

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: February 22-23, 2012

Reference No.: 2.2c.(2)
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Jay Norvell
Division Chief
Environmental Analysis

Subject: **APPROVAL OF PROJECT FOR FUTURE CONSIDERATION OF FUNDING
05-SB-217, PM 1.1/2.2
RESOLUTION E-12-07**

RECOMMENDATION:

The California Department of Transportation recommends that the California Transportation Commission (Commission), as a responsible agency, approve the attached Resolution E-12-07.

ISSUE:

The attached resolution proposes to approve for consideration of funding the following project for which a Final Environmental Impact Report (FEIR) has been completed:

- Route 217 in Santa Barbara County. Roadway improvements including road extensions and roundabouts on and near SR 217 in the city of Goleta. (PPNO 4611)

This project in Santa Barbara County will extend Fowler Road from South Street to Fairview Avenue; extend Ekwill Street from Kellogg Avenue to Fairview Avenue; and add roundabouts at the Fowler Road/Fairview Avenue intersection, at the Ekwill Street/Pine Avenue intersection, and at the State Route 217 northbound and southbound on- and off-ramps. This project will also add a right turn lane and modify parking on Kellogg Avenue near Hollister Avenue. The project is programmed in the 2010 State Transportation Improvement Program (STIP). The total estimated project cost is \$17,955,000 for capital and support. Construction is estimated to begin in Fiscal Year 2012-13. The scope, as described for the preferred alternative, is consistent with the project scope programmed by the Commission in the 2010 STIP.

A copy of the FEIR has been provided to Commission staff. Resources that may be impacted by the project include; noise, biological resources including wetlands and Waters of the U.S. Potential impacts associated with the project can all be mitigated to below significance through proposed mitigation measures. As a result, a FEIR was prepared for the project.

Attachments

CALIFORNIA TRANSPORTATION COMMISSION

Resolution for Future Consideration of Funding

05-SB-217, PM 1.1/2.2

Resolution E-12-07

- 1.1** **WHEREAS**, the City of Goleta (City) has completed an Environmental Impact Report pursuant to the California Environmental Quality Act (CEQA) and the CEQA Guidelines for the following project:
- Route 217 in Santa Barbara County. Roadway improvements including road extensions and roundabouts on and near SR 217 in the city of Goleta. (PPNO 4611)
- 1.2** **WHEREAS**, the City has certified that the Environmental Impact Report has been completed pursuant to CEQA and the State CEQA Guidelines for its implementation; and
- 1.3** **WHEREAS**, the California Transportation Commission, as a responsible agency, has considered the information contained in the Environmental Impact Report; and
- 1.4** **WHEREAS**, Findings were made pursuant to the State CEQA Guidelines.
- 2.1** **NOW, THEREFORE, BE IT RESOLVED** that the California Transportation Commission does hereby support approval of the above referenced project to allow for consideration of funding.



CITY COUNCIL
Edward Easton
Mayor

Roger S. Aceves
Mayor Pro Tempore

Michael T. Bennett
Councilmember

Margaret Connell
Councilmember

Paula Perotte
Councilmember

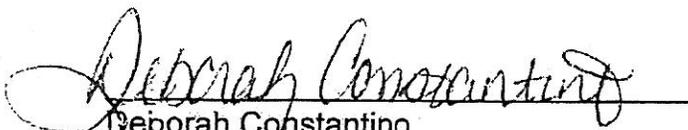
CITY MANAGER
Daniel Singer

**OFFICE OF THE CITY CLERK
CERTIFIED DOCUMENT**

State of California)
County of Santa Barbara)
City of Goleta)

I, Deborah Constantino, City Clerk of the City of Goleta, California, do hereby certify under penalty of perjury that the foregoing document **Resolution No.11-23** entitled **"A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING FINDINGS AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EKWILL STREET AND FOWLER ROAD EXTENSIONS PROJECT (SCH#2004061072); CASE NO. 11-EIR-02; CITY AND CALIFORNIA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY, INCLUDING SOUTH STREET, STATE ROUTE 217, FAIRVIEW AVENUE, FOWLER ROAD, EKWILL STREET, KELLOGG AVENUE AND HOLLISTER AVENUE, AND APNS 071-130-062, -051, 071-170-080, -082, -083, 071-130-040, -023, 071-151-011, 071-130-006, 071-140-067, 071-160-006, -011, -012, -013, 071-181-012, 071-190-018, -034, 071-170-079, 071-090-078, -037, -036, -007, 071-140-046, 071-330-009, AND 071-140-068"** is a full, true and correct copy of the original on file in the Office of the City Clerk, of which I am the legal custodian.

Dated this 16th day of December, 2011


Deborah Constantino
City Clerk

RESOLUTION NO. 11-23

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF GOLETA, CALIFORNIA, ADOPTING FINDINGS AND CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE EKWILL STREET AND FOWLER ROAD EXTENSIONS PROJECT (SCH#2004061072); CASE NO. 11-EIR-02; CITY AND CALIFORNIA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY, INCLUDING SOUTH STREET, STATE ROUTE 217, FAIRVIEW AVENUE, FOWLER ROAD, EKWILL STREET, KELLOGG AVENUE AND HOLLISTER AVENUE, AND APNS 071-130-062, -051, 071-170-080, -082, -083, 071-130-040, -023, 071-151-011, 071-130-006, 071-140-067, 071-160-006, -011, -012, -013, 071-181-012, 071-190-018, -034, 071-170-079, 071-090-078, -037, -036, -007, 071-140-046, 071-330-009, AND 071-140-068

WHEREAS, the City of Goleta ("City") is the applicant for the Ekwil Street and Fowler Road Extensions Project located within the City of Goleta and City of Santa Barbara, which consists of the construction of new roads at the extension of Ekwil Street from Fairview to Kellogg Avenue, the extension of Fowler Road westward from the terminus of South Street to Fairview Avenue, the construction of roundabouts at the intersections of Ekwil Street and Pine Avenue, Fowler Road and Fairview Avenue, and at the southbound off-ramp and northbound on-ramp to State Route 217 from Hollister Avenue ("Project"); and

WHEREAS, it was determined that the Project was subject to the California Environmental Quality Act, California Public Resources Code Sections 21000, *et seq.* ("CEQA"), and the State CEQA Guidelines, Title 14, Division 6, Chapter 3 of the California Code of Regulations, ("CEQA Guidelines"), that one or more significant effects on the environment may occur, and that preparation of an Environmental Impact Report ("EIR") would be required pursuant to Section 15081 of the CEQA Guidelines; and

WHEREAS, the Ekwil Street and Fowler Road Extensions Project Draft Environmental Impact Report ("Draft EIR") was prepared in full compliance with CEQA, CEQA Guidelines, and the City Environmental Review Guidelines and was released for public review on August 31, 2011 until October 17, 2011 as required by CEQA, the CEQA Guidelines and the City Environmental Review Guidelines; and

WHEREAS, the City held a public hearing on the Draft EIR on September 19, 2011 to receive public comments on the Draft EIR; and

WHEREAS, the Ekwil Street and Fowler Road Extensions Project Final Environmental Impact Report, SCH No. 2004061072 ("Final EIR") was prepared in full compliance with CEQA, CEQA Guidelines, and the City Environmental Review Guidelines and provides the environmental analysis for

- (1) The Project with an alignment of the Fowler Road extension between Technology Drive and Fairview Avenue that drops approximately 70 feet south; and
- (2) The Fowler Road Extension Alternative, which is identical to the Project, except for the alignment of the Fowler Road extension between

Technology Drive and Fairview Avenue being generally straighter and 70 feet north compared to the Project alignment; and

WHEREAS, the Final EIR was released on November 16, 2011, more than ten (10) days prior to certification of the Project by the Planning Commission; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on November 28, 2011, at which time all interested persons were given an opportunity to be heard; and

WHEREAS, the Planning Commission considered the entire administrative record, including the staff report, the Final EIR, including the Mitigation Monitoring and Reporting Program, and oral and written testimony from interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF GOLETA AS FOLLOWS:

SECTION 1. Recitals

The Planning Commission hereby finds and determines that the foregoing recitals, which are incorporated herein by reference, are true and correct.

SECTION 2. CEQA Findings

The Planning Commission certifies that, pursuant to CEQA and Section 15090 of the CEQA Guidelines, the Final EIR, available pursuant to Section 6 below and incorporated herein by reference, has been prepared in compliance with the requirements of CEQA and the CEQA Guidelines; the Planning Commission has been presented and has reviewed and considered the information contained in the Final EIR; and the Final EIR reflects the independent judgment and analysis of the City, as the lead agency.

The Planning Commission finds that, pursuant to CEQA and Section 15091 of the CEQA Guidelines, changes or alterations have been required in, or incorporated into, the Project and the Fowler Road Extension Alternative, which avoid or substantially lessen the following significant environmental effects to a level less than significant level as identified in the Final EIR:

(a) Noise

The Project and the Fowler Road Extension Alternative would pose a potentially significant but mitigable impact on noise receptors due to construction activities, including increased truck traffic, in the project area. Measures to reduce this potentially significant impact to less than significant levels are identified under Mitigation Measures Noise-1 and Noise-2. Noise-1 requires compliance with Caltrans Standard Specifications, Sound Control Requirements including compliance with all local sound and noise level rules and installation of appropriate mufflers on internal combustion engines used for the Project or the Fowler Road Extension Alternative. Noise-2 also requires implementation of additional measures such as changing the location of

stationary equipment, notifying residents in advance of scheduled construction work, and installation of temporary noise barriers to minimize noise-producing activities during construction.

(b) Natural Communities

The Project and the Fowler Road Extension Alternative would displace a mixture of native riparian vegetation and weedy non-native vegetation and will contribute to a slight increase in invasive plant species, bird species and feral cats along the culvert crossings and new road edges. Although these proposed crossings are open-bottomed culverts, temporary impacts of the Project to willow riparian woodland (a sensitive natural community) would total 1.72 acres while permanent impacts would total 1.36 acres. The Fowler Road Extension Alternative would affect a slightly greater area such that temporary impacts to willow riparian woodland would total 1.77 acres while permanent impacts would total 1.95 acres. Compared to the Project, the net increase in impacts to willow riparian woodland associated with the Fowler Road Extension Alternative would be 0.05 acres of temporary impacts and 0.59 acres of permanent impacts.

The Project and the Fowler Road Extension Alternative would also have less than significant impacts to habitat connectivity and wildlife movement.

The Fowler Road Extension Alternative would involve the filling of a small man-made drainage ditch near the intersection of Technology Drive and the proposed Fowler Road extension and, would, therefore, be permanently impacted, but this drainage ditch does not serve as a substantial wildlife linkage because the eastern end of this narrow 350-foot drainage ditch terminates in a developed area. The Project would not involve the filling of this drainage ditch and, therefore, there would be no impacts to this drainage ditch.

Mitigation Measures applicable to the Project and the Fowler Road Extension Alternative include NA-1, which requires protection and riparian habitat creation and/or restoration mitigation at a ratio of 2:1 for temporary impacts and mitigation at a ratio of 3:1 for permanent impacts, which would total approximately 9.4 acres of creation and/or restoration mitigation. NA-2 also requires implementation of a Native Tree Inventory and Protection Plan including mature tree replacement ratios on a 10:1 ratio (within the Coastal Zone, as this is the location of the impact), and review of the landscape plans by a biologist to minimize invasive plant species. NA-3 and NA-4 also require avoidance of invasive species and pesticides and excessive irrigation as part of landscape plans, to be approved by a City-approved biologist.

(c) Wetlands and Other Waters

The Project would have a total of 1.69 acres of temporary impacts and 1.43 acres of permanent impacts to jurisdictional streambeds are anticipated to occur. The Fowler Road Extension Alternative would have a total of 1.74 acres of temporary impacts and 2.03 acres of permanent impacts for a net increase of 0.05 acre of temporary impacts

and 0.60 acre of permanent impacts to jurisdictional streambeds as compared to the Project. The Fowler Road Extension Alternative's impacts on jurisdictional waters and streambeds would be slightly greater than those of the Project because the Fowler Road Extension Alternative would permanently fill the small man-made drainage ditch that conveys stormwater from Technology Drive to the channel of Old San Jose Creek. This drainage ditch is in a degraded condition and is subject to routine maintenance including vegetation and sediment removal. The Project would not involve the filling of this drainage ditch and, therefore, it is not included in the acreage of impacts for the Project.

The Project would result in 0.15 acre of permanent impacts and an additional 0.15 acre of temporary impacts to waters of the U.S. The Fowler Road Extension Alternative would result in 0.16 acre of permanent impacts and an additional 0.25 acre of temporary impacts to waters of the U.S.

Permanent and temporary impacts to coastal wetlands and California Department of Fish and Game jurisdictional streambeds are also identified.

As the project area does not support wetlands as defined by Corps of Engineers regulations, no direct impacts to federally protected wetlands are anticipated as a result of the Project or the Fowler Road Extension Alternative.

Mitigation Measures required to address wetland impacts to plant species include the following: WE-1, avoidance of excavation work within or near environmentally sensitive habitat areas, including native trees, 25-foot from the top of creek bank to 100-foot setbacks from the wetlands within the coastal zone and respect of these setbacks for construction and staging areas; WE-2, requiring wetland habitat creation and/or restoration; and WE-3, requiring prohibition of pesticide and herbicides.

(d) Plant Species

The Project and the Fowler Road Extension Alternative impacts to Candidate, Sensitive, or Special Status Species (black-flowered figwort, Plummer's baccharis, or southern tarweed) are remote due to degraded habitat values and the lack of such species during biological surveys. However, if individuals of these species are impacted by the Project or the Fowler Road Extension Alternative, those impacts would be permanent. Mitigation Measures PL-1 and PL-2 would require pre-construction plant surveys and the presence of a biologist during initial vegetation clearing, and restoration planting of impacted species.

(e) Animal Species

The Project and the Fowler Road Extension Alternative impacts to Candidate, Sensitive, or Special Status Species may include destruction of nests, loss of breeding and foraging habitat, and interruption of habitat connectivity during construction activity. Operational impacts from routine vegetation maintenance along new

roads and roundabouts near riparian areas could potentially impact breeding riparian birds and raptors and may also include noise and light disturbance from the roads. The Project and the Fowler Road Extension Alternative may cause the possibility of roadkill of unwary raptors and other wildlife (skunk, raccoon, opossum, coyote and red fox) due to the larger height and width of the Ekwil extension. Operational impacts to raptors associated with the Project and the Fowler Road Extension Alternative include the possibility of roadkill of unwary raptors and other wildlife. The operational speed limit is likely to be sufficiently low to minimize any potential impacts to raptors.

Mitigation Measures identified to address these potential impacts to animal species include AN-1 through AN-8, providing for construction restrictions for riparian birds and raptors, minimization of construction noise, implementation of construction housekeeping, completion of Monarch Butterfly surveys and avoidance of eucalyptus trees near the Ekwil Street extension, use of low level lighting near riparian habitats, minimization of impacts to Least Bell's Vireo potential habitat if construction occurs during nesting season (February 15 through August 31), conducting pre-construction Protocol Surveys for Least Bell's Vireo, scheduling of routine vegetation trimming along roads to avoid breeding season of birds and raptors, completion of breeding bird surveys within the area and 300-foot buffer zone, and implementation of a Stormwater Pollution Prevention Plan that includes efficient erosion control and spill control measures to prevent indirect impacts of the pedestrian bridge construction across San Jose Creek.

The City finds that, pursuant to CEQA and Section 15091 of the CEQA Guidelines, specific economic, social, environmental, technological, legal or other considerations make infeasible the ten alternatives to the Project considered and rejected as set forth in the Final EIR. The City hereby adopts the analysis and conclusions in the Final EIR regarding the alternatives previously considered but rejected.

SECTION 3. Certification of the Final EIR

The Planning Commission finds that the foregoing findings are supported by substantial evidence in the record and, pursuant to CEQA and the CEQA Guidelines, the Planning Commission hereby certifies the Final EIR.

SECTION 4. Mitigation Monitoring and Reporting Program

California Public Resources Code Section 21081.6 and CEQA Guidelines Section 15097, requires that the City adopt reporting or monitoring programs for the changes to the Project and the Fowler Road Extension Alternative which it has required or the measures it has imposed to mitigate or avoid significant effects on the environment. The procedures for mitigation monitoring and verification are described for each mitigation measure in the Final EIR. The mitigation measures as described in the Final EIR are hereby adopted as the Mitigation Monitoring and Reporting Program ("MMRP") and are incorporated herein by this reference. The MMRP is designed to ensure

compliance during implementation of the Project or the Fowler Road Extension Alternative.

SECTION 5. Notice of Determination

The Planning Commission hereby directs that the City's Director of Planning and Environmental Services, or his designee, shall file a Notice of Determination with the County Clerk of the County of Santa Barbara within five (5) days of the date of this Resolution in accordance with the provisions of California Public Resources Code Section 21152 and Section 15094 of the CEQA Guidelines.

SECTION 6. Documents

The documents and other materials which constitute the record of proceedings upon which this decision is based, are in the custody of the City Clerk, City of Goleta, 130 Cremona Drive, Suite B, Goleta, California, 93117.

SECTION 7. Certification

The City Clerk shall certify to the adoption of this Resolution.

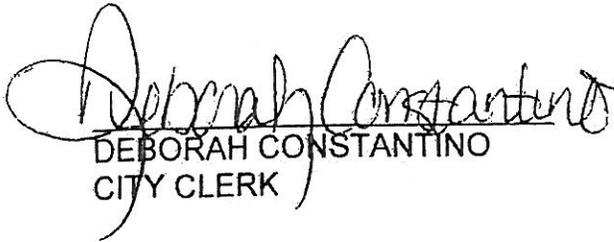
PASSED, APPROVED AND ADOPTED this 28th day of November, 2011.



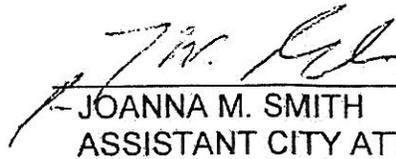
BILL SHELOR, CHAIR

ATTEST:

APPROVED AS TO FORM:



DEBORAH CONSTANTINO
CITY CLERK



- JOANNA M. SMITH
ASSISTANT CITY ATTORNEY

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

I, DEBORAH CONSTANTINO, City Clerk of the City of Goleta, California, DO HEREBY CERTIFY that the foregoing Planning Commission Resolution No. 11-23 was duly adopted by the Planning Commission of the City of Goleta at a regular meeting held on the 28th day of November, 2011, by the following vote of the Commission members:

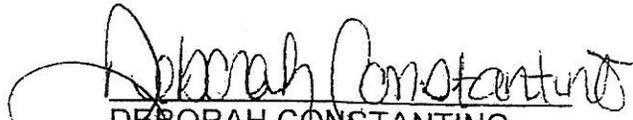
AYES: CHAIR SHELOR, VICE CHAIR WALLIS, AND COMMISSIONERS KESSLER-SOLOMON, STAPELMANN AND WEST

NOES: NONE

ABSENT: NONE

ABSTENTIONS: NONE

(SEAL)


DEBORAH CONSTANTINO
CITY CLERK

