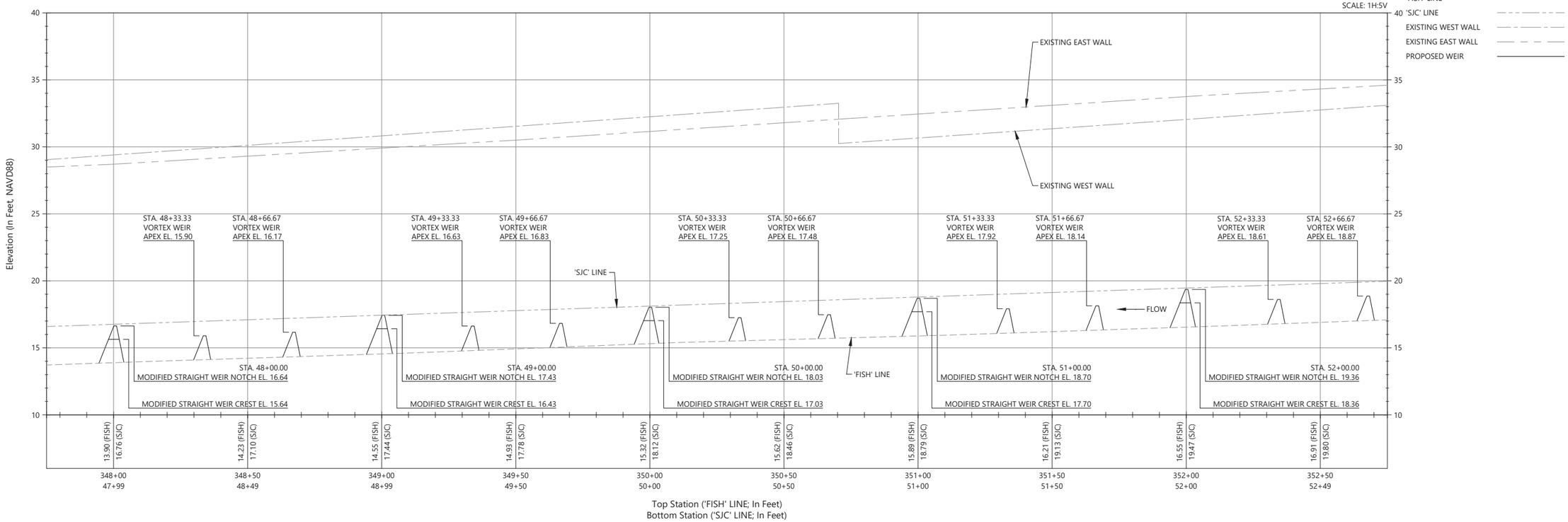
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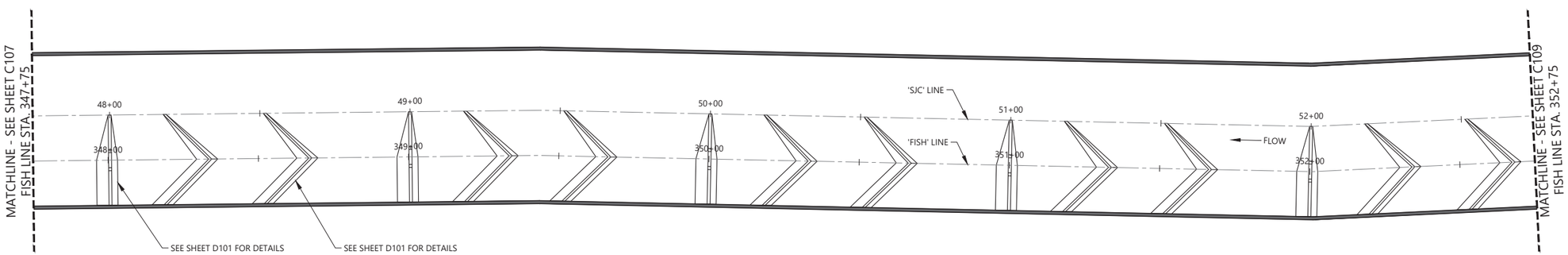


LEGEND

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- PROPOSED WEIR

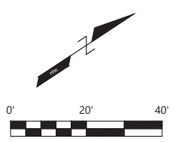
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Revisions		
No.	Date	Description

Drawing Information	
Date	11:33:06 20250318
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Designer	
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Checked	
File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

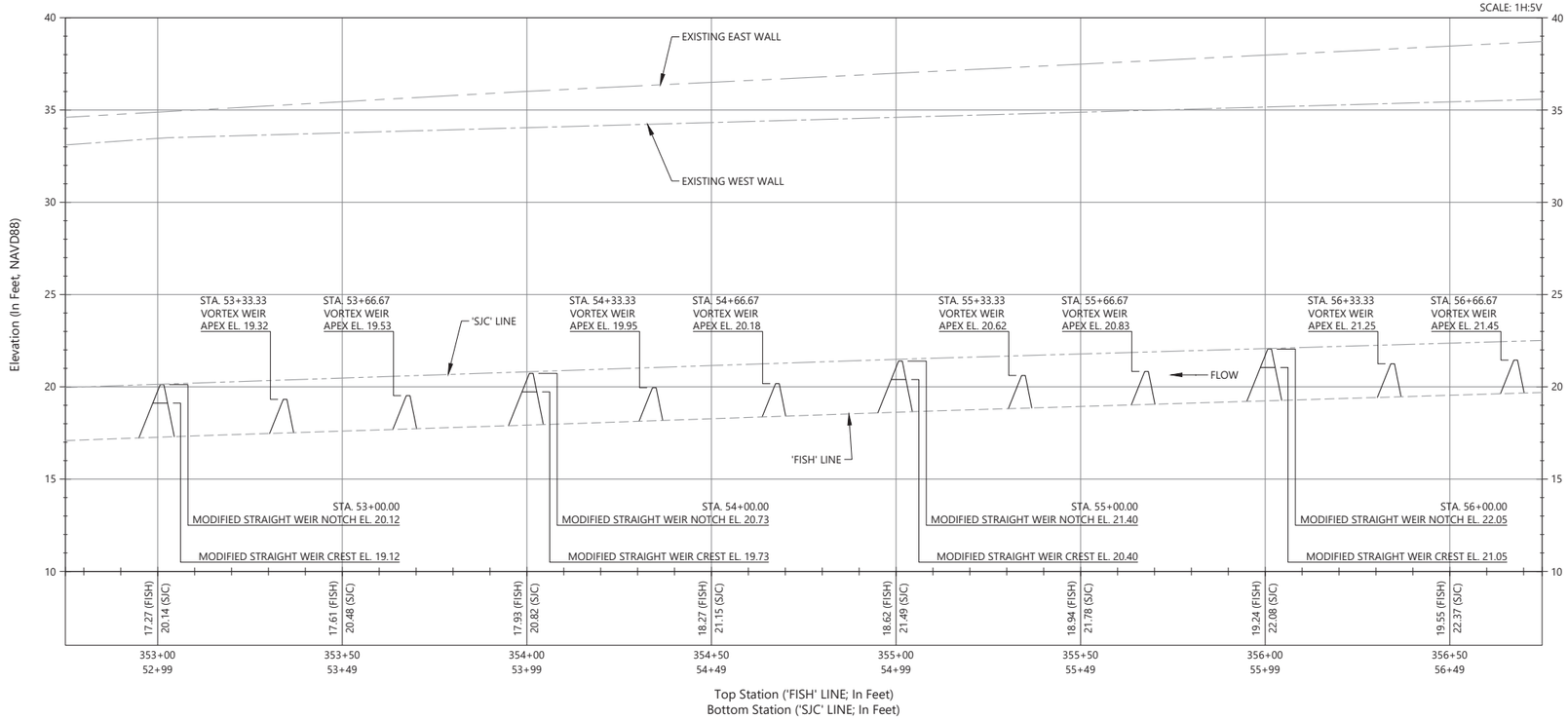
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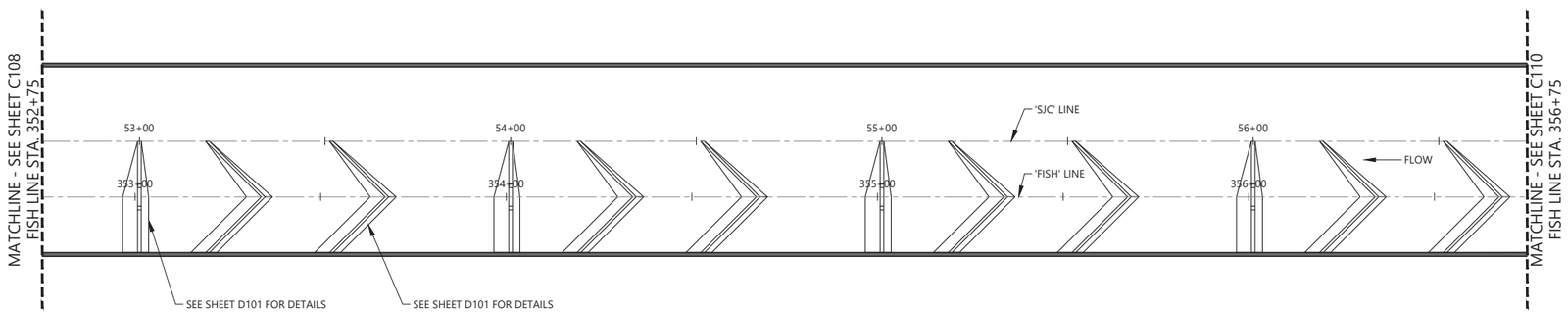
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- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



PROFILE - FISH LINE STA. 352+75 TO 356+75

Scale: 1"=20'



PLAN - FISH LINE STA. 352+75 TO 356+75

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

CITY OF GOLETA
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130 Cremona Drive
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https://www.cityofgoleta.org/

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San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

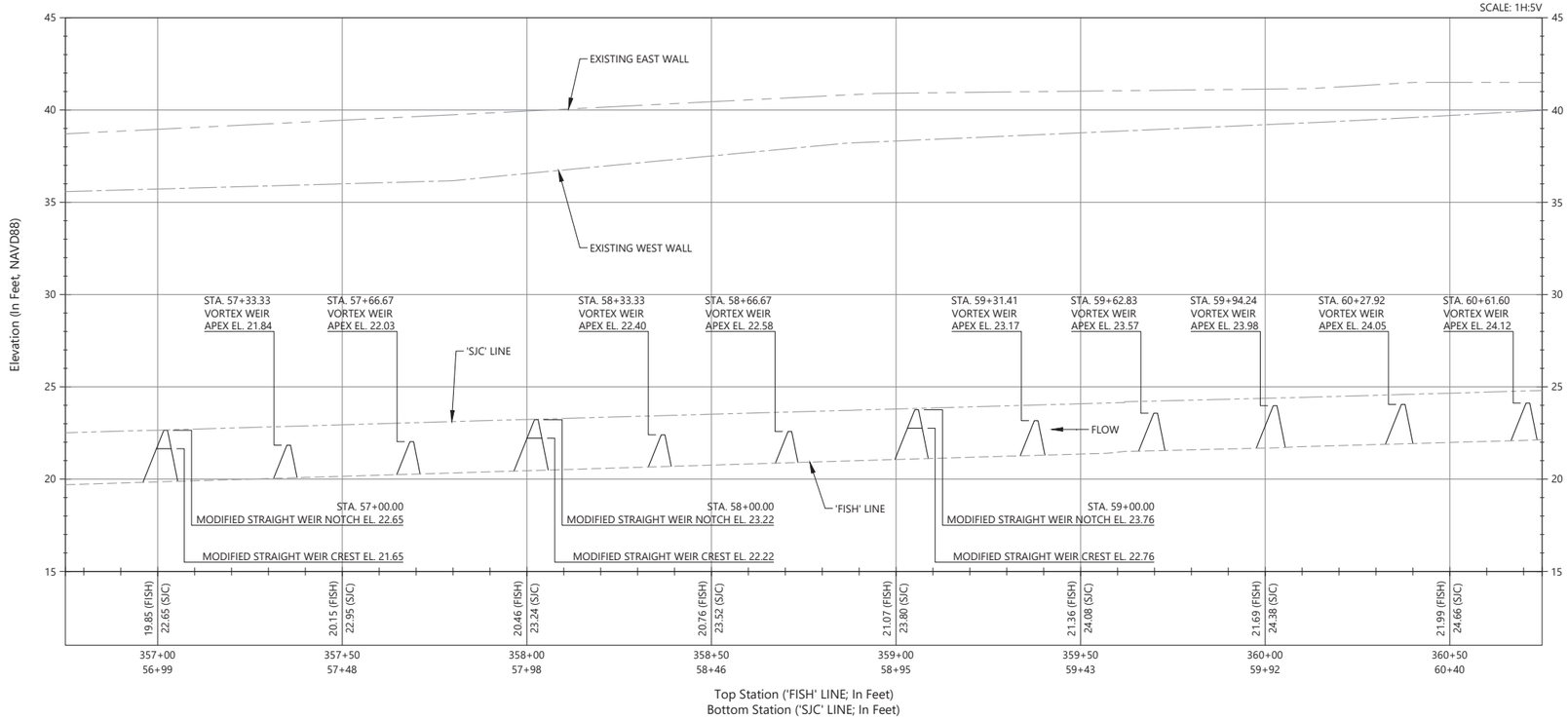
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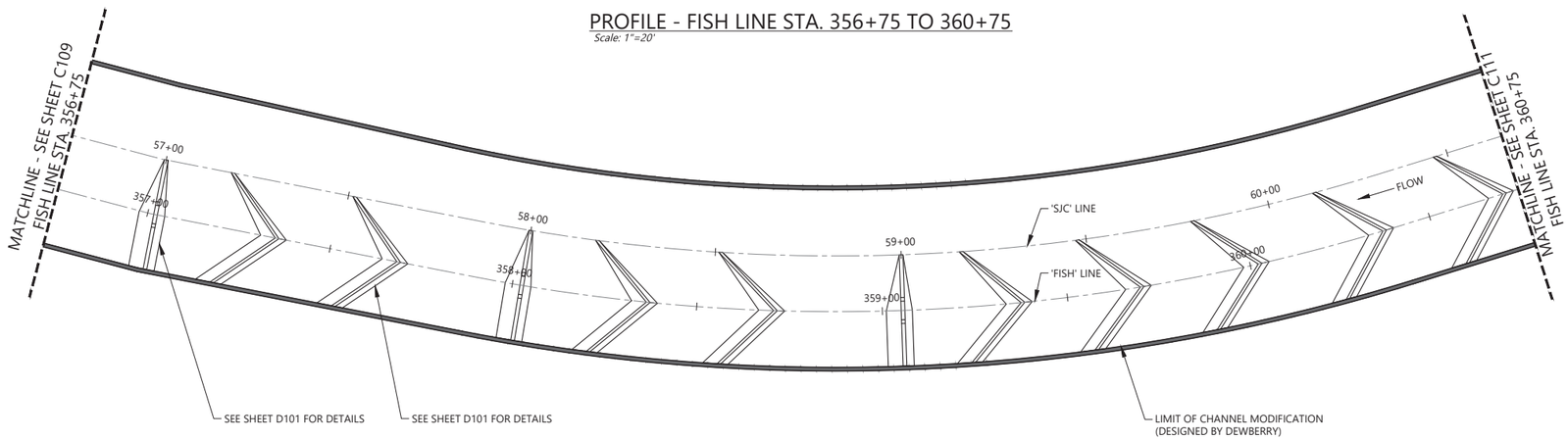
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- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



PROFILE - FISH LINE STA. 356+75 TO 360+75

Scale: 1"=20'



PLAN - FISH LINE STA. 356+75 TO 360+75

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

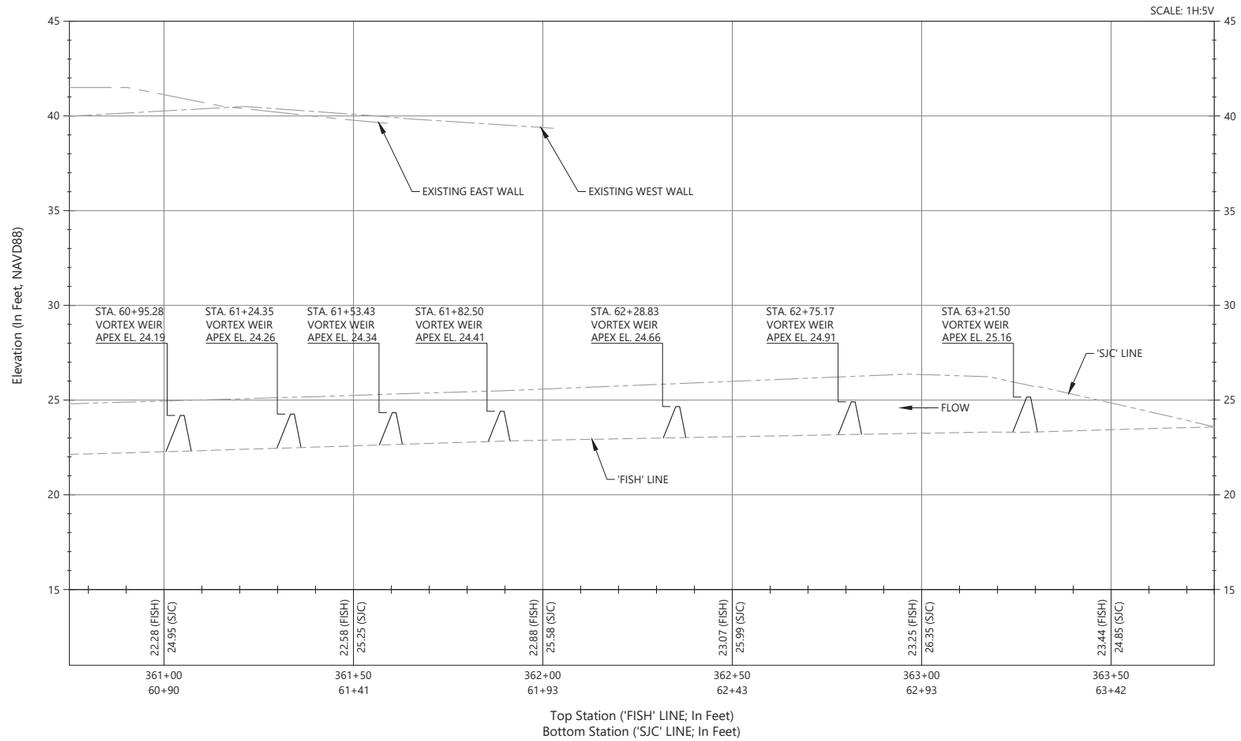
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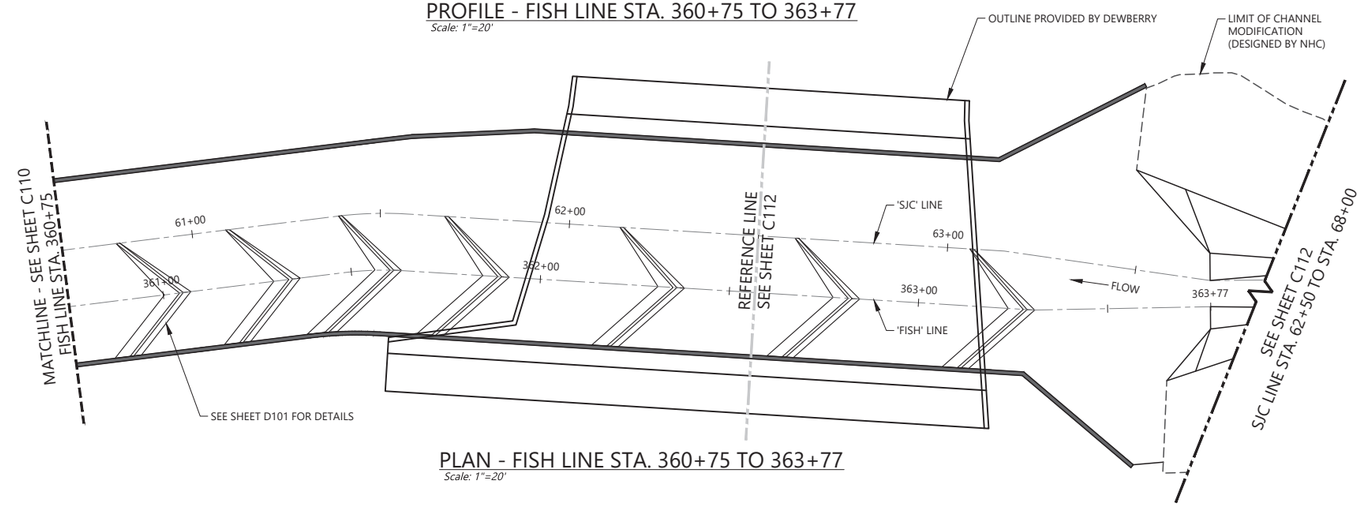
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- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



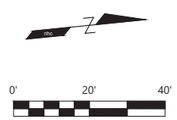
PROFILE - FISH LINE STA. 360+75 TO 363+77

Scale: 1"=20'



PLAN - FISH LINE STA. 360+75 TO 363+77

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

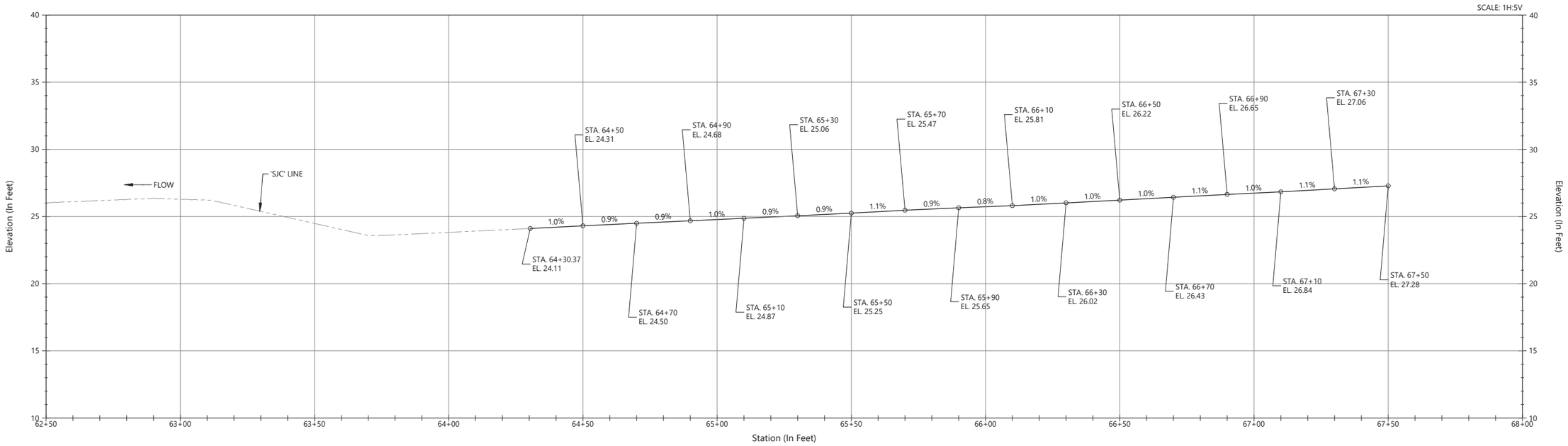
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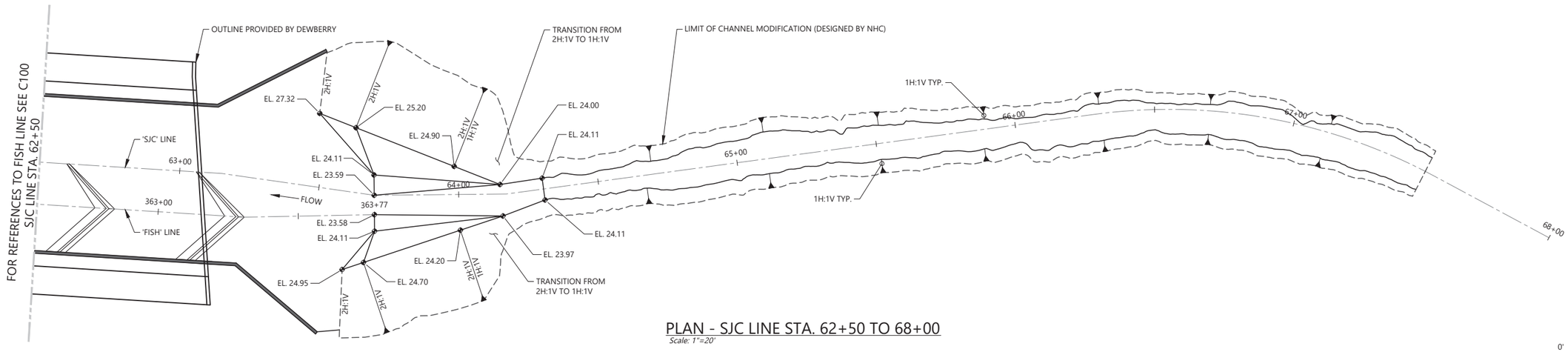
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PROFILE - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'



PLAN - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'

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San Jose Creek Fish Passage Improvements

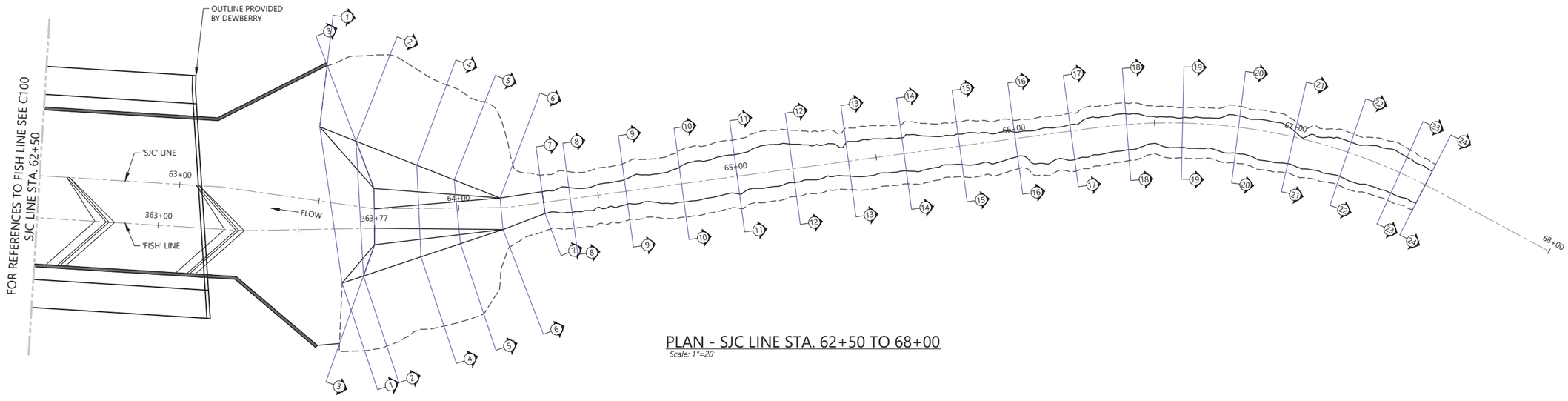
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Sheet Number

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PLAN - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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San Jose Creek Fish Passage Improvements

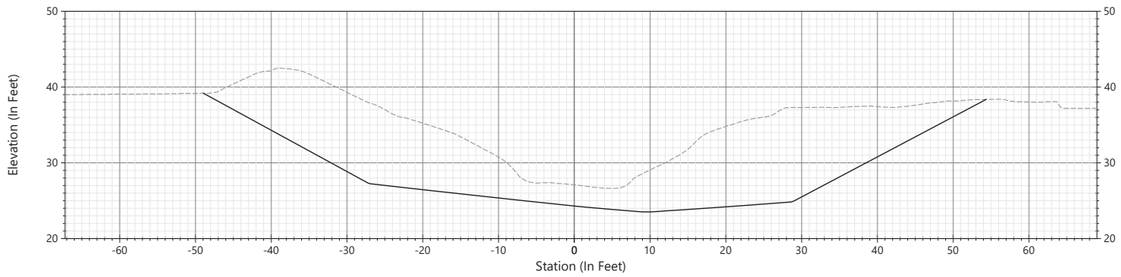
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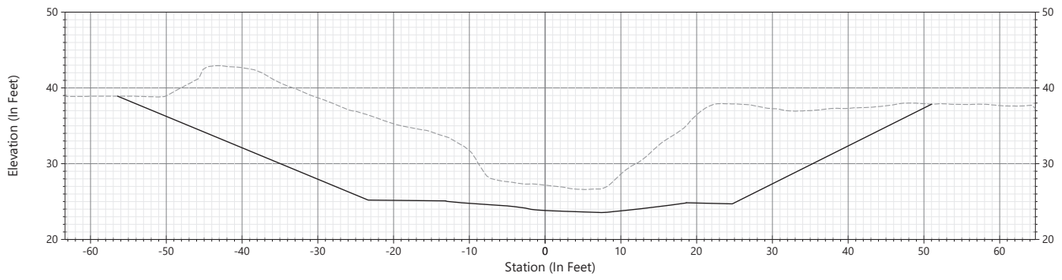
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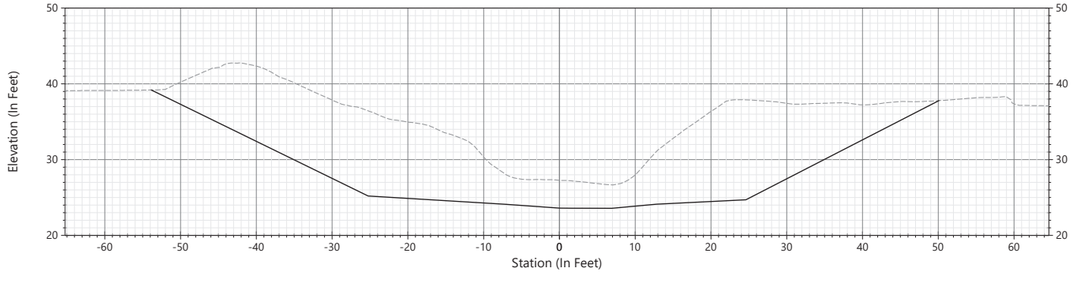
SECTION 1 - STA. 63+54.18

Scale: 1"=10'



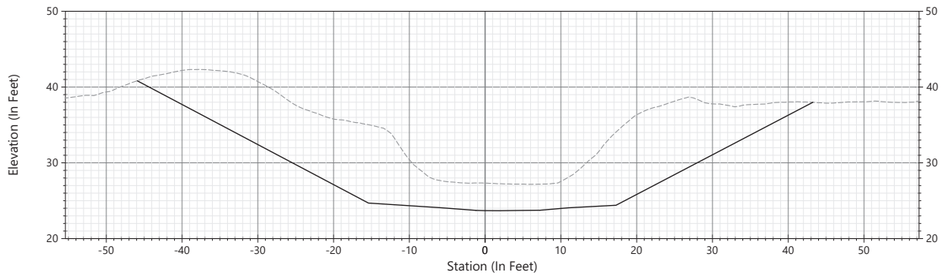
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Scale: 1"=10'



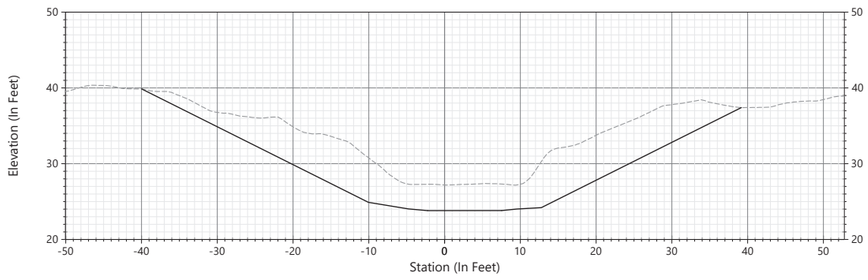
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Scale: 1"=10'



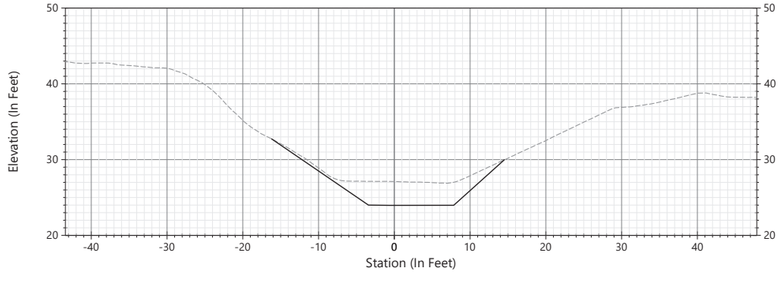
SECTION 4 - STA. 63+85.76

Scale: 1"=10'



SECTION 5 - STA. 63+99.37

Scale: 1"=10'



SECTION 6 - STA. 64+15.06

Scale: 1"=10'

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San Jose Creek Fish Passage Improvements

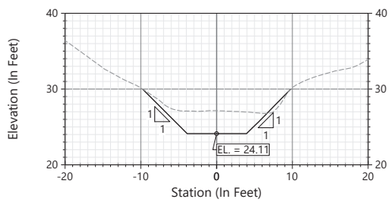
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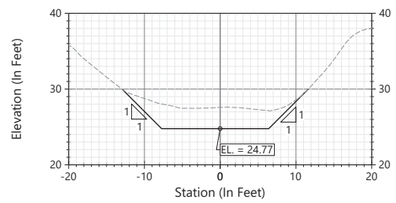
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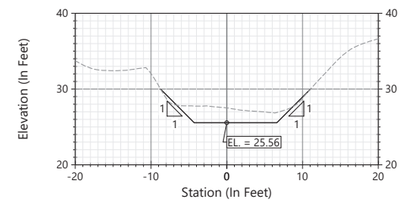
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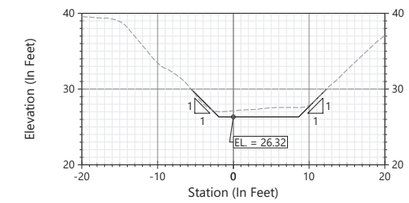
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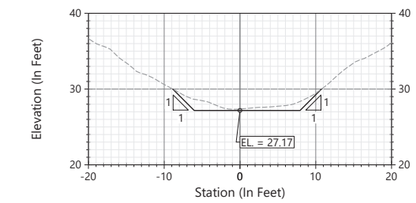
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Scale: 1"=10'



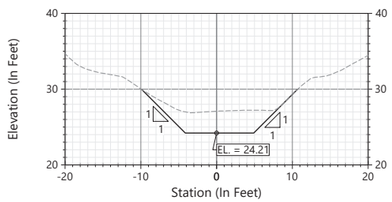
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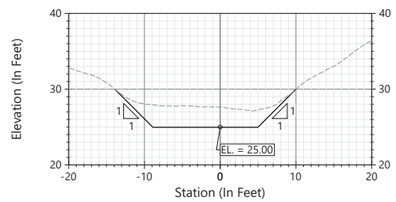
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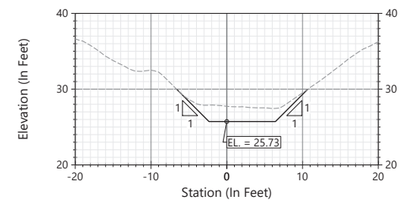
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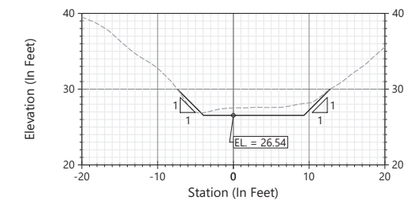
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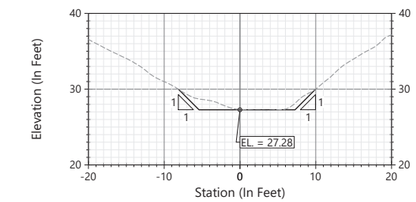
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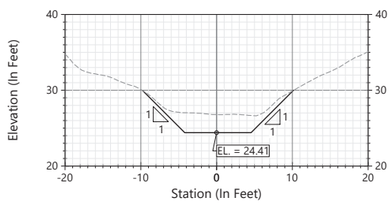
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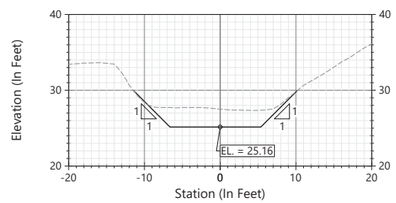
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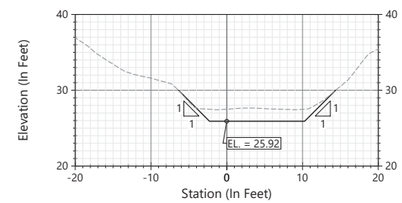
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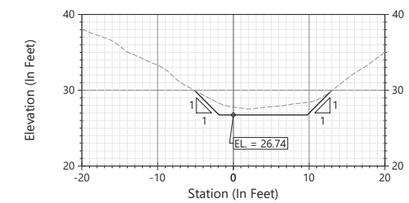
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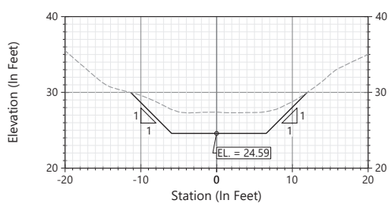
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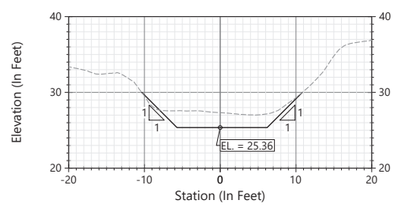
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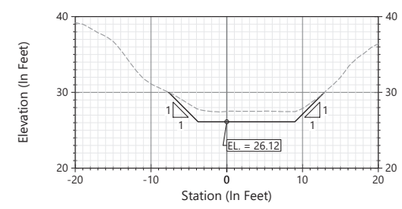
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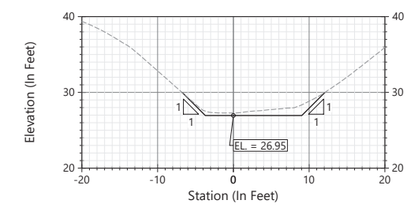
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SECTION 14 - STA. 65+60.00
Scale: 1"=10'



SECTION 18 - STA. 66+40.00
Scale: 1"=10'



SECTION 22 - STA. 67+20.00
Scale: 1"=10'

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San Jose Creek Fish Passage Improvements

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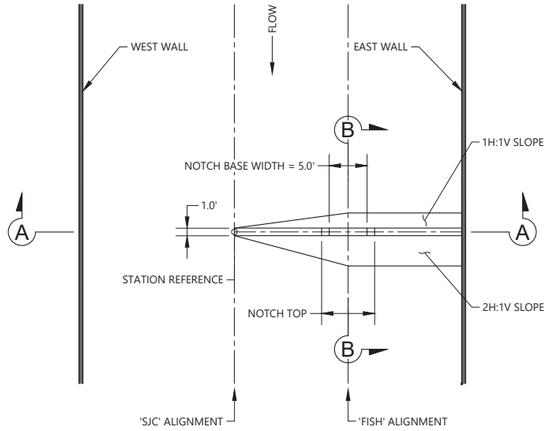
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Appendix G

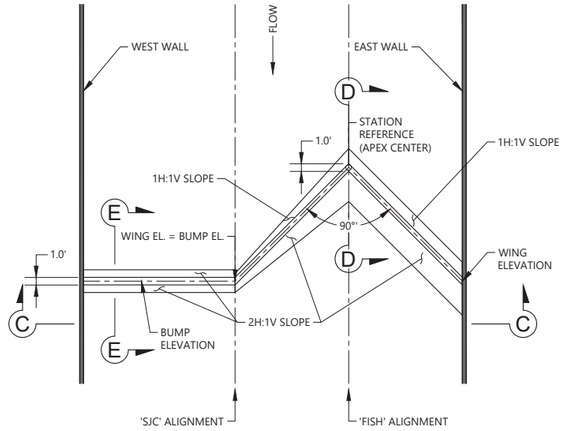
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24+00.00	VORTEX AND BUMP
24+75.00	VORTEX AND BUMP
25+50.00	VORTEX AND BUMP
26+25.00	VORTEX AND BUMP
27+00.00	VORTEX AND BUMP
27+75.00	VORTEX AND BUMP
28+50.00	VORTEX AND BUMP
29+25.00	VORTEX AND BUMP
30+00.00	VORTEX AND BUMP
30+75.00	VORTEX
31+50.00	VORTEX
32+25.00	VORTEX
33+00.00	VORTEX
33+75.00	VORTEX
34+50.00	VORTEX
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36+75.00	VORTEX
37+50.00	VORTEX
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40+50.00	VORTEX
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43+50.00	VORTEX
44+25.00	VORTEX
45+00.00	VORTEX
45+75.00	VORTEX
46+50.00	VORTEX
47+25.00	VORTEX
48+00.00	MODIFIED STRAIGHT
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49+66.67	VORTEX

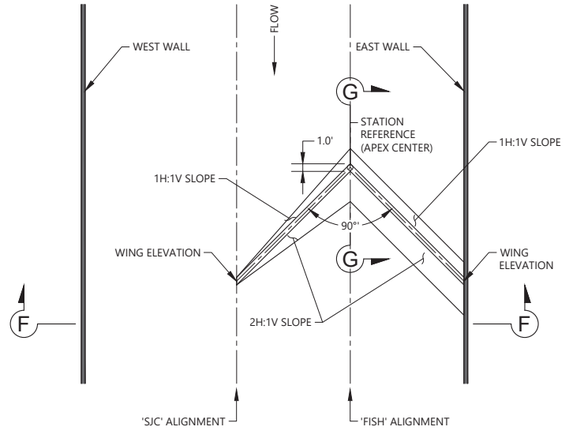
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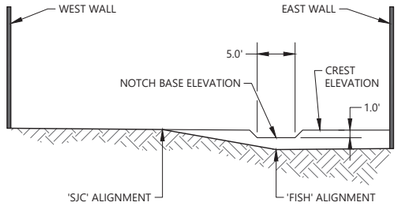
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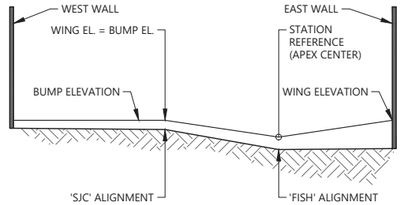
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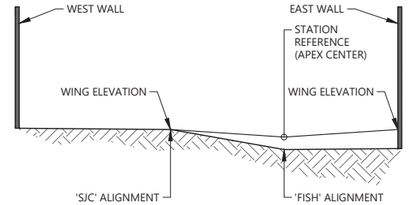
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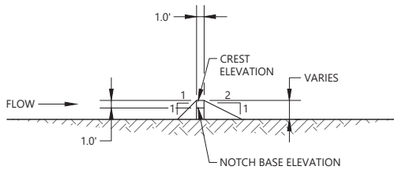
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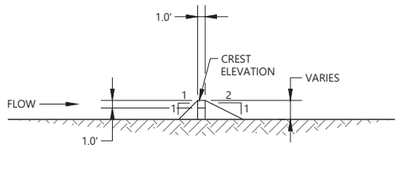
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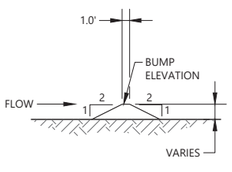
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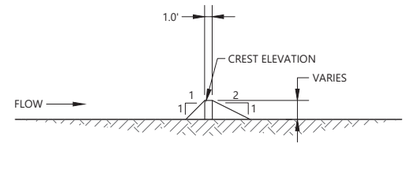
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D SECTION
- *Scale: 1"=10'*



E SECTION
- *Scale: 1"=10'*



G SECTION
- *Scale: 1"=10'*

MODIFIED STRAIGHT WEIR

VORTEX AND BUMP WEIR

VORTEX WEIR

CITY OF GOLETA
CLIENT INFORMATION
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Goleta, California 93117
PHONE NUMBERS
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PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
No.	Date	Description

Drawing Information	
Date	11:18:30 20240625
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Designer	
Drafter	
Checked	
File Name	SJC DETAILS2
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

Weir Details

Job Number 2007147

Sheet Number

D101

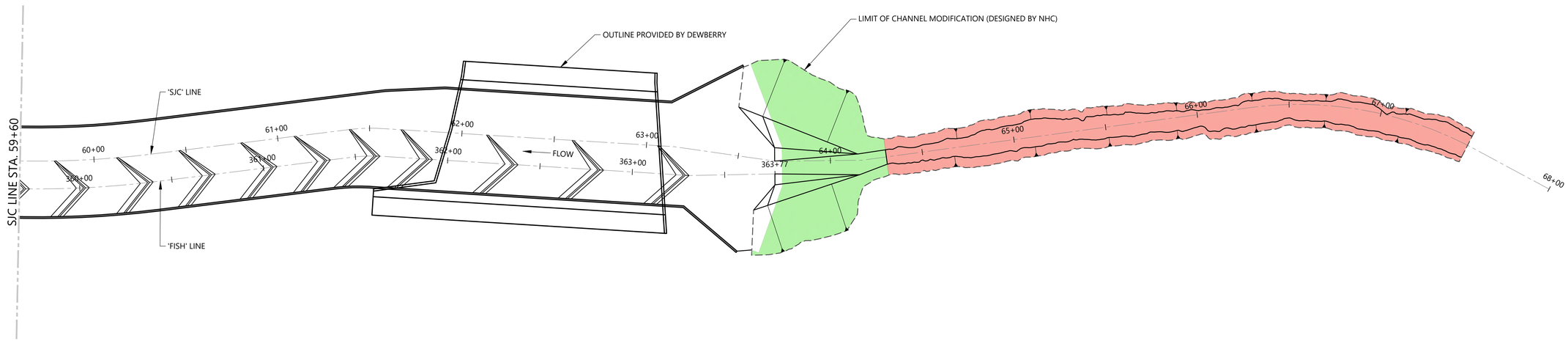
Sheet xx of XX

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Appendix H

Engineering Cut and Fill

CUT/FILL SUMMARY (INCLUDES 3 FEET OVEREXCAVATION IN THE TRANSITION BOWL)				
STATION (ft)	AREA (SQ. ft)	CUT (CU. YARD)	FILL (CU. YARD)	NET (CU. YARD)
63+74 TO 64+30	4622.58	1451	619.1	831.90
64+30 TO 67+50	6559.34	321.78	4.59	317.09
TOTAL	11181.92	1772.78	623.69	1149.00



PLAN - SJC LINE STA. 59+60 TO 67+50
Scale: 1"=30'

0' 30' 60'
SCALE 1"=30'

CITY OF GOLETA
CLIENT INFORMATION
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PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
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Date	12:40:43 20250918
Status	65% Submittal
Designer	
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Checked	
File Name	SJC CIVIL17
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

C116

Sheet xx of XX

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Appendix I

State Water Board Statewide Restoration General Order – General Protection Measures

General Protection Measures

General Protection Measures (GPMs) as described in the State Water Board Statewide Restoration General Order (SRGO) – GPMs (SWRCB 2022) that will be followed by construction personnel are listed below.

- **GPM-1: Receipt and Copies of All Permits and Authorizations.** Work will not begin until all necessary permits and authorizations have been received (e.g., United States Army Corps of Engineers [USACE], United State Fish and Wildlife Service [USFWS], National Marine Fisheries Service [NMFS], State and Regional Boards, California Department of Fish and Wildlife [CDFW]). The project proponent will ensure that a readily available copy of the applicable agency permits and authorizations (e.g., USFWS Biological Opinion, NMFS Biological Opinion, Section 404 permit, etc.) is maintained by the construction foreman/manager on the project site for the duration of project activities.
- **GPM-2: Construction Work Windows.** Construction work windows may be required in order to avoid impacts to aquatic resources and associated beneficial uses during the wet season. Project proponents must also follow the applicable Regional Board's construction work windows, unless otherwise approved.
- **GPM-3: Construction Hours.** Construction activities will generally be limited to daylight hours, to the extent feasible. If nighttime construction is necessary, including in tidally influenced waters where tides may limit daylight access and work schedules, all project lighting (e.g., staging areas, equipment storage sites, roadway, and construction footprint) will be selectively placed and directed onto the roadway or construction site and away from aquatic habitats. Light glare shields will be used to reduce the extent of illumination into aquatic habitats. If the works are is near surface waters, the lightning will be shielded so that it does not shine directly into the water.
- **GPM-4: Environmental Awareness Training.** For projects occurring in aquatics resources (e.g., wetlands, riparian areas, etc.), prior to engaging existing or new personnel in construction activities, new construction personnel will participate in environmental awareness training conducted by an agency-approved biologist or resource specialist. 9 Construction personnel will be informed regarding the identification, potential presence, legal protections, avoidance and minimization measures, and applicable general protection measures for all aquatic resources with the potential to occur within or immediately adjacent to the project site. Construction personnel will be informed of the procedures to follow should aquatic resources be disturbed during construction activities. For projects where the agency-approved biologist or resource specialist is not regularly on the project site, training may be provided via online/web-based meeting with an interactive portion (e.g., web-based or in-person discussion) to be included during remote training sessions. For projects that may continue over an extended duration and require excessive training events, a training video developed under the supervision of the FWS-approved biologist or resource specialist may be used to train new personnel, as long as an FWS-approved biologist or resource specialist is available via phone to answer questions about the training or that may arise during construction.

- **GPM-5: Environmental Monitoring.** As required in the Notice of Availability (NOA), a resource specialist will ensure that all applicable protective measures are implemented during project construction. The resource specialist will have authority to stop any work if they determine that any permit requirement is not fully implemented. The resource specialist will prepare and maintain a monitoring log of construction site conditions and observations, which will be kept on file.
- **GPM-6: Work Area and Speed Limits.** Construction work and materials staging will be restricted to designated work areas, routes, staging areas, temporary interior roads, or the limits of existing roadways. Prior to initiating construction or grading activities, brightly colored fencing or flagging or other practical means will be erected to demarcate the limits of the project activities, including the boundaries of designated staging areas; ingress and egress corridors; stockpile areas for spoils disposal, soil, and materials; and equipment exclusion zones. Flagging or fencing will be maintained in good repair for the duration of project activities. Vehicles will obey posted speed limits on public roadways and will limit speeds to 20 miles per hour (mph) within the project area on unpaved surfaces and unpaved roads (to reduce dust and soil erosion) or in areas where specialstatus species have the potential to occur. Speeds greater than 20 mph may be permitted in the project area where special-status species are not expected to occur (e.g., within areas from which special-status species have been excluded) and where there is no risk of generating excessive dust (e.g., surfaces are paved, saturated, or have treated with other measures to prevent dust).
- **GPM-7: Environmentally Sensitive Areas:** Monitoring, flagging, or fencing will be used, where appropriate, to minimize disturbance to environmentally sensitive areas (e.g., waters and wetlands). If fencing is used:
  - Fencing used must be approved by CDFW and/or USFWS for compatibility with species under their jurisdiction, as applicable, that may occur on site.
  - The agency-approved biologist or resource specialist will determine the location of fencing prior to the start of construction (e.g., between active work area(s) and sensitive resources).
  - Fencing will remain in place throughout the duration of the construction activities and will be inspected and maintained regularly by the agency-approved biologist or resource specialist until completion of the project.
  - Repairs to the fencing will be made within 24 hours of discovering any failure.
  - Fencing will be removed when all construction equipment is removed from the site, the area is cleared of debris and trash, and the area is returned to natural conditions.
- **GPM-8: Prevent Spread of Invasive Species.** The spread or introduction of invasive exotic plant species by arriving vehicles, equipment, imported gravel, and other materials, will be avoided to the maximum extent possible. When practicable, invasive exotic plants in the project areas will be removed and properly disposed of in a manner that will not promote their spread. Equipment will be cleaned of any sediment or vegetation at designated wash stations before entering or leaving the project area to avoid spreading pathogens or exotic/invasive species. Isolated infestations of noxious weeds identified in the project area will be treated with approved eradication methods at an appropriate time to prevent further formation of seed and destroy viable plant parts and seed. Wash sites must be in confined areas that limit run-off to any surrounding habitat and on a flat grade. Upland areas will use rice straw or invasive species-free local slash/mulch for erosion control, while the remainder of the project area will use certified, weed-free erosion control materials. Mulch must be certified weed-free. The project proponent will follow the guidelines in the CDFW's California Aquatic Invasive Species Management Plan (CDFW 2008) and Aquatic Invasive Species Disinfection/Decontamination

Protocols (CDFW 2016), where relevant. Construction supervisors and managers will be educated on weed identification and the importance of controlling and preventing the spread of noxious weeds. The project proponent will follow any applicable local guidance to prevent the spread of invasive animal species. Construction supervisors and managers will be responsible for implementation of appropriate protocols (e.g., disinfection of equipment and footwear) to prevent the spread of invasive animals.

- **GPM-9: Practices to Prevent Pathogen Contamination.** The project proponent will review and implement restoration design considerations and best management practices as published by the Working Group for Phytophthoras in Native Habitats, when there is a risk of introduction and spread of plant pathogens in site plantings (Working Group for Phytophthoras in native Habitats 2016).
- **GPM-10: Equipment Maintenance and Materials Storage.** Vehicle traffic will be confined to existing roads and the proposed access route(s). All machinery must be in good working condition, showing no signs of fuel or oil leaks. Oil, grease, or other fluids will be washed off at designated wash stations prior to equipment entering the construction site. Inspection and evaluation for the potential for fluid leakage will be performed daily during construction. Where possible, and where it would not result in greater impact to aquatic resources, no equipment refueling, or fuel storage will take place within 100 feet of a body of water. All fuel and chemical storage, servicing, and refueling will be done in an upland staging area or other suitable location (e.g., barges) with secondary containment to prevent spills from traveling to surface water or drains. Project proponents will establish staging areas for equipment storage and maintenance, construction materials, fuels, lubricants, solvents, and other possible contaminants in coordination with resource agencies. Staging areas will have a stabilized entrance and exit and will be located in upland areas to the extent possible and at least 100 feet from bodies of water unless site-specific circumstances do not provide such a setback or would result in further damage to sensitive resources, in which case the maximum setback possible will be used. Fluids will be stored in appropriate containers with covers and properly recycled or disposed of offsite. Machinery stored on site will have pans or absorbent mats placed underneath potential leak areas as a precautionary measure to further reduce the potential for impact from an unintended or previously undetectable leak.
- **GPM-11: Material Disposal.** All refuse, debris, unused materials, and supplies that cannot reasonably be secured will be removed daily from the project work area and deposited at an appropriate disposal or storage site. All construction debris will be removed from the project work area immediately upon project completion. The Water Quality and Hazardous Materials measures (below), will be implemented as applicable to ensure proper handling and disposal of hazardous materials.
- **GPM-12: Fugitive Dust Control.** To reduce dust, construction vehicles will be speed restricted as described in GPM-6, Work Area and Speed Limits when traveling on non-paved surfaces. Stockpiled materials susceptible to wind-blown dispersal will be covered with plastic sheeting or other suitable material to prevent movement of the material. During construction, water (e.g., trucks and portable pumps with hoses) or other approved methods will be used to control fugitive dust, as necessary. Dust suppression activities must not result in a discharge to waters of the state unless such discharges are approved by the State or Regional Board.
- **GPM-13: Trash Containment and Removal.** During project activities all trash will be properly contained within sealed containers and removed from the work site and disposed of as necessary to maintain a trash-free work area (e.g., trash containers will not be used beyond capacity and fully close/seal).

- **GPM-14: Project Cleanup after Completion.** Work pads, temporary falsework, and other construction items will be removed from the 100-year floodplain by the end of the construction window. Removal of materials must not result in discharge to waterbodies.
- **GPM-15: Revegetate Disturbed Areas.** All temporarily disturbed areas will be de-compacted and seeded/planted with an assemblage of native riparian, wetland, and/or upland plant species suitable for the area. The project proponent will develop a revegetation plan, including (as applicable) a schedule; plans for grading of disturbed areas to pre-project contours; planting palette with plant species native to the project area; invasive species management; performance standards; success criteria; and maintenance requirements (e.g., watering, weeding, and replanting). Plants for revegetation will come primarily from active seeding and planting; natural recruitment may also be proposed if site conditions allow for natural recruitment to reestablish vegetation and avoid potential negative risks associated with erosion and impacts to water quality. Plants imported to the restoration areas will come from local stock, and to the extent possible, local nurseries. Only native plants (genera) will be used for restoration efforts. Certified weed-free native mixes and mulch will be used for restoration planting or seeding. Revegetation activities within and adjacent to waters of the state will commence as soon as is practicable after construction activities at a site are complete.

Water Quality and Hazardous Materials Measures

Water Quality and Hazardous Materials (WQHM) Measures as described in the State Water Board SRGO – GPMs (SWRCB 2022) that will be followed by construction personnel are listed below.

- **WQHM-1: Staging Areas and Stockpiling of Materials and Equipment.** Staging, storage, and stockpile areas must be outside of waters of the state. To the extent feasible, staging will occur on access roads or other previously disturbed upland areas, such as developed areas, paved areas, parking lots, areas with bare ground or gravel, and areas clear of vegetation, to avoid aquatic habitats and limit disturbance to surrounding habitats. Similarly, all maintenance equipment and materials (e.g., road rock and project spoil) will be restricted to the existing service roads, paved roads, or other determined designated staging areas. See GPM-10 for more details regarding protection measures for materials storage.

Staging areas will be established for equipment storage and maintenance, construction materials, fuels, lubricants, solvents, and other possible contaminants in coordination with resource agencies. Staging areas will have a stabilized entrance and exit and will be located at least 100 feet from bodies of water unless site-specific circumstances do not provide such a setback, in such cases the maximum setback possible will be used. If an off-road site is chosen and if special-status species are potentially present, the Biological Monitor will survey the selected site to verify that no aquatic resources would be disturbed by staging activities.

Stockpiling of materials, portable equipment, vehicles and supplies (e.g., chemicals), will be restricted to the designated construction staging areas. If rain is predicted in the forecast during the dry season, and stockpiled soils will remain exposed and unworked for more than 7 days, then erosion and sediment control measures must be used. If there is a high-wind scenario (to be defined by the approving Water Board as appropriate for an individual project site), then soils will be covered at all times. Temporary stockpiling of material onsite will be minimized. Stockpiled material will be placed in upland areas far enough away from aquatic habitats that these materials cannot discharge to a water of the state.

- **WQHM-3: Erosion and Sediment Control Measures.** For projects that do not require coverage under a NPDES permit per GPM WQHM-2 of the State Water Board SRGO – GPMs (SWRCB 2022), the project proponent will develop and implement erosion and sediment control measures (or plan), which will include appropriate BMPs to reduce the potential release of water quality pollutants to receiving waters. BMPs may include the following measures:
  - Employ tackifiers, soil binders, or mulch as appropriate for erosion control.
  - Install sediment control measures, such as straw bales, silt fences, fiber rolls, or equally effective measures, at repair areas adjacent to stream channels, drainage canals, and wetlands, as needed. Sediment control measures will be monitored during and after each storm event for effectiveness. Modifications, repairs, and improvements to sediment control measures will be made as needed to protect water quality.
  - No sediment control products will be used that include synthetic or plastic monofilament or cross-joints in the netting that are bound/stitched (such as straw wattles, fiber rolls, or erosion control blankets), and which could trap snakes, amphibians, and other wildlife.
- **WQHM-4: Hazardous Materials Management and Spill Response Plan.** As part of the SWPPP or Erosion Control Plan (WQHM-2 and WQHM-3), project proponent will prepare and implement a hazardous materials management and spill response plan. Project proponent will ensure that any hazardous materials are stored at the staging area(s) with an impermeable membrane between the ground and hazardous material and that the staging area is designed to prevent the discharge of pollutants to groundwater and runoff water. Project proponent will stop work, follow the spill response plan, and arrange for repair and clean up by qualified individuals of any fuel or hazardous waste leaks or spills. (See WQHM-6. Accidental Discharge of Hazardous Materials for accidental discharges of a reportable quantity of a hazardous material, sewage, or an unknown material.) Project proponent will notify regulatory agencies within 24 hours of any leaks or spills. Project proponent will properly contain and dispose of any unused or leftover hazardous products off-site. Project proponent will use and store hazardous materials, such as vehicle fuels and lubricants, in designated staging areas located away from stream channels and wetlands, according to local, state, and federal regulations, as applicable. Also see GPM-10: Equipment Maintenance and Materials Storage for more detail on spill prevention.
- **WQHM-6. Accidental Discharge of Hazardous Materials.** Following an accidental discharge of a reportable quantity of a hazardous material, sewage, or an unknown material, the following applies (Wat. Code, § 13271):

As soon as (A) discharger has knowledge of the discharge or noncompliance, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures then:

- first call – 911 (to notify local response agency)
- then call – Office of Emergency Services (OES) State Warning Center at: (800) 852-7550 or (916) 845-8911
- Lastly, follow the required OES procedures as set forth in: http://www.caloes.ca.gov/FireRescueSite/Documents/CalOESSpill_Booklet_Feb2014_FINAL_BW_Acc.pdf (Cal OES 2014)

Following notification to OES, the discharger will notify the State or Regional Board (and other agencies requiring notification in their respective permits), as soon as practicable (ideally within 24 hours). Notification may be via telephone, e-mail, delivered written notice, or other verifiable means.

References

California Department of Fish and Wildlife. 2008. California Aquatic Invasive Species Management Plan. State of California Resources Agency, Department of Fish and Game.

_____. 2016. Aquatic Invasive Species Disinfection/Decontamination Protocols (Northern Region).

California Governor's Office of Emergency Services (Cal OES). 2014. California Hazardous Materials Spill / Release Notification Guidance. February 2014. Available at: https://www.caloes.ca.gov/wp-content/uploads/Fire-Rescue/Documents/CalOES-Spill_Booklet_Feb2014_FINAL_BW_Acc.pdf

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Working Group for Phytophthoras in Native Habitats. 2016. Best Management Practices for Preventing Phytophthora Contamination in Restoration Projects. California Phytophthora Group, n.d., Available at: https://www.suddenoakdeath.org/wphna/.

Appendix C

Cultural Resources Technical Report



San Jose Creek Fish Passage Project

Cultural Resources Technical Report

prepared for

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Contact: Gerald Comati, PE, Project Manager

prepared by

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June 2025

RINCON CONSULTANTS

Confidentiality

The following document contains sensitive and confidential information concerning archaeological sites. This report should be held confidential and is not for public distribution. Archaeological site locations are exempt from the California Public Records Act, as specified in Government Code 6254.10, and from the Freedom of Information Act (Exemption 3), under the legal authority of both the National Historic Preservation Act (PL 102-574, Section 304[a]) and the Archaeological Resources Protection Act (PL 96-95, Section 9[a]). Sections of this report contain maps and other sensitive information. Distribution should be restricted appropriately.

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2025. *San Jose Creek Fish Passage Project Cultural Resources Technical Report, Goleta, Santa Barbara County, California*. Rincon Consultants Project No. 22-12484. Report on file at the Central Coast Information Center, Santa Barbara Museum of Natural History.

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Executive Summary

Rincon Consultants, Inc. (Rincon) was retained by the City of Goleta (City) to conduct a cultural resources study in support of the San Jose Creek Fish Passage Project (project/undertaking) located in the city of Goleta, Santa Barbara County, California. The project includes modifications to the existing San Jose Creek Flood Control Channel and a small portion of the upstream approaching natural channel necessary to meet the fish passage objectives of the project to permit access to the upper watershed for southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*; southern California steelhead; federally endangered, candidate state endangered). The project requires a Clean Water Act Section 404 permit from the United States Army Corps of Engineers (USACE) and is, therefore, considered a federal undertaking subject to Section 106 of the National Historic Preservation Act (Section 106). USACE is the lead federal agency under Section 106.

The project is also subject to the California Environmental Quality Act (CEQA). The City is the lead agency for the purposes of CEQA and will be preparing an Addendum to the previously approved Initial Study-Mitigated Negative Declaration (IS-MND) for the San Jose Creek Capacity Improvement Project (Original Project) (Original Project IS-MND) (City 2007). This study supplements previous cultural resources work conducted in support of the Original Project and other projects in the area and will support an Addendum to the Original Project IS-MND. Although this study was prepared to support compliance with Section 106 and CEQA, this report is framed around Section 106 to streamline USACE review. This study included the following: delineation of the undertaking's Area of Potential Effects (APE), searches of the California Historical Resources Information System (CHRIS) and the Native American Heritage Commission (NAHC) Sacred Lands File (SLF), background and archival research, Native American and local interested party outreach, a pedestrian field survey, and preparation of this report.

The background research and cultural resources survey identified a portion of one historic-age property in the APE, the San Jose Creek flood control channel, which was recorded on California Department of Parks and Recreation 523 Series forms (DPR forms) and evaluated for listing in the National Register of Historic Places (NRHP). The DPR forms also document the state and local eligibility of the channel. However, only the NRHP evaluation is summarized herein. As a result of this study, the portion of the San Jose Creek flood control channel in the APE is recommended ineligible for listing in the NRHP and is not considered a historic property for the purposes of Section 106.

The results of the CHRIS search and field survey identified no archaeological resources or deposits within the APE. Additionally, the study indicates that the APE has been previously disturbed from episodic flooding events within San Jose Creek and the Goleta Slough, agricultural activities, as well as the installation and maintenance of the present concrete channel. Despite past disturbance, the results of the SLF search, Native American outreach, and previous studies indicate that the APE is located in a culturally sensitive area. Based on the results of this study, Rincon recommends a finding of ***no historic properties affected*** under Section 106 of the or the current undertaking.

Due to the known cultural resources sensitivity of the APE's vicinity, the City will implement a condition of approval requiring archaeological monitoring; this condition is outlined in Section 6 of this study. Additionally, in the event of a post-review discovery during ground disturbance associated with the undertaking, the procedures under 36 Code of Federal Regulations (CFR) Part

800.13 should be followed by the federal lead agency. Furthermore, in the event that human remains are inadvertently encountered during implementation of the undertaking, they would be treated consistent with state and local regulations, including California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and the California Code of Regulations Section 15064.5(e).

1 Introduction

The City of Goleta (City) retained Rincon Consultants, Inc. (Rincon) to conduct a cultural resources study for the San Jose Creek Fish Passage Project (project/undertaking) located in the city of Goleta, Santa Barbara County, California. This technical report documents results of the study and the tasks conducted by Rincon, specifically, the delineation of the undertaking's Area of Potential Effects (APE), searches of the California Historical Resource Information System (CHRIS) and Native American Heritage Commission (NAHC) Sacred Lands File (SLF), additional background research, Native American and local interested party outreach, a pedestrian field survey, and the evaluation of one property for listing in the National Register of Historic Places (NRHP). The project requires a Clean Water Act Section 404 permit from the United States Army Corps of Engineers (USACE) and a Nationwide Permit 27 for Aquatic Habitat Restoration. Therefore, it is considered a federal undertaking. This study has been completed pursuant to the requirements of Section 106 of the National Historic Preservation Act (NHPA; Section 106). USACE is the lead federal agency for the purposes of Section 106.

1.1 Project Description

The approximately 6.05-acre project site is located within San Jose Creek in the city of Goleta, Santa Barbara, California (Figure 1). The undertaking encompasses portions of Section 9 and 16 of Township 4 North, Range 28 West, San Bernardino Meridian (Earth Point 2024) on the *Goleta, California* United States Geological Survey (USGS) 7.5-minute topographic quadrangle (Figure 2**).** The following project undertaking description has been adapted from information provided by the City throughout 2024 and 2025.

The Project seeks to achieve improved and unimpeded passage for southern California Distinct Population Segment (DPS) of steelhead (*Oncorhynchus mykiss*; *southern California steelhead;* federally endangered, candidate state endangered) through the concrete flood control portion of the San Jose Creek flood control channel, and upstream to the natural migration corridor that leads to quality spawning and rearing habitat in the upper watershed. Modifications to the flood control channel and a small portion of the upstream natural channel of San Jose Creek are necessary to meet these objectives. The existing fish passage weirs located within the constructed flood control channel were installed by the City in 2013 and require modification to reduce sediment and debris accumulations, to reduce the maintenance workload on City and Santa Barbara County Flood Control and Water Conservation District (SBCFCWCD) staff, and to improve fish passage. The design team, composed of staff from Northwest Hydraulic Consultants (NHC), City of Goleta, SBCFCWCD, National Marine Fisheries Service (NMFS), and California Department of Fish and Wildlife (CDFW), utilized a physical scale model and numerical modeling methods to develop the preferred configurations of the proposed weir modifications and the upstream approaching natural channel. The selected design includes the following proposed modifications:

- Modification of existing permanent concrete weirs upstream of Station 48+00 by infilling existing notches and creating a new lowered section centered over the fish channel centerline (the 'Fish Line', which is the channel thalweg) about 5 feet in width and 1 foot lower than the rest of the weir crests.
- Addition of 70 new vortex-type weirs within the 'fish line' throughout the entire length of the constructed flood control channel, 13 of which are combined with a low curb extending across

the width of the upper driving surface along the western half of the channel invert. All weirs are confined to the invert of the flood control channel from Hollister Avenue bridge to the downstream end of the channel. From the existing straight concrete weir at Station 48+00 upstream to the existing concrete weir at Station 59+00, two of these vortex weirs will be constructed between each pair of existing straight concrete weirs. The vortex weirs are angled in plan view, with the left and right wings angled downstream relative to the apex or center 'v' of the weir that points upstream.

- Of the 70 new vortex weirs to be added to the flood control channel, a total of 12 vortex weirs will be constructed within the new extension of the rectangular channel up to and under the new Hollister Avenue bridge (a separate, yet related project further described below).
- Extending the Hollister Avenue bridge 'hydraulic transition feature' (further described below) to the north/upstream to form an expanded bridge approach by re-grading the natural channel near the bridge and placing riprap on the banks and channel bottom.
- Re-grading the natural channel upstream of the Hollister Avenue bridge 'hydraulic transition feature' over a distance of about 320 feet by excavating the unconsolidated channel bottom bed materials between the east and west channel bank toes to form a new natural channel bed gradient and channel profile commensurate with the approximate original channel profile prior to original construction of the 1960s-era trapezoidal channel and bridge crossing. The majority of the channel bottom bed excavation is anticipated to be within the toe-to-toe width of the channel bed and below the ordinary high water line, with additional excavation along the lower portion of the left/eastern bank. The unconsolidated bed material to be excavated within this reach appears to be loose deposits that accumulated since original construction of the trapezoidal bridge opening in the early 1960s as a result of the artificial gradient reduction induced by the raised fixed bed formed by the trapezoidal channel paving under the original bridge.

The original construction of the concrete flood control channel raised the channel grade by up to 3 feet, causing a lowered stream gradient and subsequent channel invert aggradation and channel narrowing. Since original construction in the early 1960s, these morphologic changes have resulted in reduced flood capacity and unnaturally low stream gradient within San Jose Creek. The new Hollister Avenue Bridge Project, which will include enlargement and lowering of the new section of the flood control channel immediately downstream and upstream of the bridge, will restore the original natural channel stream gradient, and increase its flood discharge capacity. As part of the Fish Passage Project, east bank widening and invert lowering in the first 200 feet of the historically adversely impacted natural channel will restore the original capacity, and stabilize the gradient to a morphologically correct and appropriate channel dimension. These modifications to the flood control channel dimensions, the flood control channel fish passage weirs, and to the natural channel immediately upstream of the flood control channel will restore the migration corridor characteristics of this reach of San Jose Creek and enable unimpeded passage upstream to upper watershed habitat for southern California steelhead.

In addition to the structural restoration of the concrete and natural channel, the natural channel will also be restored with native riparian vegetation after construction is complete. Approximately 0.10 acres of native riparian tree and shrubs of local genetic stock will be installed along the creek banks where grading has occurred to improve habitat, provide bank stabilization, and to improve ecological function in a stretch of creek that is otherwise dominated by non-natives in the understory.

On a regional level, steelhead have been listed as endangered under the Federal Endangered Species Act from Santa Barbara south to the Tijuana border and are a candidate species under the California Endangered Species Act. The Southern California Steelhead Recovery Plan (NMFS 2012) identifies removal of passage barriers within the Goleta Slough watershed as a critical recovery action. San Jose Creek is the largest sub-watershed within the Goleta Slough watershed; it has perennial flows and high-quality steelhead habitat in the upper watershed and the lower portion of the creek is urbanized and has a channelized section, where the Project is located. As noted above, the Project will facilitate removal of barriers to allow anadromous steelhead to reach suitable perennial spawning and rearing habitats in the upper reaches of the creek that are presently not accessible. After the Project is completed, there would be no barriers to fish passage from the ocean to approximately 1.85 miles upstream of the Project site, where two partial barriers are present and are currently not proposed for removal. A total barrier is also present approximately 2.15 miles upstream of the Project site.

The Project will be constructed during the dry season, in the summer months when little to no water is present throughout most of the creek. It is anticipated that the entirety of the upstream natural channel and a great majority of the concrete channel will be dry during construction; however, there is potential for creek flows to be present at the downstream portion of the concrete channel (an approximate 200-foot stretch). If water is present in this portion of the channel, a dewatering effort would be implemented prior to construction. A bladder dam or similar device would be placed at the downstream end of the concrete channel and work area, and then the work area would be dewatered by transferring the water immediately downstream into the natural channel. Construction will not occur in ponded or flowing water within the channel.

1.2 Project History

The Initial Study-Mitigated Negative Declaration (IS-MND) for the San Jose Creek Capacity Improvement Project (Original Project) (Original Project IS-MND) (State Clearinghouse [SCH] #2007031035) was adopted in May 2007 (City 2007). As approved, the Original Project consisted of modifications to existing infrastructure in San Jose Creek in Goleta. Components of the Original Project included the removal and replacement of portions of the existing concrete channeling with an improved channel design; removal and widening of the existing Hollister Avenue Bridge; removal of an existing secondary steel bridge located approximately 100 feet downstream of the Hollister Avenue Bridge; and relocation of an existing sewer line currently suspended from the steel bridge so that it was no longer susceptible to damage from flood flows and debris flowing down San Jose Creek, and would instead go east underneath State Route (SR) 217. The City approved the project in 2011 and construction began in 2013.

Due to timing and funding considerations, the City opted to treat the replacement of the Hollister Avenue Bridge as a separate project which is currently under construction above the current APE. The fish passage component of the project proceeded as planned; however, a modification made to some of the timber weirs in the field rendered them largely inoperable. Additionally, the weirs collected too much debris and sediment, causing them to be less effective for fish passage, and requiring higher maintenance efforts by City staff than expected. The goal of the currently proposed Project is to repair and improve the previously installed fish passage project. This study supplements

previous cultural resources work conducted in support of the Original Project and other projects in the area and will support an Addendum to the Original Project IS-MND. While some cultural resources aspects of the Original Project remain relevant to the current undertaking, such as previous cultural resources considerations and agency coordination that addressed both projects collectively, the current study was undertaken to ensure the current undertaking's compliance with Section 106.

1.3 Area of Potential Effects

The APE is the geographic area or areas within which an undertaking may directly or indirectly cause changes in the character or use of historic properties. Determination of the APE is influenced by the undertaking's setting, the scale and nature of the undertaking, and the different effects that may result from the undertaking (36 Code of Federal Regulations [CFR] 800.16[d]). The APE map is focused on the identification and evaluation of significant historical, architectural, and archaeological resources listed in or eligible for inclusion in the NRHP that may be directly or indirectly affected by the undertaking, in compliance with 36 CFR 800.16(d).

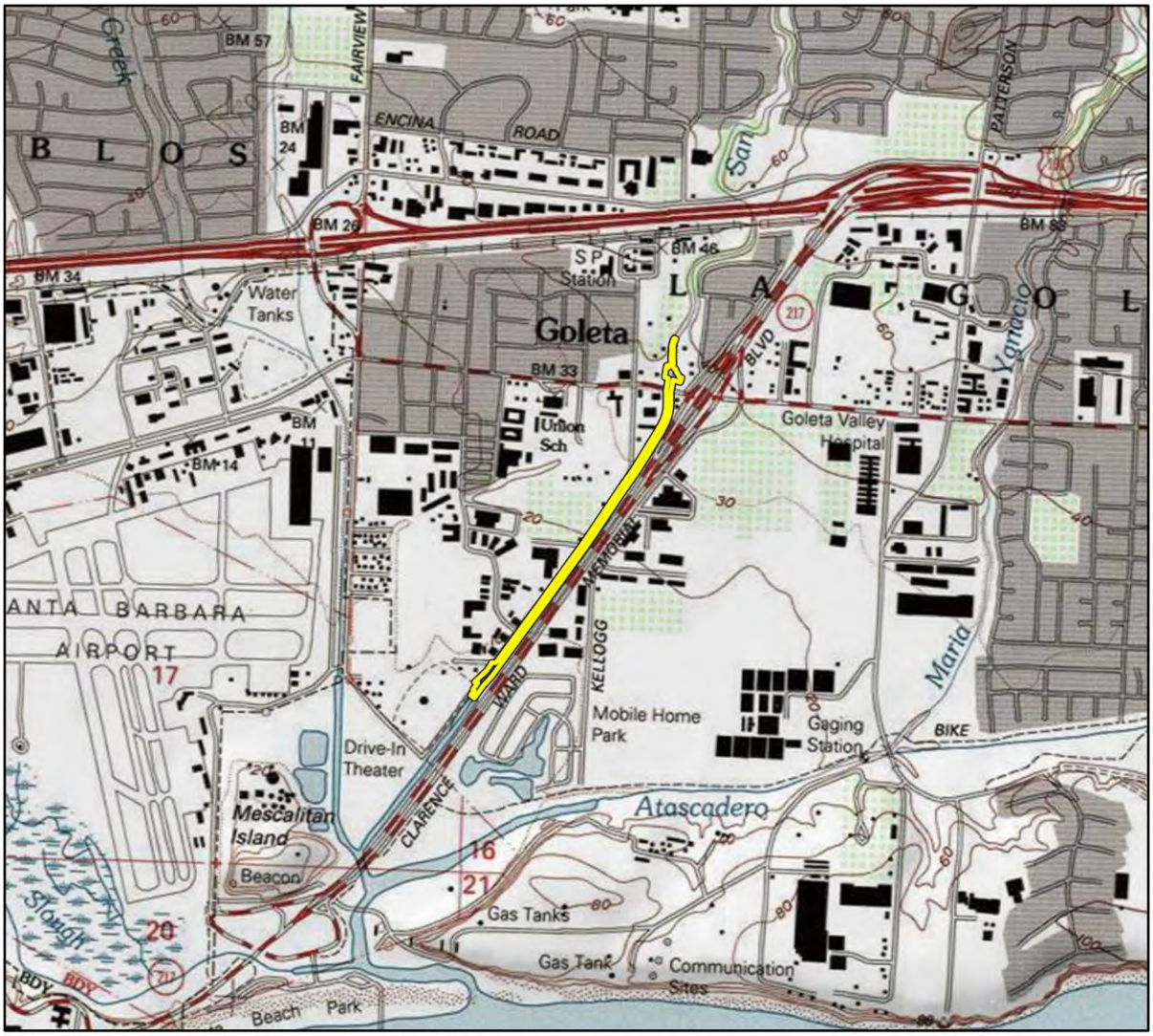
The APE was delineated by Rincon in consultation with the City and USACE to encompass all areas that have the potential to be directly or indirectly affected by the undertaking, including all construction easements and staging areas. The undertaking would include work only within the boundaries of the existing creek, much of which is channelized (with just the portion north of Hollister Avenue being a natural channel). The existing environment surrounding San Jose Creek consists of paved roadways and commercial and residential development, none of which would be directly or indirectly altered by the undertaking. The natural portion of the creek passes through one property north of Hollister Avenue containing historic-period development (5544 Hollister Avenue, referred to in Section 5 of this report as P-42-041000). However, the property was evaluated in 2009 and recommended ineligible for listing in the NRHP, California Register of Historical Resources (CRHR) and as a City of Goleta Landmark. Additionally, none of the built features on these properties would be directly or indirectly altered by the undertaking. The undertaking consists only of alterations within the existing channel and would be consistent with the currently existing setting. Therefore, it does not pose potential adverse effects to any buildings in the APE's vicinity and the APE for the undertaking is limited to the project footprint including all construction easements and staging areas, for a total of 6.05 acres (Figure 2).

The APE must also be considered as a three-dimensional space and includes any ground disturbance associated with the undertaking. The maximum depth of excavation varies throughout the APE. However, the maximum depth of excavation is 3 feet and would occur in the natural portion of the creek. Ground disturbance in this reach will range from 0 to 3 feet in depth within the creek bottom. The excavation will be of unconsolidated alluvial sediment deposits originating from upstream that have been deposited through the natural sediment transport along the creek. The project primary includes the installation of components in the channel. However, the tops of the channel banks in particular areas would be used for staging and access. To accommodate these activities. The maximum height of the project is 7 feet. Therefore, the vertical limits of the APE extended from 3 feet below ground surface to 7 feet above ground surface.

1.4 Personnel

Senior Cultural Resources Specialist Rachel Perzel, MA, provided management oversight for this cultural resource study; she conducted the local interested party outreach and co-authored this report. Senior Archaeologist Mary Pfeiffer, BA, Registered Archaeologist, submitted the CHRIS search request and co-authored this report. Archaeologist Laura Maldonado, MA, Registered Professional Archaeologist (RPA), conducted the Native American outreach and Archaeologist Debbie Balam, BA, conducted the pedestrian field survey. Architectural Historian Josh Bevan, MSHP, AICP, conducted the historical evaluation summarized herein. Ms. Perzel and Mr. Bevan exceed the Secretary of the Interior's Professional Qualifications Standards for architectural history and history (National Park Service [NPS] 1983). Rincon Geographic Information Systems Analyst Paul Rigby prepared the figures found in this report. Rincon Cultural Resources Principal Christopher Duran, MA, RPA, reviewed this report for quality assurance and quality control. Ms. Maldonado and Mr. Duran exceed the Secretary of the Interior's Professional Qualifications Standards for prehistoric and historic archaeology (NPS 1983).

Figure 1 Regional Location Map



Basemap provided by National Geographic Society, Esri and their licensors © 2025. Goleta Quadrangle. T04N R28W S09,16. The topographic representation depicted in this map may not portray all of the features currently found in the vicinity today and/or features depicted in this map may have changed since the original topographic map was assembled.

22-12484 CR
CRFig 1 Proj Locn Map

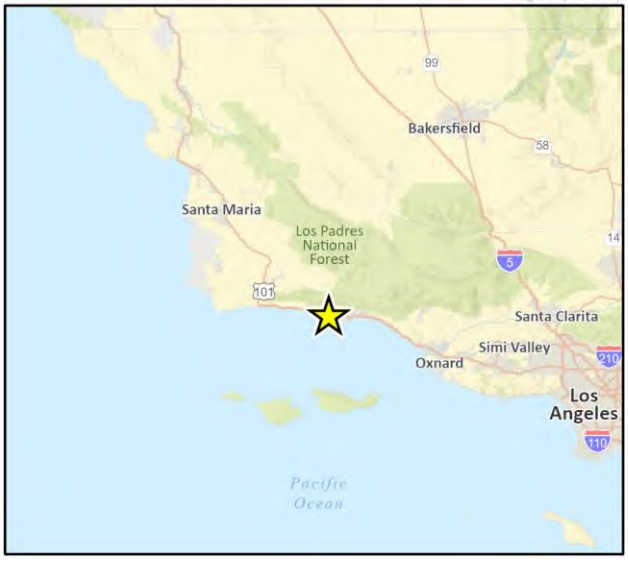
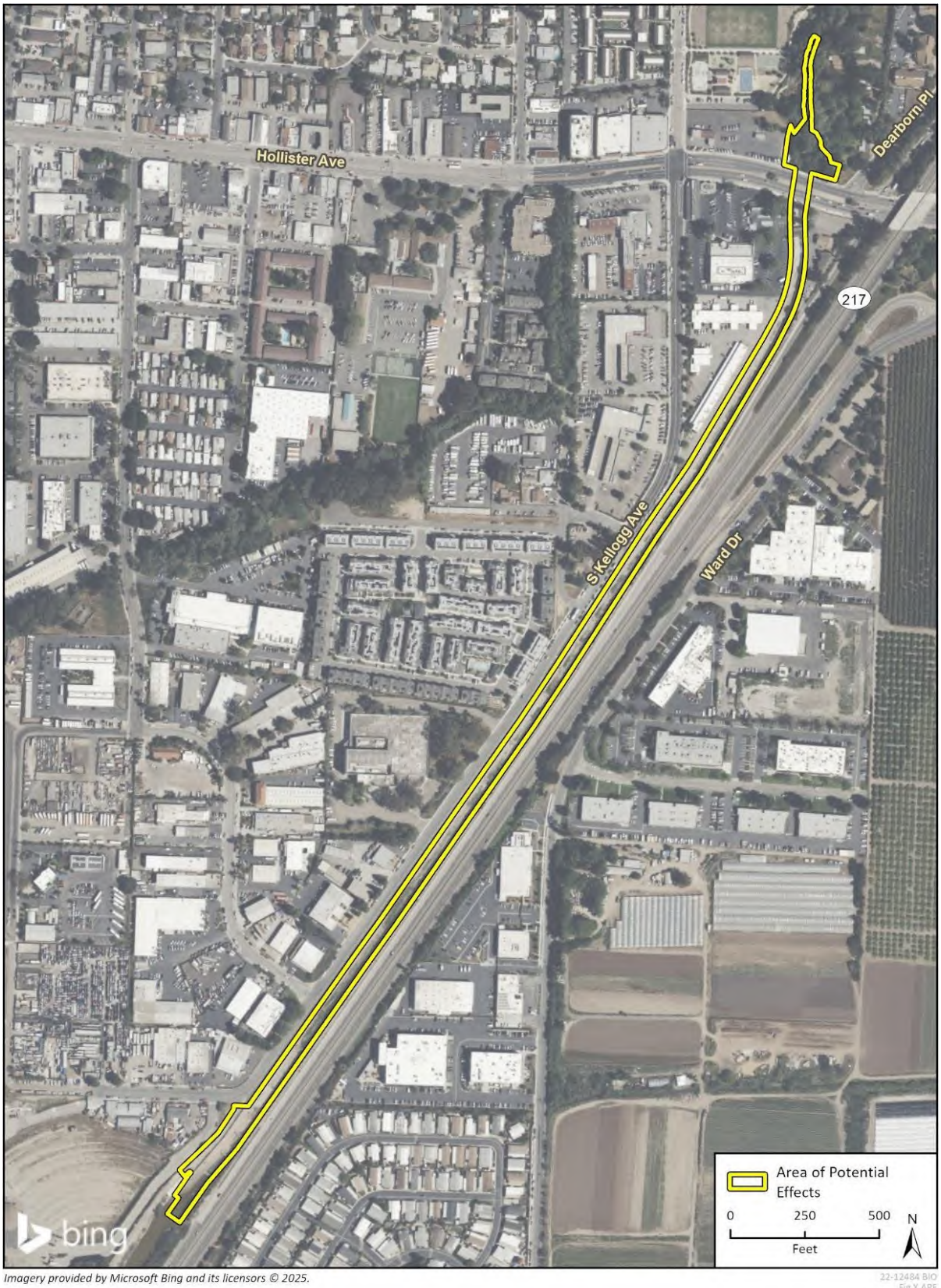


Figure 2 Area of Potential Effects Map



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22-12484 BIO
Fig X APE

2 Regulatory Setting

This section includes a discussion of the applicable laws, ordinances, regulations, and standards governing cultural resources, which must be adhered to before and during implementation of the undertaking.

2.1 The National Historic Preservation Act

Projects that involve federal funding or permitting (i.e., have a federal nexus) must comply with the provisions of the NHPA of 1966, as amended (16 United States Code 470f). The NHPA of 1966 established a federal program for the preservation of historic properties, including built environment, archaeological, and traditional cultural resources. Towards this end, the NHPA establishes both institutions and defined processes to direct federal agencies and support state and local governments in their historic preservation programs and activities. These institutions and processes include the Advisory Council on Historic Preservation, State Historic Preservation Officers, the NRHP, and the Section 106 review process.

2.2 Section 106

Section 106 (16 United States Code 470f) requires federal agencies to account for the effects of their undertakings on historic properties and to afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on such undertakings. *Historic properties* are defined as buildings, structures, districts, sites, or objects which are included in or eligible for inclusion in the NRHP. Section 106 is implemented through 36 CFR Part 800, which outlines the process for historic preservation review, including participants, identification efforts, and the assessment and resolution of adverse effects. Per 36 CFR 800.16(y), a *federal undertaking* is defined as any project requiring or receiving a federal permit, license, approval, or funding. Federal agencies must take steps to determine if the undertaking would result in an adverse effect to historic properties and take measures to avoid or resolve those effects as feasible.

2.2.1 Title 36 Chapter VIII Part 800 Subpart B Section 800.13

§ 800.13 Post-review discoveries

(a) ***Planning for subsequent discoveries***

(1) ***Using a programmatic agreement.*** An agency official may develop a programmatic agreement pursuant to § 800.14(b) to govern the actions to be taken when historic properties are discovered during the implementation of an undertaking.

(2) ***Using agreement documents.*** When the agency official's identification efforts in accordance with § 800.4 indicate that historic properties are likely to be discovered during implementation of an undertaking and no programmatic agreement has been developed pursuant to paragraph (a)(1) of this section, the agency official shall include in any finding of no adverse effect or memorandum of agreement a process to resolve any adverse effects upon such properties. Actions in conformance with the process satisfy the agency official's responsibilities under Section 106 and this part.

(b) ***Discoveries without prior planning.*** If historic properties are discovered or unanticipated effects on historic properties found after the agency official has completed the Section 106 process without establishing a process under paragraph (a) of this section, the agency official shall make reasonable efforts to avoid, minimize or mitigate adverse effects to such properties and:

(1) If the agency official has not approved the undertaking or if construction on an approved undertaking has not commenced, consult to resolve adverse effects pursuant to § 800.6; or

(2) If the agency official, the State Historic Preservation Officer (SHPO)/Tribal Historic Preservation Officer (THPO) and any Indian tribe or Native Hawaiian organization that might attach religious and cultural significance to the affected property agree that such property is of value solely for its scientific, prehistoric, historic or archeological data, the agency official may comply with the Archeological and Historic Preservation Act instead of the procedures in this part and provide the Council, the SHPO/THPO, and the Indian tribe or Native Hawaiian organization with a report on the actions within a reasonable time after they are completed; or

(3) If the agency official has approved the undertaking and construction has commenced, determine actions that the agency official can take to resolve adverse effects, and notify the SHPO/THPO, any Indian tribe or Native Hawaiian organization that might attach religious and cultural significance to the affected property, and the Council within 48 hours of the discovery. The notification shall describe the agency official's assessment of National Register eligibility of the property and proposed actions to resolve the adverse effects. The SHPO/THPO, the Indian tribe or Native Hawaiian organization and the Council shall respond within 48 hours of the notification. The agency official shall take into account their recommendations regarding National Register eligibility and proposed actions, and then carry out appropriate actions. The agency official shall provide the SHPO/THPO, the Indian tribe or Native Hawaiian organization and the Council a report of the actions when they are completed.

(c) ***Eligibility of properties.*** The agency official, in consultation with the SHPO/THPO, may assume a newly-discovered property to be eligible for the National Register for purposes of Section 106. The agency official shall specify the ***National*** Register criteria used to assume the property's eligibility so that information can be used in the resolution of adverse effects.

(d) ***Discoveries on tribal lands.*** If historic properties are discovered on tribal lands, or there are unanticipated effects on historic properties found on tribal lands, after the agency official has completed the Section 106 process ***without*** establishing a process under paragraph (a) of this section and construction has commenced, the agency official shall comply with applicable tribal regulations and procedures and obtain the concurrence of the Indian tribe on the proposed action.

2.2.2 National Register of Historic Places

Authorized by Section 101 of the NHPA, the NRHP is the nation’s official list of cultural resources worthy of preservation. The NRHP recognizes the quality of significance in American, state, and local history, architecture, archaeology, engineering, and culture is present in districts, sites, buildings, structures, and objects. Per 36 CFR Part 60.4, a property is eligible for listing in the NRHP if it meets one or more of the following criteria:

Criterion A: Is associated with events that have made a significant contribution to the broad patterns of our history

Criterion B: Is associated with the lives of persons significant in our past

Criterion C: Embodies the distinctive characteristics of a type, period, or method of installation, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction

Criterion D: Has yielded, or may be likely to yield, information important in prehistory or history

In addition to meeting at least one of the above designation criteria, resources must also retain integrity. The NPS recognizes seven aspects or qualities that, considered together, define historic integrity. To retain integrity, a property must possess several of these seven qualities—if not all—defined in the following manner:

Location: The place where the historic property was constructed or the place where the historic event occurred

Design: The combination of elements that create the form, plan, space, structure, and style of a property

Setting: The physical environment of a historic property

Materials: The physical elements that were combined or deposited during a particular period of time and in a particular pattern or configuration to form a historic property

Workmanship: The physical evidence of the crafts of a particular culture or people during any given period in history or prehistory

Feeling: A property's expression of the aesthetic or historic sense of a particular period of time

Association: The direct link between an important historic event or person and a historic property

Certain properties are generally considered ineligible for listing in the NRHP, including cemeteries, birthplaces, graves of historical figures, properties owned by religious institutions, relocated structures, or commemorative properties. Additionally, a property must be at least 50 years of age to be eligible for listing in the NRHP. The NPS states 50 years is the general estimate of the time needed to develop the necessary historical perspective to evaluated significance (NPS 1997: 41). Properties which are less than 50 years must be determined to have "exceptional importance" to be considered eligible for NRHP listing.

2.2.3 California Health and Safety Code

Section 7050.5 of the California Health and Safety Code states that in the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation or disturbance of the site, or any nearby area reasonably suspected to overlie adjacent remains until the Coroner of the county in which the remains are discovered has determined if the remains are subject to the Coroner's authority. If the human remains are of Native American origin, the Coroner must notify the NAHC within 24 hours of this identification.

2.2.4 California Public Resources Code Section 5097.98

Section 5097.98 of the California Public Resources Code states that the NAHC, upon notification of the discovery of Native American human remains, pursuant to Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the Most Likely Descendant [MLD]) that it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

3 Natural and Cultural Setting

This section provides background information pertaining to the natural and cultural context of the APE. It places the APE within the broader natural environment which has sustained populations throughout history. This section also provides an overview of regional indigenous history, local ethnography, and post-contact history. This background information describes the distribution and type of cultural resources documented within the vicinity of the APE to inform the cultural resources sensitivity assessment.

3.1 Natural Setting

The APE is located within San Jose Creek at an elevation that ranges from approximately 14 to 63 feet (4 to 19 meters) above mean sea level. The APE and surrounding area does not retain much of its natural setting, as the area has historically been utilized for agricultural activities, as well as subsequent commercial and industrial development. Additionally, the APE consists primarily of a concrete lined channel constructed between 1963 and 1964 within the hydrologically active San Jose Creek, subject to episodic flooding. The upstream portion of the APE consists of a natural earthen channel, located upstream of Hollister Avenue Bridge. Adjacent land uses include a continuation of the natural channel portion of San Jose Creek to the north and south, SR 217 to the east, and Jonny D. Wallis Park commercial, and industrial development to the west. San Jose Creek continues downstream until its confluence with Atascadero Creek and the Goleta Slough which feed into the Pacific Ocean at Goleta Beach, approximately 0.9 mile downstream of the APE. Nine vegetation communities and one three landcover types are located within the APE and consists of annual brome grassland, arroyo willow thickets, black cottonwood woodland, California sycamore-coast live oak riparian woodland, coyote brush scrub, disturbed vegetation, eucalyptus grove, mixed woodland, pickleweed mats, and open water, urban stream channel, and urban development land cover.

3.2 Cultural Setting

3.2.1 Indigenous History

The APE is located in what is generally described as the Northern Bight archaeological region, one of eight organizational divisions of California designated by Jones and Klar (2007). The California Bight is bounded by the southern California coastline and encompasses the previously designated Southern Coast archaeological region described by Moratto (1984). The Northern Bight archaeological region primarily includes the counties of Santa Barbara, Ventura, and portions of Los Angeles, extending from the coastline at Vandenberg Air Force Base inland to the Cuyama River Valley and south to the Santa Monica Mountains and the Los Angeles Basin. Following Glassow et al. (2007), the pre-contact cultural chronology for the Northern Bight is generally divided into six periods: Paleo-Indian (ca. 10,000 – 7000 before common era [BCE]), Millingstone (7000 – 5000 BCE), Early (5000 BCE – 2000 BCE), Middle (2000 BCE – 1 common era [CE]), Middle-Late Transition (1 – 1000 CE), and Late (1000 CE – Historic Contact). These periods are discussed in further detail below.

Paleo-Indian Period (ca. 10,000 – 7000 BCE)

The Paleo-Indian Period defines the earliest human occupation of the Northern Bight and describes the cultural trends and subsistence strategies of pre-contact populations from approximately 10,000 to 7000 BCE (Glassow et al. 2007). The Paleo-Indian Period in North America is largely recognized by projectile points associated with extinct large mammal remains, such as mammoth, bison, and dire wolves in the Southwest and Plains regions (Erlandson et al. 2007; Huckell 1996). These projectile points have been classified as the Clovis style, which exhibit a lanceolate shape with a flute initiated from the base that extends as far as the midline (Justice 2002).

The earliest accepted dates for human occupation in California were recovered from archaeological sites on two of the Northern Channel Islands, located off the southern coast of Santa Barbara County. Over 90 Paleocoastal sites dating between 13,000 to 8,200 years before present (BP) have been documented in the Northern Channel Islands (McLaren et al. 2019). Archaeological deposits from the Daisy Cave site on San Miguel Island establish the presence of people in this area approximately 10,000 BP (Erlandson 1991; Erlandson et al. 2007). The Arlington Springs site (CA-SRI-173) on Santa Rosa Island has an approximately 11,000 BP calibrated radiocarbon date derived from human remains and rodent bones recovered from within the same deposits (Erlandson et al. 2007; Glassow et al. 2007; Johnson et al. 2002). Shell middens identified on the mainland of California have yielded dates from 8000 to 7000 BCE (Erlandson et al. 2007).

Recent data from Paleo-Indian shell middens, lithic scatters, and quarry workshops on the Channel Islands indicate that the area supported substantial human populations during later Paleocoastal times (McLaren et al. 2019). Data from the last 20 years also suggests that the economy was a diverse mixture of hunting, fishing, and gathering, with a major emphasis on aquatic resources in many coastal areas (e.g., Jones and Ferneau 2002; Erlandson et al. 2007). Shellfish in particular were heavily relied on, with varying intensities of reliance on fish, marine mammals, seabirds, and waterfowl (McLaren et al. 2019). Archaeological deposits at the Daisy Cave site yielded an assemblage of “the oldest known fishhooks in the Americas” (Erlandson et al. 2007: 57). Shell middens identified on the mainland of California have yielded dates from 8000 to 7000 BCE (Erlandson et al. 2007).

Assemblages on the Channel Islands include chipped stone bifaces, cores and flake tools, ground stone artifacts, bone gorges, *Olivella* shell beads, woven sea grass cordage, and red ochre. While no fluted points have been found on the Channel Islands, a few have been found along California’s mainland coast (McLaren et al. 2019). One fluted projectile point fragment was recovered from site CA-SBA-1951 on the Santa Barbara Channel coastal plain (Erlandson 1994:44; Erlandson et al. 1987).

Millingstone Period (7000 – 5000 BCE)

Originally identified in 1929, the Millingstone Period, as described by Wallace (1955, 1978), is characterized by an ecological adaptation to collecting plant resources, such as seeds and nuts, suggested by the appearance and abundance of well-made milling (ground stone) implements, particularly in archaeological sites along the coast of California. It is generally accepted that human occupation of California during the Paleo-Indian Period originated from small, dispersed occupations. Archaeological sites dating to the Millingstone Period, however, indicate a population increase (Glassow et al. 2007).

Wallace (1955, 1978) and Warren (1968) identify ground stone implements including millingstones (e.g., metates, milling slabs) and hand stones (e.g., manos, mullers). Millingstones occur in high frequencies for the first time in the archaeological record of the Central Coast region and become

even more prevalent near the end of the Millingstone Period. The Millingstone Period is named for the predominance of milling implements generally associated with the horizontal motion of grinding small seeds and nuts (Glassow et al. 2007). Excavations at the Tank Site (CA-LAN-1) in Topanga Canyon from 1947 to 1948 (Treganza and Bierman 1958) confirmed the presence of a significant number of milling implements that correspond with the Millingstone Period.

Flaked stone assemblages, which include crude core and cobble-core tools, flake tools, large side-notched projectile points, and pitted stones (Glassow et al. 2007; Jones et al. 2007), and shell middens in coastal sites suggest that people during this period practiced a mixed food procurement strategy. Faunal remains identified at Millingstone sites point to broad-spectrum hunting and gathering of shellfish, fish, birds, and mammals, though large faunal assemblages are uncommon. This mixed food procurement strategy demonstrates adaptation to regional and local environments.

Along the Central Coast, Millingstone Period sites are most common on terraces and knolls, typically set back from the current coastline (Erlandson 1994:46). However, sites dating to this period have been identified in various settings, including rocky coasts, estuaries, and nearshore interior valleys (Glassow et al. 2007). The larger sites usually contain extensive midden deposits, possible subterranean house pits, and cemeteries. Most of these sites probably reflect intermittent use over many years of local cultural habitation and resource exploitation.

Early Period (5000 BCE – 2000 BCE)

The Early Period of the Northern Bight is marked by a lower frequency of radiocarbon dated archaeological sites as well as changes in artifact forms. Differences in artifact forms, particularly in ground stone implements, likely represent changes in subsistence (Glassow et al. 2007). The material culture recovered from Early Period sites within the Central Coast region provides evidence for continued exploitation of inland plant and coastal marine resources as well as the incorporation of "newly important food resources" found in specific habitats (Glassow et al. 2007:197). In addition to the use of metates and manos, pre-contact populations began to use mortars and pestles, such as those recovered from the Sweetwater Mesa (CA-LAN-267) and Aerophysics (CA-SBA-53) sites (Glassow et al. 2007).

Artifact assemblages recovered from Early Period sites also include bipointed bone gorge hooks used for fishing, *Olivella* beads, bone tools, and pendants made from talc schist. Square abalone shell (*Haliotis* spp.) beads have been found in Monterey Bay (Jones and Waugh 1997:122). The frequency of projectile points in Early Period assemblages also increased, while the style began to change from lanceolate forms to side-notched forms (Glassow et al. 2007). The projectile point trend was apparent at numerous sites along the California coast as well as a few inland sites (e.g., CA-SBA-210 and CA-SBA-530). In many cases, manifestations of this trend are associated with the establishment of new and larger settlements, such as at the Aerophysics site (Glassow et al. 2007; Jones et al. 2007).

Middle Period (2000 BCE – 1 CE)

The remains of fish, land mammals, and sea mammals are increasingly abundant and diverse in archaeological deposits along the coast during the Middle Period, suggesting a pronounced trend toward greater adaptation to regional or local resources as well as the development of socioeconomic and political complexity in pre-contact populations (Glassow et al. 2007). Shell fishhooks were introduced, and projectile points changed from side-notched dart points to contracting stem styles.

Flaked stone tools used for hunting and processing—such as large side-notched, stemmed, lanceolate or leaf-shaped projectile points, large knives, edge modified flakes, and drill-like implements—occurred in archaeological deposits in higher frequencies and are more morphologically diversified during the Middle Period. Bone tools, including awls, are more numerous than in the preceding period, and the use of asphaltum adhesive became common. Circular fishhooks that date from between 1000 and 500 BCE, compound bone fishhooks that date between CE 300 and 900, notched stone sinkers, and the tule reed or balsa raft, indicative of major developments in maritime technology, became common during this period (Arnold 1995; Glassow et al. 2007; Jones and Klar 2005:466; King 1990:87–88).

Populations continued to follow a seasonal settlement pattern until the end of the Middle Period; large, permanently occupied settlements with formal architecture, particularly in coastal areas, appear to have been the norm by the end of the Middle Period (Glassow et al. 2007). Pre-contact populations began to bury the deceased in formal cemeteries with artifacts that may represent changes in ideology and the development of ritual practices (Glassow et al. 2007).

Middle-Late Transition Period (1 CE – 1000 CE)

The Middle-Late Transition Period is marked by major changes in settlement patterns, diet, and interregional exchange. Pre-contact populations continued to occupy more permanent settlements, with the continued use of formal cemeteries and the burial of goods with the deceased. The manufacture of the plank canoe, or tomol, allowed pre-contact populations to catch larger fish that occupied deeper sea waters (Glassow et al. 2007). Following the introduction of the plank canoe, groups began to use harpoons. The plank canoe appears to have influenced "commerce between the mainland coast and the Channel Islands" (Glassow et al. 2007:204). Middle-Late Transition Period sites indicate that populations replaced atlatl (dart) technologies with the bow and arrow, which required smaller projectile points. Projectile points diagnostic of both the Middle and Late periods are found within the Central Coast region (Jones and Ferneau 2002:217). These projectile points include large, contracting-stemmed types typical of the Middle Period, as well as small, leaf-shaped Late Period projectile points, which likely reflect the introduction of the bow and arrow.

Late Period (1000 CE – Historic Contact)

Late Period sites are distinguished by small, finely worked projectile points and temporally diagnostic shell beads. Although shell beads were typical of coastal sites, trade brought many of these maritime artifacts to inland locations, especially during the latter part of the Late Period. Small, finely worked projectile points are typically associated with bow and arrow technology, which is believed to have been introduced to the area by the Takic migration from the deserts into southern California. Common artifacts identified at Late Period sites include bifacial bead drills, bedrock mortars, hopper mortars, lipped and cupped *Olivella* shell beads, and steatite disk beads. The presence of beads and bead drills suggest that low-level bead production was widespread throughout the Central Coast region (Glassow et al. 2007). Unlike the large Middle Period shell middens, Late Period sites are more frequently single-component deposits with evidence for only one period of occupation or use. There are also more inland sites, with fewer and less visible sites along the Pacific shore during the Late Period.

3.2.2 Ethnographic Setting

Barbareño Chumash

The APE lies within Chumash ethnographic territory, which extends from the current city of Malibu, north beyond San Luis Obispo, and inland as far as 68 kilometers (42 miles). The Chumash also inhabited the northern Channel Islands. The Chumash spoke six closely related languages, divided into two broad groups – Northern Chumash, consisting of only Obispeño, and Southern Chumash, including Purisimeño, Ineseño, Barbareño, Ventureño, and Island Chumash (Mithun 2001). The Chumash are divided into three main groups, including Interior, Coastal, and Northern Channel Islands Chumash. The coastal Barbareño Chumash referred to themselves as the Wal-wa-ren-na, and "occupied the narrow coastal plain from Point Conception to Punta Gorda in Ventura County" (Grant 1978:509).

Chumash villages along the mainland coast of the Santa Barbara Channel from Carpinteria to Goleta were of the highest population density, ranging from 500 to 800 individuals; though some claim population counts were into the thousands (Rawls 1984; Dartt-Newton and Erlandson 2006). Interior villages were substantially smaller, with populations varying anywhere from 15 to 250 people (Glassow et al. 2007). Grant (1978) describes a typical Chumash village along the Santa Barbara Channel as consisting of "several houses, a sweathouse, store houses, a ceremonial enclosure, gaming area, and a cemetery usually placed well away from the living area." Thatching was made from tule, Carrizo grass, wild alfalfa, and fern (Grant 1978). Cooking fires were centered within the dwelling to allow smoke to ventilate through a hole in the roof (Grant 1978).

The Chumash are well-known for their wooden plank canoe, or *tomol*. The *tomol* facilitated the procurement of marine resources such as nearshore fish caught with nets, lines and hooks, and deep-sea marine mammals that were hunted with harpoons (Arnold 1995). *Tomols* additionally moved people and goods across the Santa Barbara Channel in what was considered a highly sophisticated trade network. Bulk items including acorns, a staple of the Chumash diet, were imported to the Islands, while shell beads, the Chumash form of currency, were exported to the mainland (Arnold 1995). The Chumash also manufactured various other utilitarian and non-utilitarian items. Eating utensils, ornaments, fishhooks, harpoons, and other items were made using bone and shell.

Characteristic mortuary practices among the Chumash included flexed burials placed face down and facing west (Grant 1978). The Chumash buried their dead in crowded cemeteries with abundant grave goods including shell, functional tools such as mortars and pestles, bone, and formal stone artifacts (Erlandson 1999:107). Status differentiation is noted among burials, with high status individuals displaying more elaborate grave goods. Among the Barbareño Chumash, status differentiation is postulated to signal an increase in cultural complexity stimulated by population increase and its ratio to available territory and resources (Erlandson 1999).

Spanish explorers first arrived in the Santa Barbara Channel region in 1542. The impact of foreign contact on Chumash lifeways accelerated in 1772 when Mission San Luis Obispo became the first mission established in Chumash territory, with five more to follow in subsequent years (Dartt-Newton and Erlandson 2006). Mission life led to severe culture loss among the Chumash, and disease decimated native populations; however, many descendants of the Chumash still live in the region and a cultural revitalization has been ongoing since the twentieth century (Glassow et al. 2007).

3.2.3 Post-Contact Setting

Post-Contact history for the state of California is generally divided into three periods: the Spanish Period (1769–1822), Mexican Period (1822–1848), and American Period (1848–present). Although Spanish, Russian, and British explorers visited the area for brief periods between 1529 and 1769, the Spanish Period in California begins with the establishment in 1769 of a settlement at San Diego and the founding of Mission San Diego de Alcalá, the first of 21 missions constructed between 1769 and 1823. Independence from Spain in 1821 marks the beginning of the Mexican Period, and the signing of the Treaty of Guadalupe Hidalgo in 1848, ending the Mexican-American War, signals the beginning of the American Period when California became a territory of the United States.

Spanish Period (1769-1822)

Spanish explorers made sailing expeditions along the coast of what was then known as Alta (upper) California between the mid-1500s and mid-1700s. In 1542, while in search of the legendary Northwest Passage, Juan Rodríquez Cabríllo recorded a visit to the Santa Barbara area. Sebastian Vizcaíno also conducted exploration of the coast in 1602 and named the Santa Barbara Channel when his ship entered it on the feast day of Saint Barbara (Kyle 2002). The Spanish crown laid claim to Alta California based on the surveys conducted by Cabríllo and Vizcaíno (Bancroft 1885; Gumprecht 1999).

By the 18th century, Spain developed a three-pronged approach to secure its hold on the territory and counter against other foreign explorers. The Spanish established military forts known as presidios, as well as missions and pueblos (towns) throughout Alta California. The 1769 overland expedition by Captain Gaspár de Portolá marks the beginning of California's Historic period, occurring just after the King of Spain installed the Franciscan Order to direct religious and colonization matters in assigned territories of the Americas. Portolá established the Presidio of San Diego as the first Spanish settlement in Alta California in 1769. Franciscan Father Junípero Serra also founded Mission San Diego de Alcalá that same year, the first of the 21 missions that would be established in Alta California by the Spanish and the Franciscan Order between 1769 and 1823. The Santa Barbara presidio was established in 1782, and the Santa Barbara Mission was founded four years later (Graffy 2010).

The mission and presidio relied on Chumash labor; eventually, the majority of the native population lived at the mission complex (Cole 1999). Construction of missions and associated presidios was a major emphasis during the Spanish Period in California to integrate the Native American population into Christianity and communal enterprise. Incentives were also provided to bring settlers to pueblos or towns; just three pueblos were established during the Spanish Period, only two of which were successful and remain as California cities (San José and Los Angeles).

Spain began making land grants in 1784, typically to retiring soldiers, although the grantees were only permitted to inhabit and work the land. The land titles technically remained property of the Spanish king (Livingston 1914).

Mexican Period (1822-1848)

Several factors kept growth within Alta California to a minimum, including the threat of foreign invasion, political dissatisfaction, and unrest among the indigenous population. After more than a decade of intermittent rebellion and warfare, New Spain won independence from Spain in 1821. In 1822, the Mexican legislative body in California ended isolationist policies designed to protect the Spanish monopoly on trade, and decreed California ports open to foreign merchants (Dallas 1955).

Extensive land grants were established in the interior during the Mexican Period, in part to increase the population inland from the more settled coastal areas where the Spanish had first concentrated their colonization efforts. The secularization of the missions following Mexico's independence from Spain resulted in the subdivision of former mission lands and establishment of many additional ranchos. Commonly, former soldiers and well-connected Mexican families were the recipients of these land grants, which now included the title to the land. Forty-one ranchos were granted between 1835 and 1846 in what would become Santa Barbara County (Graffy 2010).

During the supremacy of the ranchos (1834–1848), landowners largely focused on the cattle industry and devoted large tracts to grazing. Cattle hides became a primary southern California export, providing a commodity to trade for goods from the east and other areas in the United States and Mexico. The number of nonnative inhabitants increased during this period because of the influx of explorers, trappers, and ranchers associated with the land grants. The rising California population contributed to the introduction and rise of diseases foreign to the Native American population, who had no associated immunities.

American Period (1848- Present)

The United States went to war with Mexico in 1846. During the first year of the war, John C. Fremont traveled from Monterey to Los Angeles with reinforcements for Commodore Stockton, and evaded Californian soldiers in Santa Barbara's Gaviota Pass by taking the route over the San Marcos grade instead (Kyle 2002). The war ended in 1848 with the Treaty of Guadalupe Hidalgo, ushering California into its American Period.

California officially became a state with the Compromise of 1850, which also designated Utah and New Mexico (with present-day Arizona) as US territories (Waugh 2003). Horticulture and livestock, based primarily on cattle as the currency and staple of the rancho system, continued to dominate the southern California economy through 1850s. The discovery of gold in the northern part of the state led to the Gold Rush beginning in 1848, and with the influx of people seeking gold, cattle were no longer desired mainly for their hides but also as a source of meat and other goods. During the 1850s cattle boom, rancho vaqueros drove large herds from southern to northern California to feed that region's burgeoning mining and commercial boom.

A severe drought in the 1860s decimated cattle herds and drastically affected rancheros' source of income. In addition, property boundaries that were loosely established during the Mexican era led to disputes with new incoming settlers, problems with squatters, and lawsuits. Rancheros often were encumbered by debt and the cost of legal fees to defend their property. As a result, much of the rancho lands were sold or otherwise acquired by Americans. Most of these ranchos were subdivided into agricultural parcels or towns (Dumke 1944).

Local History

By 1860, Daniel Hill had acquired an additional 1,000 acres of land from the adjacent Rancho Dos Pueblos for his cattle ranch. Heavy rains in late 1861 through early 1862, in conjunction with the loss of vegetation from cattle grazing, caused substantial erosion and deposition of sediment and debris in the slough. A severe drought followed, and cattle ranching became less lucrative. Hill sold his remaining cattle, filed a homestead claim, and sold the remainder of his lands for farming and estate development. In 1869 Col. W.W. Hollister purchased approximately 5,000 acres from Den, and calling the ranch Glen Annie, planted it with walnut trees and nursery stock (San Buenaventura Research Associates [SBRS] 2010; Historic Resources Group [HRG] 2018).

Two villages developed around the year 1869 along the county road (present-day Hollister Avenue) which linked the agricultural area to Santa Barbara and points north. The approximately 250-acre town site for La Goleta was laid out near present day Hollister and Patterson avenues in 1875. A second small town, called La Patera, was settled around the same time slightly to the west near present day Hollister and Fairview avenues. In 1883, Goleta boasted a population of 200 people. In 1887 the Southern Pacific Railroad arrived, and a through route to San Francisco was completed in 1901. By the early 1900s the Goleta Valley was planted with expansive orchards growing lemons, walnuts, olives, and oranges. Other crops included beans, sugar beets, vegetables, and nursery stock. An airport was developed in 1928 at the intersection of Hollister Avenue and Fairview Avenue, and expanded in the 1930s and again during World War II. The post office was moved from Goleta to La Patera in 1936 which resulted in the shift of the town center to the western end of Hollister Avenue. The University of California, Santa Barbara campus was developed in 1954 next to the airport. Aerospace companies entered the area in the 1950s, including the Studebaker-Packard Corporation and Raytheon. Farming was impacted by this increased development and population growth necessitated the construction of housing tracts and commercial development. The City of Goleta formally incorporated in 2002 (San Buenaventura Research Associates 2010; HRG 2018).

4 Methods

This section presents the methods for each task completed during the preparation of this study.

4.1 Background and Archival Research

4.1.1 Desktop Background and Archival Research

Rincon completed desktop background archival research in support of this study spanning from April 2024 to April 2025. A variety of primary and secondary source materials were consulted. Sources included, but were not limited to, historical maps, aerial photographs, and written histories of the area. The following sources, in addition to those listed in the *References* section of this report, were utilized to develop an understanding of the APE and its context:

- Historical aerial photographs accessed via Nationwide Environmental Title Research Online (NETR)
- Historical aerial photographs accessed via University of California, Santa Barbara Library FrameFinder (UCSB Framefinder)
- Sanborn Fire Insurance Company Maps accessed through the Library of Congress
- Historical USGS topographic maps accessed via topoView online
- Geologic Maps via the USGS National Geologic Map Database
- Bureau of Land Management (BLM) General Land Office (GLO) Plat maps

4.1.2 California Historical Resources Information System Records Search

A cultural resources records search was previously performed for the San Jose Creek Capacity Improvement Project on January 14, 2009 (SAIC 2009). Due to the age of the previous search, Rincon conducted an updated search of the CHRIS to ensure completeness of the records.

On March 10, 2025, Rincon requested a cultural resources records search of the CHRIS from the Central Coast Information Center (CCIC) located at the Santa Barbara Museum of Natural History (Appendix A). The CCIC is the official state repository for cultural resources records and reports for Santa Barbara County. The purpose of the records search was to identify previously recorded cultural resources, as well as previously conducted cultural resources studies within the APE and a 0.25-mile radius surrounding it. Rincon also reviewed the following inventories of known cultural resources in an effort to identity historic properties with the potential to be affected by the proposed project: NRHP, the CRHR, California Historical Landmarks list, Archaeological Determination of Eligibility list, Built Environment Resources Directory, California Historical landmarks list, and the lists of Santa Barbara County Landmarks and Places of Historic Merit.

4.1.3 Native American Heritage Commission

Rincon contacted the NAHC on March 26, 2024, to request a search of the SLF, as well as a contact list of Native American groups traditionally and culturally affiliated with the APE.

4.1.4 Native American Outreach

On March 11, 2025, Rincon sent outreach letters to the ten Native American contacts included on the NAHC-provided contact list. The purpose of this outreach was to obtain information related to cultural resources in the area of the APE and does not constitute formal consultation under Section 106. The USACE will complete the necessary Section 106 consultation requirements separate from this study. The letter included a description of the undertaking and requested information related to potential cultural resources in the vicinity of the APE that have the potential to be affected by development of the undertaking. Follow up calls and emails were sent on March 21 and April 4, 2025. Appendix C provides documentation of Rincon's outreach effort.

4.1.5 Local Interested Party Outreach

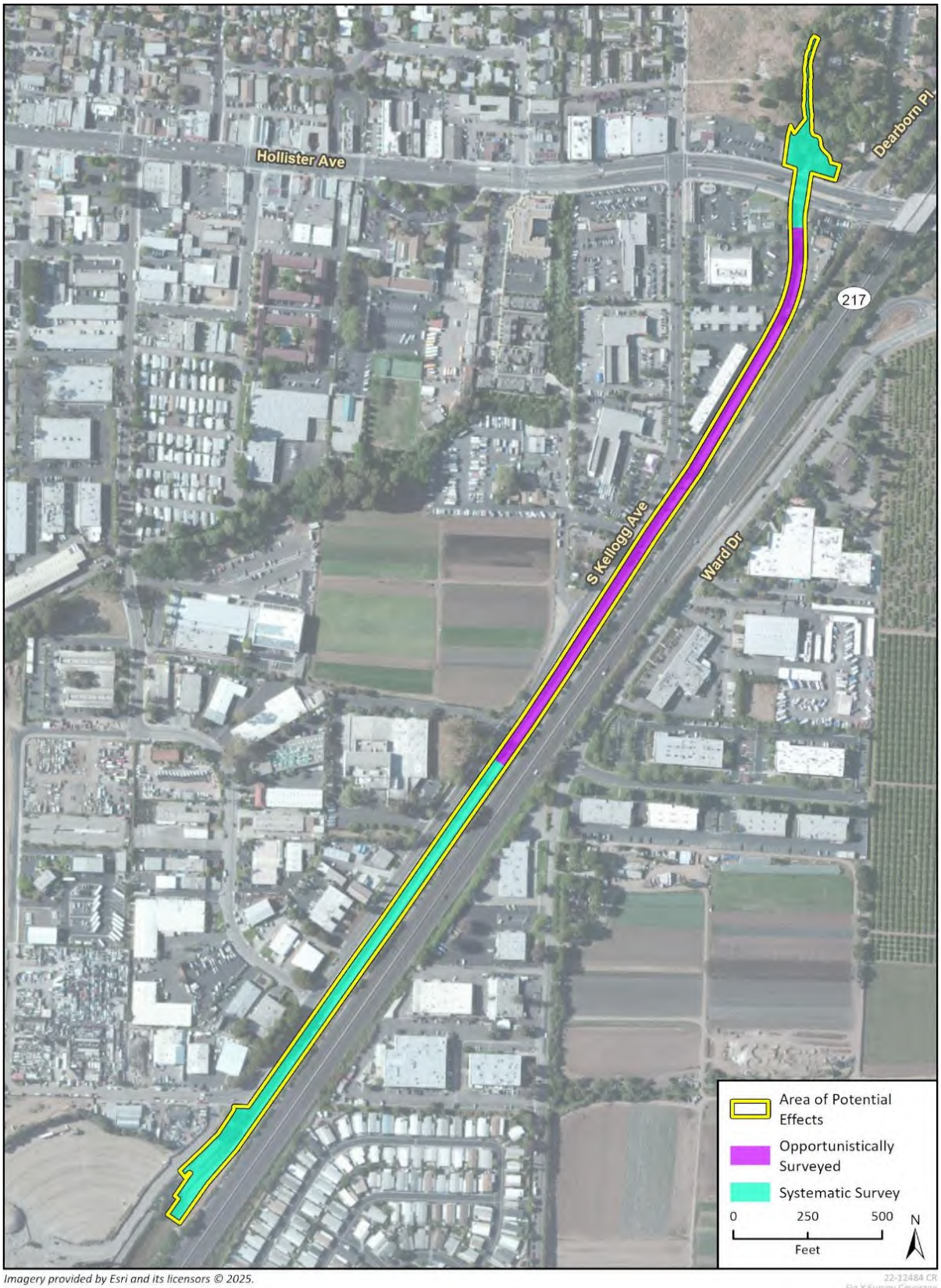
On March 11, 2025, Rincon sent outreach letters to the following local interested parties known to have knowledge of and interest in cultural resources in the area of the APE: Goleta Valley Historical Society (GVHS), County of Santa Barbara Historic Landmarks Advisory Commission (HLAC), and Santa Barbara Trust for Historic Preservation (SBTHP). On March 12, 2025, an additional outreach letter was sent to the Goleta Historic Preservation Commission (GHPC). The purpose of this outreach was to obtain information related to cultural resources in the area of the APE and does not constitute formal consultation under Section 106. The letter included a description of the undertaking and requested information related to potential cultural resources in the vicinity of the APE that have the potential to be affected by development of the undertaking. Appendix C provides documentation of Rincon's outreach effort.

4.2 Cultural Resources Field Survey

Rincon Archaeologist Debbie Balam, BA, conducted a pedestrian field survey of the APE on April 4, 2025. Due to variable conditions within the APE associated with the overgrown vegetation and water within the San Jose Creek Flood Control Channel, a combination of systematic and opportunistic survey methodologies was implemented to identify cultural resources (Figure 3). In areas with visible ground surfaces, systematic pedestrian survey was conducted using transect intervals spaced 5 to 10 meters apart and oriented from east to west. Areas with overgrown vegetation and/or water were subject to opportunistic survey. Accessible areas were inspected for the presence of cultural resources, when safe to do so. Exposed ground surfaces were examined for artifacts (e.g., flaked stone tools, tool-making debris, stone milling tools), ecofacts (marine shell and bone), soil discoloration that might indicate the presence of a cultural midden, historical debris (e.g., metal, glass, ceramics), and features indicative of the former presence of structures or buildings (e.g., standing exterior walls, foundations. Ground disturbances such as burrows and drainages were also visually inspected. Survey accuracy was maintained using a handheld Global Positioning System unit and a georeferenced map of the APE. Site characteristics and survey conditions were documented using field records and a digital camera. Copies of the survey notes and digital photographs are maintained at the Rincon Santa Barbara office.

The background research conducted for this study indicated that the portion of the San Jose Creek Flood Control Channel in the APE was constructed in 1964. Therefore, pursuant to California Office of Historic Preservation (OHP) Guidelines (California OHP 1995), the channel was recorded and evaluated for listing in the NRHP and on California Department of Parks 523 series forms (DPR forms) (Appendix D). In support of the channel's recordation and evaluation, Ms. Balam also conducted a built environment survey of the APE under the direction of Rincon Senior Architectural Historian Rachel Perzel, MA, on April 4, 2025. During the survey, the overall condition and integrity of the channel was documented and assessed. Site characteristics and conditions and potential character defining features were documented using notes and digital photographs which are maintained at the Rincon Santa Barbara office.

Figure 3 Survey Coverage Map



5 Findings

5.1 Known Cultural Resources Studies

The CHRIS records search and background research identified 26 cultural resources studies that have been previously conducted within roughly 0.25 miles (while a 0.25-mile search radius was used, some of the previously conducted cultural resources studies provided by the CCIC are slightly further from the APE than 0.25 miles) of the APE (Appendix A). Of these studies, 16 include a portion of the APE. Known studies that included portions of the current APE are discussed in further detail below.

5.1.1 Study SR-00155

Study SR-00155, *Archaeological Reconnaissance Petkin Condominiums, Goleta,* was prepared by Robert Hoover in 1980. The study summarized the methods and results of a three-acre survey in an area east of Kellogg Avenue and West of San Jose Creek. The survey identified no surface indications of archaeological sites but notes that Goleta is generally an archaeologically sensitive area (Hoover 1980).

5.1.2 Study SR-00246

Study SR-00246, *Final Report Intensive Cultural Resources Survey for the Goleta Flood Protection Program Santan Barbara County California*, was prepared by Archaeological Systems Management, Inc. (ASM) under the direction of the USACE in 1982. The report presents the result of a cultural resources literature search and intensive level survey of the major tributaries, including San Jose Creek, and perimeter of the Goleta Slough. The report states that San Jose Creek may have been a major route of travel for inland Chumash traders coming over San Marcos Pass. The study identified several prehistoric sites on and in the vicinity of San Jose Creek (SBA-562, SBA-1556, SBA-1569, SBA-1570, SBA-1702, SBA-1567) (ASM 1982). However, none of these sites are within or in the immediate vicinity of the current APE.

5.1.3 Study SR-01067

Study SR-01067, *Draft Negative Declaration San Jose Flood Control Maintenance 90-ND-75,* was prepared by McClelland Consultants (West), Inc. in 1990. The study area associated with Study SR-01067 included the portion of San Jose Creek north of Hollister Avenue within the current APE. However, the study did not present any detailed analysis related to cultural resources. Rather, it stated the project it was analyzing may occur in the vicinity of one or more identified cultural resources and that it would be considered a potentially significant impact (McClelland Consultants [West], Inc. 1990).

5.1.4 Study SR-01746

Study SR-01746, *Archaeological Resources on Fourteen Stream Channels in Coastal Santa Barbara County,* was prepared by Joseph L. Chartkoff in 1967. The study area associated with Study SR-01746 included 14 stream channels in Santa Barbara County including San Jose Creek from Somerset Drive to its mouth, encompassing the entirety of the current APE. The study included a

reconnaissance level survey and identified 22 previously known archaeological sites located in or adjacent to the stream channels. The study does not include locational information associated with the sites it identified. However, based on the results of the CHRIS search, none of the sites identified by SR-01746 are located within or adjacent to the current APE (Chartkoff 1967).

5.1.5 Study SR-02004

Study SR.02004, *A Phase 1 Cultural Resource Evaluation for three Segments of Pacific Lightwave Incorporated's Fiber Optic Cable Network in Santa Barbara County, California*, was prepared by Larry R. Wilcoxon, in 1997. The study presents the results of archival research and field survey for three underground segments of a proposed fiber optic cable system. The study resulted in the identification of one limited scatter of marine shell adjacent to 5410 Hollister Avenue, roughly 0.30 miles east, across Ward Memorial Boulevard, from the current APE (Wilcoxon 1997).

5.1.6 Study SR-02187

Study SR-02187, *Phase 1 Archaeological Survey for Elements of the Goleta Old Town Revitalization Plan*, was prepared by SAIC, in November 1996. The study summarized the results of a Phase 1 cultural resources investigation conducted in support of the Goleta Old Town Revitalization project. The study included a literature review and surface survey of several key sites proposed as part of the Goleta Old Town Revitalization Plan, one of which is a bike trail along the banks of San Jose Creek, including the portion within the current APE. The study identified two prehistoric archaeological sites (SBA-1567 and SBA-1702), both of which are located roughly 0.30-mile north of the current APE. No resources were identified with the current APE as a result of SR-02187 (SAIC 1996).

5.1.7 Study SR-02541

Study SR-02541, *Historic Property Survey Report for Goleta Old Town Transportation Improvements, Santa Barbara County, California*, was prepared by Applied EarthWorks, Inc. (AE, Inc.) in January 2000. The study analyzes potential impacts associated with construction of two roads, two bridges, a bicycle path, and capacity increases to the San Jose Creek Flood Control Channel. The study included a literature review, local interested party consultation and survey. It included an archaeological survey report and historic property survey report as attachments. While the study area associated with SR-02541 included much of the current APE south of Hollister Avenue, it did not record or evaluate San Jose Creek. The study identified no archaeological or built environment resources (AE, Inc. 2000).

5.1.8 Study SR-02690

Study SR-02690, *Records and Literature Search and Archeological Survey for Proposed Old San Jose Creek Restoration Project* was prepared by Stephen Dibble, in May 2001. The study included a records and literature search and archeological reconnaissance survey of the Old San Jose Creek Restoration Project's APE. The project's APE includes the segment of San Jose creek beginning at Armitos Avenue and ending at Hollister Avenue (the portion of the current APE north of Hollister Avenue). The study indicated that the general area is culturally sensitive. However, it identified no cultural resources it its APE. It additionally concluded that its APE "is extensively disturbed by previous earthmoving activities, and fill placement, and it is unlikely that buried archaeological deposits are present (Dibble 2001)."

5.1.9 Study SR-04638

Study SR-04638, *Santa Barbara County Flood Control and Water Conservation District Flood Control Maintenance Activities in the Goleta Slough*, is a draft subsequent environmental impact report prepared by Padre Associates (Padre) in March 2010. The study analyzed the environmental impacts of several flood control maintenance activities in the Goleta Slough including San Jose Creek. The study area associated with Study SR-04638 includes the southernmost 600 feet of the current APE (west creek bank). The study discusses the presence of Resource SBA-46 "adjacent to the southwestern edge of the San Jose Creek Study Area (Padre 2010)." Given the location description in the study, Resource SBA-46 is located roughly 0.40 mile southeast of the current APE. The study goes on to state that "SBA-46 was first recorded just above the beach by Rogers (1929). His excavations revealed a site with deep cultural deposits. This site has been evaluated many times [Greenwood, 1975; Erlandson, 1985; SRSI, 1985; Wilcoxon et al., 1982]. The San Jose Creek study area was surveyed previously with negative results [Chartkoff, 1967]" (Padre 2010).

5.1.10 Study SR-04704

Study SR-04704, *Historic Property Survey Report for the Ekwill Street and Fowler Road Extensions Project*, was prepared in 2009 by archeologists Brent Leftwich and Craig Woodman of URS Corporation. The study is a supplemental report to Study SR-02541 described above. The study included expansion of the project's previously considered APE. However, the expanded portions of the APE did not include any additional portions of the current APE. The study, which included a survey of areas added to the project's APE following the preparation of Study SR-02541, described above, and no cultural resources were identified. The associated Historic Resources Evaluation Report (HRER) was not provided by the CCIC as a result of the records search conducted for the current undertaking. However, based on review of a resource record provided by the CCIC for Resource P-42-041000, further described below, the HRER included an evaluation of one property located adjacent to the current APE, 5544 Hollister Avenue, prepared by Post Hazeltine. Post Hazeltine recommended 5544 ineligible for listing in the NRHP, CRHR and for local designation as a City of Goleta Landmark. (Leftwich and Woodman 2009; Post Hazeltine 2009).

5.1.11 Study SR-04793

Study SR-04793, *Phase I Archaeological Investigation of Approximately 4.2-Acres for the Kellogg Avenue Properties Project 170 South Kellogg Avenue and 5580 Hollister Avenue Goleta, Santa Barbara County, California*, was prepared by Mary Maki of Conjeo Archaeological Consultants in June 2011. The study consisted of a records search at the CCIC, background research, a NAHC SLF search, Native American consultation, and an archaeological survey of the 4.2-acre project site, which is located adjacent/to the west of the portion of the current APE north of Hollister Avenue. The study identified no cultural resources within its associated project site but noted the general area's sensitivity or both prehistoric and historic period cultural resources (Maki 2011).

5.1.12 Study SR-04826

As previously discussed, Study SR-04826, *An Archaeological Inventory Survey San Jose Creek Capacity Improvement Project in the City of Goleta, Santa Barbara County, California* was prepared by SAIC in 2009. The project associated with Study SR-04826 proposed design improvements and modifications to the San Jose Creek Flood Control Channel, inclusive of the portion within the current APE from Hollister Avenue south. The study included a records search at the CCIC and a

surface reconnaissance survey. The study identified "…small disparate pockets of friable invertebrate fragments…" on the ground surface on the San Jose Creek embankment. However, the study concluded that "…this shellfish is probably a result of local soil importation (e.g., from the Goleta Slough)" and indicated that therefore, "they do not reflect a significant cultural resource… (SAIC 2009)."

5.1.13 Study SR-04905

Study SR-04905, *Archaeological Resources Assessment Concrete Recycling Facility 903, 905, 907, & 909 South Kellogg Avenue City of Goleta, California,* was prepared by Ms. Alan Hansen of Dudek in June 2010. The study explored a site adjacent/to the west of the southern portion of the current APE. It included a description of previous archaeological investigations, environmental reconstruction of the project site, and an analysis of the project's potential consistency with relevant City of Goleta General Plan/Coastal Land Use Plan policies. The study demonstrated that numerous archaeological investigations have been performed within and in the vicinity of the project site, and no prehistoric or historic recorded archaeological resources have been recorded within it. The study stated that "the project area is located in what was the Goleta Slough prior to modern urban development" and that therefore, "the potential for unknown sub-surface prehistoric archaeological resources to exist within the project area is highly unlikely, as Chumash settlement occurred outside and above areas of tidal influence" (Hansen 2010).

5.1.14 Study SR-05025

Study SR-05025, *An Archaeological Surface Survey and Updated Records Search for the Goleta Slough Flood Control Dredging Project. Goleta, Santa Barbara County, California*, was prepared by Thor Conway of Heritage Discoveries, Inc., in 2009. The study area associated with SR-05025 included ten proposed dredging locations, approximately 0.50 mile long and 0.25 mile wide, throughout the Goleta Slough. The study included a CCIC search, a SLF search, and a surface survey of the ten proposed dredging locations. One of the proposed dredging locations is within San Jose Creek immediately south of the current APE and extending into the current APE from the south. Consistent with Study SR-04638 described above, SR-05025 indicates the presence of SBA-46 adjacent to San Jose Creek, roughly 0.40 mile south of the current APE (Conway 2009).

5.1.15 Study SR-05313

Study SR-05313, *Supplemental Extended Phase 1 Archaeological Investigation, Old Town Village Mixed Use Project, Kellogg Avenue/Ekwill Street, Goleta, California,* was prepared by David Stone and Ken Victorino of Dudek in April 2014. The study presents the results of a Supplemental Extended Phase 1 Archaeological Investigation conducted in support of the proposed Old Town Village Mixed Use Project. The study included the excavation of ten, two-inch diameter geophones within the study's associated proposed project site, which is located adjacent/to the west of the current APE. The study did not identify any prehistoric or historical archaeological materials within its proposed project site. The study states that "the location of the project site, at approximately the 20-foot contour elevation, is considered to be 10 feet higher than the boundary of the Goleta Slough when prehistoric occupation occurred, over 250 years ago" (Stone and Victorino 2014).

5.1.16 Study SR-05416

Study SR-05416, *Historic Property Survey Report for the Hollister Avenue Bridge Replacement Project City of Goleta, County of Santa Barbara, California* (with attached Archaeological Survey Report) was prepared by Brent Leftwich and Craig Woodman of URS Corporation in November 2014. The study included the delineation of the Hollister Bridge Project's APE, Native American consultation, a CCIC and SLF search, and an archaeological survey. The APE for the project encompasses the portions of Hollister Avenue within the current APE. The study identified no historic properties within its APE or the current APE (Leftwich and Woodman 2014a).

5.2 Known Cultural Resources

The CHRIS records search and background research identified nine previously recorded resources, two of which are located adjacent to the current APE (P-42-041000 and P-42-041793) and all of which consist of historic age buildings, within a 0.25-mile radius of the APE. Resources recorded in the search radius are listed in the records search results in Appendix A. Resources located adjacent to the APE are indicated in Table 1 and discussed in further detail below.

Table 1 Previously Recorded Resources located Adjacent to the APE

Primary Number	Trinomial	Resource Type	Description	Recorder(s) and Year(s)	Eligibility Status	Relationship to APE
P-42-041000	N/A	Building	Newland Property. A multiple-family property consisting of five vernacular cottages.	Post Hazeltine 2006	Recommended ineligible for listing in the NRHP, the CRHR and as a City of Goleta Landmark.	Adjacent
P-42-041793	N/A	Building	5555 Hollister Avenue. One-story commercial building designed in Googie style.	HRG 2021	Recommended eligible for listing as a City of Goleta Landmark.	Adjacent

Source: Central Coastal Information Center 2025

5.2.1 Resource P-42-041000

Resource P-42-041000 consists of the Newland Property at 5544 Hollister Avenue. It is located north of Hollister Avenue and along the eastern bank of San Jose Creek, adjacent to the northern extent of the APE. The property was recorded and evaluated by Post Hazeltine Associates (Post Hazeltine) in 2006. Although it was not identified by the CHRIS search, review of the resource record associated with P-42-041000 indicated that it was prepared as part of the Supplemental Historical Resources Evaluation Report for Ekwill Street and Fowler Road Extensions Project, which is currently ongoing adjacent to (to the east of) the northern portion of the current APE in the Hollister Avenue right-of-way ROW (Post Hazeltine 2009). The 2006 recordation identified five vernacular cottages within the triangular-shaped property, with varying approximate construction dates of 1938 to 1954, some of which may have been moved on to the property. Frank and Nellie Newland, chiropractors from Santa Barbara, acquired the property in 1929 from Horace Sexton, an heir of horticulturalist Joseph Sexton, who operated a nursery on lands that included those within the Newland Property ca. 1870s through his death in 1917. Post Hazeltine found that the Newland Property lacked significant association with themes of settlement and development in the Goleta Valley, and that the property

did not retain sufficient integrity to convey association with Joseph Sexton. Therefore, the property was recommended ineligible for the NRHP. Since 2006, at least one of the formally extant buildings has been demolished as part of projects ongoing in the area. None of the built features on the property would be at all physically altered by the current undertaking Additionally, due to the nature of the undertaking, which would not extend outside the existing banks of San Jose Creek, the setting of these resources would also not be altered by implementation of the undertaking.

5.2.2 Resource P-42-041793

Resource P-42-41793 consists of 5555 Hollister Avenue (Bishop Event Center); the resource is also identified as Hill Homestead Witness Tree, Blue Ox Steak House, and Sizzler Steak House. P-42-41793 was recorded by HRG as part of a historic survey of Goleta in 2021. It consists of a one-story, Googie style commercial building situated on a flat parcel adjacent (to the west) of the current APE. The building was constructed in 1967, with patio improvements in 1976, alteration to accommodate a theater in 1989, landscape design, signage, and roofing replacement in 1998. The building's outdoor patio was built around the Hill Homestead Witness Tree, a large sycamore tree that "was designated as a Historical Landmark prior to the City's [i.e. Goleta's], incorporation" (HRG 2001). HRG recommended the building eligible as a City of Goleta Historic Landmark. Neither the building nor the Hill Homestead Witness Tree would be physically altered by the current undertaking. Additionally, due to the nature of the undertaking, which would not extend outside the existing banks of San Jose Creek, the setting of these resources would also not be altered by implementation of the undertaking.

5.3 Native American Heritage Commission

The NAHC responded to Rincon's SLF and contact list request on March 27, 2024, stating that the results of the SLF search were positive, meaning Sacred Lands have been documented within one to three miles of the APE. Mescalitan Island is a well known resource and the location of the village of *Helo* where human remains have been previously identified. The positive SLF results are likely due to the proximity of Mescalitan Island, however, the resource falls outside of the 0.25-mile records search buffer for the project. The NAHC recommended that tribes on the contact list they provided be contacted for additional information regarding the positive SLF. The results of the SLF search are included in Appendix B.

5.4 Native American Outreach

The following summarizes the responses received from the NAHC-listed Native American groups contacted by Rincon as part of the outreach effort:

- On March 21 and April 4, 2025, Rincon attempted to call Cultural Resource Chair Barabara Lopez with the Barbareño Band of Chumash Indians. The call was unanswered, and Rincon left a voicemail and sent a follow-up email. No response has been received to date of this report.
- On March 21, 2025, Rincon called and spoke with Chairperson Eleanor Fishburn of the Barbareño Band of Chumash Indians. Chairperson Fishburn advised that she would respond over the weekend and added that there is a high chance of cultural sensitivity if the APE is near a creek. Rincon sent a follow up email shortly after the phone call. On March 31, 2025, Chairperson Fishburn responded via email stating that she suggests Native American monitoring

if ground disturbance will reach 18 feet in depth. On April 1, 2025, Rincon responded via email and reconfirmed Chairperson Fishburn's request for native monitoring.

- On March 21, 2025, Rincon called and spoke with Chair Matthew Vestuto of the Barbareño/Ventureño Band of Mission Indians. Chair Vestuto stated that the tribe defers to the Barbareño Band of Chumash Indians, but he would like to be contacted if they do not respond. On the same day, Rincon sent a follow up email to Chair Vestuto and reconfirmed his request.
- On March 21 and April 4, 2025, Rincon attempted to call Chairperson Julio Quair with the Chumash Council of Bakersfield. On both attempts, the phone was disconnected and Rincon was unable to leave a voicemail. Follow up emails were sent on both occasions, but both emails were marked as undeliverable.
- On March 21 and April 4, 2025, Rincon attempted to call Chairperson Gabe Frausto with the Coastal Band of the Chumash Nation. Both calls were unanswered, and Rincon left a voicemail and sent follow up emails on both occasions. No response has been received as of the date of this report.
- On March 11, 2025, Chairperson Violet Walker with the Northern Chumash Tribal Council responded via email stating that the tribe would like to participate to learn and help with the undertaking. On March 11, 2025, Rincon responded via email to re-confirm Chairperson Walker's request and that her information would be passed to the lead federal agency involved.
- On March 11, 2025, Cultural Resources Administrative Assistant Aileena Diaz responded via email stating that the tribe would like to have a formal consultation regarding the undertaking and would like to schedule a date and time for discussion with Cultural Resources Archaeologist Dr. Wendy Teeter. On March 12, 2025, Rincon responded via email to confirm Ms. Diaz's email and stated that Dr. Teeter's information would be passed along to the lead agency.

No additional comments were received from those contacted as part of this outreach effort. Documentation in support of the Native American outreach conducted for this study and the SLF response letter are included in Appendix B of this report.

5.5 Local Interested Party Outreach

The following summarizes the responses received from the local interested parties contacted by Rincon as part of the outreach effort:

- On March 11, 2025, Assistant Executive Director of Cultural Resources Michael Imwalle with the SBTHP responded via email stating that The San Jose Winery (Santa Barbara County Landmark No. 25) is located west of San Jose Creek, approximately 1.7 miles north of the northern terminus of the APE. The San Jose Winery is an adobe within the Rancho of Mission Santa Barbara, located at 5320 Vineyard Road in Santa Barbara. The San Jose Winery does not appear to be affected by the undertaking. No additional historic resources were identified within the vicinity of the APE.
- On March 11, 2025, Director of Operations Lisa Potter with the GVHS responded via email stating that, judging by the images provided by Rincon, the undertaking wouldn't conflict with any historical buildings in their purview. The response recommended that Rincon also reach out to GHPC.
- On March 12, 2025, Rincon sent an outreach letter via email to Planning Manager Lisa Prasse with the GHPC. Ms. Prasse responded via email on the same day asking if Rincon has a specific radius or distance from the APE in mind. Rincon responded via email to clarify interest in

resources within or adjacent to the APE that could potentially be affected by the undertaking. No additional response has been received to date of this report.

- On March 18, 2025, Chair Keith Coffman-Grey with the HLAC responded stating that he reviewed the undertaking with vice-chair Ron Nye and no known historic resources were identified within the APE or its vicinity.

The outreach described above did not result in the identification of historic properties in the APE or its vicinity. Additional documentation in support of the interested party outreach is included in Appendix C of this report.

5.6 Aerial Imagery and Historical Topographic Maps Review

Rincon completed a review of BLM GLO Plat maps, Sanborn fire insurance maps, historical topographic maps, and aerial imagery to ascertain the development history of the APE. A review of the BLM GLO Plat Maps from 1875 and 1927 show the APE as undeveloped land within Rancho La Goleta (BLM GLO 1875, 1927). By 1928, the APE is shown within an alluvial flood plain and large salt marsh (Goleta Slough), with the surrounding area is shown primarily as agricultural fields and SR 217 as a dirt road (UCSB FrameFinder 1928; Sanborn Map Company 1930; Figure 4). Aerial imagery from 1947 shows the APE as agricultural land, with residential development and “Old San Jose Creek” to the west (NETR Online 2024). By 1953, “Old San Jose Creek” no longer exists and is shown as what appears to be a dirt road (NETR Online 2024). Aerial imagery and historical topographic maps spanning from 1956 to 1959 depict a slight increase in modern development to the north, east and west of the APE (UCSB FrameFinder 1956, 1959; USGS 2024). The construction of SR 217 easterly adjacent to the APE was underway by 1962 (UCSB FrameFinder 1962). Aerial photographs from 1965 and 1967 depict San Jose Creek as channelized, with the upstream portion of the APE shown as a natural channel, and South Kellogg Avenue had been realigned running parallel to the completed SR 217 (UCSB FrameFinder 1965, 1967, Figure 5). A historical topographic map from 1967 shows the development of Thornwood Drive, commercial and industrial buildings in the vicinity of Thornwood Drive, and the West Wind Drive-In at the southern end of the APE (USGS 2024). Commercial and industrial development continues to increase to the east and west of the APE from 1971 to 2020 (NETR Online 2024; UCSB FrameFinder 1971, 1983, 1986; USGS 2024). Between 2016 and 2018 the remaining agricultural field to the west of the APE had been graded and prepared for the development of the residential apartment complex between Surfrider Way and Ekwill Street (NETR Online 2024).

Figure 4 Historical Aerial Photograph Depicting Vicinity of APE, 1928



Source: UCSB Framefinder 1928

Figure 5 Historical Aerial Photograph Depicting Vicinity of APE, 1967



Source: UCSB 1967

5.7 Geoarchaeological Review

According to published geologic mapping, the APE is underlain by Quaternary age, alluvial and colluvial deposits intermixed with silt, sand, and gravel derived as overbank deposits from San Jose Creek, which originally flowed approximately 475 feet west of the APE prior to channelization. More specifically, one surficial geologic unit comprises the site: (Qac) "poorly consolidated silt, sand, and gravel deposits of modern drainages and piedmont alluvial fans and floodplains" (Minor et al. 2009). This geologic unit was deposited during the Holocene (beginning approximately 11,700 years ago) and upper Pleistocene (approximately 126,000 to 11,700 years ago). The Holocene dates to human occupation of the region and is generally conducive to the natural burial and preservation of archaeological deposits. The Pleistocene largely pre-dates human occupation of the region.

Three soils series have been documented within the APE, including the Elder-Soboba Complex, Elder sandy loam Series, and Camarillo fine-sandy loam Series (California Soils Resource Lab 2006, 2009). The Elder-Soboba Complex is a combination of the Elder sandy loam Series and Soboba Series and consists of deep to very deep well-drained soils that formed from alluvial material derived from mixed rock sources and granitic rock sources and located along alluvial fans and floodplains. The Elder sandy loam Series is found from the California Central Valley to the Central Coastal Ranges at elevations ranging from 20 to 1,500 feet above mean sea level. A typical soil profile features gray coarsely structured fine sandy loam from 0 to 8 inches; gray friable sandy loam from 8 to 35 inches; and grayish brown friable fine sandy loam from 35 to 72 inches (California Soil Resource Lab 2009). The Soboba series is found on alluvial fans and floodplains at elevations that range from 35 to 3,700 feet above mean sea level. A typical soil profile features grayish brown stony loamy sand from 0 to 11 inches and grayish brown stratified gravelly and cobbly sand from 11 to 60 inches (California Soil Resource Lab 2009). This Elder-Soboba Complex is mapped within the natural channel at the northern portion of the APE and covers approximately 28 percent of the total area. The Elder Series is also mapped within the middle portion of the APE and cover approximately 55 percent of the total area.

The Camarillo fine-sandy loam Series is formed from alluvium derived from sedimentary rocks along nearly level flood plains. This series is commonly found at elevations of 10 to 200 feet above mean sea level within coastal valleys of south-central California. A typical profile of this series features grayish to very dark grayish brown friable fine sandy loam from 0 to 24 inches; grayish to olive brown heavy loam at 24 to 36 inches; pale to olive brown fine sandy clay loam from 36 to 44 inches; friable light gray to brown sandy loam from 44 to 50 inches; and light gray to brownish gray fine sand from 50 to 88 inches below current surface (California Soil Resource Lab 2006). The Camarillo fine-sandy loam Series is mapped within the southern portion of the APE and covers approximately 17 percent of the total area.

Because of the episodic nature of alluvial sedimentation, the sudden burial of artifacts is possible, and alluvial soils have an increased likelihood of containing buried archaeological deposits (Waters 1992, Borejaza et al. 2014). Although the geologic unit identified within the APE was deposited during the Holocene, buried A horizons were not identified in the Elder-Soboba Complex, Elder sandy loam Series, or Camarillo fine-sandy loam Series (California Soil Resource Lab 2006 and 2009).

5.8 Archaeological Sensitivity Summary

The SLF search conducted by the NAHC returned positive results, and the results of previously conducted studies as well as Native American outreach conducted for this undertaking indicate that the area is culturally sensitive. The southern portion of the APE lies near what would have been the shore of prehistoric Goleta Slough. The San Jose Creek, the close proximity of the Goleta Slough, and the Pacific Ocean (located approximately 0.5 mile to the south of the APE), would have made the area desirable for prehistoric habitation/occupation since they would have provided access to a variety of subsistence resources including fresh water, plants, and terrestrial and marine animals. In fact, ethnohistoric sources indicate that the villages that surrounded the Goleta Slough were amongst the largest in the Santa Barbara Channel area (Leftwich and Woodman 2014b).

The search of the CHRIS database did not identify any previously recorded historic-period or prehistoric archaeological resources within the APE or immediate vicinity. Although the area is known to be culturally sensitive, the APE itself has been previously disturbed due to episodic flooding events (and continual alluvial deposits) within San Jose Creek and the Goleta Slough, historic-era cattle ranching and agricultural activities, as well as the installation and maintenance of the concrete lined channel. Because the APE is situated in an area that was historically part of Rancho La Goleta, decades of cattle ranching resulted in denuded land, which exacerbated the substantial soil erosion that occurred as a result of heavy rains in the early 1860s that deposited large amounts of soil into the slough (San Buenaventura Research Associates [SBRS] 2010; Historic Resources Group [HRG] 2018). The review of historical topographic maps described above indicated agricultural activities were transpiring in the vicinity of the APE as early as 1928, and within the APE by 1947 (UCSB 1928). Moreover, San Jose Creek was channelized by 1965 (UCSB FrameFinder 1965). Additionally, the geologic unit identified within the APE was deposited during the Holocene which dates to human occupation of the region and is generally conducive to the natural burial and preservation of archaeological deposits; however, the soil series mapped within the APE do not contain subsurface topsoil (buried A-Horizons), which are generally indicative of natural burial and preservation of archaeological deposits.

Although the APE and its vicinity is considered to be culturally sensitive, the negative results of the CHRIS search and field survey, the level of previous disturbances within the APE associated with historic-era ranching and agriculture, modern development and the debris flow, and the absence of subsurface topsoil, the archaeological sensitivity of the APE is considered moderate.

5.9 Survey Results

5.9.1 Built Environment Resources

The field survey and background research resulted in the identification of a portion of one historic-age property within the APE, the San Jose Creek Flood Control Channel. As part of the current study, this property was recorded and evaluated for NRHP eligibility on DPR series forms, which are included in Appendix D and summarized below. The DPR forms also document the state and local eligibility of the channel. However, only the NRHP evaluation is summarized herein.

San Jose Creek Flood Control Channel

Physical Description

The segment of the San Jose Creek Flood Control Channel in the APE (recorded segment) is an approximately 0.7-mile-long concrete flood control channel, which begins immediately north of Hollister Avenue and continues on a southwestward alignment to the south of Hollister Avenue, immediately west of Clarence Ward Memorial Boulevard (SR 217) in the City of Goleta. South of Hollister Avenue, the channel generally parallels Ward Memorial Boulevard (east) and S. Kellogg Avenue (west). Originally constructed in 1963-1964 as a trapezoidal flood control channel, the structure was extensively modified as part of the San Jose Creek Capacity Improvement and Fish Passage Project, completed in 2014. The project replaced most of the preexisting trapezoidal channel with the existing design, featuring a 50-foot width, rectangular profile, vertical concrete walls, an articulated concrete revetment and weirs supporting fish passage. The northernmost portion of the channel, immediately south of Hollister Avenue, retains a trapezoidal profile. The channel appears to be in good condition (Figure 6). The northernmost portion of the APE, north of Hollister Avenue is a natural channel.

Figure 6 Photograph of San Jose Creek Flood Control Channel, View Facing South



Historical Development of San Jose Creek Flood Control Channel

The San Jose Creek Flood Control Channel's development in the early to mid-1960s occurred during the Post-World War II Development period (1946-1969) identified in the *City of Goleta Citywide Historic Context Statement* (HCS) (HRG 2021). The HCS provides an expanded history of Goleta's development across multiple periods and themes, but does not provide information specific to the San Jose Creek Flood Control Channel's development. The following developmental history for the San Jose Creek Flood Control Channel focuses on the historical development of the area of Goleta containing the subject channel.

The lands to the immediate east and west of the San Jose Creek Flood Control Channel, located south of Hollister Avenue, were developed agricultural by the 1870s, including a 150-acre dairy and bean farm owned by Frank E. Kellogg, who owned 150 immediately south of Hollister Avenue and its present-day intersection with Ward Memorial Boulevard (State Highway 217). Kellogg's farm was a major producer of dairy products for the local market and Kellogg established the first creamery in Santa Barbara County in 1892 (HRG 2021). Despite his success, Kellogg eventually sold his holdings to nearby major landowner J.F. More, who had pressured Kellogg to sell around the turn of the twentieth century in order to expand his own acreage. When More acquired Kellogg's land he demolished the former dairy facilities and returned the acreage to use as agricultural fields (Modugno 2018). As the HCS notes, Goleta transformed from a community of scattered ranches and farms into a major citrus producer and oil town between World War I and World War II (HRG 2021). By 1905, the portion of Goleta to the south of Hollister Avenue had experienced frequent flooding from San Jose Creek, which meandered southwestward to the west of the existing channel. In 1905 residents petitioned for the construction of a bridge over San Jose Creek on Kellogg Avenue near Hollister Avenue (*The Morning Press* 1905). Residential development during the interwar years included a few subdivisions in the vicinity of the future alignment of the subject channel; however, the growth of the subdivisions that were platted near San Jose Creek were challenged in some cases by flooding and also by a lack of domestic water supply, which ultimately stifled their development (HRG 2021, Modugno 2017).

Review of topographic maps and historical newspapers indicates that an effort to manage the flooding of San Jose Creek occurred by 1940, alongside a residential neighborhood developed along Fairview Avenue and to the east of Goleta Slough. This channelization appears to have been related to the development of a Marine Corps air station in the areas that became the Santa Barbara Airport and University of California at Santa Barbara campus after World War II (Leftwich and Woodman 2014a). Still, this earlier channel was faced with periodic blockages form debris flows during the rainier winter months (USGS 1943, 1950; *Santa Barbara News-Press* 1940). As of 1956, the immediate vicinity of the future San Jose Creek Flood Control Channel remained agricultural land, framed by Hollister Avenue at the north, Kellogg Avenue to the west, and Atascadero Creek at the south.

During the 1950s and early 1960s, Goleta experienced high demand for housing as oil companies and the aeronautics industry located in the region. Goleta began to experience greater population growth and development after the completion of U.S. 101 in 1947 and improved domestic water supply following the completion of the Cachuma Dam 1950 (Leftwich and Woodman 2014a). As described in the HCS:

> Tracts of single-family residences were frantically subdivided to cater to the rapid population increase caused by the arrival of the aerospace companies, each of which brought several hundred employees to the area. The establishment of the University of California at Santa Barbara campus in 1954 […] also increased local demand for housing and amenities in Goleta. As

> the only available land in Goleta was dedicated to agriculture, the creation of residential subdivisions necessarily caused a decrease in the area's agricultural activity.

During this period the lands where the existing San Jose Creek Flood Control Channel was built remained agricultural (Data Basin 2024, Penfield & Smith 1956, Figure 3). The subject channel's planning occurred in the early 1960s, as the decision to route the previously planned Clarence Ward Memorial Boulevard (State Highway 217), a major connector from the university campus to points to the northeast was carried forward (*Santa Barbara News-Press* 1961a, Leftwich and Woodman 2014a). A diagonal route for the boulevard, extending through agricultural areas to the south of Hollister Avenue was selected, despite controversy related to its alignment and the complexities of ROW acquisition and potential impacts to existing agricultural operations (*Santa Barbara News-Press* 1957). By February 1961, as the boulevard's construction approached, property owners in the area reached an agreement to provide ROW for a new San Jose Creek Flood Control Channel, to be built alongside and generally parallel to the boulevard. As part of the project, the State Division of Highways planned to dig the channel and use excavated materials as fill during the highway's construction, to reduce the overall cost of the roadway's construction (Santa Barbara News-Press 1961a). As of September 1961, the new channel was not planned to be ready for use "for at least two winters because it cannot be used until the Ward Boulevard project is completed" (*Santa Barbara News-Press* 1961). It appears that channel was excavated but remained unlined as of November 1963 (*Santa Barbara News*-Press 1963). Following the boulevard's completion in 1963, The Santa Barbara County Flood Control and Water District awarded a contract for completion of the concrete channel to Stromberg Inc. of Santa Ana. Work was to commence by late May 1964, with completion scheduled in the late Summer/Early fall of 1964 before seasonal rains returned (*Gazette-Citizen* 1964). A newspaper article described:

> San Jose Creek for years has meandered through valuable land in the south section of the town and has blocked its development, according to [Supervisor Daniel] Grant. Hundreds of acres of valuable industrial and commercial land which have been unusable without costly bridge construction will now be available for development with the completion of the creek realignment […] The new concrete channel will parallel the new Ward Memorial Blvd. (*Gazette-Citizen* 1964)

The earliest available aerial photograph of the completed channel alongside the previously built boulevard was taken in 1967 (UCSB 1967). By that year, land immediately to the east and west of the channel and parallel highway still consisted largely of agriculture fields, with commercial and industrial development concentrated along and southeast present-day South Kellogg Avenue and Ward Drive and further northwest. This included a drive-in movie theater to the southwest of the channel (UCSB 1967). By 1984 the manufactured home community, Rancho Goleta, was developed at the south end of Ward Drive, a frontage road paralleling the east side of the boulevard. Additional industrial development began to fill in the former agricultural areas to the west of the channel (NETR 1984). Since 1984, agricultural land to the west of the channel has been completely redeveloped with mixed uses, while lands to the east of channel and highway retain a mix of residential, industrial-commercial, and agricultural uses (NETR 1994, 2010, 2020).

The subject portion of the San Jose Creek Flood Control Channel, completed in between 1963 and 1964, was demolished and reconstructed between 2012 and 2014 as a 50-foot-wide channel with vertical walls and an articulated concrete revetment bottom. The revetment included a fish passage (City of Goleta n.d.). Known as the San Jose Creek Capacity Improvement Project, the redesign of the channel was completed to provide improved flood projection and resulted in the widening of

the channel and redesign of the channel's interior shape or profile, from an original trapezoidal design, to the existing rectangular design (SAIC 2009; NETR 2012, 2014).

STROMBERG, INC.

Stromberg, Inc. is identified as the general contractor in charge of the San Jose Creek Flood Control Channel's construction in between 1963 and 1964. Stromberg, Inc. was a Santa Ana-based general contracting firm, led by S.V. Tex Stromberg as of the early 1960s (*Progress-Bulletin* 1963). The company was known as Famulara-Stromberg Inc. in 1961 (*The Register* 1961). In 1961, the firm began using a grinding auger machine invented by Stromberg during the construction of a flood control ditch in Santa Ana. In 1963, Stromberg designed and received a patent for the Stromberg Ditch Lining Machine in 1963, which paved the sides and bottom of a flood control channel simultaneously. This machine was used in the construction of a trapezoidal flood control channel at Diamond Bar, Los Angeles County (*Progress-Bulletin* 1963).

National Register of Historic Places Evaluation

The portion of San Jose Creek Flood Control Channel in the APE is recommended ineligible for listing in the NRHP under all evaluative criteria due to a lack of architectural or historical significance.

Evaluation guidance for water conveyance systems in California has been developed by the California Department of Transportation (Caltrans) and notes, "For a water conveyance system to be eligible under Criterion A, it must be found to be associated with specific important events (e.g., first long-distance transmission of hydroelectric power) or important patterns of events (e.g., development of irrigated farming) (Caltrans 2000). The San Jose Creek Flood Control Channel was originally completed in approximately 1964 and was reconstructed between 2012 and 2014 along the same alignment. When originally constructed, the subject channel provided additional flood control capacity in an area of Goleta where a preexisting channel of San Jose Creek had been constructed (further to the west) by 1940. The subject channel was built generally parallel to the Clarence Ward Memorial Boulevard (SR 217), with the channel completed after the roadway. From 1962 to the 2000s, development in the vicinity of the San Jose Creek Flood Control Channel transitioned from primarily agricultural to a mix of agricultural, industrial, commercial, and limited residential uses. Although the San Jose Creek Flood Control Channel was built in an area that experience post-World War II development, and flood control likely factored into additional development of formerly agricultural areas in the immediate vicinity of the channel, it's role in the developmental history of Goleta does not appear to be individually significant. Earlier flood control efforts to manage San Jose Creek were developed in the region and subsequent redesign of the channel resulted from ongoing adaption to evolving flood control needs. Further, the San Jose Creek Flood Control Channel's development has not been demonstrated to have been part of a major system with overarching significance to the region or state. Therefore, the subject segment of the channel is recommended ineligible under Criterion A/1 (Events).

The San Jose Creek Flood Control Channel has not been identified as having an association to any individuals who made significant contributions to history. This infrastructural project was carried out as part of local and State agency collaboration, during the early 1960s, but does not convey aspects of any one individual's career such that is significant under Criterion B (Persons). Therefore, the subject segment of the channel is recommended ineligible under Criterion B/2 (Persons).

The subject segment of the San Jose Creek Flood Control Channel does not appear to be individually significant under Criterion C as a water conveyance structure that embodies the distinctive characteristics of a type, period, or method of construction, or the work of a master, or which possesses high artistic values. The channel was originally constructed in 1964 by the firm Stromberg Inc as a concrete creek channel set on a northeast/southwest alignment that generally paralleled the Clarence Ward Memorial Boulevard to its immediate east. This channel was likely built using techniques and equipment that Stromberg specialized in and, as original built, featured a trapezoidal profile. Although Stromberg Inc. appears to have specialized in channel construction in the region and Tex Stromberg invented flood control channel construction equipment, including a patented ditch liner, holder for channel construction-related, this channel's constructed occurred after these inventions were created. Moreover, the channel's design was substantially changed in 2014, such that it does not embody the construction type and methods used in its original construction in 1964. Therefore, the subject segment of the channel is recommended ineligible under Criterion C/3 (Architecture).

Research does not indicate the property has the potential to yield important information pertaining to prehistory or history under Criteria D/4 as it is not and has never been the principal source of information relating to its construction type or construction methods (Information Potential).

5.9.2 Archaeological Resources

Terrain within the APE was generally flat, with coastal annual non-native grasses, as well as coast live oak and arroyo willow trees, lining the northern portion of the APE (Figure 7). Surficial soils consisted of brown sandy loam in the northern portion of the APE, whereas concrete was observed in the middle to southern portion of the APE (Figure 8). Ground visibility ranged from 0 to 60 percent due to overgrown vegetation coverage bordering the San Jose Creek Flood Control Channel and water in the middle portion of the APE (Figure 9). Areas of overgrown vegetation and water were opportunistically inspected but not systematically surveyed. Construction materials and modern trash were primarily observed in the northern portion of APE (Figure 10). No archaeological resources were identified as a result of the survey conducted for the undertaking.

Figure 7 Photograph of Coastal Annual Non-native Grasses and Coast Live Oak and Arroyo Willow Trees Lining the Northern Portion of the APE, Facing West



Figure 8 Photograph of Concrete Observed in the Middle to Southern Portions of the APE, Facing North



Figure 9 Photograph of Water Observed in the Middle Portion of the APE, Facing North



Figure 10 Photograph of Construction Materials and Trash Observed in the Northern Portion of APE, Plan View



6 Conclusions and Recommendations

This study identified no built environment properties within the APE that are considered historic properties under Section 106. Therefore, the project would not result in effects to built environment historic properties and no further management practices are recommended for built environment resources.

The results of the SLF search conducted for the undertaking was positive for Sacred Lands (likely due to the proximity of Mescalitan Island), and the results of Native American outreach as well as previously conducted studies within the vicinity have indicated that the APE is located within a culturally sensitive area. Additionally, San Jose Creek, as well as the close proximity of the Goleta Slough and the Pacific Ocean, would have provided an abundance of food sources and would have been conducive to supporting long-term habitation. However, the CHRIS records search conducted for the study did not identify any archaeological resources within the APE, and no archaeological resources or deposits were identified within the APE as a result of the field survey. Additionally, the APE has been previously disturbed due to episodic flooding events within San Jose Creek and the Goleta Slough, historic-era cattle ranching and agricultural activities, as well as the installation and maintenance of a concrete lined channel. Therefore, it is unlikely that the APE contains intact buried archaeological resources. Based on the results of this study, Rincon recommends a finding of ***no historic properties affected*** under Section 106 for the current undertaking.

Although the APE has been previously disturbed, it is possible that less disturbed sediments may exist within the deeper layers of the vertical APE. Given the known cultural sensitivity of the APE and its vicinity, the City will implement the following condition of approval, which is a requirement of the Original Project IS-MND and will require archaeological monitoring. Archaeological monitoring is a standard condition for construction in the region and consistent with the expectations of the local tribes. Additionally, in the event of a post-review discovery during ground disturbance associated with the undertaking, the procedures under 36 CFR Part 800.13 should be followed by the federal lead agency. Furthermore, in the event that human remains are inadvertently encountered during implementation of the undertaking, they would be treated consistent with state and local regulations, including California Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98 (included below) and the California Code of Regulations Section 15064.5(e).

6.1 Archaeological Monitoring (Required by Original Project IS-MND)

On-site monitoring by a qualified archaeologist 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.

6.2 California Public Resources Code Section 5097.98

Section 5097.98 of the California Public Resources Code states that the NAHC, upon notification of the discovery of Native American human remains, pursuant to Health and Safety Code Section 7050.5, shall immediately notify those persons (i.e., the MLD) that it believes to be descended from the deceased. With permission of the landowner or a designated representative, the MLD may inspect the remains and any associated cultural materials and make recommendations for treatment or disposition of the remains and associated grave goods. The MLD shall provide recommendations or preferences for treatment of the remains and associated cultural materials within 48 hours of being granted access to the site.

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Appendix A

California Historical Resources Information System Records Search Results

Central Coast Information Center
Santa Barbara Museum of Natural History
2559 Puesta del Sol
Santa Barbara, CA 93105
PHONE (805) 682-4711 ext. 181
FAX (805) 682-3170
EMAIL ccic@sbnature2.org

3/12/2025 Records Search # 25-046

Josh Bevan
Rincon Consultants
180 N Ashwood Ave
Ventura, CA 93003

Re: San Jose Creek Fish Passage Project

The Central Coast Information Center received your record search request for the project area referenced above, located on the Goleta USGS 7.5' quad(s). The following reflects the results of the records search for the project area and a one-quarter mile radius:

As indicated on the data request form, the locations of reports and resources are provided in the following format: ☐ custom GIS maps ■ shapefiles ☐ hand-drawn maps ☐ none

Resources within project area:	Two: 42-041000; 42-041793
Resources within ¼ mile radius:	Seven: Please see Resources List
Reports within project area:	16: Please see Reports
Reports within ¼ mile radius:	10: Please see Report List

Resource Database Printout (list):	■ enclosed	☐ not requested	☐ nothing listed
Resource Database Printout (details):	☐ enclosed	■ not requested	☐ nothing listed
Resource Digital Database Records:	■ enclosed	☐ not requested	☐ nothing listed
Report Database Printout (list):	■ enclosed	☐ not requested	☐ nothing listed
Report Database Printout (details):	☐ enclosed	■ not requested	☐ nothing listed
Report Digital Database Records:	■ enclosed	☐ not requested	☐ nothing listed
Resource Record Copies:	■ enclosed	☐ not requested	☐ nothing listed
Report Copies:	■ enclosed	☐ not requested	☐ nothing listed
OHP Historic Properties Directory:	☐ enclosed	■ not requested	☐ nothing listed
Archaeological Determinations of Eligibility:	☐ enclosed	☐ not requested	■ nothing listed

The following sources of information are available at **http://ohp.parks.ca.gov/?page_id=28065**. Some of these resources used to be available through the CHRIS but because they are now online, they can be accessed directly. The Office of Historic Preservation makes no guarantees about the availability, completeness, or accuracy of the information provided through the sources listed below.

California State Lands Commission Shipwreck Database	*Caltrans Historic Bridge Inventory*
U.S. Geological Survey Historic Topographic Maps	*Rancho Plat Maps*
National Park Service National Register of Historic Places Nominations	*Natural Resource Conservation Service Soil Survey Maps*
US Bureau of Land Management General Land Office Records	*California Historical Landmarks Listing (by county)*
Five Views: An Ethnic Historic Site Survey for California (1988)	*Historical Soil Survey Maps*

Please forward a copy of any resulting reports from this project to the office as soon as possible. Due to the sensitive nature of archaeological site location data, we ask that you do not include resource location maps and resource location descriptions in your report if the report is for public distribution. If you have any questions regarding the results presented herein, please contact the office at the phone number listed above.

The provision of California Historical Resources Information System (CHRIS) data via this records search response does not in any way constitute public disclosure of records otherwise exempt from disclosure under the California Public Records Act or any other law, including, but not limited to, records related to archeological site information maintained by or on behalf of, or in the possession of, the State of California, Department of Parks and Recreation, State Historic Preservation Officer, Office of Historic Preservation, or the State Historical Resources Commission.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical resource management work in the search area. Additionally, Native American tribes have historical resource information not in the CHRIS Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

Should you require any additional information for the above referenced project, reference the record search number listed above when making inquiries. Requests made after initial invoicing will result in the preparation of a separate invoice.

Thank you for using the CHRIS.

Sincerely,

Aria James

Aria James
Assistant Coordinator

Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-42-002204	CA-SBA-002204	Agency Nbr - Sexton House; Agency Nbr - Sexton Place	Site	Historic	AH04; AH15	1988 (J. Brock, Archaeological Advisory Group, 1539 Monrovia Ave., Suite 11, Newport Beach, CA 92663-2806)	SR-00730, SR-01406
P-42-040467		OHP PRN - 3102-0632-9999; OHP PRN - 3102-0632-0001; OHP PRN - 3102-0632-0002; OHP PRN - 3102-0632-0003; OHP PRN - 3102-0632-0004; OHP PRN - 3102-0632-0005; OHP PRN - 3102-0632-0006; OHP PRN - 3102-0632-0007; OHP PRN - 3102-0632-0008; OHP PRN - 3102-0632-0009; OHP PRN - 3102-0632-0010; OHP PRN - 3102-0632-0011; OHP Property Number - 73063; OHP Property Number - 85842; OHP Property Number - 85843; OHP Property Number - 85844; OHP Property Number - 85845; OHP Property Number - 85846; OHP Property Number - 85847; OHP Property Number - 85848; OHP Property Number - 85849; OHP Property Number - 85850; OHP Property Number - 85851; OHP Property Number - 85852; Other - Circulating Pump Housing; Other - Concrete Cistern; Other - Concrete Retaining Wall and Steps; Other - Historic Grove; Other - Paved Driveway; Other - Polygonal Pool; Other - Pumphouse; Other - Rectangular Concrete Pool; Other - Sandstone Wall and Associated Walkways; Resource Name - Sexton House; Other - Sexton, Joseph and Lucy Foster House; Other - Sundial Platform	Building, Structure, Object, Site, District	Historic	HP02	2021 (Christine Lazzaretto, Molly Iker-Johnson, Robby Aranguren, Historic Resources Group)	

Resource List

Primary No.	Trinomial	Other IDs	Type	Age	Attribute codes	Recorded by	Reports
P-42-040999		Other - 469 Kellogg Way; Other - John Begg Family House; Other - Begg Farmhouse: Santa Barbara RV Storage	Building	Historic	HP02; HP33	2008; 2009	
P-42-041000		Other - 5544-5550 Holister Avenue; Other - Newland Property	Building	Historic	HP03	2006 (T. Hazeltine, Post/Hazeltine Associates)	SR-05410
P-42-041001		Other - 485 Kellogg Way	Building	Historic	HP02	2008	SR-05410
P-42-041002		Other - 560 Kellogg Avenue	Building	Historic	HP02	2008	SR-05410
P-42-041793		Resource Name - 5555 Hollister Ave; Other - Hill Homestead Witness Tree; Other - Blue Ox Steak House; Other - Butler Event Center; Other - Sizzler Steak House	Building	Historic	HP06	2021 (Christine Lazzaretto, Molly Iker-Johnson, Robby Aranguren, Historic Resources Group)	
P-42-041794		Resource Name - 5681 Hollister Ave; Other - Goleta Union School; Other - Goleta Valley Community Center	Building	Historic	HP15	2021 (Christine Lazzaretto, Molly Iker-Johnson, Robby Aranguren, Historic Resources Group)	
P-42-041799		Resource Name - 110 S Kellogg Ave; Other - Kellogg Ranch; Other - Kellogg Ranch & Condominiums	Building	Historic	HP02	2024 (Christine Lazzaretto, Molly Iker-Johnson, Robby Aranguren, Historic Resources Group)	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SR-00121		1979	Craig, S.	Cultural Resource Survey of the Proposed Minicar Corp. Development in Goleta, California (28 DP 35 log #2652)		
SR-00155		1980	Hoover, R.	Archaeological Reconnaissance Petkin Condominiums, Goleta		
SR-00203		1983	Stone, David	Phase I Archaeological Assessment for Fess Parker Fill Stockpiling Site	Santa Barbara County Resource Management Department	
SR-00216		1982	White, David	Cultural resources survey of the proposed new Southern California Edison Company Santa Barbara Service Center, Rancho La Goleta, Santa Barbara County, CA	Environmental and Regulatory Affairs Southern California Edison Company	
SR-00234		1980	Wilcoxon, Larry R.	An Archaeological Field Reconnaissance of Minicars' Development on Kellogg Avenue, Goleta, California (APN 71-090-02 & 03)	Archaeological Consultant	
SR-00246		1982	Wilcoxon, Larry R., Erlandson, Jon M., and Stone, David F.	Final Report Intensive Cultural Resources Survey for the Goleta Flood Protection Program Santa Barbara County, California	Archaeological Systems Management Inc	42-000001, 42-000041, 42-000042, 42-000043, 42-000044, 42-000046, 42-000048, 42-000049, 42-000052, 42-000054, 42-000056, 42-000057, 42-000060, 42-000061, 42-000062, 42-000063, 42-000064, 42-000067, 42-000137, 42-000143, 42-000169, 42-000562, 42-000589, 42-001158, 42-001203, 42-001207, 42-001548, 42-001550, 42-001556, 42-001568, 42-001569, 42-001570, 42-001588
SR-00730		1987	James Brock	Preliminary Archaeological Report on the Sexton Place, Goleta, California.	Anthropology Dept. University of California Santa Barbara	42-002204
SR-00730A		1993	James Brock and William Sawyer	Archaeology of the Joseph Sexton House, Goleta, California	Archaeological Advisory Group	
SR-01065		1990	Gibson, R. and Parsons, J.	Results of subsurface testing for the Pine Avenue storage yards project: soils geomorphology and archaeology		
SR-01067		1990	McClelland Consultants, Inc	Draft negative declaration, San Jose Creek flood control maintenance		
SR-01528		1979	Craig, S.	Re: Heyer Schulte Corporation Parking Lot and Building Extension Goleta, California		

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SR-01746		1967	Chartkoff, J.	Archaeological Resources on Fourteen Stream Channels in coastal Santa Barbara County, California	None Given	42-000020, 42-000021, 42-000022, 42-000023, 42-000024, 42-000027, 42-000028, 42-000033, 42-000034, 42-000044, 42-000045, 42-000046, 42-000047, 42-000048, 42-000049, 42-000055, 42-000056, 42-000060, 42-000062, 42-000063, 42-000066, 42-000137
SR-02004		1997	Wilcoxon, Larry R.	A Phase 1 Cultural Resource Evaluation For Three Segments of Pacific Lightwave Incorporated's Fiber Optic Cable Network In Santa Barbara County, Santa Barbara		
SR-02187		1996	SAIC	Phase 1 Archaeological Survey for Elements of the Goleta Old Town Revitalization Plan		42-000046, 42-001567, 42-001702
SR-02541		2000	Applied Earth Works	Historic Property Survey Report for Goleta Old Town Transportation Improvements, Santa Barbara County, CA		
SR-02690		2001	Dibble, D.S.	Records and Literature Search and Archaeological Survey for Proposed Old San Jose Creek Restoration Project	U.S. Army Corps of Engineers	
SR-04638		2010	Janet Wolf	Santa Barbara County Flood Control and Water Conservation District Flood Control Maintenance Activities in the Goleta Slough, Draft Subsequent EIR SCH No. 2000031092	Padre Associates	42-000045, 42-000046
SR-04704		2009	Leftwich, Brent	Historic Property Survey Report for the Ekwill Street and Fowler Road Extensions Project	URS Corporation	
SR-04721		2008	Stone, David	Phase 1 Archaeological Investigation ATK Space Systems Group Building Addition, 600 Pine Avenue, Goleta, California	Dudek	
SR-04793		2011	Maki, Mary	Phase I Archaeological Investigation of Aprroximately 4.2-Acres for the Kellogg Avenue Properties Project. 170 South Kellogg Avenue and 5580 Hollister Avenue, Goleta, Santa Barbara County, California (USGS 7.5' Goleta Quadrangle)	Conejo Archaeological Consultants	
SR-04826		2009	Drennan, Trisha	An Archaeological Inventory Survey, San Jose Creek Capacity Improvement Project, in the City of Goleta, Santa Barbara County, California	SAIC	
SR-04826A		2010	Aaron O. Allen	Subject: COE090213A	Department of the Army	

Report List

Report No.	Other IDs	Year	Author(s)	Title	Affiliation	Resources
SR-04905		2010	David Stone	Archaeological Resources Assessment, Concrete Recycling Facility, 903, 905, 907, & 909 South Kellogg Avenue, City of Goleta, California	Dudek	
SR-04949		2012	David Stone and Ken Victorino	Extended Phase 1 Archaeological Investigation, Lund Industrial Park Project, Technology Drive, Goleta, California	Dudek	
SR-05025		2009	Conway, Thor	An Archaeological Surface Survey and Updated Records Search for the Goleta Slough Flood Control Dredging Project, Goleta, Santa Barbara County, California	Heritage Discoveries Inc	42-000045, 42-000046, 42-001158, 42-001695
SR-05313		2014	Stone, David	Supplemental Extended Phase 1 Archaeological Investigation Old Town Village Mixed Use Project Kellogg Avenue/Ekwill Stret, Goleta, CA	DUDEK	
SR-05415		2013	Brent Leftwich	Report Confirming No Archaeological Resources: Subsurface Archaeological Testing Along the Fowler Road Extension Santa Barbara, California	URS	
SR-05415A		2013	Allison Jaqua	CCIC Letter	Central Coast Information Center	
SR-05415B		2013	None Given	Photographs	URS	
SR-05415C		2013	None given	Figures	National Geographic Society	
SR-05416		2014	Brent Leftwich and Craig Woodman	Historic Property Survey Report/ Archaeological Survey Report for the Hollister Avenue Bridge Replacement Project City of Goleta, County of Santa Barbara, California	URS Corporation	
SR-05416A		2014	none given	HSPSR Figures	URS Corporation	
SR-05416B		2013	Brent Leftwich and Craig Woodman	Appendix B Archaeological Survey Report for the Hollister Avenue Bridge Replacement Project, City of Goleta, County of Santa Barbara	URS Corporation	
SR-05416C		2013	Dave Singleton	Native American Consultation	Native American Heritage Commision, various	
SR-05416D		2009	Milford Wayne Donaldson	Appendix D: San Jose Creek Capacity Improvement and Fish Passage Project-SHPO Concurrence	Department of Parks and Recreation	

Appendix B

Sacred Lands File Search Results and Native American Outreach

NATIVE AMERICAN HERITAGE COMMISSION

CHAIRPERSON
Reginald Pagaling
Chumash

VICE-CHAIRPERSON
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EXECUTIVE SECRETARY
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Miwok, Nisenan

NAHC HEADQUARTERS
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov

March 27, 2024

Mary Pfeiffer
Rincon Consultants, Inc.

Via Email to: mpfeiffer@rinconconsultants.com

Re: San Jose Creek Fish Passage Project, Santa Barbara County

To Whom It May Concern:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the tribes on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Cody.Campagne@nahc.ca.gov.

Sincerely,

Cody Campagne

Cody Campagne
Cultural Resources Analyst

Attachment

Native American Heritage Commission
Native American Contact List
Santa Barbara County
3/27/2024

County	Tribe Name	Fed (F) Non-Fed (N)	Contact Person	Contact Address	Phone #	Fax #	Email Address	Cultural Affiliation	Counties	Last Updated
Santa Barbara	Barbareno Band of Chumash Indians	N	Barbara Lopez, Cultural Resource Chair	4764 Ashdale Street Santa Barbara, CA, 93110	(805) 689-9528		chumashangels@aol.com	Chumash	Santa Barbara	6/26/2023
	Barbareno Band of Chumash Indians	N	Eleanor Fishburn, Chairperson	PO Box 5687 Ventura, CA, 93005	(805) 701-3246		eleanor@spiritinthewind.net	Chumash	Santa Barbara	6/26/2023
	Barbareño/Ventureño Band of Mission Indians	N	Cultural Resource Committee,	P.O. Box 364 Ojai, CA, 93024	(805) 746-6685		CR@bvbmi.com	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	6/19/2023
	Chumash Council of Bakersfield	N	Julio Quair, Chairperson	729 Texas Street Bakersfield, CA, 93307	(661) 322-0121		chumashtribe@sbcglobal.net	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	
	Coastal Band of the Chumash Nation	N	Gabe Frausto, Chairman	P.O. Box 40653 Santa Barbara, CA, 93140	(805) 568-8063		fraustogabriel28@gmail.com	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	8/28/2023
	Northern Chumash Tribal Council	N	Violet Walker, Chairperson	P.O. Box 6533 Los Osos, CA, 93412	(760) 549-3532		violetsagewalker@gmail.com	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	6/5/2023
	Santa Ynez Band of Chumash Indians	F	Wendy Teeter, Cultural Resources Archaeologist	100 Via Juana Road Santa Ynez, CA, 93460	(805) 325-8630		wteeter@chumash.gov	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	7/6/2023
	Santa Ynez Band of Chumash Indians	F	Sam Cohen, Government & Legal Affairs Director	100 Via Juana Road Santa Ynez, CA, 93460			scohen@chumash.gov	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	7/6/2023
	Santa Ynez Band of Chumash Indians	F	Kelsie Mendoza, Elders' Council Administrative Assistant	100 Via Juana Road Santa Ynez, CA, 93460	(805) 325-5537		cmendoza@chumash.gov	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	2/27/2024
	Santa Ynez Band of Chumash Indians	F	Nakia Zavalla, Tribal Historic Preservation Officer	100 Via Juana Road Santa Ynez, CA, 93460			nzavalla@chumash.gov	Chumash	Kern,Los Angeles,San Luis Obispo,Santa Barbara,Ventura	7/6/2023

This list is current only as of the date of this document. Distribution of this list does not relieve any person of statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and section 5097.98 of the Public Resources Code.

This list is only applicable for consultation with Native American tribes under Public Resources Code Sections 21080.3.1 for the proposed San Jose Creek Fish Passage Project, Santa Barbara County.

Record: PROJ-2024-001728
Report Type: AB52 GIS
Counties: Santa Barbara
NAHC Group: All

San Jose Creek Fish Passage Project Native American Outreach

Contact List	Date Letter Sent	Date of Follow-up	Responses/Comments/Concerns
Barbareño Band of Chumash Indians Barbara Lopez, Cultural Resource Chair 4764 Ashdale Street Santa Barbara, California 93110 Via email: chumashangels@aol.com Phone: (805) 689-9528	3/11/2025 via email	3/21/25: called, no answer, left voicemail 4/4/25: called, no answer, left voicemail	3/21/25: Sent followup email 4/4/25: Sent followup email
Barbareño Band of Chumash Indians Eleanor Fishburn, Chairperson P.O. Box 5687 Ventura, California 93005 Via email: eleanor@spiritinthewind.net Phone: (805) 701-3246	3/11/2025 via email	3/21/25: called and spoke on the phone	3/21/25: Has not read the letter completely, but will respond this weekend. Noted that if its near a creek, there's a high chance of cultural sensitivity. Sent followup email. 3/31/25: Responded via email: 'I have reviewed the attached notice. If ground disturbance is going down 18' I am going to suggest native monitoring". Rincon responded via email on 4/1/25 confirming Chairpersons Fishburn's response.
Barbareño/Ventureño Band of Mission Indians Cultural Resource Committee P.O. Box 364 Ojai, CA 93024 Via email: CR@bvbmi.com Phone: (805) 746 - 6685	3/11/2025 via email	3/21/25: called, spoke on the phone with Chair Matthew Vestuto	3/21/25: Via phone, defers to Barbareno band of chumash Indians but would like to be contacted if they do not respond. Sent followup email.

Contact List	Date Letter Sent	Date of Follow-up	Responses/Comments/Concerns
Chumash Council of Bakersfield Julio Quair, Chairperson 729 Texas Street Bakersfield, CA, 93307 Via email: chumashtribe@sbcglobal.net Phone: (661) 322 - 0121	3/11/2025 via email *Note: email marked as undeliverable	3/21/25: called, phone disconnected, unable to leave voicemail 4/4/25: called, phone disconnected, unable to leave voicemail	3/21/25: unable to email as sent email gets marked as undeliverable 4/4/25: unable to email as sent email gets marked as undeliverable
Coastal Band of the Chumash Nation Gabe Frausto, Chairperson P.O. Box 40653 Santa Barbara, CA, 93140 Via email: fraustogabriel28@gmail.com Phone: (805) 568 - 8063	3/11/2025 via email	3/21/25: called, phone drops immediately upon dialing, unable to leave voicemail 4/4/25: called, phone drops immediately upon dialing, unable to leave voicemail	3/21/25: Sent followup email 4/4/25: Sent followup email
Northern Chumash Tribal Council Violet Walker, Chairperson P.O. Box 6533 Los Osos, CA, 93412 Via email: violetsagewalker@gmail.com Phone: (760) 549 - 3532	3/11/2025 via email		3/11/25: Responded via email "We would like to participate to learn and help you." Rincon emailed back on the same day confirming her request. Rincon responded via email on the same day to re-confirm Chairperson Walker's email.

Contact List	Date Letter Sent	Date of Follow-up	Responses/Comments/Concerns
Santa Ynez Band of Chumash Indians Wendy Teeter, Cultural Resources Archaeologist 100 Via Juana Road Santa Ynez, CA, 93460 Via email: wteeter@chumash.gov Phone: (805) 325-8630	3/11/2025 via email		See Zavalla's response below
Santa Ynez Band of Chumash Indians Sam Cohen, Government & Legal Affairs Director 100 Via Juana Road Santa Ynez, CA, 93460 Via email: scohen@chumash.gov	3/11/2025 via email		See Zavalla's response below
Santa Ynez Band of Chumash Indians Kelsie Mendoza, Elders' Council Administrative Assistant 100 Via Juana Road Santa Ynez, CA, 93460 Via email: cmendoza@chumash.gov Phone: (805) 325-5537	3/11/2025 via email		See Zavalla's response below

Contact List	Date Letter Sent	Date of Follow-up	Responses/Comments/Concerns
Santa Ynez Band of Chumash Indians Nakia Zavalla, Tribal Historic Preservation Officer 100 Via Juana Road Santa Ynez, CA, 93460 Via email: nzavalla@chumash.gov	3/11/2025 via email		3/11/2025: Cultural resources administrative assistant Aileena Diaz responded via email: We would like to have a formal consultation with regards to the above-mentioned project. Please contact Cultural Resources Archaeologist, Dr. Wendy Teeter at your convenience to schedule a date and time. Email is preferred, but phone works as well. Email: wteeter@chumash.gov ; Phone: (805) 325-8630. On 3/12/2025, Rincon responded confirming Ms. Diaz's email and stating that Dr. Teeter's information will be passed along to the lead agency.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Barbareño Band of Chumash Indians
Eleanor Fishburn, Chairperson
P.O. Box 5687
Ventura, California 93005
Phone: (805) 701-3246
Email: eleanor@spiritinthewind.net

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Honorable Chairperson Fishburn:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

The proposed undertaking includes modifications to the San Jose Creek flood control channel and a small portion of the upstream natural channel to allow for the successful passage of Southern California Steelhead through the channel. Project elements include the removal of existing timber wedges and wooden weirs, modification of existing permanent concrete weirs, addition of new weirs, modification of the existing trapezoidal channel near Hollister Avenue, and regrading of a 300-foot-long stretch of the upstream natural channel. Ground disturbance will reach a maximum of 18 feet.

The proposed undertaking requires a Clean Water Act Section 404 permit from the United States Army Corps of Engineers (USACE). As such, the project is considered a federal undertaking and is subject to review under Title 54 U.S.C. § 306108, commonly known as Section 106 of the National Historic Preservation Act (Section 106), and its implementing regulations found at 36 CFR §800, with USACE acting as the lead federal agency. Additionally, the Sacred Lands File search conducted with the Native American Heritage Commission for the undertaking was positive for cultural resources. Rincon is seeking your assistance with the identification of cultural resources of significance that may be within the APE. This letter is not intended to constitute formal consultation under Section 106; formal Section 106 consultation will be completed by the USACE.

If you or your organization has any knowledge or specific concerns regarding cultural resources in the APE or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you for your assistance.

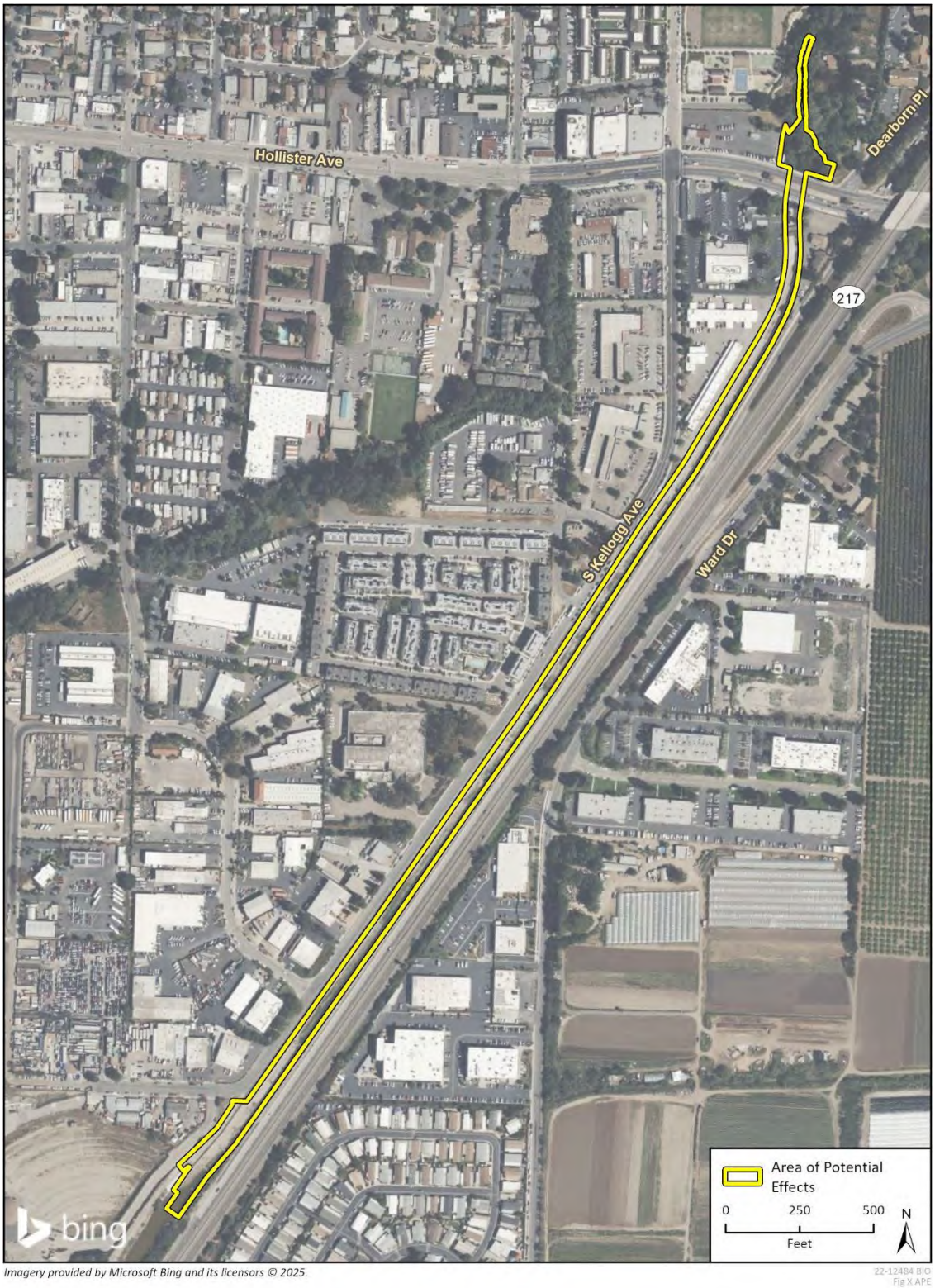
Sincerely,
Rincon Consultants, Inc.



Laura Maldonado, MA, RPA
Archaeologist

Enclosed: Figure 1, Area of Potential Effects Map

Figure 1 Area of Potential Effects Map*



*The San Jose Creek flood control channel, and therefore the APE, runs below Hollister Avenue. No portion of Hollister Avenue would be physically altered by the undertaking.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Barbareño Band of Chumash Indians
Barbara Lopez, Cultural Resources Chair
4764 Ashdale Street
Santa Barbara, California 93110
Phone: (805) 689-9528
Email: chumashangels@aol.com

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Dear Ms. Lopez:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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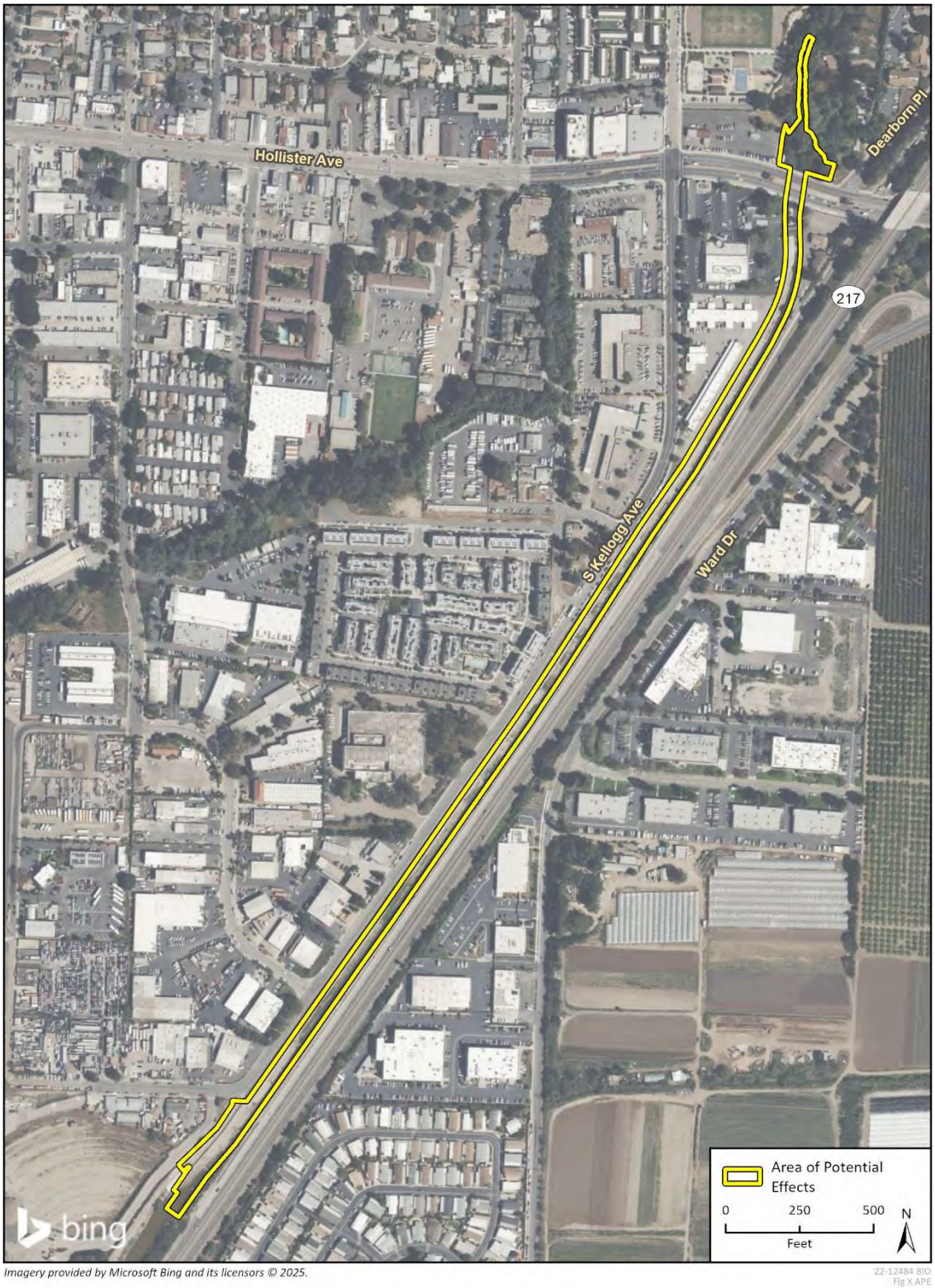
Sincerely,
Rincon Consultants, Inc.



Laura Maldonado, MA, RPA
Archaeologist

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Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Barbareño/Ventureño Band of Mission Indians
Cultural Resource Committee
P.O. Box 364
Ojai, CA 93024
Email: CR@bvbmi.com

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

To the Cultural Resource Committee:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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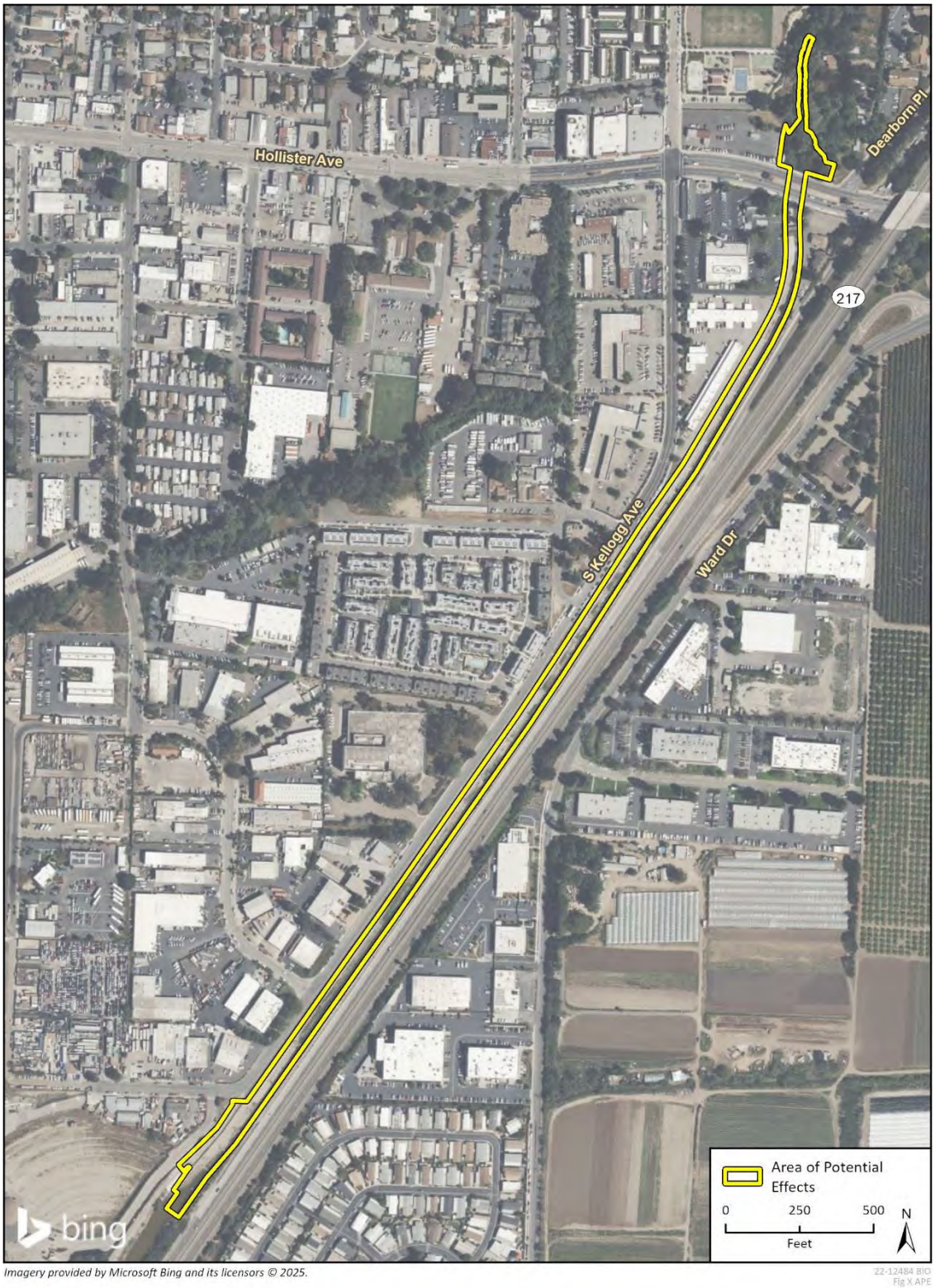
Sincerely,
Rincon Consultants, Inc.



Laura Maldonado, MA, RPA
Archaeologist

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Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Coastal Band of the Chumash Nation
Gabe Frausto, Chairperson
P.O. Box 40653
Santa Barbara, California
Phone: (805) 568-8063
Email: fraustogabriel28@gmail.com

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Honorable Chairperson Frausto:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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If you or your organization has any knowledge or specific concerns regarding cultural resources in the APE or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you for your assistance.

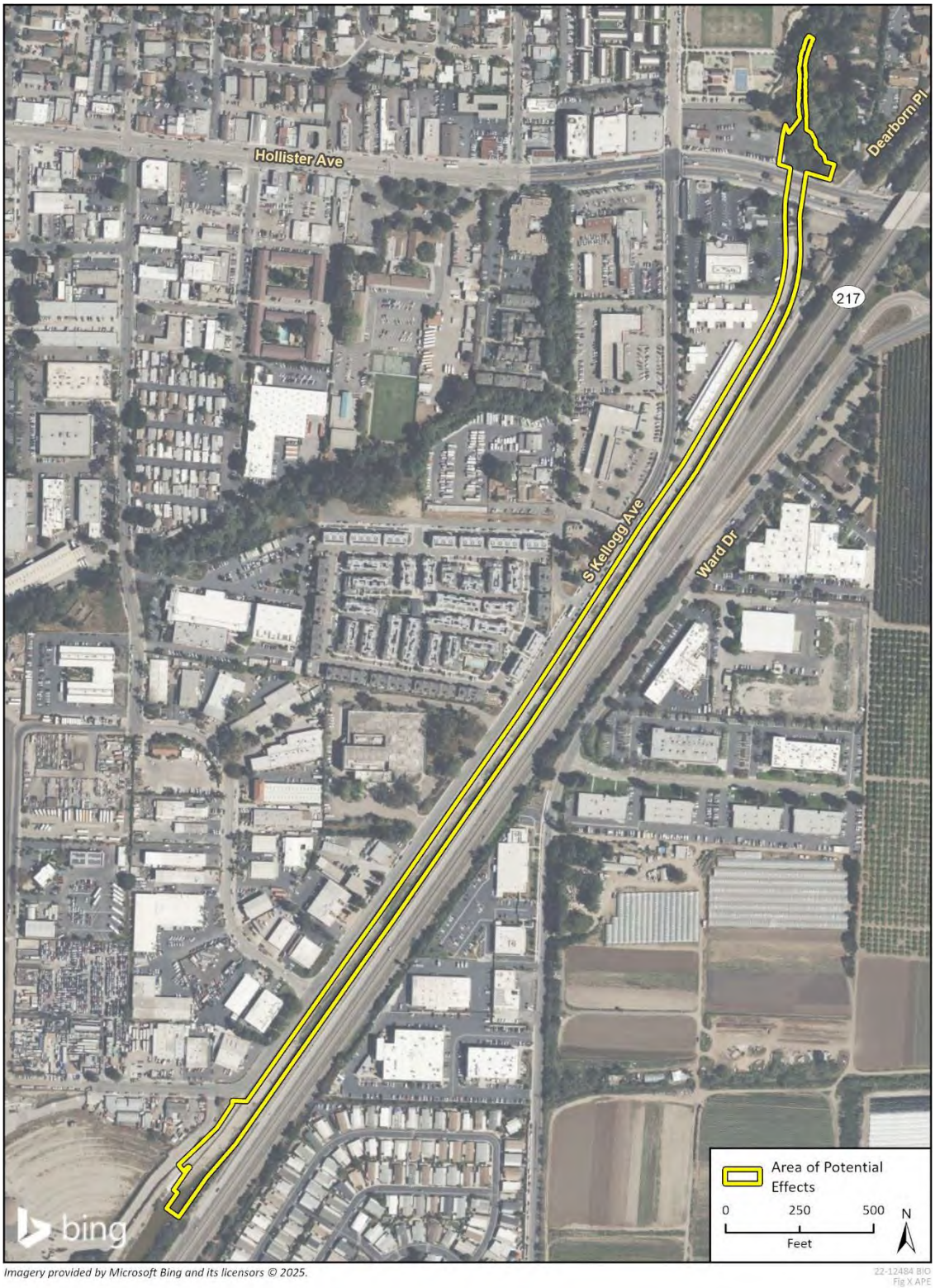
Sincerely,
Rincon Consultants, Inc.



Laura Maldonado, MA, RPA
Archaeologist

Enclosed: Figure 1, Area of Potential Effects Map

Figure 1 Area of Potential Effects Map*



*The San Jose Creek flood control channel, and therefore the APE, runs below Hollister Avenue. No portion of Hollister Avenue would be physically altered by the undertaking.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Chumash Council of Bakersfield
Julio Quair, Chairperson
729 Texas Street
Bakersfield, California
Phone: (661) 322-0121
Email: CR@bvbmi.com

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Honorable Chairperson Quair:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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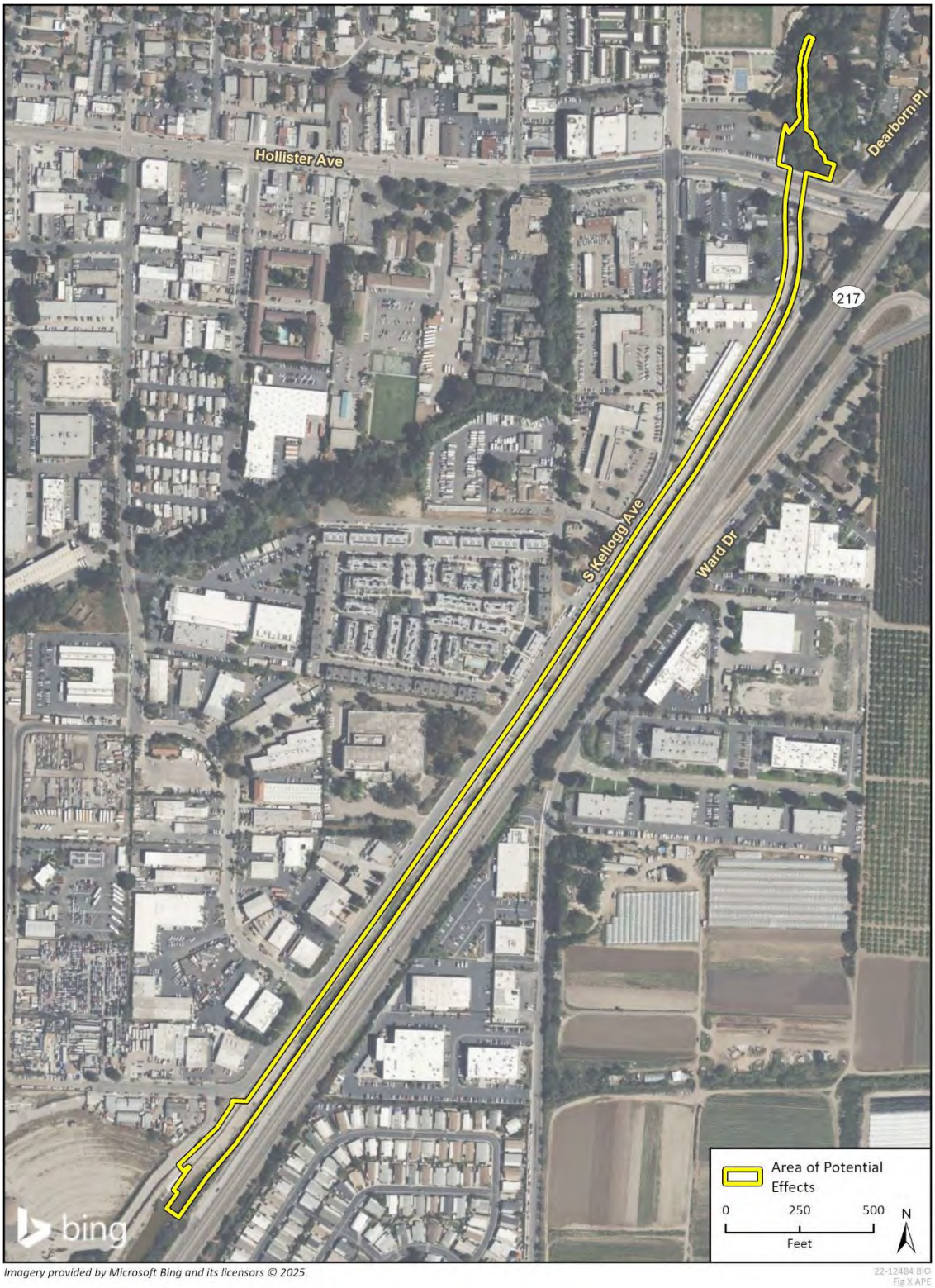
Sincerely,
Rincon Consultants, Inc.



Laura Maldonado, MA, RPA
Archaeologist

Enclosed: Figure 1, Area of Potential Effects Map

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Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Northern Chumash Tribal Council
Violet Walker, Chairperson
P.O. Box 6533
Los Osos, California 93412
Phone: (760) 549-3532
Email: violetsagewalker@gmail.com

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Honorable Chairperson Walker:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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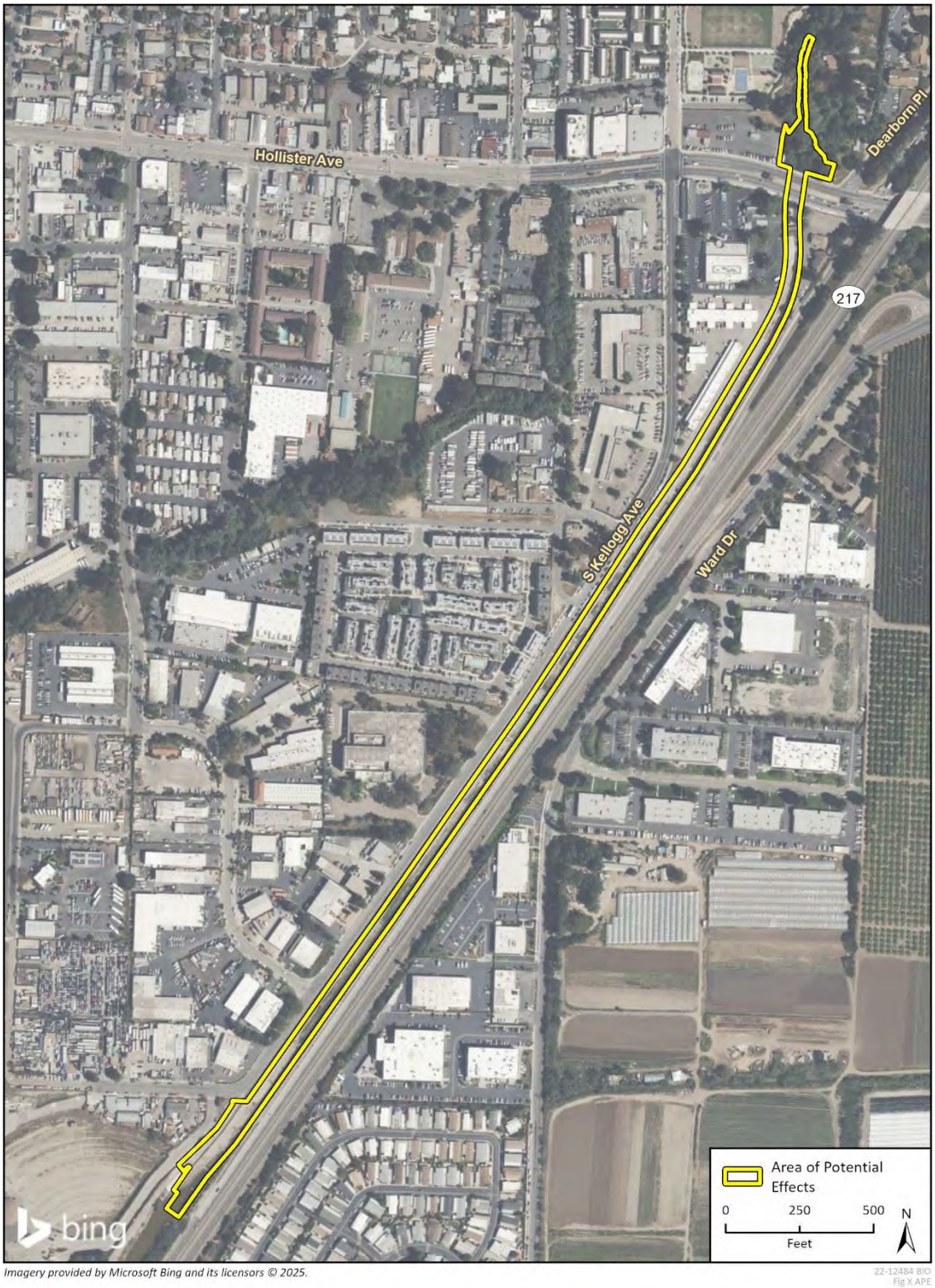
Sincerely,
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Archaeologist

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Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Santa Ynez Band of Chumash Indians
Sam Cohen, Government & Legal Affairs Director
100 Via Juana Road
Santa Ynez, California 93460
Email: scohen@chumash.gov

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Dear Mr. Cohen:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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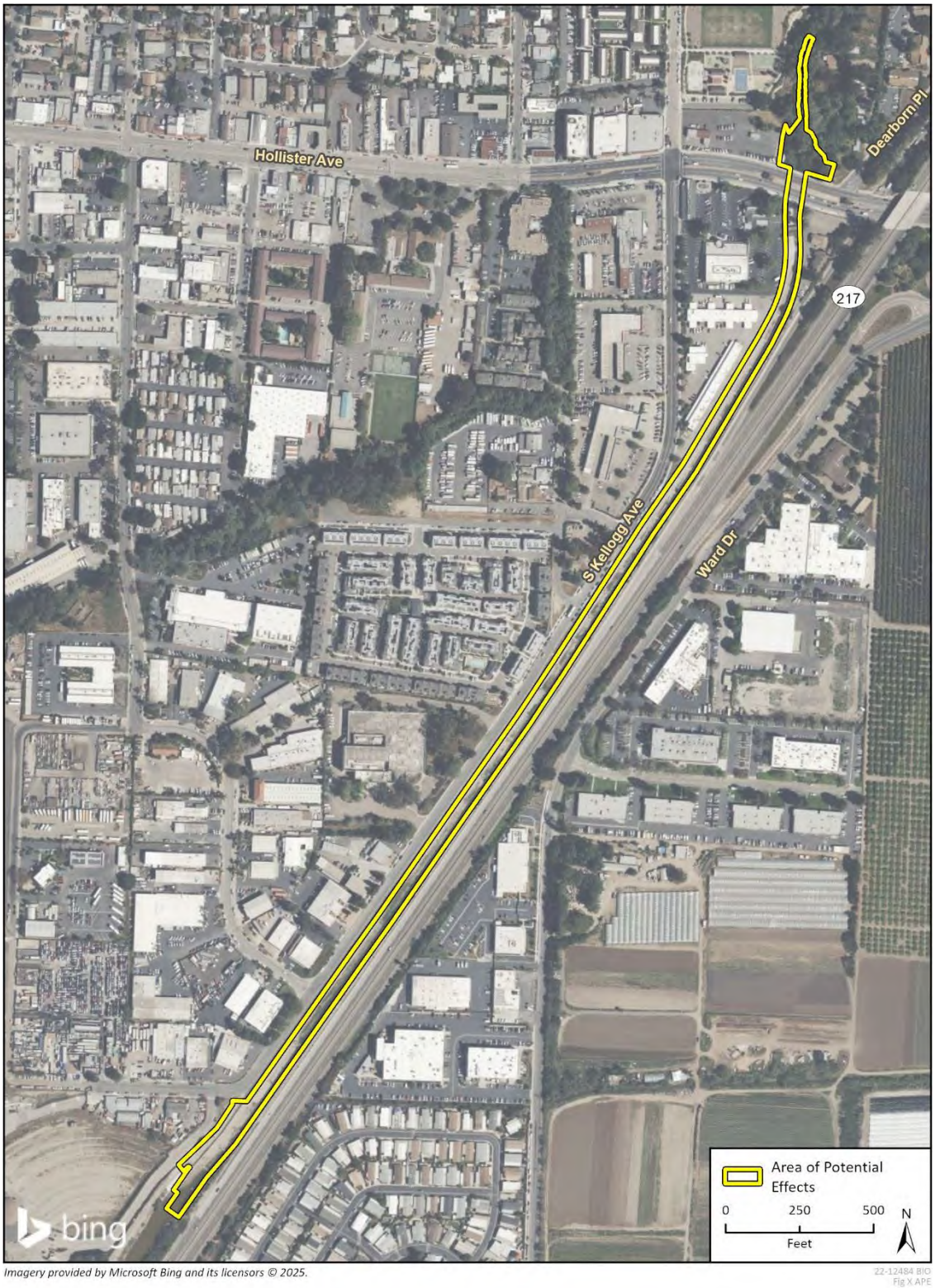
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319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Santa Ynez Band of Chumash Indians
Kelsie Mendoza, Elders' Council Administrative Assistant
100 Via Juana Road
Santa Ynez, California 93460
Phone: (805) 325-5537
Email: cmenodoza@chumash.gov

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Dear Ms. Mendoza:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project (undertaking) located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California. The area of potential effects (APE) is within the Goleta 7.5' United States Geographical Survey (USGS) topographic quadrangle within Sections 09 and 16 of Township 04 North, Range 28 West (Figure 1).

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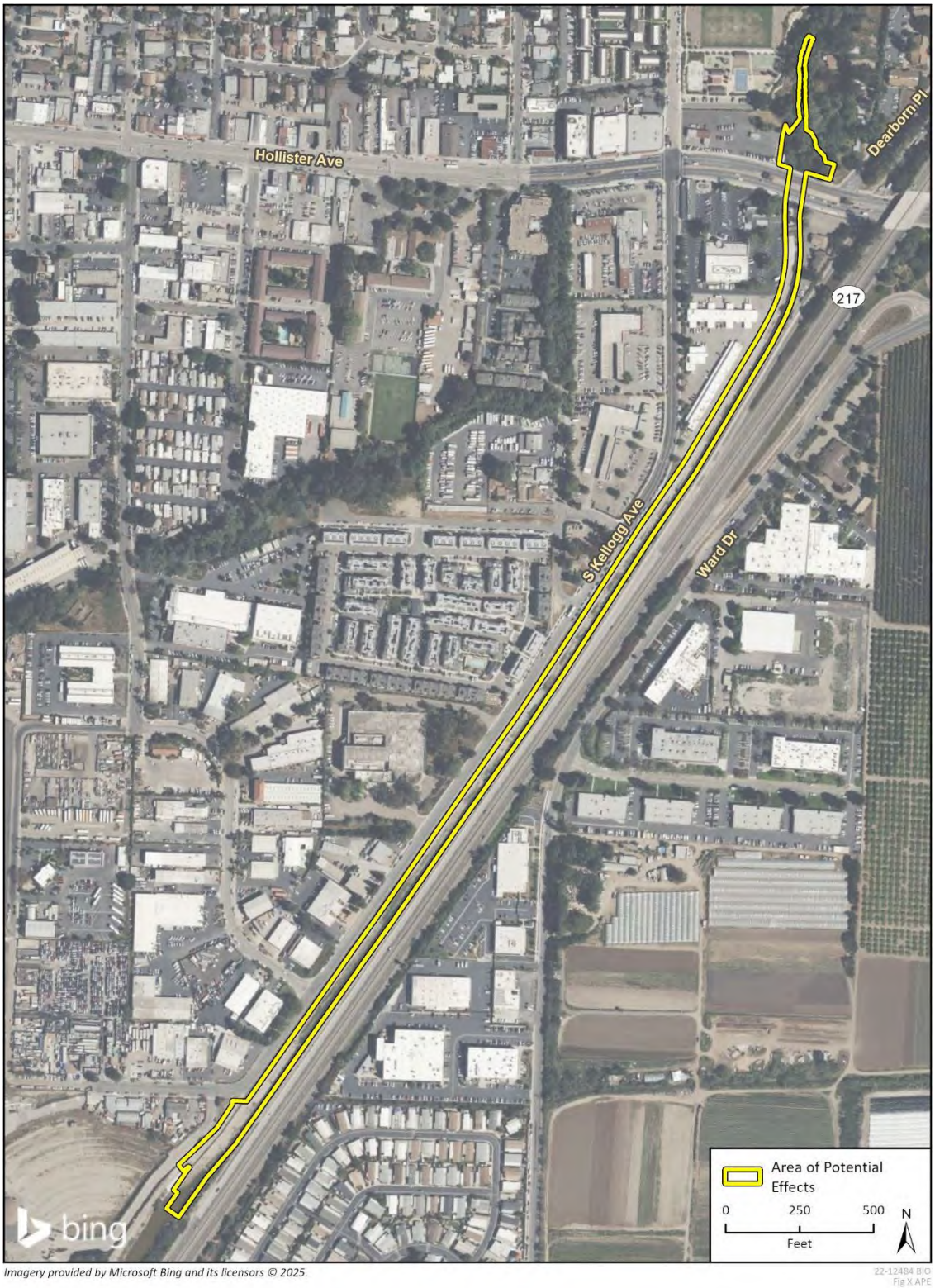
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Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Santa Ynez Band of Chumash Indians
Wendy Teeter, Cultural Resources Archaeologist
100 Via Juana Road
Santa Ynez, California 93460
Phone: (805) 325-8630
Email: wteeter@chumash.gov

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Dear Ms. Teeter:

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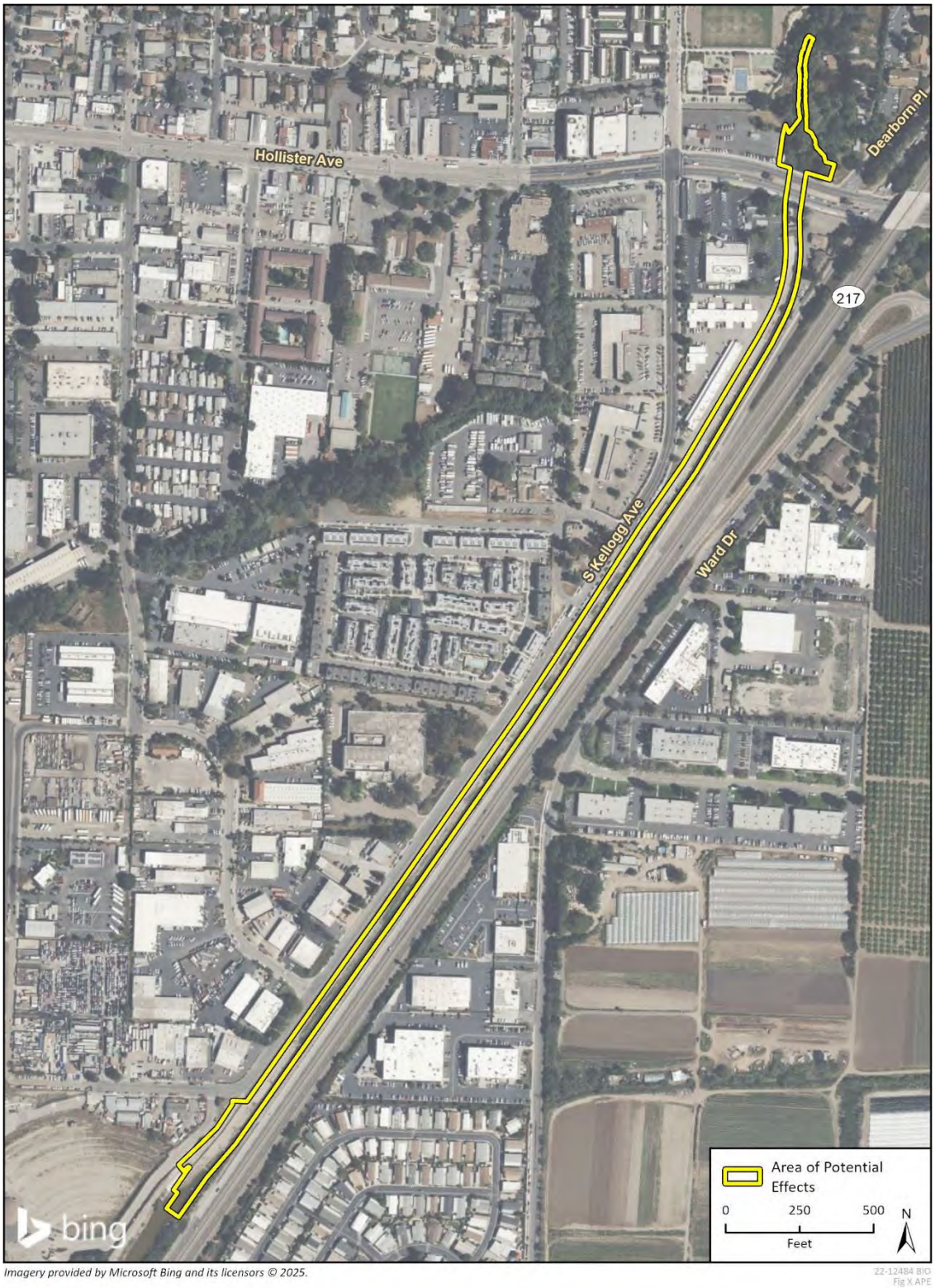
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Archaeologist

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319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Santa Ynez Band of Chumash Indians
Nakia Zavalla, Tribal Historic Preservation Officer
100 Via Juana Road
Santa Ynez, California 93460
Email: nzavalla@chumash.gov

RE: Native American Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California

Dear Ms. Zavalla:

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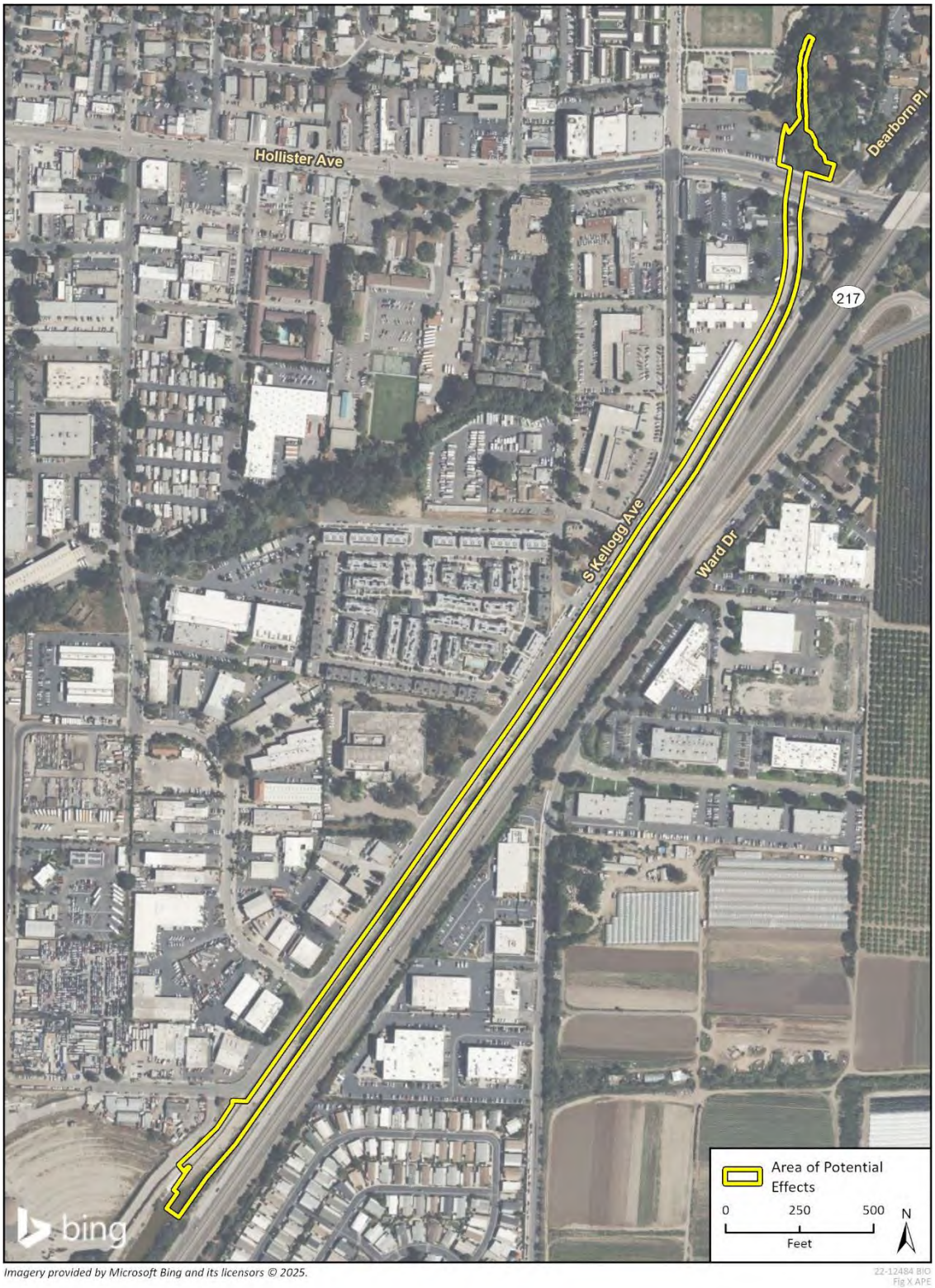
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Laura Maldonado, MA, RPA
Archaeologist

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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:44 AM
To: nzavalla@chumash.gov
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: SYBCI_Zavalla.pdf

Good morning Ms. Zavalla,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



RINCON CONSULTANTS, INC. SINCE 1994

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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:43 AM
To: eleanor@spiritinthewind.net
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: BBCI_Fishburn.pdf

Honorable Chairperson Fishburn,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:44 AM
To: wteeter@chumash.gov
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: SYBCI_Teeter.pdf

Good morning Ms. Teeter,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:44 AM
To: Crystal Mendoza
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: SYBCI_Mendoza.pdf

Good morning Ms. Mendoza,

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Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:44 AM
To: scohen@chumash.gov
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: SYBCI_Cohen.pdf

Good morning Mr. Cohen,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:44 AM
To: chumashtribe@sbcglobal.net
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: CCB_Quair.pdf

Honorable Chairperson Quair,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: Violet Sage Walker
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: NCTC_Walker.pdf

Honorable Chairperson Walker,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: fraustogabriel28@gmail.com
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: CBCN_Frausto.pdf

Honorable Chairperson Frausto,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: chumashangels@aol.com
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: BBCI_Lopez.pdf

Good morning Ms. Lopez,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: CR@bvbmi.com
Cc: Rachel Perzel; Leanna Flaherty
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: BVBMI.pdf

To the Cultural Resource Committee,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Kelsey Collins
Sent: Tuesday, March 11, 2025 9:49 AM
To: Laura Maldonado; Admin_Support at Rincon Consultants, Inc.
Cc: Rachel Perzel; Leanna Flaherty
Subject: Re: Mail for 22-12484 City of Goleta San Jose Creek Fish Passage Permitting Native American Outreach

Hey Laura,

I will get the attached document printed and sent out before the end of the day.

Best,

Kelsey Collins, Senior Administrative Specialist
805-644-4455 Main | 805-696-2152 Direct
kccollins@rinconconsultants.com

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From: Laura Maldonado <lmaldonado@rinconconsultants.com>
Sent: Tuesday, March 11, 2025 9:43 AM
To: Admin_Support at Rincon Consultants, Inc. <Admin_Support@rinconconsultants.com>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Mail for 22-12484 City of Goleta San Jose Creek Fish Passage Permitting Native American Outreach

Greetings Admin Support,
Can someone please help me send a physical snail-mail copy of the PDF letter attached? The address will be to:

Chumash Council of Bakersfield
Julio Quair, Chairperson
729 Texas Street
Bakersfield, CA, 93307

Please let me know if you have any questions, thanks!

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Laura Maldonado

From: Microsoft Outlook
To: chumashtribe@sbcglobal.net
Sent: Tuesday, March 11, 2025 7:45 AM
Subject: Undeliverable: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

alph740.prodigy.net rejected your message to the following email addresses:

chumashtribe@sbcglobal.net (chumashtribe@sbcglobal.net)
There's a problem with the recipient's mailbox. Please try resending your message. If the problem continues, please contact your email admin.

alph740.prodigy.net gave this error:
<chumashtribe@sbcglobal.net>... Addressee unknown, relay=[40.107.93.94]

Diagnostic information for administrators:

Generating server: DM4PR12MB6616.namprd12.prod.outlook.com
Total retry attempts: 1

chumashtribe@sbcglobal.net
alph740.prodigy.net
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Original message headers:


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From: Laura Maldonado <lmaldonado@rinconconsultants.com>
To: "chumashtribe@sbcglobal.net" <chumashtribe@sbcglobal.net>
CC: Rachel Perzel <rperzel@rinconconsultants.com>, Leanna Flaherty
        <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in
 Goleta, CA
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 Goleta, CA
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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 9:27 AM
To: Violet Sage Walker
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: [EXT] Re: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Greetings,
Thank you so much for your response to our outreach on this Project. We will be sure to note that you are interested in consultation and pass on your infomation to the lead federal agency involved.
In the meantime, please let me know if you have any questions, or if you have any information regarding cultural resources within the APE that we should be aware of as we prepare the cultural resources study. You can reach out to me via this email or by calling my direct line (805) 869-1323.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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From: Violet Sage Walker <violetsagewalker@gmail.com>
Sent: Tuesday, March 11, 2025 7:49 AM
To: Laura Maldonado <lmaldonado@rinconconsultants.com>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: [EXT] Re: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Thank you for the information. We would like to participate to learn and help you.

On Tue, Mar 11, 2025, 7:44 AM Laura Maldonado <lmaldonado@rinconconsultants.com> wrote:

> Honorable Chairperson Walker,
>
> Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.

Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Wednesday, March 12, 2025 7:35 AM
To: Aileena Diaz
Cc: CRM Consultation; Nakia Zavalla; Wendy Teeter; Leanna Flaherty; Rachel Perzel; Edgar Alvarez
Subject: RE: [EXT] FW: {EXTERNAL} Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning Aileena,
Thank you so much for your response to our outreach on this Project. We will be sure to note that you are interested in consultation and pass along Dr. Wendy Teeter's information to the lead federal agency involved. In the meantime, please let me know if you have any additional questions or concerns. Thank you.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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From: Aileena Diaz <aildiaz@chumash.gov>
Sent: Tuesday, March 11, 2025 1:18 PM
To: Laura Maldonado <lmaldonado@rinconconsultants.com>
Cc: CRM Consultation <CRMConsultation@chumash.gov>; Nakia Zavalla <NZavalla@chumash.gov>; Wendy Teeter <wteeter@chumash.gov>; Leanna Flaherty <lflaherty@rinconconsultants.com>; Rachel Perzel <rperzel@rinconconsultants.com>; Edgar Alvarez <ealvarez@chumash.gov>
Subject: [EXT] FW: {EXTERNAL} Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Greetings,

Thank you for contacting the Tribal Elders' Council for the Santa Ynez Band of Chumash Indians.

We would like to have a formal consultation with regards to the above-mentioned project.

Please contact Cultural Resources Archaeologist, Dr. Wendy Teeter at your convenience to schedule a date and time. Email is preferred, but phone works as well.

Email: wteeter@chumash.gov ; Phone: (805) 325-8630

Thank you for your time and attention to this matter.

Respectfully,
Aileena

Aileena Diaz
Cultural Resources Administrative Assistant

Santa Ynez Band of Chumash Indians
Physical Address: Santa Ynez Chumash Cultural Resources Management Office| 3513 Numancia Unit 101, Santa Ynez, CA 93460
Mailing Address: P.O. Box 517, Santa Ynez, CA
Cell: 805-944-8863

From: Laura Maldonado <lmaldonado@rinconconsultants.com>
Sent: Tuesday, March 11, 2025 7:43:46 AM
To: Nakia Zavalla <NZavalla@chumash.gov>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: {EXTERNAL} Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning Ms. Zavalla,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)

805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Caution: This message is from an EXTERNAL source. Please report suspicious messages by clicking the "Phish Alert Report" button.

Laura Maldonado

From: Laura Maldonado
Sent: Friday, March 21, 2025 12:57 PM
To: fraustogabriel28@gmail.com
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: CBCN_Frausto.pdf

Honorable Chairperson Frausto,
I am following up in regards to the San Jose Creek Fish Passage Project in Goleta, CA. A letter was emailed to you on March 11, 2025 with further information. I am attaching the letter to this email for your convenience.
I attempted to call you this afternoon but was unable to leave a voice-mail. If you or your organization has any knowledge or concerns regarding cultural resources in the project area or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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---

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: fraustogabriel28@gmail.com
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Honorable Chairperson Frausto,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
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805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Laura Maldonado

From: Laura Maldonado
Sent: Friday, March 21, 2025 12:56 PM
To: CR@bvbmi.com
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good afternoon Chair Vestuto,
Thank you for speaking with me over the phone today regarding the San Jose Creek Fish Passage Project in Goleta, CA. I have noted that you defer to the Barbareño Band of Chumash Indians, but you would like to be contacted if they do not respond. If you have any additional questions or comments, you can reach me at 805-869-1323 or by responding to this email. Thank you.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: CR@bvbmi.com
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

To the Cultural Resource Committee,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Laura Maldonado

From: Laura Maldonado
Sent: Friday, March 21, 2025 12:52 PM
To: 'eleanor@spiritinthewind.net'
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: BBCI_Fishburn.pdf

Honorable Chairperson Fishburn,
Thank you for speaking with me earlier this afternoon regarding the San Jose Creek Fish Passage Project in Goleta, CA.
A letter was emailed to you on March 11, 2025 with further information, and I am attaching the letter to this email for your convenience. As I mentioned over the phone, please feel free to reach out with any questions or concerns about the project. Thank you and have a great weekend.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:43 AM
To: eleanor@spiritinthewind.net
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Honorable Chairperson Fishburn,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

Laura Maldonado

From: Laura Maldonado
Sent: Friday, March 21, 2025 12:45 PM
To: 'chumashangels@aol.com'
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: BBCI_Lopez.pdf

Good afternoon Ms. Lopez,
I am following up in regards to the San Jose Creek Fish Passage Project in Goleta, CA. A letter was emailed to you on March 11, 2025 with further information. I am attaching the letter to this email for your convenience.
I attempted to call you this afternoon, and I left a voice-mail. If you or your organization has any knowledge or concerns regarding cultural resources in the project area or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you,

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
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lmaldonado@rinconconsultants.com

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From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: chumashangels@aol.com
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning Ms. Lopez,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, April 1, 2025 9:18 AM
To: 'Eleanor Fishburn (nee Arellanes)'
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: [EXT] Re: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning Chairperson Fishburn,
Thank you so much for your response. I will note down that you suggest native monitoring based on the depth of excavation for this project. Should you have additional questions or concerns, feel free to reach out to me by phone or this email address.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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From: Eleanor Fishburn (nee Arellanes) <eleanor@spiritinthewind.net>
Sent: Monday, March 31, 2025 2:31 PM
To: Laura Maldonado <lmaldonado@rinconconsultants.com>
Subject: [EXT] Re: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Thank you Laura,

I have reviewed the attached notice. If ground disturbance is

going down 18' I am going to suggest native monitoring. If you would like to discuss this further, please reach out to me.

Eleanor

Eleanor Fishburn (nee Arellanes)

On Fri, Mar 21, 2025 at 12:51 PM Laura Maldonado <lmaldonado@rinconconsultants.com> wrote:

> Honorable Chairperson Fishburn,
> Thank you for speaking with me earlier this afternoon regarding the San Jose Creek Fish Passage Project in Goleta, CA.
>
> A letter was emailed to you on March 11, 2025 with further information, and I am attaching the letter to this email for your convenience. As I mentioned over the phone, please feel free to reach out with any questions or concerns about the project. Thank you and have a great weekend.
>
> Respectfully,
>
> **Laura Maldonado, MA, RPA, Archaeologist**
> (*She/Her/Hers*)
>
> 805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
> lmaldonado@rinconconsultants.com
>
> rincon | CELEBRATING 30 YEARS
> RINCON CONSULTANTS, INC. SINCE 1994

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From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:43 AM
To: eleanor@spiritinthewind.net
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Honorable Chairperson Fishburn,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.

Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)

805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Friday, April 4, 2025 1:16 PM
To: fraustogabriel28@gmail.com
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: CBCN_Frausto.pdf

Honorable Chairperson Frausto,
I am following up in regards to the San Jose Creek Fish Passage Project in Goleta, CA. A letter was emailed to you on March 11, 2025 with further information. I am attaching the letter to this email for your convenience.
I attempted to call you this afternoon but was unable to leave a voice-mail. If you or your organization has any knowledge or concerns regarding cultural resources in the project area or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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From: Laura Maldonado
Sent: Friday, March 21, 2025 12:57 PM
To: fraustogabriel28@gmail.com
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Honorable Chairperson Frausto,
I am following up in regards to the San Jose Creek Fish Passage Project in Goleta, CA. A letter was emailed to you on March 11, 2025 with further information. I am attaching the letter to this email for your convenience.
I attempted to call you this afternoon but was unable to leave a voice-mail. If you or your organization has any knowledge or concerns regarding cultural resources in the project area or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you.

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From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: fraustogabriel28@gmail.com
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Honorable Chairperson Frausto,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Laura Maldonado

From: Laura Maldonado
Sent: Friday, April 4, 2025 1:12 PM
To: 'chumashangels@aol.com'
Cc: Rachel Perzel; Leanna Flaherty
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: BBCI_Lopez.pdf

Good afternoon Ms. Lopez,
I am following up in regards to the San Jose Creek Fish Passage Project in Goleta, CA. A letter was emailed to you on March 11, 2025 with further information. I am attaching the letter to this email for your convenience.
I attempted to call you this afternoon, and I left a voice-mail. If you or your organization has any knowledge or concerns regarding cultural resources in the project area or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you,

Respectfully,

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---

From: Laura Maldonado
Sent: Friday, March 21, 2025 12:45 PM
To: 'chumashangels@aol.com' <chumashangels@aol.com>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good afternoon Ms. Lopez,
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Respectfully,

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From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:45 AM
To: chumashangels@aol.com
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Leanna Flaherty <lflaherty@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning Ms. Lopez,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA.
Please let me know if you have any questions or concerns.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Appendix C

Local Interested Party Outreach

Table 1 Interested Party Outreach

Interested Party Contact	Rincon Coordination Efforts	Response to Coordination Efforts
Goleta Valley Historical Society 304 N. Los Carneros Road Goleta, California 93117 Att: Lisa Potter, Director of Operations info@goletahistory.org (805) 681-7216	**3/11/2025:** Letter sent via e-mail.	3/11/25: Responded via email: I will look into this and get back to you. Responded again on the same day: Judging by the images you shared with us, it wouldn't conflict with any historical buildings in or perview. As you know, the city of Goleta has a historical preservation committee. It would also serve you well to check in with them. Please let us know if there is anything else we can help you with. On 3/12/2025, Rincon responded via email reconfirming Ms. Potter's comment. Rincon also sent the City of Goleta Historic Preservation Commission a copy of the letter.
City of Goleta Historic Preservation Commission 130 Cremona Drive Goleta, California 93117 Att: Lisa Prasse, planning Manager lprasse@cityofgoleta.org	**3/12/2025:** Letter sent via e-mail. 4/4/2025: Followup email sent to GHPC	3/12/25: Ms. Prasse responded via email: When you state "in the vicinity" do you have a radius/distance in mind? Rincon clarified via email shortly after receiving email.
County of Santa Barbara Historic Landmarks Advisory Commission 123 East Anapamu Street Santa Barbara, California 93101 Attn: Jonathan Martin, Board Assistant martinj@countyofsb.org (805) 568-2000	**3/11/2025:** Letter sent via e-mail.	3/18/25: Chair Keith Coffman-Grey responded via email: "Recently I received your letter concerning the San Jose Creek Passage Project in Goleta California. I went over the project with our Vice-Chair, Ron Nye and we did not see any known historic properties or other cultural resources in the proposed project area or its vicinity. Thank you for reaching out to us for input on this project."

Interested Party Contact	Rincon Coordination Efforts	Response to Coordination Efforts
Santa Barbara Trust for Historic Preservation 123 East Canon Perdido Street, Santa Barbara, California 93101 Att: Michael H. Imwalle, Assistant Executive Director of Cultural Resources archlab@sbthp.org (805) 961-5374	**3/11/2025:** Letter sent via e-mail.	3/11/2025: Imawalle responded via email: The San Jose Winery (Santa Barbara County Landmark NO. 25) is located west of San Jose Creek approximately 1.7 miles north of the northern terminus of you project area. The San Jose Winery is housed in an adobe. The San Jose Winery was a Rancho of Mission Santa Barbara. It is located at 5320 Vineyard Road, Santa Barabara, 93111 (see attached). It does not appear to be affected by the proposed Fish Passage Project. I am not aware of any other historic resources within the vicinity of the proposed APE. Thans for giving the Santa Barbara Trust for Historic Preservation the opportunity to comment on this.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Goleta Valley Historical Society
304 North Los Carneros Road
Goleta, California 93117
Att: Lisa Potter, Director of Operations

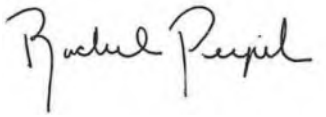
Subject: **Interested Party Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California**

Dear Ms. Potter:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California (project/undertaking). The project necessitates a permit from the United States Army Corps of Engineers (USACE) and is therefore considered a federal undertaking and is subject to Section 106 of the National Historic Preservation Act (Section 106) with the USACE acting as the lead federal agency. The proposed undertaking includes modifications to the San Jose Creek flood control channel and a small portion of the upstream natural channel to allow for the successful passage of Southern California Steelhead through the channel. Project elements include the removal of existing timber wedges and wooden weirs, modification of existing permanent concrete weirs, addition of new weirs, modification of the existing trapezoidal channel near Hollister Avenue, and regrading of a 300-foot-long stretch of the upstream natural channel.

In accordance with 36 Code of Federal Regulations (CFR) Part 800, an Area of Potential Effects (APE) has been established for the undertaking. The APE encompasses all areas where project-related activities will occur, including staging and access areas (Figure 1). As a component of the cultural resources study, in support of Section 106, Rincon is reaching out to interested parties to request input on potential or known historic properties or other cultural resources in the project area or its vicinity. In conformance with Section 106, we are in the initial phase, “identify[ing] historic properties potentially affected by the undertaking” (36 CFR Part 880.1 a). Rincon is currently working to identify potential cultural resource issues associated with the proposed project. Formal consultation in compliance with Section 106 will be undertaken by the USACE as necessary. If you or your organization has knowledge of, or specific concerns regarding cultural resources with the potential to be affected by the project as described, please respond by telephone at (805) 947-4817 or by email to rperzel@rinconconsultants.com. Thank you for your time and assistance.

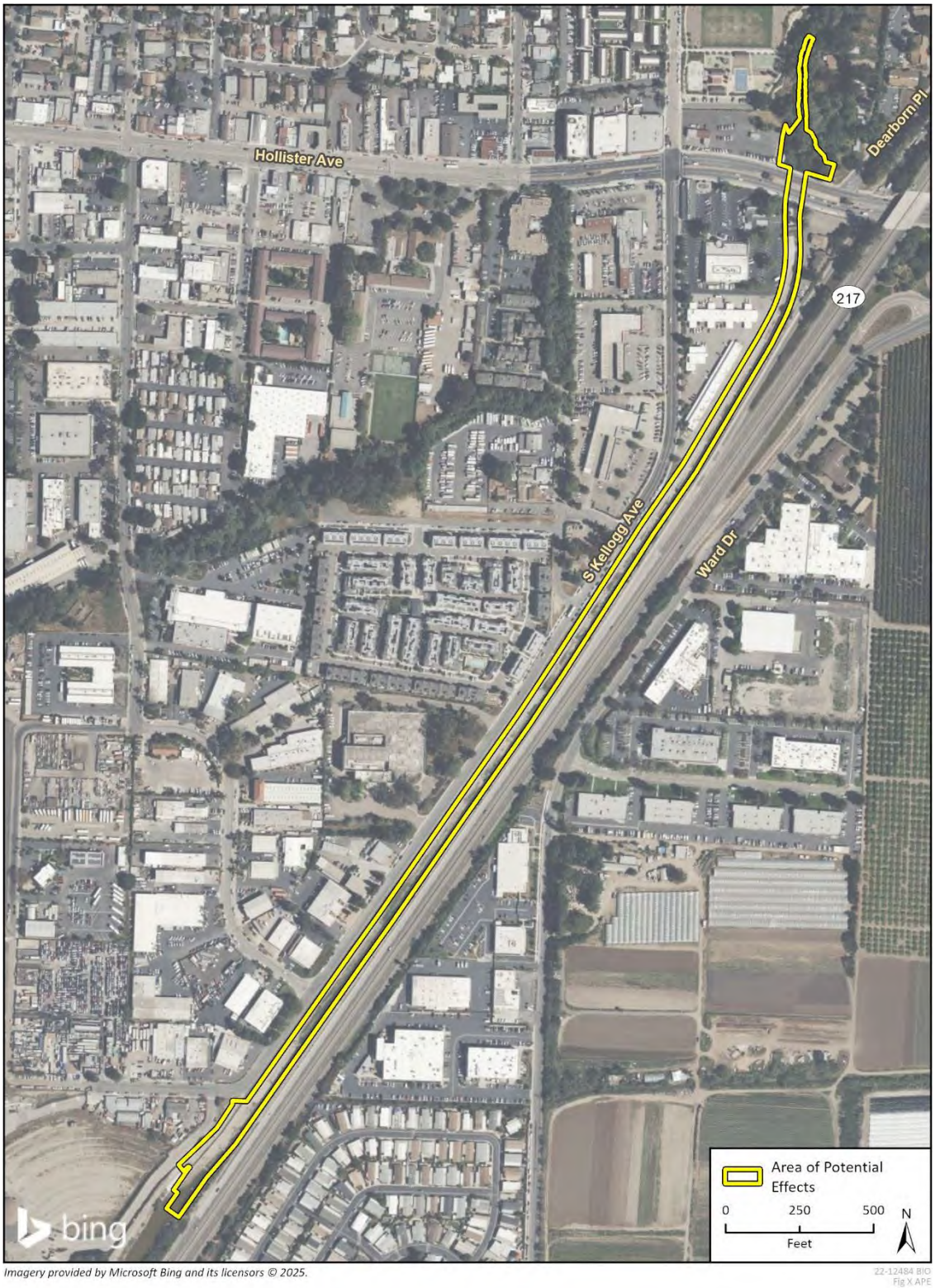
Sincerely,
Rincon Consultants, Inc.



Rachel Perzel, MA
Architectural Historian

Enclosed: Figure 1, Area of Potential Effects Map

Figure 1 Area of Potential Effects Map*



*The San Jose Creek flood control channel, and therefore the APE, runs below Hollister Avenue. No portion of Hollister Avenue would be physically altered by the undertaking.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

County of Santa Barbara
Historic Landmarks Advisory Commission
123 East Anapamu Street
Santa Barbara, California 93101
Att: Jonathan Martin, Board Assistant

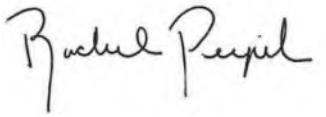
Subject: **Interested Party Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California**

Dear Mr. Martin:

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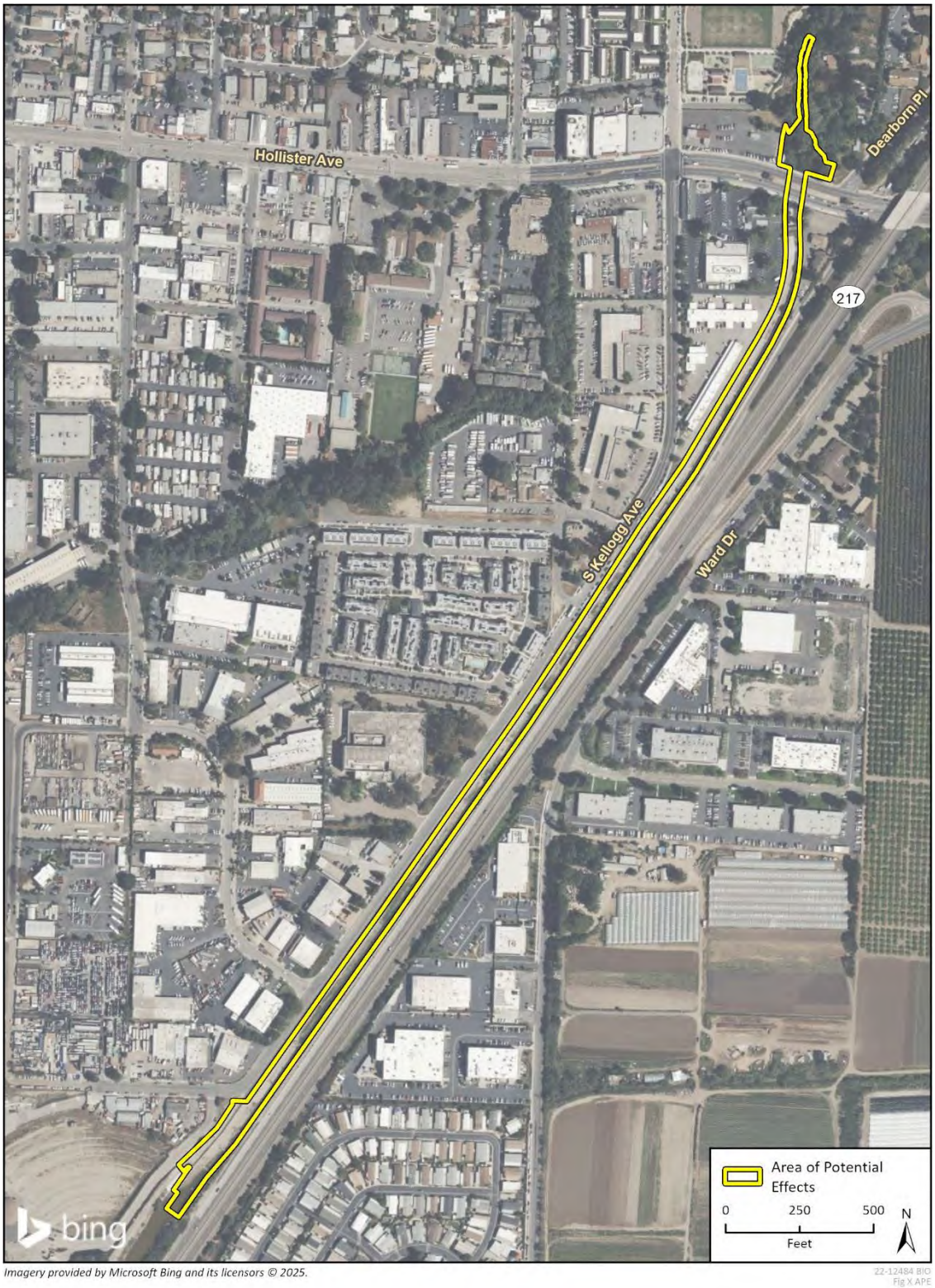
Sincerely,
Rincon Consultants, Inc.



Rachel Perzel, MA
Architectural Historian

Enclosed: Figure 1, Area of Potential Effects Map

Figure 1 Area of Potential Effects Map*



*The San Jose Creek flood control channel, and therefore the APE, runs below Hollister Avenue. No portion of Hollister Avenue would be physically altered by the undertaking.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 12, 2025
Project No: 22-12484

City of Goleta Historic Preservation Commission
130 Cremona Drive
Goleta, California 93117
Att: Lisa Prasse, Planning Manager

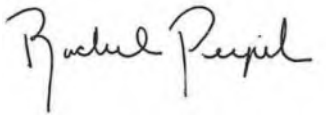
Subject: **Interested Party Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California**

Dear Ms. Prasse:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California (project/undertaking). The project necessitates a permit from the United States Army Corps of Engineers (USACE) and is therefore considered a federal undertaking and is subject to Section 106 of the National Historic Preservation Act (Section 106) with the USACE acting as the lead federal agency. The proposed undertaking includes modifications to the San Jose Creek flood control channel and a small portion of the upstream natural channel to allow for the successful passage of Southern California Steelhead through the channel. Project elements include the removal of existing timber wedges and wooden weirs, modification of existing permanent concrete weirs, addition of new weirs, modification of the existing trapezoidal channel near Hollister Avenue, and regrading of a 300-foot-long stretch of the upstream natural channel.

In accordance with 36 Code of Federal Regulations (CFR) Part 800, an Area of Potential Effects (APE) has been established for the undertaking. The APE encompasses all areas where project-related activities will occur, including staging and access areas (Figure 1). As a component of the cultural resources study, in support of Section 106, Rincon is reaching out to interested parties to request input on potential or known historic properties or other cultural resources in the project area or its vicinity. In conformance with Section 106, we are in the initial phase, “identify[ing] historic properties potentially affected by the undertaking” (36 CFR Part 880.1 a). Rincon is currently working to identify potential cultural resource issues associated with the proposed project. Formal consultation in compliance with Section 106 will be undertaken by the USACE as necessary. If you or your organization has knowledge of, or specific concerns regarding cultural resources with the potential to be affected by the project as described, please respond by telephone at (805) 947-4817 or by email to rperzel@rinconconsultants.com. Thank you for your time and assistance.

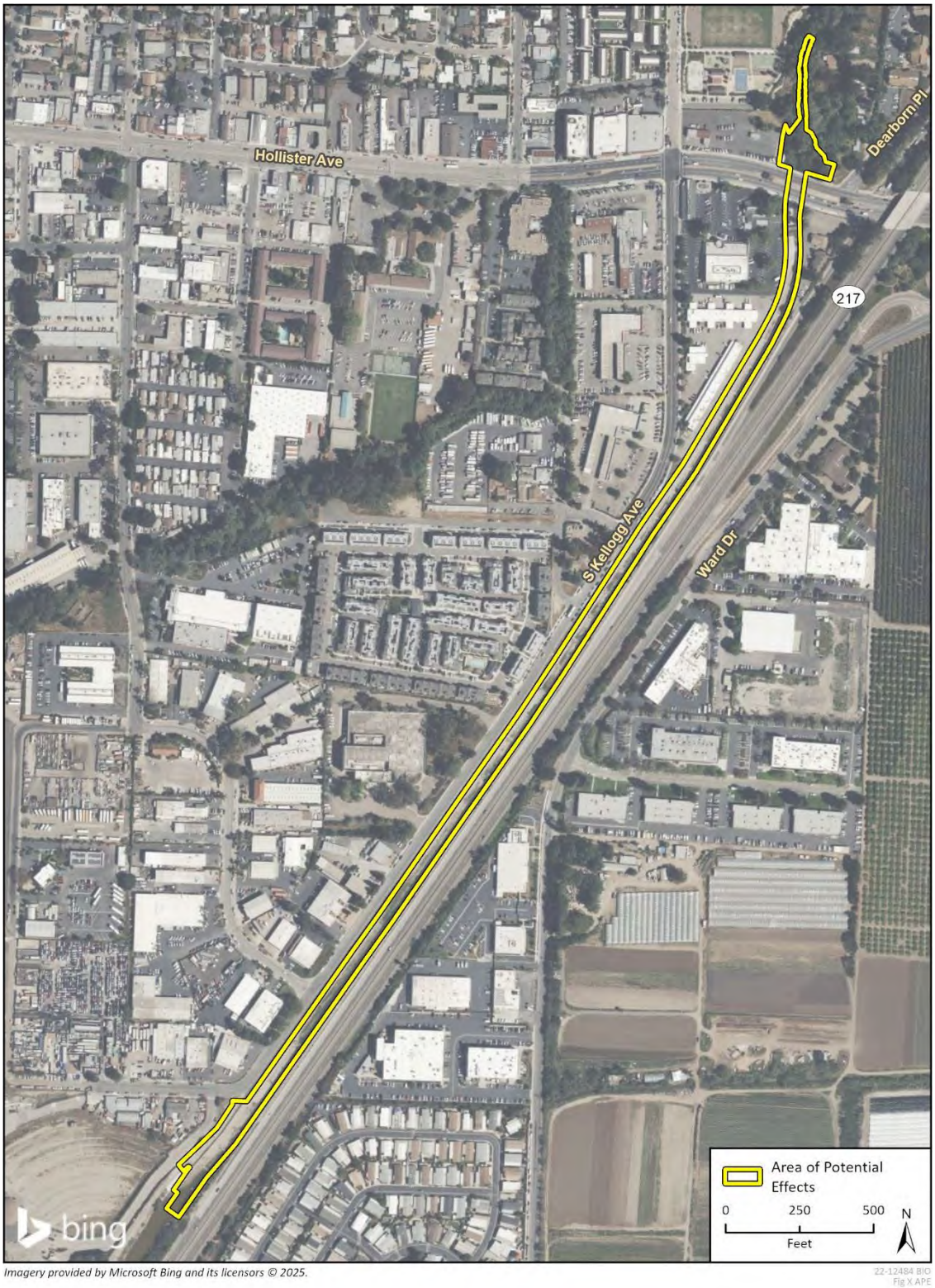
Sincerely,
Rincon Consultants, Inc.



Rachel Perzel, MA
Architectural Historian

Enclosed: Figure 1, Area of Potential Effects Map

Figure 1 Area of Potential Effects Map*



*The San Jose Creek flood control channel, and therefore the APE, runs below Hollister Avenue. No portion of Hollister Avenue would be physically altered by the undertaking.

Rincon Consultants, Inc.
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101
805-319-4092

March 11, 2025
Project No: 22-12484

Santa Barbara Trust for Historic Preservation
123 East Canon Perdido Street
Santa Barbara, California 93101
Att: Michael H. Imwalle, Assistant Executive Director of Cultural Resources

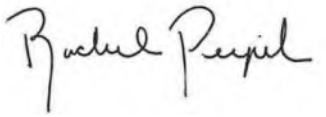
Subject: **Interested Party Coordination for the San Jose Creek Fish Passage Project, Goleta, Santa Barbara County, California**

Dear Mr. Imwalle:

Rincon Consultants, Inc. (Rincon) has been retained to complete a cultural resources technical study in support of the San Jose Creek Fish Passage Project located within a portion of the San Jose Creek flood control channel in the vicinity of Hollister Avenue in Goleta, Santa Barbara County, California (project/undertaking). The project necessitates a permit from the United States Army Corps of Engineers (USACE) and is therefore considered a federal undertaking and is subject to Section 106 of the National Historic Preservation Act (Section 106) with the USACE acting as the lead federal agency. The proposed undertaking includes modifications to the San Jose Creek flood control channel and a small portion of the upstream natural channel to allow for the successful passage of Southern California Steelhead through the channel. Project elements include the removal of existing timber wedges and wooden weirs, modification of existing permanent concrete weirs, addition of new weirs, modification of the existing trapezoidal channel near Hollister Avenue, and regrading of a 300-foot-long stretch of the upstream natural channel.

In accordance with 36 Code of Federal Regulations (CFR) Part 800, an Area of Potential Effects (APE) has been established for the undertaking. The APE encompasses all areas where project-related activities will occur, including staging and access areas (Figure 1). As a component of the cultural resources study, in support of Section 106, Rincon is reaching out to interested parties to request input on potential or known historic properties or other cultural resources in the project area or its vicinity. In conformance with Section 106, we are in the initial phase, “identify[ing] historic properties potentially affected by the undertaking” (36 CFR Part 880.1 a). Rincon is currently working to identify potential cultural resource issues associated with the proposed project. Formal consultation in compliance with Section 106 will be undertaken by the USACE as necessary. If you or your organization has knowledge of, or specific concerns regarding cultural resources with the potential to be affected by the project as described, please respond by telephone at (805) 947-4817 or by email to rperzel@rinconconsultants.com. Thank you for your time and assistance.

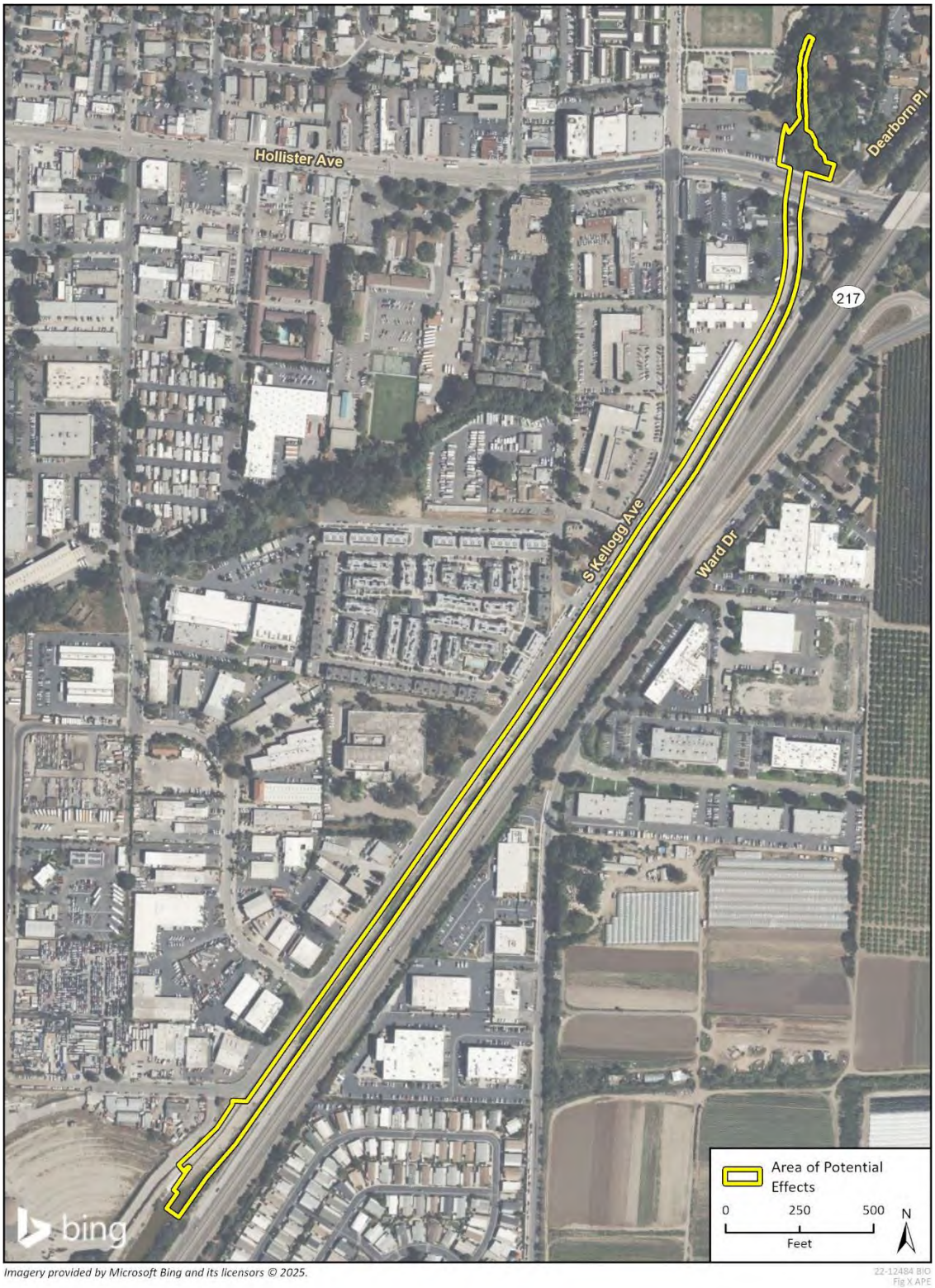
Sincerely,
Rincon Consultants, Inc.



Rachel Perzel, MA
Architectural Historian

Enclosed: Figure 1, Area of Potential Effects Map

Figure 1 Area of Potential Effects Map*



*The San Jose Creek flood control channel, and therefore the APE, runs below Hollister Avenue. No portion of Hollister Avenue would be physically altered by the undertaking.

Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:43 AM
To: martinj@countyofsb.org
Cc: Rachel Perzel
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: HLAC.pdf

Good morning Mr. Martin,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:43 AM
To: info@goletahistory.org
Cc: Rachel Perzel
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: GVHS.pdf

Good morning Ms. Lisa Potter,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 7:42 AM
To: archlab@sbthp.org
Cc: Rachel Perzel
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: SBTHP.pdf

Good morning Mr. Imwalle,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Tuesday, March 11, 2025 8:33 AM
To: Lisa Potter
Cc: info@goletahistory.org; Rachel Perzel
Subject: RE: [EXT] Re: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning,
Thank you, I look forward to hearing from you. Feel free to reach out to me with any questions or comments.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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---

From: Lisa Potter <lisa@goletahistory.org>
Sent: Tuesday, March 11, 2025 7:45 AM
To: Laura Maldonado <lmaldonado@rinconconsultants.com>
Cc: info@goletahistory.org; Rachel Perzel <rperzel@rinconconsultants.com>
Subject: [EXT] Re: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

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I will look into this and get back to you.

On Tue, Mar 11, 2025 at 7:42 AM Laura Maldonado <lmaldonado@rinconconsultants.com> wrote:

> Good morning Ms. Lisa Potter,
>
> Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.
>
> Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Laura Maldonado

From: Laura Maldonado
Sent: Wednesday, March 12, 2025 10:54 AM
To: 'lprasse@cityofgoleta.org'
Cc: Rachel Perzel
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: HPC.pdf

Good morning Ms. Prasse,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Laura Maldonado

From: Laura Maldonado
Sent: Wednesday, March 12, 2025 7:34 AM
To: Mike Imwalle
Cc: Rachel Perzel; Anne Petersen
Subject: RE: [EXT] RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Good morning Mike,
Thank you so much for your response to our outreach on this Project. I will take note of your comment for our reporting. We appreciate your time.

Best,
Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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---

From: Mike Imwalle <archlab@sbthp.org>
Sent: Tuesday, March 11, 2025 1:36 PM
To: Laura Maldonado <lmaldonado@rinconconsultants.com>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>; Anne Petersen <anne@sbthp.org>
Subject: [EXT] RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

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Laura,

The San Jose Winery (Santa Barbara County Landmark NO. 25) is located west of San Jose Creek approximately 1.7 miles north of the northern terminus of you project area. The San Jose Winery is housed in an adobe. The San Jose Winery was a Rancho of Mission Santa Barbara. It is located at 5320 Vineyard Road, Santa Barabara, 93111 (see attached). It does not appear to be affected by the proposed Fish Passage Project.

I am not aware of any other historic resources within the vicinity of the proposed APE. Thans for giving the Santa Barbara Trust for Historic Preservation the opportunity to comment on this.

Sincerely,

Michael H. Imwalle

Associate Executive Director of Cultural Resources
Santa Barbara Trust for Historic Preservation
123 E. Canon Perdido St.
Santa Barbara, CA 93101
805-962-2101 (off.)
805-452-7546 (cell)
805-568-1999 (fax)
archlab@sbthp.org (email)
www.sbthp.org (web)



From: Laura Maldonado <lmaldonado@rinconconsultants.com>
Sent: Tuesday, March 11, 2025 7:42 AM
To: Mike Imwalle <archlab@sbthp.org>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

READ WITH CAUTION : THIS EMAIL ORIGINATED FROM OUTSIDE OF SBTHP Do not click links or open attachments unless you are confident it is safe. Be especially critical of urgent emails.

Good morning Mr. Imwalle,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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Laura Maldonado

From: Rachel Perzel
Sent: Tuesday, March 18, 2025 4:31 PM
To: KEITH COFFMAN-GREY; Laura Maldonado; martinj@countyofsb.org
Subject: RE: [EXT] San Jose Creek Passage Project in Goleta, CA

Thank you so much for your response, Keith; much appreciated! I look forward to collaborating with you on future projects.
Best,

Rachel Perzel, Architectural Historian
805-644-4455 Main | 805-947-4817 Direct
name@rinconconsultants.com

RINCON CONSULTANTS, INC. SINCE 1994

From: KEITH COFFMAN-GREY <cfmngrey@cox.net>
Sent: Tuesday, March 18, 2025 4:15 PM
To: Rachel Perzel <rperzel@rinconconsultants.com>; Laura Maldonado <lmaldonado@rinconconsultants.com>; martinj@countyofsb.org
Subject: [EXT] San Jose Creek Passage Project in Goleta, CA

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Rachel,

I am the Chair of the Santa Barbara County Historic Landmarks Advisory Commission. Recently I received your letter concerning the San Jose Creek Passage Project in Goleta California. I went over the project with our Vice-Chair, Ron Nye and we did not see any known historic properties or other cultural resources in the proposed project area or its vicinity. Thank you for reaching out to us for input on this project.

Keith Coffman-Grey
Chair
Santa Barbara County Historic Landmarks Advisory Commission

Laura Maldonado

From: Laura Maldonado
Sent: Friday, April 4, 2025 1:22 PM
To: Lisa Prasse
Cc: Rachel Perzel
Subject: RE: [EXT] RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA
Attachments: HPC.pdf

Good afternoon,
I am following up in regards to the San Jose Creek Fish Passage Project in Goleta, CA. A letter was emailed to you on March 12, 2025 with further information. I am attaching the letter to this email for your convenience. If you or your organization has any knowledge or concerns regarding cultural resources in the project area or would like to consult with the USACE as part of the Section 106 process, please respond by email at lmaldonado@rinconconsultants.com or by telephone at 805-869-1323. Thank you.

Respectfully,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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---

From: Laura Maldonado
Sent: Wednesday, March 12, 2025 11:10 AM
To: Lisa Prasse <lprasse@cityofgoleta.org>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>
Subject: RE: [EXT] RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

Greetings,
We would be interested in resources within or adjacent to the project APE that could potentially be affected by project activities.
Please let me know if you have additional questions and I will be happy to help.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com

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From: Lisa Prasse <lprasse@cityofgoleta.org>
Sent: Wednesday, March 12, 2025 11:01 AM
To: Laura Maldonado <lmaldonado@rinconconsultants.com>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>
Subject: [EXT] RE: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

CAUTION: This email originated from outside of Rincon Consultants. Be cautious before clicking on any links, or opening any attachments, until you are confident that the content is safe .

Laura,

Thank you for the email. When you state "in the vicinity" do you have a radius/distance in mind?

Sincerely,

Lisa

Lisa Prasse, AICP
Current Planning Manager
City of Goleta | 130 Cremona Drive, Suite B | Goleta, CA 93117
805.961.7542 | lprasse@cityofgoleta.org

www.cityofgoleta.org
www.goletamonarchpress.com

From: Laura Maldonado <lmaldonado@rinconconsultants.com>
Sent: Wednesday, March 12, 2025 10:54 AM
To: Lisa Prasse <lprasse@cityofgoleta.org>
Cc: Rachel Perzel <rperzel@rinconconsultants.com>
Subject: Informal Outreach for the San Jose Creek Fish Passage Project in Goleta, CA

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning Ms. Prasse,

Please see the attached letter regarding the San Jose Creek Fish Passage Project in Goleta, Santa Barbara County, CA. We are reaching out to your organization to request input regarding the presence of historic properties in the proposed undertaking area or its vicinity. Please let me know if you have any questions or concerns. Thank you.

Best,

Laura Maldonado, MA, RPA, Archaeologist
(*She/Her/Hers*)
805-644-4455 Main | 831-214-0195 Mobile | 805-869-1323 Direct
lmaldonado@rinconconsultants.com



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Appendix D

State of California Department of Parks and Recreation 523 Series Forms

State of California — The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary #
HRI #
Trinomial
NRHP Status Code

Other Listings
Review Code | Reviewer | Date

***Resource Name or #:** San Jose Creek Flood Control Channel (segment of)

P1. Other Identifier: None.

***P2. Location:** ☐ **Not for Publication** ■ **Unrestricted** ***a. County:** Santa Barbara

***b. USGS 7.5' Quad:** Goleta, CA **Date:** 2023 **T** 4N ; **R** 28W; ¼ **of** ¼ **of Sec** 16 **;** S.B. **B.M.**

c. Address: None City: Goleta Zip: 93117

d. UTM: North - Zone: 11S, 240943.40 mE/ 3813956.58 mN. South - Zone: 11S, 240299.39 mE/ 3813010.87 mN

e. Other Locational Data: APN 071-140-040, 071-140-060, 071-140-080, 071-140-086, 071-140-036, 071-140-036, 071-140-017

***P3a. Description:** The recorded segment of the Santa Jose Creek Flood Control Channel is an approximately 0.7-mile-long concrete flood control channel, which begins immediately north of Hollister Avenue and continues on a southwestward alignment to the south of Hollister Avenue, immediately west of Clarence Ward Memorial Boulevard (State Highway 217) in the City of Goleta. South of Hollister Avenue, the channel generally parallels Ward Memorial Boulevard (east) and S. Kellogg Avenue (west). Originally constructed in 1963-1964 as a trapezoidal flood control channel, the structure was extensively modified as part of the San Jose Creek Capacity Improvement and Fish Passage Project, completed in 2014. The project replaced most of the preexisting trapezoidal channel with the existing design, featuring a 50-foot width, rectangular profile, vertical concrete walls, an articulated concrete revetment and weirs supporting fish passage. The northernmost portion of the channel, immediately south of Hollister Avenue, retains a trapezoidal profile, the portion to the north of Hollister Avenue is a natural channel. The channel appears to be in good condition. (See Continuation Sheet Page 4)

***P3b. Resource Attributes:** HP11. Engineering Structure; HP39. Other (Channelized Creek)

***P4. Resources Present:** ☐ Building ■Structure ☐Object ☐Site ☐District ☐Element of District ☐Other



P5b. Description of Photograph: San Jose Creek Flood Control Channel, view facing south. April 4, 2025.

***P6. Date Constructed/Age and Sources:** ca. 1963 to 1964. Reconstructed in 2012-2014.
■ Historic ☐Prehistoric ☐ Both

***P7. Owner and Address:**
Santa Barbara County Flood Control and Water Conservation District
123 E. Anapamu Street
Santa Barbara, CA 93101

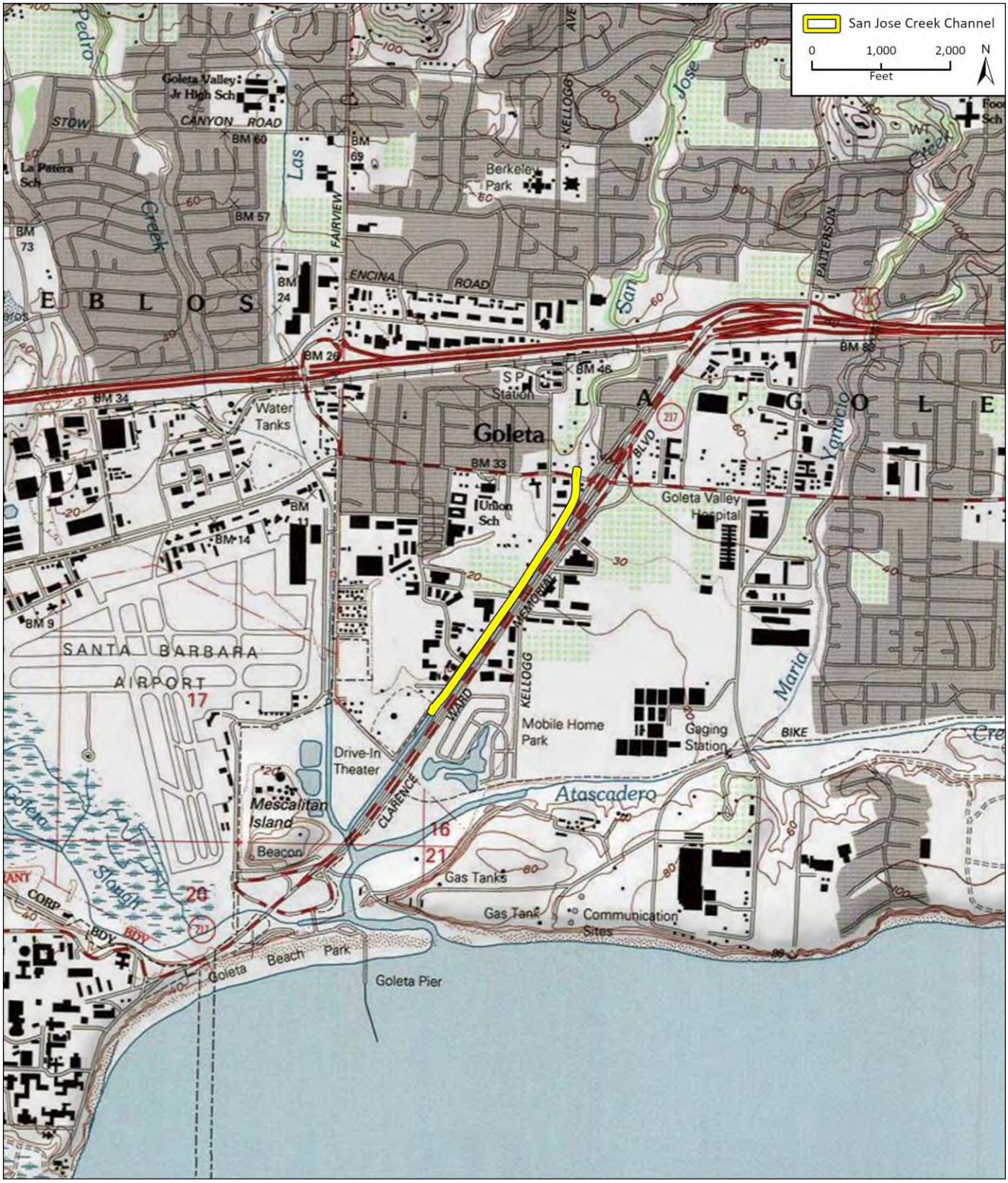
***P8. Recorded by:**
Debbie Balam and Josh Bevan, MSHP
Rincon Consultants
319 East Carrillo Street, Suite 105
Santa Barbara, California 93101

***P9. Date Recorded:** April 4, 2025

***P10. Survey Type:** Intensive Pedestrian

***P11. Report Citation:** 2025. *San Jose Creek Fish Passage Project Cultural Resources Technical Report, Goleta, Santa Barbara County, California*. Rincon Consultants Project No. 22-12484. Report on file at the Central Coast Information Center, Santa Barbara Museum of Natural History.

***Attachments:** ☐NONE ■Location Map ☐Sketch Map ■Continuation Sheet ■Building, Structure, and Object Record ☐Archaeological Record ☐District Record ☐Linear Feature Record ☐Milling Station Record ☐Rock Art Record ☐Artifact Record ☐Photograph Record ☐ Other (List):


San Jose Creek Channel
0 1,000 2,000
Feet
N
Goleta Valley Jr High Sch
CANYON ROAD
BM 60
BM 69
Berkeley Park
KELLOGG AVE
La Patera Sch
BM 57
FAIRVIEW
BM 73
ENCINA ROAD
BM 24
PATTERSON
BM 28
BM 46
BM 63
S P Station
BM 34
Water Tanks
Goleta
BM 33
Union Sch
Goleta Valley Hospital
BM 14
BM 9
SANTA BARBARA AIRPORT
17
MEMORIAL
WARD
KELLOGG
Mobile Home Park
Gaging Station
BIKE
Drive-In Theater
CLARENCE
Mescalitan Island
Beacon
Atascadero
16
21
Gas Tanks
Gas Tank
Communication Sites
Goleta Slough
20
Goleta Beach Park
Goleta Pier

BUILDING, STRUCTURE, AND OBJECT RECORD

 ***NRHP Status Code** 6Z

***Resource Name or #** San Jose Creek Flood Control Channel (segment of)

B1. Historic Name: None.

B2. Common Name: San Jose Creek Flood Control Channel

B3. Original Use: Creek Channel B4. Present Use: Creek Channel

***B5. Architectural Style:** None. ***B6. Construction History:** Originally constructed in 1963-1964. The channel was widened and reconstructed as part of the San Jose Creek Capacity Improvement Project between 2012 and 2014.

***B7. Moved?** ■**No** ☐**Yes** ☐**Unknown** **Date:** **Original Location:**

***B8. Related Features:** None.

B9a. Architect: Unknown b. Builder: Stromberg Inc. (1964)

***B10. Significance: Theme:** None. **Area:** City of Goleta

Period of Significance: None. **Property Type:** Infrastructure **Applicable Criteria:** None.

(Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

Developmental History of San Jose Creek Flood Control Channel

The San Jose Creek Flood Control Channel's development in the early to mid-1960s occurred during the Post-World War II Development period (1946-1969) identified in the *City of Goleta Citywide Historic Context Statement (HCS)* (HRG 2021). The *HCS* provides an expanded history of Goleta's development across multiple periods and themes, but does not provide information specific to the San Jose Creek Flood Control Channel's development. The following developmental history for the San Jose Creek Flood Control Channel focuses on the historical development of the area of Goleta containing the subject channel.

The lands to the immediate east and west of the San Jose Creek Flood Control Channel, located south of Hollister Avenue, were developed agricultural by the 1870s, including a 150-acre dairy and bean farm owned by Frank E. Kellogg, who owned 150 immediately south of Hollister Avenue and its present-day intersection with Ward Memorial Boulevard (State Highway 217). Kellogg's farm was a major producer of dairy products for the local market and Kellogg established the first creamery in Santa Barbara County in 1892 (HRG 2021). Despite his success, Kellogg eventually sold his holdings to nearby major landowner J.F. More, who had pressured Kellogg to sell around the turn of the twentieth century in order to expand his own acreage. When More acquired Kellogg's land he demolished the former dairy facilities and returned the acreage to use as agricultural fields (Modugno 2018). As the *HCS* notes, Goleta transformed from a community of scattered ranches and farms into a major citrus producer and oil town between World War I and World War II (HRG 2021). By 1905, the portion of Goleta to the south of Hollister Avenue had experienced frequent flooding from San Jose Creek, which meandered southwestward to the west of the existing channel. In 1905 residents petitioned for the construction of a bridge over San Jose Creek on Kellogg Avenue near Hollister Avenue (*The Morning Press* 1905). Residential development during the interwar years included a few subdivisions in the vicinity of the future alignment of the subject channel; however, the growth of the subdivisions that were platted near San Jose Creek were challenged in some cases by flooding and also by a lack of domestic water supply, which ultimately stifled their development (HRG 2021, Modugno 2017).

(See Continuation Sheet)

B11. Additional Resource Attributes: None.

***B12. References:** See Continuation Sheet

B13. Remarks:

***B14. Evaluator:** Josh Bevan, MSHP, AICP – Rincon Consultants

***Date of Evaluation:** May 6, 2025



(This space reserved for official comments.)

B10. Significance (Continued from Page 3):

Review of topographic maps and historical newspapers indicates that an effort to manage the flooding of San Jose Creek occurred by 1940, alongside a residential neighborhood developed along Fairview Avenue and to the east of Goleta Slough. This channelization appears to have been related to the development of a Marine Corps air station in the areas that became the Santa Barbara Airport and University of California at Santa Barbara campus after World War II (Leftwhich and Woodman 2014). Still, this earlier channel was faced with periodic blockages form debris flows during the rainier winter months (USGS 1943, 1950; *Santa Barbara News-Press 1940*, Figure 1, Figure 2). As of 1956, the immediate vicinity of the future San Jose Creek Flood Control Channel remained agriculture land, framed by Hollister Avenue at the north, Kellogg Avenue to the west, and Atascadero Creek at the south (Figure 3).

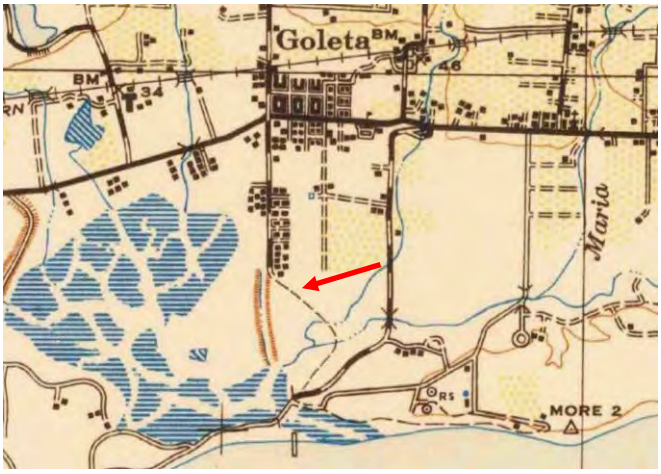


Figure 1. USGS *Goleta, CA Quadrangle Map*, 1942. A red arrow points to the earlier creek channel located west of the subject channel. (USGS 1942)



Figure 2. USGS *Goleta, CA Quadrangle Map*, 1956. A red arrow points to the earlier creek channel located west of the subject channel. (USGS 1956)

Figure 3. Aerial view over the future site of the San Jose Creek Flood Control Channel, 1956 (Data Basin 2024)



During the 1950s and early 1960s, Goleta experienced high demand for housing as oil companies and the aeronautics industry located in the region. Goleta began to experience greater population growth and development after the completion of U.S. 101 in 1947 and improved domestic water supply following the completion of the Cachuma Dam 1950 (Leftwich and Woodman 2014). As described in the *HCS:*

> Tracts of single-family residences were frantically subdivided to cater to the rapid population increase caused by the arrival of the aerospace companies, each of which brought several hundred employees to the area. The establishment of the University of California at Santa Barbara campus in 1954 […] also increased local demand for housing and amenities in Goleta. As the only available land in Goleta was dedicated to agriculture, the creation of residential subdivisions necessarily caused a decrease in the area's agricultural activity.

During this period the lands where the existing San Jose Creek Flood Control Channel was built remained agricultural (Data Basin 2024, Penfield & Smith 1956, Figure 3). The subject channel's planning occurred in the early 1960s, as the decision to route the previously planned Clarence Ward Memorial Boulevard (State Highway 217), a major connector from the university campus to points to the northeast was carried forward (*Santa Barbara News-Press* 1961a, Leftwich and Woodman 2014). A diagonal route for the boulevard, extending through agricultural areas to the south of Hollister Avenue was selected, despite controversy related to its alignment and the complexities of right of way acquisition and potential impacts to existing agricultural operations (*Santa Barbara News-Press* 1957). By February 1961, as the boulevard's construction approached, property owners in the area reached an agreement to provide rights of way for a new San Jose Creek Flood Control Channel, to be built alongside and generally parallel to the boulevard. As part of the project, the State Division of Highways planned to dig the channel and use excavated materials as fill during the highway's construction, to reduce the overall cost of the roadway's construction (*Santa Barbara News-Press* 1961a). As of September 1961, the new channel was not planned to be ready for use "for at least two winters because it cannot be used until the Ward Boulevard project is completed" (*Santa Barbara News-Press* 1961). It appears that channel was excavated but remained unlined as of November 1963 (*Santa Barbara News-Press* 1963). Following the boulevard's completion in 1963, The Santa Barbara County Flood Control and Water District awarded a contract for completion of the concrete channel to Stromberg Inc. of Santa Ana. Work was to commence by late May 1964, with completion scheduled in the late Summer/Early fall of 1964 before seasonal rains returned (*Gazette-Citizen* 1964). A newspaper article described:

> San Jose Creek for years has meandered through valuable land in the south section of the town and has blocked its development, according to [Supervisor Daniel] Grant. Hundreds of acres of valuable industrial and commercial land which have been unusable without costly bridge construction will now be available for development with the completion of the creek realignment […] The new concrete channel will parallel the new Ward Memorial Blvd. (*Gazette-Citizen* 1964)

The earliest available aerial photograph of the completed channel alongside the previously built boulevard was taken in 1967 (UCSB 1967, Figure 4). By that year, land immediately to the east and west of the channel and parallel highway still consisted largely of agriculture fields, with commercial and industrial development concentrated along and southeast present-day South Kellogg Avenue and Ward Drive and further northwest. This included a drive-in movie theater to the southwest of the channel (UCSB 1967). By 1984 the manufactured home community, Rancho Goleta, was developed at the south end of Ward Drive, a frontage road paralleling the east side of the boulevard. Additional industrial development began to fill in the former agricultural areas to the west of the channel (NETR 1984). Since 1984, agricultural land to the west of the channel has been completely redeveloped with mixed uses, while lands to the east of channel and highway retain a mix of residential, industrial-commercial, and agricultural uses (NETR 1994, 2010, 2020).

Figure 4. Aerial view over the San Jose Creek Flood Control Channel and adjacent Ward Memorial Boulevard, 1967 (UCSB 1967)



San Jose Creek Capacity Improvement and Fish Passage Project – 2012 to 2014

The San Jose Creek Flood Control Channel, completed in 1964, was demolished and reconstructed between 2012 and 2014 as a 50-foot-wide channel with vertical walls and an articulated concrete revetment bottom. The revetment included a fish passage (City of Goleta n.d.). Known as the San Jose Creek Capacity Improvement Project, the redesign of the channel was completed to provide improved flood projection and resulted in the widening of the channel and redesign of the channel's interior shape or profile, from an original trapezoidal design, to the existing rectangular design (SAIC 2009; NETR 2012, 2014).

Stromberg Inc.

Stromberg Inc. is identified as the general contractor in charge of the San Jose Creek Flood Control Channel's construction in 1964. Stromberg Inc. was a Santa Ana-based general contracting firm, led by S.V. Tex Stromberg as of the early 1960s (*Progress-Bulletin* 1963). The company was known as Famulara-Stromberg Inc. in 1961 (*The Register* 1961). In 1961, the firm began using a grinding auger machine invented by Stromberg during the construction of a flood control ditch in Santa Ana. In 1963, Stromberg designed and received a patent for the Stromberg Ditch Lining Machine in 1963, which paved the sides and bottom of a flood control channel simultaneously. This machine was used in the construction of a trapezoidal flood control channel at Diamond Bar, Los Angeles County (*Progress-Bulletin* 1963).

Evaluation

National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR)

The portion of the San Jose Creek Flood Control Channel within the APE is recommended ineligible for listing in the NRHP and CRHR under all evaluative criteria due to a lack of architectural or historical significance.

Evaluation guidance for water conveyance systems in California has been developed by the California Department of Transportation (Caltrans) and notes, "For a water conveyance system to be eligible under Criterion A, it must be found to be associated with specific important events (e.g., first long-distance transmission of hydroelectric power) or important patterns of events (e.g., development of irrigated farming) (Caltrans 2000). The San Jose Creek Flood Control Channel was originally completed in approximately 1964 and was reconstructed between 2012 and 2014 along the same alignment. When originally constructed, the subject channel was provided additional flood control capacity in an area of Goleta where a preexisting channel of San Jose Creek had been constructed (further to the west) by 1940. The subject channel was built generally parallel to the Clarence Ward Memorial Boulevard (State Highway 217), with the channel completed after the roadway. From 1962 to the 2000s, development in the vicinity of the channel gradually transitioned from primarily agricultural to a mix of agricultural, industrial, commercial, and limited residential uses. Although the San Jose Creek Flood Control Channel was built in an area that experience post-World War II development, and flood control likely factored into additional development of formerly agricultural areas in the immediate vicinity of the channel, it's role in the developmental history of Goleta does not appear to be individually significant. Earlier flood control efforts to manage San Jose Creek were developed in the region and subsequent redesign of the channel resulted from ongoing adaption to evolving flood control needs. Further, this channel's development has not been demonstrated to have been part of a major system with overarching significance to the region or state. Therefore, the subject segment of the San Jose Creek Flood Control Channel is recommended ineligible under Criterion A/1 (Events).

The San Jose Creek Flood Control Channel has not been identified as having an association to any individuals who made significant contributions to history. This infrastructural project was carried out as part of local and State agency collaboration, during the early 1960s, but does not convey aspects of any one individual's career such that is significant under Criterion B (Persons). Therefore, the subject segment is recommended ineligible under Criterion B/2 (Persons).

The San Jose Creek Flood Control Channel does not appear to be individually significant under Criterion C as a water conveyance structure that embodies the distinctive characteristics of a type, period, or method of construction, or the work of a master, or which possesses high artistic values. The channel was originally constructed in 1964 by the firm Stromberg Inc as a concrete creek channel set on a northeast/southwest alignment that generally paralleled the Clarence Ward Memorial Boulevard to its immediate east. This channel was likely built using techniques and equipment that Stromberg specialized in and, as original built, featured a trapezoidal profile. Although Stromberg Inc. appears to have specialized in channel construction in the region and Tex Stromberg invented flood control channel construction equipment, including a patented ditch liner, holder for channel construction-related, this channel's constructed occurred after these inventions were created. Moreover, the channel's design was substantially changed in 2014, such that it does not embody the construction type and methods used in its original construction in 1964. Therefore, the subject segment of the San Jose Creek Flood Control Channel is recommended ineligible under Criterion C/3 (Architecture).

Research does not indicate the property has the potential to yield important information pertaining to prehistory or history under Criteria D/ as it is not and has never been the principal source of information relating to its construction type or construction methods (Information Potential).

City of Goleta Historic Landmark

The following Criteria for Designating a Historic Landmark are listed in the City of Goleta's Historical Preservation Ordinance (City of Goleta 2022):

A building, structure, object, or site shall be designated a Historic Landmark, if the City Council finds that the following criteria are met:

1. The proposed Historic Landmark is at least 50 years old or exhibits exceptional importance; and
2. The proposed Historic Landmark meets one or more of the following:
    a. The proposed Historic Landmark is associated with important events or broad patterns of development that have made a significant contribution to the historical, archeological, cultural, social, economic, aesthetic, engineering, or architectural development of the City, State, or nation; or
    b. The proposed Historic Landmark is associated with persons significant in local, State, or national history; or
    c. The proposed Historic Landmark embodies the distinctive characteristics of a style, type, period, or method of construction, or is an example of the use of indigenous materials or craftsmanship, or it is a significant example of the work of a notable builder, designer, or architect; or
    d. The proposed Historic Landmark has yielded or has the potential to yield, information important to the history or prehistory of the City, State, or nation; and
3. The proposed Historic Landmark retains those aspects of historic integrity that convey the reason for its significance

The San Jose Creek Flood Control Channel is recommended ineligible for listing as a City of Goleta Historic Landmark. Although the channel is more than 50 years old (criterion 1), it does not appear to be significant for its role in the development of Goleta during the mid-twentieth century, under themes defined under criterion 2a. As noted above, this structure is not associated with any individuals who made significant contributions to history (criterion 2b). Further, the structure does not embody distinctive characteristics of a type, period, or method of construction, nor the work of a master due to its recent modification, which substantially altered its original design. The structure is also not a significant example of the use of indigenous materials or craftsmanship, as it is made of common materials, principally concrete, and does not stand out among similar structures. The channel does not have the potential to yield important historical or archeological information as a structure primarily constructed in the recent past and using methods that are well documented. Although integrity typically is considered for significant resources, this evaluation confirms that the channel's historic integrity relative to its ca. 1963 to 1964 original design, has been compromised by recent redesign and construction completed in 2014.

B12. References (Continued):

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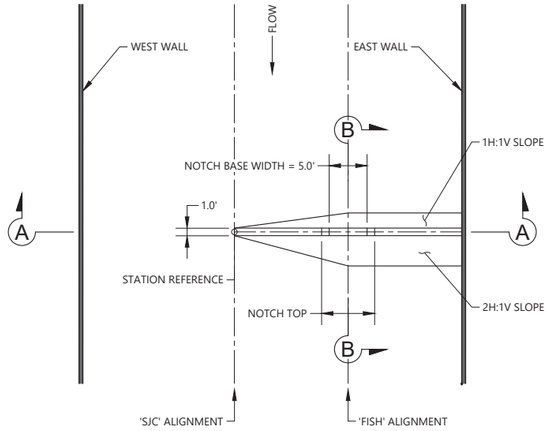
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Appendix D

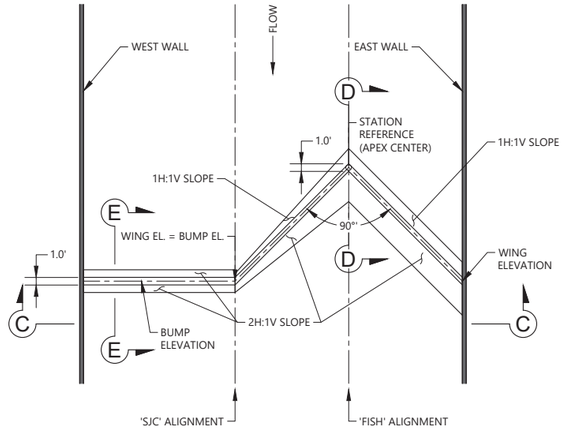
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24+00.00	VORTEX AND BUMP
24+75.00	VORTEX AND BUMP
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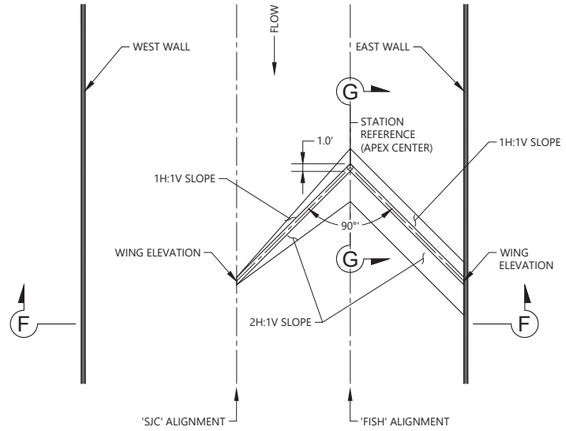
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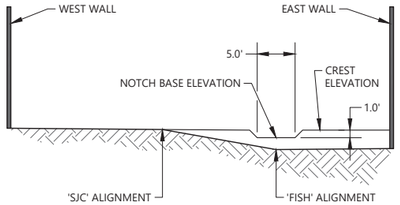
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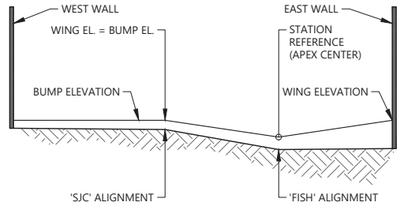
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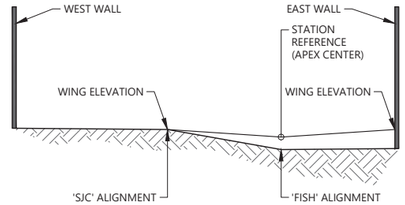
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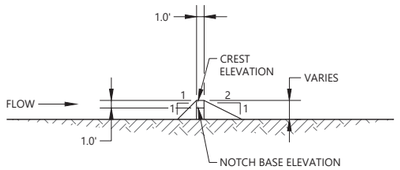
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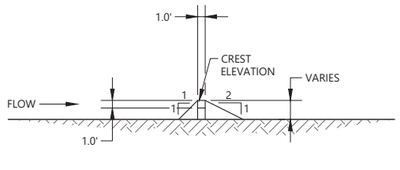


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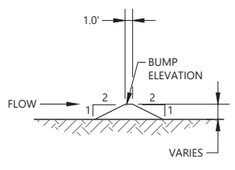


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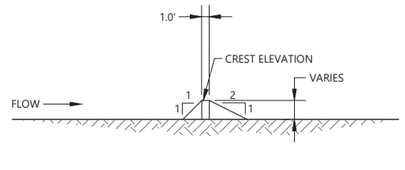


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E SECTION
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VORTEX AND BUMP WEIR



G SECTION
- *Scale: 1"=10'*

VORTEX WEIR

CITY OF GOLETA
CLIENT INFORMATION
130 Cremona Drive
Goleta, California 93117
PHONE NUMBERS
https://www.cityofgoleta.org/

northwest hydraulic consultants
12787 gateway drive south
tukwila, washington 98168-3308
phone: (206) 241-6000
fax: (206) 439-2420
www.nhcweb.com

PRELIMINARY
NOT FOR CONSTRUCTION

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No.	Date	Description

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Status	65% Submittal
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Drafter	
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San Jose Creek Fish Passage Improvements

Weir Details

Job Number 2007147

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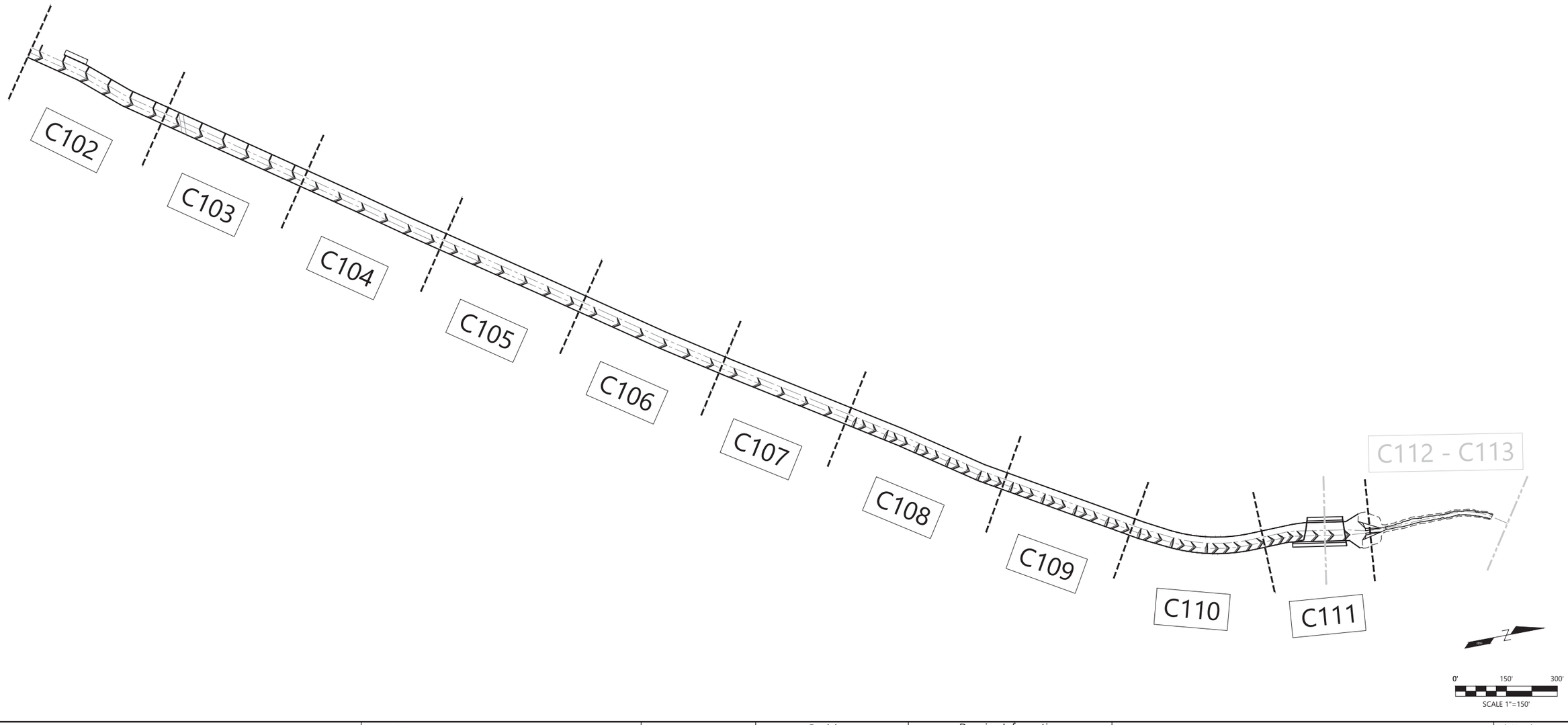
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Appendix E

Engineering Cross-Section Detail



CITY OF GOLETA
CLIENT INFORMATION
130 Cremona Drive
Goleta, California 93117
PHONE NUMBERS
https://www.cityofgoleta.org/

northwest hydraulic consultants
12787 gateway drive south
tukwila, washington 98168–3308
phone: (206) 241–6000
fax: (206) 439–2420
www.nhcweb.com

PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
No.	Date	Description

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San Jose Creek Fish Passage Improvements

Job Number
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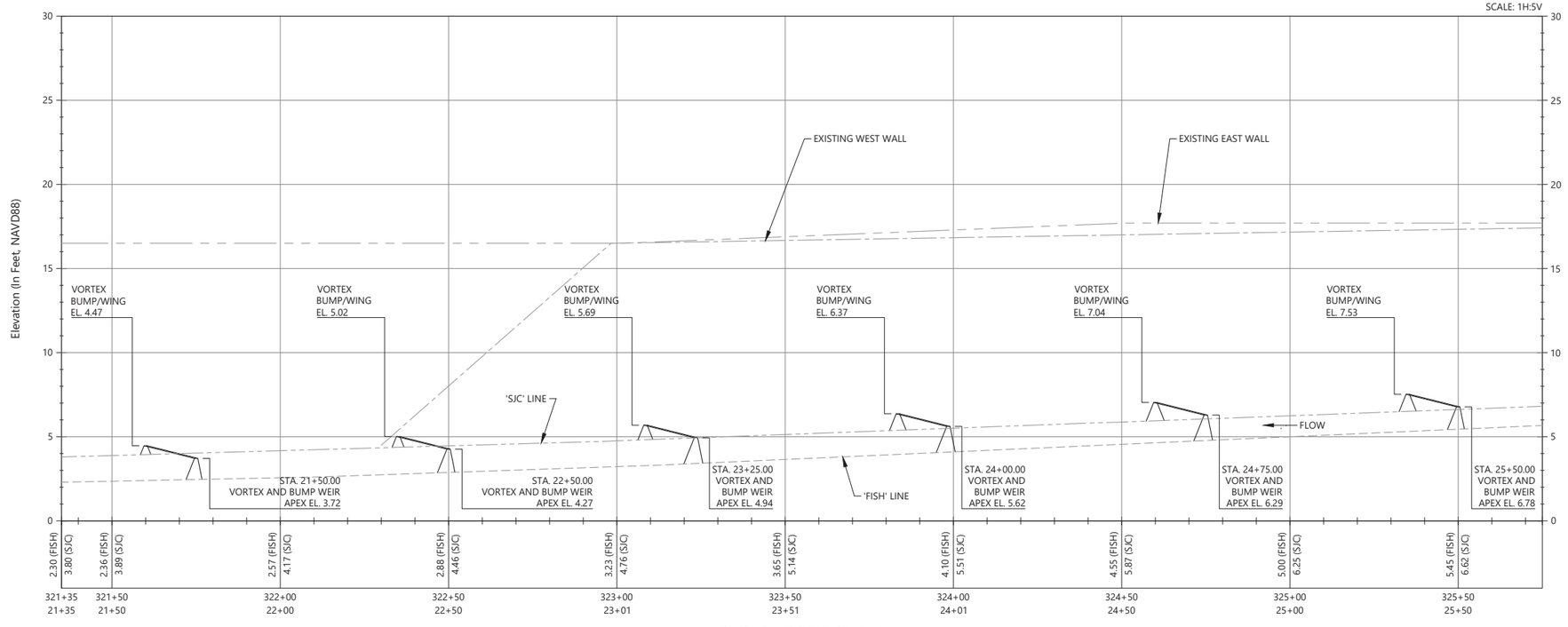
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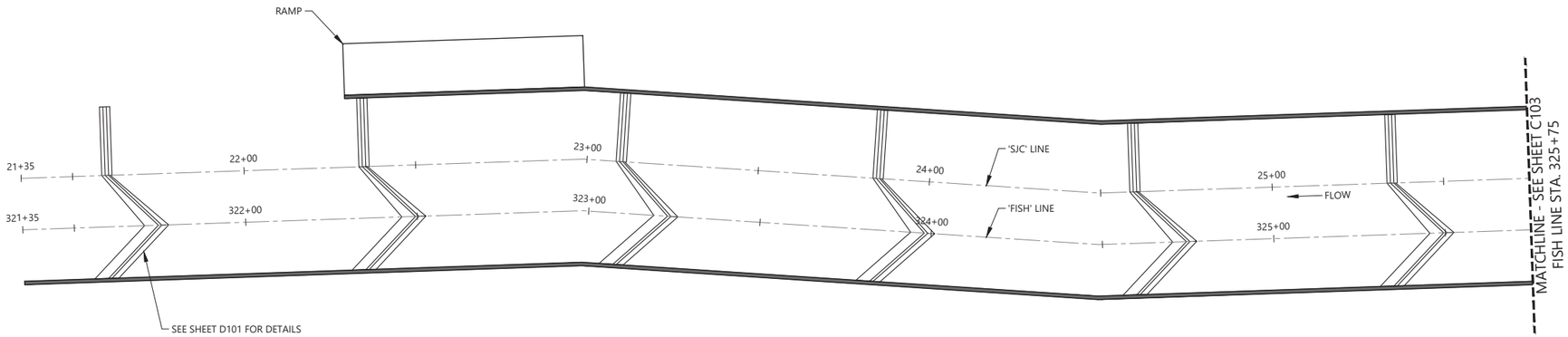
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- 'SJC' LINE
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- EXISTING EAST WALL
- PROPOSED WEIR



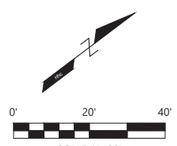
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PLAN - FISH LINE STA. 321+35 TO 325+75

Scale: 1"=20'



CITY OF GOLETA
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130 Cremona Drive
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Revisions		
No.	Date	Description

Drawing Information	
Date	11:33:06 20250318
Status	65% Submittal
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Drafter	
Checked	
File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

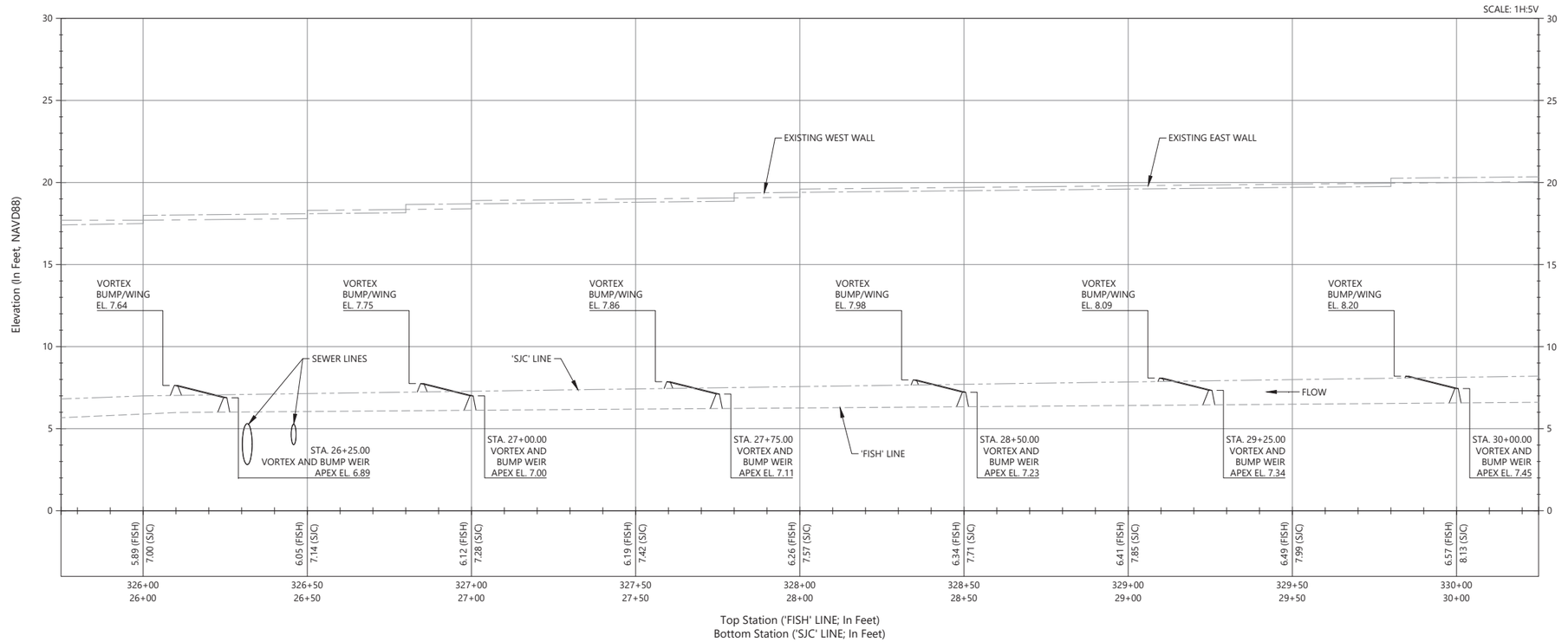
Job Number 2007147

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C102

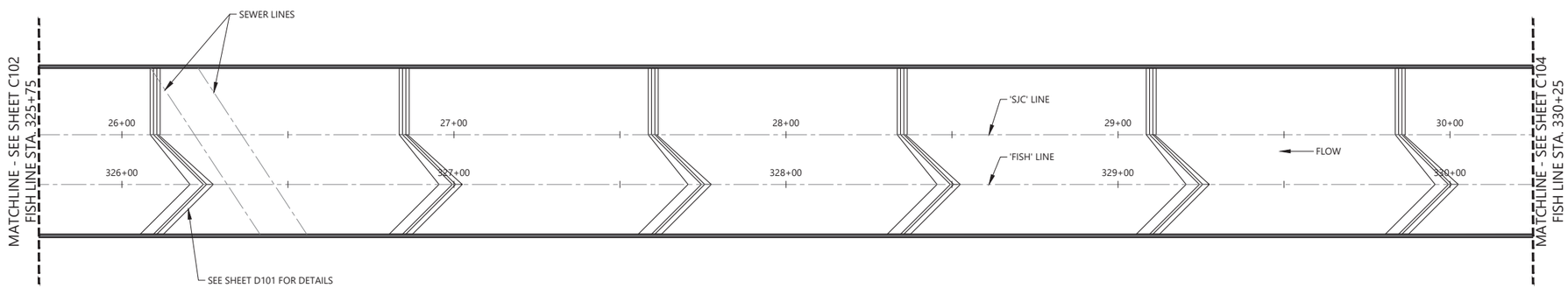
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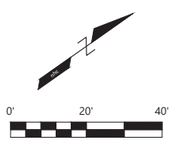
PROFILE - FISH LINE STA. 325+75 TO 330+25

Scale: 1"=20'



PLAN - FISH LINE STA. 325+75 TO 330+25

Scale: 1"=20'



LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

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File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

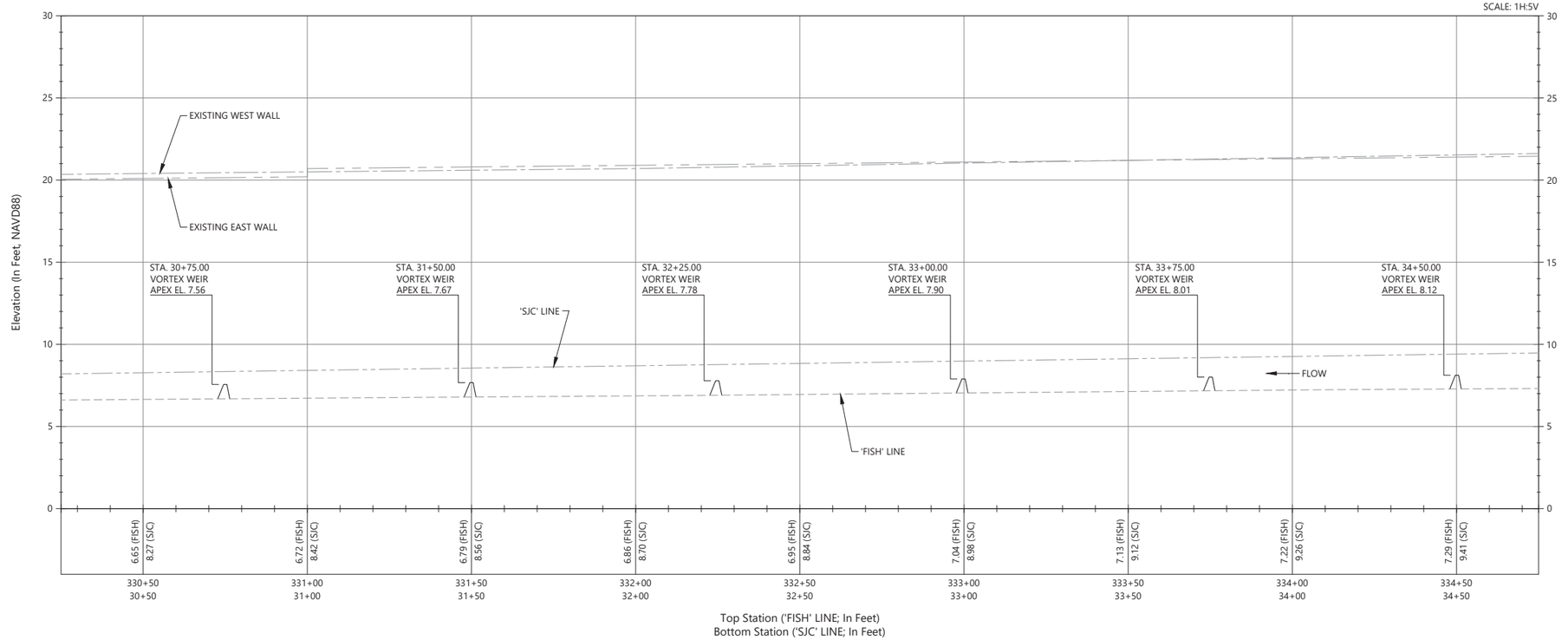
Job Number 2007147

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C103

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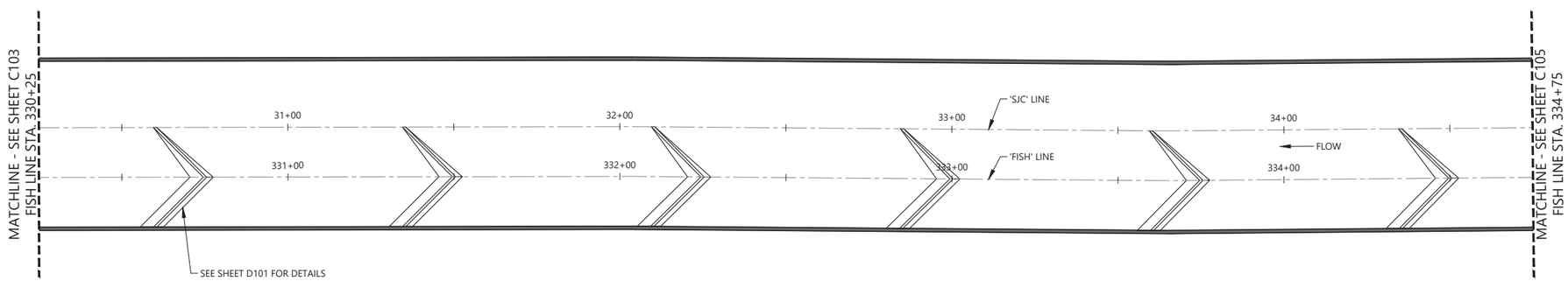


LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

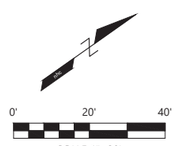
PROFILE - FISH LINE STA. 330+25 TO 334+75

Scale: 1"=20'



PLAN - FISH LINE STA. 330+25 TO 334+75

Scale: 1"=20'



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File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

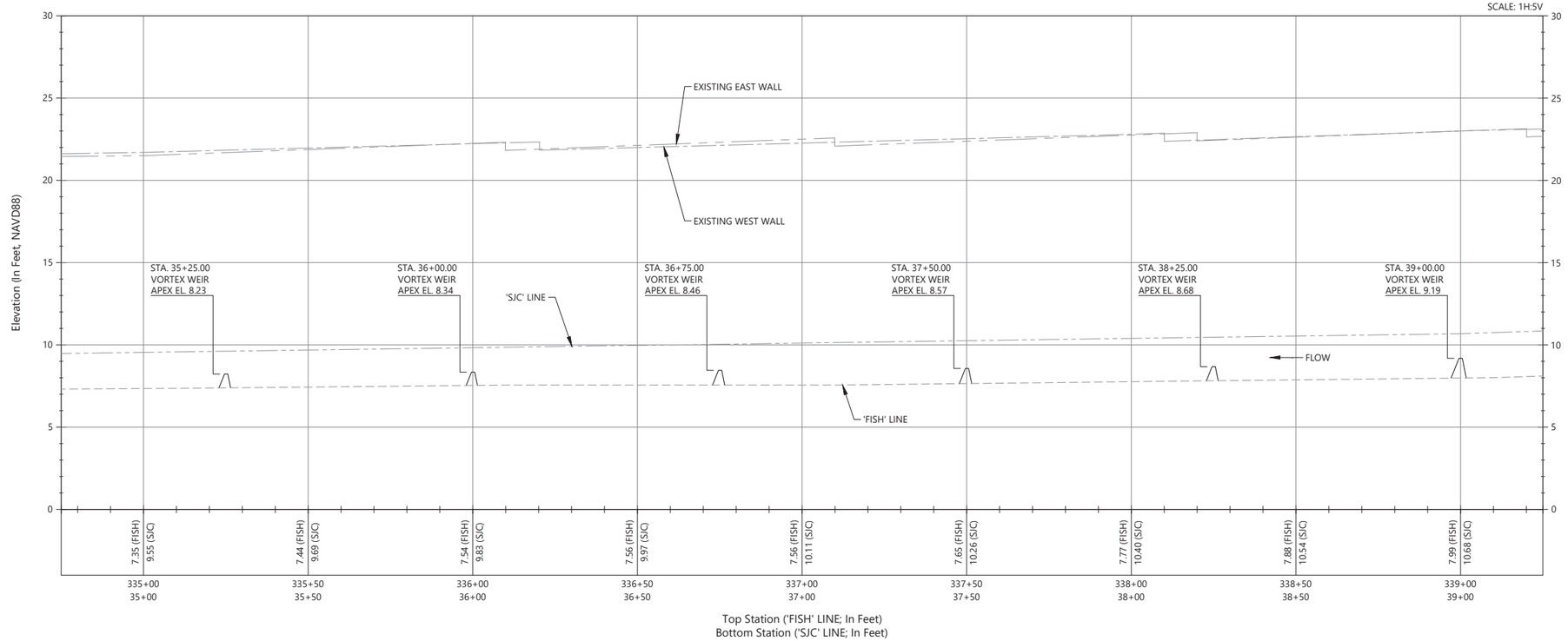
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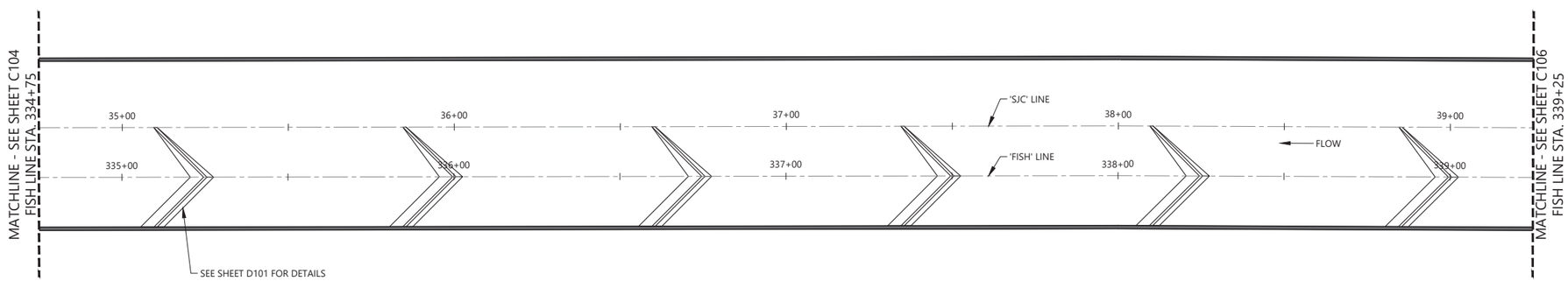


LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

PROFILE - FISH LINE STA. 334+75 TO 339+25

Scale: 1"=20'



PLAN - FISH LINE STA. 334+75 TO 339+25

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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San Jose Creek Fish Passage Improvements

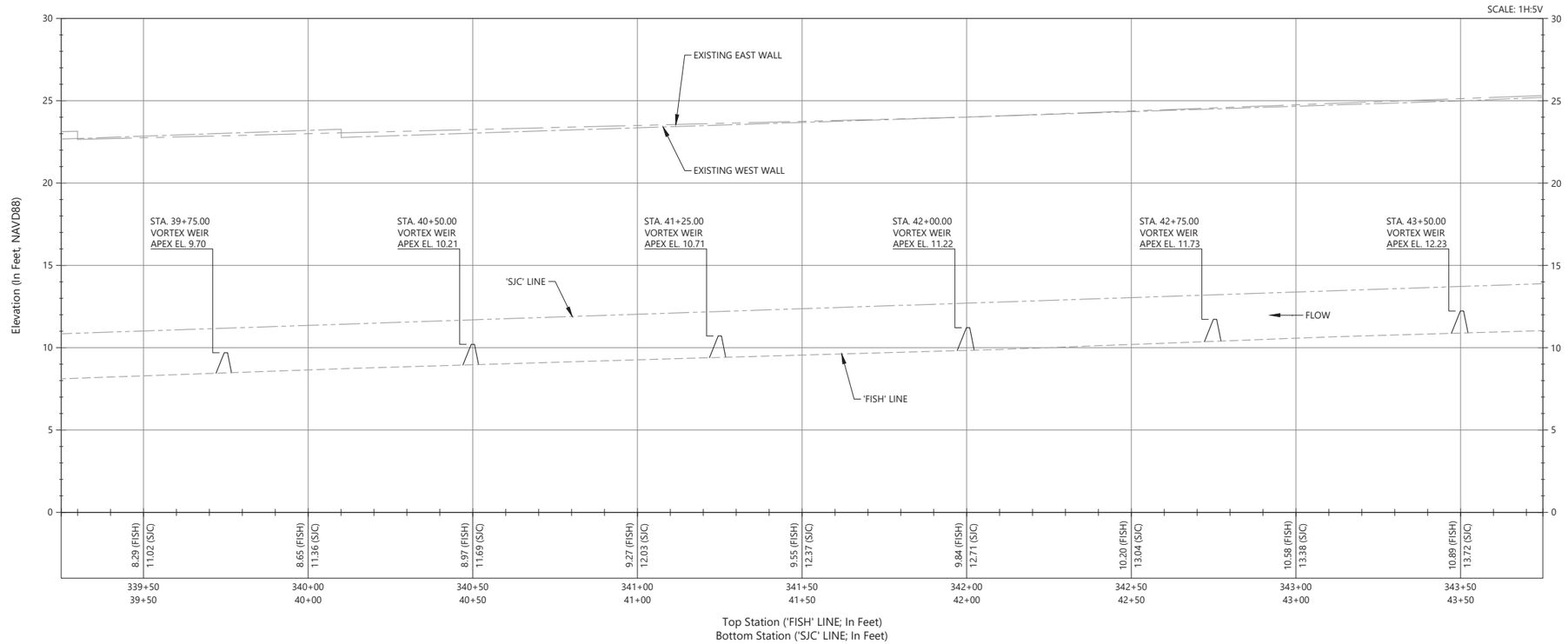
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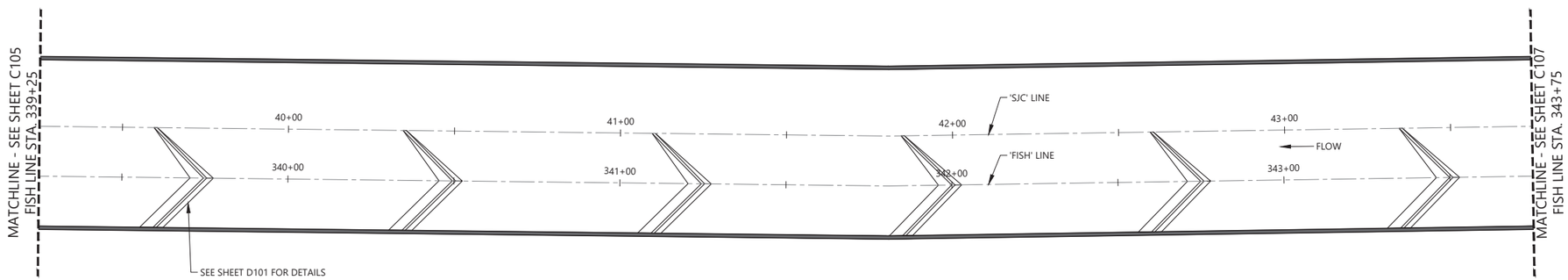
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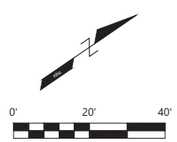
PROFILE - FISH LINE STA. 339+25 TO 343+75

Scale: 1"=20'



PLAN - FISH LINE STA. 339+25 TO 343+75

Scale: 1"=20'



LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

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Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

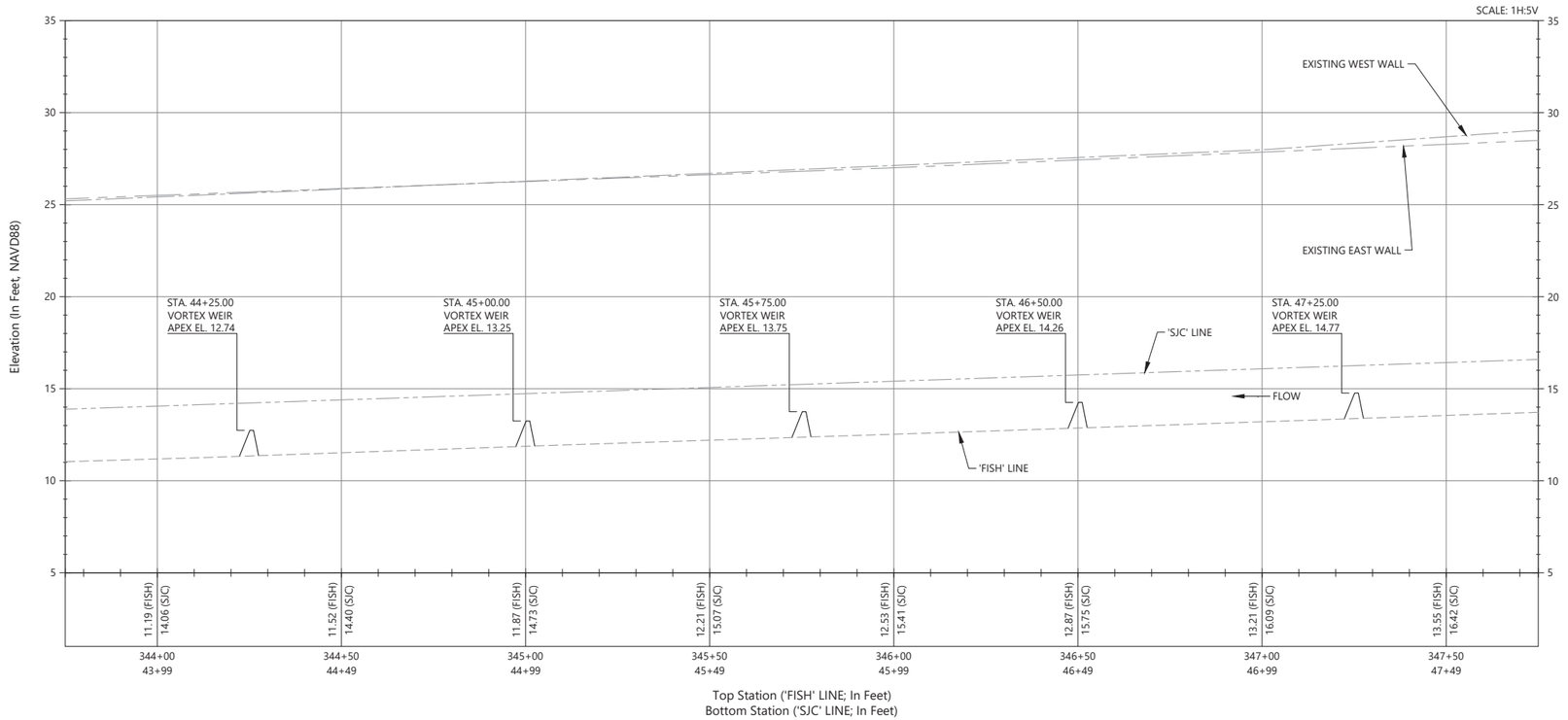
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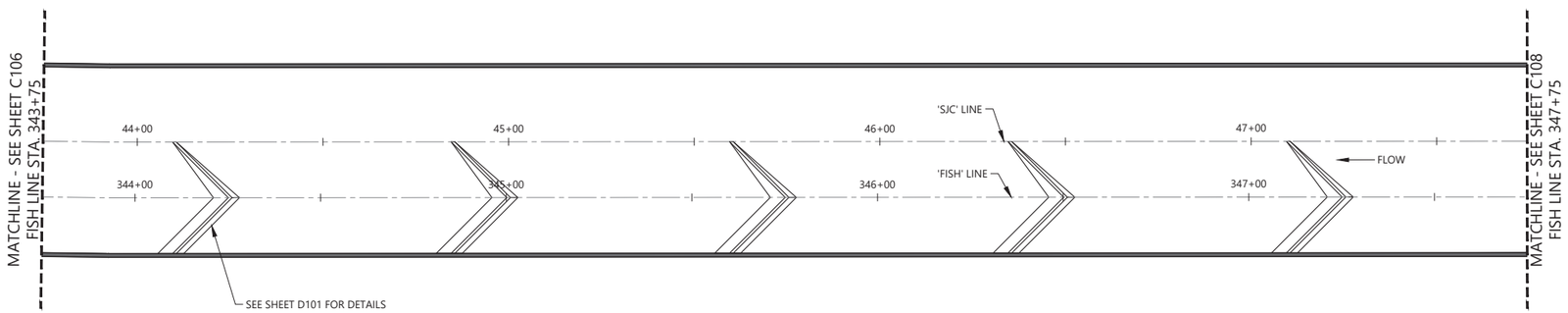
LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



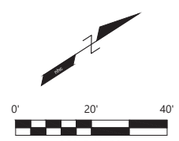
PROFILE - FISH LINE STA. 343+75 TO 347+75

Scale: 1"=20'



PLAN - FISH LINE STA. 343+75 TO 347+75

Scale: 1"=20'



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File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

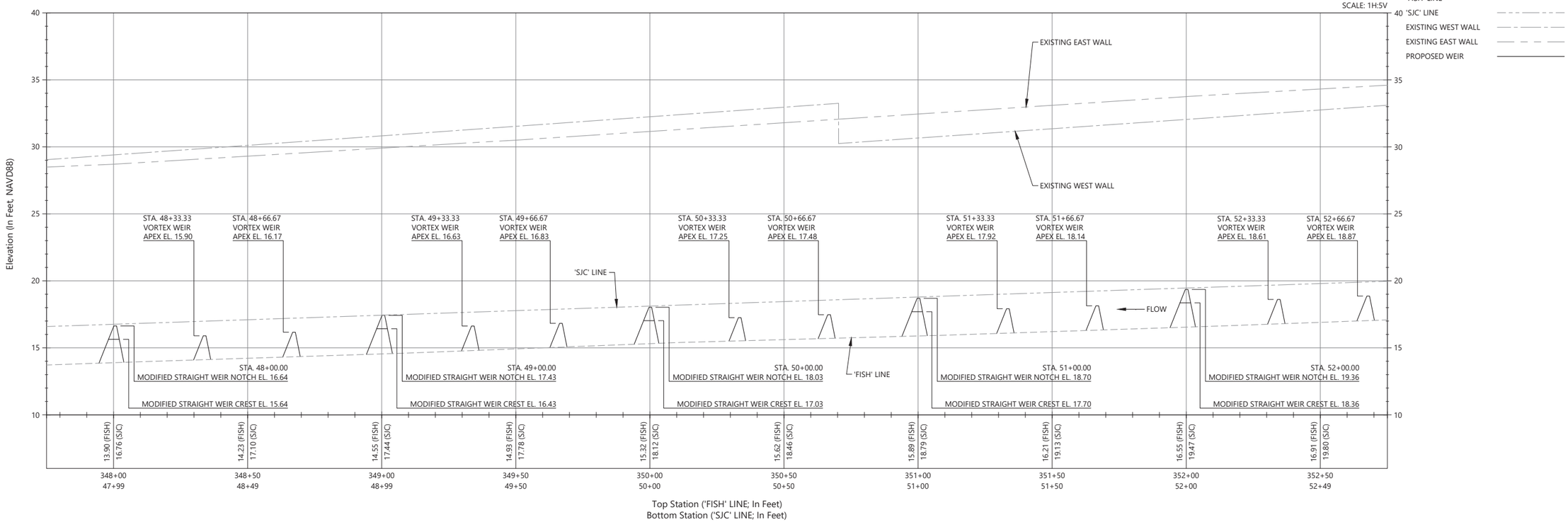
Job Number 2007147

Sheet Number

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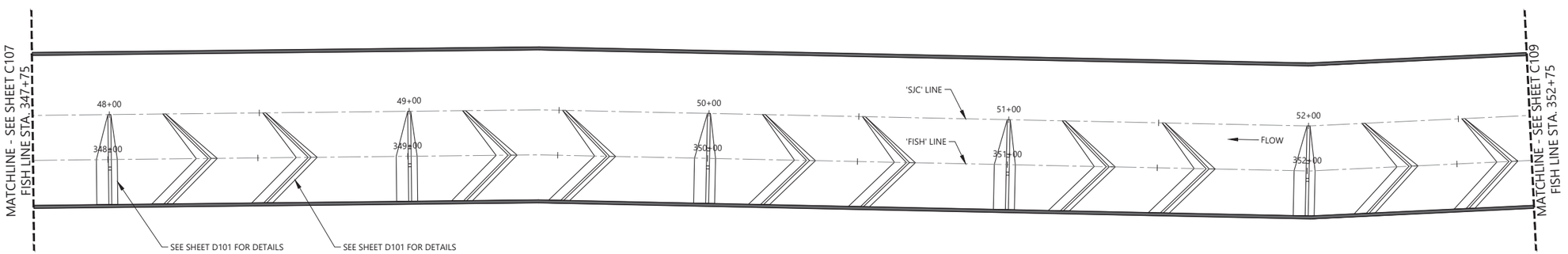
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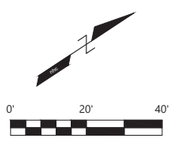
PROFILE - FISH LINE STA. 347+75 TO 352+75

Scale: 1"=20'



PLAN - FISH LINE STA. 347+75 TO 352+75

Scale: 1"=20'



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San Jose Creek Fish Passage Improvements

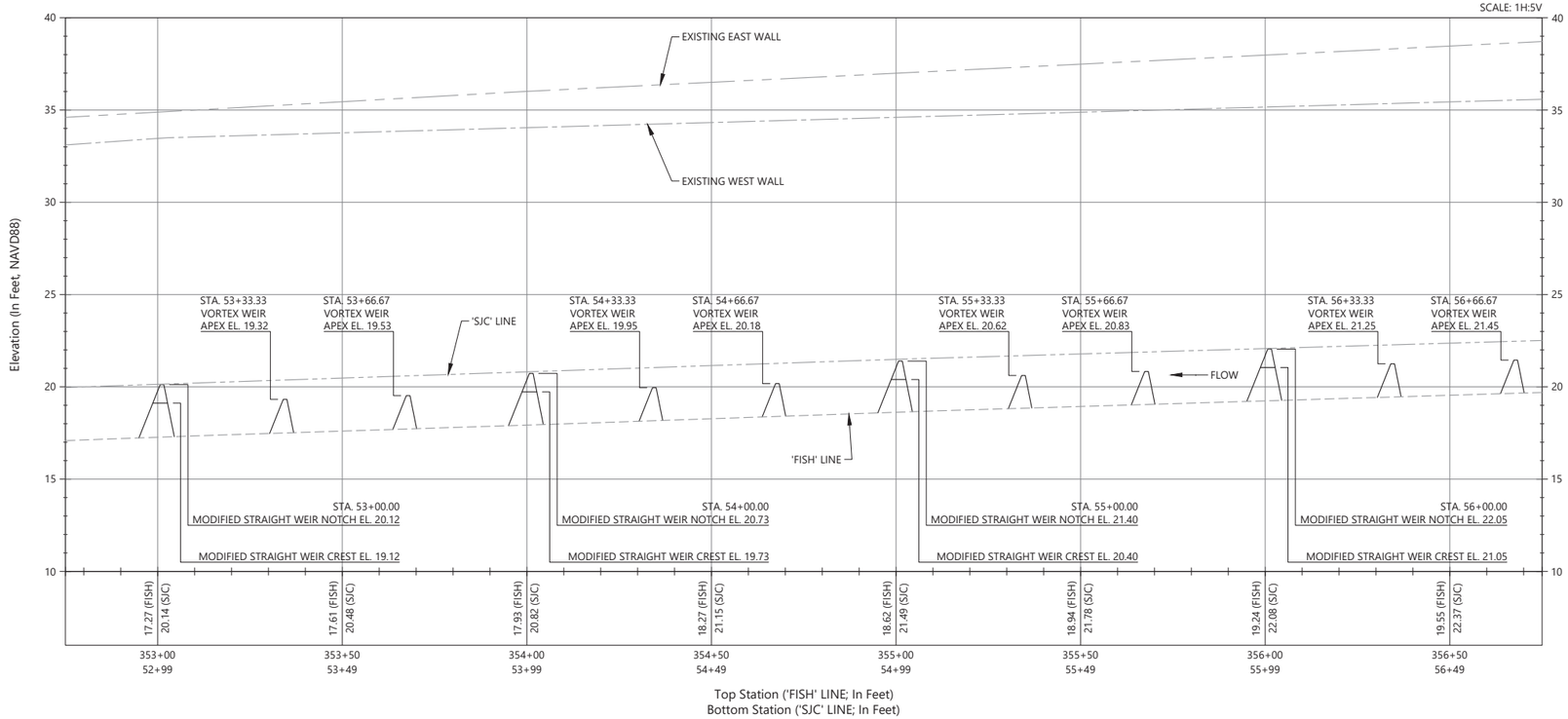
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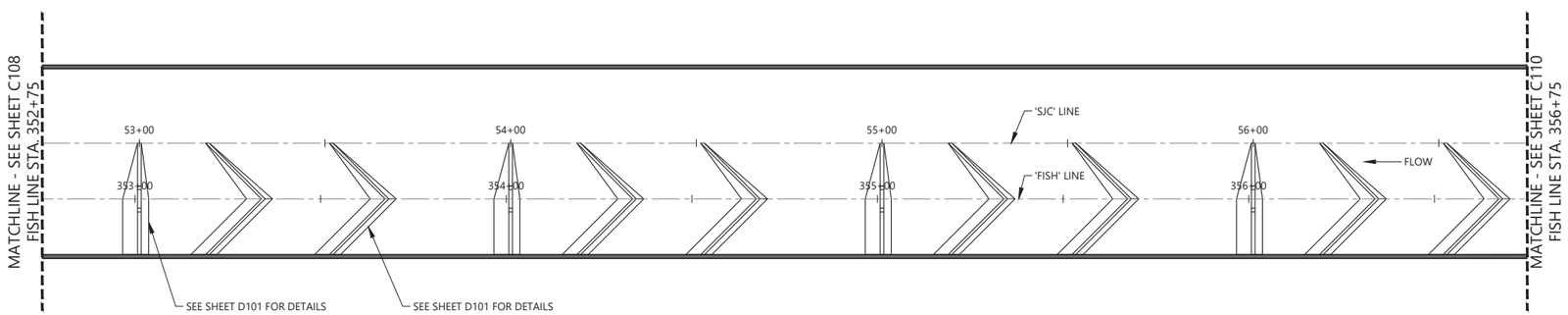
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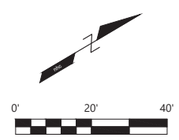
PROFILE - FISH LINE STA. 352+75 TO 356+75

Scale: 1"=20'



PLAN - FISH LINE STA. 352+75 TO 356+75

Scale: 1"=20'



LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR

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San Jose Creek Fish Passage Improvements

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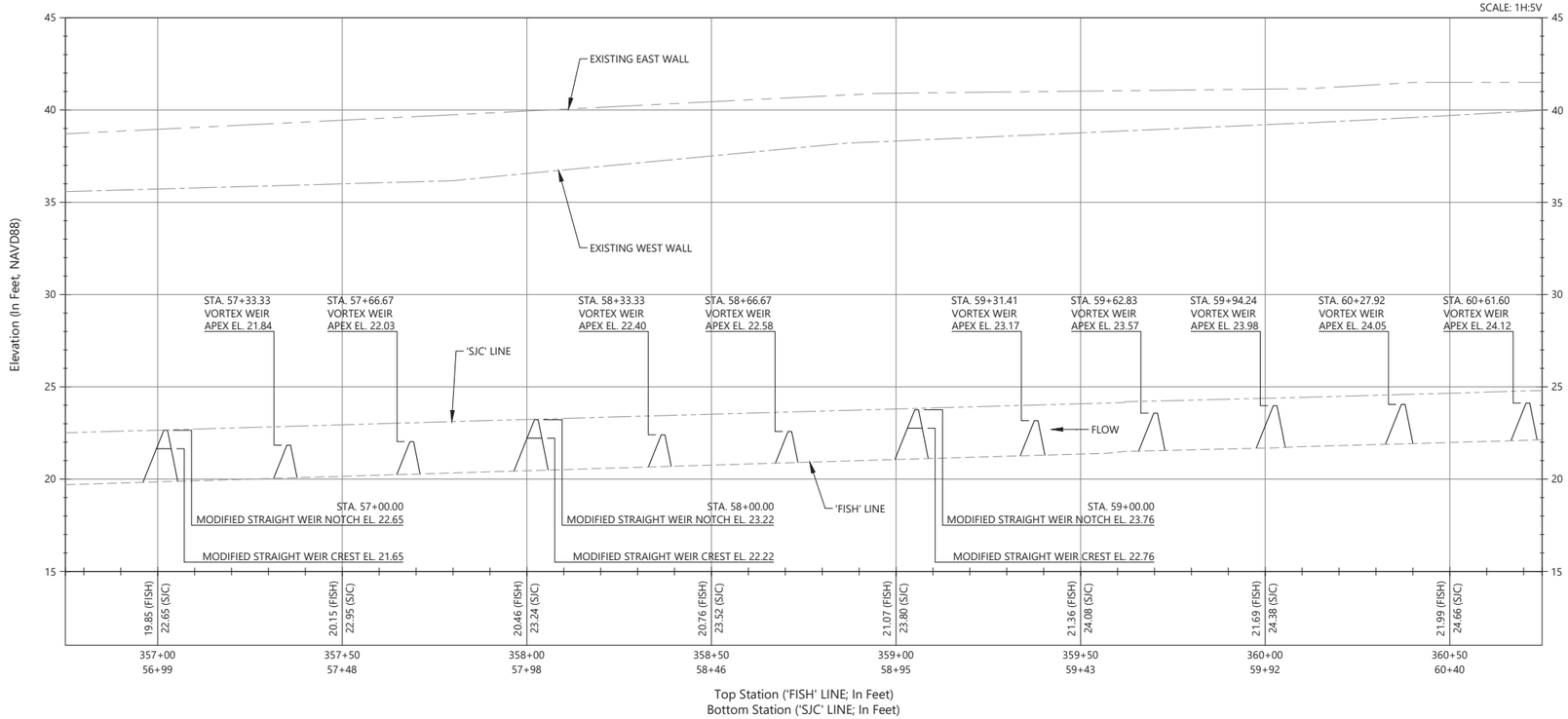
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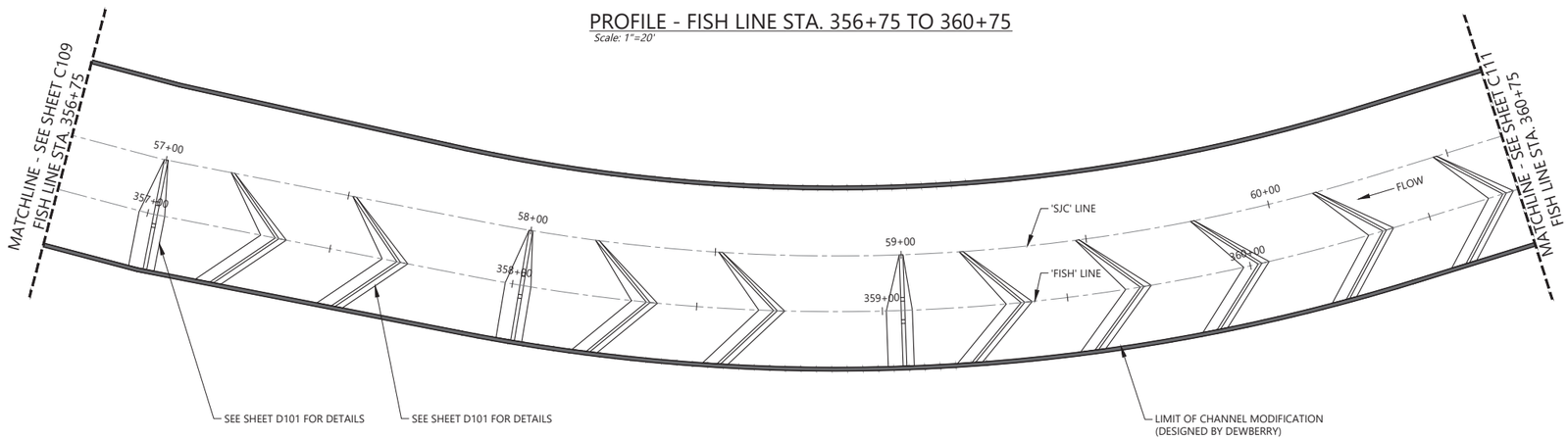
LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



PROFILE - FISH LINE STA. 356+75 TO 360+75

Scale: 1"=20'



PLAN - FISH LINE STA. 356+75 TO 360+75

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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San Jose Creek Fish Passage Improvements

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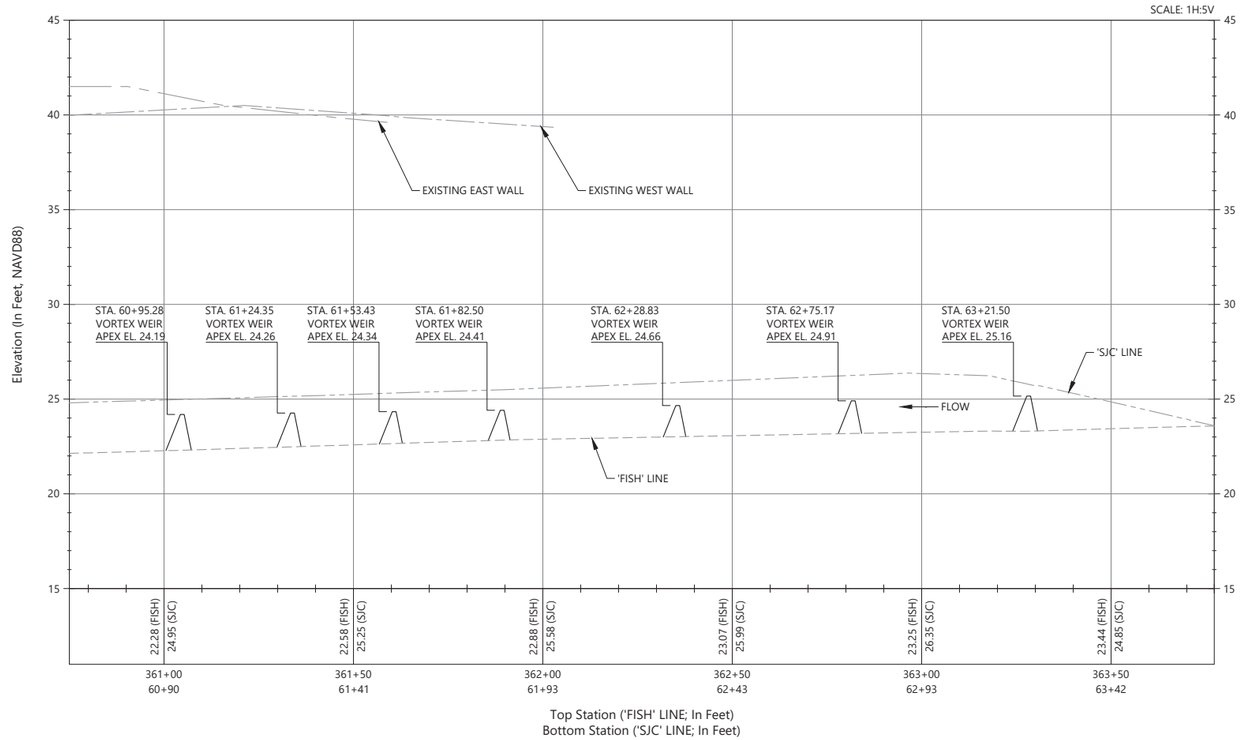
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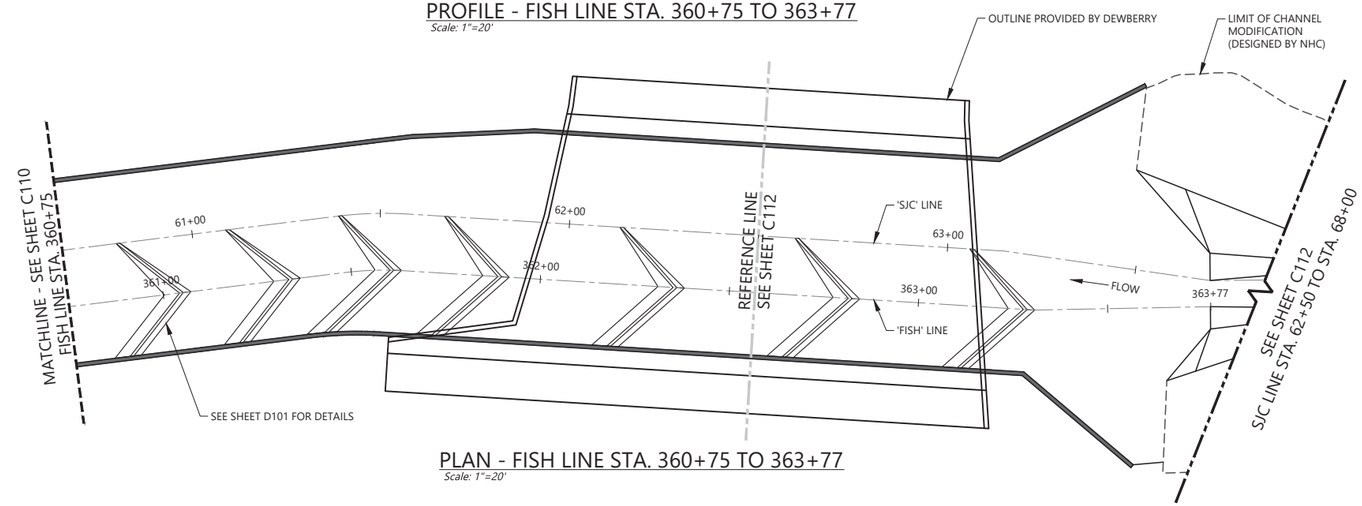
LEGEND

- 'FISH' LINE
- 'SJC' LINE
- EXISTING WEST WALL
- EXISTING EAST WALL
- PROPOSED WEIR



PROFILE - FISH LINE STA. 360+75 TO 363+77

Scale: 1"=20'



PLAN - FISH LINE STA. 360+75 TO 363+77

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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San Jose Creek Fish Passage Improvements

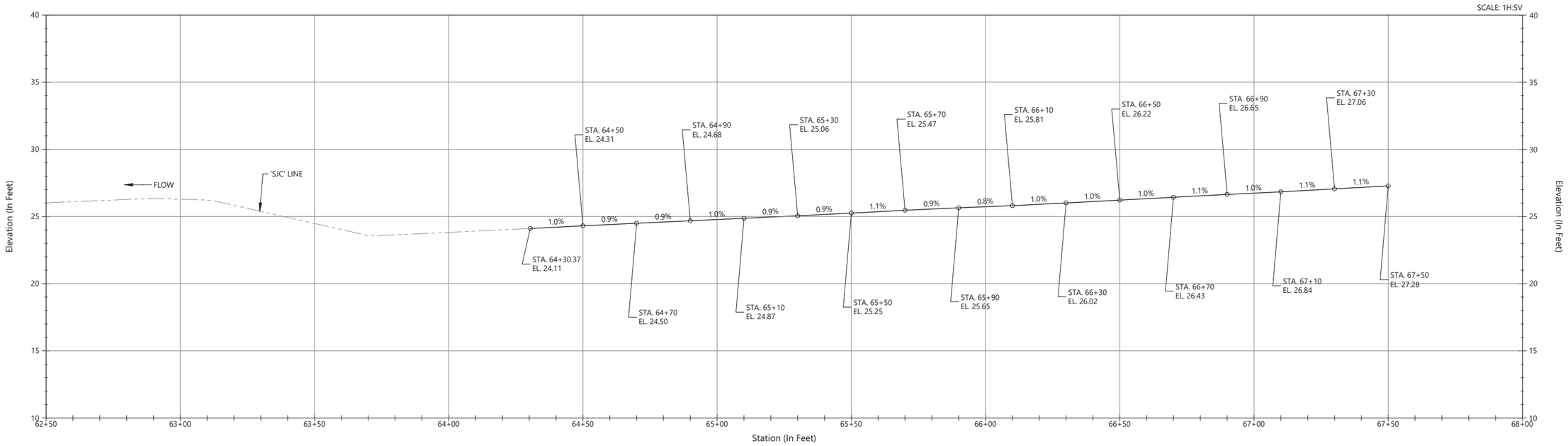
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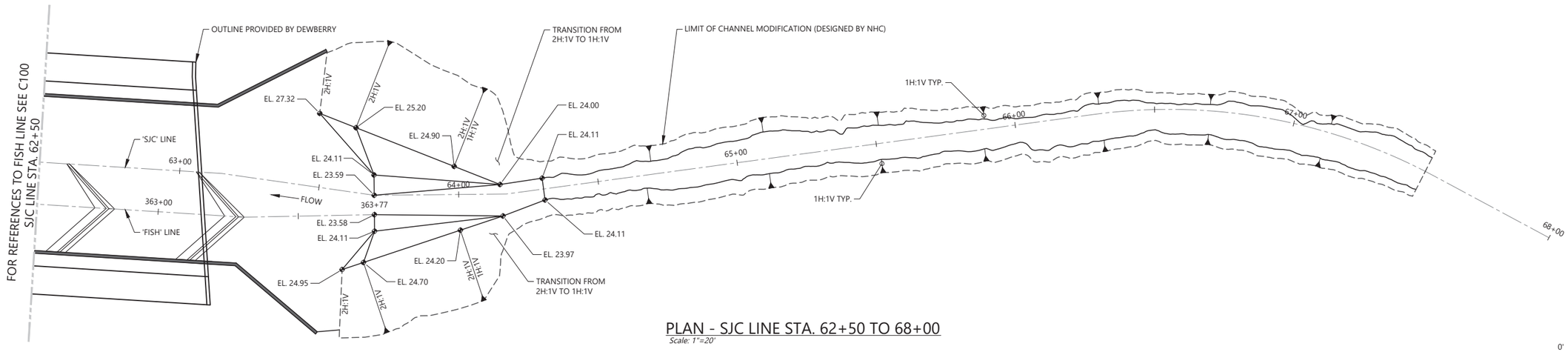
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PROFILE - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'



PLAN - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'

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San Jose Creek Fish Passage Improvements

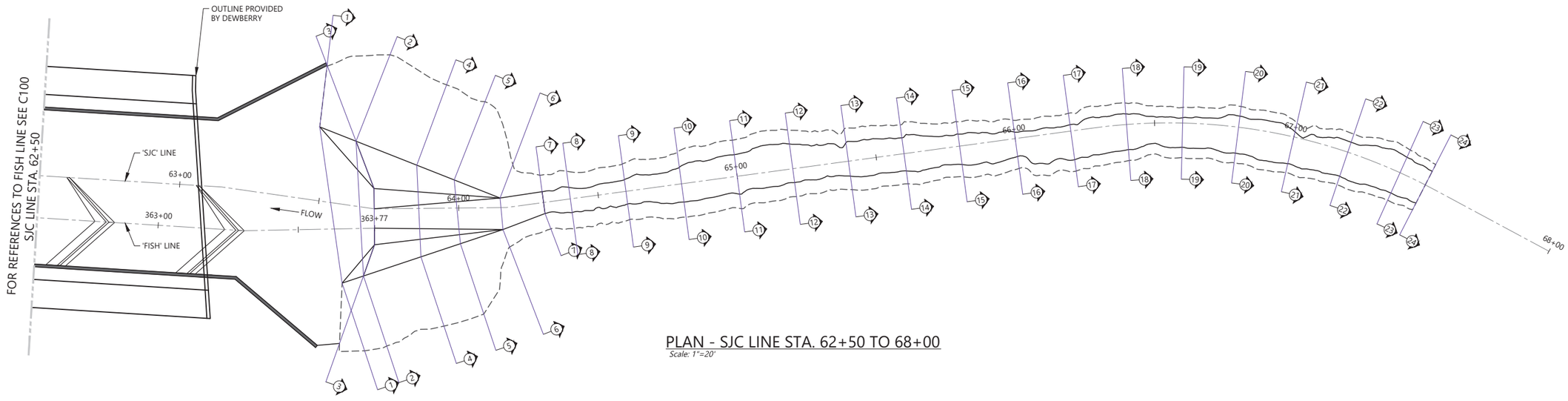
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PLAN - SJC LINE STA. 62+50 TO 68+00

Scale: 1"=20'

0' 20' 40'

SCALE 1"=20'

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Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

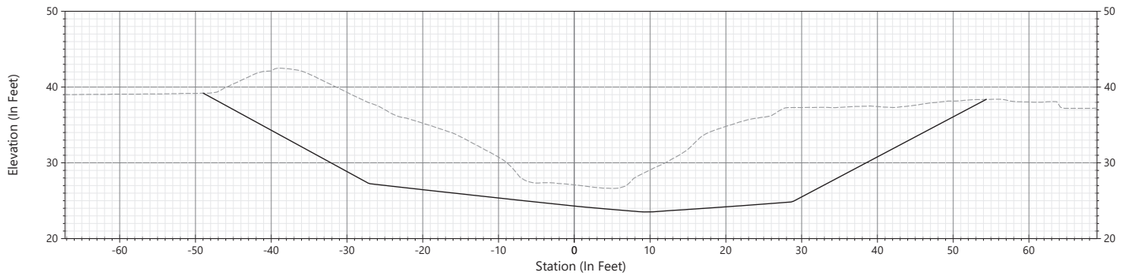
Job Number 2007147

Sheet Number

C113

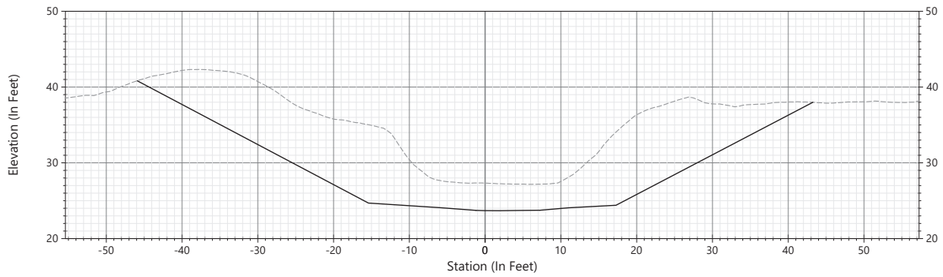
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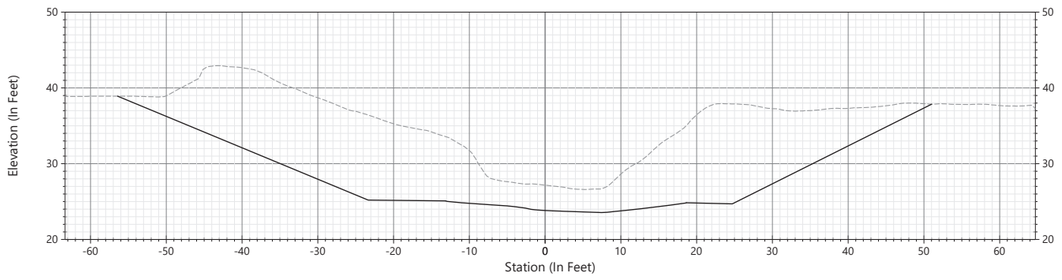
SECTION 1 - STA. 63+54.18

Scale: 1"=10'



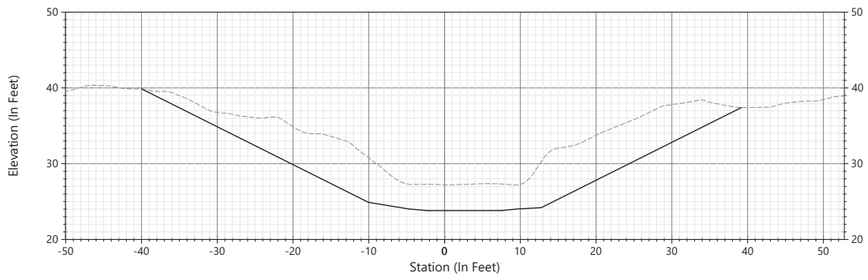
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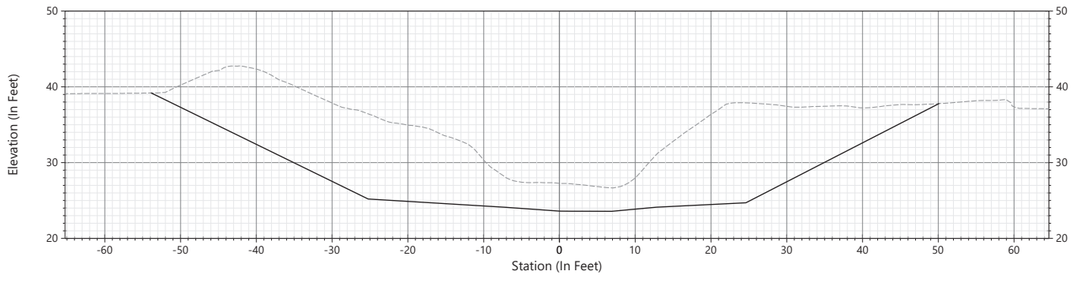
SECTION 2 - STA. 63+64.64

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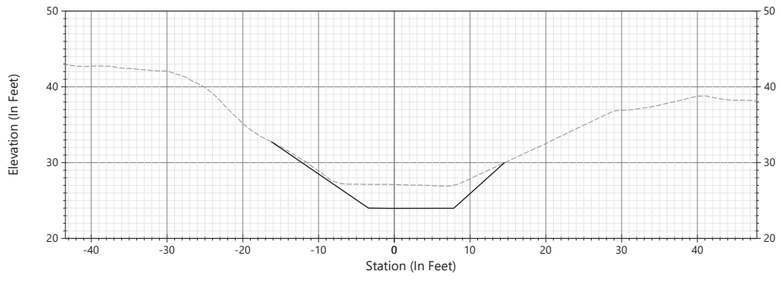
SECTION 5 - STA. 63+99.37

Scale: 1"=10'



SECTION 3 - STA. 63+69.90

Scale: 1"=10'



SECTION 6 - STA. 64+15.06

Scale: 1"=10'

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PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
No.	Date	Description

Drawing Information	
Date	11:33:06 20250318
Status	65% Submittal
Designer	
Drafter	
Checked	
File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

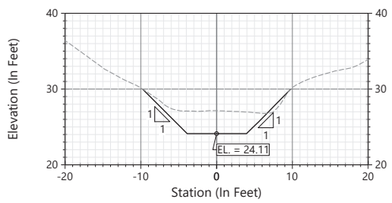
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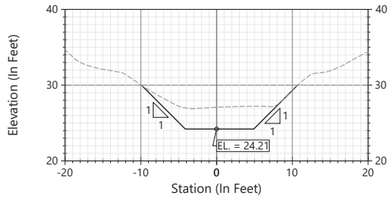
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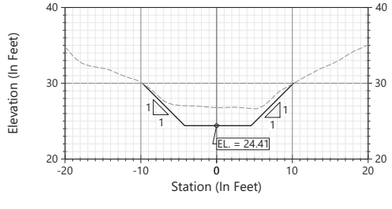
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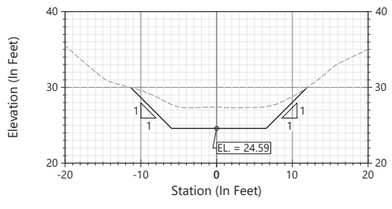
SECTION 7 - STA. 64+30.37
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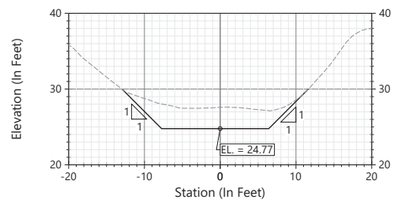
SECTION 8 - STA. 64+40.00
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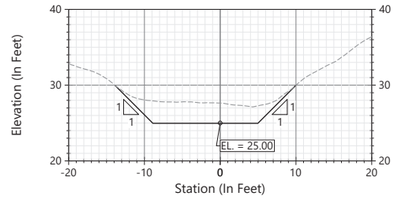
SECTION 9 - STA. 64+60.00
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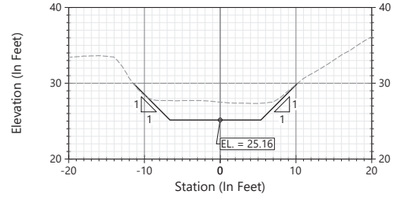
SECTION 10 - STA. 64+80.00
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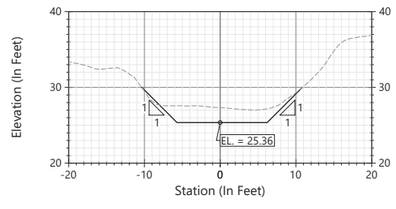
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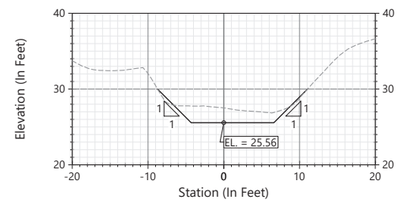
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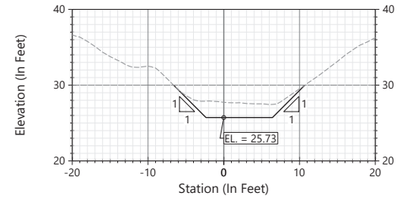
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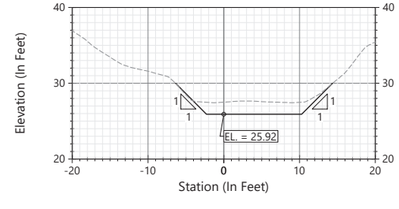
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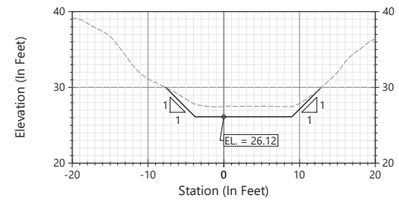
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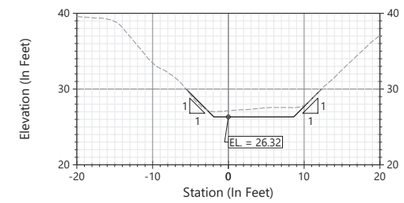
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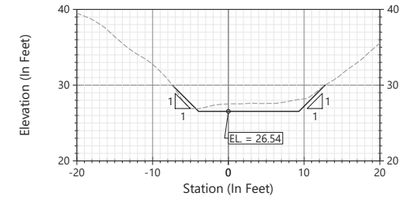
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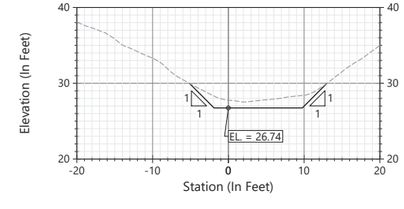
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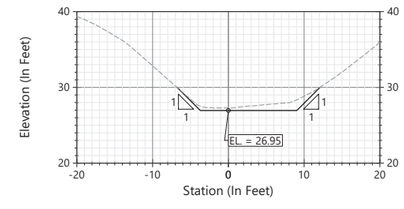
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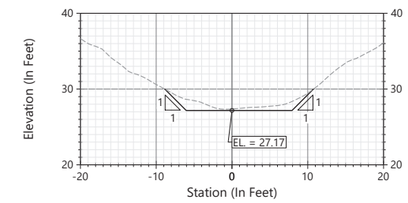
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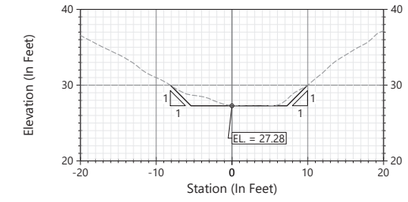
SECTION 21 - STA. 67+00.00
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SECTION 22 - STA. 67+20.00
Scale: 1"=10'



SECTION 23 - STA. 67+40.00
Scale: 1"=10'



SECTION 24 - STA. 65+50.00
Scale: 1"=10'

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PRELIMINARY
NOT FOR CONSTRUCTION

Revisions		
No.	Date	Description

Drawing Information	
Date	11:33:06 20250318
Status	65% Submittal
Designer	
Drafter	
Checked	
File Name	SJC CIVIL15
Plotted Scale	0 1/2 1

San Jose Creek Fish Passage Improvements

Job Number 2007147

Sheet Number

C115

Sheet xx of XX

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