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**From:** Brian Trautwein <[btrautwein@environmentaldefensecenter.org](mailto:btrautwein@environmentaldefensecenter.org)>

**Sent:** Thursday, July 02, 2020 12:52 PM

**To:** Paula Perotte <[pperotte@cityofgoleta.org](mailto:pperotte@cityofgoleta.org)>; Kyle Richards <[krichards@cityofgoleta.org](mailto:krichards@cityofgoleta.org)>; Stuart Kasdin <[skasdin@cityofgoleta.org](mailto:skasdin@cityofgoleta.org)>; James Kyriaco <[jkyriaco@cityofgoleta.org](mailto:jkyriaco@cityofgoleta.org)>

**Subject:** Fw: San Jose Creek Flood Control and Fish Passage: June 2, 2020 City Council Meeting

Dear Mayor Perotte, Mayor Pro Tempore Richards, and Councilmembers,

EDC continues to monitor and support the City's efforts with respect to the San Jose Creek Flood Control and Fish Passage Project.

As you may be aware, the fish passage structures may not have been designed or constructed properly and the state and federal resource agencies may require reconstruction (please see below).

Staff has generally been responsive to EDC. EDC has requested to be notified of hearings related to this project so that we can monitor it and support its completion (please see below). We did not receive notice of the July 7 hearing, however we spotted it on the Council's agenda. EDC hopes to receive notification for all hearings related to this important project.

Thank you very much for your positive leadership with respect to this project.

I hope you have a safe, fun, and healthy Fourth of July weekend

Best Regards,  
Brian

Brian Trautwein  
Environmental Analyst / Watershed Program Coordinator  
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**From:** Brian Trautwein <[btrautwein@environmentaldefensecenter.org](mailto:btrautwein@environmentaldefensecenter.org)>

**Sent:** Thursday, July 2, 2020 12:30 PM

**To:** Gerald Comati <[gcomati@cityofgoleta.org](mailto:gcomati@cityofgoleta.org)>; Matthew McGoogan - NOAA Federal  
<[matthew.mcgoogan@noaa.gov](mailto:matthew.mcgoogan@noaa.gov)>

**CC:** Mary@Wildlife Larson <[Mary.Larson@wildlife.ca.gov](mailto:Mary.Larson@wildlife.ca.gov)>; Lohmus, Natasha@Wildlife  
<[Natasha.Lohmus@wildlife.ca.gov](mailto:Natasha.Lohmus@wildlife.ca.gov)>; Winnie Cai <[wcai@cityofgoleta.org](mailto:wcai@cityofgoleta.org)>; Charlie Ebeling  
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Federal <[David.Crowder@noaa.gov](mailto:David.Crowder@noaa.gov)>; Eddie Harris <[eharris@silcom.com](mailto:eharris@silcom.com)>; Rachel Couch ([rcouch93117@yahoo.com](mailto:rcouch93117@yahoo.com))  
<[rcouch93117@yahoo.com](mailto:rcouch93117@yahoo.com)>

**Subject:** Re: San Jose Creek Flood Control and Fish Passage: June 2, 2020 City Council Meeting

Hi Gerald and All,

I hope you are all well, and staying safe.

I am writing to announce that the San Jose Creek Project is going back before the City Council again on July 7. EDC caught this on the agenda, but did not receive notice from the City.

This is in relation to the permanent fix for the channel invert damaged in 2017.

The staff report states that the fish passage and flood control project was completed in 2014 with no reference to the need to reconstruct elements of the fish passage project:

"In 2014, the construction of the San Jose Creek Channel Capacity Improvement and Fish Passage Project was completed. Improvements extended from the downstream (south) end of the existing concrete lined channel to the existing steel bridge crossing over the channel, some 200-feet downstream (south) of Hollister Avenue. The improvements increased the flood water capacity of the channel from a 25-year event to a 100-year event and installed low flow fish-passage elements. The second phase of the channel capacity improvements will extend the channel and fish passage improvements from the upstream (north) end of the completed project to the natural San Jose Creek just north of Hollister Avenue. This second phase project, the Hollister Avenue Bridge Project (Capital Improvement Project No. 9033), will also replace the existing Hollister Avenue Bridge over San Jose Creek and is anticipated to start construction in 2021."

EDC was not notified of the July 7 hearing. EDC raised a similar concern a month ago (please see below).

Please place EDC on the City's list of interested parties for the San Jose Creek Project including both phases, emergency repairs, permanent fixes, and Phase 1 fish passage element modifications necessary to ensure success.

Please also add EDC to the CC list for all correspondence, e.g., interagency emails and letters.

Thank you, Gerald, for your invitation to attend the interagency meeting. We look forward to reviewing the plans and meeting to discuss them.

Thank you very much for your work on this important project.

Best,

Brian Trautwein

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**From:** Gerald Comati <[gcomati@cityofgoleta.org](mailto:gcomati@cityofgoleta.org)>

**Sent:** Monday, June 8, 2020 8:50 AM

**To:** Matthew McGoogan - NOAA Federal <[matthew.mcgoogan@noaa.gov](mailto:matthew.mcgoogan@noaa.gov)>

**Cc:** Brian Trautwein <[btrautwein@environmentaldefensecenter.org](mailto:btrautwein@environmentaldefensecenter.org)>; Mary@Wildlife Larson <[Mary.Larson@wildlife.ca.gov](mailto:Mary.Larson@wildlife.ca.gov)>; Lohmus, Natasha@Wildlife <[Natasha.Lohmus@wildlife.ca.gov](mailto:Natasha.Lohmus@wildlife.ca.gov)>; Winnie Cai <[wcai@cityofgoleta.org](mailto:wcai@cityofgoleta.org)>; Charlie Ebeling <[cebeling@cityofgoleta.org](mailto:cebeling@cityofgoleta.org)>; gerald@com3consulting.com <[gerald@com3consulting.com](mailto:gerald@com3consulting.com)>; David Crowder - NOAA Federal <[David.Crowder@noaa.gov](mailto:David.Crowder@noaa.gov)>

**Subject:** RE: San Jose Creek Flood Control and Fish Passage: June 2, 2020 City Council Meeting

Morning Matt –

Thanks for reaching out. We look forward to re-engaging on these topics.

All the best.  
Gerald.

Gerald Comati P.E.  
Project Manager  
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T: 805-961-7564  
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**From:** Matthew McGoogan - NOAA Federal [<mailto:matthew.mcgoogan@noaa.gov>]

**Sent:** Friday, June 05, 2020 7:03 PM

**To:** Gerald Comati <[gcomati@cityofgoleta.org](mailto:gcomati@cityofgoleta.org)>

**Cc:** Brian Trautwein <[btrautwein@environmentaldefensecenter.org](mailto:btrautwein@environmentaldefensecenter.org)>; Mary@Wildlife Larson <[Mary.Larson@wildlife.ca.gov](mailto:Mary.Larson@wildlife.ca.gov)>; Lohmus, Natasha@Wildlife <[Natasha.Lohmus@wildlife.ca.gov](mailto:Natasha.Lohmus@wildlife.ca.gov)>; Winnie Cai <[wcai@cityofgoleta.org](mailto:wcai@cityofgoleta.org)>; Charlie Ebeling <[cebeling@cityofgoleta.org](mailto:cebeling@cityofgoleta.org)>; gerald@com3consulting.com <[gerald@com3consulting.com](mailto:gerald@com3consulting.com)>; David Crowder - NOAA Federal <[David.Crowder@noaa.gov](mailto:David.Crowder@noaa.gov)>

**Subject:** Re: San Jose Creek Flood Control and Fish Passage: June 2, 2020 City Council Meeting

Hi Gerald,

Thank you for this update. As we've discussed previously, NMFS has concerns about the performance of the existing weirs, solution for the inevitable replacement of the 'temporary' weirs, and implementation of phase 2. These concerns have implications for the permitting and approval of phase 2. So, we appreciate the work that the City of Goleta and Ed Zapel are putting into developing the project.

Looking forward to engaging with the City on this project again and receiving the updated information and designs.

Hope all is well with you.

Matt

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On Mon, Jun 1, 2020 at 11:17 AM Gerald Comati <[gcomati@cityofgoleta.org](mailto:gcomati@cityofgoleta.org)> wrote:

Hi Brian – thank you for your email. I have responded to your various questions and comments in red below. Please let me know if you have further questions or if you prefer to talk, please feel free to call my mobile number.

All the best.

Gerald Comati P.E.  
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**From:** Brian Trautwein [mailto:[btrautwein@environmentaldefensecenter.org](mailto:btrautwein@environmentaldefensecenter.org)]

**Sent:** Thursday, May 28, 2020 12:03 PM

**To:** Gerald Comati <[gcomati@cityofgoleta.org](mailto:gcomati@cityofgoleta.org)>

**Cc:** Mary@Wildlife Larson <[Mary.Larson@wildlife.ca.gov](mailto:Mary.Larson@wildlife.ca.gov)>; Lohmus, Natasha@Wildlife <[Natasha.Lohmus@Wildlife.ca.gov](mailto:Natasha.Lohmus@Wildlife.ca.gov)>; [matthew.mcgoogan@noaa.gov](mailto:matthew.mcgoogan@noaa.gov)

**Subject:** San Jose Creek Flood Control and Fish Passage: June 2, 2020 City Council Meeting

Hi Gerald,

The Goleta City Council is considering taking action on June 2 with respect to the San Jose Creek Flood Control and Fish Passage Project Phase 2: the Hollister Bridge Replacement and related property acquisition. We are glad to see the project moving forward. We have a couple of questions regarding the project.

Public Notice List

I am surprised that EDC and other local groups that have been involved in this issue since at least 2013 were not notified about this hearing. Can you please add EDC to the list of interested parties? Or is EDC already on that list?

As an explanation, since this item is a resolution of necessity (RON) to recognize a certain piece of private property needed for the construction of the bridge, the protocol is that the private property owner, not the general public, gets a notice of the RON and the private party in this case, has stipulated not to receive notice. Having said that I will certainly make sure EDC is on the list for items regarding the project.

### Staff Report

The staff report states that, "The first phase of this important project was successfully constructed in 2014 with 4,100 linear feet of channel capacity and fish passage improvements." However, it is EDC's understanding that CDFW and NMFS have indicated that the fish passage elements were not successfully completed because the fish passage elements were not constructed as designed and at least some may need to be rebuilt.

Your 4-10-20 email suggested that there are still issues with the Phase 1 fish passage weirs and referred to scenarios you will be presenting to EDC and the various stakeholders and agencies. Have these scenarios been developed?

Can you please clarify whether the fish passage weirs were successfully completed in the City's opinion, and please share any other information indicating the fish passage weirs in Phase 1 were constructed properly? I am copying Natasha Lohmus and Mary Larson from CDFW and Matthew McGoogan from NMFS. I hope that the fish passage weirs were constructed successfully in 2014 and that I am mistaken.

Yes, the issue with the existing wooden weir remains and the City is committed to addressing them through its channel maintenance commitments. When we meet with CDFW, USACOE and NMF and yourself the City will present a wooden weir replacement scenario.

The staff report notes that the project is in the public interest due to flood reduction and bridge replacement and that additional land must be purchased for the project. EDC notes that the fish passage element of the project is also in the public interest.

The City concurs with you Brian, fish passage is certainly of interest and the City is committed to ensuring all the agencies and interested parties are satisfied.

### Hollister Ave. Bridge Replacement Plans

We greatly appreciate your 4-10-20 email which offered to provide EDC the Bridge Replacement Plans by the end of April and to meet with EDC. Perhaps the plans were delayed. Unless I overlooked an email, I do not recall receiving those plans. What is the status of the Bridge Replacement Plans? We are still interested in the meeting you proposed.

As reflected in my previous email, the City and its consultant team has been working hard with Ed Zapel to revise the design of the fish passage elements within the limits of the Hollister Avenue Bridge Project to ensure they comply with fish passage design criteria. As we do this we must of course also ensure that the rest of the project design accommodates the fish passage revisions and that the 100-year flood capacity of the new facility is still met. The City has been working very hard to get the design right and it always seems to take longer than we hope, but it is vital that we give Ed Zapel the time he needs to ensure the fish passage design is correct. So, the long and short of it is that this redesign effort is taking longer than we hoped but we are almost there. Specifically, Ed will make his final design revision next week and in parallel the City's design consulting is in the process of revising the overall design. The delivery date is the end of June. In parallel with this, during June, Ed will be providing documentation explaining how the revised design meets the fish passage design criteria. In early July the City will be sending out the design and design criteria memo to CDFW, NMFS, USACOE and yourself. Following receipt and review the long discussed

meeting will be scheduled, hopefully in person.

In summary, EDC is pleased this project is moving forward and appreciates your efforts to move it along, keep the public up to speed, and resolve ongoing issues with the Phase 1 fish passage weirs. EDC is also encouraged by your 4-10-20 email offering to meet and share the Bridge Plans and the scenarios for the constructed weirs. However, EDC is concerned that the staff report indicates the fish passage weirs were successfully completed in 2014 because that is not EDC's current understanding.

Finally, we look forward to meeting with you, the City's team and resource agencies to review the new plans by Ed Zapel as well as the scenarios you mentioned for the constructed Phase 1 fish passage weirs. Do you have a sense of when that meeting may occur?

Thank you very much for your work on this project and for responding to our inquiry.

Best,  
Brian

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**From:** City of Goleta <[goleta@public.govdelivery.com](mailto:goleta@public.govdelivery.com)>  
**Sent:** Thursday, May 28, 2020 11:00 AM  
**To:** Brian Trautwein <[btrautwein@environmentaldefensecenter.org](mailto:btrautwein@environmentaldefensecenter.org)>  
**Subject:** The Agenda for the June 2, 2020 City Council Meeting is Available Online

## The Agenda for the June 2, 2020 City Council Meeting is Available Online

### **IMPORTANT NOTICE REGARDING JUNE 2, 2020 COUNCIL MEETING**

This meeting is being conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic. The live stream of the meeting may be viewed on television and/or online. In accordance with Executive Order N-29-20, the public may only view the meeting on Goleta Channel 19 and/or online at <https://www.cityofgoleta.org/i-want-to/news-and-updates/government-meeting-agendas-and-videos> and not in the Council Chamber.

The Agenda for the June 2, 2020, City Council Meeting has been posted and is available [here](#).

Stream live meetings through our website [here](#), or watch them on Channel 104.148 (Cox subscribers Channel 19). Once completed, meetings can also be viewed [here](#).

WRITTEN SUBMITTALS TO COUNCIL: Written submittals concerning agenda items may be sent to the City Clerk [e-mail:cityclerkgroup@cityofgoleta.org](mailto:cityclerkgroup@cityofgoleta.org); In order to be disseminated to the City Council

for consideration during the Council meeting, written information must be submitted to the City Clerk no later than Monday at noon prior to the City Council meeting. Material received after this time may not be reviewed by the City Council prior to the meeting. If you wish to make a general public comment or to comment on a specific agenda item, the following methods are available on page two of the agenda under Public Participation.

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