

**Notice of Preparation**

To: State Clearinghouse From: California Department of Transportation  
1400 Tenth Street 50 Higuera Street  
Sacramento CA 95814 San Luis Obispo CA 93401  
(Address) (Address)

Subject: Notice of Preparation of a Draft Environmental Impact Report

California Department of Transportation will be the Lead Agency and will prepare an environmental impact report for the project identified below. We need to know the views of your agency as to the scope and content of the environmental information which is germane to your agency's statutory responsibilities in connection with the proposed project. Your agency will need to use the EIR prepared by our agency when considering your permit or other approval for the project.

The project description, location, and the potential environmental effects are contained in the attached materials. A copy of the Initial Study ( is  is not) attached.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date but not later than 30 days after receipt of this notice.

Please send your response to Dianna Beck at the address shown above. We will need the name for a contact person in your agency.

Project Title: Gaviota Creek Improvement Project

Project Applicant, if any: California Department of Transportation

Date: 10/18/2022 Signature:   
Title: Associate Environmental Planner  
Telephone: 805-459-9406

Reference: California Code of Regulations, Title 14, (CEQA Guidelines) Sections 15082(a), 15103, and 15375.

# **Notice of Preparation of a Draft Programmatic Environmental Impact Report for the Gaviota Creek Improvement Project in Santa Barbara County, CA**

The California Department of Transportation (Caltrans), the Lead Agency, is preparing an environmental document to address environmental impacts associated with the proposed Gaviota Creek Improvement Project in Santa Barbara County, California.

This is to inform you that Caltrans will prepare a Programmatic Environmental Impact Report for the Gaviota Creek Improvement Project. The document will be prepared pursuant to the California Environmental Quality Act (CEQA). Caltrans is distributing this Notice of Preparation as required by CEQA and requesting comments regarding the significant environmental issues, reasonable alternatives, and reasonable mitigation measures that will be discussed in the Programmatic Environmental Impact Report. An Initial Study has not been prepared for this project and therefore is not attached to this Notice of Preparation.

## **Project Location**

The project is located along United States Highway 101 (U.S. 101) from post mile 45.0 to post mile 50.0 in Santa Barbara County, approximately 7 miles south of Buellton and 25 miles west of Santa Barbara. Gaviota Creek crosses under U.S. 101 several times via existing culverts and drainage systems. This section of U.S. 101 traverses a portion of the Gaviota Coast, where it passes through the Coastal Zone and Gaviota State Park.

## **Purpose and Need**

The purpose of this project is to address fish passage barriers in Gaviota Creek, improve and restore drainage conditions in and adjacent to Gaviota Creek, and stabilize the structures that support the U.S. 101 highway shoulder and embankment.

This project is needed because scour has undermined several existing grade control structures, culverts, sack-concrete bank protection, and retaining walls in Gaviota Creek. A culvert system at post mile 49.6 has several deficiencies with the potential to undermine its structure, including substantial scour at the culvert's outlet. These conditions create barriers for the endangered southern California steelhead population and threatens the stability of U.S. 101 if left unaddressed.

## **Background**

Projects to remediate fish passage barriers to salmon and steelhead are regulated by agencies with jurisdiction over listed species as well as agencies with jurisdiction over other project area resources and habitat. A Fish Passage Advisory Committee is a joint

partnership between these agencies and other state, federal, and non-profit partners to identify barriers and priority projects.

In 2018, the Central Coast Fish Passage Advisory Committee identified five grade control structures and one culvert on Gaviota Creek as top priorities for fish passage remediation. Those barriers were previously identified in a 2002 report by Stoecker Ecological and Conception Coast and a 2007 report Michael Love & Associates and Stoecker Ecological. The 2007 report included a geomorphic channel assessment and outlined conceptual plans for removing fish passage barriers in lower Gaviota Creek. In 2022, another six grade control structures in Gaviota Creek were added to the Central Coast Fish Passage Advisory Committee priority list.

In 2018, the California State Coastal Conservancy awarded a grant to South Coast Habitat Restoration and Waterways Consulting, Incorporated, to assess and develop conceptual plans to remove the lower five barriers in Gaviota Creek. Plans were developed with matching funds from Coastal Ranches Conservancy and presented to a stakeholder group including Caltrans in 2020.

In May 2019, Caltrans entered the Project Initiation Phase for this project to address the priority barriers and repair the undermined retaining structures. The project initiation phase is Caltrans' first formal phase to start a project and it ends with a Project Initiation Document which is needed to program the project for funding.

Caltrans approved the Project Initiation Document in July 2021. Early biological surveys were completed in February through August of 2022 to help facilitate a more rapid time line for the environmental document.

## **Project Description**

The project proposes to restore historical fish access at several locations along Gaviota Creek and U.S. 101 in Santa Barbara County. The project will address deficiencies of several existing grade control structures and culverts that present barriers to fish passage. Five grade control structures from post mile 46.9 to post mile 47.2 would be removed and replaced with a roughened channel. Additional retaining structures or modifications to existing structures will be built to strengthen and stabilize the creek bank and highway shoulders. Eight grade control structures from post mile 47.5 to post mile 47.9 would be removed and replaced as well. Foundation work could be required at some locations to strengthen the existing concrete retaining system. Lastly, an existing concrete box culvert at post mile 49.6 will be replaced with a single span bridge. This would require removing or relocating two additional adjoining culverts and realigning an existing private driveway.

The Programmatic Environmental Impact Report will consist of two tiers, including Tier 1 Program- Level Analysis and Tier 2 Project-Level Analysis. The tiered approach to the environmental analysis will allow for all components of the project to be analyzed under one document and implemented in phases as funding becomes available.

### **Tier 1 – Program-Level Analysis**

Tier 1 will analyze the reasonably foreseeable environmental impacts of the project along Gaviota Creek for all project segments between post miles 46.9 to 49.6. This will ensure the comprehensive evaluation of cumulative impacts by the project within its limits, allow for the analysis of broad policy alternatives and mitigation measures, and avoid duplicative efforts across projects.

- Segment A: Five grade control structures from post miles 46.9 to 47.2 (Current Tier 2 Project)
- Segment B: Eight grade control structures from post miles 47.5 to 47.9 (Future Tier 2 Project)
- Segment C: Culvert system at post mile 49.6 (Current Tier 2 Project)

## **Tier 2 – Project-Level Analysis**

Segment A and Segment C constitute the initial Tier 2 projects. The completion of these first two segments would increase access to habitat that supports spawning, rearing, and migration for steelhead. Segment A would also stabilize the U.S. 101 retaining structures.

- Segment A: Five grade control structures from post miles 46.9 to 47.2
- Segment C: Culvert system at post mile 49.6

The proposed project includes the following elements listed below:

### **Segment A**

Five grade control structures are located along Gaviota Creek on the west side of U.S. 101 from post miles 46.9 to 47.2, near the northbound Gaviota Rest Area and the entrance to the Gaviota Tunnel. The California Fish Passage Advisory Committee has identified the grade control structures located within Segment A as priority locations within Caltrans District 5 for improvement to accommodate fish passage. The Caltrans 2019 Fish Passage Annual Legislative Report estimates that approximately 28.37 cumulative miles of Steelhead habitat is found upstream of these barriers. The weirs would be removed and replaced with a roughened channel with jump heights not to exceed 6 inches. Additional retaining structures or modifications to existing structures will be constructed to stabilize the creek bank and highway shoulders.

- Grade Control Structure 1 post mile 46.92
- Grade Control Structure 2 post mile 46.95
- Grade Control Structure 3 post mile 47.12
- Grade Control Structure 4 post mile 47.15
- Grade Control Structure 5 post mile 47.19

### **Segment B**

Eight grade control structures are located along Gaviota Creek from post miles 47.5 to 47.9 along U.S. 101. Seven of the barriers are located in between the northbound and southbound lanes, with one barrier located on the west side of the southbound lanes. These would also be modified or replaced with a roughened channel with the same jump height requirements. Foundation work could be required at some locations to strengthen the existing concrete retaining system.

- Grade Control Structure 6 post mile 47.45
- Grade Control Structure 7 post mile 47.71
- Grade Control Structure 8 post mile 47.72
- Grade Control Structure 9 post mile 47.74
- Grade Control Structure 10 post mile 47.76
- Grade Control Structure 11 post mile 47.77
- Grade Control Structure 12 post mile 47.81
- Grade Control Structure 13 post mile 47.92

### **Segment C**

One existing concrete box culvert, also referred to as the Giorgi Culvert, located at post mile 49.6 will be removed and replaced with a single span bridge.

The existing culvert system includes an 11-by-10-foot reinforced concrete box structure. This culvert has been identified as a fish passage barrier and this project proposes to replace the barrier with a single span bridge. The proposed bridge would be approximately 125 feet wide and 60 feet long. Two additional adjoining culverts would be impacted as result of this replacement. A 4-foot corrugated steel pipe and an 18-inch corrugated steel pipe that join the box culvert would be removed and/or relocated depending on the results of hydraulic studies and subsurface investigations.

Additionally, an existing driveway located south of the culvert for access to private property east of U.S. 101 will require realignment due to the placement of the bridge structure.

The project will include work off paved roadway, significant ground disturbance, drainage work, access road construction, temporary construction easements, work within a stream channel, new bridge piers, tree and vegetation removal, work within seasonally wet areas, and work on publicly owned lands. The project is not anticipated to impact the recreational use of Gaviota State Park's hiking trails, campground or parking areas. Fencing, guardrail, and signs may need to be removed to access project locations and for construction and would be replaced.

Traffic control during construction will be required, including potential for intermittent single lane closures. Night work is anticipated as well. Bicycle and pedestrian access are expected to remain available throughout construction.

It is possible utility relocation may be required. Utilities including natural gas, water, and petroleum pipelines, overhead and underground telecommunications, electrical distribution, cable television, and fiber-optic lines exist within the project vicinity. Potholing may be required to determine if conflicts exist and if relocation would be required.

Geotechnical drilling from the highway road shoulder will be required to gather data to assist in the design of the structures. Staging and storage areas for construction access and equipment may be needed outside of existing pullouts or previously disturbed areas. Borrow and disposal sites are also anticipated for this project.

Work within the stream channel is required to remove the grade control structures. Dewatering of the creek would be needed at each location to allow for construction access. Work within the channel would be confined to the non-rainy season.

### **Development of a Reasonable Range of Project Alternatives**

Factors determining project alternatives include considerations of project objectives, constructability, and level of environmental impacts. The Programmatic Environmental Impact Report will discuss the rationale for the selection of alternatives that are feasible and, therefore, merit in-depth consideration, and alternatives that are infeasible (e.g., failed to meet project objectives or did not avoid significant environmental effects) and therefore rejected. The project details identified in this Notice of Preparation are general in nature. Further environmental resource analyses are necessary before more specific project design details can be identified. The need for project redesign would be determined during environmental review.

### **Alternatives**

Build Alternative: Remove and replace the existing grade control structures with a roughened channel, add or modify foundations and retaining structures, and replace the culvert system at post mile 49.6 with a new bridge. Two options exist for the proposed build alternative for Segment A:

- Option 1: Proposes to replace Grade Control Structures 1 and 2 with a roughened channel, rock slope protection would be removed and replaced. Grade Control Structures 3, 4, and 5 would be replaced with a roughened channel with a retaining wall. Additionally, Grade Control Structure 1 and 2 would be initiated as Phase 1, and Grade Control Structure 3, 4, and 5 would be initiated as Phase 2.
- Option 2: Proposes to replace Grade Control Structures 1, 2, 4, 5 with roughened channel and construct a retaining wall. Grade Control

Structure 3 would be replaced as well but the creek would be realigned, reducing the need for a retaining wall at this location.

No-Build Alternative: The project would not be built. Fish passage barriers would remain in their existing condition, preventing endangered steelhead from using their critical habitat. The existing highway shoulder and embankment would continue to be undermined by erosion and potentially lead to failure.

**Table 1. Potential Regulatory Permits and Approvals**

Agency or Issue	Approval or Permit
National Marine Fisheries Service	Section 7 Consultation and Biological Opinion for impacts to southern California steelhead and its critical habitat.
U.S. Fish and Wildlife Service	Section 7 Consultation and Programmatic Biological Opinion for impacts to California red-legged frog, California red-legged frog critical habitat, and Biological Opinion for impacts to tidewater goby.
U.S. Army Corps of Engineers	404 Nationwide Permit
Regional Water Quality Control Board	401 Certification
Regional Water Quality Control Board	Construction Stormwater General Permit (including the development and implementation of a Stormwater Pollution Prevention Plan), and Best Management Practices.
California Department of Fish and Wildlife	1602 Streambed Alteration Agreement
County of Santa Barbara	Coastal Development Permit

**Potential Environmental Effects of the Project**

*Aesthetics*

U.S. 101 is a Designated Scenic Highway for a portion of the project at post mile 45.0 to the junction of State Route 1 near post mile 48.9, where it becomes an eligible scenic highway. Similarly, portions of the project fall within the Coastal Zone and the County of Santa Barbara Critical Viewshed Corridor Zoning Overlay. Nearby land uses range from commercial and residential to agriculture, open space, and rural land. The northern portion is defined primarily by dramatic topography with rock outcroppings, oak

woodlands, coastal chaparral, and riparian corridors. The Gaviota region is dominated by dramatic topography and vistas of the Pacific Ocean.

Due to the high visual quality and sensitivity along this section of U.S. 101, a Visual Impact Assessment will be prepared to assess the project's potential impacts to scenic vistas, alterations to visual character, and for consistency with the California Coastal Act, the State Scenic Highway Program, and the County of Santa Barbara Scenic Highway Element. Impacts resulting from project construction and removal of trees and vegetation will be reduced by incorporating supplemental planting and restoration as well as aesthetic treatments to visible roadside structures.

### *Biological Resources*

The project is located along the Gaviota Coast where many biological resources are present, including wetlands, riparian areas, sensitive species, critical habitat, and sensitive natural communities. The Gaviota Coast is largely undeveloped in the project area aside from scattered U.S. 101, Gaviota State Park, the Gaviota Rest Area, and rural residences. A portion of the project is located within the Coastal Zone.

Preliminary studies indicate potentially significant impacts to sensitive plant and animal species including state and federally listed species. Designated critical habitat for California red-legged frog and southern California steelhead are present within the project area, while tidewater goby and Gaviota tarplant critical habitat occur approximately 1 mile downstream to the south. Critical habitat for tidewater goby and Gaviota tarplant is expected to be avoided and impacts are not anticipated. The project is expected to cause permanent and/or temporary impacts to jurisdictional waters, riparian areas, and wetlands. Coastal wetland, which are considered Environmentally Sensitive Habitat Areas, may be encountered as well. It is expected that tree removal and pruning will be required for bridge and drainage construction, access roads, and potential utility relocation.

A Natural Environment Study, Wetland Delineation, and Biological Assessment(s) will be prepared to discuss impacts to biological resources. It is anticipated that Biological Opinions will likely be required from U.S. Fish and Wildlife Service for impacts to California red-legged frog and its critical habitat as well as tidewater goby, and from National Marine Fisheries Service for impacts to southern California steelhead and its critical habitat. A Biological Opinion may be required for impacts to least Bell's vireo and southwestern willow flycatcher. A Section 2081 Incidental Take Permit is not anticipated because the project will avoid take as defined under the California Endangered Species Act. Coordination with California Department of Fish and Wildlife Service and National Marine Fisheries Service is anticipated for approval of the fish passage design. Coordination is also anticipated with other agencies for necessary consultation and permits including the California Coastal Commission, U.S. Army Corps of Engineers, and the Regional Water Quality Control Board.

Measures to reduce impacts to biological resources would include establishing environmentally sensitive areas, nesting bird and/or bat roosting surveys, construction

windows, implementation of onsite restoration, biological monitoring during construction, and post-construction monitoring of restored areas and the stream channel. Replacement planting will include wetland, riparian, upland and oak and sycamore woodland habitat. Areas of temporary impacts to jurisdictional waters would be re-contoured to approximate pre-construction conditions.

### *Coastal Zone*

Portions of the project fall within the California Coastal Zone along U.S. 101 from the beginning of the project at post mile 45.0 to post mile 48.2, including the Segment A and Segment B grade control structure locations. The culvert system within Segment C is located outside of the Coastal Zone. The project contains areas designated as Environmentally Sensitive Habitat Areas that are protected under the California Coastal Act. A coastal policy analysis will be prepared to evaluate the project's consistency with the California Coastal Act. A Coastal Development Permit will be required to ensure that the project is consistent with the requirements of the Coastal Zone Management Act. Avoidance and minimization measures will be incorporated to reduce impacts to sensitive resources in the Coastal Zone.

### *Cultural and Historical Resources*

The project vicinity is an area of moderate sensitivity for archeological resources and low sensitivity for built environment historical resources. The project area contains two properties eligible for listing under the National Register of Historic Places. Although it is anticipated that these resources will be avoided, there is potential for unknown prehistoric or historic archaeological deposits to occur within the project site. The project site will be studied and impacts to cultural and historical resources will be further evaluated in the Programmatic Environmental Impact Report. In addition to compliance with CEQA, Section 106 of the National Historic Preservation Act, and Public Resources Code Section 5024, Native American tribal consultation under Assembly Bill 52 would also be required as part of the environmental documentation.

### *Water Quality and Storm Water Runoff*

Because the proposed project includes work in the bed of Gaviota Creek, water quality impacts may occur within and adjacent to the creek. A Water Quality Assessment Report will be completed, and the introduction of water pollution control measures or Best Management Practices and a Storm Water Pollution Prevention Plan will minimize short-term construction-related impacts. All required permits will be obtained to comply with state water quality standards.

## **Comments**

Your input regarding the scope of the Programmatic Environmental Impact Report, environmental factors potentially affected, and project alternatives must be submitted to Caltrans no later than 5:00 pm on Thursday, December 1, 2022.

Written comments can be mailed to:

California Department of Transportation, District 5  
50 Higuera Street  
San Luis Obispo, CA 93401  
Attention: Jason Wilkinson

Or emailed to:

Jason.wilkinson@dot.ca.gov

## **Public Meeting**

A virtual public scoping meeting is scheduled during the minimum 30-day public scoping period, which began with the release of this Notice of Preparation. The virtual public scoping meeting is meant to provide an additional opportunity for public comment, identify public and agency concerns, and define issues that need to be examined in the Programmatic Environmental Impact Report. No decision(s) will be made on the project itself.

Meeting Details:

When: Tuesday, November 1, 2022, from 5:30 p.m. to 7:00 p.m.

Where: Virtual Meeting

To attend the virtual meeting:

- Find the Gaviota Creek Improvement Project on the Caltrans District 5 Project website under Santa Barbara County (<https://dot.ca.gov/caltrans-near-me/district-5/district-5-current-projects>) and click on the meeting link.

**Figure 1: Project Vicinity Map**

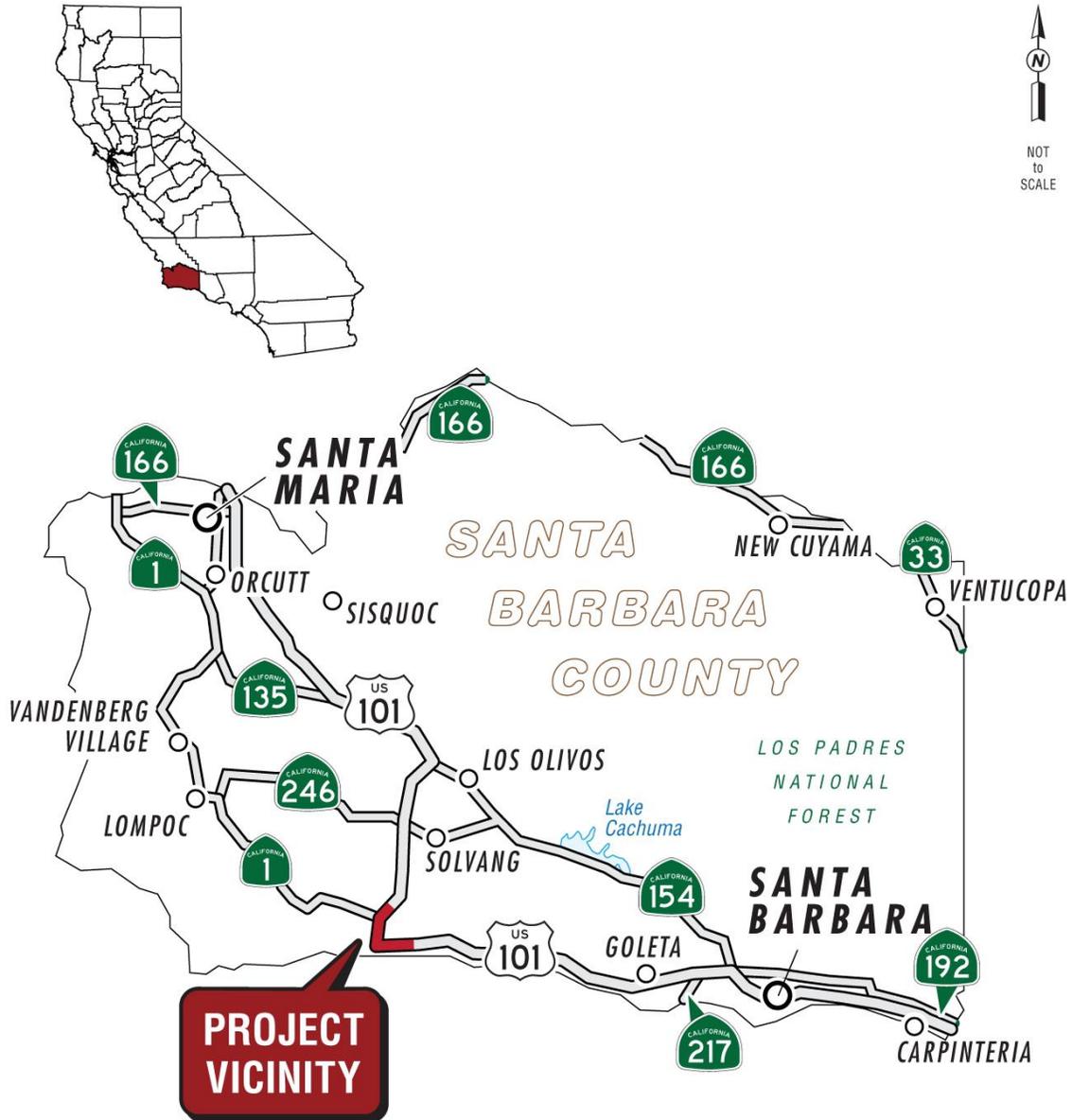


Figure 2: Project Location Map

