Agenda Item C.2
PUBLIC HEARING
Meeting Date: September 20, 2022

TO: Mayor and Councilmembers

FROM: Charles Ebeling, Public Works Director

CONTACT: Teresa Lopes, Senior Project Manager,
Laura Bridley, Contract Planner

SUBJECT: Public Hearing to Approve Mitigated Negative Declaration and Development Plan for the San Jose Creek Multipurpose Path Project

RECOMMENDATION:

A. Open a public hearing to take verbal and written testimony; and

B. After considering the evidence presented during the public hearing, adopt Resolution No. 22____ entitled "A Resolution of the City Council of the City of Goleta, California, Adopting the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and Approving the Development Plan for the San Jose Creek Multipurpose Path. Project Located Along San Jose Creek and State Route 217 right of way and Assessor Parcel Numbers 071-035-CA, 071-090-048, 071-090-047, 071-090-074, 071-090-083, 071-010-010, 071-090-082, 069-160-013, 071-200-011 and 071-140-055, from Calle Real to the Atascadero Bike Path; CASE NO. 22-0007-DP."

BACKGROUND

The San Jose Creek Multipurpose Path (Project) has been in the City of Goleta's Capital Improvement program prior to the City's incorporation. The purpose of the Project is to complete two path segments for a continuous safe link in the regional active transportation network from Calle Real to the Atascadero Creek Trail (Obern Trail/Coast Route). The Project would construct a Class I bikeway/multipurpose path (Path) to close gaps in the regional active transportation network. The Path would connect the Calle Real commercial and residential areas on the north side of U.S. Route (US) 101 to commercial and residential areas within the Goleta Old Town area to the University of California, Santa Barbara (UCSB) and the Coastal Route. Four significant barriers to north-south regional connectivity would be removed by crossing under US 101 and Union Pacific Railroad (UPRR) bridges, crossing over San Jose Creek and crossing under State Route (SR) 217 on the south end.

Grant and Project Development

In 2019 the City was awarded an Active Transportation Program (ATP) Cycle 4 Grant to fund the majority of the design, right of way and construction of the San Jose Creek Multipurpose Path Project (proposed project). The project received a total of $17,959,000

in State and Federal ATP funding with $1,800,000 for the Design Phase which included funding in the amount of $869,000 for the Right of Way, and $15,290,000 for the Construction Phase. The grant did not include funds for Conceptual Design and Environmental Review, which were funded entirely with local funds.

The Project must meet specific milestones required by the Caltrans Project Development Process and the ATP grant guidelines in order to receive the grant funding for each subsequent phase:

1. In order to receive the ATP funding awarded for the Design and Right of way phases of the project, the City must approve the environmental document (MND). the City must submit the approved MND as part of the funding allocation request package to Caltrans and the California Transportation Commission (CTC) by October 10, 2022.
2. After the ATP funding has been allocated for the Design and Right-of-Way phases for the project, the City must complete the final project bid documents (plans, specifications, and estimate) and obtain all right of way acquisitions and easements. The final bid documents and right of way certification for the Project must be submitted to Caltrans and the CTC as part of the package to request allocation of the ATP Construction phase funding by January 2023.

It is important to note that City approval of the MND is required in order to return to the CTC for the next phase of funding this year.

The City is working in partnership with Caltrans as the project crosses multiple points of Caltrans right of way. Since award of the ATP grant, Public Works staff has had collaborative interactions with Caltrans to coordinate the project with Caltrans' SR 217 (EA 05-1H4304) and US 101 (EA 05-1C3604) Bridge Replacement projects.

Staff also met with Santa Barbara County in early consultation about this project in December 2019 to review the southern extent of the path that is located in the County and to coordinate review and approval of the project. The southern portion of the project which is located in the Coastal Zone falls within the jurisdictions of the County and the City. The County has their own Local Coastal Plan and this required the City to obtain a Coastal Development Permit (CDP) from both the County, for the portion in the County, and the California Coastal Commission (Coastal Commission), for the portion in the City. After discussions with the County, Caltrans and Coastal Commission, staff pursued a consolidated CDP from Coastal Commission to eliminate the need for a separate permit from the County. On February 26, 2021, the County agreed to allow Goleta to seek a consolidated Coastal Development Permit from the Coastal Commission . This consolidated review means that the project may proceed directly to the Coastal Commission for a Coastal Development Permit, and not require a CDP from the County.

<u>San Jose Creek Timeline</u>

On December 4, 2018, the City Council authorized a Professional Design Services Agreement with Dewberry Engineers Inc. (Dewberry) for project conceptual design and environmental review for the San Jose Creek Bike Path Middle Extent (identified as the Northern Segment in the Project) in an amount not to exceed $1,100,000. On March 5, 2019, the City Council authorized a Professional Design Services Agreement with Dewberry for project conceptual design and environmental review for the San Jose Creek Multipurpose Path Southern Extent (identified as the Southern Segment in the Project) Project in an amount not to exceed $1,436,017. Additionally, on August 17, 2021, the

agreement was amended for a new contract not-to-exceed amount of $2,500,000 to combine both the northern segment and southern segment into one project, to complete preparation of the environmental document, and expand on the project conceptual design for the portions of the project located within Caltrans right of way to coordinate with the Caltrans bridge replacement projects.

The project design team is providing updates, environmental services and follow up permitting with state and federal agencies. City and contract staff are taking the project through local and Coastal Commission entitlement steps, as well as follow up permits from state and federal agencies.

The initial key work product required by the ATP Grant was the completion of a conceptual design and environmental documentation under California Environmental Quality Act (CEQA). The project also requires clearance under the National Environmental Policy Act (NEPA) because the grant involves federal funding, and Caltrans is responsible for that documentation. Thus, the City of Goleta requests approval of the proposed Final Initial Study/Mitigated Negative Declaration (IS/MND) prepared pursuant to CEQA Section 15074, and approval of a Development Plan to allow the construction of the San Jose Creek Multipurpose Path from Calle Real to the Atascadero Bike Path east of SR 217.

After the Council's approval of the IS/MND and Development Plan, the project will go to the Coastal Commission for approval of a Coastal Development Permit and seek follow up permits from multiple state and federal agencies with more developed plans, as summarized in Table 1. Anticipated timing for these steps following City approval of the MND is one to two years. The anticipated start date for construction of the proposed project is spring 2024, and it would last approximately one to two years.

Table 1

Agency	Permit/Approval	Status
City of Goleta City Council	Approval of IS/MND and Development Plan	Follows approval of technical studies and public circulation of IS/MND
Santa Barbara County	Consolidated Coastal Development Permit Concurrence Letter	County sent to the Coastal Commission on February 26, 2021 and copied the City. This approval is complete.
Caltrans/Federal Highway Administration (FHWA)	Approval of a Categorical Exclusion, under National Environmental Protection Act (NEPA)	Follows approval of technical studies and receipt of Biological Opinion and approval of IS/MND
Caltrans	Encroachment Permit	Application to follow approval of IS/MND (by City)
U.S. Army Corps of Engineers (Corps)	Section 404 Nationwide Permit	Application to follow approval of IS/MND (by City)
United States Fish and Wildlife Service (USFWS)	Biological Opinion and Incidental Take Permit under Section 7 Consultation of the Federal Endangered Species Act	Biological Assessment (BA) prepared as basis for consultation
National Oceanic and	Biological Opinion and	Biological Assessment (BA)

Agency	Permit/Approval	Status
Atmospheric Administration/National Marine Fisheries Service (NOAA/NMFS)	Incidental Take Permit under Section 7 Consultation of the Federal Endangered Species Act	prepared as basis for consultation
NOAA/NMFS	Essential Fish Habitat Consultation	Biological Assessment (BA) prepared as basis for consultation
California Department of Fish and Wildlife (CDFW)	Section 2081 – Incidental Take Permit or Consistency Determination	Application to follow approval of IS/MND (by City)
CDFW	Section 1602 Lake and Streambed Alteration Agreement	Application to follow approval of IS/MND (by City)
Central Coast Regional Water Quality Control Board (RWQCB)	Clean Water Act Section 401 Water Quality Certification	Application to follow approval of IS/MND (by City)
Central Coast RWQCB	State Waste Discharge Requirements	Notice of Intent filed upon contract award
Central Coast RWQCB	National Pollutant Discharge Elimination System (NPDES) Permit – Construction General Permit	Notice of Intent filed upon contract award
California Coastal Commission	Consolidated Coastal Development Permit	Application to follow approval of IS/MND and Development Plan (by City)

Jurisdiction

The project extends from the inland to coastal zone portions of Goleta and is located near Environmentally Sensitive Habitat Areas (ESHA). A City project located within the coastal zone and is located within ESHA must obtain a Development Plan per Goleta Municipal Code (GMC) 17.59.020(A)(5), since it does not qualify for an Exemption or a Land Use Permit (GMC 17.55.030(A)). GMC 17.50.030 states that the City Council has the following powers and duties:

"(H) Act as the Review Authority for all zoning permits, except Zoning Clearances, and all discretionary approvals required by this Title for City projects, including Capital Improvement Program projects."

Therefore, City Council is the final decisionmaker for the CEQA document and Development Plan per GMC 17.59.

Project Description

The proposed project consists of two separate path segments which together would provide a continuous path from Calle Real to the Atascadero Creek Bikeway (See Attachment 2 Exhibit 1). The two segments of the proposed project are as follows:

Northern Segment (See Attachment 2 Exhibit 2): This portion of the project extends from Calle Real under U.S. 101 and Union Pacific Railroad (UPRR) to Armitos Avenue. Here the

Path would join the Class I facility near Armitos Park (to be constructed 2023) which connects to the existing Class I path at Jonny D. Wallis Park. The northern segment of the multipurpose path would be a paved path approximately 2,400 feet in length ranging from 8 to 10 feet wide with shoulders ranging from 0 to 2 feet wide. Retaining walls will be located along sections of the path alignment and would range from 4 feet to 12 feet in height.

The Northern Segment would be on the west side of San Jose Creek, within the floodplain but outside of the active channel. It is anticipated that approximately 680 feet of the proposed project path would be constructed within the existing San Jose Creek bank. This situation would occur where the proposed project crosses under the UPRR, US 101, and Calle Real bridges.

Southern Segment (See Attachment 2 Exhibit 3): This portion of the project would be approximately 1 mile in length, ranging from 8 to 10 feet wide, with shoulders ranging from 0 to 2 feet wide. A 2-foot wide, 3.5-foot-high standard concrete barrier with a bicycle/pedestrian rail would separate the multipurpose path from SR 217. The multipurpose path would raise in elevation at the proposed 12 ft wide bicycle/pedestrian bridge that would span over San Jose Creek, and then the path would transition to the SR 217 shoulder. The multipurpose path will remain at grade with SR 217 for approximately 3,200 feet, at which point the path will then drop below the SR 217 grade for 1,066 feet as the path approaches the proposed 14 ft wide by 8 ft high box culvert crossing under SR 217. Approximately 1,500 feet of the southernmost portion of this segment is outside of City limits and located within Santa Barbara County jurisdiction.

Figures 1 through 3 included in Attachment 2 provide an overview of the San Jose Creek Multipurpose path.

Construction of the southern segment of the proposed project would require partial road closures along SR 217 in order to construct the facility within the shoulder and second lane of southbound SR 217, as well as for the southerly undercrossing culvert construction. This would require staged construction and partial lane closures.

Utility relocation would be needed for the path tie-in at Calle Real in the northern segment. Utilities within the southern segment include a storm drain, gas lines, water lines and overhead electric and telecommunications cables which cross SR 217, and others located near South Kellogg Avenue.

While the fundamental alignment, conceptual design and project effects on the environment have been assessed as completely as possible with 35% design drawings, there are additional details that must be developed during the following design phases. The City Council can direct staff to bring certain design elements of this Project to the Design Review Board (DRB) for advisory review.

DISCUSSION:

Environmental Review / California Environmental Quality Act (CEQA)

As noted above, multiple technical reports were prepared by Dewberry for the Public Works Department and reviewed iteratively by Caltrans as the start of the environmental review of this project from 2018 to 2022. Such reports, available as appendices to the IS/MND, were refined multiple times and ultimately contributed to the draft IS/MND. It should be noted that

the IS/MND includes assessment of the project in relation to CEQA thresholds of both the City of Goleta, and the County of Santa Barbara, as the project spans both jurisdictions.

The draft IS/MND was prepared for the project pursuant to the requirements of CEQA (Pub. Resources Code §§ 21000 et seq.) and released on June 30, 2022 for a 30-day public review period. Staff received 46 comments by the close of that circulation period (August 1, 2022) and have made revisions as needed in the final IS/MND, (see Attachment 1, Exhibit 1; Appendix A provides Responses to Comments). One letter from the California Department of Fish and Wildlife was received eight days after the close of public comment and City staff has reached out to this agency to review their comments verbally. Staff will continue to coordinate with this agency as the project moves forward with all agencies for permitting after the City's action on the CEQA document and Development Plan.

The six areas of concern that resulted in mitigation measures were aesthetics, biological resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise. These potential impacts and mitigation measures are summarized below.

Aesthetics

Potential impacts could occur to aesthetic resources given the project's location within 1200 feet of scenic views designated at Hollister Avenue near Goleta Valley Community Center, Ward Drive/Hollister Avenue, and U.S. 101/S.R. 217 interchange proposed project. While both U.S. 101 and S.R. 217 are designated as Local Scenic Corridors in the City General Plan, the project route will go under U.S. 101 through a culvert so the Project will not be visible from this corridor. Approximately 82 trees are planned to be removed along the northern segment, with nine from Calle Real to U.S. 101, this would be visible to users of U.S. 101. Another seven trees would be removed between U.S. 101 and UPRR.

The proposed multipurpose path bridge over San Jose Creek would be approximately 10 feet above existing ground level with safety fencing approximately 8 feet in height. This is consistent with the scale of the surrounding structures in the proposed project area. The proposed multipurpose path bridge would not obstruct views of the mountains for travelers along eastbound SR 217.

Mitigation measures to address these effects include:

- Use of open style safety fencing and rails on the bridge structure in consultation with the City of Goleta and Caltrans;
- Replacement of roadside rail with an open style structure in consultation with Goleta and the County of Santa Barbara, and with Caltrans when in State right of way;
- Fencing associated with the multipurpose bridge to be visually compatible with the SR 217 bridge;
- No standard galvanized chain link fencing except at the right of way line, as required;
- Aesthetic treatment of retaining walls and concrete barriers that may include low shrubs, and/or surface texturing to reduce the potential for graffiti, in consultation with Goleta, Santa Barbara County, and Caltrans; and
- During final design of the project plans, include consultation with a landscape architect, Board Certified Master Arborist or Registered Consulting Arborist to prepare a tree replacement plan (included in a Conceptual Habitat Restoration Plan) that will include species, quantities, locations of replacement plantings and specifications for the

survival of planted trees. Trees will be replaced at a 1:1 ratio, and those identified as riparian trees will be replaced at a 3:1 ratio.

The proposed project would have a less than significant impact on established scenic vistas with the incorporation of mitigation measures.

Biological Resources

Potential impacts could occur on biological resources along San Jose Creek and the associated ESHA. Potential impacts to special-status wildlife species include direct harm if they were to become trapped in the construction area, come into contact with construction personnel and/or equipment, or be inhibited from movement through the construction area. The following special-status wildlife species that have the potential to be impacted within the proposed project area:

- Monarch Butterfly
- California Red-Legged Frog, Coast Range Newt, Northern California Legless Lizard, Western Pond Turtle, and Coast Horned Lizard
- Southwestern Willow Flycatcher and Least Bell's Vireo
- Grasshopper Sparrow, White Tailed Kite, Belding's Savannah Sparrow, and Other Migratory Birds and Raptors
- Pallid Bat, Western Mastiff Bat, and Western Red Bat
- San Diego Desert Woodrat

With implementation of Mitigation Measures BIO-1 through BIO-9, residual project impacts on biological resources during construction would be less than significant. Wildlife movement through the area will be accommodated by adjacent open space areas and fencing and monitoring would ensure construction would not inadvertently intrude into immediately adjacent sensitive ESHA.

The southern segment has the potential to directly and indirectly impact designated critical habitat and essential fish habitats for tidewater goby and southern California steelhead, and the northern segment has the potential to directly and indirectly impact designated critical habitat for southern California steelhead. Within the northern segment, approximately 0.304 acres of shaded riverine aquatic (SRA) habitat has the potential to be permanently impacted, and 0.204 acres of SRA would be temporarily impacted. Within the southern segment, approximately 0.09 acres of SRA habitat would be permanently impacted, and no temporary impacts would occur on the southern segment. Implementation of Mitigation Measures BIO-2 and BIO-3 will reduce project impacts on tidewater goby, southern California steelhead, designated critical habitat, and Essential Fish Habitat (EFH) to less than significant levels.

The proposed project has the potential to impact wetlands and riparian habitat. With respect to wetlands, the proposed project would result in approximately 0.02 acres of permanent impacts to potentially jurisdictional wetlands located within the southern segment due to the alignment of the multipurpose path. No wetlands are located within the northern segment; however, the proposed project would result in 0.005 acres of permanent impacts to other waters of the U.S. within the northern segment. With respect to riparian habitat, the proposed project northern segment has approximately 0.304 acres of California sycamore/coast live oak riparian woodland habitat that would be permanently impacted and approximately 0.204 acres would be temporarily impacted as a result of construction access

and staging areas. Within the proposed project southern segment, approximately 0.15 acres of arroyo willow riparian thicket would be permanently impacted; no temporary impacts would occur. Impacts to riparian habitat and wetland habitats would be mitigated through the implementation of Mitigation Measure BIO-2, which requires replacing these habitats at a 3:1 ratio, or ratio determined appropriate through the agency permits, thus reducing impacts to a less than significant impact. Once construction is complete, no significant contribution to cumulative biological resource impacts will occur with the ongoing day-to-day operations of the project site which would return to current levels. In addition, the City could partner with a governmental or non-profit organization in the area already actively restoring salt marsh habitats in the region (e.g., Goleta Slough Tidal Restoration Project by SBC, West Goleta Slough Project by The Land Trust for SBC, North Campus Open Space Restoration Project through UCSB's Cheadle Center for Biodiversity and Ecological Restoration).

The proposed project northern segment would include the potential removal or impact of approximately 82 trees consisting of native and non-native species. Mitigation Measures AES-2 and BIO-2 would require tree replacement at a 3:1 ratio for trees considered to be riparian trees and a 1:1 ratio for all other trees. The implementation of these mitigation measures would reduce impacts related to tree removal to less than significant levels.

The IS/MND includes extensive analysis of existing habitat types and potential jurisdictional areas within the proposed project, all of which will be subject to state and federal agency permitting. With implementation of the proposed mitigation measures BIO 1 through BIO 9, the residual project impacts on biological resources during construction would be less than significant. Wildlife movement through the area will be accommodated by adjacent open space areas and fencing and monitoring would ensure construction would not inadvertently affect immediately adjacent sensitive ESHA. Impacts to riparian habitat and wetland habitats would be mitigated through replacement of such habitats on a 3:1 ratio or a ratio determined appropriate through agency permits, thus reducing such impacts to a less than significant level.

Geology and Soils

The potential for fault rupture is minimal at the proposed project site and there are no Alquist-Priolo mapped earthquake faults or zones identified on or in the immediate proposed project area. While low lying areas of the project site, particularly along San Jose Creek, may be susceptible to liquefaction, construction methods for retaining walls, the multipurpose path bridge over San Jose Creek, and the culvert under SR 217 mean the project is anticipated to have a less than significant impact. Although San Jose Creek is immediately adjacent to the proposed project, no construction activity or grading would occur within the top of bank or active channel of San Jose Creek. The proposed project area is on level, flat terrain and does not pose risk of landslide. Activities involving soil disturbance, excavation, cutting/filling, and grading could result in increased erosion, which will be addressed through adherence to, and implementation of multijurisdictional permitting requirements, building/grading standards, site-specific Best Management Practices (BMPs), and mitigation measures required by the final MND.

The proposed project site includes disturbed and undisturbed sections in a primarily urban setting including local roadways, bridges and highways, all of which have low paleontological sensitivity. Mitigation Measure GEO-1 would therefore be required, to stop work if a fossil discovery is made during the course of construction until a qualified

paleontologist can evaluate the discovery and determine if additional mitigation or treatment is warranted.

Hazards and Hazardous Materials

While the proposed project itself would not create any hazards or contribute to hazardous materials, construction of the San Jose Multipurpose Path could result in disturbance of hazardous materials remaining in already disturbed areas or related to construction materials and vehicles. Observation of Workers' Compensation and Safety Laws of the State of California, Division V of the Labor Code, and use all accepted and best safety practices for the public and contractor's employees would mitigate this potential effect.

Hydrology and Water Quality

Construction activities involving soil disturbance, excavation, cutting/filling, and grading activities could result in increased erosion and sedimentation to San Jose Creek and waters downstream. Construction materials, such as asphalt and concrete, and construction equipment fluids could be exposed to precipitation and subsequent runoff. Implementation of construction BMPs, compliance with vehicle manufacturer's specifications, and compliance with applicable regulations would reduce the chances of impacting surface water and groundwater quality.

Noise

Construction activity would generate temporary noise and ground-borne vibration in the project site vicinity, exposing surrounding sensitive receptors to increased noise levels. Northern segment construction noise would include excavation and foundation construction phases, but this activity would be located a minimum of 50 feet from the nearest sensitive receptor (Armitos Park). The southern segment includes pile driving construction which is expected to affect residences at the Winslowe Homes/City Ventures project and the Rancho Goleta Lakeside Mobile Home Park. These noise impacts would be temporary for the surrounding community, and the contractor would implement BMPs such as compliance with City construction hours of Monday through Friday, 8:00 to 5:00 p.m. (Section 17.39.070 of the Goleta Municipal Code), providing a contact for noise complaints and offering activity updates to the nearby community.

Additional mitigation measures include NOI-1, to minimize noise and vibration disturbances during construction:

- Use of newer equipment with improved muffling, engine enclosures and vibration isolations, inspected at periodic intervals to ensure presence of these noise control devices;
- Use of construction methods or equipment with the lowest level of noise and ground vibration impact available, such as alternative low noise pile installation; and
- Turning off idling equipment.

With the implementation of these measures, the proposed project would not have a residual noise impact and impacts would be less than significant.

General Plan Consistency

The project is consistent with the General Plan as more fully discussed in Attachment 1,

Exhibit 3. As a major capital improvement project that has been on the City's Transportation Element and more recently the Bike and Pedestrian Master Plan, the project fulfills several key General Plan policies such as:

- Land Use Element: Policies 1.1, Figure 2-1, Policy 1.7, 1.8.,1.13, 12.1, 12.7
- Open Space Element: Policies 4.2, 4.3, 4.5, Fig 3-2, Figure 3-5, 7.3, 7.5, 8.0
- Conservation Element: Policies 1.6 c. and d., 2.2, 2.3, 8.2, 8.3, 9.0, 10.3, 10.4, 10.6
- Safety Element: Policy 5
- Visual Resource Element: Policies 1.5, 2.4, 2.5
- Transportation Element: Figures 7-5, 7-6, Policies 1.1 thru 1.4, 2.3, 10.1 thru 10.3, 10.6
- Noise Element: Policies NE 6.4, 6.5

Zoning Ordinance Consistency

Project consistency with Title 17 is inherent through the project's compliance with the Development Plan and mitigation measures included in the IS/MND. Because public right of way does not have its own zoning, and because the project is almost entirely within existing infrastructure such as Calle Real, under US 101, UPRR, along San Jose Creek, and between the San Jose Creek flood channel and SR 217, analysis of the project with respect to zoning development standards such as height, setbacks, and lot area density would not be appropriate. Further, Title 17 recognizes this through §17.53.020.X that allows Capital Improvement Program projects to be exempt from Zoning permits, except where located within an ESHA. Compliance with the final MND mitigation measures and conditions of approval per the approved Development Plan, as cleared during final permitting with a zoning clearance by the Public Works Department, ensures that the San Jose Creek Multipurpose Path project complies with the intent of Title 17 as a capital improvement project.

As provided in Attachment 1, Section 4, the project meets all the findings required for approval of a Development Plan per Title 17, §17.59.030.

FISCAL IMPACTS:

There is no new fiscal impact associated with this item.

The existing not-to-exceed $2.5M Professional Design Services Agreement with Dewberry remains intact and has an expiration date of June 30, 2023. No additional funding is anticipated to complete the conceptual design and environmental aspects of the Project. Staff will return to City Council early next year to execute a new agreement for the design and right of way phases once the ATP grant funding has been allocated.

ALTERNATIVES:

Not applicable.

Reviewed By:	**Legal Review By:**	**Approved By:**
Kristine Schmidt	Megan Garibaldi	Robert Nisbet
Assistant City Manager	City Attorney	City Manager

ATTACHMENTS:

1. “A Resolution of the City Council of the City of Goleta, California, Adopting the Final Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and Approving the Development Plan for the San Jose Creek Multipurpose Path. Project Located Along San Jose Creek and State Route 217 right of way and Assessor Parcel Numbers 071-035-CA, 071-090-048, 071-090-047, 071-090-074, 071-090-083, 071-010-010, 071-090-082, 069-160-013, 071-200-011 and 071-140-055, from Calle Real to the Atascadero Bike Path; CASE NO. 22-0007-DP” including:
   Exhibit 1: San Jose Creek Multipurpose Path Final Mitigated Negative Declaration
   Exhibit 2: Mitigation Monitoring and Reporting Program
   Exhibit 3: Conditions of Approval
   Exhibit 4: General Plan Consistency
   Exhibit 5: Project Plans

2. San Jose Creek Multipurpose Path Alignment Exhibits, including:
   Exhibit 1: San Jose Creek Multipurpose Path Overall Alignment
   Exhibit 2: San Jose Creek Multipurpose Path Northern Segment
   Exhibit 3: San Jose Creek Multipurpose Path Southern Segment

3. PowerPoint presentation for San Jose Creek Multipurpose Path

ATTACHMENT 1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE DEVELOPMENT PLAN TO ALLOW FOR CONSTRUCTION OF THE SAN JOSE CREEK MULTIPURPOSE PATH. PROJECT LOCATED ALONG SAN JOSE CREEK AND STATE ROUTE 217 RIGHT OF WAY AND ASSESSOR PARCEL NUMBERS 071-035-CA, 071-090-048, 071-090-047, 071-090-074, 071-090-083, 071-010-010, 071-090-082, 069-160-013, 071-200-011 AND 071-140-055, FROM CALLE REAL TO THE ATASCADERO BIKE PATH; CASE NO. 22-0007-DP

RESOLUTION 22-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING THE FINAL MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING A DEVELOPMENT PLAN TO ALLOW FOR CONSTRUCTION OF THE SAN JOSE CREEK MULTIPURPOSE PATH ALONG SAN JOSE CREEK AND STATE ROUTE 217 RIGHT OF WAY AND ASSESSOR PARCEL NUMBERS 071-035-CA, 071-090-048, 071-090-047, 071-090-074, 071-090-083, 071-010-010, 071-090-082, 069-160-013, 071-200-011 AND 071-140-055, FROM CALLE REAL TO THE ATASCADERO BIKE PATH; CASE NO. 22-0007-DP

SECTION 1: *Recitals***.** The City Council finds and declares that:

A. The San Jose Creek Multipurpose Path has been on the City of Goleta Capital Improvement Program since it was first adopted, reflecting earlier goals for this project also forecast by the County of Santa Barbara prior to the City's incorporation; and

B. In 2019, the City was granted an Active Transportation Grant for design and construction of the San Jose Creek Multipurpose Path, which has been described in two sections, now known as the Northern Segment (Calle Real to Armitos Park) and the Southern Segment (Kellogg Avenue near Kellogg Way to the Atascadero Bike Path/Obern Trail) ("Project"); and

C. From 2019 to 2021, the City worked with the State of California Department of Transportation, District 5 (Caltrans) to develop conceptual design plans and background technical reports assessing the San Jose Creek Multipurpose Path, including Geometric Approval Drawings (GAD's), Advanced Planning Studies, Hydraulic Impacts Memo, Project Report and Design Standard Decision Documents as well as technical environmental studies; and

D. On February 26, 2021 the County of Santa Barbara granted approval of a consolidated Coastal Development Permit (CDP) for the project from the County of Santa Barbara to the California Coastal Commission for the Coastal Development Permit component of the Project, which will cover the portions of the Project located in the City and County jurisdictions under one CDP; and

E. The City reviewed the Project's environmental impacts in accordance with the California Environmental Quality Act (Public Resources Code §§ 21000 *et seq*., "CEQA"), the regulations promulgated thereunder (14 California Code of Regulations §§ 15000 *et seq.*, the "CEQA Guidelines"), and the City's Environmental Review Guidelines ("Goleta Guidelines"); and

F. An Initial Study/Mitigated Negative Declaration (IS/MND) was prepared for the Project pursuant to CEQA Guidelines and was released for public review on July 1, 2022 and the comment period closed on August 1, 2022; and

G. The Final IS/MND for the Development Plan is attached as Exhibit 1 to this Resolution and incorporated by reference and was prepared in full compliance with CEQA and concluded that the project will not have a significant effect on the environment; and

H. On or before September 4, 2022, the site was posted for the September 20, 2022 City Council hearing by the applicant, the City Public Works Department (a minimum of 15 days prior to the City Council meeting); and

I. On September 8, 2022, notice of the public hearing was published in the Santa Barbara Independent and notices were mailed to owners within 1000 feet of the project site and occupants within 500 feet of the project site; and

J. On September 20, 2022**,** the City Council conducted a duly noticed public hearing on the San Jose Creek Multipurpose Path project, at which time all interested persons were given an opportunity to be heard. Further, the City Council considered the entire administrative record including, without limitation, staff reports, and oral and written testimony from interested persons.

SECTION 2: *Factual Findings and Conclusions.* The City Council finds as follows:

A. The Project site (Multipurpose Path) includes a northern segment and a southern segment. The northern segment, from Calle Real to Armitos Park, would be 2400 feet in length and 10 to14 feet in width, located primarily within public right-of-way held by the City of Goleta and Caltrans crossing under U.S. 101) and Union Pacific Railroad (crossing under UPRR facility). The southern segment, approximately one mile long and ranging from 8 to12 feet wide, would begin on South Kellogg Avenue, north of Kellogg Way, and continue with sidewalk infill to a bicycle/pedestrian bridge from Kellogg Avenue over the existing San Jose Creek channel to match State Route 217 (SR 217), then continue in the Caltrans right-of-way parallel to the shoulder of State Route 217, then continue south where a box culvert will be constructed to cross under SR 217 and connect to the Atascadero Bike Path/Obern Trail on the east side of SR 217. Partial right-of-way acquisition occurs throughout the project site at APN 071-035-CA, APN 071-090-048, APN 071-090-047, APN 071-090-074, APN 071-090-083, APN 071-010-010, APN 071-090-082, APN 069-160-013, APN 071-200-011, and APN 071-140-055.

The northern segment has five General Plan designations: Medium Density Residential, High Density Residential, Community Commercial, General Industrial, Planned Residential, and Open Space/Active Recreation. This segment has four related zoning designations: Design Residential (DR 10, DR-20, DR-25 and DR 35), Light Industrial (M-1), Highway Commercial (CH), and Professional and

Institutional (PI). The southern segment has six General Plan designations: Old Town (commercial), General Commercial, Business Park, Old Town, Service/Industrial, General Industrial, Mobile Home Park, Open Space, and Public/Quasi-Public. The southern segment has five zoning classifications per Title 17: BP (Business Park), CG (General Commercial), OT (Old Town), IS (Service Industrial), and IG (General Industrial), with portions of the project also within the AD (Airport Environs) overlay for Approach Zone – 1 Mile.

B. A portion of the southern segment is located within the Coastal Zone.

C. Access to the project is from Calle Real, or from Armitos Avenue, or from Kellogg Avenue, or from the Atascadero Creek Bikeway/Obern trail on the south.

D. The proposed project adequately addresses the multipurpose path needs in this area of the City. The proposed project would connect Calle Real to Armitos Park and Jonny D. Wallis Neighborhood Park, both of which provide access to N. Kellogg Avenue, Hollister Avenue and Kellogg Avenue. The proposed project southern segment would connect to the existing bicycle lane and sidewalk network at Hollister Avenue and Kellogg Avenue and extend south, crossing over the San Jose Creek extending along the east side of San Jose Creek and west side of SR 217 to connect to the existing Class I Atascadero Creek Bikeway/Obern Trail. Thus, the proposed project would provide an important connection between existing active transportation areas.

E. The project site has remained primarily in public right-of-way overseen by either the City of Goleta, Caltrans, UPRR, Santa Barbara County Flood Control and the County of Santa Barbara since before the City of Goleta's incorporation. Portions of the Northern Segment require right of way acquisitions or easements from private property to complete the path construction. The Southern Segment will require easement from one private property.

F. On August 15, 2022, the Public Works Department filed an application for the San Jose Creek Multipurpose Path that would be considered and approved by City Council per Title 17, §17.050.030(H).

G. Based on the location, size, and nature of the proposed project, an IS-MND was prepared and circulated for public review as stated in Section 1 above.

H. The factual findings in this Section are based upon substantial evidence found within the entirety of the administrative record. Notwithstanding the identification of specific facts within this Section, the entire administrative record adequately provides substantial evidence for all findings set forth in this Resolution.

SECTION 3: *Environmental Assessment for the Project.* The City Council makes the following environmental findings:

A. The City completed a Final IS-MND for the project in accordance with applicable law including, without limitation, CEQA Guidelines §§ 15070, 15071 and 15073. The Final MND is dated August 2022 and entitled "San Jose Creek Multipurpose Path Project Initial Study/Mitigated Negative Declaration" (Exhibit 1)

B. The Final IS-MND and the Mitigation Monitoring and Reporting Program (MMRP) (Exhibit 2) were presented to the City Council which reviewed the record of the proceedings and considered all information contained in the Final MND and its appendices, the MMRP and the testimony and additional information presented at or before all public hearings in accordance with CEQA Guidelines §15074.

C. Pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis. The City Council has independently reviewed and analyzed the Final MND prepared for the Project. The Final IS-MND is an accurate and complete statement of the potential environmental impacts of the project. The Final IS-MND was prepared under the direction of the City of Goleta Public Works Department and reflects the City Council's independent judgment and analysis of the environmental impacts and comments received on the Draft and Final IS-MND.

SECTION 4. *Development Plan Findings*. The City Council makes the following findings in accordance with Goleta Municipal Code sections 17.52.070 (Common Findings) and 17.59.030 (Required Findings).

A. 17.52.070.A (Common Procedures Required Findings for Approval)

1. *There are adequate infrastructure and public services available to serve the proposed development, including water and sewer service, existing or planned transportation facilities, fire and police protection, schools, parks and legal access to the lot.*

Public services to the existing project site are currently provided by the Santa Barbara County Fire Department, Goleta Water District, Goleta Sanitary District, Southern California Edison, Southern California Gas Company, and Santa Barbara County Sheriff. Such public services to the existing site will not change. With these existing utility services, the proposed Development Plan has adequate infrastructure and public services available

2. *The proposed project conforms to the applicable regulations of Title 17, and, any zoning violation enforcement on the subject premises has been resolved as permitted by law.*

The proposed San Jose Creek Multipurpose Path meets Title 17 zoning code

requirements as applicable to Capital Improvement Projects. No zoning violations exist on the public right-of-way areas where the proposed project will be built.

3. *The proposed development is located on a legally created lot.*

The project is located primarily within public right-of-way that has been owned and maintained by the City of Goleta, Caltrans and UPRR since before the City's incorporation. Project development included extensive title searches that helped identify property acquisitions or easements necessary for the San Jose Creek Multipurpose Path, either for temporary construction purposes and minor alignments of the project trail, and all title clearances appear in order to proceed with final project design and construction.

4. *The development is within the project description of an adopted or certified CEQA document or is statutorily or categorically exempt from CEQA.*

The proposed project is within the project description of the Final IS-MND to be approved with the project Development Plan (Case No. 22-0007-DP). The environmental impacts associated with the proposed project have been analyzed within the Final IS-MND that has been circulated for public review. The impacts anticipated with the construction and operation of the multipurpose path have been mitigated to the maximum extent feasible upon final permitting and compliance with mitigation measures included in the MMRP.

B. 17.59.030. (Required Findings, Development Plans)

1. *The project as proposed is consistent with the General Plan.*

Based on the General Plan/Coastal Land Use Plan Consistency Analysis attached as Exhibit 4, and incorporated herein by reference), the Project conforms to the General Plan/Coastal Land Use Plan. The San Jose Creek Multipurpose Path is consistent with the City of Goleta General Plan which shows this project and proposed alignment on Figure 3-2 (Park and Recreation Map), Figure 7-5 (Pedestrian System Plan) as well as planned Class I Bikeway on Figure 7-6 (Bikeways Plan Map). These plans are also consistent with prior planning documents from the County of Santa Barbara, prior to Goleta incorporation, as well.

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

The project site is located along as much public right-of-way as possible to align the Mutlipurpose path with San Jose Creek as a connection from Calle

Real on the north to the Atascadero Bike Path/Obern Trail, on the south. Most of the project will be built under or adjacent to bridges, streets and the SR 217 highway, with some sections located along the naturalized portion of Old San Jose Creek. The project alignment will accommodate the density of development surrounding the project site and in fact enhance travel options and comfort for this population.

3. *Any significant environmental impacts are mitigated to the maximum extent feasible.*

An IS-MND was prepared that evaluated all potential environmental impact associated with construction of the project and identified mitigation measures to minimize such adverse effects. With implementation of all mitigation measures in the IS/MND, not significant environmental impacts are anticipated with the project. Additional permit approval by state and federal resource agencies will also minimize environmental impact.

4. *The project will not conflict with any easements required for public access through, or public use of a portion of the property.*

The project utilizes public right of way and nearby lands with small portions of private property that will be secured to complete the northern segment of the path. Because the intent of this project is to provide public access along such right of way and public lands, it will not conflict with easements for this purpose.

SECTION 5. *Design Review Findings.* The City Council makes the following findings, pursuant to authority granted in Section 17.50.030.H. and 17.58.040.C.2 for the San Jose Creek Multipurpose Path Project:

1. *The development is compatible with the neighborhood, and its size, bulk, and scale will be appropriate to the site and the neighborhood.*

The proposed project improvements, including retaining walls and paved path surfaces, are designed to be compatible with current site characteristics and the surrounding neighborhoods as much as the site topography will allow. Conceptual design of the multipurpose path is intended to respect to the maximum extent feasible the San Jose Creek bank and adjoining riparian settings. The bicycle pedestrian bridge crossing of the San Jose Creek channel to access SR 217 is also planned to accommodate the facility with fencing on both sides. For portions of the Path along SR 217, separation will be provided by concrete barriers and chain link fencing.

2. *Site layout, orientation, and location of structures, including any signage and circulation, are in an appropriate and harmonious relationship to one another and the property.*

Design of the Multipurpose Path will be limited to narrow areas along San Jose Creek. Any signage required will be for safety and guidance to all users and be located to be harmonious with the natural environment of the path's location. Landscape enhancements will be provided through mitigation using native and riparian vegetation will be developed during final design that can be reviewed by the Design Review Board, if City Council directs, on an advisory basis prior to final plan preparation and construction.

3. *The development demonstrates a harmonious relationship with existing adjoining development, avoiding both excessive variety as well as monotonous, repetition, but allowing similarity of style, if warranted.*

   As a City Capital Improvement Project, the San Jose Creek Multipurpose Path would include sensitive design details (e.g. railing design, architectural treatments on retaining walls, native plant restoration, etc.) to blend it into the natural setting of the San Jose Creek corridor and be compatible with roadway infrastructure of Calle Real, Armitos Avenue, South Kellogg Avenue and SR. 217.

4. *There is harmony of materials, colors, and composition on all sides of structures.*

   As a City Capital Improvement Project, the San Jose Creek Multipurpose Path would include sensitive design details (e.g. railing design and architectural treatments on retaining walls and bridge abutments) to blend it into the natural setting of the San Jose Creek corridor and be compatible with roadway infrastructure of Calle Real, Armitos Avenue, South Kellogg Avenue and SR. 217.

5. *Any outdoor mechanical or electrical equipment is well integrated in the total design and is screened from public view to the maximum extent practicable.*

   No mechanical or electrical equipment is proposed as part of the project, and solar lighting is proposed through the box culvert, as well rectangular flashing beacons (RRFB's) that will be installed at the crosswalk on South Kellogg, where access to the bicycle/pedestrian bridge opens. Flood warning signs will be posted on the path as needed.

6. *The site grading is minimized and the finished topography will be appropriate for the site.*

   Site grading for the San Jose Creek Multipurpose path will be minimized to the greatest extent feasible while still providing an accessible facility over a project area with existing grade differences for a wide range of users, including pedestrians and bicyclists and with accessibility in mind. Due to the slope of the site location along San Jose Creek, a series of retaining walls are necessary to provide the structure for certain parts of the path. The amount of disturbed soil area in the northern segment is anticipated to be 0.77 acres and in the southern

segment 2.34 acres, and this will be minimized to the maximum extent feasible while still meeting City and Caltrans design standards.

7. *Adequate landscaping is provided in proportion to the project and the site with due regard to the preservation of specimen and protected trees, and existing native vegetation.*

   Landscaping/mitigation plans will be developed to offset up to 82 trees that potentially could be impacted by the project, as well as extensive restoration to disturbed areas with native plant habitat palettes.

8. *The selection of plant materials is appropriate to the project and its environment, and adequate provisions have been made for the long-term maintenance of the plant materials.*

   As a Goleta Capital Improvement Project, the San Jose Creek Multipurpose Path design drawings and mitigation plans for the project will include the planting of appropriate plant palettes for the environmentally sensitive habitat areas adjoining the path. Maintenance of the path will be included in future City budgets to ensure long term success of the plant installations.

9. *All exterior lighting, including for signage, is well designed, appropriate in size and location, and dark-sky compliant.*

   Drawings for the project will include specifications that limit lighting fixture height, color temperature and will ensure that all fixtures would be dark-sky compliant. Required signage on the path will be minimal but necessary to facilitate for public safety. Any proposed lighting will comply with Chapter 17.35 of the Goleta Municipal Code as well as the California Vehicle Code.

10. The project architecture will respect the privacy of the neighbors, is considerate of private views, and is protective of solar access of site.

    The project will not adversely affect privacy, private views and solar access of other properties given the fact that no structural vertical development is included in the project and the route aligns with public right of way locations, parks, and State Route 217. The northern segment of the project will be constructed over 75 feet from the nearest residential property, and the southern segment will similarly be constructed, offset from residential uses near SR 217.

11. *The proposed development is consistent with any additional design standards as expressly adopted by the City Council.*

    The Project will be consistent with the City's Architectural and Design Standards as well as pertinent zoning and design standards identified in Chapter 17.58.070, as applicable to capital projects. The project will also conform to the City's adopted

Engineering Design Standards and will comply with the State and City's WELO Ordinance.

SECTION 6*: Actions*. The City Council hereby takes the following actions:

A. Adopts the Final Mitigated Negative Declaration attached as Exhibit 1, incorporated herein by reference, subject to the Mitigation Monitoring and Reporting Program (MMRP) attached as Exhibit 2, incorporated herein by reference, as required by CEQA § 21081.6 and CEQA Guidelines §15097.

B. Approves the Development Plan, Case No. 22-0007-DP, based on the Findings provided in Sections 4 through 5 above and the General Plan Consistency analysis provided in Exhibit 4, incorporated herein by reference, subject to the Conditions of Approval attached as Exhibit 3 andincorporated herein by reference.

C. Directs the City Manager, or designee, to file a Notice of Determination within five days in accordance with CEQA Guidelines § 15094;.

SECTION 7: *Reliance on Record*. Each and every one of the actions in this Resolution is 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 8: *Limitations.* The City Council analysis and evaluation of the project, including this Resolution, are based on the best information currently available. 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 analysis of the 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 9: *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 10: This Resolution will remain effective until superseded by a subsequent Resolution.

SECTION 11: This Resolution will become effective immediately upon adoption.

SECTION 12: 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__ day of, 2022.

_____
PAULA PEROTTE
MAYOR

ATTEST:

_____
DEBORAH S. LOPEZ
CITY CLERK

APPROVED AS TO FORM:

_____
MEGAN GARIBALDI
ASSISTANT 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. 22__ was duly adopted by the City Council of the City of Goleta at a regular meeting held on the __ day of _, 2022 by the following vote of the City Council :

AYES:

NOES:

ABSENT:

(SEAL)

_____
DEBORAH S. LOPEZ
CITY CLERK

EXHIBIT 1

FINAL MITIGATED NEGATIVE DECLARATION
SAN JOSE CREEK MULTIPURPOSE PATH
STATE CLEARINGHOUSE NO. 2022070006

Distributed

separately

Available at:

https://www.cityofgoleta.org/home/showpublisheddocument/27300

and available upon request.

EXHIBIT 2

Mitigation Monitoring And Reporting Program (MMRP)

MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)

The Final Mitigated Negative Declaration (MND) for the San Jose Creek Multipurpose Path (Project) identifies mitigation measures that will be implemented to reduce the environmental impacts associated with the project. The California Environmental Quality Act (CEQA) was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to proposed development. As stated in Section 21081.6 of the Public Resources Code:

> *... the public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment*.

Section 21081.6 also provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during Project implementation, shall be defined as part of adopting a mitigated negative declaration.

The mitigation monitoring table that follows lists those mitigation measures that may be included as conditions of approval for the Project. To ensure that the mitigation measures are properly implemented, a monitoring program has been devised which identifies the timing and responsibility for monitoring each measure. The Goleta Department of Public Works will have the responsibility for implementing the measures, and the various City of Goleta departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

San Jose Creek Multipurpose Path Project

Mitigation Monitoring and Reporting Plan

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
AES-1. Design Features	During final design, the project engineer will coordinate with the City of Goleta Planning Department and Public Works Department, and Caltrans for portions within State ROW, to incorporate the following features into final design. The City of Goleta will have final approval of the project design. • Safety fencing and rails on the multipurpose path bridge will be an open style, as determined in consultation with the City of Goleta and Caltrans. • Replacement roadside rail will be an open style, as determined in consultation with the City of Goleta, County of Santa Barbara, and Caltrans when is State ROW. • All fencing associated with the multipurpose path bridge structure and the	During Final Design	Project Engineer	City, Caltrans	During final design and final design approval.	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	bicycle/pedestrian path will be visually compatible with the SR 217 bridge rail and roadside rail, as determined in consultation with the City of Goleta, County of Santa Barbara, and Caltrans. No standard galvanized chain link fencing will be used except at the right-of-way line, as required. • At the box culvert, alternative type security fencing will be used that does not include barbed wire. • The retaining walls and concrete barriers will include aesthetic treatment, which can include but is not limited to low maintenance native shrubs or surface texturing, so that it visually recedes and reduces the potential for graffiti, as determined in consultation with the City of Goleta, County of Santa Barbara, and Caltrans.					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
AES-2. Tree Replacement Plan	During final design, the project engineer will coordinate with a City of Goleta Planning Department and Public Works Department approved landscape architect and a Board Certified Master Arborist or Registered Consulting Arborist to prepare a tree replacement plan, as part of the Conceptual Habitat Restoration Plan. The Tree Replacement Plan will include species, quantities and locations of replacement plantings, and planting specifications for survival of planted trees. Tree replacement locations will be prioritized to the project site and immediate vicinity, as space allows, followed by off-site replacement in close proximity to the project site, and finally off-site but within the greater Goleta area. Trees will be replaced at a 1:1 ratio. Trees identified as riparian trees will be replaced at a 3:1 ratio. Specific to the trees in close proximity to US 101, trees will be replaced as close to the removal location as space allows. The final Tree Replacement Plan, included in the Conceptual Habitat Restoration Plan, will be consistent with standards and	During final design	Project Engineer, Approved Landscape Architect	City	During final design and final design construction.	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	requirements from the applicable regulatory agencies.					
BIO-1. Monarch Butterfly Survey and Fencing	The City will implement measures to avoid and minimize impacts on monarch butterfly. Prior to conduction work and during the work associated with the northern segment, the following measures will be implemented: • Before any tree removal in the Elk Grove monarch overwintering habitat, a qualified biologist will survey for the presence of roosting or aggregated, overwintering monarch butterflies. • A temporary fence will be installed along the outer boundary of the buffer zone prior to and during any grading and construction activities on the site. • If an active roost or aggregation is present on the project site, any construction grading, or other development within 200 feet of the active roost, will be prohibited	Prior to and during construction	Qualified Biologist	City	Prior to and during the northern segment construction.	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	between October 1 and March 1.					
BIO-2. Aquatic Resources and Habitats	The City will implement measures to avoid and minimize impacts to jurisdictional aquatic resources, tidewater goby critical habitat, southern California steelhead critical habitat, and coastal pelagic and groundfish EFH. Prior to conducting work and during work, the following measures will be implemented: • The contractor will develop and implement a toxic materials control and spill response plan to regulate the use of hazardous materials, such as the petroleum-based products used as fuel and lubricants for equipment and other potentially toxic materials associated with project construction. • Standard construction BMPs will be described in full in the project's SWPPP or Water Pollution Control Plan (WPCP). These BMPs will be	Prior to and during construction	Contractor and Qualified Biologist and Certified Arborist	City	Prior to construction, during construction	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	implemented throughout construction to avoid and minimize adverse effects to the water quality within the project site. Appropriate erosion control measures will be used (including, but not limited to, straw wattles, filter fences, vegetative buffer strips, or other accepted equivalents) to reduce siltation and contaminated runoff from project sites. All erosion control materials, including straw wattles and erosion control blanket material, used on-site will be biodegradable. Use of erosion control containing plastic monofilament will not be allowed as wildlife may become entrapped in this material. Wattles should be wrapped with 100 percent biodegradable materials like burlap, jute, or coir. • Measures will be implemented during ground-disturbing activities to reduce erosion and sedimentation. These measures can include, but are					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	not limited to, mulches, soil binders/ erosion control blankets, silt fencing, fiber rolls, and temporary berms. • Existing vegetation not designated to be removed, will be protected, using temporary fencing or other protection devices where feasible, to reduce erosion and sedimentation. • Exposed soils will be covered by loose bulk materials or other materials, such as visqueen, to reduce erosion and runoff during rainfall events. • Exposed soils will be stabilized, through watering or other measures, to prevent the movement of dust at the project site caused by winds and construction activities such as traffic and grading activities. • All erosion control measures and storm water control measures will be properly maintained until the site has					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	returned to a pre-construction state. • Protective fencing will be constructed around environmentally sensitive areas, habitats of special concern, and natural communities to protect and avoid these areas. • All disturbed areas will be restored to pre-construction contours and revegetated, either through hydroseeding or other means, with native or approved non-invasive exotic species. • All construction materials will be hauled off-site after completion of construction activities. • Excavated material will be stored away from the low-flow channel to prevent incidental discharge. • Silty or turbid water produced from construction activities will not be discharged into San Jose Creek until filtered or					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	allowed to settle prior to discharge. • During construction, the cleaning and refueling of equipment and vehicles will occur only within a designated staging area. This area will either be a minimum of 100 feet from aquatic areas or if the area is less than 100 feet from aquatic areas the area must be surrounded by barriers or secondary containment (e.g., fiber rolls or equivalent). The staging areas will conform to BMPs applicable to attaining zero discharge of storm water runoff. At a minimum, all equipment and vehicles will be checked and maintained by the contractor daily to ensure proper operation and avoid potential leaks or spills. • During construction of the northern segment, instream work will be limited to the low-flow period from June 1 and October 31 in any given year, when the surface water is likely					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	to be at seasonal minimum and to avoid adult steelhead spawning migration and peak smolt emigration. Deviations from this work window will only be made with concurrence from relevant regulatory/resource agencies. • No concrete or any cement product may be poured within 150 feet of a stream during the rainy season, in or near a flowing stream at any time, or 15 days prior to a 25% chance or greater chance of greater than 0.1 inches of rain. • Riparian habitat located in the vicinity of the project will be protected by installing high-visibility construction fencing. Fencing will be installed along the edge of construction areas including temporary and permanent access roads where construction will occur within 200 feet of the edge of riparian habitat (as determined by a qualified biologist). The location of fencing will be					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications will contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, trenching, grading, or other surface-disturbing activities outside of the designated construction area. Signs will be erected along the protective fencing at a maximum spacing of one sign per 50 feet of fencing. The signs will state: "This area is environmentally sensitive; no construction or other operations may occur beyond this fencing. Violators may be subject to prosecution, fines, and imprisonment." The signs will be clearly readable at a distance of 20 feet and will be maintained for the duration of construction activities in the area. • Where riparian vegetation occurs along the edge of the					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	construction easement, the City will minimize the potential for long-term loss of riparian vegetation by trimming vegetation rather than removing the entire plant. Trimming will be conducted per the direction of a Board Certified Master Arborist or a Registered Consulting Arborist. • Any approved excavation, demolition, or extraction within a trees critical root zone (CRZ), as identified by a Board Certified Master Arborist or a Registered Consulting Arborist, will be performed with equipment sitting outside the CRZ. Required methods within the CRZ are hand digging or tunneling or hydraulic or pneumatic air excavation technology ("air-spade"). • If heavy equipment is approved by the project arborist to be in the CRZ, or if haul or access routes must pass over the root areas of protected trees, a					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	protective buffer must be installed consisting of 6-inches of mulch or 3/4-inch quarry gravel or a base course of 3 inches of wood chips layered with 3 inches of gravel and overlaid with 3/4-inch plywood sheets or metal plates. The buffer shall be maintained throughout the construction process. • A Conceptual Habitat Restoration Plan, which will include a Tree Replacement Plan, will be prepared during final design and included in the final permit packages prepared by the City. This plan will include a formal tree survey conducted by a Board Certified Master Arborist or a Registered Consulting Arborist. The Conceptual Habitat Restoration Plan will include species, quantities, and locations of replacement plantings. This plan will also include planting specifications and grading plans to ensure survival of planted vegetation					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	and reestablishment of functions and values. Replacement plantings will be in kind, utilizing locally present/native species. Planting locations will be prioritized to the project site and immediate vicinity, as space allows, followed off-site replacement in close proximity to the project site, and finally off-site but within the greater Goleta area. The final Conceptual Habitat Restoration Plan will be consistent with standards and requirements from the applicable regulatory agencies. • Impacts to native riparian habitat (including riparian trees) and jurisdictional wetlands within the proposed project area will be mitigated by a replacement ratio of 3:1, or at a similar ratio as appropriate in consultation with CDFW, USFWS, NOAA Fisheries. In addition, the Coastal Commission will be consulted for the southern portion of the					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	proposed project within the coastal zone. • Where avoidance of riparian and jurisdictional wetland vegetation is not shown on the project plans, a revegetation plan and monitoring plan to restore native riparian habitat in the project vicinity to a self-sustaining, ecologically functioning plant community is required. This action will be sensitive to the habitat needs of southern California steelhead and tidewater goby, and thus will require input from the CDFW, USFWS and NOAA Fisheries. The revegetation plan will be approved during the permitting process.					
BIO-3. Stream Channel	The City will implement the following measures related to work in the stream channel or within 30 feet of the active channel to avoid and minimize impacts on tidewater goby and southern California steelhead: • Utilize non-impact, vibratory methods, except where	Prior to and during construction	USFWS-approved biologist	City	Prior to construction, during southern segment pile driving activities, and northern	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	identified that pile driving is required because of geotechnical constraints within the southern segment as identified in the project description per the geotechnical evaluations, for installing piles, steel casings, or steel shoring when located within or near the active channel and in highly liquefiable soils. • Any impact pile driving performed for the construction of the southern segment, within 30 feet of the active channel, will be limited to steel pipes no more than 14-16 inches in diameter and no more than 500 strikes per day. Underwater sound pressure will be monitored during all impact driving. Pile driving operations will cease for the day if the results of underwater sound pressure monitoring show that sound levels upstream and downstream of the pile driving area are higher than the peak threshold of 206 dB or				segment instream construction work June 1st through October 31st	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	cumulative sound exposure level (SEL) of 187 dB (measured 32 feet [10 meters] from the source). If peak or cumulative SEL are exceeded, the qualified biologist will have the authority to halt impact pile driving and Caltrans will contact NOAA Fisheries and USFWS to determine if additional measures are necessary. • During construction of the northern segment, instream work will be limited to the low-flow period from June 1 and October 31 in any given year, when the surface water is likely to be at seasonal minimum and to avoid adult steelhead spawning migration and peak smolt emigration. Deviations from this work window will only be made with concurrence from relevant regulatory/resource agencies. • Instream construction work related to the northern segment will only be performed					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	in a dry work environment. Dewatering and clear water diversions will be performed according to Caltrans Construction Site BMPs (2017), and upstream and downstream passage of adult and juvenile fish will be maintained at all times, according to current NOAA Fisheries guidelines and criteria (NOAA Fisheries 2001). • During instream work, if pumps are incorporated to assist in temporarily dewatering the site, intakes will be completely screened with no larger than 3/32-inch (2.38 mm) wire mesh to prevent steelhead and other sensitive aquatic species from entering the pump system. Pumped water will be directed through a silt filtration bag and/or into a settling basin allowing the suspended sediment to settle out prior to re-entering the stream(s) outside of the isolated area. The form and function of all					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	pumps used during the dewatering activities will be checked weekly, at a minimum, by a qualified biological monitor to ensure a dry work environment and minimize adverse effects to aquatic species and habitats. • A USFWS-approved biologist will capture and relocate any fish present in the work area during construction (including steelhead and tidewater goby), and will: o Prepare a fish handling and relocation plan. o Conduct, monitor, and supervise all fish capture, handling, exclusion, and relocation activities (ensure that sufficient personnel are available to safely and efficiently collect protected species and that personnel have been properly trained to identify and safely					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	capture and handle protected species). ○ Ensure that the "bagged" portion of seines and nets will remain in the water until fish are removed or transferred to a shallow container(s) of clean water taken from the survey site and placed in a location that will not result in exposure to extreme temperatures. ○ Release captured fish as soon as possible to a suitable nearby location within the same watershed, at the discretion of the USFWS-approved biologist. ○ Continuously monitor in-water activities (e.g., placement of cofferdams, dewatering of isolated areas) for the purpose of removing and relocating any					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	protected species that were not detected or could not be removed and relocated prior to construction. ○ Initiate salvage activities within temporarily drained waterbodies within a time frame necessary to avoid injury and mortality of protected species. ○ Complete capture, handling, exclusion, and relocation activities no earlier than 24 hours before construction begins to minimize the probability that listed species will recolonize the affected areas.					
BIO-4. CRLF	The City will implement measures to avoid and minimize impacts on CRLF. Prior to conducting work and during work, the following measures will be implemented: • Only USFWS-approved biologists will participate in	Prior to and during construction	USFWS-approved biologists	City	Northern segment survey no more than 48 hours before start of	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	activities associated with the capture, handling, and monitoring of California red-legged frogs. Biologists authorized under the project's biological opinion do not need to re-submit their qualifications for subsequent projects conducted pursuant to this biological opinion, unless USFWS has revoked their approval at any time during the life of the biological opinion. • Ground disturbance will not begin until written approval is received from USFWS that the biologist is qualified to conduct the work, unless the individual(s) has/have been approved previously and the USFWS has not revoked that approval. • A USFWS-approved biologist will survey the northern segment project site no more than 48 hours before the onset of work activities. If any life stage of the California red-legged frog is found and these				construction. Training session conducted prior to the start of construction activities for the northern segment. No herbicides will be applied within 24 hours of forecasted rain or when wind speeds are in excess of 3 miles per hour.	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	individuals are likely to be killed or injured by work activities, the approved biologist will be allowed sufficient time to move them from the site before work begins. The USFWS-approved biologist will relocate the California red-legged frogs the shortest distance possible to a location that contains suitable habitat and that will not be affected by activities associated with the proposed project. The relocation site will be in the same drainage to the extent practicable. The City of Goleta will coordinate with the USFWS on the relocation site prior to the capture of any California red-legged frogs. • Before any activities begin on the northern segment of the project, a USFWS-approved biologist will conduct a training session for all construction personnel. At a minimum, the training will include a description of the California red-legged frog and its habitat, the specific measures that are					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	being implemented to conserve the California red-legged frog for the northern segment, and the boundaries within which the project may be accomplished. Brochures, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions. • A USFWS-approved biologist will be present at the work site until all California red- legged frogs have been relocated out of harm's way, workers have been instructed, and disturbance of habitat has been completed. After this time, the State or local sponsoring agency will designate a person to monitor on-site compliance with all minimization measures. The USFWS-approved biologist will ensure that this monitor receives the training outlined in measure 4 above and in the identification of California red-legged frogs. If the monitor or					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	the USFWS-approved biologist recommends that work be stopped because California red-legged frogs would be affected in a manner not anticipated by City of Goleta and the USFWS during review of the northern segment, they will notify the resident engineer (the engineer that is directly overseeing and in command of construction activities) immediately. The resident engineer will either resolve the situation by eliminating the adverse effect immediately or require that all actions causing these effects be halted. If work is stopped, the USFWS will be notified as soon as possible. • During construction activities, all trash that may attract predators will be properly contained, removed from the work site, and disposed of regularly. Following construction, all trash and construction debris will be removed from work areas.					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	• All refueling, maintenance, and staging of equipment and vehicles will occur at least 60 feet from riparian habitat or water bodies and in a location from where a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water). The monitor will ensure contamination of habitat does not occur during such operations. Prior to the onset of work, the City of Goleta will ensure that a plan is in place for prompt and effective response to any accidental spills. All workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. • Habitat contours will be returned to their original configuration at the end of project activities. This measure will be implemented in all areas disturbed by activities associated with the northern segment of the project, unless					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	the USFWS and the City of Goleta determine that it is not feasible, or modification of original contours would benefit the California red-legged frog. • The number of access routes, size of staging areas, and the total area of the activity will be limited to the minimum necessary to achieve the project's northern segment goals. Environmentally Sensitive Areas will be delineated to confine access routes and construction areas to the minimum area necessary to complete construction and minimize the impact to California red-legged frog habitat; this goal includes locating access routes and construction areas outside of wetlands and riparian areas to the maximum extent practicable. • The City of Goleta will attempt to schedule work activities for times of the year when impacts to the California red-legged					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	frog would be minimal. For example, work that would affect large pools that may support breeding would be avoided, to the maximum degree practicable, during the breeding season (November through May). Isolated pools that are important to maintain California red-legged frogs through the driest portions of the year would be avoided, to the maximum degree practicable, during the late summer and early fall. Habitat assessments, surveys, and coordination between the City of Goleta and the USFWS during the planning of the project's northern segment will be used to assist in scheduling work activities to avoid sensitive habitats during key times of the year. • To control sedimentation during and after implementation of the project's northern segment, the City of Goleta, and the sponsoring agency will implement best					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	management practices outlined in any authorizations or permits issued under the authorities of the Clean Water Act that it receives for the specific project. If best management practices are ineffective, the City of Goleta will attempt to remedy the situation immediately, in coordination with the USFWS. • If a work site is to be temporarily dewatered by pumping, intakes will be completely screened with wire mesh not larger than 0.2 inch to prevent California red-legged frogs from entering the pump system. Water will be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, any diversions or barriers to flow will be removed in a manner that would allow flow to resume with the least disturbance to the substrate. Alteration of the stream bed will be minimized to					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	the maximum extent possible; any imported material will be removed from the stream bed upon completion of the northern segment. • Unless approved by the USFWS, water will not be impounded in a manner that may attract California red-legged frogs. • A USFWS-approved biologist will permanently remove any individuals of non-native species, such as bullfrogs (*Rana catesbeiana*), signal and red swamp crayfish (*Pacifasticus leniusculus; Procambarus clarkii*), and centrarchid fishes from the northern segment area. The USFWS-approved biologist will be responsible for ensuring his or her activities are in compliance with the California Fish and Game Code. • If the City of Goleta demonstrates that disturbed areas have been restored to conditions that allow them to					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	function as habitat for the California red-legged frog, these areas will not be included in the amount of total habitat permanently disturbed. • To ensure that diseases are not conveyed between work sites by the USFWS-approved biologist, the fieldwork code of practice developed by the Declining Amphibian Populations Task Force will be followed at all times. • The northern segment will be re-vegetated with an assemblage of native riparian, wetland, and upland vegetation suitable for the area. Locally collected plant materials will be used to the extent practicable. Invasive, exotic plants will be controlled to the maximum extent practicable. This measure will be implemented in all areas disturbed by activities associated with the project, unless the USFWS and the City of Goleta					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	determine that it is not feasible or practical. • The City of Goleta will not use herbicides as the primary method to control invasive, exotic plants. However, if it is determined that the use of herbicides is the only feasible method for controlling invasive plants at a specific site; it will implement the following additional protective measures for the California red-legged frog: o The City of Goleta will not use herbicides during the breeding season for the California red-legged frog; o The City of Goleta will conduct surveys for the California red-legged frog immediately prior to the start of herbicide use. If found, California red-legged frogs will be relocated to suitable habitat far enough from the Proposed Action					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	area that no direct contact with herbicide would occur; o Giant reed and other invasive plants will be cut and hauled out by hand and painted with glyphosate-based products, such as Aquamaster® or Rodeo®. o Licensed and experienced City of Goleta staff, or a licensed and experienced contractor will use a hand-held sprayer for foliar application of Aquamaster® or Rodeo® where large monoculture stands occur at an individual Proposed Action site; o All precautions will be taken to ensure that no herbicide is applied to native vegetation;					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	○ Herbicides will not be applied on or near open water surfaces (no closer than 60 feet from open water); ○ Foliar applications of herbicide will not occur when wind speeds are in excess of 3 miles per hour; ○ No herbicides will be applied within 24 hours of forecasted rain; ○ Application of all herbicides will be done by qualified City of Goleta staff or contractors to ensure that overspray is minimized, that all applications is made in accordance with the label recommendations, and with implementation of all required and reasonable safety measures. A safe dye will be added to the mixture to visually					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	denote treated sites. Application of herbicides will be consistent with the U.S Environmental Protection Agency's Office of Pesticide Programs, Endangered Species Protection Program county bulletins; ○ All herbicides, fuels, lubricants, and equipment will be stored, poured, or refilled at least 60 feet from riparian habitat or water bodies in a location where a spill would not drain directly toward aquatic habitat, unless otherwise preapproved by the necessary agencies. Prior to the onset of work, the City of Goleta will ensure that a plan is in place for a prompt and effective response to accidental spills. All					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	workers will be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.					
BIO-5. Coast Range newt, northern California legless lizard, western pond turtle, and coast horned lizard	The City will implement measures to avoid and minimize impacts on Coast Range newt, northern California legless lizard, western pond turtle, and coast horned lizard. Prior to conducting work and during work, the following measures will be implemented: • Within 48 hours prior to the start of construction activities, a qualified biologist will conduct a pre-construction survey of the proposed project site for Coast Range newt, northern California legless lizard, western pond turtle, and coast horned lizard. Individuals of these species present in the work area will be allowed to move out of the work area of their own volition. If relocation by humans occurs, the animal will be captured by a qualified	Prior to construction	Qualified biologist	City	Survey must be conducted within 48 hours prior to the start of construction activities. WEAP training prior to the start of construction activities.	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	biologist and relocated out of harm's way to the nearest suitable habitat a minimum of 100 feet from the maintenance project work area where it was found. • A Worker Environmental Awareness Training Program for construction personnel will be conducted by a qualified biologist for all construction workers, including contractors, prior to the commencement of construction activities. As needed, training will be conducted in Spanish for Spanish language speakers.					
BIO-6. Southwestern willow flycatcher and least Bell's vireo	The City will implement measures to avoid and minimize impacts on southwestern willow flycatcher and least Bell's vireo: • Riparian habitat located in the vicinity of the Proposed Action will be protected by installing high-visibility construction fencing. Fencing will be installed along the edge of construction areas including	Prior to and during construction	Qualified biologist	City	Prior to and during construction	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	temporary and permanent access roads where construction will occur within 200 feet of the edge of riparian habitat (as determined by a qualified biologist). The location of fencing will be marked in the field with stakes and flagging and shown on the construction drawings. The construction specifications will contain clear language that prohibits construction-related activities, vehicle operation, material and equipment storage, trenching, grading, or other surface-disturbing activities outside of the designated construction area. Signs will be erected along the protective fencing at a maximum spacing of one sign per 50 feet of fencing. The signs will state: “This area is environmentally sensitive; no construction or other operations may occur beyond this fencing. Violators may be subject to prosecution, fines, and imprisonment.” The signs					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	will be clearly readable at a distance of 20 feet and will be maintained for the duration of construction activities in the area. • Where riparian vegetation occurs along the edge of the construction easement, the City will minimize the potential for long-term loss of riparian vegetation by trimming vegetation rather than removing the entire plant. Trimming will be conducted per the direction of a biologist and/or Certified Arborist. • For temporarily impacted areas, a revegetation and monitoring plan to restore native riparian habitat in the Proposed Action vicinity to a self-sustaining, ecologically functioning plant community is required. This action will be sensitive to the habitat needs of southwestern willow flycatcher and least Bell's vireo as well as for tidewater goby, southern California steelhead,					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	and CRLF and thus will require input from the CDFW, USFWS and NOAA Fisheries. The revegetation plan will be approved during the permitting process. • Conduct all vegetation removal and grading activities during the non-breeding season (September 1 through January 31). • If construction, grading or other related activities are schedule during the breeding and nesting season (February 1 to August 31), preconstruction surveys for other migratory bird species shall take place no less than 3 days prior to the beginning of construction and at least twice a week while construction takes place within suitable nesting habitat during the breeding and nesting season (February 1 to August 31). • If the pre-construction surveys do identify nesting bird species within areas that					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	are within 250 feet of construction activities, the following measures shall be implemented: • Construction impacts will be avoided by establishment of appropriate no-work buffers to limit construction activities near the nest site. The size of the no-work buffer zone shall be determined in consultation with the CDFW. The no-work buffer zone shall be delineated by highly visible temporary construction fencing. In consultation with CDFW, monitoring of nest activity by a qualified biologist shall be required if the northern segment-related construction activity has potential to adversely affect the nest or nesting behavior of the bird. No construction activity shall commence within the no-work buffer area until a qualified biologist					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	and CDFW confirms that the nest is no longer active.					
BIO-7. Tree and shrub nesting species, Belding's savannah sparrow, and other migratory birds and raptors	The City will implement measures to avoid and minimize impacts on grasshopper sparrow, white-tailed kite, Belding's savannah sparrow, and other migratory birds and raptors. Prior to conducting work and during work, the following measures will be implemented: • To avoid and minimize impacts to tree and shrub nesting species, the following measures will be implemented: ○ Conduct all vegetation removal and grading activities during the non-breeding season (generally September 1 through January 31). ○ If construction, grading or other project-related activities are schedule during the breeding and nesting season (February 1 to August 31), preconstruction surveys for other migratory bird species	Prior to and during construction	Qualified biologist	City	Vegetation removal and grading activities between September 1 through January 31. If vegetation removal is between February 1 and August 31 see performance criteria. Belding's savannah sparrow surveys: 5 site visits between mid-February and April,	If construction activities occur between February 1 to August 31, preconstruction surveys for other migratory bird species will take place no less than 3 days prior to the beginning of construction and at least twice a week while construction takes place within suitable nesting habitat during the breeding

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	will take place no less than 3 days prior to the beginning of construction and at least twice a week while construction takes place within suitable nesting habitat during the breeding and nesting season (February 1 to August 31). ▪ If the pre-construction surveys do identify nesting bird species within areas that are within 250 feet of construction activities, the following measures will be implemented: • Project-related construction impacts will be avoided by establishment of appropriate no-work buffers to limit				between 6:00 am and 10:00 am.	and nesting season (February 1 to August 31). If Belding's savannah sparrow is identified, contact Caltrans and CDFW within 48 hours.

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	project-related construction activities near the nest site. The size of the no-work buffer zone will be determined in consultation with the CDFW. The no-work buffer zone will be delineated by highly visible temporary construction fencing. In consultation with CDFW, monitoring of nest activity by a qualified biologist will be required if the project-related					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	construction activity has potential to adversely affect the nest or nesting behavior of the bird. No project-related construction activity will commence within the no-work buffer area until a qualified biologist and CDFW confirms that the nest is no longer active. • The following survey methods are recommended by CDFW for Belding's savannah sparrow: ○ Five site visits, if negative, should be conducted between mid-February and					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	the end of April. If survey is conducted early or late in the season, site visits should be spread out. Otherwise, visits can be on consecutive days. ○ Surveys should be conducted between 6:00 am and 10:00 am on days that are brisk but sunny. ○ A tape may not be used unless the surveyor has a Memorandum of Understanding issued by CDFW for such purpose. ○ Surveys should not interfere with any other bird nesting activity. ○ Surveys should extend outside the project area for standard distance depending on the type of work and ambient noise conditions. ○ All territorial individuals will be noted, as well as behavior (singing, scolding, perching together, nest					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	building, feeding young, aerial chasing). • If an active Belding's savannah sparrow nest is observed within 250 feet of the construction limits, all project activities will immediately cease, and Caltrans will contact CDFW within 48 hours. If required, Caltrans will seek an Incidental Take Permit (ITP) from CDFW under CFGC Section 2018 (b) and implement additional measures as necessary.					
BIO-8. Bat Survey	The City will implement measures to avoid and minimize impacts on pallid bat and western mastiff bat. Prior to conducting work and during work, the following measures will be implemented: • A pre-construction bat survey will be conducted by a qualified biologist/bat specialist in suitable habitat prior to April 1st. In the event that exclusionary measures are required prior to the active	Prior to and during construction	Qualified biologist	City	Survey prior to April 1st.	Exclusionary efforts will be put in place if bats are present. No exclusionary efforts should be conducted during May 1st to August 31st.

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	season of this species, no exclusionary efforts will be conducted during May 1st to August 31st of the construction year. If no roosting bats are found, no further mitigation will be necessary. • If bats are detected within roosts at the time of the pre-construction survey, exclusionary measures will be implemented by a qualified biologist/bat specialist to exclude bats from roosts if the roost location is determined to potentially be impacted by construction activities. The timing and other methods of exclusionary measures will be developed by the qualified biologist in order to reduce stress on the bats while taking into account project schedule from the project as well as project schedules for project immediately adjacent to the project site. Exclusionary devices, such as one-way doors or tubes, as approved by CDFW, can be used to allow					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	for bats to exit but not re-enter any occupied roosts. Expanding foam and plywood sheets can be used to prevent bats from entering unoccupied roosts. Exclusionary devices may be installed only after it has been determined that all bats have vacated the structure.					
BIO-9. San Diego desert woodrat middens	The City will implement measures to avoid and minimize impacts on San Diego desert woodrat. Prior to conducting work and during work, the following measures will be implemented: • No more than 14 days prior to construction activities, a pre-construction survey will be conducted within the BSA by a qualified biologist to determine the presence or absence of woodrat middens. • If woodrat middens are located during this survey, the qualified biologist will establish an ESA with a 25-ft buffer around each midden and no project	Prior to and during construction	Qualified biologist	City	Survey no more than 14 days prior to construction activities.	If woodrat middens are present, a 25 ft buffer will be will be put in place for any grading, mechanized equipment or vehicles, or large crews. Middens will be dismantled by a qualified biologist and moved to the closest undisturbed

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	activities requiring grading, mechanized equipment or vehicles, or large crews will be allowed within the 25-foot protective buffer. • If project activities cannot avoid impacting the middens, then a qualified biologist will dismantle the middens by hand prior to grading or vegetation removal activities. The midden dismantling will be conducted such that the midden material is slowly removed looking for young woodrats. The material will be placed in a pile at the closest adjacent undisturbed habitat and more than 50 feet from construction activities. • If young are encountered during midden dismantling, the dismantling activity will be stopped and the material replaced back on the nest and the nest will be left alone and rechecked in 2 to 3 weeks to see if the young are out of the nest or capable of being out on their own (as determined by a					habitat at least 50 ft away if construction activities cannot avoid impacting middens. If young are present in middens, dismantling will stop for 2 to 3 weeks or until the young can fend for themselves.

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	qualified biologist); once the young can fend for themselves, the nest dismantling can continue.					
GEO-1. Paleontological Resources	If paleontological resources are discovered during earth-moving activities, the construction crew will immediately cease work in the vicinity of the find and will notify the City planning department. The project contractor or City will retain a qualified paleontologist to evaluate the resource and prepare a proposed mitigation plan in accordance with the most recent Society of Vertebrate Paleontology guidelines. The mitigation plan will include, but is not limited to, a field survey, construction monitoring, sampling and data recovery procedures, museum storage coordination for any specimen recovered, and a report of findings, depending on the resources identified during construction. Recommendations determined by the qualified paleontologist and the City, based on the resources identified, will be	During construction	Qualified paleontologist	City	During construction	If paleontological resources are discovered during earth-moving activities.

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	implemented before construction activities can resume at the site where the paleontological resources were discovered.					
HAZ-1. Conducting Asbestos Containing Materials Survey	A California-licensed abatement contractor will conduct a survey for lead containing materials prior to demolition (including concrete elements) and contractor will submit a National Emission Standard for Hazardous Air Pollutants (NESHAP) notification. Per Section 14-9.02 of the asbestos NESHAP regulation, all "demolition activity" requires written notification even if there is no asbestos present. This notification should be typewritten and postmarked or delivered no later than ten days prior to the beginning of the asbestos demolition or removal activity. If lead containing materials are found, the following will be required: • Building materials associated with paint on structures, and paint on utilities should be abated by a California-licensed abatement contractor and	Prior to and during construction	California-licensed abatement contractor	City	NESHAP notification postmarked or delivered ten days prior to the beginning of the asbestos demolition or removal activity.	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	disposed of as a hazardous waste in compliance with SSP 14-11.13 and other federal and state regulations for hazardous waste. • A Lead Compliance Plan should be prepared by the contractor for the disposal of lead-based paint. The grindings (which consist of the roadway material and the yellow and white color traffic stripes) will be removed and disposed of in accordance with Standard Special Provision 36-4 (Residue Containing High Lead Concentration Paints). In addition, the Lead Compliance Plan will also contain the following provision to address aerially-deposited lead: SSP 7-1.02K (6)(j)(iii) – Earth Material Containing Lead. • A California-licensed lead contractor should be required to perform all work that will disturb any lead-based paint as a result of planned or unplanned renovations in the					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	project area, including the presence of yellow traffic striping and pavement markings that may contain lead-based paint. All such material must be removed and disposed of as a hazardous material in compliance with SSP 14-11.12.					
HAZ-2. Aerially deposited lead	The following actions are recommended for handling and disposal of soils that contain an elevated level of ADL during the pre-construction/pre-demolition phase: • A California-licensed abatement contractor will sample and test a representative sample of soils at the project site for hazardous levels of aerially deposited lead. Representative samples of exposed shallow soils will be collected at multiple locations along the project site and analyzed for total lead and extractable lead concentrations.	Prior to construction	California-licensed abatement contractor	City	Prior to construction	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	• If hazardous levels of aerially deposited lead are found in the soils at the project site, the following will be required: o Removal, disposal, storage and transportation of materials contaminated with hazardous levels of aerially-deposited lead will be performed in compliance with all applicable federal, state, and local laws, including but not limited to requirements of State Water Resources Control Board and California Regional Water Quality Control Board water quality control plans and waste discharge permits, Coastal Zone Permit requirements for ADL-contaminated soil, DFW permit requirements for ADL-contaminated soil, and all requirements of the applicable Air					

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	Quality Management District and/or the Air Pollution Control District. o Removal, disposal, storage, and transportation of materials contaminated with hazardous levels of aerially-deposited lead shall be performed in compliance with the Soil Management Agreement for Aerially-deposited Lead-Contaminated Soils between Caltrans and the Department of Toxic Substance Control, if the project site is within the state right-of-way or Caltrans is acting as direct oversight for the project.					
HYD-1. Construction erosion and runoff testing	All dewatering effluents will be required to be tested for trace pollutants by an U.S. EPA certified laboratory prior to discharge into the receiving waters, per the	Prior to construction	U.S. EPA certified laboratory	City	Prior to any construction runoff discharge into	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	General Water Discharge Requirements/NPDES Permit for Dewatering and Other Low Threat Discharges to Surface Waters (Order No. R5-2016-0076, NPDES No. CAG995002). Effluent samples will be tested for total suspended solids (TSS), total nitrogen, oil and grease, total petroleum hydrocarbons, and sulfides. Discharge effluent will be required to be visibly clear and sediment control BMPs will be implemented.				receiving waters	
NOI-1. Equipment Noise Control	No adverse noise impacts from construction are anticipated because construction will be conducted in accordance with Caltrans Standard Specifications Section 14-8.02, 42-1.02. Construction operations will be during daylight hours only (Monday to Friday, 8:00 AM to 5:00 PM) for all construction activities that have the potential to affect sensitive receptors. The following control measures will be implemented in order to minimize noise and vibration disturbances during periods of construction:	During construction	Construction contractor	Contractor	During construction (Monday to Friday, 8:00 AM to 5:00 PM)	

Mitigation Measure	Environmental Protection Measures	Timing	Implementing Party	Monitoring Party	Frequency and Duration	Performance Criteria
	1. Use newer equipment with improved muffling and ensure that all equipment items have the manufacturers' recommended noise abatement measures, such as mufflers, engine enclosures, and engine vibration isolators intact and operational. All construction equipment will be inspected at periodic intervals to ensure proper maintenance and presence of noise control devices (e.g., mufflers and shrouding). 2. Utilize construction methods or equipment providing the lowest level of noise and ground vibration impact available, such as alternative low noise pile installation methods. 3. Turn off idling equipment.					

EXHIBIT 3

Conditions of Approval and Development Plan

ATTACHMENT 1 EXHIBIT 3

CONDITIONS OF APPROVAL DEVELOPMENT PLAN FOR THE SAN JOSE CREEK MULTIPURPOSE PATH, LOCATED IN PUBLIC RIGHT OF WAY AND MULTIPLE ASSESSOR PARCEL NUMBERS (071-035-CA, APN 071-090-048, APN 071-090-047, APN 071-090-074, APN 071-090-083, APN 071-010-010, APN 071-090-082, APN 069-160-013, APN 071-200-011, AND APN 071-140-055) ALONG SAN JOSE CREEK FROM CALLE REAL TO THE ATASCADERO BIKE PATH (CITY CAPITAL IMPROVEMENT PROJECT 9006); CASE NO. 22-0007-DP

In addition to all applicable provisions of the Title 17 of the Goleta Municipal Code ("GMC"), the City of Goleta ("Applicant" or "Permittee") agrees to the following conditions for the City's approval of Case No. 22-0007-DP (hereinafter interchangeably referred to as "Project Conditions" or "Conditions of Approval").

Unless the contrary is stated or clearly appears from the context, the construction of words and phrases used in these Project Conditions use the definitions set forth in the GMC.

AUTHORIZATION

1. This Development Plan, Case No. 22-0007-DP authorizes implementation of plans dated 2019-2022 stamped "APPROVED", dated September 20, 2022, and attached hereto, subject to the Conditions of Approval set forth below, including specified plan sheets and agreements included by reference, as well as all applicable City rules and regulations. The project is approved as stated below.

   Development Plan Case 22-0007-DP for the San Jose Creek Multipurpose Path located in public right of way and multiple Assessor Parcel Numbers from Calle Real to the Atascadero Bike Path. (City Capital Improvement Project 9006). The proposed project consists of two separate segments of the proposed project would provide a continuous path from Calle Real to the Atascadero Creek Bikeway. The two segments of the proposed project are as follows:

   Northern Segment: This inland portion of the project extends from Calle Real under U.S. 101 and Union Pacific Railroad (UPRR) rights of way to Armitos Avenue. Here it would join the Class I facility near Armitos Park (to be constructed at the end of 2022/early 2023) and continue along the existing path at Jonny D. Wallis Park. This segment would be a paved multipurpose path approximately 2,400 feet in length ranging from 8 to 10 feet wide with shoulders ranging shoulders ranging from 0 to 2 feet wide. Retaining walls will be located along sections of the path alignment and would range from 4 feet to 12 feet in height.

   The segment would be on the west side of San Jose Creek, within the floodplain but outside of the active channel. It is anticipated that approximately 680 feet of the proposed project's northern segment would be constructed within the existing San Jose Creek bank, which

would occur where the proposed project crosses under the UPRR, US 101, and Calle Real bridges.

Southern Segment: This portion of the project would be approximately 1 mile in length, ranging from 8 to 10 feet wide, with shoulders ranging from no shoulder to 2 feet wide. A 2-foot wide, 3.5-foot high standard concrete barrier with a bicycle/pedestrian rail would separate the multipurpose path from SR 217. The multipurpose path would raise in elevation for the proposed 12 ft. wide bicycle/pedestrian bridge that would span over San Jose Creek, and then transition to the SR 217 shoulder. The Path will remain at grade with SR 217 for approximately 3,200 feet, at which point the path will transition drop below the SR 217 grade for 1,066 feet as the path transitions to the box culvert crossing under SR 217. Approximately 1,500 feet of the southern most portion of this segment is outside of City limits and located within Santa Barbara County jurisdiction.

2. The Applicant/Permittee is responsible for complying with all of the Conditions of Approval contained in this Development Plan.

3. When exhibits and/or written Project Conditions are in conflict, the written Project Conditions shall prevail. The exhibits associated with this permit include the plans dated 2019-2022 provided as Exhibit 5 to Attachment 1, marked "APPROVED September 20, 2022", which are all incorporated by reference as if fully set forth.

4. The City will only issue permits for development, including local zoning clearance following issuance of the Coastal Development Permit by the Coastal Commission, when the construction documents (e.g., grading plans, building plans, etc.) are in substantial compliance with approved plans.

5. The effectiveness of this Development Plan will be suspended for the time period that any Project Condition is part of a legal action filed in a court of competent jurisdiction. If any Project Condition is invalidated by a court of law, the Project must be reviewed by the City and substitute conditions may be imposed to validate this Development Plan.

6.

7. If any Project Condition is invalidated by a court of competent jurisdiction, the Project must be reviewed by the City and substitute conditions may be imposed to validate the Development Plan.

PRIOR TO PROJECT BIDDING FOR CONSTRUCTION:

7. Architectural Review. Prior to the preparation of project bidding documents, the Applicant/Permittee may seek Design Review Board (DRB) advisory input of the project plans and landscaping.

8. The Applicant/Permittee shall obtain from the City's Planning and Environmental Review Director a Zoning Clearance prior to commencement of any uses and/or development authorized by this permit.

9. These Conditions of Approval shall be printed in their entirety on all plans submitted for issuance of any Zoning Clearance or Grading Permit for the project.

10. Construction Timing. Construction activity and equipment maintenance is limited to the hours between 8AM and 5PM Monday through Friday. Exceptions to these may be made for onsite work for good cause at the sole discretion of the Planning and Environmental Review Director. Exceptions to these restrictions for work in the City Right-of-Way may be made for good cause at the sole discretion of the Public Works Director or designee. Any subsequent amendment to the General Plan noise standard upon which these construction hours are based shall supersede the hours stated herein. No construction can occur on State holidays (e.g., Thanksgiving, Labor Day). The Planning and Environmental Review Director must monitor compliance with restrictions on construction hours and must promptly investigate and respond to all complaints.

ENVIRONMENTAL MITIGATIONS/CONDITIONS

The Applicant/Permittee must comply with all mitigation measures identified in the Final MND prepared for the project, Exhibit 2 to Resolution No. 22-__. A Mitigation Monitoring and Reporting Program (MMRP) was prepared as part of the environmental review of the project and is attached as Exhibit 2 to Resolution No. 22-__. The mitigation measures of the MMRP are incorporated into these conditions of approval by reference. All mitigation measures and conditions of approval must be listed on the plans and specifications for project construction and bidding purposes.

CITY DEPARTMENT CONDITIONS – Planning and Environmental Review Department

The following standards/requirements are general/on-going and must be complied with by the Permittee and/or successors in interest:

11. The Permittee is responsible for informing all sub-contractors, consultants, engineers, or other business entities providing services related to the project of their responsibilities to comply with these conditions including, without limitation, Title 17 of the GMC. This includes the requirements that a business license be obtained to perform work within the City as well as the City's construction hour limitations.

12. Before the start of any work on-site, the Permittee must conduct a pre-construction meeting that includes the Permittee, project superintendent, architect, subcontractors, as well as the

City Public Works Department and including all elements included in the Mitigation Monitoring and Reporting Program.

13. Any temporary building trailer, commercial coach etc. installed or used in connection with the construction of this project must comply with the requirements of Title 17 Section 17.21.460.

By signing this document, I, _____, acting on behalf of the City of Goleta, certify that I have read, understand, and agree to the Project Conditions listed in this document.

Charles Ebeling P.E., T.E., Public Works Director Date
City of Goleta, Public Works Department

-End of Conditions-

EXHIBIT 4

General Plan Consistency

EXHIBIT 4

GENERAL PLAN CONSISTENCY ANALYSIS FOR SAN JOSE CREEK MULTIPURPOSE PATH CALLE REAL TO ATASCADERO CREEK

The Project is consistent with the Goleta General Plan/Land Use Plan (GP/LUP) as follows:

Land Use Element

The proposed project and uses are consistent with the guiding principles and goals of Chapter 2, Land Use Element of the City's General Plan. The proposal is in compliance with the Land Use Plan Map (LU 1.1, Figure 2-1) including land use designations adjacent to the path that range from Public/Quasi Public designations of U.S. Highway 101 and State Route (SR) 217, to Open Space near Armitos and Jonny D. Wallis parks, Residential lands with Medium, High and Mobile Home Park densities and Office and Service Industrial areas west of SR 217.

With respect to LU 1.7 and LU 1.8, the project alignment and conceptual design is appropriate and will meet highest and best standards for environmental compliance along San Jose Creek, while offering neighborhood compatibility with surrounding areas for this pedestrian and bicycle facility. Construction of the San Jose Creek path also fulfills LU 1.13 by providing an important link in accordance with the Public Facilities and Transportation Elements of the City's General Plan.

The City of Goleta has conducted preliminary coordination with Santa Barbara County, who granted approval of consolidated permit review to the California Coastal Commission. Similar public outreach to State and Federal agencies with permitting authority for the project has also been done since 2019. Therefore, the project is also consistent with Policy LU 12.1 and Policy LU 12.7

Open Space Element

The proposed project is consistent with the guiding principles and goals of Chapter 3, Open Space Element of the City's General Plan. Through the San Jose Creek path's connection from Calle Real directly to the Atascadero Bike Path (Obern Trail), which connects to Goleta Beach, the project fulfills the goals of Policy OS 4.2 and 4.3. Through its alignment with San Jose Creek, the project is consistent with Policy OS 4.5, which recommends trail locations be outside of riparian areas, but also "…. provide occasional contact to streams to allow public access and enjoyment of the resources. Where feasible, public trail easement should be located within the boundaries of flood control easements." The project also reflects the "existing and proposed trail alignment" shown on Figure 3-2, the Park and Recreation Plan Map. Figure 3-5, the Open Space Plan Map, also shows San Jose Creek as an "Environmentally Sensitive Habitat Area" (ESHA) for Preservation of Natural Resources. The path would be consistent with this map and related policies OS 7.3, as well as OS 7.5, Open Space for Outdoor

Recreation. By constructing the multipurpose path along the San Jose Creek corridor, including all the mitigation measures, conditions forthcoming from state and federal agencies, and best management practices inherent in those requirements, the project would preserve this open space and use it for recreation.

Regarding cultural resources and compliance with Open Space (OS) policy 8 (Protection of Native American and Paleontological Resources), the City conducted an AB52 consultation and a Section 106 Tribal Consultation, in coordination with Caltrans. Locations of Chumash village sites are known to exist in buried context in Goleta Slough and the surrounding area, and these have been extensively documented. Because the majority of the proposed project site is directly adjacent to San Jose Creek and prehistoric sites are not often found on the creek banks due to the possibility of flooding, the likelihood of encountering previously undocumented buried archaeological deposits in the proposed project site is considered low. Nonetheless, there remains a chance that construction activities associated with the proposed project could result in accidentally discovering archaeological resources. Conditions are included to address unanticipated discoveries of cultural resources and archaeological and Native American monitoring during ground disturbing activities. The proposed project is located in an area with geologic formations that are not known to contain paleontological resources. In addition, the proposed project area is within an urban setting with highly disturbed areas. The geologic units identified within the proposed project site have a lot to no potential for producing paleontological resources. A mitigation measure is included to address unanticipated discoveries of paleontological resources during ground disturbing activities. Therefore, the project is also consistent with City General Plan Open Space Element.

Conservation Element

The proposed project and uses are consistent with the guiding principles and goals of Chapter 4, Conservation Element of the City's General Plan. With incorporation of mitigation measures and permit conditions from multiple state and federal agencies with direct jurisdiction over the project's riparian and sensitive habitat areas, the project will protect these resources to the maximum extent feasible.

Policies CE1.6.c and d. identify the careful relationship between such policies and recognizes that "public accessways and trails are considered resource-dependent uses and may be located within or adjacent to Environmentally Sensitive Habitat areas (ESHA)." Similarly, the San Jose Creek path is consistent with Policies CE2.2 and 2.3 that also allow for construction and maintenance of foot trails, bicycle paths and similar low impact facilities within streamside protection areas. The project is also consistent with CE Policies 8.2, 8.3 and 9, requiring protection of habitat areas, trees and mitigation of impacts to native trees. Through project design, mitigation measures and use of best management practices, the project will also be consistent with CE Policies 10.3, 10.4, 10.6. Therefore, the project is consistent with the Conservation Element of the City's General Plan.

Safety Element

The proposed project would not create a significant hazard to the public or environment through the routine transport, use or disposal of hazardous materials, but may discover remnant materials during construction. Implementation of mitigation measures that require further site assessment prior to construction and implementation of best management practices (BMPs) and vehicle manufacturer's specifications during construction will minimize such risks. Compliance with applicable regulations including Caltrans specifications and multiple state and federal agency conditions, would also ensure such risks are not hazardous during construction or upon completion of the project. Therefore, the project is consistent with the Safety Element and policies.

Visual and Historic Resources Element

Views of riparian corridors, agricultural resources and the Pacific Ocean are visible from the various vantage points along the proposed San Jose Creek path. The Project will be visible from various points along San Jose Creek, but in a complementary way that will not block open space views, consistent with Visual and Historic Resource (VH) Element 1.5. The project will provide a high level of design as project plans develop, consistent with Policy VH2.4, Public Improvements, as well as VH 2.5 that requires linkage between scenic areas by adjacent public facilities such as parks and trails. The only lighting proposed as part of the project is within the proposed box culvert under SR 217, so no lighting would be visible from adjoining properties. Therefore, the project is consistent with Visual and Historic Resources Element and policies.

Transportation Element

The proposed project and uses are consistent with the guiding principles and goals of Chapter 7.0, Transportation Element of the City's General Plan. The San Jose Creek Multipurpose Path was listed on County of Santa Barbara transportation plans for years before incorporation, and has been in the City of Goleta's Transportation Element since adoption of the General Plan/Coastal Land Use Plan in 2006. The path, in the proposed alignment along San Jose Creek, is shown on both Figures 7-5 (Pedestrian System Plan) and Figure 7-6 (Bikeways Plan Map). It is consistent with the guiding principles and goals of the Transportation Element, including:

Policies TE 1.1, 1.2,.1.3, 1.4, The project will facility use of alternative modes of transportation, link residential areas to UCSB and Goleta Beach, provide access from areas outside Goleta to Goleta via its connection to the Atascadero Bike Path and SR 217.

Policy TE 2.3: Diversion of Automobile Trips to Alternative Modes, by encouraging investment in alternative modes to "…make those modes more competitive with auto travel in terms of convenience, accessibility, costs, and safety."

Policy TE 10.1 thru 10.3 (Pedestrian system map, master plan for facilities, and design criteria for pedestrian facilities).

Policy 10.6: Study of Grade Separated Pedestrian Crossing of US 101 in Old Town:

The San Jose Creek path does not provide a continuous grade separated crossing of U.S. 101, but it does provide a strong alternative to Class II bicycle paths and sidewalks over Patterson Avenue and Fairview Avenue, and therefore fulfills Policy 10.6 as well.

Noise Element

The proposed project and uses are consistent with the guiding principles and goals of Chapter 9.0, Noise Element of the City's General Plan. The project's northern segment is adjacent to land uses ranging from medium to high density residential, general industrial, community commercial, planned residential and open space/active recreation. The project's southern segment is adjacent to Old Town (commercial), General Commercial, Business Park, Service/Industrial, General/Industrial, Mobile Home Park, Open Space and Public/Quasipublic uses. Construction of the bike/pedestrian trail will have some impact on sensitive receptors along the path, but not exceed the City's Threshold NOI-4 of 95 dBA during construction at any of the identified sensitive receptors. In addition, the proposed project would implement best management practices (BMPs) and construction noise minimization measures through conditions of approval that would reduce construction noise and project impacts to less than significant during this period. Therefore, the project is consistent with the City's Noise Element.

EXHIBIT 5

Project Plans

LEGEND:

- RIGHT OF WAY
- EASEMENT
- PROPOSED CONCRETE BARRIER
- PROPOSED RETAINING WALL
- CUT
- FILL
- PROPOSED HOLLISTER/ KELLOGG PARK IMPROVEMENTS
- CALTRANS ROUTE 101 BRIDGE REPLACEMENT PROJECT

"M" LINE

ALIGNMENT CURVE DATA

No.	R	Δ	T	L
1	120'	17°03'00"	17.99'	35.71'
2	93'	25°38'42"	21.22'	41.73'
3	250'	28°23'54"	63.26'	123.91'
4	175'	56°44'25"	94.50'	173.30'
5	90'	50°51'13"	42.79'	79.88'
6	120'	27°29'14"	29.35'	57.57'
7	140'	36°29'01"	46.14'	89.15'
8	125'	21°33'13"	23.79'	47.02'
10	50'	60°20'43"	29.07'	52.66'
11	50'	26°08'36"	11.61'	22.81'

"M" LINE

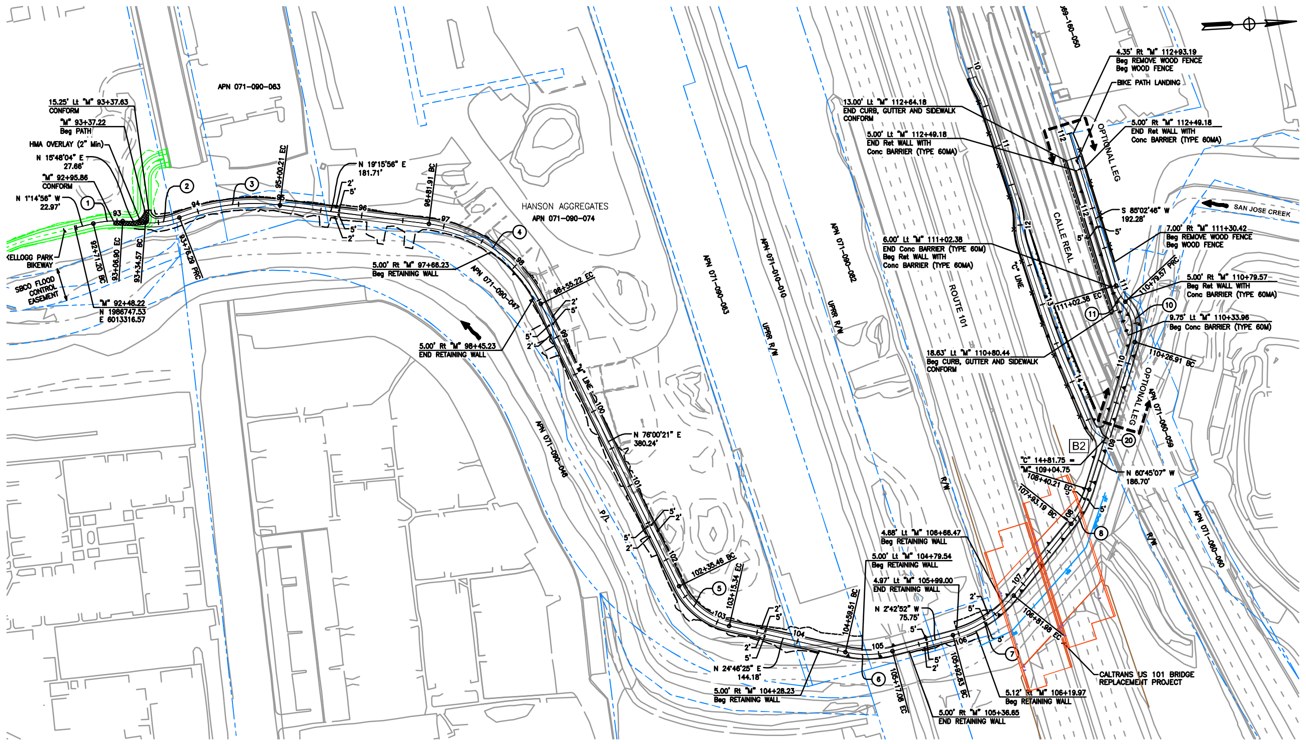
CURVE DATA

No.	R	Δ	T	L
20	7'	139°48'20"	19.13'	17.08'

DESIGN STANDARD DECISION DOCUMENT – DELEGATED OR NON–DELEGATED

FEATURE NUMBER	NON STANDARD FEATURE	DESIGN STANDARD	DESIGN STANDARD VALUE	PROPOSED DESIGN VALUE
B1	Clearance to Obstructions	Caltrans HDM 1003.1 (3)	3 Feet	0–1 Feet
B2	Stopping Sight Distance	Caltrans HDM 1003.1 (11)	125 Feet	< 125 Feet

* NOTE: ANY NON–STANDARD FEATURES OUTSIDE OF CALTRANS R/W TO BE APPROVED BY CITY.



PLAN
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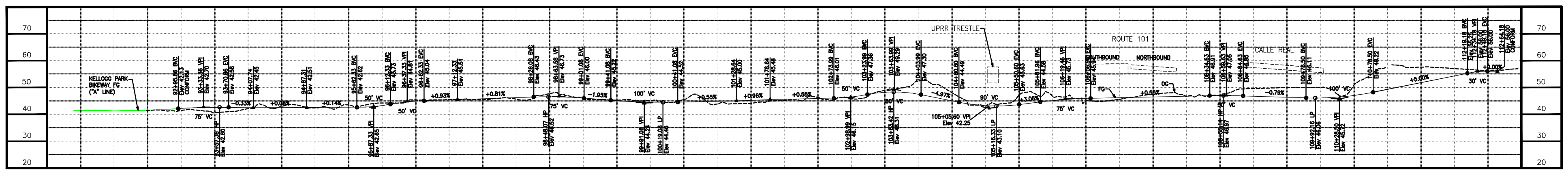
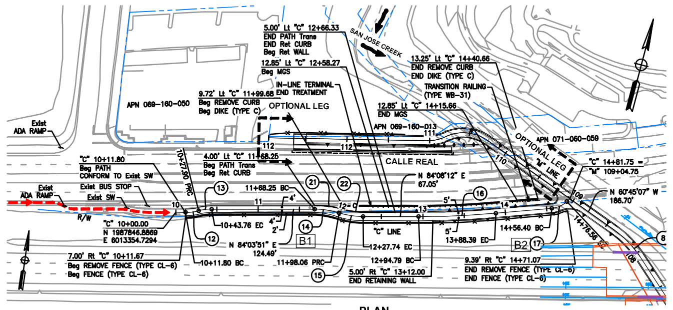


PROFILE
"M" LINE
SCALE: Horiz 1"=40'
Vert 1"=10'



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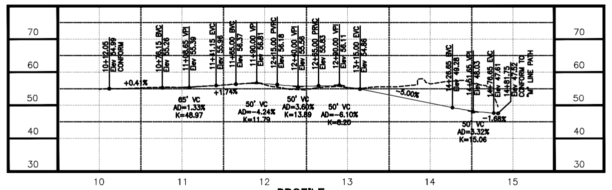


PROFILE
"C" LINE
SCALE: Horiz 1"=40'
Vert 1"=10'

"C" LINE

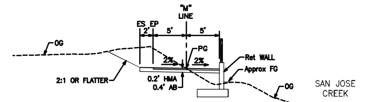
ALIGNMENT CURVE DATA

No.	R	Δ	T	L
12	65'	14°11'25"	8.09'	16.10'
13	65'	13°58'36"	7.97'	15.86'
14	100'	17°04'40"	15.01'	29.81'
15	100'	17°00'20"	14.95'	29.68'
16	1055'	5°04'59"	46.83'	93.59'
17	30'	38°29'34"	10.47'	20.15'

"C" LINE

CURVE DATA

No.	R	Δ	T	L
21	105'	16°04'25"	14.83'	29.46'
22	95'	16°00'04"	13.35'	26.53'



"M" 95+40.00 TO 95+65.00
"M" 95+95.00 TO 96+80.00
"M" 97+55.00 TO 99+25.00
"M" 104+28.23 TO 104+79.54
"M" 106+20.00 TO 106+66.54
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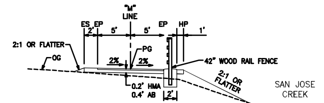

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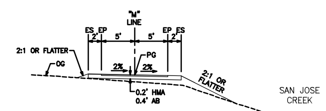

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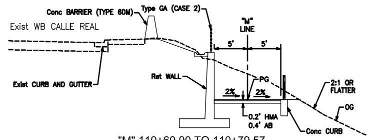

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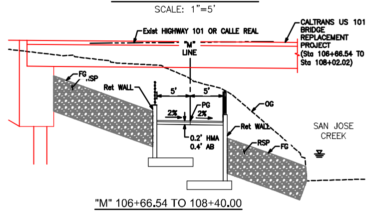

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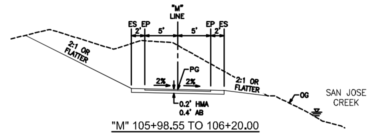

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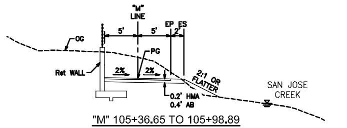

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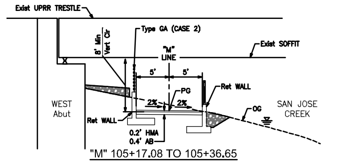

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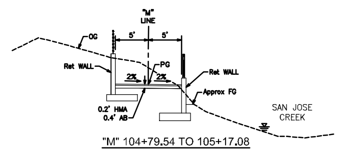

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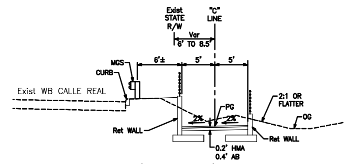

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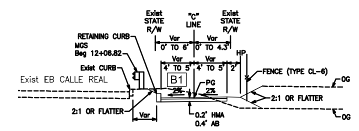

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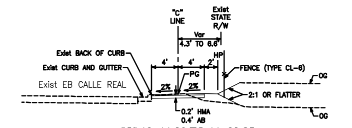

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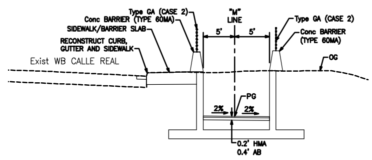

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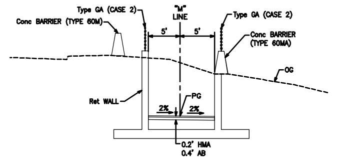

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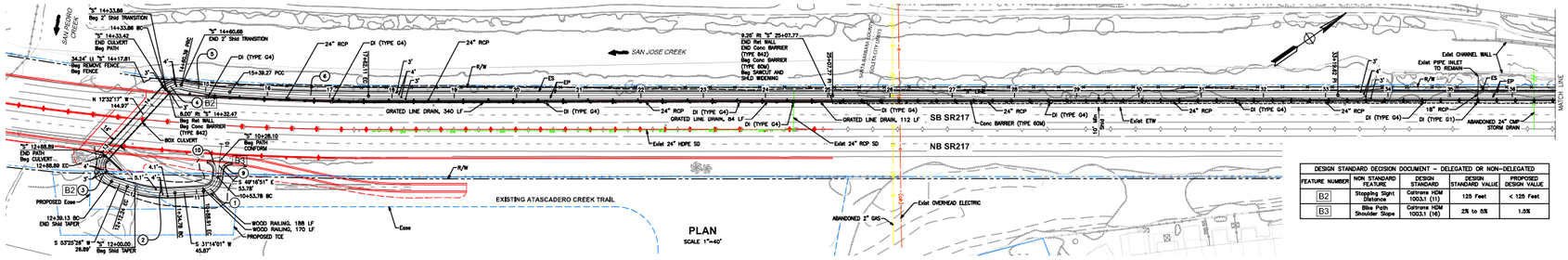
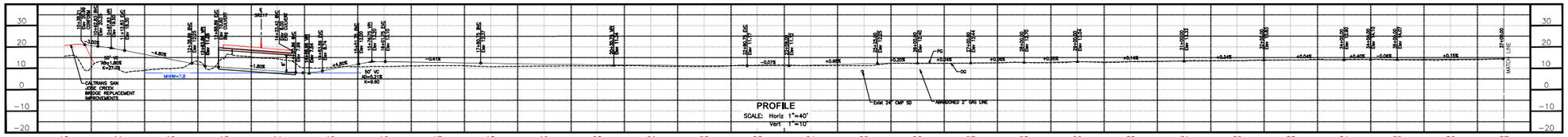
Dewberry

PRELIMINARY DESIGN
SAN JOSE CREEK MULTI-PURPOSE BIKE PATH
NORTHERN (MIDDLE) EXTENT
JUNE 2022

LEGEND:

- RIGHT-OF-WAY
- PROPOSED EASEMENT
- PROPOSED TCE
- PROPOSED CONCRETE BARRIER
- PROPOSED RETAINING WALL
- CUT
- FILL
- PROPOSED FENCE
- CALTRANS SR 217 BRIDGE REPLACEMENT IMPROVEMENTS
- EXISTING STORM DRAIN
- EXISTING SEWER
- EXISTING WATER
- EXISTING GAS
- EXISTING TELECOMMUNICATION
- EXISTING OVERHEAD ELECTRIC
- ABANDONED STORM DRAIN
- ABANDONED GAS
- MHHW LINE
- COASTAL ZONE BOUNDARY

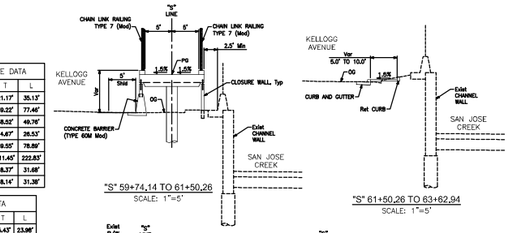


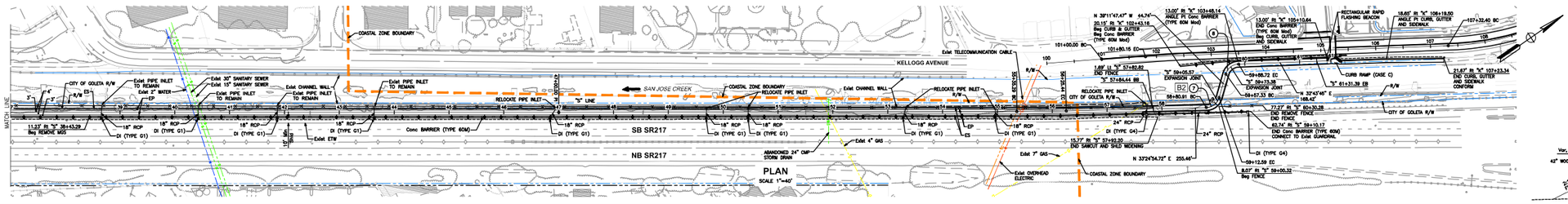


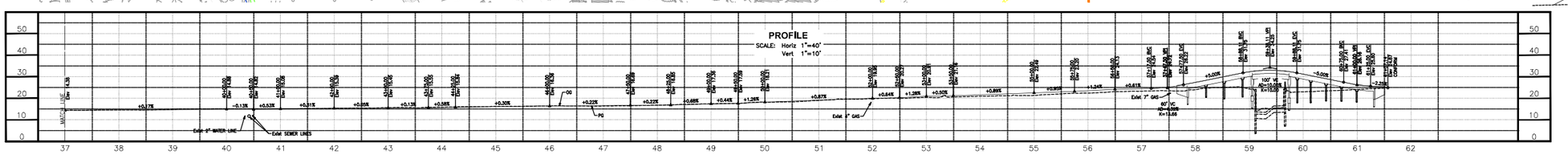
ALIGNMENT CURVE DATA					
No.	R	Δ	T	L
1	25'	80°30'51"	21.17'	35.13'
2	200'	22°11'26"	39.22'	77.46'
3	25'	114°02'16"	38.52'	49.76'
4	25'	62°47'53"	14.67'	28.53'
5	440'	10°18'21"	39.50'	78.89'
6	3946'	3°14'08"	111.45'	222.83'
7	25'	72°36'45"	18.37'	31.68'
8	25'	71°55'33"	18.14'	31.38'

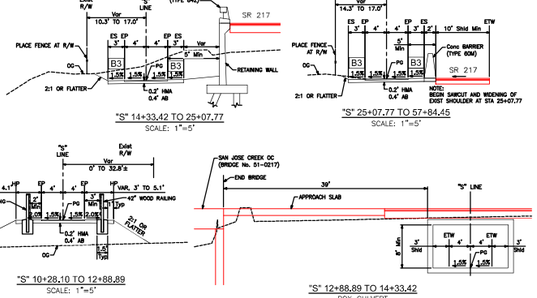
CURVE DATA					
No.	R	Δ	T	L
9	15'	91°36'47"	15.43'	23.98'
10	15'	91°36'27"	15.43'	23.98'

DESIGN STANDARD DECISION DOCUMENT – DELEGATED OR NON-DELEGATED				
FEATURE NUMBER	NON STANDARD FEATURE	DESIGN STANDARD	DESIGN STANDARD VALUE	PROPOSED DESIGN VALUE
B2	Stopping Sight Distance	Caltrans HDM 1003.1 (1)	120 Feet	< 125 Feet
B3	Bike Path Shoulder Slope	Caltrans HDM 1003.1 (16)	2% to 5%	1.5%









PRELIMINARY DESIGN
SAN JOSE CREEK MULTI-PURPOSE BIKE PATH
SOUTHERN EXTENT
JUNE 2022

Dewberry

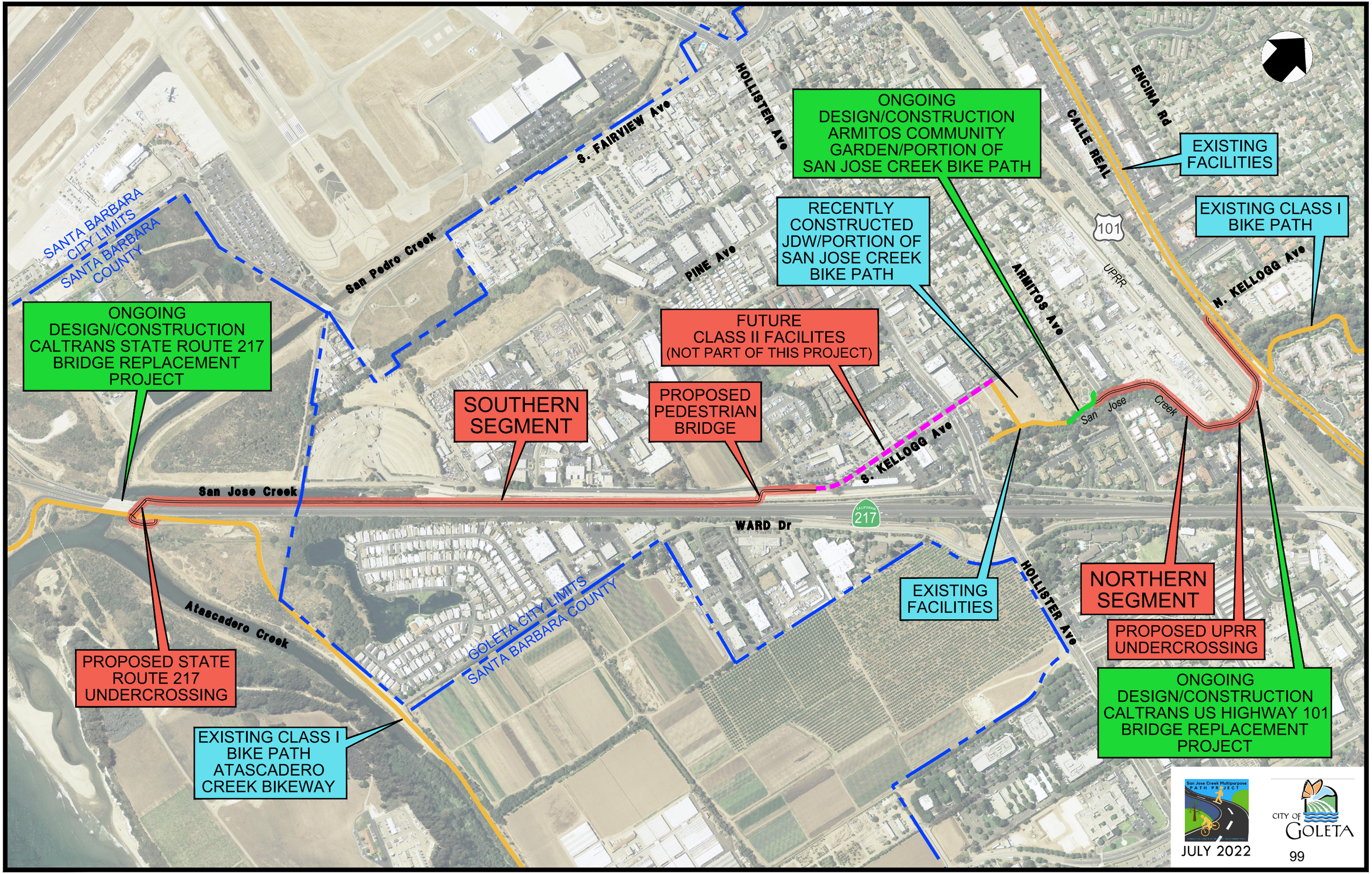
ATTACHMENT 2

San Jose Creek Bike Multipurpose Path Project Location Map

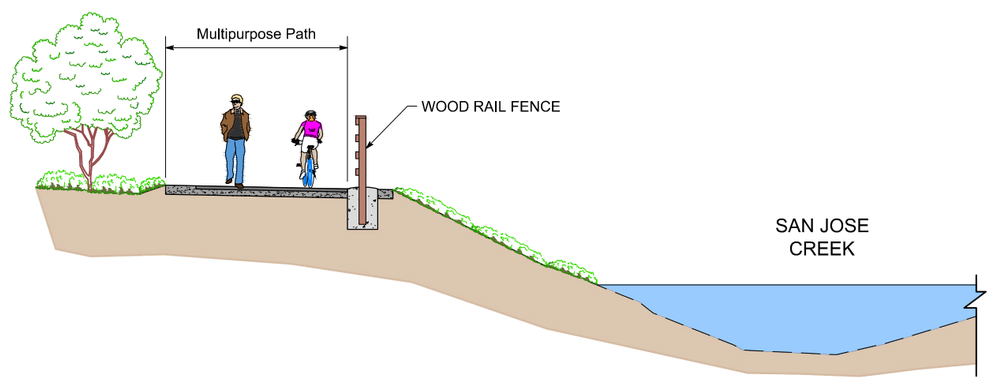
Exhibit 1 – Project Overall Alignment

Exhibit 2 – Project Northern Segment

Exhibit 3 – Project Southern Segment


SANTA BARBARA CITY LIMITS
SANTA BARBARA COUNTY
ONGOING DESIGN/CONSTRUCTION CALTRANS STATE ROUTE 217 BRIDGE REPLACEMENT PROJECT
San Pedro Creek
S. FAIRVIEW Ave
HOLLISTER Ave
PINE Ave
ONGOING DESIGN/CONSTRUCTION ARMITOS COMMUNITY GARDEN/PORTION OF SAN JOSE CREEK BIKE PATH
RECENTLY CONSTRUCTED JDW/PORTION OF SAN JOSE CREEK BIKE PATH
FUTURE CLASS II FACILITES (NOT PART OF THIS PROJECT)
SOUTHERN SEGMENT
PROPOSED PEDESTRIAN BRIDGE
CALLE REAL
ENCINA Rd
EXISTING FACILITIES
EXISTING CLASS I BIKE PATH
101
UPRR
N. KELLOGG Ave
ARMITOS Ave
San Jose Creek
S. KELLOGG Ave
San Jose Creek
WARD Dr
CALIFORNIA 217
GOLETA CITY LIMITS
SANTA BARBARA COUNTY
EXISTING FACILITIES
HOLLISTER Ave
NORTHERN SEGMENT
PROPOSED UPRR UNDERCROSSING
ONGOING DESIGN/CONSTRUCTION CALTRANS US HIGHWAY 101 BRIDGE REPLACEMENT PROJECT
PROPOSED STATE ROUTE 217 UNDERCROSSING
Atascadero Creek
EXISTING CLASS I BIKE PATH ATASCADERO CREEK BIKEWAY
San Jose Creek Multipurpose PATH PROJECT
JULY 2022
CITY OF GOLETA
99

PINE Ave
HOLLISTER Ave
TECOLOTE Ave
ONGOING DESIGN/CONSTRUCTION ARMITOS COMMUNITY GARDEN/PORTION OF SAN JOSE CREEK BIKE PATH
CALLE REAL
N. KELLOGG Ave
EXISTING CLASS I BIKE PATH
BERKELEY Rd
RECENTLY CONSTRUCTED JDW/PORTION OF SAN JOSE CREEK BIKE PATH
ARMITOS Ave
EXISTING FACILITIES
101
UPRR
San Jose Creek
FUTURE CLASS II FACILITES (NOT PART OF THIS PROJECT)
A
A
SOUTHERN SEGMENT
S. KELLOGG Ave
EXISTING FACILITIES
NORTHERN SEGMENT
San Jose Creek
CALLE REAL
SANTA BARBARA COUNTY
GOLETA CITY LIMITS
PAREJO Dr
HANNA Dr
HARVARD Ln
PROPOSED UPRR UNDERCROSSING
ONGOING DESIGN/CONSTRUCTION CALTRANS US HIGHWAY 101 BRIDGE REPLACEMENT PROJECT
CALIFORNIA
217
WARD Dr
GOLETA CITY LIMITS
SANTA BARBARA COUNTY
HOLLISTER Ave
SUMIDA GARDENS Ln



Northern Segment - Typical Section View A-A

JULY 2022

CITY OF GOLETA

ONGOING
DESIGN/CONSTRUCTION
CALTRANS STATE ROUTE 217
BRIDGE REPLACEMENT
PROJECT

PROPOSED
STATE ROUTE 217
UNDERCROSSING

EXISTING CLASS I
BIKE PATH
ATASCADERO
CREEK BIKEWAY

SOUTHERN
SEGMENT

FUTURE
CLASS II FACILITES
(NOT PART OF THIS PROJECT)

PROPOSED
PEDESTRIAN
BRIDGE

JAMES FOWLER Rd

SANTA BARBARA
CITY LIMITS
GOLETA CITY LIMITS

SANTA BARBARA
COUNTY
GOLETA CITY LIMITS

TECHNOLOGY Dr

TECHNOLOGY Dr

THORNWOOD Dr

PINE Ave

KELLOGG Wy

S. KELLOGG Ave

WARD Dr

San Jose Creek

Atascadero Creek

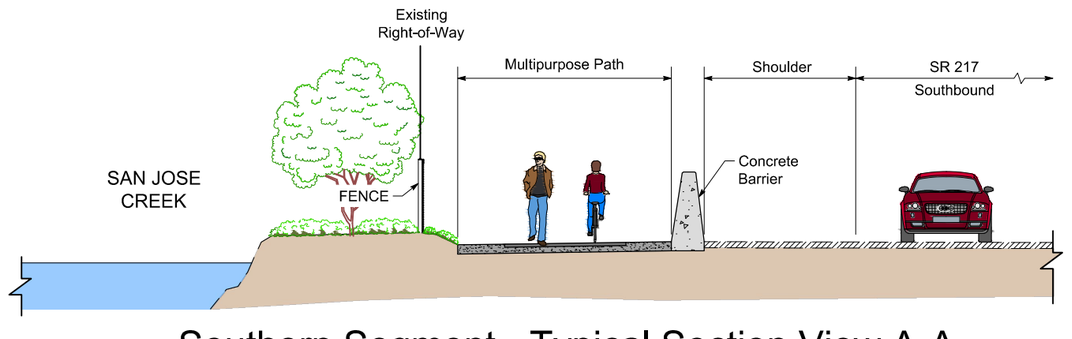
GOLETA CITY LIMITS
SANTA BARBARA COUNTY

A

A

217

JULY 2022



Southern Segment - Typical Section View A-A

ATTACHMENT 3

San Jose Creek Bike Multipurpose Path Project Presentation

San Jose Creek Multipurpose Path
Mitigated Negative Declaration and Development Plan

Goleta City Council September 20, 2022

Background

- Project in Transportation Plans from County of Santa Barbara and City of Goleta for 20+ years
- Generally in alignment of Project presented today
- Design started in 2018, with many technical reports required – largely due to partnering status with Caltrans, compliance with NEPA and CEQA funding from ATP grant for $18 million

Project Purpose and Need

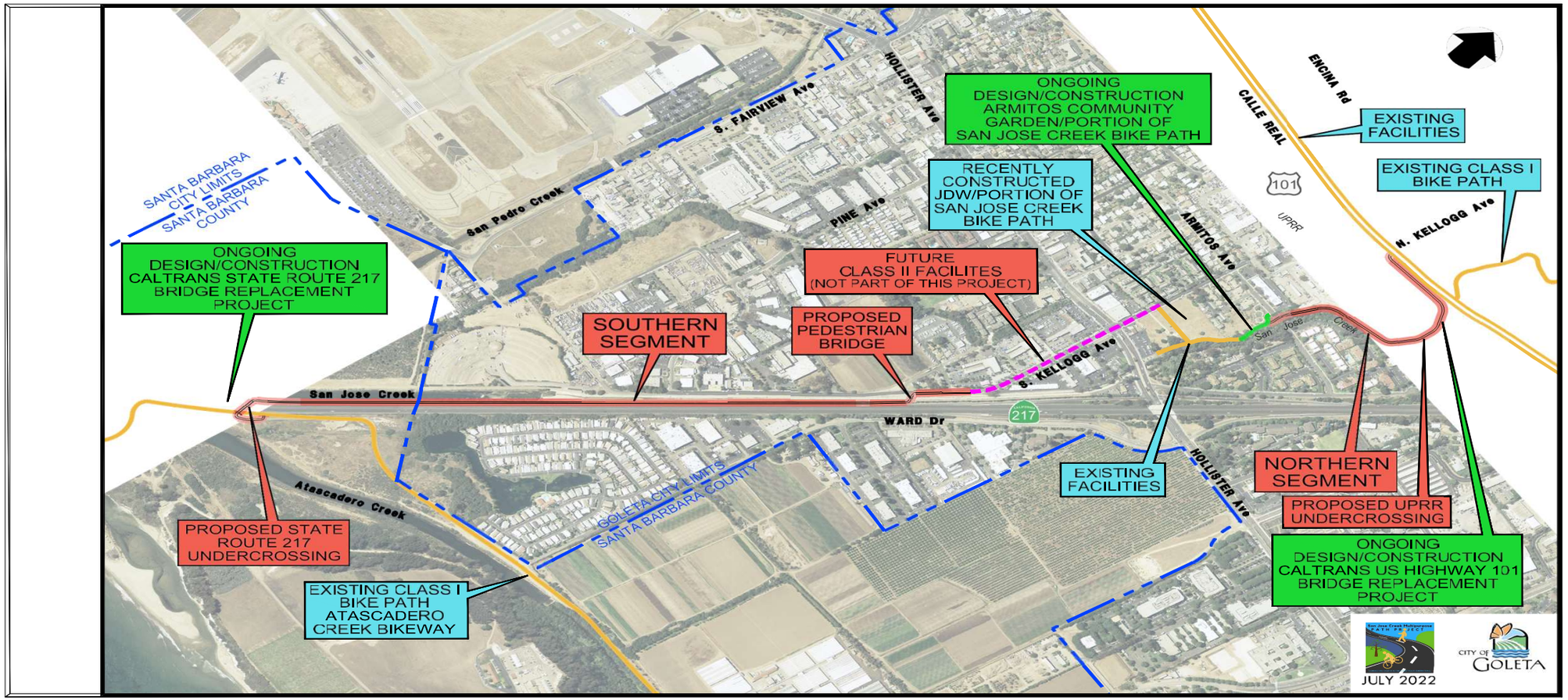
- Complete two important path segments for a continuous and safe link in the regional active transportation network from Calle Real to the Atascadero Creek Bikeway (Obern Trail/Coast Route).

- Four significant barriers to north-south regional connectivity would be removed by crossing under US 101 and Union Pacific Railroad (UPRR) bridges, crossing over San Jose Creek and crossing under SR 217 on the south end.

Funding

- City awarded $18 million in State and Federal Active Transportation (ATP) Grant funding in 2019. The ATP grant requires completion of key tasks and milestones by funding specific dates to release funding.
- Environmental document must be approved by Goleta, along with Project Study Report.
- These local agency approvals must be submitted in October 2022 to be scheduled for California Transportation Commission action to release next round of funding December 2022.

Project Location & Context



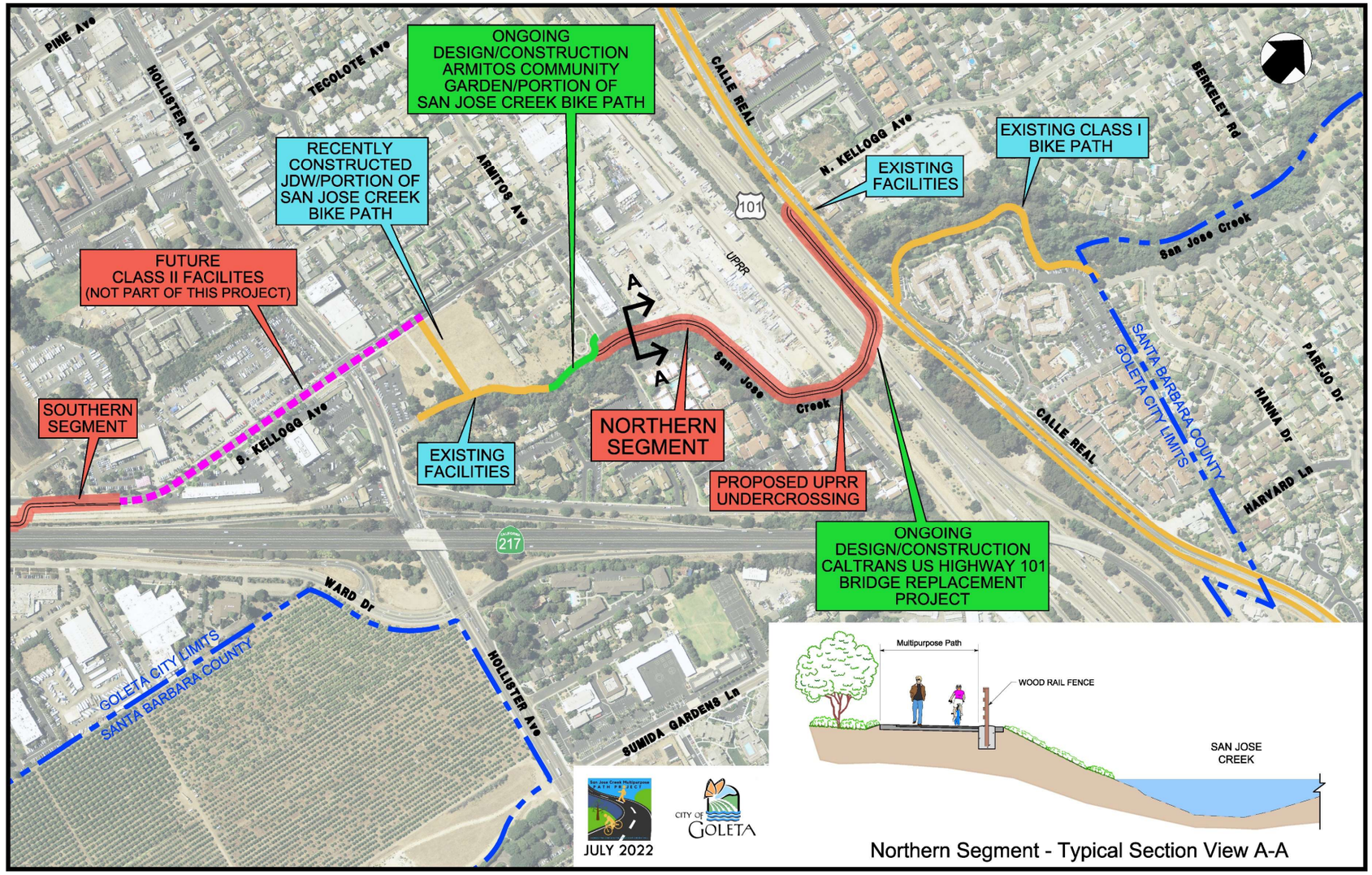
Location: Northern, Southern Extents & Coastal Zone

Northern Segment

From Calle Real under U.S. 101 and Union Pacific Railroad (UPRR) to Armitos Avenue, along west side of creek.

- At Armitos Park, joins Class I path (to be constructed 2023) and will connect to Class I path at Jonny D. Wallis Park (existing.
- Paved, approximately 2,400 feet long, ranging 8 to 10 feet wide with shoulders 0 to 2 feet.
- Retaining walls ranging from 4-12 feet high to be located along sections of the path.
- Located within floodplain of San Jose Creek, but outside active channel.
- About 680 feet of the path to be constructed within the existing San Jose Creek bank. This situation would occur where the project crosses under the US 101, UPRR, and Calle Real bridges.

Northern Segment

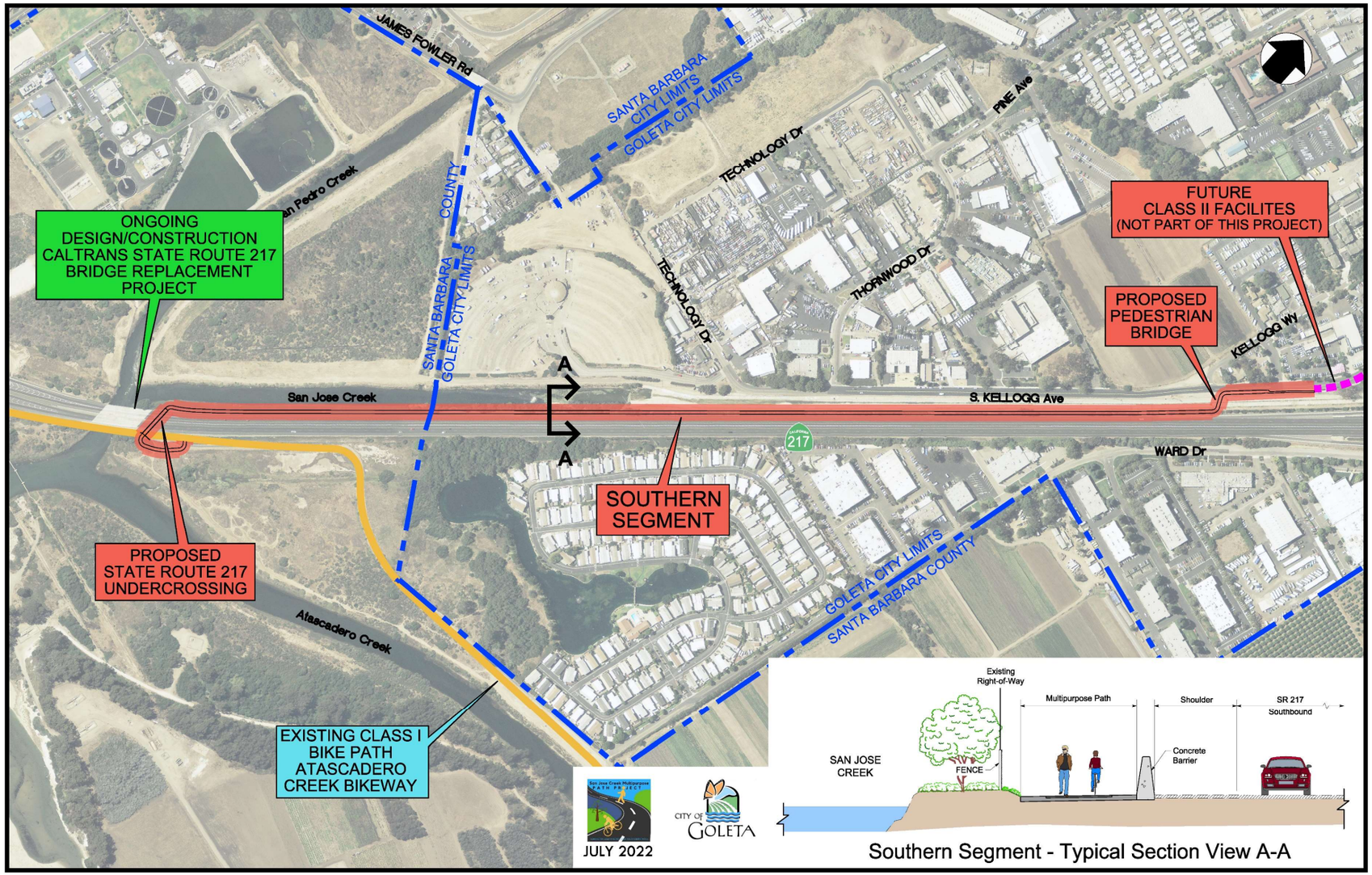


Southern Segment

From the intersection of Kellogg Ave and Kellogg Way, crossing San Jose Creek Channel and along SR 217 to Atascadero Bike Path.

- About 1 mile in length, width ranging from 8 to 10 feet wide, shoulders 0 to 2 feet wide.
- 12 ft. wide bicycle/pedestrian bridge that would span over San Jose Creek Channel to transition to the SR 217 shoulder.
- 2-foot wide, 3.5-foot high standard concrete barrier to separate bicycle/pedestrian trail from SR 217.
- Path will remain at grade with SR 217 for approximately 3,200 feet, then drop below the SR 217 grade for 1,066 feet as the path approaches 14 ft. wide by 8 ft. high box culvert crossing under SR 217.
- Approximately 1,500 feet of the southernmost portion of this segment is outside of City limits, within Santa Barbara County jurisdiction.

Southern Segment



Council Authorization – Per Title 17

- Project in Coastal and Inland areas, near ESHA in both segments.
- Such locations require a Development Plan per GMC 17.59.020(A)(5), since it does not qualify for an Exemption or a Land Use Permit (GMC 17.55.030(A)).
- GMC 17.050.030 (H) states that City Council has “Review Authority for all zoning permits, except Zoning Clearances, and all discretionary approval required by this Title for City projects, including Capital Improvement Program projects.”
- Therefore, City Council is the review authority to approve the CEQA document and act on the Development Plan per GMC 17.59.

CEQA Document

- Final Initial Study/Mitigated Negative Declaration prepared 2021-2022
- Public Circulation June 30, 2022 thru August 1, 2022
- 46 comments received; staff held multiple phone conferences
- IS-MND revised to show changes responding to comments in Final MND (Attachment 1, Exhibit 2 of staff report)

Mitigation Measures

- Potentially Significant but Mitigable Impacts identified
- Mitigation Measures included in Mitigation Monitoring and Reporting Program (MMRP; Attachment 1, Exhibit 2 of staff report)
- List MM's #'s

Mitigation Measures Highlights

- Aes-1, AES-2: Design details, fencing, aesthetic treatments, master arborist function and tree replacement plan
- Bio-1 thru Bio 3: Pre construction surveys, setbacks, times; development of Habitat Restoration Plan; measures for work in stream channel; use of Best Management Practices (BMP's); measures for work in or within stream channel; controls for pile driving; use of BMP's; fish protection, relocation during construction
- Bio 4-6: Measures to protect California Red Legged Frog, Coast Range newt, northern California legless lizard, western pond turtle and coast horned lizard, Southwestern willow flycatcher and least Bell's vireo
- Bio 7-9: Measures to protect insects, birds, raptors, San Diego desert woodrat middens; bat survey and protection

Mitigation Measures Highlights (Cont.)

- Geo-1: Measures in case paleontological resources discovered during construction (cease work and evaluation)
- Haz-1, 2: Survey for lead containing materials, sample testing of soils to determine hazardous deposits prior to construction and abatement
- Hyd-1: Construction erosion and runoff testing
- Noi-1: In addition to use of Caltrans specifications to minimize noise, use of newer equipment, limit idling

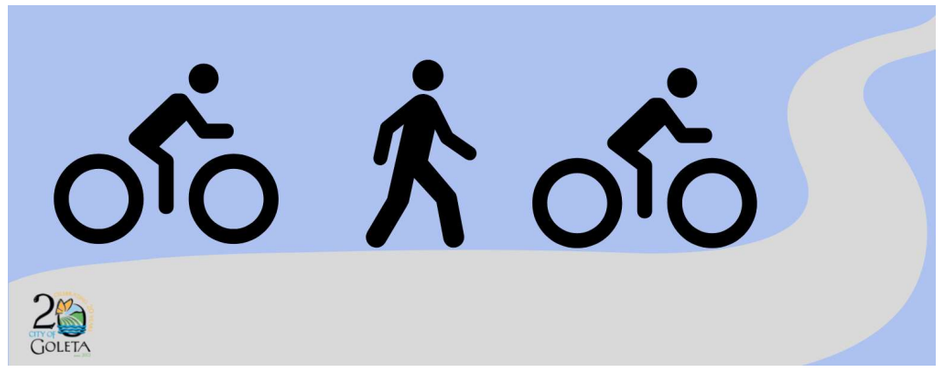
Findings For Approval of Project

CEQA Findings: Pursuant to CEQA Guidelines §15074, the Final MND reflects the City's independent judgment and analysis, and City Council has independently reviewed and analyzed the Final MND prepared for the Project.

Development Plan Findings: The City Council makes the findings listed in Attachment 1 to approve the project, in accordance with Sections 17.52.070 (Common Findings), 17.59.030 (Required Findings), and17.50.030.H and 17.58.040.C.2 (Design Review Findings).

Motion to Approve

After considering the evidence presented during the public hearing, adopt Resolution No. 22-_entitled, “A Resolution of the City Council of the City of Goleta, California, Adopting the Final Mitigated Negative Declaration. Approving the Mitigation and Monitoring Program and Development Plan for the San Jose Creek Multipurpose Path, located in public right of way and multiple Assessor Parcel Numbers (071-035-CA, APN 071-090-048, APN 071-090-047, APN 071-090-074, APN 071-090-083, APN 071-010-010, APN 071-090-082, APN 069-160-013, APN 071-200-011, and APN 071-140-055) along San Jose Creek from Calle Real to the Atascadero Bike Path (City Capital Improvement Project 9006)”.



QUESTIONS