

City of Carpinteria
City Council Regular Meeting Agenda
Monday, June 22, 2015
Council Chambers, 5575 Carpinteria Avenue

5:30 p.m. Regular Session

CALL TO ORDER

INFORMATION ABOUT CITY COUNCIL MEETINGS:

- The time at which an item on the agenda is scheduled to be heard is an estimate only. The City Council may consider and act on an agenda item in any order it deems appropriate. In addition, an item may be considered earlier or later than the Estimated Time, depending on the length of time which is devoted to other agenda items. All persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure that they are present when the item is called.
- The regular meeting will be broadcast live over Government Access Television Channel 21. The City Council meetings will be rebroadcast on Wednesdays at 8:00 p.m. and Saturdays at 5:00 p.m.
- Materials related to an Agenda item submitted to the City Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 5775 Carpinteria Avenue, Carpinteria, during normal business hours. Such documents are also available on the City of Carpinteria website at www.carpinteria.ca.us subject to staff's ability to post the documents before the meeting.
- Any written or printed material and/or exhibits presented at a City Council meeting or work session become the property of the City.
- Any information presented to the City Council by the public on any agenda item and during Public Comment using electronic media to be displayed on the overhead projector must be arranged with staff for review of materials in advance of the meeting and no later than close of business Wednesday prior to the Council meeting.
- As a courtesy to others and to avoid interference with the public address system, please refrain from using cell phones in the Council Chambers and please turn off all audible pagers and rings.

- If you wish to speak on a matter scheduled for consideration in a closed session, you will have an opportunity to address the City Council before the Council retires to its closed session deliberations.

5:30 p.m. **ROLL CALL**

5:30 p.m. **PLEDGE OF ALLEGIANCE**

5:31 p.m. **INTRODUCTIONS, PROCLAMATIONS AND PRESENTATIONS**

5:31 p.m. **PUBLIC INFORMATION REPORTS AND ANNOUNCEMENTS**

5:32 p.m. **CITY MANAGER'S REPORT**

The City Manager will report to the City Council regarding various City and/or community events and/or matters of interest. There will be no City Council discussion except to ask questions or refer matters to staff; and no action will be taken unless listed on a subsequent agenda.

5:35 p.m. **PRESENTATIONS BY CITIZENS / PUBLIC COMMENT**

This is a time for public comments on matters not otherwise on the agenda but within the subject matter jurisdiction of the City Council. The Public Comment period is limited to 15 minutes and divided among those persons desiring to speak. No person shall speak longer than three minutes; however, the Mayor may establish shorter periods based on the time available and/or the number of persons waiting to speak. Persons wishing to speak on a specific item will be recognized at the time the agenda item is considered.

Please be aware that items on the consent calendar are considered to be routine and are normally enacted by one unanimous vote of the Council. If you wish to speak on a consent calendar item, or on a matter scheduled for consideration in a closed session at the end of the agenda, please do so during the Presentations by Citizens/Public Comment portion of the meeting.

The City and the City Council are not responsible for the content of statements made during the public comment period, or the factual accuracy of any such statements.

5:50 p.m. **AGENDA MODIFICATIONS:** The City Council may modify the regular agenda by tabling items, adding urgency items to the agenda, or changing the order in which items are considered. Changes to the Consent Calendar are considered at the time the Consent Calendar is considered.

5:50 p.m.

CONSENT CALENDAR (to be approved by roll call vote on one motion with all resolutions and ordinances as read by title only).

Individual items may be removed and considered separately at the request of a Councilmember. Any item, which is removed from the Consent Calendar, will be added to the end of the agenda under Other Business.

1. Expenditures for the period beginning June 2, 2015 and ending June 16, 2015.
2. A side letter implementing the new Paid Sick Leave Law, AB 1522 between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620 representing the City of Carpinteria General Services and Public Works Bargaining Units.
3. Resolution No. 5614, as read by title only, Approving the Revisions to the Compensation Schedule for hourly rated employees.
4. Amendment to the Measure A Cooperative Agreement for the Rincon Shared Use Trail Project.

5:51 p.m.

ADMINISTRATIVE MATTERS:

5. Consider approval of a 3% increase/adjustment to the salary grade structure for certain full-time employees and revisions to the Conditions of Employment for Management and Miscellaneous Unrepresented Personnel.

Recommendation: Adopt Resolution Nos. 5616 and 5617, as read by title only, approving revisions to the Conditions of Employment for Management and Miscellaneous Unrepresented Personnel and a 3.00% increase/adjustment to certain full-time employee salary ranges effective the first full pay period of July 1, 2015.

(Staff presenter: Arlene Balmadrid, HR/Risk Manager)

6. Consider approval of a change in the payment and reporting value of the Employer Paid Member Contributions (EPMC) to California Public Employees Retirement System (CalPERS) for certain full time employees.

Recommendation: Adopt Resolution No. 5619, as read by title only, approving a change in the payment and reporting value of the employer paid member contribution for certain full time employees.

(Staff presenter: Arlene Balmadrid, HR/Risk Manager)

7. Consider approval of a Second Amendment to City Manager Employment Agreement.

Recommendation: Approve the second amendment to the July 22, 2013 City Manager Employment Agreement.

(Staff presenter: Arlene Balmadrid, HR/Risk Manager)

PUBLIC HEARINGS:

6:00 p.m.

8. Local Coastal Program Amendments Creating a Transportation Corridor Wetland Overlay District and a Whitney Site Agricultural Overlay District and Redesignating Land from Agriculture to Transportation Corridor for the Extension of Via Real

Request by the California Department of Transportation (Caltrans) to amend the Local Coastal Program to accommodate development of three inter-related transportation improvement projects including the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, the South Coast 101 High Occupancy Vehicle (HOV) Lanes, and the Santa Claus Lane Bike Path.

Recommendation:

1. Approve the attached Final Mitigated Negative Declaration for Project 09-1522-LCPA;
2. Adopt Resolution No. 5623, as read by title only, to approve the Local Coastal Program Amendments included in Project 09-1522-LCPA;
3. Adopt Resolution No. 5624, as read by title only, to initiate an application to LAFCO for the removal of APNs 001-080-033 and 001-180-026 from the City's Sphere of Influence; and
4. Submit the Local Coastal Program Amendments to the California Coastal Commission for review and approval.

Staff presenter: Jackie Campbell, Community Development Director and Jonathan Leech, Contract Planner.

Public Hearing Procedure

- Disclosure of Ex-Parte Communications
- Staff Report
- Applicant Presentation
- Public Comment
- City Council Determination

- 6:00 p.m. 9. Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension

Request by the California Department of Transportation (Caltrans) to replace the Linden Avenue and Casitas Pass Road US 101 overcrossings, reconfigure the northbound on ramps and off-ramps at Casitas Pass Road, extend the northbound Linden Avenue onramp, rebuild the southbound Linden Avenue off-ramp, construct four soundwalls along the US 101 corridor, replace the US 101 freeway bridges over Carpinteria Creek and extend Via Real to Casitas Pass Road and to Linden Avenue.

Recommendation: Adopt Resolution No. 5625, as read by title only, conceptually approving a development permit for Project 09-1522-CUP/CDP for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension.

Staff presenter: Jackie Campbell, Community Development Director and Jonathan Leech, Contract Planner.

OTHER BUSINESS:

- 8:00 p.m. 10. Letter in opposition to Assembly Bill 718 (Chu) a proposed law that would, in part, prohibit cities and counties from establishing bans on vehicle camping in public streets and parking lots.

Recommendation: Approve for the Mayor's signature a letter of opposition to Assembly Bill 718.

Staff presenter: Dave Durflinger, City Manager

8:10 p.m. **COMMITTEE REPORTS, INQUIRIES AND OTHER MATTERS
PRESENTED BY COUNCILMEMBERS**

Informational reports from Councilmember representatives on the committees, commissions and organizations listed below. This is also an opportunity for Councilmembers to request information from staff or seek support from fellow Councilmembers for future agenda items.

1. Representatives to Regional Agencies and Committees
 - a. Beach Erosion Authority for Clean Oceans and Nourishment (BEACON) (Shaw/Alt. Carty)
 - b. California Joint Powers Insurance Authority (CJPIA) (Clark/Alt. Shaw)

- c. Channel Counties Division, League of California Cities (Nomura/Alt. Shaw)
- d. Santa Barbara County Association of Governments (SBCAG)(Clark/Alt. Nomura)
- e. Santa Barbara County Air Pollution Control District (APCD)(Clark/Alt. Nomura)
- f. Santa Barbara Joint Housing Task Group (Carty & Shaw)
- g. Central Coast Collaborative on Homelessness (C3H) (Clark)
- h. South Coast Task Force on Youth Gangs Leadership and Executive Council (Carty & Clark)

2. Joint and Standing Committees

- a. City Council/Chamber of Commerce Board of Directors Committee (Carty & Nomura)
- b. City Council/Public Safety Committee (Clark & Shaw)
- c. City Council/School Board Committee (Stein & Carty)
- d. City Council/Utilities Committee (Stein & Nomura)
- e. City Council/First District Supervisor Committee (Stein & Carty)
- f. City Council Finance/Budget Committee (Stein & Clark)
- g. 50th Anniversary Committee (Carty & Nomura)

3. Ad Hoc Committees

- a. Public Facility Site Acquisition/Development Committee (Carty & Nomura)
- b. Transportation Committee (Stein & Shaw)
- c. Labor Relations Committee (Nomura & Shaw)

4. City Representatives on other Committees

- a. Community Media Access Center (Gary Dobbins)
- b. Santa Barbara Coastal Vector Control District (Ronald Hurd)
- c. Santa Barbara Metropolitan Transit District (Chuck McQuary)

8:15 p.m.

ATTENDANCE OF COUNCILMEMBERS FOR FUTURE MEETINGS

8:15 p.m.

ADJOURNMENT

The next regular meeting to be held on **Monday, July 13, 2015** at **5:30 P.M.**, in the Council Chamber, City Hall, 5775 Carpinteria Avenue, Carpinteria, California.

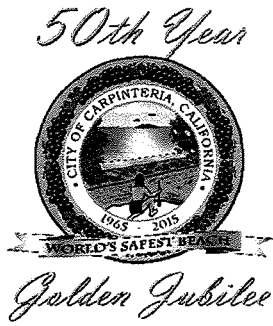
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In compliance with the Americans with Disabilities Act, if you need assistance to participate in this meeting, please contact the City Clerk's Office at 684-5405, extension 403 or the California Relay Service at (866) 735-2929. Notification two business days prior to the meeting will enable the City to make reasonable arrangements for accessibility to this meeting.

This agenda was posted on Wednesday, June 17, 2015, in the City Clerk's Office, on the City Hall Public Notices Board, and on the Internet.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Expenditures for the period beginning June 2, 2015 and ending June 16, 2015.

STAFF RECOMMENDATION

Action Item ____ ; Non-Action Item X

Motion: That the City Council accept this report concerning the current list of warrants pursuant to Carpinteria Municipal Code 2.08.150(F).

DISCUSSION

As part of each regular City Council agenda, a list of all checks (attached) dispersed since the last reporting period is presented to the City Council pursuant to C.M.C. 2.08.150(F). The report is provided for City Council and public information and serves as Staff's verification that the expenditures have been reviewed and are within budgeted appropriations.

FINANCIAL CONSIDERATIONS

The warrant register included as an attachment is designed to communicate fiscal activity since the prior reporting period. No action is requested as part of this report.

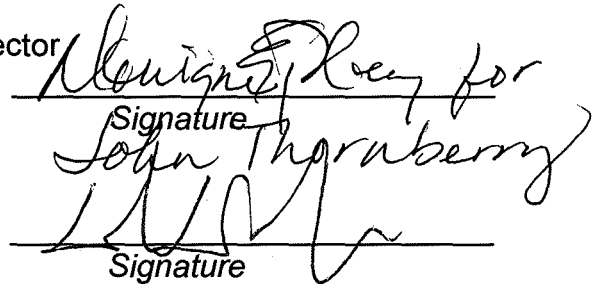
ATTACHMENTS

Attachment A: Warrant Register for the period beginning June 2, 2015 and ending June 16, 2015.

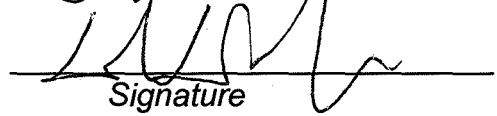
Staff contact: Monique Epley, Finance Supervisor
(805) 684-5405 ext. 406
moniquee@ci.carpinteria.ca.us


Signature

Reviewed by: John Thornberry, Admin. Services Director


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

2:16 PM

06/16/15

CITY OF CARPINTERIA

Warrant Register

June 2 - 16, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
	06/03/15	QuickBooks Payroll Service	QuickBooks Payrol...	Created by Direct Deposit Service on 06/02/15	1000101 · Operating Cash 10	
			QuickBooks Payroll ...	Fee for 14 direct deposit(s) at \$1.6 each	66000 · Payroll Expenses	(22.40)
TOTAL						(22.40)
	06/04/15	BALMADRID, ARLENE	BALMADRID, ARL...	VOID: CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	CAMPBELL, JACQUELINE	CAMPBELL, JACQ...	VOID: CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	COLSON, MARY ANN	COLSON, MARY A...	VOID: WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	DIAZ, JAYNE	DIAZ, JAYNE	VOID: WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	DRIGGERS, LARRY	DRIGGERS, LARRY	VOID: WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	EBELING, CHARLES	EBELING, CHARLES	VOID: CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	FRONTADO, JOHN	FRONTADO, JOHN	VOID: WELLNESS PAYMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	GARCIA, FIDELA	GARCIA, FIDELA	VOID: CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	HIDALGO, BENNY	HIDALGO, BENNY	VOID: WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	JIMENEZ, ERNEST	JIMENEZ, ERNEST	VOID: WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	

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CITY OF CARPINTERIA
Warrant Register
June 2 - 16, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
TOTAL						0.00
	06/04/15	LEMERE, PATRICIA	LEMERE, PATRICIA	VOID: WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	ROBERTS, MATTHEW	ROBERTS, MATTH...	VOID: CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	SILK, KEVIN	SILK, KEVIN	VOID: CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	THORNBERRY, JOHN	THORNBERRY, JO...	VOID: CELL PHONE REIMBURSEMENT - JAN ...	1000101 · Operating Cash 10	
TOTAL						0.00
	06/04/15	BALMADRID, ARLENE	BALMADRID, ARL...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	06/01/15		BALMADRID, ARLE...	CELL PHONE REIMBURSEMENT	1016308 · Supplies & Materials 16	(65.00)
TOTAL						(65.00)
	06/04/15	CAMPBELL, JACQUELINE	CAMPBELL, JACQ...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	06/01/15		CAMPBELL, JACQ...	CELL PHONE REIMBURSEMENT	1041308 · Supplies & Materials 41	(65.00)
TOTAL						(65.00)
	06/04/15	COLSON, MARY ANN	COLSON, MARY A...	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	06/01/15		COLSON, MARY ANN	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
	06/04/15	DIAZ, JAYNE	DIAZ, JAYNE	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	06/01/15		DIAZ, JAYNE	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
	06/04/15	DRIGGERS, LARRY	DRIGGERS, LARRY	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
	06/01/15		DRIGGERS, LARRY	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL						(395.87)
	06/04/15	EBELING, CHARLES	EBELING, CHARLES	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	

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CITY OF CARPINTERIA
Warrant Register
June 2 - 16, 2015

	Num	Date	Name	Source Name	Memo	Account	Paid Amount
		06/01/15		EBELING, CHARLES	CELL PHONE REIMBURSEMENT	1030308 · Supplies & Materials 30	(65.00)
TOTAL							(65.00)
		06/04/15	FRONTADO, JOHN	FRONTADO, JOHN	WELLNESS PAYMENT	1000101 · Operating Cash 10	
		06/01/15		FRONTADO, JOHN	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL							(395.87)
		06/04/15	GARCIA, FIDELA	GARCIA, FIDELA	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
		06/01/15		GARCIA, FIDELA	CELL PHONE REIMBURSEMENT	1011308 · Supplies & Materials 11	(65.00)
TOTAL							(65.00)
		06/04/15	HIDALGO, BENNY	HIDALGO, BENNY	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
		06/01/15		HIDALGO, BENNY	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL							(395.87)
		06/04/15	JIMENEZ, ERNEST	JIMENEZ, ERNEST	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
		06/01/15		JIMENEZ, ERNEST	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL							(395.87)
		06/04/15	LEMERE, PATRICIA	LEMERE, PATRICIA	WELLNESS REIMBURSEMENT	1000101 · Operating Cash 10	
		06/01/15		LEMERE, PATRICIA	WELLNESS REIMBURSEMENT	1014194 · Wellness 14	(395.87)
TOTAL							(395.87)
		06/04/15	ROBERTS, MATTHEW	ROBERTS, MATTH...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
		06/01/15		ROBERTS, MATTH...	CELL PHONE REIMBURSEMENT	1069308 · Supplies & Materials 69	(65.00)
TOTAL							(65.00)
		06/04/15	SILK, KEVIN	SILK, KEVIN	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
		06/01/15		SILK, KEVIN	CELL PHONE REIMBURSEMENT	1044308 · Supplies & Materials 44	(35.00)
TOTAL							(35.00)
		06/04/15	THORNBERRY, JOHN	THORNBERRY, JO...	CELL PHONE REIMBURSEMENT - JAN 2014	1000101 · Operating Cash 10	
		06/01/15		THORNBERRY, JO...	CEL PHONE REIMBURSEMENT JAN 2014	1014308 · Supplies & Materials 14	(65.00)
TOTAL							(65.00)
	85791	06/03/15	A T & T MOBILITY	A T & T MOBILITY	ACCOUNT 337015224648	1000101 · Operating Cash 10	
	3370152246...	04/06/15		A T & T MOBILITY	PW SUPERVISOR	2531301 · Telephone 31	(56.31)

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CITY OF CARPINTERIA
Warrant Register
June 2 - 16, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
			A T & T MOBILITY	PW CREW	1013308 · Supplies & Materials 13	(43.81)
			A T & T MOBILITY	PW CREW	3332308 · Supplies & Materials 32	(98.07)
			A T & T MOBILITY	PW CREW	2531308 · Supplies & Materials 31	(18.07)
TOTAL						(216.26)
85792	06/03/15	AQUASOURCE	AQUASOURCE	INVOICE #36541	1000101 · Operating Cash 10	
36541	04/06/15		AQUASOURCE	POOL SUPPLIES	4866338 · Chemicals	(3,692.30)
TOTAL						(3,692.30)
85793	06/03/15	CARP EVENTS	CARP EVENTS	2015 INDEPENDENCE DAY PARADE	1000101 · Operating Cash 10	
INDEPENC...	06/01/15		CARP EVENTS	2015 INDEPENDENCE DAY PARADE	3845222 · Marketing/Project Carpi...	(1,800.00)
			CARP EVENTS	2015 INDEPENDENCE DAY PARADE	1045220 · Contract Services 45	(4,450.00)
TOTAL						(6,250.00)
85794	06/03/15	CARPINTERIA VALLEY CHAMBER OF CO...	CARPINTERIA VAL...	STATE OF THE COMMUNITY - GOGGIA	1000101 · Operating Cash 10	
6677	05/06/15		CARPINTERIA VAL...	STATE OF THE COMMUNITY MEMBER ADMIS...	1051310 · Public Relations 51	(25.00)
TOTAL						(25.00)
85795	06/03/15	COASTAL VIEW NEWS	COASTAL VIEW N...	45790	1000101 · Operating Cash 10	
45790	05/21/15		COASTAL VIEW NE...	PET ADS	1047303 · Printing & Advertising 47	(20.00)
TOTAL						(20.00)
85796	06/03/15	COFFMAN, SCOTT	COFFMAN, SCOTT	FRO CERTIFICATES 2015	1000101 · Operating Cash 10	
FRO CERT...	04/07/15		COFFMAN, SCOTT	OIL PAYMENT PROGRAM GRANT	2000261 · Deferred Revenue 20	(470.00)
TOTAL						(470.00)
85797	06/03/15	DUDEK	DUDEK	INVOICE #20152097	1000101 · Operating Cash 10	
20152097	05/18/15		DUDEK	PROJ 1522	1000251 · Development Deposits	(3,511.50)
TOTAL						(3,511.50)
85798	06/03/15	DURFLINGER, DAVID	DURFLINGER, DAV...	CELL PHONE REIMBURSEMENT	1000101 · Operating Cash 10	
	06/01/15		DURFLINGER, DAV...	CELL PHONE REIMBURSEMENT	1012308 · Supplies & Materials 12	(65.00)
TOTAL						(65.00)
85799	06/03/15	EASY LIFT TRANSPORTATION	EASY LIFT TRANS...	INVOICE 6252	1000101 · Operating Cash 10	
6252	06/01/15		EASY LIFT TRANS...	CLAIM PER CONTRACT FOR JUNE	2734221 · Easy Lift/CART 27	(1,000.00)
TOTAL						(1,000.00)

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CITY OF CARPINTERIA

Warrant Register

June 2 - 16, 2015

Num	Date	Name	Source Name	Memo	Account	Paid Amount
85800	06/03/15	FEDEX	FEDEX	5-041-68028	1000101 · Operating Cash 10	
5-041-68028	05/22/15		FEDEX	DIF HWY INTERCHANGE	3100232 · DIF Highway Interchange	(15.89)
			FEDEX	DIF HWY INTERCHANGE	3179616 · FHWA HBR 31	(15.89)
			FEDEX	SHIPPING	1030308 · Supplies & Materials 30	(16.32)
			FEDEX	DIF HWY INTERCHANGE	3100232 · DIF Highway Interchange	(14.62)
			FEDEX	DIF HWY INTERCHANGE	3179616 · FHWA HBR 31	(14.62)
TOTAL						(77.34)
85801	06/03/15	FIDELITY SECURITY LIFE INSURANCE	FIDELITY SECURIT...	INVOICE #5042291	1000101 · Operating Cash 10	
5042291	06/03/15		FIDELITY SECURIT...	JUNE 2015	1016194 · Wellness 16	(17.56)
			FIDELITY SECURIT...	JUNE 2015	1041194 · Wellness 41	(8.78)
			FIDELITY SECURIT...	JUNE 2015	1030194 · Wellness 30	(8.78)
			FIDELITY SECURIT...	JUNE 2015	1030194 · Wellness 30	(25.81)
			FIDELITY SECURIT...	JUNE 2015	1022194 · Wellness 22	(17.56)
			FIDELITY SECURIT...	JUNE 2015	2531194 · Wellness 31	(25.81)
			FIDELITY SECURIT...	JUNE 2015	1069194 · Wellness 69	(8.78)
			FIDELITY SECURIT...	JUNE 2015	1051194 · Wellness 51	(16.68)
			FIDELITY SECURIT...	JUNE 2015	1011194 · Wellness 11	(8.78)
			FIDELITY SECURIT...	JUNE 2015	1069194 · Wellness 69	(25.81)
			FIDELITY SECURIT...	JUNE 2015	1044194 · Wellness 44	(16.68)
			FIDELITY SECURIT...	JUNE 2015	2531194 · Wellness 31	(8.78)
TOTAL						(189.81)
85802	06/03/15	HUGO'S AUTO DETAIL	HUGO'S AUTO DE...	APRIL-MAY 2015	1000101 · Operating Cash 10	
APR-MAY 2...	06/01/15		HUGO'S AUTO DET...	APRIL - MAY 2015	1013307 · Vehicle Oper & Mainten...	(112.00)
TOTAL						(112.00)
85803	06/03/15	J & H ENGINEERING GEN CONT	J & H ENGINEERIN...	RETENTION - NINTH STREET BRIDGE	1000101 · Operating Cash 10	
RETENTION	06/01/15	15018	J & H ENGINEERIN...	NINTH STREET PED BRIDGE	4179613 · Bikepath Maintenance	(11,121.90)
			J & H ENGINEERIN...	NINTH STREET PED BRIDGE	4179619 · Street Maintenance 79	(13,827.50)
TOTAL						(24,949.40)
85804	06/03/15	LINCOLN FINANCIAL GROUP	LINCOLN FINANCI...	JUNE 2015 BILLING	1000101 · Operating Cash 10	
JUN 2015 B...	05/26/15		LINCOLN FINANCI...	JUNE 2015	1051191 · Life Insurance Premium...	(66.68)
			LINCOLN FINANCI...	JUNE 2015	1011191 · Life Insurance Premium...	(98.11)
			LINCOLN FINANCI...	JUNE 2015	1013191 · Life Insurance Premium...	(31.18)
			LINCOLN FINANCI...	JUNE 2015	1014191 · Life Insurance Premium...	(179.75)
			LINCOLN FINANCI...	JUNE 2015	1016191 · Life Insurance Premium...	(168.95)
			LINCOLN FINANCI...	JUNE 2015	1030191 · Life Insurance Premium...	(275.92)
			LINCOLN FINANCI...	JUNE 2015	2531191 · Life Insurance Premium...	(177.49)
			LINCOLN FINANCI...	JUNE 2015	1041191 · Life Insurance Premium...	(381.49)
			LINCOLN FINANCI...	JUNE 2015	1042191 · Life Insurance Premium...	(180.13)
			LINCOLN FINANCI...	JUNE 2015	1069191 · Life Insurance Premium...	(179.87)
			LINCOLN FINANCI...	JUNE 2015	1022191 · Life Insurance Premium...	(125.71)
			LINCOLN FINANCI...	JUNE 2015	3332191 · Life Insurance Premium...	(71.72)
			LINCOLN FINANCI...	JUNE 2015	1044191 · Life Insurance Premium...	(89.75)
			LINCOLN FINANCI...	JUNE 2015	2361191 · Life Insurance Premium...	(57.40)

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			LINCOLN FINANCIA...	JUNE 2015	4868191 · Life Insurance Premium...	(63.26)
TOTAL						(2,147.41)
85805	06/03/15	METLIFE - GROUP BENEFITS	METLIFE - GROUP ...	JUN 2015 DENTAL	1000101 · Operating Cash 10	
JUN 2015 D...	05/15/15		METLIFE - GROUP ...	JUN 2015 DENTAL	1051194 · Wellness 51	(537.07)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1011194 · Wellness 11	(175.90)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1012194 · Wellness 12	(189.49)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1013194 · Wellness 13	(189.49)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1014194 · Wellness 14	(378.98)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1016194 · Wellness 16	(56.89)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1030194 · Wellness 30	(538.14)
			METLIFE - GROUP ...	JUN 2015 DENTAL	2531194 · Wellness 31	(568.47)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1041194 · Wellness 41	(551.73)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1042194 · Wellness 42	(189.49)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1069194 · Wellness 69	(246.38)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1022194 · Wellness 22	(232.79)
			METLIFE - GROUP ...	JUN 2015 DENTAL	3332194 · Wellness 32	(305.35)
			METLIFE - GROUP ...	JUN 2015 DENTAL	1044194 · Wellness 44	(189.49)
			METLIFE - GROUP ...	JUN 2015 DENTAL	2361194 · Wellness 61	(189.49)
			METLIFE - GROUP ...	JUN 2015 DENTAL	4868194 · Wellness 68	(113.78)
TOTAL						(4,652.93)
85806	06/03/15	MNS ENGINEERS INC	MNS ENGINEERS I...		1000101 · Operating Cash 10	
65606	05/19/15		MNS ENGINEERS I...	PROJ 5436	1000251 · Development Deposits	(800.00)
65607	05/19/15		MNS ENGINEERS I...	PROJ 1710	1000251 · Development Deposits	(2,812.50)
TOTAL						(3,612.50)
85807	06/03/15	REALITY CHURCH OF CARPINTERIA	REALITY CHURCH ...	DEPOSIT REFUND	1000101 · Operating Cash 10	
DEPOSIT R...	05/21/15		REALITY CHURCH ...	DEPOSIT REFUND	1000152 · Deposits	(100.00)
TOTAL						(100.00)
85808	06/03/15	SESAC	SESAC	2015 PERFORMANCE LICENSE	1000101 · Operating Cash 10	
4038071	05/27/15		SESAC	2015 LICENSING AGREEMENT	3845222 · Marketing/Project Carpi...	(49.00)
TOTAL						(49.00)
85809	06/03/15	SOUTHERN ADVERTISING	SOUTHERN ADVE...	INVOICE I-32531	1000101 · Operating Cash 10	
I-32531	04/30/15		SOUTHERN ADVE...	SERVICE AWARD JACKETS	1016308 · Supplies & Materials 16	(99.96)
TOTAL						(99.96)
85810	06/03/15	THE BOTTOM LINE	THE BOTTOM LINE	INVOICE #8630	1000101 · Operating Cash 10	
8630	05/31/15		THE BOTTOM LINE	QUICKBOOKS CONSULTING	1018220 · System Administration	(1,200.00)
TOTAL						(1,200.00)

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85811	06/03/15	TRANSAMERICA EMPLOYEE BENEFITS	TRANSAMERICA E...	GROUP ID#G000026466	1000101 · Operating Cash 10	
JUN 2015 B...	05/31/15		TRANSAMERICA E...	JUN 2015 WELLNESS	1030194 · Wellness 30	(18.75)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1016194 · Wellness 16	(35.70)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1030194 · Wellness 30	(56.75)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1041194 · Wellness 41	(36.45)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1051194 · Wellness 51	(33.12)
			TRANSAMERICA E...	JUN 2015 WELLNESS	4868194 · Wellness 68	(35.70)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1011194 · Wellness 11	(18.75)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1030194 · Wellness 30	(40.68)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1012194 · Wellness 12	(33.12)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1022194 · Wellness 22	(35.70)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1042194 · Wellness 42	(99.37)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1041194 · Wellness 41	(87.43)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1041194 · Wellness 41	(33.12)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1022194 · Wellness 22	(72.48)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1012194 · Wellness 12	(18.75)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1042194 · Wellness 42	(67.40)
			TRANSAMERICA E...	JUN 2015 WELLNESS	2531194 · Wellness 31	(109.37)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1030194 · Wellness 30	(35.70)
			TRANSAMERICA E...	JUN 2015 WELLNESS	2531194 · Wellness 31	(67.40)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1011194 · Wellness 11	(35.70)
			TRANSAMERICA E...	JUN 2015 WELLNESS	1022194 · Wellness 22	(18.75)
			TRANSAMERICA E...	JUN 2015 WELLNESS	4868194 · Wellness 68	(18.75)
TOTAL						(1,008.94)
85812	06/03/15	WIP COMMUNICATIONS, INC	WIP COMMUNICAT...		1000101 · Operating Cash 10	
244082	02/24/15		WIP COMMUNICAT...	PHONE SYSTEM RENTAL	1013301 · Telephone 13	(125.00)
244331	03/16/15		WIP COMMUNICAT...	PHONE SYSTEM RENTAL	1013301 · Telephone 13	(420.00)
244211	04/16/15		WIP COMMUNICAT...	PHONE SYSTEM RENTAL	1013301 · Telephone 13	(420.00)
244272	05/16/15		WIP COMMUNICAT...	PHONE SYSTEM RENTAL	1013301 · Telephone 13	(420.00)
TOTAL						(1,385.00)
85813	06/03/15	BIG GREEN CLEANING COMPANY	BIG GREEN CLEA...		1000101 · Operating Cash 10	
459952	05/12/15		BIG GREEN CLEAN...	EL CARRO	2361221 · Miscellaneous Contracts	(224.00)
459976	05/12/15		BIG GREEN CLEAN...	VIOLA FIELDS	2361221 · Miscellaneous Contracts	(180.00)
459960	05/12/15		BIG GREEN CLEAN...	MARSH PARK	2361221 · Miscellaneous Contracts	(65.00)
TOTAL						(469.00)
85814	06/03/15	FLAG FACTORY, THE	FLAG FACTORY, T...	INVOICE 22084	1000101 · Operating Cash 10	
22084	05/11/15		FLAG FACTORY, T...	PROJ 1756 - GOLDEN JUBILEE	1000251 · Development Deposits	(855.36)
TOTAL						(855.36)
85815	06/03/15	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
2-19-146-82...	05/29/15		SO CA EDISON	9TH ST BATHROOM	2923220 · Street Lighting	(38.71)
2-17-070-74...	05/29/15		SO CA EDISON	1 CARP	2923220 · Street Lighting	(58.37)
TOTAL						(97.08)

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85816	06/03/15	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
3265854051	05/10/15		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(248.02)
3265939546	05/10/15		STAPLES ADVANT...	P & R SUPPLIES	1069308 · Supplies & Materials 69	(72.84)
TOTAL						(320.86)
85817	06/03/15	STEVEN ENTERPRISES, INC	STEVEN ENTERPR...	INVOICE #0336564-IN	1000101 · Operating Cash 10	
0336564-IN	05/11/15		STEVEN ENTERPR...	PRINTING SUPPLIES	1013308 · Supplies & Materials 13	(435.54)
TOTAL						(435.54)
85818	06/03/15	SUN COAST RENTALS	SUN COAST RENT...	INVOICE 28596	1000101 · Operating Cash 10	
28596	05/06/15		SUN COAST RENT...	TOWERS	2879418 · Lifeguard Tower	(247.50)
TOTAL						(247.50)
85819	06/03/15	THE STORAGE PLACE	THE STORAGE PL...	STORAGE MAY	1000101 · Operating Cash 10	
MAY STOR...	05/03/15		THE STORAGE PL...	OFFSITE STORAGE RENTAL	1013221 · Miscellaneous Contract...	(315.00)
TOTAL						(315.00)
85820	06/03/15	VENCO POWER SWEEPING INC	VENCO POWER S...	INVOICE 0045191-IN	1000101 · Operating Cash 10	
	05/15/15		VENCO POWER S...	STREET SWEEPING SERVICE	2531227 · Street Sweeping	(3,318.60)
TOTAL						(3,318.60)
85821	06/03/15	VENCO WESTERN INC	VENCO WESTERN ...	INVOICE #0149019-IN	1000101 · Operating Cash 10	
	05/24/15		VENCO WESTERN ...	ROW	3332221 · Miscellaneous Contract...	(1,793.19)
			VENCO WESTERN ...	CITY HALL	1013225 · Grounds Maintenance	(742.10)
			VENCO WESTERN ...	PROJ 4865	1000251 · Development Deposits	(221.26)
			VENCO WESTERN ...	VETS HALL	4865220 · Grounds Maintenance 65	(108.66)
			VENCO WESTERN ...	POOL	4866220 · Grounds Maintenance 66	(221.73)
			VENCO WESTERN ...	ROW	3323220 · Parking Lot Landscape	(422.38)
			VENCO WESTERN ...	PARKS	2361225 · Park Maintenance 61	(4,523.56)
TOTAL						(8,032.88)
85822	06/04/15	EBELING, CHARLES	EBELING, CHARLES	REIMBURSEMENT	1000101 · Operating Cash 10	
REIMBURS...	06/04/15		EBELING, CHARLES	SUPPLIES REIMBURSEMNT	1037201 · Supplies & Materials 37	(37.14)
TOTAL						(37.14)
85823	06/04/15	SOUTHERN CALIFORNIA SWIMMING	SOUTHERN CALIF...	SBSC JUNE BUG SWIM	1000101 · Operating Cash 10	
SBSC JUN...	06/04/15		SOUTHERN CALIF...	SBSC JUNE BUG SWIM	4868308 · Supplies & Materials 68	(170.50)
TOTAL						(170.50)

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85824	06/10/15	A-OK POWER EQUIPMENT	A-OK POWER EQU...		1000101 · Operating Cash 10	
99779	05/15/15		A-OK POWER EQU...	PW SUPPLIES	3332308 · Supplies & Materials 32	(673.87)
99812	05/15/15		A-OK POWER EQU...	VEGA SAFETY ACCOUNT	2531197 · Indiv Equip Reimburse...	(56.03)
TOTAL						(729.90)
85825	06/10/15	ACCESS CONTROL SECURITY, INC.	ACCESS CONTRO...	INVOICE 0021353	1000101 · Operating Cash 10	
0021353	05/19/15		ACCESS CONTRO...	VETS HALL SECURITY	4848352 · VETS HALL RENTALS	(174.13)
TOTAL						(174.13)
85826	06/10/15	AERIOCONNECT	AERIOCONNECT	765938	1000101 · Operating Cash 10	
765938	06/02/15		AERIOCONNECT	DSL MONTHLY SERVICE CHARGE - JULY 2015	1018222 · Equipment Maintenance	(66.06)
TOTAL						(66.06)
85827	06/10/15	AGGRESSIVE INDUSTRIES INC.	AGGRESSIVE IND...	INVOICE 105291	1000101 · Operating Cash 10	
105291	03/23/15		AGGRESSIVE IND...	SWIM PLATFORM	2862308 · Supplies & Materials 62	(565.50)
TOTAL						(565.50)
85828	06/10/15	AMERICAN SILKSCREEN, INC	AMERICAN SILKS...	INVOICE 18183	1000101 · Operating Cash 10	
18183	04/02/15		AMERICAN SILKSC...	JR GUARDS	4862329 · Jr. Lifeguard Expenses	(1,300.05)
TOTAL						(1,300.05)
85829	06/10/15	BIG GREEN CLEANING COMPANY	BIG GREEN CLEA...	INVOICE #457505	1000101 · Operating Cash 10	
457505	03/25/15		BIG GREEN CLEAN...	PROJ 4865 LIBRARY	1000251 · Development Deposits	(80.00)
TOTAL						(80.00)
85830	06/10/15	CALIFORNIA STATE DISBURSEMENT UNIT	CALIFORNIA STAT...	CASE NUMBER 0850182383-01	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		CALIFORNIA STAT...	PAYROLL WITHHOLDING 06-11-15	1000105 · ICMA Cash	(330.46)
TOTAL						(330.46)
85831	06/10/15	CALIFORNIA STATE PARKS	CALIFORNIA STAT...	FY 14-15 FEES	1000101 · Operating Cash 10	
FY 14-15 F...	06/03/15		CALIFORNIA STAT...	FY 2014-2015 STATE BEACH FEES	2323103 · STATE DAY USE PAR...	(18,664.01)
TOTAL						(18,664.01)
85832	06/10/15	CARPINTERIA GLASS COMPANY	CARPINTERIA GLA...	INVOICE 30040	1000101 · Operating Cash 10	
30040	05/27/15		CARPINTERIA GLA...	TOWERS	2879418 · Lifeguard Tower	(295.80)
TOTAL						(295.80)

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85833	06/10/15	CARPINTERIA VALLEY LUMBER CO	CARPINTERIA VAL...	ACCOUNT 164	1000101 · Operating Cash 10	
MAR - MAY ...	04/30/15		CARPINTERIA VAL...	PW SHOP	3332308 · Supplies & Materials 32	(2.71)
			CARPINTERIA VAL...	PW SHOP	3332308 · Supplies & Materials 32	(5.42)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(17.33)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(20.92)
			CARPINTERIA VAL...	POOL	4866308 · Supplies & Materials 66	(8.87)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(55.42)
			CARPINTERIA VAL...	POOL	4866308 · Supplies & Materials 66	(64.02)
			CARPINTERIA VAL...	POOL	4866308 · Supplies & Materials 66	(37.00)
			CARPINTERIA VAL...	PW SUPPLIES	3332308 · Supplies & Materials 32	(52.09)
			CARPINTERIA VAL...	PW SUPPLIES	3332224 · Graffiti Removal	(13.13)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(122.86)
			CARPINTERIA VAL...	TOWERS	3332308 · Supplies & Materials 32	(13.59)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(8.74)
			CARPINTERIA VAL...	POOL	4866308 · Supplies & Materials 66	(21.91)
			CARPINTERIA VAL...	PW SUPPLIES	3332308 · Supplies & Materials 32	(2.15)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(2.08)
			CARPINTERIA VAL...	PW SUPPLIES	3332308 · Supplies & Materials 32	(31.72)
			CARPINTERIA VAL...	PW SUPPLIES	3332308 · Supplies & Materials 32	(23.94)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(22.48)
			CARPINTERIA VAL...	PW SUPPLIES	3332308 · Supplies & Materials 32	(16.73)
			CARPINTERIA VAL...	PW SUPPLIES	3332308 · Supplies & Materials 32	(16.57)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(67.76)
			CARPINTERIA VAL...	FINANCE CHARGE	1069308 · Supplies & Materials 69	(2.01)
			CARPINTERIA VAL...	PW SHOP	1013224 · Interior Maintenance	(35.17)
			CARPINTERIA VAL...	PW VEHICLES	3332308 · Supplies & Materials 32	(5.22)
			CARPINTERIA VAL...	PW VEHICLES	2531307 · Vehicle Oper & Mainten...	(45.88)
			CARPINTERIA VAL...	PW SHOP	3332308 · Supplies & Materials 32	(73.60)
			CARPINTERIA VAL...	PW SHOP	1013224 · Interior Maintenance	(35.10)
			CARPINTERIA VAL...	PW SHOP	2531308 · Supplies & Materials 31	(30.52)
			CARPINTERIA VAL...	ASH RESTROOM	2862308 · Supplies & Materials 62	(26.96)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(14.60)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(4.47)
			CARPINTERIA VAL...	BEACHES	4862308 · Supplies & Materials 62	(15.17)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(65.73)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(4.34)
			CARPINTERIA VAL...	9TH STREET BRIDGE	3332308 · Supplies & Materials 32	(13.48)
			CARPINTERIA VAL...	STREETS	3332308 · Supplies & Materials 32	(40.15)
			CARPINTERIA VAL...	9TH STREET BRIDGE	3332308 · Supplies & Materials 32	(7.31)
			CARPINTERIA VAL...	STREETS	2923225 · Public Right of Way Lig...	(21.62)
			CARPINTERIA VAL...	TOWERS	4879418 · Trellis and Multi Purpos...	(5.99)
			CARPINTERIA VAL...	STREETS	2923225 · Public Right of Way Lig...	(23.00)
			CARPINTERIA VAL...	TOWERS	4879418 · Trellis and Multi Purpos...	(9.62)
			CARPINTERIA VAL...	BOUYS	2862308 · Supplies & Materials 62	(9.92)
			CARPINTERIA VAL...	GRAFFITI	3332224 · Graffiti Removal	(32.14)
			CARPINTERIA VAL...	VETS HALL	4865309 · Misc Operating Expens...	(5.41)
			CARPINTERIA VAL...	TOWERS	4867308 · Supplies & Materials 67	(61.69)
			CARPINTERIA VAL...	PARKS	2361221 · Miscellaneous Contracts	(9.70)
			CARPINTERIA VAL...	PW SHOP	3332308 · Supplies & Materials 32	(5.32)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(68.13)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(23.10)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(4.79)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(122.60)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(5.27)

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			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(35.40)
			CARPINTERIA VAL...	BOUYS	2862308 · Supplies & Materials 62	(216.01)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(18.87)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(4.69)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(107.10)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(10.21)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(5.77)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(6.89)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(32.96)
			CARPINTERIA VAL...	SAFETY - MENDOZA	3332197 · Indiv Equip Reimburse...	(66.07)
			CARPINTERIA VAL...	STREETS	2531220 · Street Maintenance 31	(9.15)
			CARPINTERIA VAL...	PW SHOP	3332308 · Supplies & Materials 32	(11.38)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(26.24)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(60.89)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(6.15)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(1.13)
			CARPINTERIA VAL...	TOWERS	2862308 · Supplies & Materials 62	(2.30)
			CARPINTERIA VAL...	PROJ 4865	1000251 · Development Deposits	(15.54)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(13.33)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(2.36)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(53.99)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(17.31)
			CARPINTERIA VAL...	TOWERS	2879418 · Lifeguard Tower	(11.37)
			CARPINTERIA VAL...	FINANCE CHARGE	4862308 · Supplies & Materials 62	(11.40)
TOTAL						(2,201.96)
85834	06/10/15	CARPINTERIA VALLEY WATER DISTRICT	CARPINTERIA VAL...	MAY 2015 BILLING	1000101 · Operating Cash 10	
MAY 2015 B...	05/28/15		CARPINTERIA VAL...	CIVIC CENTER	1013312 · Utility - Water 13	(364.20)
			CARPINTERIA VAL...	PARKING	3332312 · Utility - Water 32	(1,140.13)
			CARPINTERIA VAL...	PARKS	2361312 · Utility - Water 23	(7,603.51)
			CARPINTERIA VAL...	POOL	4866312 · Utility - Water 66	(732.44)
			CARPINTERIA VAL...	VETS HALL	4865309 · Misc Operating Expens...	(163.42)
			CARPINTERIA VAL...	PROJ 4865 - VETS HALL	1000251 · Development Deposits	(331.79)
TOTAL						(10,335.49)
85835	06/10/15	CENTRAL COAST IMAGING SOLUTIONS	CENTRAL COAST I...		1000101 · Operating Cash 10	
AR30209	05/29/15		CENTRAL COAST I...	COMPUTER MAINTENANCE	1018222 · Equipment Maintenance	(2,862.60)
AR30290	06/02/15		CENTRAL COAST I...	COMPUTER MAINTENANCE	1018222 · Equipment Maintenance	(282.77)
TOTAL						(3,145.37)
85836	06/10/15	COAST AUTO PARTS, INC.	COAST AUTO PAR...	MAY 2015 BILLING	1000101 · Operating Cash 10	
MAY 2015 B...	05/31/15		COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(35.93)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(34.59)
			COAST AUTO PAR...	VEHICLE MAINTENANCE	2531307 · Vehicle Oper & Mainten...	(1.22)
TOTAL						(71.74)
85837	06/10/15	COAST OFFICE TECHNOLOGY	COAST OFFICE TE...		1000101 · Operating Cash 10	
4951	05/01/15		COAST OFFICE TE...	COMPUTER MAINTENANCE	1018220 · System Administration	(879.75)

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2015110	06/04/15		COAST OFFICE TE...	COMPUTER HARDWARE	1070417 · Computer Hardware	(50.36)
TOTAL						(930.11)
85838	06/10/15	COASTAL VIEW NEWS	COASTAL VIEW N...		1000101 · Operating Cash 10	
45820	05/28/15		COASTAL VIEW NE...	PET ADS	1047303 · Printing & Advertising 47	(20.00)
45862	06/04/15		COASTAL VIEW NE...	PET ADS	1047303 · Printing & Advertising 47	(20.00)
TOTAL						(40.00)
85839	06/10/15	CRAFCO INC	CRAFCO INC	INVOICE 00427378	1000101 · Operating Cash 10	
00427378	05/27/15		CRAFCO INC	STREETS	2531220 · Street Maintenance 31	(2,073.90)
TOTAL						(2,073.90)
85840	06/10/15	DLT SOLUTIONS, INC.	DLT SOLUTIONS, I...	INVOICE #4435239A	1000101 · Operating Cash 10	
4435239A	06/09/15		DLT SOLUTIONS, I...	AUTOCAD SOFTWARE RENEWAL	1030305 · Dues & Subscriptions 30	(538.51)
TOTAL						(538.51)
85841	06/10/15	EDD-SDI	EDD-SDI	776-5147-9	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		EDD-SDI	PAYROLL 06-11-15	1000223 · SDI Withheld 10	(843.32)
TOTAL						(843.32)
85842	06/10/15	EDD-SIT	EDD-SIT	932-0283-6	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		EDD-SIT	PAYROLL 06-11-15	1000221 · SIT Withheld 10	(3,490.99)
TOTAL						(3,490.99)
85843	06/10/15	FIRST BANKCARD	FIRST BANKCARD		1000101 · Operating Cash 10	
9739	05/28/15		FIRST BANKCARD	SEMP	4243223 · Inclusionary Housing E...	(37.50)
1644	05/28/15		FIRST BANKCARD	SEMP	4200276 · Fees Affordable Housing	(37.50)
			FIRST BANKCARD	MEMBERSHIP - GARCIA	1011305 · Dues & Subscriptions 11	(130.00)
TOTAL						(205.00)
85844	06/10/15	GONZALEZ, JUAN AND LIZETTE	GONZALEZ, JUAN ...	VETS HALL REFUND	1000101 · Operating Cash 10	
VETS HALL...	05/19/15		GONZALEZ, JUAN ...	VETS HALL REFUND	1000231 · Veterans Building Depo...	(300.00)
TOTAL						(300.00)
85845	06/10/15	HOUSE SANITARY SUPPLY	HOUSE SANITARY ...	INVOICE #139997	1000101 · Operating Cash 10	
139997	03/16/15		HOUSE SANITARY ...	POOL	4866308 · Supplies & Materials 66	(161.19)
TOTAL						(161.19)

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Num	Date	Name	Source Name	Memo	Account	Paid Amount
85846	06/10/15	LAWSON PRODUCTS INC	LAWSON PRODUC...	INVOICE 9303215131	1000101 · Operating Cash 10	
9303215131	04/15/15		LAWSON PRODUC...	GENERAL SHOP SUPPLIES	3332308 · Supplies & Materials 32	(109.92)
TOTAL						(109.92)
85847	06/10/15	MCGOLDRICK, JOAN	MCGOLDRICK, JO...	VETS HALL REFUND	1000101 · Operating Cash 10	
VETS HALL...	05/19/15		MCGOLDRICK, JOAN	VETS HALL REFUND	1000231 · Veterans Building Depo...	(100.00)
TOTAL						(100.00)
85848	06/10/15	MISSION UNIFORM SERVICE	MISSION UNIFORM...	MAY 2015 UNIFORM	1000101 · Operating Cash 10	
MAY 2015 ...	05/31/15		MISSION UNIFORM...	UNIFORM EXPENSE	2531198 · Uniform Rental 31	(94.54)
			MISSION UNIFORM...	UNIFORM EXPENSE	3332198 · Uniform Rental 32	(94.58)
			MISSION UNIFORM...	UNIFORM EXPENSE	1013198 · Uniform Rental 13	(47.29)
			MISSION UNIFORM...	UNIFORM EXPENSE	2361198 · Uniform Rental 61	(47.29)
TOTAL						(283.70)
85849	06/10/15	PACIFIC PLUMBING SPECIALITIES	PACIFIC PLUMBIN...	INVOICE 064470	1000101 · Operating Cash 10	
064470	05/05/15		PACIFIC PLUMBIN...	TOMOL PARK	2361221 · Miscellaneous Contracts	(398.90)
TOTAL						(398.90)
85850	06/10/15	REDEEMER COMMUNITY CHURCH	REDEEMER COMM...	VETS HALL REFUND	1000101 · Operating Cash 10	
VETS HALL...	05/19/15		REDEEMER COMM...	VETS HALL REFUND	1000231 · Veterans Building Depo...	(200.00)
TOTAL						(200.00)
85851	06/10/15	SANTA BARBARA SAND & TOP SOIL CORP	SANTA BARBARA ...	INVOICE #169048	1000101 · Operating Cash 10	
169048	05/15/15		SANTA BARBARA ...	PUBLIC WORKS YARD	2531220 · Street Maintenance 31	(249.20)
TOTAL						(249.20)
85852	06/10/15	SEUI LOCAL 620	SEUI LOCAL 620	PAYROLL 06-11-15	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		SEUI LOCAL 620	PAYROLL 06-11-15	1000229 · SEIU Local 620	(172.31)
TOTAL						(172.31)
85853	06/10/15	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
2-14-791-58...	05/30/15		SO CA EDISON	101 ASH	2923220 · Street Lighting	(116.75)
2-22-684-64...	05/30/15		SO CA EDISON	100 LINDEN AVE	2923220 · Street Lighting	(28.89)
TOTAL						(145.64)
85854	06/10/15	SOLID WASTE SOLUTIONS INC	SOLID WASTE SO...	INVOICE #115	1000101 · Operating Cash 10	
115	06/01/15		SOLID WASTE SOL...	AB949 COORDINATION	3937221 · Solid Waste	(562.00)

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Num	Date	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(562.00)
85855	06/10/15	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
3266115028	05/15/15		STAPLES ADVANT...	PW SUPPLIES	2531308 · Supplies & Materials 31	(53.43)
3266278850	05/16/15		STAPLES ADVANT...	PARKS	2361221 · Miscellaneous Contracts	(70.24)
			STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(25.91)
			STAPLES ADVANT...	BEACHES	2862308 · Supplies & Materials 62	(172.24)
TOTAL						(321.82)
85856	06/10/15	STATESIDE SERVICES, INC	STATESIDE SERVI...	PROJECT 5697 REFUND	1000101 · Operating Cash 10	
PROJ 5697 ...	06/02/15		STATESIDE SERVI...	PROJ 5697 REFUND	1000251 · Development Deposits	(488.91)
TOTAL						(488.91)
85857	06/10/15	T. ROWE PRICE	T. ROWE PRICE	PAYROLL CONTRIBUTION - ANTHONY VEGA	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		T. ROWE PRICE	PAYROLL 06-11-15 - ANTHONY VEGA	1000105 · ICMA Cash	(50.00)
TOTAL						(50.00)
85858	06/10/15	UNITED WAY OF SANTA BARBARA COUN...	UNITED WAY OF S...	PAYROLL 06-11-15	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		UNITED WAY OF S...	PAYROLL 06-11-15	1000224 · United Way Payable	(24.00)
TOTAL						(24.00)
85859	06/10/15	US BANK	US BANK	INVOICE #3988027	1000101 · Operating Cash 10	
3988027	05/22/15		US BANK	CERTIFICATE OF PARTICIPATION SER 1999	1014220 · CPIC Trustee Fees	(229.06)
			US BANK	CERTIFICATE OF PARTICIPATION SER 1999	1000284 · Accrued Expenses 10	(3,853.44)
TOTAL						(4,082.50)
85860	06/10/15	VANTAGEPOINT TRANSFER AGENTS - 457	VANTAGEPOINT T...	PAYROLL 06-11-15	1000101 · Operating Cash 10	
PAYROLL 0...	06/02/15		VANTAGEPOINT T...	PAYROLL CONTRIBUTION 06-11-15	1000105 · ICMA Cash	(1,100.00)
TOTAL						(1,100.00)
85861	06/10/15	VERIZON CALIFORNIA	VERIZON CALIFOR...	011711128612505709	1000101 · Operating Cash 10	
0117111286...	05/25/15		VERIZON CALIFOR...	OUTSIDE PD	1013301 · Telephone 13	(88.34)
TOTAL						(88.34)
85862	06/10/15	VULCAN MATERIALS COMPANY	VULCAN MATERIA...	INVOICE 70773980	1000101 · Operating Cash 10	
70773980	05/18/15		VULCAN MATERIA...	COLD MIX	2531220 · Street Maintenance 31	(264.45)
TOTAL						(264.45)

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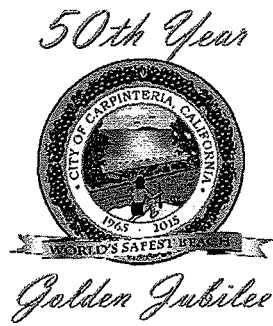
Num	Date	Name	Source Name	Memo	Account	Paid Amount
85863	06/10/15	WALLYS WORLD OF LOCKS LLC	WALLYS WORLD ...	INVOICE #4181	1000101 · Operating Cash 10	
4181	03/16/15		WALLYS WORLD O...	POOL	4866308 · Supplies & Materials 66	(129.06)
TOTAL						(129.06)
85864	06/10/15	WEST COAST ARBORIST INC	WEST COAST ARB...		1000101 · Operating Cash 10	
105702	04/30/15		WEST COAST ARB...	TREE MAINTENANCE	2732220 · Public Tree Maintenanc...	(1,999.68)
105769	05/23/15		WEST COAST ARB...	TREE MAINTENANCE	2732220 · Public Tree Maintenanc...	(3,374.46)
TOTAL						(5,374.14)
85865	06/10/15	ZEE MEDICAL SERVICE CO	ZEE MEDICAL SER...	CUSTOMER # 2310	1000101 · Operating Cash 10	
34-150966	05/28/15		ZEE MEDICAL SER...	FIRST AID SUPPLIES	3332308 · Supplies & Materials 32	(212.92)
TOTAL						(212.92)
85866	06/10/15	ALL AROUND LANDSCAPE SUPPLY	ALL AROUND LAN...		1000101 · Operating Cash 10	
S1802904.0...	05/21/15		ALL AROUND LAN...	PW SUPPLIES	3332308 · Supplies & Materials 32	(11.84)
S1802852.0...	05/21/15		ALL AROUND LAN...	PW SUPPLIES	3332308 · Supplies & Materials 32	(19.96)
TOTAL						(31.80)
85867	06/10/15	COX COMMUNICATIONS	COX COMMUNICA...	001-3011-022093901	1000101 · Operating Cash 10	
001-3011-0...	06/01/15		COX COMMUNICA...	INTERNET SERVICES	1018222 · Equipment Maintenance	(132.00)
TOTAL						(132.00)
85868	06/10/15	FLAG FACTORY, THE	FLAG FACTORY, T...	INVOICE 22106	1000101 · Operating Cash 10	
22106	05/18/15		FLAG FACTORY, T...	PROJ 4865	1000251 · Development Deposits	(299.70)
			FLAG FACTORY, T...	BANNERS	1013225 · Grounds Maintenance	(299.70)
TOTAL						(599.40)
85869	06/10/15	GONZALEZ SANDBLASTING	GONZALEZ SAND...	INVOICE #0366	1000101 · Operating Cash 10	
0366	05/18/15		GONZALEZ SANDB...	PALM TO LINDEN TRAIL GRANT	2000261 · Deferred Revenue 20	(350.00)
TOTAL						(350.00)
85870	06/10/15	LEISURE CONCEPTS INTL	LEISURE CONCEP...	INVOICE 21505114	1000101 · Operating Cash 10	
21505114	05/20/15		LEISURE CONCEP...	BEACH CONCESSION MISCELLANEOUS BEA...	4864302 · Purchases for Inventory...	(103.07)
TOTAL						(103.07)
85871	06/10/15	MEDCO SUPPLY COMPANY	MEDCO SUPPLY C...		1000101 · Operating Cash 10	
41952715	05/21/15		MEDCO SUPPLY C...	POOL SUPPLIES	4866308 · Supplies & Materials 66	(8.10)
41951581	05/21/15		MEDCO SUPPLY C...	POOL SUPPLIES	4863302 · Softball League Expens...	(142.29)

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Num	Date	Name	Source Name	Memo	Account	Paid Amount
TOTAL						(150.39)
85872	06/10/15	PRAXAIR	PRAXAIR	INVOICE #52690134	1000101 · Operating Cash 10	
52690134	05/20/15		PRAXAIR	PW SUPPL,IES	2531308 · Supplies & Materials 31	(27.60)
TOTAL						(27.60)
85873	06/10/15	SO CA EDISON	SO CA EDISON		1000101 · Operating Cash 10	
2-32-832-75...	06/02/15		SO CA EDISON	PROJ 4865 VETS HALL	1000251 · Development Deposits	(684.30)
			SO CA EDISON	VETS HALL	4865309 · Misc Operating Expens...	(337.04)
2-30-652-42...	06/02/15		SO CA EDISON	SEASIDE BUILDING	4865309 · Misc Operating Expens...	(68.72)
2-26-504-72...	06/03/15		SO CA EDISON	CARP/CASITAS	2923210 · Traffic Signals	(28.13)
TOTAL						(1,118.19)
85874	06/10/15	STAPLES ADVANTAGE	STAPLES ADVANT...		1000101 · Operating Cash 10	
3266531201	05/20/15		STAPLES ADVANT...	OFFICE SUPPLIES	1013308 · Supplies & Materials 13	(296.38)
3266589636	05/21/15		STAPLES ADVANT...	POOL	4866308 · Supplies & Materials 66	(55.87)
3266589628	05/21/15		STAPLES ADVANT...	P & R SUPPLIES	1069308 · Supplies & Materials 69	(96.11)
TOTAL						(448.36)
85875	06/10/15	VERIZON CALIFORNIA	VERIZON CALIFOR...	011711114329800406	1000101 · Operating Cash 10	
0117111143...	05/28/15		VERIZON CALIFOR...	CIVIC CENTER	1013301 · Telephone 13	(1,120.29)
			VERIZON CALIFOR...	PW	2531301 · Telephone 31	(49.95)
			VERIZON CALIFOR...	BEACH	2862301 · Telephone 62	(120.80)
			VERIZON CALIFOR...	POOL	4866301 · Telephone 66	(235.25)
			VERIZON CALIFOR...	CONCESSION	2864308 · Supplies & Materials 64	(113.71)
TOTAL						(1,640.00)
85876	06/10/15	VERIZON CALIFORNIA	VERIZON CALIFOR...	011711126512506601	1000101 · Operating Cash 10	
0117111265...	05/22/15		VERIZON CALIFOR...	OUTSIDE PD	1013301 · Telephone 13	(88.34)
TOTAL						(88.34)
85877	06/11/15	MAECHLER, MATT	MAECHLER, MATT	VOID: REIMBURSEMENT - CA/TRANS	1000101 · Operating Cash 10	
TOTAL						0.00
85878	06/11/15	MAECHLER, MATT	MAECHLER, MATT	REIMBURSEMENT - CA/TRANS	1000101 · Operating Cash 10	
TRAVEL - C...	04/01/15		MAECHLER, MATT	REIMBURSEMENT - CA/TRANS	1030306 · Meetings & Travel 30	(221.78)
TOTAL						(221.78)

TOTAL \$138,164.53



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Approval of a side letter implementing the new Paid Sick Leave Law, AB 1522 between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620 representing the City of Carpinteria General Services and Public Works Bargaining Units.

STAFF RECOMMENDATION

Action Item X; Non-Action Item ____

Approve the side letter in compliance with the Healthy Workplace Healthy Families Act of 2014 – Paid Sick Leave AB 1522 between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620 representing the City of Carpinteria General Services and Public Works Bargaining Units.

Motion: I move to approve the side letter between the City of Carpinteria and the Service Employees International Union representing the City of Carpinteria General Services and Public Works Bargaining Units.

BACKGROUND

At its Special meeting on December 22, 2014, through adoption of Resolution No.5563, the City Council approved the Memorandum of Understanding for December 23, 2014 through June 30, 2017 between the City of Carpinteria and Service Employees International Union (SEIU) Local 620, representing employees in the General Services and Public Works Bargaining Units.

The SEIU MOU provided for leave regulations to eligible to receive leave bank hours as vacation, sick leave, paid administrative leave and floating holiday.

The new California Healthy Workplace Healthy Families Act of 2014 – Paid Sick Leave AB 1522 which will be effective July 1, 2015, provides employees with the following:

Entitlement:

- An employee who, on or after July 1, 2015, works in California for 30 or more days within a year from the beginning of employment is entitled to paid sick leave.
- Paid sick leave accrues at the rate of one hour per every 30 hours worked, paid at the employee's regular wage rate. Accrual shall begin on the first day of employment or July 1, 2015, whichever is later.
- Accrued paid sick leave shall carry over to the following year of employment and may be capped at 48 hours or 6 days. However, subject to specified conditions, if an employer has a paid sick leave, paid leave or paid time off policy (PTO) that provides no less than 24 hours or three days of paid leave or paid time off, no accrual or carry over is required if the full amount of leave is received at the beginning of each year in accordance with the policy.

Usage:

- An employee may use accrued paid sick days beginning on the 90th day of employment.
- An employer shall provide paid sick days upon the oral or written request of an employee for themselves or a family member for the diagnosis, care or treatment of an exciting health condition or preventive care or specified purposed for an employee who is a victim of domestic violence, sexual assault or staking.

Although the City provides leave bank hours to be use for sick days, the language of the leave bank policy does not reflect the above and therefore must be revised in order to be consistent with new state law.

The City met and conferred with the union to revise the language in the MOU. The union and the City agreed to a side letter to reflect the language change as required by law.

DISCUSSIONS

The purpose of the side letter is to comply with the new Paid Sick Time law, of the Healthy Workplace Healthy Families Act of 2014 – Paid Sick Leave AB 1522. The side letter will revise Section 46 A-I (Leave Regulations) of the current MOU. The following are the changes:

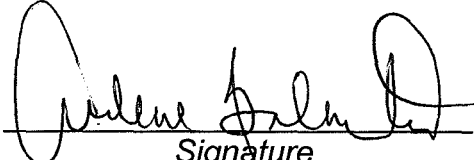
- The use of sick leave purposes and sick time definition.
- Sick time can be used as time off for employees who are victims of domestic violence, sexual assault, stalking.
- Inserted, "employees serving less than 30 days of employment in a year are not eligible for annual leave".

- Changed the requirements notice to take leave hours to, "On foreseeable request, at 10 days advance before planned medical treatment is required; On unforeseeable event, requirement notice is as soon as practicable".
- Inserted – "Employees are eligible to use annual leave benefits beginning 90th day of employment".
- Added part-time employee's eligibility, accrual and usage language.
- Deleted "Outstanding obligations due to the City to be deducted from the final paycheck".

ATTACHMENTS

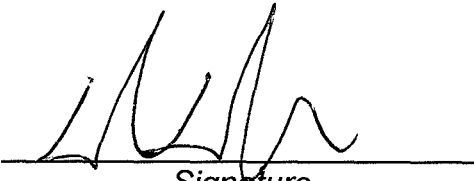
A. Side Letter

Staff contact: Arlene Balmadrid, HR/Risk Manager
(805) 684-5405, arleneb@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

**SIDE-LETTER BETWEEN
THE CITY OF CARPINTERIA AND
THE SERVICE EMPLOYEES INTERNATIONAL UNION (SEIU) LOCAL 620
REPRESENTING THE CITY OF CARPINTERIA GENERAL SERVICES
BARGAINING UNIT AND PUBLIC WORKS BARGAINING UNIT**

JUNE 4, 2015

SUBJECT: LEAVE REGULATIONS – SECTION 46 (A) – (I)

The following constitutes the agreement between the SEIU Local 620 and the City regarding the language of Sections 46(A) – (I) of the Memorandum of Understanding. Below shall replace the existing provisions in the Memorandum of Understanding. Sections 46(J) – (M) remain unchanged.

46. LEAVE REGULATIONS

A. ANNUAL LEAVE

Annual leave for regular full-time employees and regular part-time employees is inclusive of all leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave), and can be used for vacations, personal time off, sick leave purposes and other time away from work consistent with the terms of this section. As discussed in this section of the MOU, the use of annual leave for ‘Sick Leave Purposes’ means 1) time off to diagnose, care, or treat an existing health condition, or for preventative care for the employee or for the employee’s child, spouse, domestic partner, parent, parent of employee’s spouse or domestic partner, grandparent, grandchild, or sibling; and 2) time off for employees who are victims of domestic violence, sexual assault, or stalking may also use annual leave to seek medical attention, obtain services from a shelter or crisis center, obtain counseling, or go to court.

Employees covered by this Memorandum of Understanding who have served less than thirty (30) days within a year of the commencement of employment in the service of the City are not eligible for annual leave. However, leave credits for the time will accrue for each such regular full-time employee.

B. ANNUAL LEAVE BANK ACCRUAL

Eligible employees will accrue annual leave time based on years of service in accordance with the following established schedule:

LEAVE BANK SCHEDULE

(Days on leave bank schedule are figured as eight (8) hour days)

<u>Years of Service</u>	<u>Accrual</u>	
One through three	144 hours	(18 days)
Four through six	160 hours	(20 days)
Seven through ten	184 hours	(23 days)
Eleven	192 hours	(24 days)
Twelve	200 hours	(25 days)
Thirteen through fifteen	208 hours	(26 days)
Sixteen through eighteen	224 hours	(28 days)
Nineteen or more	232 hours	(29 days)
Thirty years (longevity benefit)	24 additional hours	3 additional days

For employees employed with the City as of July 1, 2015, at the beginning of each fiscal year eligible employees will receive a leave bank equal to his/her annual leave entitlement.

For employees whose employment with the City starts after July 1, 2015, his/her annual leave entitlement for his/her first year of employment shall be based on the number of full months that employee will work for the City prior to the July 1 following their date of hired. For example, if an eligible employee's first day of employment is December 15, her/his annual leave entitlement for their year of employment will be 50% of 144 hours, which equals 72 hours. However, the amount of the leave bank entitled for the first year of employment will not be less than twenty-four (24) hours or three (3) days, whichever is greater. The first year amount of annual leave will be credited to the employee's leave bank after the employee completes thirty (30) days of employment in the service of the City. The amount of annual leave credited to the employee's leave bank for their first year of employment will not be subject to the maximum leave bank accumulation as provided in subsection "F."

Effective the July 1 following the employee's date of hire, and every July 1 thereafter, employees will receive a leave bank equal to his/her annual leave entitlement.

Regular part-time employees who work less than full-time, but are scheduled to work more than 1040 hours a year are eligible for annual leave benefits, and shall be credited leave bank time on a prorated basis.

In the event one or more municipal holidays fall within an authorized leave with pay, such holidays shall not be charged as leave, and the leave shall be extended accordingly.

Accrued leave time can be taken off prior to the date of retirement and used to delay final date of employment if it is requested in writing and approved at least thirty (30) days prior to the scheduled date that such leave would begin.

At the beginning of each fiscal year, regular full-time public works and general service employees will receive sixteen (16) hours of leave in their leave bank in addition to his/her annual leave entitlement set forth above.

C. LEAVE ELIGIBILITY

Employees are eligible to use annual leave benefits beginning on their ninetieth (90th) day of employment.

D. NOTIFICATION FOR USE OF LEAVE BANK

Except for annual leave used for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Employees are required to make written requests through the appropriate supervisory channels for the use of accrued leave time. The written request shall be submitted at least two (2) full working days in advance for leave requests of up to four (4) working days; for leave requests of five (5) working days or more, the written request shall be submitted at least ten (10) working days, but not earlier than ninety (90) calendar days, prior to the beginning date of the requested leave. No use of accrued leave time or related absence is authorized until the employee's written request is approved in writing.

Leave periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and personal preference. The City will make every effort to give maximum possible advance notice to the affected employee in the event scheduled leave must be cancelled or modified due to the needs of the service.

Where use of accrued leave time is requested for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Where the need to use annual leave for Sick Leave Purposes is foreseeable, employees must provide reasonable advance notice, orally or in writing, to their supervisor or Human Resources. If the request for the use of five (5) or more days of leave time is related to planned medical treatment, when possible the employee should make the request for use of leave time at least ten (10) working days in advance. When the need to use annual leave for Sick Leave Purposes is not foreseeable, is being used in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, employees are required to notify their supervisor or Human Resources, orally or in writing, as soon as practicable.

E. UNAUTHORIZED LEAVE

An employee's absence shall be unauthorized if the employee does not report his or her absence to his or her supervisor or Human Resources as required under subsection "D" above.

F. LEAVE BANK ACCUMULATION

A maximum of one hundred and twenty hours (15 days), pro-rated for regular part-time employees, of leave accrual will be the maximum allowed for carry-over at the end of a fiscal year, provided however, if at the end of year there are any leave bank hours over 120, the hours will be carried over and a commensurate number of hours shall be deducted from the employee's annual accrual in order that the maximum leave bank accrual not exceed an employee's annual accrual plus 120 hours.

G. LEAVE BANK CASH-OUT/OPTIONS

1. Each employee may cash-out up to eighty (80) hours of any unused leave hours accrued at the beginning of the fiscal year, provided the employee retains an accrued leave balance of at least forty (40) hours in their leave bank. Compensation for such cash-out of unused accrued leave hours will be based on the employee's existing salary at the time the request is made.
2. Further, each employee may direct that all or any portion of the allowed cash-out amount be used to buy benefits offered under the Flexible Benefit Program.

H. TREATMENT OF ACCRUED LEAVE UPON TERMINATION

At the time of termination of employment, employees shall be paid the cash value of all unused accrued leave hours based on the employee's then existing salary rate; or, in the alternative, the employee may exercise the option to invest the cash value of such unused accrued leave hours in the Employee Flexible benefit Program.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, his or her request for the agency to "hold" payment of his or her accumulated leave until the following year. Such request must be submitted in writing in advance of the date of retirement and requires written approval by the City Manager before any disbursement can be made.

I. PAID SICK LEAVE

1. LEAVE ELIGIBILITY

Part-time employees scheduled to work less than 1040 hours a year, seasonal employees, provisional employees, temporary employees and any other employees other than regular

full-time and regular part-time employees will earn paid sick leave consistent with the following terms. Regular full-time and regular part-time employees are not covered by this section "I."

To be eligible for paid sick leave, covered employees must work at least 30 days within one year of their start date. Covered employees are eligible to use paid sick leave benefits beginning on their ninetieth (90th) day of employment. However, the right to accrue and take paid sick leave does not take effect until July 1, 2015.

2. USE OF PAID SICK LEAVE

Accrued paid sick leave may be used for the Sick Leave Purposes as described in subsection "A" above. Paid sick leave may be used in increments of two (2) hours or more.

Paid sick leave is paid at the employee's regularly hourly rate. Employees whose pay fluctuated in the ninety (90) days preceding the use of leave are paid at the rate equal to their total wages over the preceding 90-day period (not including overtime premium pay) divided by the total hours worked during that period. The employee will be paid for leave when taken no later than the payday for the next regular payroll after the leave was taken.

3. LEAVE ACCRUAL AND ACCUMULATION

Employees accrue paid sick leave at the rate of one (1) hour for every thirty (30) hours worked. Employees hired on or before July 1, 2015 will begin accruing paid sick leave on July 1, 2015. For employees hired after July 1, 2015, they will begin to accrue paid sick leave on their first day of employment.

Covered employees may use accrued paid sick leave up to a maximum of three (3) days or twenty-four (24) hours of paid sick leave per year, whichever is greater. Unused accrued sick leave will carry over to the following year up to a maximum of six (6) days or forty-eight (48) hours, whichever is greater. For purposes of this policy, the "year" for employees hired on or before July 1 is July 1 through June 30, and the "year" for other employees begins on their first day of employment (their "anniversary date").

Covered employees are not paid for unused sick leave at separation of employment or any other time.

4. NOTIFICATION FOR USE OF PAID SICK LEAVE

Where the need to use paid sick leave is foreseeable, covered employees must provide reasonable advance notice, orally or in writing, to their supervisor or Human Resources. When the need to use paid sick leave is not foreseeable, covered employees are required to notify their supervisor or Human Resources, orally or in writing, as soon as practicable.

FOR SEIU LOCAL 620:

Michael Woods 3 June, 2015
Michael Woods Date

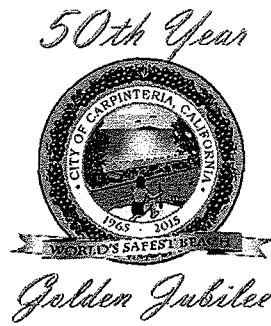
Manuel Gonzalez 6/4/15
Manuel Gonzalez Date
Employee Representative

Lorena Esparza 6/4/15
Lorena Esparza Date
Employee Representative

FOR THE CITY:

Dave Durringer 6/2/15
Dave Durringer Date

Anlene Balmadrid 6/7/15
Anlene Balmadrid Date



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Revisions to the Compensation Schedule for hourly rated employees.

STAFF RECOMMENDATION

Action Item X; Non-Action Item ____

Adopt Resolution No. 5614, approving the revisions to the Compensation Schedule for hourly rated employees effective the first full pay period after July 1, 2015.

Motion: I move to approve Resolution No. 5614, as read by title only.

BACKGROUND

Hourly rated employees of the City of Carpinteria are not hired for any specified term and are considered to be "at will" employees. Hourly rated employees include seasonal employees, temporary employees and those part-time employees in positions which require less than 2080 hours per fiscal year. They are hourly rated non-career positions where there is no established career path.

To meet budget requirements, in Fiscal Year 2011-12, a universal pay reduction of 5% for positions with compensation levels of \$10.00 and more were implemented.

DISCUSSIONS

The California minimum wage was increased from \$8.00 to \$9.00 effective January 1, 2014. Part-time and seasonal employees with wages below \$9.00 per hour were adjusted in January 2014. To continue to attract the best possible candidates for part time and seasonal employees, the compensation structure of hourly rated employees is proposed to be revised. The compensation structure for hourly rated employees has not been revised since fiscal year 2011-12.

The proposed rate structure change is an across the board hourly increase of 2.50%.

Approve the revisions to the Compensation Schedule for hourly rated employees
June 22, 2015
Page 2

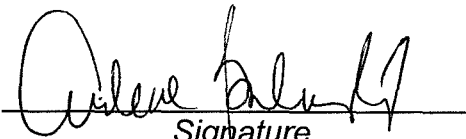
FINANCIAL CONSIDERATIONS

The adjustment to the compensation structure was included in the budget for fiscal year 2015-16. Total projected expense is \$291,313.00, an increase of \$7,282.83 over the prior year expense.

ATTACHMENTS

A. Resolution No. 5614

Staff contact: Arlene Balmadrid, HR/Risk Manager
(805) 684-5405, arleneb@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

RESOLUTION NO. 5614

**A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPROVING AND ADOPTING REVISIONS TO THE
COMPENSATION SCHEDULE FOR HOURLY RATED EMPLOYEES**

WHEREAS, the City of Carpinteria employs hourly rated and hourly basis employees, including but not limited to non-career positions, seasonal employees, temporary employees and part-time employees who are required to work less than 2080 hours per fiscal year; and,

WHEREAS, rates of pay and conditions of employment for hourly rated and/or hourly basis employees are not subject to, nor they have employment rights of the personnel system as described in the City of Carpinteria Personnel System Rules and Regulations and the Employer-Employee Relations Policy for regular employees; and,

WHEREAS, a uniform basis for recognizing compensation levels for this category of employee is essential to the effective and efficient operation of the City.

WHEREAS, an adjustment to increase the pay is necessary to be in compliance with the required California minimum wage law.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES THAT the Compensation Schedules, attached as Exhibit A for the City of Carpinteria is hereby approved and implementation by the City Manager is authorized, and

PASSED, APPROVED AND ADOPTED this 22nd day of June, 2015 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a special meeting of the City Council of the City of Carpinteria held the 22nd day of June, 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

Part Time, Temporary and Seasonal Salary Matrix
Effective July 1, 2015

Range	Step A	Step B	Step C	Step D	Step E	Position
619	\$9.00	\$9.45	\$9.92	\$10.42	\$10.94	Maintenance Trainee
						Recreation Aide
						Clerk/Cashier I
						Crossing Guard
620	\$9.23	\$9.69	\$10.17	\$10.68	\$11.21	
621	\$9.46	\$9.93	\$10.42	\$10.95	\$11.49	
622	\$9.69	\$10.18	\$10.69	\$11.22	\$11.78	Clerk/Cashier II
623	\$9.93	\$10.43	\$10.95	\$11.50	\$12.08	
624	\$10.18	\$10.69	\$11.23	\$11.79	\$12.38	
625	\$10.44	\$10.96	\$11.51	\$12.08	\$12.69	
626	\$10.70	\$11.23	\$11.79	\$12.38	\$13.00	Asst. Coach- Swim Coach
						Pool Lifeguard I
						Recreation Leader I
						Water Aerobics Instructor I
627	\$10.97	\$11.51	\$12.09	\$12.69	\$13.33	
628	\$11.24	\$11.80	\$12.39	\$13.01	\$13.66	Managing Cashier/Clerk
629	\$11.52	\$12.10	\$12.70	\$13.34	\$14.00	WSI-Swim Instructor
630	\$11.81	\$12.40	\$13.02	\$13.67	\$14.35	Water Aerobics Instructor II
						Recreation Leader II
						Pool Lifeguard II
						Beach Lifeguard I
631	\$12.10	\$12.71	\$13.34	\$14.01	\$14.71	
632	\$12.41	\$13.03	\$13.68	\$14.36	\$15.08	
633	\$12.72	\$13.35	\$14.02	\$14.72	\$15.46	Senior Pool Guard I
						Senior Recreation Leader I
634	\$13.03	\$13.69	\$14.37	\$15.09	\$15.84	
635	\$13.36	\$14.03	\$14.73	\$15.47	\$16.24	General Maintenance Worker
636	\$13.69	\$14.38	\$15.10	\$15.85	\$16.65	Management Intern
						Beach Lifeguard II
						Senior Pool Lifeguard II
637	\$14.04	\$14.74	\$15.48	\$16.25	\$17.06	
638	\$14.39	\$15.11	\$15.86	\$16.66	\$17.49	
639	\$14.75	\$15.48	\$16.26	\$17.07	\$17.93	Administrative Aide
						Swim Program Coordinator
640	\$15.12	\$15.87	\$16.67	\$17.50	\$18.37	
641	\$15.49	\$16.27	\$17.08	\$17.94	\$18.83	Swim Coach
						Assistant Program Coordinator - JG
642	\$15.88	\$16.68	\$17.51	\$18.38	\$19.30	
643	\$16.28	\$17.09	\$17.95	\$18.84	\$19.79	Maintenance Project Worker
644	\$16.69	\$17.52	\$18.40	\$19.32	\$20.28	Maintenance Worker I
645	\$17.10	\$17.96	\$18.86	\$19.80	\$20.79	Senior Beach Lifeguard
						Recreation Program Coordinator
						Coach/Swim Team

Part Time, Temporary and Seasonal Salary Matrix
Effective July 1, 2015

EXHIBIT A

Range	Step A	Step B	Step C	Step D	Step E	Position
646	\$17.53	\$18.41	\$19.33	\$20.29	\$21.31	
647	\$17.97	\$18.87	\$19.81	\$20.80	\$21.84	GATV Production Assistant
648	\$18.42	\$19.34	\$20.31	\$21.32	\$22.39	
649	\$18.88	\$19.82	\$20.81	\$21.85	\$22.95	
650	\$19.35	\$20.32	\$21.33	\$22.40	\$23.52	
651	\$19.83	\$20.83	\$21.87	\$22.96	\$24.11	PT Administrative Assistant I
652	\$20.33	\$21.35	\$22.41	\$23.53	\$24.71	
653	\$20.84	\$21.88	\$22.97	\$24.12	\$25.33	
654	\$21.36	\$22.43	\$23.55	\$24.73	\$25.96	JG - Lifeguard Program Coordinator
						Beach Program Co-Coordinator
655	\$21.89	\$22.99	\$24.14	\$25.34	\$26.61	
656	\$22.44	\$23.56	\$24.74	\$25.98	\$27.28	
657	\$23.00	\$24.15	\$25.36	\$26.63	\$27.96	Senior Head Coach
658	\$23.58	\$24.76	\$25.99	\$27.29	\$28.66	
659	\$24.17	\$25.37	\$26.64	\$27.97	\$29.37	Senior Beach Lifeguard II
660	\$24.77	\$26.01	\$27.31	\$28.67	\$30.11	Senior Beach Supervisor
661	\$25.39	\$26.66	\$27.99	\$29.39	\$30.86	
662	\$26.02	\$27.32	\$28.69	\$30.13	\$31.63	
663	\$26.67	\$28.01	\$29.41	\$30.88	\$32.42	
664	\$27.34	\$28.71	\$30.14	\$31.65	\$33.23	
665	\$28.02	\$29.43	\$30.90	\$32.44	\$34.06	PT Administrative Assistant II
666	\$28.73	\$30.16	\$31.67	\$33.25	\$34.92	Project Inspector
667	\$29.44	\$30.92	\$32.46	\$34.08	\$35.79	
668	\$30.18	\$31.69	\$33.27	\$34.94	\$36.68	
669	\$30.93	\$32.48	\$34.10	\$35.81	\$37.60	
670	\$31.71	\$33.29	\$34.96	\$36.71	\$38.54	GATV Production Coordinator
671	\$32.50	\$34.13	\$35.83	\$37.62	\$39.50	
672	\$33.31	\$34.98	\$36.73	\$38.56	\$40.49	Construction Inspector
673	\$34.15	\$35.85	\$37.65	\$39.53	\$41.50	
674	\$35.00	\$36.75	\$38.59	\$40.52	\$42.54	



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Amendment to the Measure A Cooperative Agreement for the Rincon Shared Use Trail Project

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Approve and authorize the Mayor to sign the Amendment to the Measure A Cooperative Agreement for the Rincon Shared Use Trail Project.

Motion: I move to approve and authorize the Mayor to sign the Amendment to the Measure A Cooperative Agreement for the Rincon Shared Use Trail Project.

BACKGROUND

The project site is located at the east end of the City, and includes the public right-of-way adjacent to Carpinteria Avenue. The trailhead is situated at the northeast corner of the intersection of Highway 150 (Rincon Road) and Carpinteria Avenue. The trail begins in the City of Carpinteria, extends into Caltrans right-of-way, requires a bridge crossing over the Union Pacific RR tracks and ultimately ends at the Rincon Beach County Park. The trail overcomes the vertical barrier of the bluffs and provides an alternative to bicyclists using the freeway to get to the next segment of the Coastal Trail.

The Carpinteria Rincon Trail segment would help close a gap in the California Coastal Trail at a critical location. The segment would link the Carpinteria Bluffs and Rincon Beach County Park, and would also extend the Pacific Coast Bikeway, thereby improving recreation opportunities along the South Coast. Eventually, upon completion of other segments, the Carpinteria Coastal Vista Trail will connect the east end of the City to the western end at the Carpinteria Salt Marsh. Timing of the trail construction is aligned with timing of the Linden/Casitas Interchanges and Via Real Extension project. The Rincon Trail is to be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension construction.

This project is estimated to cost up to \$8 million. The City of Carpinteria is the lead agency for preliminary design and environmental studies for the project. The City obtained Measure A Bicycle, Pedestrian and Safe Routes to School funding for these phases. The City was awarded \$175,000 in Cycle 1 of the Measure A Bicycle and Pedestrian and Safe Routes to School Programs and \$75,000 in Cycle 2. The City has already expended the \$175,000 and has partially expended the \$75,000.

DISCUSSION

Santa Barbara County Association of Governments (SBCAG) allows times extensions for Measure A implemented projects. The City has requested from SBCAG a six-month time extension for the expenditure of Right-of-Way funds for the Rincon Shared Use Trail Project. The current timely use of funds deadline is June 30, 2015 and with the proposed 6-month time extension, the new timely use of funds deadline becomes December 30, 2015. The City has made significant progress with preparing the project for delivery. Environmental review of the project has been completed as of May 2015. A Coastal Development Permit has been processed for those portions of the project within the City's jurisdiction. Lastly, the Union Pacific Railroad has reviewed the overcrossing plans for the project and has indicated in writing that it has no objections at this time. The time extension is needed so the City may continue developing a Coastal Development Permit application for those portions of the project in Santa Barbara County's jurisdiction, work toward further refinement of the project with Caltrans, and progress with a Right-of-Way decertification in the project area.

POLICY CONSISTENCY

This bikeway extension between the eastern end of Carpinteria Avenue and Rincon County Beach Park will make a significant inner connection of the California Coastal Trail. The completed project will improve highway and railroad safety, encourage non-motorized bike use and hiking and encourage tourism. The trail will provide improved coastal access in an area with stunning natural beauty. The City's General Plan and Local Coastal Plan policy OSC-14 directs the City to pursue the provision of adequate parks and open space for all community members. In addition Implementation Measure No. 70 reads as follows:

Continue the development of a coastline trail to extend from Carpinteria City Beach to Rincon Beach Park with vertical access points placed as frequently as possible to encourage public access.

FINANCIAL CONSIDERATIONS

If the City is unable to expend the entire \$75,000 Right-of-Way funds for Rincon Trail before the extended deadline, the project funds will be forfeited back to SBCAG for reallocation. It is imperative that the City spend the remainder of the \$75,000 before the extended deadline of December 30, 2015.

LEGAL

There are no legal issues regarding this item.

OPTIONS

The City Council could choose not to execute the Amendment, but would risk forfeiting \$75,000 in Measure A funds.

PRINCIPAL PARTIES EXPECTED AT MEETING

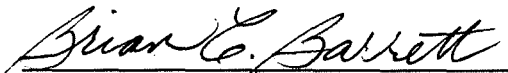
There are no principal parties expected at the meeting.

ATTACHMENTS

Attachment A: Amendment to the Measure A Cooperative Agreement

Staff contact:

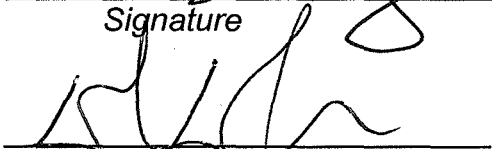
Brian C. Barrett, Management Analyst
(805) 684-5405, ext. 446
brianb@ci.carpinteria.ca.us


Signature

Reviewed by:
Charles W. Ebeling, P.E., Public Works Director


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

ATTACHMENT A

Amendment to the Measure A Cooperative Agreement

AMENDMENT TO
MEASURE A
PROJECT COOPERATIVE AGREEMENT

For projects awarded to City of Carpinteria in Cycle 2 of the Measure A Bicycle and Pedestrian
and Safe Routes to School Programs

This Amended Cooperative Agreement ("Amended Agreement") is entered into by and between the City of Carpinteria ("Sponsor") and the SANTA BARBARA COUNTY ASSOCIATION OF GOVERNMENTS, acting as the Santa Barbara County Local Transportation Authority ("Authority") and collectively referred to as "the Parties."

Whereas on June 20, 2013, the parties entered into the Measure A Project Cooperative Agreement ("Cooperative Agreement") to facilitate Authority providing funds to Sponsor for eligible Measure A projects.

Whereas, Authority allows extension of Timely Use of Funds Deadlines due to extraordinary or unforeseen circumstances, per the program guidelines.

NOW, THEREFORE, in consideration of the mutual promises and undertakings herein made and the mutual benefits to be derived therefrom, the Parties hereto hereby agree to amend the Cooperative Agreement as follows:

1. Attachment A is Amended as follows:
Timely Use of Funds Deadline for Right of Way Project Phase: ~~6/30/2015~~
12/30/2015

//

//

2. In all other respects, this Cooperative Agreement shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the undersigned parties have executed this amended Agreement on the days and year written below.

ATTEST:

By: _____
Jim Kemp, Executive Director

SBCAG, acting as the SANTA BARBARA COUNTY
LOCAL TRANSPORTATION AUTHORITY:

By: _____
Jim Richardson, Chairperson
Date: _____

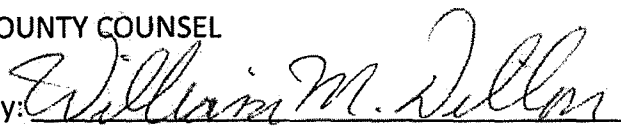
ATTEST:

By: _____
City Clerk

CITY OF CARPINTERIA,
A Municipal Corporation

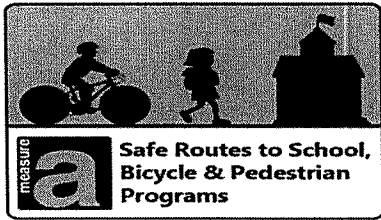
By: _____
Mayor
Date: _____

APPROVED AS TO FORM:
MICHAEL C. GHIZZONI
COUNTY COUNSEL

By:  _____
William M. Dillon
Senior Deputy
ATTORNEYS FOR SBCAG

APPROVED AS TO FORM:

By: _____
City Attorney



ATTACHMENT A

PROJECT SCOPE, COST, SCHEDULE AND FUNDING PLAN



Implementing Agency: City of Carpinteria

Project Sponsor: City of Carpinteria

Measure A Project ID #: MSA-17-2-8

Project Name: Rincon Shared Use Trail

Project Scope: Permitting and coordination with Union Pacific Railroad; obtaining an encroachment permit and Coastal Development Permit. The project is a shared-use pedestrian and bicycle trail 5,000 feet in length, connecting the east end of Carpinteria Avenue to Rincon Beach County Park in Santa Barbara County at the Ventura County Line.

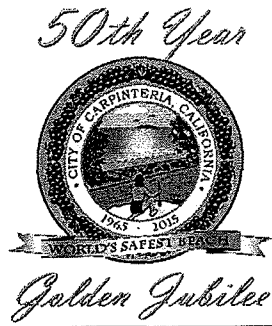
Project Location: The City of Carpinteria, southerly of SR 150 and Carpinteria Avenue to Bates Road in the southern portion of Santa Barbara County between US 101 and the Pacific Ocean. The project connects SR 150/Carpinteria Avenue in Carpinteria to Rincon Beach County Park in Santa Barbara County.

Project Contact: Charlie Ebeling

Project Payment: Payment made from SBCAG to City of Carpinteria

Funding Program: South Coast

							Project Schedule		Timely Use of Funds Deadline
Project Phase	Description	Total Project Cost Estimate	Measure A Amount	Measure A %	Sponsor funding amount	Sponsor funding %	Start	Finish	
PE									
Right of Way	Permitting and coordination with UPRR; encroachment permit and Coastal Development Permit	\$150,000	\$75,000	50%	\$75,000	50%	July 2013	March 2014	6/30/2015— 12/30/2015
Construction									
Total		\$150,000	\$75,000		\$75,000				



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Adopt Resolution Nos. 5616, and 5617 approving a 3.00% increase/adjustment to the salary grade structure for certain full-time employees and revisions to the Conditions of Employment for Management and Miscellaneous Unrepresented Personnel.

STAFF RECOMMENDATION

Action Item X; Non-Action Item ____

Adopt Resolution Nos. 5616 and 5617, approving revisions to the Conditions of Employment for Management and Miscellaneous Unrepresented Personnel and a 3.00% increase/adjustment to certain full-time employee salary ranges effective the first full pay period of July 1, 2015.

Motion: I move to approve Resolution Nos. 5616 and 5617, as read by title only.

BACKGROUND/DISCUSSION

At its Special meetings of December 22, 2014 and January 26, 2015, through adoption of Resolution Nos. 5563, 5586-88, the City Council approved revised conditions of employment for all full time employees.

Along with a number of other changes to the terms of employment, full time employees classified as "classic" under the CalPERS Retirement System, were scheduled to (1) increase pension cost sharing via a 1.25% increase beginning January 3, 2015 and a 1.25% increase beginning July 1, 2015 and; (2) receive a salary increase adjustments of 2.75% and 3.00% over the same period. The purpose of this matter is to implement the second, 3.00%, salary increase/adjustment beginning July 1, 2015.

POLICY

The proposed Condition of Employment for Management and Miscellaneous Unrepresented Personnel is consistent with the City's interest in offering competitive compensation as a part of the Staff Recruitment, Retention and Development program, as well as its strategic initiative for controlling health insurance and retirement costs.

FINANCIAL CONSIDERATIONS

The table below illustrates reduced and increased costs associated with the Miscellaneous Unrepresented and Management Employee agreements.

Miscellaneous Unrepresented Personnel

		Year 1 1/1/15	Year 2 7/1/15	Year 3 (A) 7/1/16	Year 3 (B) 7/1/16
	December 2014 Payroll	2.75% Salary Increase with additional 1.25% EPMC Cost Sharing*	3.00% Salary Increase with additional 1.25% EPMC Cost Sharing**	***1% Increase	***2% Increase
Base Pay	\$18,810	\$19,327	\$19,907	\$20,106	\$20,305
PERS Gross Cost	3,808	3,992	3,956	3,995	4,035
Meditax	273	280	289	292	294
Translation Skills					
CalPERS Cost Sharing	(956)	(1,188)	(1,365)	(1,378)	(1,392)
Health Cost Sharing			(6)	(6)	(6)
Net Cost	21,935	22,412	22,781	23,009	23,236
Annual Net Cost	\$570,320	\$576,510	\$592,303	\$598,225	\$604,148
Incremental Cost		6,190	15,793	5,923	11,845

Management Personnel

		Year 1 1/1/15	Year 2 7/1/15	Year 3 (A) 7/1/16	Year 3 (B) 7/1/16
	December 2014 Payroll	2.75% Salary Increase with additional 1.25% EPMC Cost Sharing*	3.00% Salary Increase with additional 1.25% EPMC Cost Sharing**	***1% Increase	***2% Increase
Base Pay	\$60,193	\$61,848	\$63,703	\$64,340	\$64,977
Special Pay	\$1,301	\$1,333	\$1,369	\$1,381	\$1,394
PERS Gross Cost	13,394	13,607	13,855	13,993	14,132
Meditax	892	917	944	954	963
Translation Skills	40	40	40	40	40
CalPERS Cost Sharing	(2,774)	(3,581)	(4,442)	(4,486)	(4,531)
Health Cost Sharing			(18)	(19)	(19)
Net Cost	73,046	74,163	75,451	76,204	76,956
Annual Net Cost	\$1,899,201	\$1,913,713	\$1,961,723	\$1,981,294	\$2,000,868
Incremental Cost		14,513	48,010	19,571	39,145

**Effective pay period beginning January 3, 1015*

***Effective first pay period beginning in July 2015*

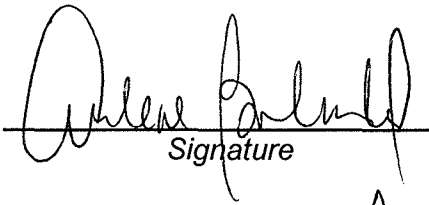
****Effective first pay period beginning in July 2016*

ATTACHMENTS

- A. Resolution No. 5616
- B. Resolution No. 5617

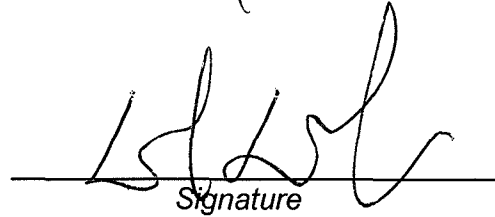
Revisions to the Conditions of Employment and Salary Grade Structure for all Full-Time
Employees
June 22, 2015
Page 4

Staff contact: Arlene Balmadrid, HR/Risk Manager
(805) 684-5405, arleneb@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

RESOLUTION NO. 5616

**A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPROVING AND ADOPTING THE CONDITIONS OF EMPLOYMENT FOR
MISCELLANEOUS UNREPRESENTED PERSONNEL**

WHEREAS, the Carpinteria City Council recognizes that the conditions of employment for Miscellaneous Unrepresented Personnel should be addressed separately from classified employees covered under the Memorandum of Understanding between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620; and,

WHEREAS, this classification of employee includes an Assistant Planner, Associate Planner, Code Compliance Officers, Pool Superintendent, Aquatics Coordinator, Parks and Recreation Maintenance Technician, Management Analyst, Engineering Technician, Management Assistant and other clerical positions, the Carpinteria City Council wishes to update the Conditions of Employment and the Compensation Program for this classification to insure that the City remains competitive; and,

WHEREAS, these positions are not classified as management employees nor are they represented by Service Employees International Union (SEIU) Local 620; and,

WHEREAS, it is the desire of the City Council to approve the Revised Conditions of Employment Agreement for those employees classified as Miscellaneous Unrepresented Personnel; attached hereto as Exhibit A.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES THAT the Conditions of Employment for Miscellaneous Unrepresented Personnel of the City of Carpinteria is amended to include the revised salary range schedule, Exhibit 1.

PASSED, APPROVED AND ADOPTED this 22th day of June 2015 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a special meeting of the City Council of the City of Carpinteria held the 22nd day of June, 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jeffrey Dinkin
Special Counsel

**CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT
FOR MISCELLANEOUS UNREPRESENTED PERSONNEL**

EFFECTIVE JULY 1, 2015

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MISCELLANEOUS EMPLOYEE CLASSIFICATION AND COMPENSATION

EFFECTIVE JULY 1, 2015

The following positions have been designated by the City of Carpinteria as Miscellaneous Unrepresented Employees. These positions are not classified as management employees nor are they represented by SEIU Local 620.

Employees in this category are full-time employees. None of the positions are exempt from overtime requirements of the Federal Fair Labor Standards Act and, as with other non-exempt employees, all overtime must be authorized in advance (unless in emergency) by the affected employee's department head.

POSITION	GRADE	SALARY RANGE		
		Minimum	Control Point	Maximum
Associate Planner*	12	\$58,249.45	\$72,812.36	\$80,093.25
Assistant Planner	10	\$50,816.19	\$63,520.68	\$69,872.13
Engineering Technician	9	\$45,574.32	\$56,967.90	\$62,665.55
Management Analyst	9	\$45,574.32	\$56,967.90	\$62,655.55
Code Compliance Officer II	8	\$43,968.37	\$54,961.01	\$60,457.33
Management Assistant*	7	\$41,896.51	\$52,371.18	\$57,607.43
Code Compliance Officer I	6	\$39,913.87	\$49,893.43	\$54,882.66
Pool Superintendent	6	\$39,913.87	\$49,893.43	\$54,882.66
Parks & Recreation Maintenance Technician	6	\$39,913.87	\$49,893.43	\$54,882.66
Aquatics Program Coordinator	5	\$37,931.23	\$47,414.05	\$52,155.45

- ❖ *Under Ordinance # 559, the positions of Management Assistant and Assistant Planner are included in the list of positions that are classified as "at will" employees serving at the pleasure of the City Manager and exempt from the City Personnel rules. Accordingly, an employee serving in this capacity is free to resign from his/her position any time, with or without cause, upon oral or written notice to the City Manager, and similarly, the City may end the employment relationship or change the status (i.e., modify the position, implement a demotion, adjust wages, etc.) at any time, with or without cause, upon oral or written notice to the employee".*

1.2 PERSONNEL RULES:

“Regular,” “full-time” and “part-time” employees are defined in the Personnel Rules, and those definitions are adopted for use in these Conditions of Employment as well. The City intends to continue to review and develop revised personnel rules, regulations, and grievance procedures, employee handbook, job classifications and job descriptions.

SECTION 2

WORK SCHEDULE

2.1 REPORTING:

Miscellaneous unrepresented employees are classified as hourly and non-exempt employees. All miscellaneous employees for the City of Carpinteria are required to accurately report hours worked on daily time sheets.

2.2 FLEXTIME SCHEDULING:

Employees may have the option to participate in an alternate 9/80 work schedule based on a flexible 9 day/80 hour pay period (eight 9-hour days and one 8-hour day). Each employee electing to participate in flextime scheduling must select a Monday or Friday as their designated flex day off, the alternate Monday or Friday will be their 8-hour day. The daily work schedule for the nine hour days will begin at 7:30 a.m. and end at 5:30 p.m. with a one hour lunch; the daily work schedule for the eight hour day will begin at 8:00 a.m. and end at 5:00 p.m., with a one hour lunch.

Individuals may request flexible work schedules which meet their personal needs, however, the flex day selected is subject to the operational needs and requirements of the department as determined by the City Manager. Human Resources and Payroll must be advised, in writing, of the selected day and any change from the established flex day, must be requested in advance and approved by the Department Head and the City Manager.

The program will be evaluated on an on-going basis regarding personal performance standards, as well as monitoring staffing needs to ensure that the public is being appropriately served. Continuation of such schedules shall be subject to review and approval of the City Manager.

The City Manager reserves the right to remove any (or all) employees from flexible work schedules. To the extent possible, two weeks advance written notice will be provided to the employee. An employee shall not be removed from a flexible work schedule for arbitrary or capricious reasons.

SECTION 3

COMPENSATION AND BENEFITS

3.1 PAY STATUS:

An affected employee is considered to be in pay status and eligible for benefits under any of the following circumstances:

- (1) While working regular hours
- (2) While on authorized PTO Leave Bank hours
- (3) While on authorized Injured on Duty (IOD) status
- (4) While on authorized jury duty
- (5) While on Compensatory time off

The City Manager may authorize coverage of benefits on an individual basis for employees on authorized leave without pay for a period of up to four (4) months when it is deemed appropriate or is otherwise required by law.

3.2 METHOD OF PAYMENT:

Employees shall be paid on a bi-weekly basis and pay checks will be available on the Thursday afternoon following the close of the regular pay period unless holidays or circumstances beyond the control of the City occur in which case all necessary action will be taken to insure that individual pay checks are available with a minimum of delay.

Employees are encouraged to take advantage of direct deposit of payroll checks. Upon request, payroll checks may be directly deposited to an employee's checking or savings account.

3.3 BASE WAGE ADJUSTMENT:

Effective the first full pay period after July 1 the affected employees listed in Section 1, (Classification), shall have their base wages adjusted pursuant to the results of an annual performance based employee evaluation.

The review shall include a Performance Rating of one of five categories:

- Unacceptable
- Needs Improvement;
- Contributor;
- Valued Performer;
- High Performer.

The result of the Performance Rating shall be used by the City Manager to determine the appropriate range of increase to the base wage as illustrated in the Merit Increase Matrix. The

exact increase within the range provided for in the Matrix shall be determined by the City Manager.

All wage increases are subject to availability of funds as authorized by City Council. Should fiscal constraints limit full funding of wage increases, all authorized base wage increases shall be reduced by an equal percentage.

MERIT INCREASE MATRIX

		Position and Range		
		Lower Third Min to 90% of CP	Middle Third 90.1% of CP to CP	Upper Third CP to Maximum
Performance Rating	High Performer	11 ½ to 12 ½%	10 to 11%	9 ½ or to Range Max
	Valued Performer	8 ½ to 9 ½%	7 ½ to 8%	6 ½ to 7% or to Range Max
	Contributor	5 ½ to 6%	4 to 5%	0
	Needs Improvement	0	0	0
	Unacceptable	0	0	0

3.4 DEFERRED COMPENSATION PROGRAM:

The ICMA Deferred Compensation Program will be available to miscellaneous unrepresented employees with participation on a voluntary basis.

3.5 SHORT-TERM/LONG TERM DISABILITY PROGRAM:

In addition to coverage under the State Disability Insurance Program, the City provides eligible full-time employees with additional short-term disability coverage to integrate with SDI for a weekly benefit of 60% of covered earnings and a long-term disability program to provide a

monthly benefit of 66 2/3% of covered earnings, such coverage to be at City expense. This program will be at the expense of the City.

3.6 OUTSTANDING OBLIGATIONS UPON TERMINATION:

If any affected employee has any outstanding obligations due to the City, such as advance use of any benefits or lost or damaged equipment, at the time of termination, the employee will be so notified and requested to reimburse the City for any such amounts advanced to the extent allowed by law.

3.7 CAL PERS RETIREMENT:

The City provides retirement benefits through the California Public Retirement System pursuant to Section 7.

3.8 HEALTH, DENTAL AND WELLNESS PROGRAM:

The City provides health, dental and wellness benefits pursuant to Section 8.

3.9 REPORTING HOURS WORKED

- A. Individual employees are responsible for accurately reporting time worked. All hours worked shall be reported by clocking in and out on the computer at their work station. Actual time worked will be recorded on a daily basis and tabulation of time at the end of the work period will be computed to the exact hour and fractional minutes. Such time shall be verified by the employees' supervisor. Employees are prohibited from working "off the clock," and are required to accurately record all hours worked.
- B. The City acknowledges that from time to time a computer clock may gain or lose time, causing the clock to be off by minutes. The City agrees to take this into consideration whenever it appears that the computer clock has caused an employee to clock in late. If an employee becomes aware of such a problem with his/her computer, it should be reported immediately to their supervisor.
- C. If access to a computer is not available, all hours worked by employees shall be reported on time sheets provided and shall be stated in straight time hours. The individual employee is responsible for accurately reporting all hours worked. Hours worked shall be reported in not less than quarter (1/4 or .25) hour increments of time actually worked. Time worked 7 1/2 minutes or less will not be reported and time worked in excess of 7 1/2 minutes will be reported as a quarter (.25) hour. Such time shall be verified by the employees' supervisor.

3.10 BREAKS

Each affected employee shall be entitled to a sixty (60) minute lunch period and two breaks per eight-hour working day. The morning break and the afternoon break are fifteen (15) minutes. Breaks shall not be taken earlier than one hour after starting work in the morning or lunch, or later than one hour before lunch or the end of the working day.

Breaks do not accumulate and will be scheduled by the employee's supervisor.

3.11 OVERTIME RECORDS

Employees shall report all overtime in actual hours worked on their biweekly timesheet. The Finance Office shall convert all reported overtime hours worked to time and one-half, identify reported overtime hours worked as regular overtime hours and/or premium overtime hours and record such converted hours to the credit of the affected employee. All overtime must be authorized in advance (unless in emergency) by the affected employee's department head.

3.12 OVERTIME COMPENSATION

The affected employee shall be compensated for overtime hours as follows:

1. Timesheets determine actual hours worked by calculating the elapsed time between clock in times and clock out times in quarter hour increments. See Section 3.9 (Reporting Hours Worked).
2. PTO, holiday, compensatory time off and other time not actually worked are not counted as hours worked for overtime purposes.
3. Hours worked in excess of the employee's regularly scheduled hours in any one work day (12 midnight to 12 midnight) or in excess of the employees total regularly scheduled hours in any work week (Saturday through Friday) are recorded as overtime hours worked. Hours worked that are in excess of both the employee's regularly scheduled hours in the work day and the work week are not considered as separate incidents of overtime worked.
4. Hours worked on a day that has no scheduled hours (usually weekend days or holidays) are recorded as overtime hours worked with a two hour minimum.
5. At the end of each two week pay period, total overtime hours worked are accumulated and categorized as either (a) premium overtime hours or (b) regular overtime hours.
 - a. Hours worked in excess of the employee's total regularly scheduled hours in any work week are categorized as premium overtime hours.

- b. Total overtime hours less hours categorized as premium overtime hours are categorized as regular overtime hours.
6. Regular overtime hours are multiplied by 1.5 and the resulting hours are added to the employee's overtime bank.
7. Premium overtime hours are multiplied by 1.65 (1.5 x 1.1) and the resulting hours are added to the employee's overtime bank.
8. Hours in an overtime bank in excess of 100 at the end of a payroll cycle will be paid in the subsequent payroll at the employee's regular base pay hourly rate then in effect and the paid hours deducted from the overtime bank.
9. At the employee's choice, overtime hours recorded on an employee's timesheet may be either (a) paid or (b) accrued to the employee's overtime bank to be used as compensatory time off or paid at a later time as provided in this section. Employees must specify in writing on their timesheet which one of these two options is chosen. If the employee does not specify how the overtime hours should be treated, the default option is to be paid for the hours.
10. If an employee elects and is approved to use some or all of the employee's accrued overtime bank as compensatory time off, the amount taken as compensatory time off shall be deducted from the employee's overtime bank on an hour-for-hour basis.
11. No overtime shall be worked without department head approval in advance in writing. However, such approval shall be given in any case in which the affected employee worked such overtime at the direction of a supervisor. No overtime shall be authorized or worked for the convenience of the employee (i.e. voluntary shift trading, etc.).
12. Management shall assign overtime work as equitably as possible among all qualified employees in the same classification in the same organizational unit and work location.
13. Employees with accumulated overtime hours accrued in their overtime bank may, not more often than four times per fiscal year, request and receive a cash buy-out of a portion or all of such accumulated accrued time in their overtime bank. Such payment will be made on the next regular pay period and paid at the employee's regular base pay hourly rate then in effect.
14. When employment with the City terminates the City shall make a cash payment for the employee's accumulated unused overtime bank time on the books at the employee's regular base pay hourly rate then in effect.

3.13 HOLIDAY PAY

- A. Unless otherwise provided herein, a regular full-time employee not working on a holiday will receive one day's pay at his or her normal straight time rate, exclusive of shift or temporary or relief supervisory differentials. Said holiday pay shall not be paid if the employee is not in a pay status the last normal working day before a holiday or the first normal working day after such holiday. See Section 3.1 for definition of pay status.
- B. An employee who is scheduled to work on a holiday but fails to report for work and fails to notify the City or provide evidence of an emergency is unexcused and will not receive payment for the holiday.
- C. If a holiday falls on a normal workday which is during an approved leave, at the employee's option the employee will not be charged for a leave day the day of the holiday, or may be given an additional day at the beginning or end of his/her leave. Holidays which fall on normal working days within an unpaid leave of absence, will not be counted as workdays and will not be recognized for pay purposes.
- D. Employees who are required to work on holidays will receive, in addition to the holiday pay provided for in this section, straight time pay for hours worked and time and one-half for hours worked beyond 8 hours or a normal shift, whichever is appropriate.

3.14 CALL BACK PAY

- A. Any affected employee called out to work after his/her normal working hours shall receive a minimum of two (2) hours cash compensation at the rate paid for overtime work. In such cases all work in excess of the two (2) hour minimum shall be compensated at the regular overtime rate. The overtime rate shall be based on the employee's base hourly rate. Call-back shall be defined as being called out to work outside one's normal working hours by the Sheriff's Department, City Manager, or Department Head r on an unscheduled basis.

An employee should not respond to a call-back if any alcoholic beverage has been consumed or a medication taken that might impair his/her ability to perform the duties required.

- B. All affected employees who are required and/or authorized to attend an authorized meeting which starts after the established work day shall be credited for a minimum of two (2) hours overtime. For all time in excess of two (2) hours, normal overtime policies shall be in effect.
- C. In the event a call-out exceeds two (2) hours in actual time for an employee, the time reported for payroll purposes only shall begin with ten (10) minutes prior to the employee reporting for work and end ten (10) minutes after the time the employee leaves work to return home.

- D. Employees in off-duty status will not be required to respond to call-back. The exception being when a state of emergency has been declared by the City Manager.

3.15 MOVE-UP PAY

- A. In the event any affected employee is required to work more than two (2) working days in succession in a classification higher than that for which he/she is being compensated, in an unforeseen situation, such employee shall receive ten percent (10%) increase over his/her normal compensation, or the rate of compensation of the position filled, whichever is less, for the time over two days when such employee works in the higher classification.

In the event of planned assignment due to vacation or other cause known in advance, such move-up pay shall be paid for all time worked if such work exceeds two successive working days, including the first two days worked.

- B. Position for which said "move-up" pay is eligible is as follows: Acting Parks and Recreation Superintendent.
- C. Base compensation is defined as the base salary paid to the employee without additions for overtime, medical insurance, longevity, expense or other benefits. If any affected employee is requested to work in a higher class for a cumulative total of ten (10) days, not including vacations and/or days off due to flexible work schedule, during any fiscal year, such employee shall then be paid at the increased rate for all such days worked.

3.16 WITNESS AND JURY DUTY PAY

Required court time for off-duty regular full-time City employees shall be treated as overtime, with the minimum time being two (2) hours for any one day. This section shall not apply to any on-duty employees. This section shall apply only in court cases dealing with the scope of employment and shall not apply in cases of a personal or non-job related court action.

Every classified employee of the City who is called or required to serve as a trial juror shall be entitled to absent himself or herself from his/her duties with the City during the period of such service or while necessarily being present in court as a result of such call. Said employee shall continue to receive his/her full compensation from the City while serving on such jury duty, but shall reimburse the City the amount of daily per diem fees (exclusive of travel expenses) paid to such employee while acting as a juror.

3.17 STANDBY PAY

Only the City Manager or Acting City Manager may order standby status. When on standby status, an employee shall be required to be on call during normal time off, accessible by telephone or other agreed upon electronic device and available to report to work immediately.

The City agrees to pay two hours of straight time pay, or the employee may elect to take two hours compensatory time, per twenty-four (24) hour period or portion thereof in excess of four (4) hours when any miscellaneous unrepresented employee is required to be on call on a standby basis at home during normal time off. This does not include informal alerts or requests to keep the City Manager or Acting City Manager advised of whereabouts during possible emergencies.

An employee on standby status must be in physical condition to adequately to perform his/her duties and must not have consumed any alcoholic beverage or taken medication or other substance that might, in any way, hinder performance of his/her duties.

SECTION 4

LEAVE REGULATIONS

4.1 ANNUAL LEAVE:

Annual leave for regular full-time employees and regular part-time employees is inclusive of all leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave, and can be used for vacations, personal time off, sick leave purposes and other time away from work consistent with the terms of this section. The use of annual leave for "Sick Leave Purposes" means 1) time off to diagnose, care or treat an existing health condition, or for preventive care for the employee or for the employee's child, spouse, domestic partner, parent, parent of employee's spouse or domestic partner, grandparent, grandchild, or sibling; and 2) time off for employees who are victims of domestic violence, sexual assault, or stalking may also use annual leave to seek medical attention, obtain services from a shelter or crisis center, obtain counseling, or go to court.

Employees covered in this Conditions of Employment, who has served less than thirty (30) days within a year of the commencement of employment in the service of the City are not eligible for annual leave.

4.2 ANNUAL LEAVE BANK ACCRUAL:

Eligible employees will accrue annual leave time based on years of service in accordance with the following established schedule:

4.3 LEAVE BANK SCHEDULE

(Days on leave bank schedule are figured as eight (8) hour days)

<u><i>Years of Service</i></u>	<u><i>Accrual</i></u>	
One through three	144 hours	(18 days)
Four through six	160 hours	(20 days)
Seven through ten	184 hours	(23 days)
Eleven	192 hours	(24 days)
Twelve	200 hours	(25 days)
Thirteen through fifteen	208 hours	(26 days)
Sixteen through eighteen	224 hours	(28 days)
Nineteen or more	232 hours	(29 days)
Thirty years (longevity benefit)	24 additional hours	3 additional days

For employees employed with the City as of July 1, 2015, at the beginning of each fiscal year eligible employees will receive a leave bank equal to his/her annual leave entitlement.

For employees whose employment with the City starts after July 1, 2015, his/her annual leave entitlement for his/her first year of employment shall be based on the number of full months that employee will work for the City prior to the July 1 following their date of hired. For example, if an eligible employee's first day of employment is December 15, her/his annual leave entitlement for their year of employment will be 50% of 144 hours, which equals 72 hours. However, the amount of the leave bank entitled for the first year of employment will not be less than twenty-four (24) hours or three (3) days, whichever is greater. The first year amount of annual leave will be credited to the employee's leave bank after the employee completes thirty (30) days of employment in the service of the City. The amount of annual leave credited to the employee's leave bank for their first year of employment will not be subject to the maximum leave bank accumulation as provided in section 4.3

Effective the July 1 following the employee's date of hire, and every July 1 thereafter, employees will receive a leave bank equal to his/her annual leave entitlement.

Regular part-time employees who work less than full-time, but are scheduled to work more than 1040 hours a year are eligible for annual leave benefits, and shall be credited leave bank time on a prorated basis.

In the event one or more municipal holidays fall within an authorized leave with pay, such holidays shall not be charged as leave, and the leave shall be extended accordingly.

Upon termination of employment with the City, the cash value of any unused leave time in excess of that which would have been earned had it been granted on a pro-rated monthly basis and other outstanding obligations due the City shall be deducted from the final payment to the employee.

Accrued leave time can be taken off prior to the date of retirement and used to delay final date of employment if it is requested in writing and approved at least thirty (30) days prior to the scheduled date that such leave would begin.

4.3 LEAVE ELIGIBILITY:

Employees are eligible to use annual leave benefits on their ninetieth (90th) day of employment.

4.4 NOTIFICATION FOR USE OF LEAVE BANK:

Except for annual leave used for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Employees are required to make written requests through the appropriate supervisory channels for the use of accrued leave time. The written request shall be submitted at least two (2) full working days in advance for leave requests of up to four (4) working days; for leave requests of five (5) working days or more, the written request shall be submitted at least ten (10) working days, but not earlier than ninety (90) calendar days, prior to the beginning date of the requested leave. No use of accrued leave time or related absence is authorized until the employee's written request is approved in writing.

Leave periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and personal preference. The City will make every effort to give maximum possible advance notice to the affected employee in the event scheduled leave must be cancelled or modified due to the needs of the service.

Where use of accrued leave time is requested for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable,, notification for use of leave bank hours will be as follows:

Where the need to use annual leave for Sick Leave Purposes is foreseeable, employees must provide reasonable advance notice, orally or in writing, to their supervisor or Human Resources. If the request for the use of five (5) or more days of leave time is related to planned medical treatment, when possible the employee should make the request for use of leave time at least ten (10) working days in advance. When the need to use annual leave for Sick Leave Purposes is not foreseeable, is being used in cases of emergency or when the need to use leave time is not

otherwise reasonably foreseeable, employees are required to notify their supervisor or Human Resources, orally or in writing, as soon as practicable.

4.5 UNAUTHORIZED LEAVE

An employee's absence shall be unauthorized if the employee does not report his or her absence to his or her supervisor or Human Resources as required under section 4.5.

4.6 LEAVE BANK ACCUMULATION

A maximum of one hundred and twenty hours (15 days) of leave accrual will be the maximum allowed for carry-over at the end of a fiscal year, provided however, if at the end of year there are any leave bank hours over 120, the hours will be carried over and a commensurate number of hours shall be deducted from the employee's annual accrual in order that the maximum leave bank accrual not exceed an employee's annual accrual plus 120 hours.

4.7 LEAVE BANK CASH-OUT/OPTIONS

1. Each employee may cash-out up to eighty (80) hours of any unused leave hours accrued at the beginning of the fiscal year, provided the employee retains an accrued leave balance of at least forty (40) hours in their leave bank. Compensation for such cash-out of unused accrued leave hours will be based on the employee's existing salary at the time the request is made.
2. Further, each employee may direct that all or any portion of the allowed cash-out amount be used to buy benefits offered under the Flexible Benefit Program.

4.8 TREATMENT OF ACCRUED LEAVE UPON TERMINATION

At the time of termination of employment, employees shall be paid the cash value of all unused accrued leave hours based on the employee's then existing salary rate; or, in the alternative, the employee may exercise the option to invest the cash value of such unused accrued leave hours in the Employee Flexible benefit Program.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, his or her request for the City to "hold" payment of his or her accumulated leave until the following year. Such request must be submitted in writing in advance of the date of retirement and requires written approval by the City Manager before any disbursement can be made.

4.9 CATASTROPHIC EVENT:

In the event an employee in this group suffers a catastrophic event, e.g. serious illness, and there is not a sufficient leave balance to cover the employee's absence from the workplace, upon written request to the City Manager, an advancement of up to thirty (30) days of leave may be granted, with the understanding that it will be reimbursed to the City on a day-for-day basis from future allocated leave or reimbursed to the City as outlined under Section 3.6 Outstanding Obligations Upon Termination.

4.10 UNPAID LEAVE:

Leave of Absence Without Pay

The City Manager may grant a regular or probationary employee leave of absence without pay or accrual of employment benefits, such as paid time off or seniority, for reasons other than pregnancy, disability or family care leave, for a period not to exceed ninety (90) days. No employee shall be authorized leave without pay if said employee has accrued leave or compensatory time-off accrued on the books of the City. After ninety (90) days, the leave of absence may be extended if authorized by the City Council.

No such leave shall be granted except upon written request of the employee, setting forth the reason for the request, and the approval will be in writing. Upon return to duty following expiration of a regularly approved leave, the employee shall be reinstated in the position held at the time leave was granted. Failure on the part of the employee on leave to report promptly at its expiration shall be cause for discharge. The depositing in the United States mail of a first class letter postage paid, addressed to the employee's last known place of address shall be reasonable notice.

Department heads may grant a regular, or probationary employee leave of absence without pay for not to exceed one (1) calendar week. Such leaves shall be reported to the Human Resources Administrator.

No leave shall accrue to any employee during any full biweekly pay period in which the employee is on an authorized leave without pay in excess of five (5) days. Employee on leave without pay may also be responsible for full payment (employer and employee portion) of insurance premiums for insurance coverage during such leave. Benefits shall be continued at City expense during the first thirty (30) days of such leave.

Statutory Family and Medical Leave

1. Eligibility

The City provides eligible employees the opportunity to take unpaid leaves of absence for specific reasons in accordance with California's Moore-Brown-Roberti Family Rights Act (CFRA) and the federal Family and Medical Leave Act of 1993 (FMLA). To be eligible for FMLA/CFRA Leave, an employee must (1) have worked for the City for at least twelve months

prior to the date on which the leave is to commence; and (2) have worked at least 1,250 hours in the twelve months preceding the leave.

2. FMLA Leave

a. Permissible Uses

"Family care leave" may be requested under the FMLA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, or parent. "Medical leave" may be requested under the FMLA for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

"Qualifying exigency leave" may be requested under the FMLA for qualifying exigencies arising out of the fact that an employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. "Qualifying exigencies" include certain absences related to short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities. Employees may contact the Human Resources Administrator or her or his designee for more information about what qualifies as a "qualifying exigency."

"Military caregiver leave" may be requested under the FMLA to care for a "covered service member" if the employee is a spouse, child, parent, or next of kin of the "covered service member." A "covered service member" is:

- a member of the Armed Forces, including the National Guard and Reserves, who, because of a serious injury or illness incurred in the line of duty while on active duty that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating, is: (1) undergoing medical treatment, recuperation, or therapy; (2) in outpatient status; or (3) on the temporary disability retired list; or
- a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

b. Amount of FMLA Leave Available

Provided all the conditions of this policy are met, an employee may take a maximum of twelve (12) weeks total of family care leave, medical leave, and qualifying exigency leave under the FMLA in a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave, medical leave, or qualifying exigency leave under the FMLA commences. Spouses who are both employed by the City may take a maximum combined total of twelve weeks of family care leave under the FMLA in a 12-month period for the birth, adoption, or foster care of their child.

Provided all of the conditions of this policy are met, an employee may take up to 26 weeks total of a combination of all leaves under the FMLA during a 12-month period (up to 12 weeks of which may be for FMLA leave other than military caregiver leave). The 12-month period used to measure this entitlement will commence upon the first use of military caregiver leave under the FMLA for a covered service member's particular injury.

3. CFRA Leave

"Family care leave" may be requested under the CFRA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, domestic partner as defined in California Family Code Section 297, or parent. "Medical leave" may be requested for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

Provided all of the conditions of this policy are met, an employee may take up to twelve (12) weeks of leave under the CFRA during a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave or medical leave under the CFRA commences. Spouses who are both employed by the City may take a maximum combined total of twelve weeks of family care leave under the CFRA in a 12-month period for the birth, adoption, or foster care of their child.

Family care leave and medical leave under the CFRA typically run concurrently with family care leave and/or medical leave under the FMLA.

4. Intermittent Leave

FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child generally must be taken in blocks of at least two (2) weeks' duration; however, the City will provide employees with family care leave for birth, adoption, or foster care placement for periods of less than two (2) weeks duration on any two (2) occasions. FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child must be concluded within one (1) year of the birth, adoption, or placement.

Qualifying exigency leave under the FMLA may be taken on an intermittent or reduced schedule as required by the qualifying exigency.

FMLA/CFRA Leave for any other reason may be taken intermittently or on a reduced schedule where medically necessary. If FMLA/CFRA Leave is authorized to be taken intermittently or on a reduced schedule, the City retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the employee's leave schedule.

5. Substitution of Paid Leave

Employees are required to substitute accrued paid time off, including accrued compensatory time off, for all FMLA/CFRA Leaves, except that employees can retain a five (5) day balance of accrued paid time off.

If the employee is receiving payments from State Disability Insurance ("SDI") while on FMLA/CFRA leave, the accrued paid leave time will only be used in an amount which supplements the SDI payment such that the employee receives the full amount of his or her regular compensation as an active employee.

The substitution of paid leave time for FMLA/CFRA Leave does not extend the total duration of FMLA/CFRA Leave to which an employee is entitled. For example, if an employee has accrued two (2) weeks of unused paid vacation time at the time of the request for medical leave under the FMLA/CFRA, that paid vacation time will be substituted for the first two (2) weeks of FMLA/CFRA Leave, leaving up to ten (10) additional weeks of unpaid FMLA/CFRA Leave.

6. Leave's Effect on Pay

Except to the extent that other paid leave time is substituted for FMLA/CFRA Leave, FMLA/CFRA Leave is unpaid.

7. Leave's Effect on Benefits

During an employee's FMLA/CFRA Leave, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage.

If the employee fails to return from the leave for a reason other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee's control, the City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave.

Employees on FMLA/CFRA Leave accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

8. Procedure for Requesting Family Care and Medical Leave

Notice Requirements

Employees should notify the Human Resources Administrator of their request for FMLA/CFRA Leave as soon as they are aware of the need for such leave. For foreseeable events, if possible, the employee shall provide thirty (30) calendar days' advance written notice to the Human Resources Administrator of the need for FMLA/CFRA Leave. For events that are unforeseeable thirty (30) days in advance, but are not emergencies, the employee must notify the Human Resources Administrator, in writing, as soon as he/she learns of the need for the leave, ordinarily no later than one (1) to two (2) working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the City's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the City reserves the right to deny the taking of the leave.

All requests for FMLA/CFRA Leave should include anticipated date(s) and duration of the leave. Any requests for extensions of an FMLA/CFRA Leave must be received at least five (5) working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the family care or medical leave.

Certification

Any request for FMLA/CFRA Leave must be supported by proper certification of the need for leave. For foreseeable leaves, employees must provide the required certification before the leave begins. When this is not possible, employees must provide the required certification within fifteen (15) calendar days after the City's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts. Failure to provide the required certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required certification within fifteen days of being requested to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated certification.

Certification of family care leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) the health care provider's estimate of the amount of time needed for family care; and (4) the health care provider's assurance that the health care condition requires family care leave.

Certification of medical leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) a statement that, due to the serious health condition, the employee is unable to perform the functions of his or her position; and (4) in the case of intermittent leave or revised schedule leave where medically necessary, the probably duration of such a schedule. In addition, the certificate may, at the employee's option, identify the nature of the serious health condition involved. If the City has reason to doubt the validity of the certification provided by the employee, the City may require the employee to obtain a second opinion from a doctor of the City's choosing at the City's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City's expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, the City may also require the employee to provide medical certification that he or she is able to return to work.

Certification of a military caregiver leave under the FMLA shall be either (1) an appropriate medical certification from an authorized health care provider or (2) a copy of an Invitation Travel Order or Authorization issued by the Department of Defense.

The nature and format of the certification of a qualifying exigency leave under the FMLA will vary depending on the nature of the qualifying exigency, and will typically include a copy of the active duty orders for the employee's spouse, son, daughter, or parent.

9. Leave's Effect on Reinstatement

Employees returning from FMLA/CFRA leave are entitled to reinstatement to the same or comparable position consistent with applicable law, provided that the total period of the FMLA/CFRA Leave does not exceed the employee's maximum leave entitlement as described above.

Employees who take medical leave under the FMLA/CFRA for their own serious health condition must provide medical certifications verifying that they are able to return to work in the same manner as employees who return to work from other types of medical leave.

Pregnancy Disability Leave (PDL)

Under the California Fair Employment and Housing Act (FEHA), if an employee is disabled by pregnancy, childbirth or related medical conditions, she is eligible to take a pregnancy disability leave (PDL). If an employee is affected by pregnancy or a related medical condition, she is also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

- The PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical conditions up to four (4) months (or eighty-eight (88) work days for a full-time employee) per pregnancy.

- The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis.
- Time off needed for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth, and recovery from childbirth would all be covered by the PDL.
- Except as other specifically provided in this section, generally, the City is required to treat pregnancy disability the same as the City treats other disabilities of similarly situated employees. The leave will be unpaid.

Employees on PDL will be required to obtain a written certification from their health care provider of the pregnancy disability or the medical advisability for a transfer. The certification should include:

1. The date on which the employee becomes disabled due to pregnancy or the date of the medical advisability for the transfer;
2. the probable duration of the period(s) of disability or the period (s) for the advisability of the transfer, and
3. a statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of the position without undue risk to herself, the successful completion of the pregnancy or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

At the employee's option, any accrued paid time off may be used as part of the pregnancy disability leave before taking the remainder of the leave as an unpaid leave. However, taking paid time off during the period of the pregnancy disability leave does not extend the maximum time allowed for such leave. Employees may also be eligible for state disability insurance for the unpaid portion of the leave.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments she will accrue employment benefits on a pro rata basis.

An employee who is on a leave of absence for a period in excess of two (2) months must notify the Human Resources Administrator by the end of each month thereafter both of the status of the disability and the employee's continued intent to work once the employee recovers from the disability. An employee returning from an absence shall be required to provide a physician's certification that indicates that she is fit to return to work.

An employee who returns to work at the end of a leave of absence due to pregnancy, childbirth or related medical condition will be returned to her former position, if possible, or will be offered the first available opening in a comparable position for which she is qualified.

An employee who returns from a leave of absence due to pregnancy will be credited with all service prior to the commencement of her disability.

An employee who fails to report for work at the end of an approved leave will be deemed to have voluntarily resigned.

During an employee's approved PDL, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave, for up to four months. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage. The City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave if the employee fails to return from the PDL for a reason other than one of the following: (1) the employee takes FMLA/CFRA Leave; (2) the continuation, recurrence or onset of a serious health condition or serious injury or illness within the meaning of FMLA/CFRA; or (3) other circumstances beyond the employee's control as provided by law.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

Paid Family Leave

Employees who are covered by the state's SDI program will be eligible for reimbursement for up to six (6) weeks during a twelve (12) month period of qualifying unpaid leave, for the purposes of bonding with a newborn child (up to one (1) year from birth or adoption), or to care for a family member or domestic partner.

An employee who is eligible for SDI benefits may only become eligible for PFL benefits after SDI benefits are no longer being paid. SDI benefits are payable when an employee is disabled for a non-work related reason, which may include pregnancy; PFL benefits are for baby bonding and for providing care to a family member.

Once an employee is no longer disabled, and (in the case of pregnancy) has given birth, her SDI benefits may cease and she may apply for baby bonding benefits under PFL.

Once an employee applies for PFL, there is a seven (7) day unpaid waiting period before the employee may start receiving benefits. However, an employee who previously served a waiting period before receiving SDI benefits will not have to serve another waiting period before receiving PFL benefits. Employees may use their accrued paid time off during the seven (7) day waiting period.

Paid Family Leave is administered by the State of California and may be modified by the State from time to time.

4.11 DEATH OR CRITICAL ILLNESS IN IMMEDIATE FAMILY BEREAVEMENT LEAVE

An employee eligible for benefits, upon the necessity of his absence being shown to and with the consent of the City Manager, may be allowed to be absent from the duties of his/her position and to receive full compensation during such absence for bereavement leave. Eligible City employees shall be entitled to bereavement leave, in addition to any other leave, to provide up to three (3) working days per year with pay in the case of death or of critical illness where death appears eminent. This time shall be in addition to accrued leave time or compensatory time. The City shall cooperate with the employee in providing time off, using accrued leave time, or compensatory time, for any additional bereavement needs if the three (3) days bereavement leave has been used.

Such benefit shall apply to all immediate family members, to include spouse, child, brother, sister, parent (including step family and in-laws), grandparents and grandchildren when the relationship of the person to the employee warrants such use of bereavement leave. Where such death or critical illness has occurred, the employee shall furnish satisfactory evidence of such death or critical illness to his/her department head.

Such leave of absence shall not be allowed in any case where, in the preceding six (6) calendar months, a leave of absence for the critical illness of that same relative has been granted. Such bereavement leave is not cumulative from year to year.

Leave to attend the funeral of a co-worker will be acceptable to the City upon Department Head approval consistent with maintenance of operations. Such leave is considered leave with pay and not charged to any other leave.

4.12 CONFLICT OF LAWS

In the event of any conflict between the provisions of this Conditions of Employment and Federal or State laws, such Federal or State laws shall prevail.

SECTION 5

5.1 LEGAL HOLIDAYS

- A. The City has established the following schedule of days that shall be observed as legal holidays by all affected employees, at which time the City's administrative offices will be closed. The City observes twelve holidays. Three floating holidays are included in the leave bank.

January 1st	New Year's Day
3rd Monday in January	Martin Luther King Day
3rd Monday in February	President's Day
Last Monday in May	Memorial Day
July 4th	Independence Day
1st Monday in September	Labor Day
November 11th	Veteran's Day
4th Thursday in November	Thanksgiving Day
4th Friday in November	Friday following Thanksgiving
December 25th	Christmas Day

- B. The following days shall be observed as legal holiday: December 26, 2014, January 2, 2015, December 24, 2015 and December 31, 2015. Similar holidays (the day before or after Christmas Day and the day before or after January 1st) shall be observed in future years.
- C. When a holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday respectively shall be observed as the legal holiday. If the holiday falls on an employee's flex day, the flex day may be rescheduled within the same work week. Rescheduled flex days off that are rescheduled because a holiday falls on that day are subject to prior approval by the Department Head and appropriate notification to the Administrative Services Department.
- D. Observance of a legal holiday on a Friday or Monday, at which time the City's Administrative offices will be closed, will not create overtime or the loss of time from an employee's leave bank if the holiday falls on a regularly scheduled flex day. The hours for any given holiday will relate to the number of hours of the employee's regular scheduled work day for that particular day.

Nothing in this Conditions of Employment shall preclude the City from declaring a holiday when a legal holiday has been declared by the President of the United States or the Governor of the State of California or the City Council.

SECTION 6

WORKERS' COMPENSATION INSURANCE

The City will provide workers' compensation benefits when an employee is injured on duty arising out of and in the course of employment. Workers' Compensation coverage is currently through the California Joint Powers Insurance Authority.

For a period not to exceed six months, commencing with the first day following such injury, while a full-time City employee is totally disabled from industrial injury and on accepted workers' compensation status, employee shall be compensated in an amount equal to such employee's base wages at the time of such disability, less the aggregate of (a) any workers' compensation benefits, and (b) any other disability payments made to such employee. Such payment shall be limited to said six month period or until such employee is retired on permanent disability or terminated from the City's employment, whichever comes first.

An employee shall be entitled to benefits at the normal rate if the employee is on accepted workers' compensation status and in a pay status for up to six months as defined above.

The workers' compensation carrier of the City reserves the right to subrogate if a claim is filed by an employee against a third party.

SECTION 7

RETIREMENT PROGRAM

- A. The City shall continue to participate in the California Public Employees Retirement System (CalPERS). Under CalPERS, the City provides the 2%⁵⁵ Miscellaneous Plan formula for all employees who are "classic members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA). For all "new members" as defined by PEPRA, the City provides the 2%⁶² formula. Employees of the City who are hired on or after January 1, 2013 who classified as new members under PEPRA are subject to the other CalPERS terms and conditions set forth in PEPRA.
- B. Effective the first pay period after the necessary contract amendment is approved by CalPERS, City employees who are classic members shall share in the cost of CalPERS coverage through payroll deduction as follows:

Employees will contribute a portion of the required employer contribution equal to 4.5% of "compensation earnable." This 4.5% contribution by employees to the employer contribution will be considered to be a contribution towards the normal cost as defined under PEPRA.

- C. In addition, the City's contribution toward Employer Paid Member Contribution (EPMC) shall be reduced as follows:
1. Effective the pay period beginning January 3, 2015, the City's contribution toward EPMC shall be reduced to 5.75%, with employees paying 1.25% of "compensation earnable."
 2. Effective the first pay period after July 1, 2015, the City's contribution toward EPMC shall be reduced to 4.5%, with employees paying 2.5% of "compensation earnable."
- D. Employees who are hired after January 1, 2013 and are new members under PEPRA, shall pay the full member contribution amount which is currently 6.5% of "compensation earnable." However, new members will not contribute toward any portion of the required employer contribution.
- E. The City shall continue to report the value of the EPMC on all reportable compensation subject to CalPERS for all employees in Management as adopted by Resolution 5564.

SECTION 8

HEALTH/DENTAL BENEFITS FLEXIBLE BENEFIT PROGRAM

8.1 LIFE, HEALTH AND DENTAL BENEFITS

- A. The City will maintain a life insurance program providing a \$50,000.00 term life insurance policy for the miscellaneous unrepresented employee only, the beneficiary to be designated by said employee. The cost of the premium for this policy to be paid in full by the City. Employees retiring with 20 years or more of continuous service with the City and enrolled in the City's group life insurance program at the time of retirement, may continue to be covered in the City's group life insurance program at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.
- B. The City will maintain the current health insurance program with the Public Employees Retirement System (PERS) Medical and Hospital Care Act pursuant to Government Code Section 22850. The health insurance program shall be available to all regular full-time employees and retirees as follows:
- Each eligible employee or retiree may select a health insurance carrier providing coverage in the Carpinteria geographic area, as defined and provided by PERS and currently in effect and on file in the City Human Resources Office.

For the period through and including December 31, 2015, the City will continue to pay the health insurance premium for each employee, including for dependents coverage where applicable, up to the premium amount for coverage under the PERS Health Benefit Program HMO Plan (Blue Shield Access + HMO). Beginning the first pay period after January 1, 2016, employees will pay by payroll deduction or through the Flexible Benefit Program a monthly contribution to their health insurance premium (employee and dependents) in an amount equal to .029% of their annual base salary. (For example, if an employee's annual base salary is \$50,000, the monthly contribution for that employee would be \$14.58.) In the event the Blue Shield Access + HMO plan is no longer available to City employees, the most similar HMO plan will be substituted for purposes of this provision.

In addition, a Health Care All Employee Committee will be created to evaluate options for the provision of health insurance. The City will schedule these Committee meetings as appropriate in 2015 and, if needed, 2016. However, the City will not initiate any changes to the currently existing health insurance plans during the term of this Conditions of Employment without consulting with the Miscellaneous Unrepresented Employee.

Employees shall be responsible for payment as a payroll deduction or through the Flexible Benefit Program, for any health insurance premium contribution which exceeds the City's contribution amount for the premium for coverage under the PERS Health Benefit Program HMO plan.

- Health insurance coverage for newly hired employees will commence on the first day of the month following one full month of employment. If hired prior to the 15th day of the month, the month of hire will count as a full month of employment and coverage will be effective the first day of the following month. If hired after the 15th day of the month the month of hire will not count as a full month and the following month will be the first full month of employment.
 - For covered employees who terminate during the fiscal year, such health insurance coverage shall end on the last day of the month following when said termination becomes effective, except that the provisions of COBRA may be applied at the employee's option. Covered employees who retire from the City under PERS may, at their option, continue such coverage without interruption pursuant to the provisions of the PERS Health Program.
- C. The City will provide 100% of the premium charged to maintain a Dental Insurance Plan for each employee in the Miscellaneous Unrepresented group where appropriate, for dependent coverage. The City will retain control over the administration of the dental insurance program subject to maintenance of equivalent benefits to the extent it is within the control of the City.

8.2 DENTAL INSURANCE:

The City will provide 100% of the premium charged to maintain a Dental Insurance Plan for miscellaneous unrepresented employees and, where appropriate, dependent coverage. COBRA benefits may be applied at the employee's option. Dental coverage will commence on the first day of the month following one full month of employment.

8.3 FLEXIBLE BENEFIT PROGRAM (WELLNESS) ALLOWANCE:

In addition to the Health and Dental Insurance Programs, miscellaneous regular full time employees will be eligible to receive an annual Flexible Benefit Program allowance of \$1,162 following one full month of employment. This benefit is based on a calendar year and the allowance will be pro-rated to the first day of the month following one full month of employment.

- (1) The purpose of the Flexible Benefit Program is to provide reimbursement to the covered employee for eligible medical and health-related costs not otherwise covered by health insurance or subject to reimbursement from any other source or to participate in other benefits provided by the Flexible Benefit Program. Payment of medical costs, not covered by insurance, must be prescribed by a physician or determined by the Internal Revenue Service (IRS) to be an eligible health-related expense.
- (2) In addition to reimbursement for eligible medical and health related costs and dependent care, the employee will have the option to purchase benefits offered through the Flexible Benefit Program up to the allowance of \$1,162. The level of participation in benefits provided by the Flexible Benefit Program will be at the option of each employee. Employees may cash out up to \$810 of the Flexible Benefit allowance, subject to applicable payroll taxes. The balance must be used for health-related expenses.
- (3) Reimbursement for bona fide health-related expenses, which may be eligible expenses under the Flexible Benefit Program may be subject to payroll taxes unless related to a particular medical condition and so prescribed by a medical doctor.

8.4 OUTSIDE COVERAGE OPTION:

- (1) The employee is not required to select or participate in any health/dental insurance program provided by the City, but such employee must provide satisfactory documentation that he/she is covered by an alternative health/dental insurance program.

- (2) Those employees with proof of health and/or dental insurance coverage who choose not to participate in the City's group health insurance and/or dental insurance program due to the availability of other coverage through a spouse's employer, the military, or other source, will receive, in addition to the \$1,162 Flexible Benefit Program allowance, a benefit allowance equal to fifty percent (50%) of the premium charged for the annual single coverage in the PERS basic HMO Plan available to this group of employees. An employee shall receive this benefit allowance as a one-time cash payment, with such payment subject to payroll taxes.
- (3) Those eligible employees who participate in the city's group health insurance program and have an eligible spouse or family dependents, but select single coverage and choose to cover any dependents under insurance offered through a spouse's employer, the military, or other source will receive, in addition to the employer contribution, the fully paid premium contribution balance for single health insurance coverage and the \$1,162 benefit allowance as provided for in Section 8.3, plus an additional benefit equal to 50% of the allowance specified in the above section, 8.4 (2).

8.5 FITNESS PROGRAM:

The City will reimburse employees at the rate of thirty-one dollars and twenty cents (\$31.20) per month for the employee's membership fee at an athletics club or fitness program approved by the City Manager.

SECTION 9

SERVICE AWARDS

The City of Carpinteria has established appropriate service awards to recognize continuous service with the City at levels of five, ten, fifteen, twenty, twenty-five and thirty years. In addition, in recognition of long-time service of twenty-five and thirty years eligible employees are entitled to the following recompense:

Twenty Five Year Service Recognition

Upon completion of twenty-five years of continuous service, eligible employees will be entitled to two personal days of leave per fiscal year. The hours will not have a cash value nor will they accumulate to be carried over to the next fiscal year. The use of the days as time off shall be subject to the regular request process.

Thirty Year Service Recognition

Upon completion of thirty years of continuous service, eligible employees will receive a commemorative recognition gift and be entitled to have three additional days added to their existing leave bank hours.

SECTION 10

EDUCATION/TRAINING AND PROFESSIONAL DEVELOPMENT

10.1 TRAINING PROGRAMS:

- A. The City recognizes the importance of training programs and advancement of employees to higher skills and encourages employees to participate in programs to improve his/her performance on the job. All direct costs for all training or instruction required by the City shall be paid for by the City, provided however that no overtime shall accrue to employees for travel time to or from any training program conducted on a non-City site.

- B. To the extent funding is available, the City shall provide for tuition and textbook reimbursement for regular full-time employees to a maximum of \$200 per fiscal year.

Only educational course work required by the city and directly related to the affected employee's position with the City will be considered for reimbursement. Only costs for the books required for approved courses shall be deemed reimbursable. All application for reimbursement shall be approved by the City Manager prior to enrollment in the coursework. Reimbursement will be made upon written proof that the employee received a final grade of B or better or, in the case of a non-grade course received a Pass or Satisfactory final grade.

- D. Meeting, travel and/or training expenses will be paid and/or reimbursed with prior authorization by the City Manager as described above and in conformance with the City's Travel and Expense Reimbursement Policy.

SECTION 11

MISCELLANEOUS POLICIES

11.1 PHYSICAL EXAMINATION:

The City encourages all employees to have an annual physical examination as provided for under our health insurance benefits.

11.2 DRESS AND DECORUM:

- A. All employees shall observe professional standards of dress, and decorum considered suitable for general public contact based on current social standards as interpreted by the City Manager.
- B. While on duty, Code Compliance officers shall wear official City-issued uniforms. Field uniforms are not to be worn off duty. If a uniform is worn going to or from work, in order to not give the appearance of an employee being on duty when he/she is officially off duty, the City's uniform insignia must not be visible on public service uniforms.
- C. Employees will comply with standards of dress consistent with the positive representation of the City government through its employees. Employees are also to comply with any uniform requirements and wear all safety apparel and equipment required for their position. No dress codes other than the above standard are to be established in the various departments.

11.3 EMPLOYEE RESPONSIBILITIES:

Each employee shall comply with all safety laws, rules and regulations and adopted policies of the City in performing the duties required of his/her position; and shall not willfully violate any of the provisions of the ordinances and resolutions which have been adopted and/or prescribed by the Carpinteria City Council or City Manager.

11.4 DEATH BENEFIT:

The City shall pay a death benefit in the amount of One Thousand Dollars (\$1,000) directly to the spouse or legal heirs of any affected employee within seventy two hours of the death of any affected employee as the result of any industrial injury or illness as defined by Cal OSHA Publication #120-A, sustained by such employee while on duty within the course and scope of his/her employment with the City of Carpinteria.

11.5 PARTICIPATION IN CITY-SPONSORED RECREATION PROGRAMS:

The City agrees to provide special employee rates to currently employed, regular full-time employees and their immediate family members who wish to participate in City-sponsored Parks and Recreation Department Programs. All fees are payable in advance of participation in the program. Requests for employee rates for City-sponsored programs should be in writing and approved by the Parks and Recreation Director and scheduled with the appropriate recreation program supervisor.

- (1) Eligible employees will receive a fifty percent (50%) discount on tuition and registration only for City-sponsored recreation programs. Individual enrollees will be responsible for any ala carte activities scheduled in the programs, e.g. field

and/or camping trips, movies, special meals, etc. A discount on recreation rental equipment is dependent upon availability.

- (2) The annual fee for Community Pool Family Membership will be discounted Seventy-five percent (75%) The fee will include participation in the Masters' Program, Lap Swimming, Recreational Swimming and Water Aerobics.

11.6 EQUAL EMPLOYMENT OPPORTUNITIES

- A. The City apply equally to all employees covered herein without favor or discrimination because of race, creed, color, sex, pregnancy (including childbirth, breastfeeding and/or related medical conditions), sexual orientation, age, national origin, religion, political or religious affiliations, organization membership, marital status, ancestry, military or veteran status, medical condition (genetic characteristics, cancer or a record or history of cancer), gender, gender identity, or gender expression, genetic information, or any other characteristic protected by state, federal or local law. The City will not discriminate against a qualified individual with physical or mental disability with regard to employment.
- B. The City commits themselves to the goal of equal employment opportunity in all City services encourages its employees to assist in the implementation of the City's Equal Employment Opportunity commitment.

11.7 GRIEVANCE PROCESSING

- A. Purpose
 1. To promote employee morale and productivity by establishing a forum for resolving problems in the workplace by communication between employer and employee.
 2. To provide a just and equitable method for resolution of grievances.
 3. To afford employees, a systematic means of obtaining further consideration of problems after every reasonable effort through discussions has failed to resolve them.
 4. To provide that grievances shall be settled as nearly as possible to the point of origin and shall be as informal as possible.
- B. Grievance Defined
 1. Grievance shall be defined as a claim by an employee or group of employees adversely affected by an alleged violation, misinterpretation or misapplication of

department-wide policy or City rules, regulations, resolutions, ordinances, or memoranda of understanding applicable to the employee, except as follows: Appeals of disciplinary actions of demotion, suspension, dismissal or probationary terminations.

2. Management has the right to establish policies governing the operation of City departments. However, allegations also subject to the grievance procedure are those in which the complaint concerns an inconsistent application of policy where the inconsistency results in a denial of the employee's rights under those policies defined in "A" above.

C. Initiation of Grievance

No act or activity which may be grievable may be considered for resolution unless a grievance is filed in accordance with the procedure contained herein within twenty (20) working days of the date the alleged activity/violation occurred or the date the employee became aware such activity/violation occurred.

In no event shall any grievance be accepted for consideration more than 6 months from the action or incident claimed as its basis regardless of the date of discovery. If the grievance is not presented within the time limitation herein provided, it shall be deemed not to exist.

D. Grievance Processing

The City may designate an officer for the purpose of investigating and/or processing grievances. Upon the request of the employee, the officer shall conduct and/or assist in the investigation, preparation and processing of grievances.

Prior to engaging in grievance handling, the officer shall notify his or her immediate supervisor of a request for assistance no later than five days prior to the requested time. The supervisor shall approve time for grievance processing during the scheduled work day hours prior to the steward or officer beginning the investigation, preparation and processing of grievances.

Both the officer and management will cooperate in expediting the grievance handling process. The employee and the officer shall be afforded reasonable grievance handling time to jointly handle the grievance. It is agreed that every effort will be made to resolve grievances in an informal and timely manner as the first step in this process.

E. Procedure

Step One

Any employee who has a grievance shall first try to settle it through discussion with their immediate supervisor without undue delay.

Every effort shall be made to find an acceptable solution at the lowest possible level of supervision. The supervisor has seven (7) working days to respond to the grievant. Any grievance settled at this step shall be subject to the review and confirmation of the respective department head before the settlement may become effective. Such review will occur within seven (7) working days or the grievance shall automatically be moved to Step 2. In the event the department head does not confirm the settlement, the grievant may initiate Step 2 of this procedure.

Step Two

If a grievance is not settled in Step 1 or no response was forwarded to the grievant, he/she may file a formal grievance in writing to their Department Head within ten (10) working days after receiving the informal decision from their immediate supervisor or when decision was due. The grievant must submit his/her grievance in writing and must also explicitly specify the policy or the particular section of the Conditions of Employment, rule, resolution, or ordinance the violation of which is being alleged as the basis for the grievance. The remedy requested must also be specified. No modifications in the violation being alleged shall be made subsequent to filing unless mutually agreed to by both the City and the grievant.

The Department Head, after receiving the formal grievance, has ten (10) working days to render a decision in writing.

Step Three

If the grievance is not settled or an answer not forthcoming in Step 2, the grievant may appeal, in writing, within seven (7) working days from the expiration of the time limit for such decision under Step 2 or within seven (7) working days from the receipt of the decision of the department head to the City Manager.

Within ten (10) working days from receipt of appeal, the City Manager, shall deliver a written decision to the grievant.

Step Four

If the grievance is not settled or disposed of at Step 3, the grievant may request the services of a mediator from the State Mediation and Conciliation Service.

The grievance will be settled through mediation and both parties will agree to abide by the decisions made in the mediation process.

Under no circumstances will grievances of any kind for any reason proceed beyond the mediation process.

11.8 CITY PROPERTY:

Desks, file cabinets, lockers, computers, tools and other equipment are property of the City and must be maintained in good condition in accordance with the City's policies, rules and regulations. They must be kept clean and are to be used only for work-related purposes. If the City property is lost, broken or damaged, report it to your supervisor at once. No property may be removed from the premises without the prior authorization of your supervisor.

In order to ensure compliance with this policy and with the City's policies, rules and regulations, the City reserve the right to inspect all City property, without notice to the employee and/or in the employee's absence.

For security reasons, personal belongings of value should not be left in the workplace. The City is not responsible for lost or stolen personal belongings.

Immediately upon termination of employment, all property of the City (keys, tools, manuals, etc.) must be returned to the City. All personal items should be removed at the time terminated employees leave the premises of the City. Unless otherwise agreed to in writing, if a terminated employee leaves personal items at the workplace, these items are subject to disposal if not removed within five (5) days of the date of the employee's termination.

11.9 CELL PHONE POLICY:

The City may provide certain employees with cellular phones that are to be used only for official City business. The City recognizes that employees may need to use their personal cell phone during working hours due to particular family or personal situations. Employees should limit the use of personal cell phones during working hours, to reasonably necessary communications, and use of a personal cell phone should not interfere with City operations or the performance of job duties. If an employee abuses the use of personal cell phone during working hours, at the City Manager, at his discretion, may require that the employee not use personal cell phones during working hours.

Employees are not to dial any cell phone while driving, except to call a public safety agency. Employees may not receive incoming calls while driving unless the cell phone can be safely operated in a hands free mode. For employees with hands free cell phone operation, in the event an employee receives an incoming call while driving, the employee should either safely pull off the road to converse, inform the caller that he or she will return the call, or ask the caller to call again to allow the employee to reach a place where it is safe to use the phone. While driving, employees are prohibited from using any cell phone to text message, read or send e-mail, or any similar operations.

11.10 FITNESS FOR DUTY EXAMINATION:

Whenever the City Manager, or the Human Resources Administrator, believes that an employee is unable to perform the essential functions of their job safely due to illness or injury, or is unable to perform the essential functions of their job safely or without posing a danger to themselves or others, the City may require the employee to submit to an independent medical examination at the City's expense. Such medical examination will be limited to the issues or areas of concern regarding the employee's ability to perform the essential functions of their job. If, after the independent medical examination, the City determines that the employee cannot perform the essential functions of their job, or cannot perform such essential functions safely or without posing a danger to himself/herself or others, the employee will be given the opportunity to provide the results of a separate medical evaluation by a qualified health care provider selected by the employee, within fifteen (15) days of the employee's receipt of a medical evaluation from the City. In the event of a difference of opinion between the City's and the employee's health care providers, the City may require a third opinion, at the City's expense, performed by a mutually agreeable health care provider who will make a final determination.

APPENDIX A

City of Carpinteria ***Policy on Public Employee Personal Use of*** ***Telecommunication Equipment, Electronic Mail, Voice-Mail*** ***and other computer systems***

PURPOSE

City-owned telecommunication equipment, computer hardware and software is intended to be used for business purposes. Electronic mail, known commonly as e-mail, is now a primary vehicle for communication in the workplace. As the use of e-mail increases, the need for a clear and comprehensive City's policy on personal use of City equipment becomes important to clarify the rights and obligations of employees and as a protection from potential liability for employers.

POLICY

The City maintains and utilizes as part of its operations a computer system, including e-mail, and a voice-mail system. These systems are provided to assist employees in the conduct of the City's business. All computers to the data stored on them, including e-mail, messages composed as well as all voice-mail are and remain at all times the property of the City. All remain the property of the City. Employees are prohibited from installing or downloading software onto the City's computer system except with the prior authorization of the Administrative Services Director.

Employees should attempt to limit voice-mail and e-mail messages to the conduct of the City's business. Use of the voice-mail and e-mail systems for the conduct of personal business is discouraged. The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate. Other use of computer systems, including use of the Internet and other telecommunicating capabilities, should be limited to the conduct of the City's business unless prior written approval is received from the employee's supervisor.

Except for the right of the City to access data stored on the computer system, including e-mail messages, and to access voice-mail messages as described in this policy, all data stored on the computer system and all messages sent by voice-mail and e-mail are considered to be confidential, and as such are to be accessed only by the employee storing the data, the addressed recipient or at the direction of the addressed recipient. Any exception to this policy must be approved by the Administrative Services Director.

The City reserves the right to retrieve and read any data stored on the computer system and any message composed, created, sent or received on the voice-mail and e-mail systems, as well as Internet usage data, at any time, with or without advance notice to the employee. Although the

computer system, including e-mail, and the voice-mail system may accommodate the use of passwords for security, the reliability of passwords for maintaining confidentiality cannot be guaranteed. All passwords must be made known to the City, and passwords not known to the City may not be used. This is due to the need to access employees' computer systems, including e-mail, and voice-mail systems in the event that an employee is absent or when otherwise deemed appropriate by the City. Employees must therefore assume that any and all voice-mail and e-mail messages and all data stored on the computer system may be read by someone other than the employee storing the data or the intended or designated recipient, and understand the ultimate privacy of data stored on the computer system, including e-mail, and voice-mail messages, cannot be guaranteed to anyone.

The City's policy against unlawful harassment, including sexual harassment, and the City's anti-discrimination policy apply to employees' use of voice-mail, e-mail messages and screen savers as well as any other information transmitted over the City's computer system. Employees should not use any means of electronic communications in a manner that would violate those policies. For example, employees may not communicate messages by computer, voice-mail or other electronic means that would constitute sexual harassment, may not use sexually suggestive screen savers, and may not receive or transmit pornographic, obscene or sexually offensive material or information. As a further example, employees may not use electronic communications to transmit comments or images which are reasonably likely to offend someone on account of his/her age, sex, sexual orientation, race, religious beliefs, national origin, disability, or any of the other factors included in the Equal Employment Opportunity section of this Handbook. Any employee who uses any electronic communications device in a manner which violates this policy will be subject to disciplinary action, up to and including termination of employment.

DIGITAL DEVICES

Employees may not use any personal e-mail account or any digital or electronic device not owned by the City, including but not limited to any laptop computer, desktop computer, tablet computer, cellular telephone, personal digital assistant, or any other device capable of storing electronic information ("Digital Device") for City business without the City's prior written approval. Digital devices used by employees for City business may be subject to inspection to obtain City-related communications if requested under the Public Records Act.

APPLICATION

This policy applies to all employees with the City of Carpinteria.

The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate.

EMPLOYEE RESPONSIBILITY

- Employees will be required to acknowledge that they have read, understand and will abide by the agency's technology policy. Violation of the policy may result in discipline, up to and including dismissal.
 - To the extent that, under some circumstance, an employee is allowed to use e-mail for personal purposes the employee does so at his or her own risk. Employees should be aware that deletion of a message or file may not fully eliminate the message from the system.
- ♦ Employees learning of any misuse of the voice-mail, e-mail or other computer system or violations of this policy shall immediately notify the City Manager or his/her designee.

MANAGEMENT RESPONSIBILITIES AND GUIDELINES

Management and supervisors are responsible for reasonable enforcement of this policy. Any e-mail information or messages revealed or disclosed under this policy are considered to be of a confidential nature.

APPENDIX B

SUBSTANCE ABUSE POLICY

I. PURPOSE OF POLICY

It is the City's intent to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. The City has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at the City. Employees who are under influence of drug or alcohol on the job, endanger their own health and safety as well as others, and can cause a loss of efficiency, productivity, or a disruptive working environment.

As a condition of continued employment with the City, all employees must abide by and not violate this policy.

The City has established this policy concerning the use of alcohol and drugs, in order to further its interests in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, and operations.

II. DEFINITIONS

For the purposes of this policy:

A. "Illegal drugs" means any drug or controlled substance that is not legally obtainable or is legally obtainable but has not been legally obtained.

B. "Legal drugs" means any drug, including prescription drugs and over-the-counter drugs, that has been legally obtained and that is not unlawfully sold or distributed.

III. EMPLOYEE ASSISTANCE

Employees who suspect that they may have alcohol or drug problems, even in the early stages, are encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an alcohol or drug rehabilitation program are encouraged to contact the Human Resources Administrator, who will determine whether the City can accommodate the employee by providing unpaid leave for the time necessary for the employee to complete participation in the program. Disclosures made by an employee to the Human Resources Administrator concerning the employee's use of drugs will be treated confidentially and will not be revealed to supervisors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working.

Employees should be aware, however, that participation in a rehabilitation program will not necessarily shield them from the imposition of disciplinary action for a violation of this policy, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

Nothing in this policy is intended to diminish the City's commitment to employ qualified handicapped individuals or to provide accommodation to such individuals as required under state and federal law.

IV. USE OF LEGAL DRUGS

The City recognizes that it may be necessary for employees to use legal drugs from time-to-time. The City also recognizes that an employee who is using legal drugs might become impaired by the drug such that the employee's ability to perform or to perform safely would be compromised. Employees who are involved with maintenance functions, excluding administrative personnel, who know or should know that their use of drugs might endanger their own safety or the safety of some other person, or pose a risk of significant damage to City property or the property of others, are obligated to report such use of drugs to the Human Resources Administrator or the City Manager and obtain Human Resources' or the City Manager's consent to continue working. The City reserves the right to have a designated physician or the employee's own physician determine whether it is advisable for the employee to continue working while taking such drugs. The City further reserves the right to have the employee's physician certify that when return from a leave of absence, the employee will not be using any drugs which might impair the employee's ability to perform the employee's job duties for the City.

If appropriate, the City may restrict the work activities of an employee who is using drugs or require that the employee take a leave of absence while taking such drugs. If the City permits an employee to work while using legal drugs, the employee still cannot report to work in any case if impaired by the use of the drugs if the impairment might endanger the employee's own safety or the safety of anyone else, pose a risk of significant damage to City property or substantially interfere with the employee's job performance or the efficient operation of the City's business. The City may require a medical certificate as a precondition to return to work.

V. PROHIBITED CONDUCT

A. On-Duty Prohibition of Illegal Drugs and Alcohol

An employee shall not use, possess, purchase, sell, manufacture, distribute, transport, dispense, or be under the influence of any illegal drug or alcohol during working hours, while on City premises, while conducting or performing City business, regardless of location, or while operating or responsible for the operation, custody, or care of City equipment or other property.

B. Off-Duty Conduct

In addition to the restrictions imposed under subsection A above, the use, possession, purchase, sale, manufacture, distribution, transportation, dispensation, or being under the influence of any illegal drug or alcohol while off duty may result in disciplinary action, up to and including termination, if the employee is wearing apparel or there are other circumstances that identifies him/her as a City employee. Such off-duty conduct will be reviewed on a case-by-case basis.

C. Legal Drugs

Employees are prohibited from working while impaired by the use of any drug whenever such impairment might endanger the safety of the employee or some other person, pose a risk or significant damage to City property or equipment, or substantially interfere with the employee's job performance or the efficient operation of the City's business or equipment.

VI. TESTING FOR ILLEGAL DRUGS AND ALCOHOL

A. Job Applicants

Applicants receiving a conditional offer of employment for the designated safety sensitive positions of Maintenance Technician, Maintenance Worker I, Maintenance Worker II, Lifeguards and Code Compliance Officers shall be subject to a urine and/or blood test for the presence of illegal drugs or alcohol. The City may refuse to employ an applicant whose test results show the presence of illegal drugs or alcohol. Applicants who are under a physician's care and/or are required to take legal drugs must notify Human Resources or its designee of that fact in writing before the date of the pre-employment examination.

B. Testing of Employees

1. Any employee suspected of being under the influence of illegal drugs or alcohol may be suspended from work and required to submit to a urine or blood test to determine the presence of illegal drugs or alcohol. Such testing may be ordered only by City Manager based upon a reasonable suspicion that an employee is under the influence of any illegal drug or alcohol in violation of this policy. Refusal to undergo a urine or blood test when required pursuant to this policy constitutes insubordination and will result in disciplinary action, up to and including termination.
2. Reasonable suspicion means articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of illegal drugs or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
 - a. a pattern of abnormal conduct or erratic behavior;

- b. observable phenomena, such as direct observation of drugs or alcohol, possession and/or the physical symptoms of being under the influence of illegal drugs or alcohol (e.g., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
- c. conviction for a drug-related offense;
- d. information provided by a reliable and credible source which is independently corroborated; or
- e. newly discovered evidence that the employee has tampered with a previous drug test.

3. The City Manager or supervisor shall document in writing the facts, symptoms, or observations which form the basis for the determination that reasonable suspicion existed to warrant the testing of an employee.

4. Whether the testing is conducted by urine or blood sample shall be at the discretion of the City and/or the physician performing the test.

5. The urine or blood sample will be given and the testing will take place at an approved testing facility, and will be done in a manner to provide the employee with appropriate rights of privacy. Positive results will be reviewed by a licensed physician who will discuss all positive results with the employee to determine if the positive result could have resulted from the use of legal drugs or other causes.

6. Any urine or blood sample showing positive test results will be retested. The physician and/or testing facility will report the test results to the City only if the "retesting" of the sample shows positive results for illegal drugs or alcohol. The positive test results will be made available to the employee.

7. A portion of each sample taken will be properly preserved, and the employee will be allowed to have the sample tested by his or her own physician.

8. The City shall observe all laws and regulations protecting the confidentiality of medical information.

9. Any employee testing positive for illegal drugs or alcohol, or otherwise found to be in violation of this policy will be immediately relieved of duty, without pay, pending further disciplinary action.

10. Any employee who refuses to comply with a request for testing will be considered to be insubordinate and to have had a positive test. Any employee who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be removed from duty immediately, and will be terminated. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

11. Any employee may identify someone suspected of being under the influence of drugs and/or alcohol to any supervisory or management personnel. Employees should realize, however, that it is against the City policy to make false or malicious statements about other employees and doing so can result in disciplinary action being taken against the offending employee. A supervisor/manager must witness first-hand the employee's signs and symptoms.

VII. DISCIPLINARY GUIDELINES

A. Causes for Immediate Termination

Any violation of this policy may result in immediate termination, particularly whenever the prohibited conduct:

1. involves the sale, manufacture, possession, distribution, or dispensation of illegal drugs in violation of this policy; or
2. causes injury to the employee or any other person, or, in the sole opinion of the City, endangered the safety of the employee or any other person; or
3. results in significant damage the City property or equipment or, in the sole opinion of the City, posed a risk of significant damage; or
4. involves an employee who has not completed the probationary period or was a seasonal/part time or temporary employee.

B. Discretion Not to Terminate

The City, in its sole discretion, may choose not to terminate an employee for a first violation of this policy. However, all violations of this policy may result in disciplinary action up to and including termination. The nature of such disciplinary action will depend upon the circumstances of each case, including a consideration of the following factors:

1. the circumstances under which the violation of the policy occurred;
2. the employee's participation in and satisfactory completion of a drug or alcohol abuse assistance or rehabilitation program;
3. the employee's length of City service; and
4. the history of employee's job performance with the City.

C. Effect of Criminal Conviction

An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any City-related activity or event will be deemed to have violated this policy.

D. Effect of Second Violation

A second violation of this policy by an employee at any time will result in immediate termination.

APPENDIX C

CITY OF CARPINTERIA PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION POLICY

A. PURPOSE

It is the City's intent and the purpose of this Policy to provide all employees, officer and officials, applicants, and contractors with an environment that is free from any form of unlawful harassment, discrimination or retaliation as defined in this Policy and as provided under federal and state law. This Policy prohibits unlawful harassment or discrimination on the basis of any of the following protected classifications: an individual's race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, military status, veteran status, marital status, age, medical condition, and physical or mental disability (whether perceived or actual).

It is also the policy of the City to provide a procedure for investigating and addressing complaints of alleged harassment, discrimination and retaliation in violation of this Policy. The protection from harassment and discrimination includes protection from retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy.

B. POLICY

The City has zero tolerance for any conduct that violates this Policy. Conduct need not rise to the level of a violation of law in order to violate this Policy. Instead, a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions. If you are in doubt as to whether or not any particular conduct may violate this Policy, contact a manager, department head, or the Human Resources Administrator, and, if applicable, do not engage in the conduct and seek guidance from a manager, department head or the Human Resources Administrator.

C. DEFINITIONS

a. Protected Classifications:

This Policy prohibits harassment or discrimination because of an individual's protected classification(s). "Protected Classification" includes race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin,

ancestry, citizenship status, military status, veteran status, marital status, age, medical condition and physical or mental disability (whether perceived or actual).

b. Policy Coverage:

This Policy prohibits City officials, officers, employees, and contractors from harassing or discriminating against applicants, officers, officials, employees, and contractors because: (1) of an individual's Protected Classification, (2) of the perception that an individual has a Protected Classification, or (3) the individual associates with a person who has or is perceived to have a Protected Classification. Third parties such as visitors to City Hall are also prohibited from engaging such harassment or discrimination. Any such alleged harassment or discrimination should be reported immediately as provided in this Policy.

c. Discrimination:

This Policy prohibits treating individuals differently or otherwise discriminations against an individual because of the individual's Protected Classification as defined by this Policy.¹

d. Harassment:

By definition, harassment based on an individual's protected classification as defined by this policy, including sexual harassment, is not within the course and scope of an individual's employment with the City. Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive or hostile working environment or interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee's Protected Classification.. The following are some examples of behavior that can constitute harassment:

- **Verbal harassment**, such as epithets (nicknames and slang terms), derogatory or suggestive comments, jokes or slurs, including graphic verbal commentaries about an individual's body, or that identify a person on the basis of his or her Protected Classification. Verbal harassment may include comments on appearance and stories that tend to disparage those of a Protected Classification.
- **Visual forms of harassment**, such as derogatory posters, notices, bulletins, cartoons, drawings, sexually suggestive objects, or e-mails on the basis of a Protected Classification.
- **Physical harassment**, such as assault, touching, impeding or blocking movement, grabbing, patting, propositioning, leering, making express or implied job related threats in return for submission to physical acts, mimicking, taunting, or any physical interference with normal work or movement.

- **Sexually harassing conduct** in particular includes all of these prohibited actions as well as other unwelcome conduct such as requests for sexual favors, unwelcome sexual advances, or verbal or physical conduct of a sexual nature (like name calling, suggestive comments, or lewd talk).
- **Romantic or sexual relationships** between supervisors and subordinate employees are discouraged. There can be an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. To avoid possible claims of sexual harassment, if a supervisor intends to enter into a romantic or sexual relationship with a subordinate employee, the supervisor must inform the Human Resources Administrator so that appropriate steps can be taken to minimize the risk of possible claims of sexual harassment.

D. RETALIATION

Retaliation against an employee who reports or provides information in good faith about harassment or discrimination is strictly prohibited, as is retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy. Any act of retaliation violates this Policy and will result in appropriate disciplinary action. Examples of actions that might be retaliation against a complainant, witness or other participant in the complaint process include: (1) singling a person out for harsher treatment; (2) lowering a performance evaluation; (3) failing to hire, failing to promote, withholding pay increases, assigning more onerous work, abolishing a position, demotion or discharge; or (4) real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination.

Before a supervisor or manager attempts to insulate or protect a complainant by changing his or her work environment or schedule or duties or by transferring the complainant to another, the supervisor or manager should contact the Human Resources Administrator.

E. REPORTING HARASSMENT, DISCRIMINATION OR RETALIATION

An applicant, employee, officer, official or contractor who feels he or she has been harassed, discriminated against or retaliated against in violation of this Policy should report the conduct immediately as outlined below so that the complaint can be resolved quickly and fairly.

All employees involved in the complaint process may be represented by a person of their choosing and at their own expense.

1. Object to the Conduct

Sometimes an individual is unaware that his/her conduct is offensive. In these situations the offensive behavior may be eliminated by simply informing the offender that the conduct or language in question is unwelcome and offensive and request that it be discontinued immediately.

A person who believes he/she is being harassed is encouraged to use this process. When the conduct in question continues after the offending person has been informed it is offensive, or if a person does not feel comfortable talking to the offending person directly, the employee should make a report in accordance with subsection 2 below or go directly to the formal reporting process.

2. Oral Report

If a person who believes that this Policy has been violated does not want to confront the offending person, he/she should report the conduct to a supervisor, any City management employee, or the Human Resources Manager. Any supervisory or management employee who receives such a report must in turn direct it to the Human Resources Administrator. The Human Resources Administrator will determine what level of investigation and response is necessary.

3. Written Process

An individual who believes this Policy has been violated and does not feel comfortable using the process outlined above may provide a written complaint to a supervisor, or any management employee who in turn must direct the complaint to the Human Resources Administrator. Individuals are encouraged to use the Confidential Complaint Form for this purpose.

F. CITY'S RESPONSE TO COMPLAINT OF HARASSMENT, DISCRIMINATION OR RETALIATION

1. Investigation

Upon receipt of a complaint of alleged harassment, discrimination or retaliation, the Human Resources Administrator will be responsible for coordinating a thorough investigation (unless he/she is named in the complaint). The Human Resources Administrator may hire an outside investigator if the City deems appropriate. The type of investigation undertaken, and the party chosen to conduct the investigation will depend on the nature of the complaint made and will be determined by the Human Resources Administrator. The Human Resources Administrator will report the status of investigations to the City Manager as appropriate.

The Human Resources Administrator, in concurrence with the City Manager, may take interim action to diffuse volatile circumstances, such as placing the alleged perpetrator on paid administrative leave or temporarily transferring the alleged perpetrator. Generally, no interim action should be taken to change the complaining individual's working conditions unless the complaining individual voluntarily consents to the temporary change or the Human Administrator determines that doing so is appropriate under the circumstances.

The City attempts to take a proactive approach to potential Policy violations and may conduct an investigation regarding possible harassment, discrimination or retaliation in appropriate circumstances, regardless of whether or not the recipient of the alleged action or a third party reports a potential violation.

At the conclusion of the investigation, if it is determined that the alleged conduct did not occur or that this Policy was not violated, the Human Resources Administrator will notify the complainant and the alleged perpetrator, if appropriate, of the general conclusion(s) of the investigation and whether any further action is warranted.

2. Remedial and Disciplinary Action

If the investigation determines that the alleged conduct occurred or that the conduct otherwise violated this Policy, the City will notify the complainant and perpetrator of the general conclusion(s) of the investigation and take effective remedial action that is designed to discipline the perpetrator and deter future violations of this Policy. Any employee or officer determined to have violated this Policy will be subject to disciplinary action, up to and including termination. Disciplinary action may also be taken against any official, supervisor or manager who condones or ignores potential violations of this Policy, or who otherwise fails to take appropriate action to enforce this Policy.

Any official contractor or other non-City employee found to have violated this Policy will be subject to appropriate sanctions.

3. Confidentiality

Every reasonable effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate potential Policy violations and take effective remedial action.

G. RESPONSIBILITIES OF EMPLOYEES, MANAGEMENT AND SUPERVISORY EMPLOYEES

1. Employees

In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, employees are expected to:

- Set an example of acceptable conduct by not participating in or provoking behavior that violates this Policy. Try not to be angry or insulted if an individual tells you that your behavior is offensive. People have different ethical values and standards and may be offended by behavior you think is proper. When appropriate, tell the individual you did not realize your behavior was offensive, and immediately cease the conduct.
- Let fellow employees know when you consider behavior offensive. The City hires people from a wide variety of cultural and ethnic backgrounds, and an individual may not realize behavior he or she thinks is proper could be seen by others as offensive.
- Report harassment, discrimination or retaliation as quickly as possible, whether the employee is the target of the conduct or a witness.
- If an employee witness's harassment, he or she should report it to a supervisor, manager or the Human Resources Manager, **and may** tell the individual being harassed that the City has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior.
- Fully cooperate with the City's investigation of complaints made under this Policy.

2. Managers and Supervisors

In addition to the responsibilities listed above, managers and supervisors are responsible for the following:

- Implementing this Policy by taking all complaints seriously and modeling behavior that is consistent with this Policy. Direct all complaints to the Human Resources Administrator.
- Take positive steps to eliminate any form of harassment, discrimination or retaliation observed or brought to his/her attention.
- No department director, manager, supervisor or other employee may retaliate through any action of intimidation, restraint, coercion or discrimination.
- Monitoring the work environment and taking appropriate action to stop potential Policy violations.
- When appropriate, follow up with those who have complained to ensure the behavior complained of has ceased.

H. Option to Report to Outside Administrative Agencies

Sexual harassment and retaliation for opposing sexual harassment or participating in investigations of sexual harassment are illegal. In addition to notifying the Company about harassment or retaliation complaints, affected employees may also direct their complaints to the

California Department of Fair Employment and Housing (DFEH), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is one (1) year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Council (FEHC) or file a lawsuit in court. Both the FEHC and the courts have the authority to award monetary and non-monetary relief in meritorious cases. You can contact the nearest DFEH office or the FEHC at the locations listed in the City's DFEH poster or by checking the state government listings in the local telephone directory.

City of Carpinteria
Miscellaneous Unrepresented Personnel
Classification and Compensation Information
Effective July 1, 2015

Position	Department	Grade	Minimum	Control Point	Maximum
Associate Planner	CCD	12	\$58,249.45	\$72,812.36	\$80,093.25
Assistant Planner	CCD	10	\$50,816.19	\$63,520.68	\$69,872.13
Engineering Tech	Public Works	9	\$45,574.32	\$56,967.90	\$62,665.55
Management Analyst	Public Works	9	\$45,574.32	\$56,967.90	\$62,665.55
Code Compliance Officer II	CCD	8	\$43,968.37	\$55,961.01	\$60,457.33
Management Assistant	Parks & Recreation	7	\$41,896.51	\$52,371.18	\$57,607.43
Code Comp. Officer I	CCD	6	\$39,913.87	\$49,893.43	\$54,882.66
Pool Supervisor	Parks & Recreation	6	\$39,913.87	\$49,893.43	\$54,882.66
Parks & Rec. Tech.	Parks & Recreation	6	\$39,913.87	\$49,893.43	\$54,882.66
Aquatics Program Coordinator	Parks & Recreation	5	\$37,931.23	\$47,414.05	\$52,155.45

RESOLUTION NO. 5617

**A RESOLUTION OF THE CARPINTERIA CITY COUNCIL
APPROVING AND ADOPTING REVISIONS TO THE CONDITIONS OF
EMPLOYMENT FOR MANAGEMENT PERSONNEL**

WHEREAS, the Carpinteria City Council recognizes that the conditions of employment for at-will management-level employees should be addressed separately from classified employees covered under the Memorandum of Understanding between the City of Carpinteria and the Service Employees International Union (SEIU) Local 620; and,

WHEREAS, this classification of employee includes Department Directors, and other management, mid-management, supervisory and professional positions, the Carpinteria City Council wishes to update the Conditions of Employment and the Classification/Compensation Program for this classification to insure that the City remains competitive; and,

WHEREAS, it is the desire of the City Council to revise the Conditions of employment for those employees classified as management personnel as attached hereto as Exhibit A.

NOW, THEREFORE, THE CARPINTERIA CITY COUNCIL HEREBY RESOLVES THAT the Conditions of Employment for Management Personnel, of the City of Carpinteria is amended to include the revised salary range schedule, Exhibit 1, dated July 1, 2015, is hereby approved.

PASSED, APPROVED AND ADOPTED this 22nd day of June, 2015 by the following called vote:

AYES: COUNCIL MEMBER:

NOES: COUNCIL MEMBER:

ABSENT: COUNCIL MEMBER:

Mayor, City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a special meeting of the City Council of the City of Carpinteria held the 22nd day of June, 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Jeffrey Dinkin
Special Counsel

**CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT
FOR MANAGEMENT PERSONNEL**

EFFECTIVE JULY 1, 2015

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CITY OF CARPINTERIA
CONDITIONS OF EMPLOYMENT FOR MANAGEMENT PERSONNEL
EFFECTIVE JUNE 22, 2015

SECTION 1
CLASSIFICATION

Management Employees for purposes of this Agreement, will include those employees in the following classifications: Management, Mid-Management and/or Supervisory and Professional.

<u>Position</u>	<u>Salary Grade</u>
<i>MANAGEMENT</i>	
Community Development Director	19
Public Works Director/City Engineer	19
Administrative Services Director	18
Parks and Recreation Director	17
<i>MID-MANAGEMENT/SUPERVISORY/PROFESSIONAL</i>	
Civil Engineer	16
Senior Planner	14
Human Resources Administrator/Risk Manager	14
Assistant to the City Manager	14
City Clerk	14
Finance Supervisor	12
Public Works Supervisor	12
Building Inspector/Plan Check	12
Environmental Coordinator	12
Volunteer and Emergency Services Coordinator	12
Code Compliance Supervisor	11

1.1 EMPLOYER/EMPLOYEE RELATIONSHIP:

An employee in this classification is classified as a salaried, at-will employee and not hired for any specified term. Accordingly, the employee is free to resign from their position at any time, with or without cause, upon oral or written notice to the City Manager and, similarly, the City may end its employment relationship with the employee or change their status (i.e., modify the position, implement a demotion, adjust wages, etc.) at any time, with or without cause, upon oral or written notice to the employee. None of the provisions of the Conditions of Employment for Management Personnel are intended to modify this employment relationship.

1.2 CLASSIFICATION:

Employees serving in Management, Mid-management, Supervisory and Professional positions are exempt from the City's Personnel Rules. They are "at-will" employees, serving at the pleasure of the City Manager. By the executive, administrative and/or technical nature of their positions, they have been determined to be exempt from the overtime requirements of the Federal Fair Labor Standards Act.

SECTION 2

WORK SCHEDULE

2.1 REPORTING:

Management Employees are classified as salaried employees. All employees for the City of Carpinteria are required to report hours worked on a daily time sheet; however, as salary-status employees, tracking of hours for this category of employees is for internal use only and does not affect the salary of exempt employees.

2.2 FLEXTIME SCHEDULING:

While Management Employees are required to work the hours necessary to perform the job duties and responsibilities, employees may have the option to participate in an alternate 9/80 work schedule based on a flexible 9 day/80 hour pay period (eight 9-hour days and one 8-hour day) for general work scheduling purposes. Each employee electing to participate in flextime scheduling must select a Monday or Friday as their designated flex day off, the alternate Monday or Friday will be their 8-hour day. The daily work schedule will begin at 7:30 a.m. and end at 5:30 p.m.

The flexible work schedule and flex day selected is subject to the operational needs and requirements of the department as determined by the City Manager. Management Employees may be required or find it necessary to work additional hours outside their flexible schedule. For scheduling purposes, any change from the established flex day, must be approved in advance by the City Manager.

The program will be evaluated on an on-going basis regarding personal performance standards, as well as monitoring staffing needs to ensure that the public is being appropriately served. Continuation of such schedules shall be subject to review and approval of the City Manager.

The City Manager reserves the right to remove any (or all) employees from flexible work schedules. To the extent possible, two weeks advance written notice will be provided to the employee. An employee shall not be removed from a flexible work schedule for arbitrary or capricious reasons.

2.3 FLEXIBLE HOURS:

Compensatory hours will not be granted for hours worked in excess of regularly scheduled hours for this category of employees, however, Management Employees, although exempt from the overtime requirements of FLSA, may accrue flex hours for hours worked beyond their regularly scheduled work day.

Hours worked in excess of a regularly scheduled work day, i.e., eight 9- hour days and one 8- hour day in a pay period for Management Employees on a 9/80 flex schedule, will be recorded on a computerized time sheet as accrued flex hours. For Management Employees on a 10/80 schedule, hours worked in excess of an 8-hour day will be recorded as "hours accrued". Flex hours accrued do not have a cash-out value, and Management Employees will not receive compensation for unused accrued flex hours at the time of separation from employment.

2.4 ABSENCES:

Management Employees may use accrued flex hours instead of their accrued leave back for absences of less than a full day, if the employee has worked a minimum of two hours and has approval of the City Manager to be absent.

2.5 LEAVE:

Any absence of one day or more, for other than City business, will be appropriately recorded and deducted from the employee's leave bank or accrued flex flextime hours. With prior approval from the City Manager, in addition to a regularly scheduled flex day, a management employee participating in the 9/80 alternate flextime scheduling may take one additional flex day off within a given pay period if there are sufficient accrued flex hours to cover the time.

2.6 CARRY OVER OF FLEXTIME HOURS:

A maximum of forty (40) flextime hours may be carried forward from one fiscal year to the next. Effective the first full pay period in July, adjustments on accrued flex hours will be made. Anything less than forty (40) hours and negative balances will be carried forward as they appear on the last full pay period in June.

SECTION 3

COMPENSATION AND BENEFITS

3.1 PAY STATUS:

A Management Employee is considered to be in pay status and eligible for benefits under any of the following circumstances:

- (1) While working regular hours
- (2) While on authorized Leave Bank hours
- (3) While on authorized Injured on Duty (IOD) status
- (4) While on authorized jury duty
- (5) While on flex hours

The City Manager may authorize coverage of benefits on an individual basis for employees on authorized leave without pay for a period of up to four (4) months when it is deemed appropriate or is otherwise required by law.

3.2 METHOD OF PAYMENT:

Employees shall be paid on a bi-weekly basis and pay checks will be available on the Thursday afternoon following the close of the regular pay period unless holidays or circumstances beyond the control of the City occur in which case all necessary action will be taken to insure that individual pay checks are available with a minimum of delay.

Employees are encouraged to take advantage of direct deposit of payroll checks. Upon request, payroll checks may be directly deposited to an employee's checking or savings account.

3.3 BASE WAGE ADJUSTMENT:

Effective the first full pay period after July 1 the Management Employees listed in Section 1, (Classification), shall have their base wages adjusted pursuant to the results of an annual performance based employee evaluation.

The review shall include a Performance Rating of one of five categories:

- Unacceptable
- Needs Improvement;
- Contributor;
- Valued Performer;
- High Performer.

The result of the Performance Rating shall be used by the City Manager to determine the appropriate range of increase to the base wage as illustrated in the Merit Increase Matrix. The exact increase within the range provided for in the Matrix shall be determined by the City Manager.

All wage increases are subject to availability of funds as authorized by City Council. Should fiscal constraints limit full funding of wage increases, all authorized base wage increases shall be reduced by an equal percentage.

MERIT INCREASE MATRIX

		Position and Range		
		Lower Third Min to 90% of CP	Middle Third 90.1% of CP to CP	Upper Third CP to Maximum
Performance Rating	High Performer	11 ½ to 12 ½%	10 to 11%	9 ½ or to Range Max
	Valued Performer	8 ½ to 9 ½%	7 ½ to 8%	6 ½ to 7% or to Range Max
	Contributor	5 ½ to 6%	4 to 5%	0
	Needs Improvement	0	0	0
	Unacceptable	0	0	0

3.4 DEFERRED COMPENSATION PROGRAM:

The ICMA Deferred Compensation Program will be available to Management Employees with participation on a voluntary basis.

3.5 STATE DISABILITY INSURANCE:

The City participates in the State Disability Insurance Program to provide coverage for non-industrial injuries. As a benefit, the City reimburses Management Employees in this classification for payroll deductions made on base salary for State Disability Insurance.

3.6 SHORT-TERM/LONG TERM DISABILITY PROGRAM:

In addition to coverage under the State Disability Insurance Program, the City provides eligible full-time employees with additional short-term disability coverage to integrate with SDI for a weekly benefit of 60% of covered earnings and a long-term disability program to provide a monthly benefit of 66 2/3% of covered earnings. This program will be at the expense of the City.

3.7 FICA MEDICARE TAX:

All employees hired after April 1986 are subject to FICA Medicare taxes in accordance with Federal regulations. The City will reimburse the Management Employees for payroll deductions made on base salary for FICA Medicare Tax.

3.8 SPECIAL PAY:

Pursuant to Section 3.6 and 3.8, reimbursement equal to the payroll deduction for the employee's annual cost for SDI and/or FICA Medicare tax will be pro-rated over the twenty-six (26) payroll periods and paid to the employee on the regular bi-weekly payroll check as "Special Pay".

3.9 OUTSTANDING OBLIGATIONS UPON TERMINATION:

If any Management Employee has any outstanding obligations due to the City, such as advance use of any benefits or lost or damaged equipment, at the time of termination, the employee will be requested to reimburse the City for any such advanced amount.

3.10 CAL PERS RETIREMENT:

The City provides retirement benefits through the California Public Retirement System pursuant to Section 7.

3.11 HEALTH, DENTAL AND WELLNESS PROGRAM:

The City provides health, dental and wellness benefits pursuant to Section 8.

SECTION 4

LEAVE REGULATIONS

4.1 ANNUAL LEAVE:

Annual leave for full-time Management Employees is inclusive of all leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave), and can be used for vacations, personal time off, sick leave purposes and other time away from work consistent with the terms of this section. The use of annual leave for "Sick Leave Purposes" means 1) time off to diagnose, care, or treat an existing health condition, or for preventative care for the employee or for the employee's child, spouse, domestic partner, parent, parent of employee's spouse or domestic partner, grandparent, grandchild, or sibling; and 2) time off for employees who are victims of domestic violence, sexual assault, or stalking may also use annual leave to seek medical attention, obtain services from a shelter or crisis center, obtain counseling, or go to court.

Employees covered by this Conditions of Employment who have served less than thirty (30) days within a year of the commencement of employment in the service of the City are not eligible for annual leave. However, leave credits for the time will accrue for each such regular full-time employee.

4.2. LEAVE TIME (Leave Bank):

In place of separate leave accrual for vacation, sick leave, paid administrative leave and floating holidays, each employee will accrue leave in a Leave Bank that will be inclusive of all such leave benefits (vacation, sick, floating holidays, paid administrative leave and approved paid personal leave).

4.3 LEAVE ACCRUAL:

For employees employed with the City as of July 1, 2015, at the beginning of each fiscal year eligible employees will receive a leave bank equal to his/her annual leave entitlement.

For employees whose employment with the City starts after July 1, 2015, his/her annual leave entitlement for his/her first year of employment shall be based on the number of full months that employee will work for the City prior to the July 1 following their date of hire. For example, if an eligible employee's first day of employment is December 15, her/his annual leave entitlement for their year of employment will be 50% of 144 hours, which equals 72 hours. However, the amount of the leave bank entitled for the first year of employment will not be less than twenty-four (24) hours or three (3) days, whichever is greater. The first year amount of annual leave will be credited to the employee's leave bank after the employee completes thirty (30) days of employment in the service of the City. The amount of annual leave credited to the employee's leave bank for their first year of employment will not be subject to the maximum leave bank accumulation as provided in section 4.8.

Effective the July 1 following the employee's date of hire, and every July 1 thereafter, employees will receive a leave bank equal to his/her annual leave entitlement.

In the event one or more municipal holidays fall within an authorized leave with pay, such holidays shall not be charged as leave, and the leave shall be extended accordingly.

Accrued leave time can be taken off prior to the date of retirement and used to delay final date of employment if it is requested in writing and approved at least thirty (30) days prior to the scheduled date that such leave would begin.

4.4 LEAVE BANK SCHEDULE

(Days on leave bank schedule are figured as eight (8) hour days)

MANAGEMENT EMPLOYEES SERVING AS DEPARTMENT HEADS

(Accrual includes 48 hours of administrative leave)

<u>Years of service</u>	<u>Total Accrual</u>	
0 through three	192 hours	(24 days)
Four through six	208 hours	(26 days)
Seven through ten	232 hours	(29 days)
Eleven	240 hours	(30 days)
Twelve	248 hours	(31 days)
Thirteen through fifteen	256 hours	(32 days)
Sixteen through eighteen	272 hours	(34 days)
Nineteen or more	280 hours	(35 days)
Thirty year service award	304 hours	(38 days)

MANAGEMENT, MID-MANAGEMENT, SUPERVISORY AND PROFESSIONAL EMPLOYEES

(Accrual includes 40 hours of administrative leave)

<u>Years of Service</u>	<u>Total Accrual</u>	
0 through three	184 hours	(23 days)
Four through six	200 hours	(25 days)
Seven through ten	224 hours	(28 days)
Eleven	232 hours	(29 days)
Twelve	240 hours	(30 days)
Thirteen through fifteen	248 hours	(31 days)
Sixteen through eighteen	264 hours	(33 days)
Nineteen or more	272 hours	(34 days)
Thirty year service award	296 hours	(37 days)

4.5 LEAVE ELIGIBILITY:

Employees are eligible to use annual leave benefits beginning on their ninetieth (90th) day of employment.

4.6 NOTIFICATION FOR USE OF LEAVE BANK:

Except for annual leave used for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Employees are required to make written requests through the appropriate supervisory channels for the use of accrued leave time. The written request shall be submitted at least two (2) full working days in advance for leave requests of up to four (4) working days; for leave requests of five (5) working days or more, the written request shall be submitted at least ten (10) working days, but not earlier than ninety (90) calendar days, prior to the beginning date of the requested leave. No use of accrued leave time or related absence is authorized until the employee's written request is approved in writing.

Leave periods shall be scheduled by management to provide adequate staffing. Such scheduling shall be subject to the needs of the City but shall take into account employee seniority and personal preference. The City will make every effort to give maximum possible advance notice to the Management Employee in the event scheduled leave must be cancelled or modified due to the needs of the service.

Where use of accrued leave time is requested for Sick Leave Purposes, in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, notification for use of leave bank hours will be as follows:

Where the need to use annual leave for Sick Leave Purposes is foreseeable, employees must provide reasonable advance notice, orally or in writing, to their supervisor or Human Resources. If the request for the use of five (5) or more days of leave time is related to planned medical treatment, when possible the employee should make the request for use of leave time at least ten (10) working days in advance. When the need to use annual leave for Sick Leave Purposes is not foreseeable, is being used in cases of emergency or when the need to use leave time is not otherwise reasonably foreseeable, employees are required to notify their supervisor or Human Resources, orally or in writing, as soon as practicable.

4.7 UNAUTHORIZED LEAVE

An employee's absence shall be unauthorized if the employee does not report his or her absence to his or her supervisor or Human Resources as required under section 4.6.

4.8 LEAVE BANK ACCUMULATION

A maximum of one hundred and twenty hours (15 days) of leave accrual will be the maximum allowed for carry-over at the end of a fiscal year, provided however, if at the end of year there are any leave bank hours over 120, the hours will be carried over and a commensurate number of hours shall be deducted from the employee's annual accrual in order that the maximum leave bank accrual not exceed an employee's annual accrual plus 120 hours.

4.9 LEAVE BANK CASH-OUT/OPTIONS

1. Each employee may cash-out up to eighty (80) hours of any unused leave hours accrued at the beginning of the fiscal year, provided the employee retains an accrued leave balance of at least forty (40) hours in their leave bank. Compensation for such cash-out of unused accrued leave hours will be based on the employee's existing salary at the time the request is made.
2. Further, each employee may direct that all or any portion of the allowed cash-out amount be used to buy benefits offered under the Flexible Benefit Program.

4.10 TREATMENT OF ACCRUED LEAVE UPON TERMINATION

At the time of termination of employment, employees shall be paid the cash value of all unused accrued leave hours based on the employee's then existing salary rate; or, in the alternative, the employee may exercise the option to invest the cash value of such unused accrued leave hours in the Employee Flexible benefit Program.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, his or her request for the agency to "hold" payment of his or her accumulated leave until the following year. Such request must be submitted in writing in advance of the date of retirement and requires written approval by the City Manager before any disbursement can be made.

4.11 TREATMENT OF ACCRUED LEAVE UPON RETIREMENT:

Unused leave time can be taken off prior to retirement date and used to delay the final date of employment if requested in writing and approved at least 30 days prior to the scheduled date that such leave would begin.

If a retiring employee terminates employment during the year and is legally entitled to a distribution of unused leave, the employee may submit, in writing, a request for the agency to "hold" payment of pro-rated accumulated leave until the following year. Such request must be submitted in writing prior to date of retirement and requires written approval by the City Manager before any disbursement can be made.

4.12 CATASTROPHIC EVENT:

In the event an employee in this group suffers a catastrophic event, e.g. serious illness, and there is not a sufficient leave balance to cover the employee's absence from the workplace, upon written request to the City Manager, an advancement of up to thirty (30) days of leave may be granted, with the understanding that it will be reimbursed to the City on a day-for-day basis from future allocated leave or reimbursed to the City as outlined under Section 3.9 Outstanding Obligations Upon Termination.

4.13 UNPAID LEAVE:

Leave of Absence Without Pay

The City Manager may grant a regular or probationary employee leave of absence without pay or accrual of employment benefits, such as paid time off or seniority, for reasons other than pregnancy, disability or family care leave, for a period not to exceed ninety (90) days. No employee shall be authorized leave without pay if said employee has accrued leave or accrued flex time hours on the books of the City. After ninety (90) days, the leave of absence may be extended if authorized by the City Council.

No such leave shall be granted except upon written request of the employee, setting forth the reason for the request, and the approval will be in writing. Upon return to duty following expiration of a regularly approved leave, the employee shall be reinstated in the position held at the time leave was granted. Failure on the part of the employee on leave to report promptly at its expiration shall be cause for discharge. The depositing in the United States mail of a first class letter postage paid, addressed to the employee's last known place of address shall be reasonable notice.

Department heads may grant a regular, or probationary employee leave of absence without pay for not to exceed one (1) calendar week. Such leaves shall be reported to the Human Resources Administrator.

No leave shall accrue to any employee during any full biweekly pay period in which the employee is on an authorized leave without pay in excess of five (5) days. Employee on leave without pay may also be responsible for full payment (employer and employee portion) of insurance premiums for insurance coverage during such leave. Benefits shall be continued at City expense during the first thirty (30) days of such leave.

Statutory Family and Medical Leave

1. Eligibility

The City provides eligible employees the opportunity to take unpaid leaves of absence for specific reasons in accordance with California's Moore-Brown-Roberti Family Rights Act (CFRA) and the federal Family and Medical Leave Act of 1993 (FMLA). To be eligible for FMLA/CFRA Leave, an employee must (1) have worked for the City for at least twelve months prior to the date on which the leave is to commence; and (2) have worked at least 1,250 hours in the twelve months preceding the leave.

2. FMLA Leave

a. Permissible Uses

"Family care leave" may be requested under the FMLA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, or parent. "Medical leave" may be requested under the FMLA for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

"Qualifying exigency leave" may be requested under the FMLA for qualifying exigencies arising out of the fact that an employee's spouse, son, daughter, or parent is on active duty (or has been notified of an impending call or order to active duty) in the Armed Forces in support of a contingency operation. "Qualifying exigencies" include certain absences related to short-notice deployment, military events and related activities, childcare and school activities, financial and legal arrangements, counseling, rest and recuperation, post-deployment activities, and additional activities. Employees may contact the Human Resources Administrator or her or his designee for more information about what qualifies as a "qualifying exigency."

"Military caregiver leave" may be requested under the FMLA to care for a "covered service member" if the employee is a spouse, child, parent, or next of kin of the "covered service member." A "covered service member" is:

- a member of the Armed Forces, including the National Guard and Reserves, who, because of a serious injury or illness incurred in the line of duty while on active duty that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating, is: (1) undergoing medical treatment, recuperation, or therapy; (2) in outpatient status; or (3) on the temporary disability retired list; or

a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of five (5) years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

b. Amount of FMLA Leave Available

Provided all the conditions of this policy are met, an employee may take a maximum of twelve (12) weeks total of family care leave, medical leave, and qualifying exigency leave under the FMLA in a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave, medical leave, or qualifying exigency leave under the FMLA commences. Spouses who are both employed by the City may take a maximum combined total of twelve weeks of family care leave under the FMLA in a 12-month period for the birth, adoption, or foster care of their child.

Provided all of the conditions of this policy are met, an employee may take up to 26 weeks total of a combination of all leaves under the FMLA during a 12-month period (up to 12 weeks of which may be for FMLA leave other than military caregiver leave). The 12-month period used to measure this entitlement will commence upon the first use of military caregiver leave under the FMLA for a covered service member's particular injury.

3. CFRA Leave

"Family care leave" may be requested under the CFRA for (1) the birth or adoption of an employee's child, (2) the placement of a foster child with the employee; or (3) the serious health condition of an employee's child, spouse, domestic partner as defined in California Family Code Section 297, or parent. "Medical leave" may be requested for an employee's own serious health condition. A "serious health condition" is one that requires either in-patient care in a medical facility or continuing treatment or supervision by a health care provider.

Provided all of the conditions of this policy are met, an employee may take up to twelve (12) weeks of leave under the CFRA during a 12-month period. This 12-month period is measured backwards from the date the employee's family care leave or medical leave under the CFRA commences. Spouses who are both employed by the City may take a maximum combined total of twelve weeks of family care leave under the CFRA in a 12-month period for the birth, adoption, or foster care of their child.

Family care leave and medical leave under the CFRA typically run concurrently with family care leave and/or medical leave under the FMLA.

4. Intermittent Leave

FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child generally must be taken in blocks of at least two (2) weeks' duration; however, the City will provide employees with family care leave for birth, adoption, or foster care placement for periods of less than two (2) weeks duration on any two (2) occasions. FMLA/CFRA Leave taken for the birth, adoption, or foster care placement of a child must be concluded within one (1) year of the birth, adoption, or placement.

Qualifying exigency leave under the FMLA may be taken on an intermittent or reduced schedule as required by the qualifying exigency.

FMLA/CFRA Leave for any other reason may be taken intermittently or on a reduced schedule where medically necessary. If FMLA/CFRA Leave is authorized to be taken intermittently or on a reduced schedule, the City retains the discretion to transfer the employee temporarily to an alternative position with equivalent pay and benefits which better accommodates the employee's leave schedule.

5. Substitution of Paid Leave

Employees are required to substitute accrued paid time off, including accrued flex time hours, for all FMLA/CFRA Leaves, except that employees can retain a five (5) day balance of accrued paid time off.

If the employee is receiving payments from State Disability Insurance ("SDI") while on FMLA/CFRA leave, the accrued paid leave time will only be used in an amount which supplements the SDI payment such that the employee receives the full amount of his or her regular compensation as an active employee.

The substitution of paid leave time for FMLA/CFRA Leave does not extend the total duration of FMLA/CFRA Leave to which an employee is entitled. For example, if an employee has accrued two (2) weeks of unused paid vacation time at the time of the request for medical leave under the FMLA/CFRA, that paid vacation time will be substituted for the first two (2) weeks of FMLA/CFRA Leave, leaving up to ten (10) additional weeks of unpaid FMLA/CFRA Leave.

6. Leave's Effect on Pay

Except to the extent that other paid leave time is substituted for FMLA/CFRA Leave, FMLA/CFRA Leave is unpaid.

7. Leave's Effect on Benefits

During an employee's FMLA/CFRA Leave, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage.

If the employee fails to return from the leave for a reason other than the recurrence or continuation of the health condition that brought about the leave or other circumstances beyond the employee's control, the City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave.

Employees on FMLA/CFRA Leave accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

8. Procedure for Requesting Family Care and Medical Leave

Notice Requirements

Employees should notify the Human Resources Administrator of their request for FMLA/CFRA Leave as soon as they are aware of the need for such leave. For foreseeable events, if possible, the employee shall provide thirty (30) calendar days' advance written notice to the Human Resources Administrator of the need for FMLA/CFRA Leave. For events that are unforeseeable thirty (30) days in advance, but are not emergencies, the employee must notify the Human Resources Administrator, in writing, as soon as he/she learns of the need for the leave, ordinarily no later than one (1) to two (2) working days after the employee learns of the need for the leave. If the leave is requested in connection with a planned, non-emergency medical treatment, the employee may be requested to reschedule the treatment so as to minimize disruption of the City's business.

If an employee fails to provide the requisite 30-day advance notice for foreseeable events without any reasonable excuse for the delay, the City reserves the right to deny the taking of the leave.

All requests for FMLA/CFRA Leave should include anticipated date(s) and duration of the leave. Any requests for extensions of an FMLA/CFRA Leave must be received at least five (5) working days before the date on which the employee was originally scheduled to return to work and must include the revised anticipated date(s) and duration of the family care or medical leave.

Certification

Any request for FMLA/CFRA Leave must be supported by proper certification of the need for leave. For foreseeable leaves, employees must provide the required certification before the leave begins. When this is not possible, employees must provide the required certification within fifteen (15) calendar days after the City's request for certification, unless it is not practicable under the circumstances to do so, despite the employee's good faith efforts. Failure to provide the required certification may result in the denial of foreseeable leaves until such certification is provided. In the case of unforeseeable leaves, failure to provide the required certification within fifteen days of being requested to do so may result in a denial of the employee's continued leave. Any request for an extension of the leave also must be supported by an updated certification.

Certification of family care leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) the health care provider's estimate of the amount of time needed for family care; and (4) the health care provider's assurance that the health care condition requires family care leave.

Certification of medical leave under the FMLA/CFRA shall include (1) the date on which the serious health condition commenced; (2) the probable duration of the condition; (3) a statement that, due to the serious health condition, the employee is unable to perform the functions of his or her position; and (4) in the case of intermittent leave or revised schedule leave where medically necessary, the probable duration of such a schedule. In addition, the certificate may, at the employee's option, identify the nature of the serious health condition involved. If the City has reason to doubt the validity of the certification provided by the employee, the City may require the employee to obtain a second opinion from a doctor of the City's choosing at the City's expense. If the employee's health care provider and the doctor providing the second opinion do not agree, the City may require a third opinion, also at the City's expense, performed by a mutually agreeable doctor who will make a final determination. Before permitting the employee to return to work, the City may also require the employee to provide medical certification that he or she is able to return to work.

Certification of a military caregiver leave under the FMLA shall be either (1) an appropriate medical certification from an authorized health care provider or (2) a copy of an Invitation Travel Order or Authorization issued by the Department of Defense.

The nature and format of the certification of a qualifying exigency leave under the FMLA will vary depending on the nature of the qualifying exigency, and will typically include a copy of the active duty orders for the employee's spouse, son, daughter, or parent.

9. Leave's Effect on Reinstatement

Employees returning from FMLA/CFRA leave are entitled to reinstatement to the same or comparable position consistent with applicable law, provided that the total period of the FMLA/CFRA Leave does not exceed the employee's maximum leave entitlement as described above.

Employees who take medical leave under the FMLA/CFRA for their own serious health condition must provide medical certifications verifying that they are able to return to work in the same manner as employees who return to work from other types of medical leave.

Pregnancy Disability Leave (PDL)

Under the California Fair Employment and Housing Act (FEHA), if an employee is disabled by pregnancy, childbirth or related medical conditions, she is eligible to take a pregnancy disability leave (PDL). If an employee is affected by pregnancy or a related medical condition, she is also eligible to transfer to a less strenuous or hazardous position or to less strenuous or hazardous duties, if this transfer is medically advisable.

- The PDL is for any period(s) of actual disability caused by pregnancy, childbirth or related medical conditions up to four (4) months (or eighty-eight (88) work days for a full-time employee) per pregnancy.
- The PDL does not need to be taken in one continuous period of time but can be taken on an as-needed basis.
- Time off needed for prenatal care, severe morning sickness, doctor ordered bed rest, childbirth, and recovery from childbirth would all be covered by the PDL.
- Except as other specifically provided in this section, generally, the City is required to treat pregnancy disability the same as the City treats other disabilities of similarly situated employees. The leave will be unpaid.

Employees on PDL will be required to obtain a written certification from their health care provider of the pregnancy disability or the medical advisability for a transfer. The certification should include:

1. The date on which the employee becomes disabled due to pregnancy or the date of the medical advisability for the transfer;
2. the probable duration of the period(s) of disability or the period (s) for the advisability of the transfer, and
3. a statement that, due to the disability, the employee is unable to work at all or to perform any one or more of the essential functions of the position without undue risk to herself, the successful completion of the pregnancy or to other persons or a statement that, due to your pregnancy, the transfer is medically advisable.

At the employee's option, any accrued paid time off may be used as part of the pregnancy disability leave before taking the remainder of the leave as an unpaid leave. However, taking paid time off during the period of the pregnancy disability leave does not extend the maximum time allowed for such leave. Employees may also be eligible for state disability insurance for the unpaid portion of the leave.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid time off is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments she will accrue employment benefits on a pro rata basis.

An employee who is on a leave of absence for a period in excess of two (2) months must notify the Human Resources Administrator by the end of each month thereafter both of the status of the disability and the employee's continued intent to work once the employee recovers from the disability. An employee returning from an absence shall be required to provide a physician's certification that indicates that she is fit to return to work.

An employee who returns to work at the end of a leave of absence due to pregnancy, childbirth or related medical condition will be returned to her former position, if possible, or will be offered the first available opening in a comparable position for which she is qualified.

An employee who returns from a leave of absence due to pregnancy will be credited with all service prior to the commencement of her disability.

An employee who fails to report for work at the end of an approved leave will be deemed to have voluntarily resigned.

During an employee's approved PDL, the City shall continue to pay for the employee's participation in the City's group health insurance to the same extent and under the same terms and conditions as would apply had the employee not taken leave, for up to four months. Employees are required to continue to make any payments they normally make towards healthcare coverage premiums while on leave. In the event an employee on leave fails to make timely payment for their portion of healthcare coverage premiums, the City will notify the employee of such failure and, if payment is not made, terminate the coverage. The City is entitled to recover any health premiums paid by the City on the employee's behalf during any unpaid period of the leave if the employee fails to return from the PDL for a reason other than one of the following: (1) the employee takes FMLA/CFRA Leave; (2) the continuation, recurrence or onset of a serious health condition or serious injury or illness within the meaning of FMLA/CFRA; or (3) other circumstances beyond the employee's control as provided by law.

Employees on PDL accrue employment benefits, such as paid time off or seniority, only when paid leave is being substituted for unpaid leave and only if the employee would otherwise be entitled to such accrual. If the employee is using accrued paid time off to supplement SDI payments as discussed above, he or she will accrue employment benefits on a pro rata basis.

Paid Family Leave

Employees who are covered by the state's SDI program will be eligible for reimbursement for up to six (6) weeks during a twelve (12) month period of qualifying unpaid leave, for the purposes of bonding with a newborn child (up to one (1) year from birth or adoption), or to care for a family member or domestic partner.

An employee who is eligible for SDI benefits may only become eligible for PFL benefits after SDI benefits are no longer being paid. SDI benefits are payable when an employee is disabled for a non-work related reason, which may include pregnancy; PFL benefits are for baby bonding and for providing care to a family member.

Once an employee is no longer disabled, and (in the case of pregnancy) has given birth, her SDI benefits may cease and she may apply for baby bonding benefits under PFL.

Once an employee applies for PFL, there is a seven (7) day unpaid waiting period before the employee may start receiving benefits. However, an employee who previously served a waiting period before receiving SDI benefits will not have to serve another waiting period before receiving PFL benefits. Employees may use their accrued paid time off during the seven (7) day waiting period.

Paid Family Leave is administered by the State of California and may be modified by the State from time to time.

4.14 DEATH OR CRITICAL ILLNESS IN IMMEDIATE FAMILY BEREAVEMENT LEAVE

An employee eligible for benefits, upon the necessity of his absence being shown to and with the consent of the City Manager, may be allowed to be absent from the duties of his/her position and to receive full compensation during such absence for bereavement leave. Eligible City employees shall be entitled to bereavement leave, in addition to any other leave, to provide up to three (3) working days per year with pay in the case of death or of critical illness where death appears eminent. This time shall be in addition to accrued leave time or accrued flex time accrued. The City shall cooperate with the employee in providing time off, using accrued leave time, or accrued flex time hours, for any additional bereavement needs if the three (3) days bereavement leave has been used.

Such benefit shall apply to all immediate family members, to include spouse, child, brother, sister, parent (including step family and in-laws), grandparents and grandchildren when the relationship of the person to the employee warrants such use of bereavement leave. Where such death or critical illness has occurred, the employee shall furnish satisfactory evidence of such death or critical illness to his/her department head.

Such leave of absence shall not be allowed in any case where, in the preceding six (6) calendar months, a leave of absence for the critical illness of that same relative has been granted. Such bereavement leave is not cumulative from year to year.

Leave to attend the funeral of a co-worker will be acceptable to the City upon Department Head approval consistent with maintenance of operations. Such leave is considered leave with pay and not charged to any other leave.

4.15. CONFLICT OF LAWS

In the event of any conflict between the provisions of this Conditions of Employment and Federal or State laws, such Federal or State laws shall prevail.

SECTION 5

5.1 LEGAL HOLIDAYS

- A. The City has established the following schedule of days that shall be observed as legal holidays by all Management Employees, at which time the City's administrative offices will be closed. The City observes twelve holidays. Three floating holidays are included in the leave bank

January 1st	New Year's Day
3rd Monday in January	Martin Luther King Day
3rd Monday in February	President's Day
Last Monday in May	Memorial Day
July 4th	Independence Day
1st Monday in September	Labor Day
November 11th	Veteran's Day
4th Thursday in November	Thanksgiving Day
4th Friday in November	Friday following Thanksgiving
December 25th	Christmas Day

- B. The following days shall be observed as legal holiday: December 26, 2014, January 2, 2015, December 24, 2015 and December 31, 2015. Similar holidays (the day before or after Christmas Day and the day before or after January 1st) shall be observed in future years.
- C. When a holiday falls on a Saturday or Sunday, the preceding Friday or the following Monday respectively shall be observed as the legal holiday. If the holiday falls on an employee's flex day, the flex day may be rescheduled within the same work week. Rescheduled flex days off that are rescheduled because a holiday falls on that day are subject to prior approval by the Department Head and appropriate notification to the Administrative Services Department.

- D. Observance of a legal holiday on a Friday or Monday, at which time the City's Administrative offices will be closed, will not create overtime or the loss of time from an employee's leave bank if the holiday falls on a regularly scheduled flex day. The hours for any given holiday will relate to the number of hours of the employee's regular scheduled work day for that particular day.

Nothing in this Conditions of Employment shall preclude the City from declaring a holiday when a legal holiday has been declared by the President of the United States or the Governor of the State of California or the City Council.

SECTION 6

WORKERS' COMPENSATION INSURANCE

The City will provide workers' compensation benefits when an employee is injured on duty arising out of and in the course of employment. Workers' Compensation coverage is currently through the California Joint Powers Insurance Authority.

For a period not to exceed six months, commencing with the first day following such injury, while a full-time City employee is totally disabled from industrial injury and on accepted workers' compensation status, employee shall be compensated in an amount equal to such employee's base wages at the time of such disability, less the aggregate of (a) any workers' compensation benefits, and (b) any other disability payments made to such employee. Such payment shall be limited to said six month period or until such employee is retired on permanent disability or terminated from the City's employment, whichever comes first.

An employee shall be entitled to benefits at the normal rate if the employee is on accepted workers' compensation status and in a pay status for up to six months as defined above.

The workers' compensation carrier of the City reserves the right to subrogate if a claim is filed by an employee against a third party.

SECTION 7

RETIREMENT PROGRAM

- A. The City shall continue to participate in the California Public Employees Retirement System (CalPERS). Under CalPERS, the City provides the 2%@55 Miscellaneous Plan formula for all employees who are "classic members" as defined by the Public Employees' Pension Reform Act of 2013 (PEPRA). Classic employees are currently defined as those who were enrolled in CalPERS as of December 31, 2012. For all "new members" as defined by PEPRA, the City provides the 2%@62 formula. New members are currently defined as employees not previously enrolled in CalPERS as of January 1, 2013 (and not meeting certain exceptions provided under PEPRA). Employees of the

City who are hired on or after January 1, 2013 who classified as new members under PEPRAs are subject to the other CalPERS terms and conditions set forth in PEPRAs.

- B. Effective the first pay period after the necessary contract amendment is approved by CalPERS, City employees who are classic members shall share in the cost of CalPERS coverage through payroll deduction as follows:

Employees will contribute a portion of the required employer contribution equal to 4.5% of "compensation earnable." This 4.5% contribution by employees to the employer contribution will be considered to be a contribution towards the normal cost as defined under PEPRAs.

- C. In addition, the City's contribution toward Employer Paid Member Contribution (EPMC) shall be reduced as follows:
1. Effective the pay period beginning January 3, 2015, the City's contribution toward EPMC shall be reduced to 5.75%, with employees paying 1.25% of "compensation earnable."
 2. Effective the first pay period after July 1, 2015, the City's contribution toward EPMC shall be reduced to 4.5%, with employees paying 2.5% of "compensation earnable."
- D. Employees who are hired after January 1, 2013 and are new members under PEPRAs, shall pay the full member contribution amount which is currently 6.5% of "compensation earnable." However, new members will not contribute toward any portion of the required employer contribution.
- E. The City shall continue to report the value of the EPMC on all reportable compensation subject to CalPERS for all employees in Management as adopted by Resolution 5564.

SECTION 8

HEALTH/DENTAL BENEFITS FLEXIBLE BENEFIT PROGRAM

8.1 LIFE, HEALTH AND DENTAL BENEFITS

- A. The parties agree that the City will maintain a life insurance program providing a \$100,000.00 term life insurance policy for the management, mid-management employee only, the beneficiary to be designated by said employee. The cost of the premium for this policy to be paid in full by the City. Employees retiring with 20 years or more of continuous service with the City and enrolled in the City's group life insurance program at the time of retirement, may continue to be covered in the City's group life insurance program at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.

- B. The City will maintain the current health insurance program with the Public Employees Retirement System (PERS) Medical and Hospital Care Act pursuant to Government Code Section 22850. The health insurance program shall be available to all regular full-time employees and retirees as follows:
- Each eligible employee or retiree may select a health insurance carrier providing coverage in the Carpinteria geographic area, as defined and provided by PERS and currently in effect and on file in the City Human Resources Office.

For the period through and including December 31, 2015, the City will continue to pay the health insurance premium for each employee, including for dependents coverage where applicable, up to the premium amount for coverage under the PERS Health Benefit Program HMO Plan (Blue Shield Access + HMO). Beginning the first pay period after January 1, 2016, employees will pay by payroll deduction or through the Flexible Benefit Program a monthly contribution to their health insurance premium (employee and dependents) in an amount equal to .029% of their annual base salary. (For example, if an employee's annual base salary is \$50,000, the monthly contribution for that employee would be \$14.58.) In the event the Blue Shield Access + HMO plan is no longer available to City employees, the most similar HMO plan will be substituted for purposes of this provision.

In addition, a Health Care All Employee Committee will be created to evaluate options for the provision of health insurance. The City will schedule these Committee meetings as appropriate in 2015 and, if needed, 2016. However, the City will not initiate any changes to the currently existing health insurance plans during the term of this Conditions of Employment without the agreement of the Management Staff.

Employees shall be responsible for payment as a payroll deduction or through the Flexible Benefit Program, for any health insurance premium contribution which exceeds the City's contribution amount for the premium for coverage under the PERS Health Benefit Program HMO plan.

- Health insurance coverage for newly hired employees will commence on the first day of the month following one full month of employment. If hired prior to the 15th day of the month, the month of hire will count as a full month of employment and coverage will be effective the first day of the following month. If hired after the 15th day of the month the month of hire will not count as a full month and the following month will be the first full month of employment.
- For covered employees who terminate during the fiscal year, such health insurance coverage shall end on the last day of the month following when said termination becomes effective, except that the provisions of COBRA may be applied at the employee's option. Covered employees who retire from the City under PERS may, at their option, continue such coverage without interruption pursuant to the provisions of the PERS Health Program.

- C. The City will provide 100% of the premium charged to maintain a Dental Insurance Plan for each Management Employee, and where appropriate, for dependent coverage. The City will retain control over the administration of the dental insurance program subject to maintenance of equivalent benefits to the extent it is within the control of the City. COBRA benefits may be applied at the employee's option. Dental coverage will commence on the first day of the month following one full month of employment.

8.2 FLEXIBLE BENEFIT PROGRAM (WELLNESS) ALLOWANCE:

In addition to the Health and Dental Insurance Programs, Management Employees will be eligible to receive an annual Flexible Benefit Program allowance of \$1,162 following one full month of employment. This benefit is based on a calendar year and the allowance will be pro-rated to the first day of the month following one full month of employment.

- (1) The purpose of the Flexible Benefit Program is to provide reimbursement to the covered employee for eligible medical and health-related costs not otherwise covered by health insurance or subject to reimbursement from any other source or to participate in other benefits provided by the Flexible Benefit Program. Payment of medical costs, not covered by insurance, must be prescribed by a physician or determined by the Internal Revenue Service (IRS) to be an eligible health-related expense.
- (2) In addition to reimbursement for eligible medical and health related costs and dependent care, the employee will have the option to purchase benefits offered through the Flexible Benefit Program up to the allowance of \$1,162. The level of participation in benefits provided by the Flexible Benefit Program will be at the option of each employee. Employees may cash out up to \$810 of the Flexible Benefit allowance, subject to applicable payroll taxes. The balance must be used for health-related expenses.
- (3) Reimbursement for bona fide health-related expenses, which may be eligible expenses under the Flexible Benefit Program may be subject to payroll taxes unless related to a particular medical condition and so prescribed by a medical doctor.

8.3 OUTSIDE COVERAGE OPTION:

- (1) The employee is not required to select or participate in any health/dental insurance program provided by the City, but such employee must provide satisfactory documentation that he/she is covered by an alternative health/dental insurance program.

- (2) Those employees with proof of health and/or dental insurance coverage who choose not to participate in the City's group health insurance and/or dental insurance program due to the availability of other coverage through a spouse's employer, the military, or other source, will receive, in addition to the \$1,162 Flexible Benefit Program allowance, a benefit allowance equal to fifty percent (50%) of the premium charged for the annual single coverage in the PERS basic HMO Plan available to this group of employees. An employee shall receive this benefit allowance as a one-time cash payment, with such payment subject to payroll taxes.
- (3) Those eligible employees who participate in the city's group health insurance program and have an eligible spouse or family dependents, but select single coverage and choose to cover any dependents under insurance offered through a spouse's employer, the military, or other source will receive, in addition to the employer contribution, the fully paid premium contribution balance for single health insurance coverage and the \$1,162 benefit allowance as provided for in Section 8.3, plus an additional benefit equal to 50% of the allowance specified in the above section, 8.3 (2).

8.4 FITNESS PROGRAM:

The City agrees to reimburse employees at the rate of thirty-one dollars and twenty cents (\$31.20) per month for the employee's membership fee at an athletics club or fitness program approved by the City Manager. Only full-time employees are eligible to receive this benefit.

This benefit will be made available to each management employee and councilmember subject to budgetary constraints and fiscal allocation. The level of participation in this benefit will be at the option of each employee.

SECTION 9

SERVICE AWARDS

The City of Carpinteria has established appropriate service awards to recognize continuous service with the City at levels of five, ten, fifteen, twenty, twenty-five and thirty years. In addition, in recognition of long-time service of twenty-five and thirty years eligible employees are entitled to the following recompense:

Twenty Five Year Service Recognition

Upon completion of twenty-five years of continuous service, eligible employees will be entitled to two personal days of leave per fiscal year. The hours will not have a cash value nor will they accumulate to be carried over to the next fiscal year. The use of the days as time off shall be subject to the regular request process.

Thirty Year Service Recognition

Upon completion of thirty years of continuous service, eligible employees will receive a commemorative recognition gift and be entitled to have three additional days added to their existing leave bank hours.

SECTION 10

LIFE INSURANCE

10.1 LIFE INSURANCE:

The City will maintain a group term life insurance policy for employee only, the beneficiary to be designated by the employee. The cost of the premium for this policy to be paid in full by the City. The coverage of such life insurance for this classification of employee will be \$100,000 subject to conditions of the providing life insurance company.

Employees retiring with 20 years or more on continuous service with the City and enrolled in the City's group life insurance at the time of retirement, may continue to be covered at City expense for a life benefit of \$10,000. Extended coverage will not include AD&D benefits.

SECTION 11

EDUCATION/TRAINING AND PROFESSIONAL DEVELOPMENT

11.1 TRAINING PROGRAMS:

The City recognizes the importance of training programs and advancement of employees to higher skills and encourages employees to participate in programs to improve his/her performance on the job. The City agrees that all direct costs of all training or instruction required by the City shall be paid for by the City.

Charges for tuition, books and supplies for educational courses, not required by the City but directly related to the Management Employee's position with the City, and having *prior written approval* of the Department Director and City Manager will be reimbursed upon presentation of satisfactory completion of such training.

It is the policy of the City to provide paid membership in approved professional associations for Management Employees as budgeted and subject to approval by the City Manager. This policy also includes publications associated with membership and other educational materials. The City encourages Management Employees to attend professional conferences subject to budgetary restraints and fiscal allocation.

SECTION 12

MISCELLANEOUS POLICIES

12.1 PHYSICAL EXAMINATION:

The City encourages all employees to have an annual physical examination as provided for under our health insurance benefits.

12.2 DRESS AND DECORUM:

All employees shall observe professional standards of dress, and decorum considered suitable for general public contact based on current social standards as interpreted by the City Manager.

12.3 EMPLOYEE RESPONSIBILITIES:

Each employee shall comply with all safety laws, rules and regulations and adopted policies of the City in performing the duties required of his/her position; and shall not willfully violate any of the provisions of the ordinances and resolutions which have been adopted and/or prescribed by the Carpinteria City Council or City Manager.

12.4 DEATH BENEFIT:

The City shall pay a death benefit in the amount of Two Thousand Five Hundred Dollars (\$2,500) directly to the spouse or legal heirs of any Management Employee within seventy two hours of the death of any Management Employee as the result of any industrial injury or illness as defined by Cal OSHA Publication #120-A, sustained by such employee while on duty within the course and scope of his/her employment with the City of Carpinteria.

12.5 TRANSLATION PAY:

- (1). Management Employees are encouraged to voluntarily develop bilingual skills in instances where the public contact nature of their jobs would make such skills valuable.
- (2). Any Management Employee hired prior to August 15, 1998 who, on a regular basis, is required to translate/interpret from Spanish to English or English to Spanish and is proficient in Spanish as determined by the City Manager shall be paid Translation Pay.

12.6 PARTICIPATION IN CITY-SPONSORED RECREATION PROGRAMS:

The City agrees to provide special employee rates to currently employed, regular full-time employees and their immediate family members who wish to participate in City-sponsored Parks and Recreation Department Programs. All fees are payable in advance of participation in the program. Requests for employee rates for City-sponsored programs should be in writing and

approved by the Parks and Recreation Director and scheduled with the appropriate recreation program supervisor.

- (1) Eligible employees will receive a fifty percent (50%) discount on tuition and registration only for City-sponsored recreation programs. Individual enrollees will be responsible for any ala carte activities scheduled in the programs, e.g. field and/or camping trips, movies, special meals, etc. A discount on recreation rental equipment is dependent upon availability.
- (2) The annual fee for Community Pool Family Membership will be discounted Seventy-five percent (75%) The fee will include participation in the Masters' Program, Lap Swimming, Recreational Swimming and Water Aerobics.

12.7 CITY PROPERTY:

Desks, file cabinets, lockers, computers, tools and other equipment are property of the City and must be maintained in good condition in accordance with the City's policies, rules and regulations. They must be kept clean and are to be used only for work-related purposes. If the City property is lost, broken or damaged, report it to your supervisor at once. No property may be removed from the premises without the prior authorization of your supervisor.

In order to ensure compliance with this policy and with the City's policies, rules and regulations, the City reserve the right to inspect all City property, without notice to the employee and/or in the employee's absence.

For security reasons, personal belongings of value should not be left in the workplace. The City is not responsible for lost or stolen personal belongings.

Immediately upon termination of employment, all property of the City (keys, tools, manuals, etc.) must be returned to the City. All personal items should be removed at the time terminated employees leave the premises of the City. Unless otherwise agreed to in writing, if a terminated employee leaves personal items at the workplace, these items are subject to disposal if not removed within five (5) days of the date of the employee's termination.

12.8 CELL PHONE POLICY:

The City may provide certain employees with cellular phones that are to be used only for official City business. The City recognizes that employees may need to use their personal cell phone during working hours due to particular family or personal situations. Employees should limit the use of personal cell phones during working hours, to reasonably necessary communications, and use of a personal cell phone should not interfere with City operations or the performance of job duties. If an employee abuses the use of personal cell phone during working hours, at the City Manager, at his discretion, may require that the employee not use personal cell phones during working hours.

Employees are not to dial any cell phone while driving, except to call a public safety agency. Employees may not receive incoming calls while driving unless the cell phone can be safely operated in a hands free mode. For employees with hands free cell phone operation, in the event an employee receives an incoming call while driving, the employee should either safely pull off the road to converse, inform the caller that he or she will return the call, or ask the caller to call again to allow the employee to reach a place where it is safe to use the phone. While driving, employees are prohibited from using any cell phone to text message, read or send e-mail, or any similar operations.

12.9 FITNESS FOR DUTY EXAMINATION:

Whenever the City Manager, or the Human Resources Administrator, believes that an employee is unable to perform the essential functions of their job safely due to illness or injury, or is unable to perform the essential functions of their job safely or without posing a danger to themselves or others, the City may require the employee to submit to an independent medical examination at the City's expense. Such medical examination will be limited to the issues or areas of concern regarding the employee's ability to perform the essential functions of their job. If, after the independent medical examination, the City determines that the employee cannot perform the essential functions of their job, or cannot perform such essential functions safely or without posing a danger to himself/herself or others, the employee will be given the opportunity to provide the results of a separate medical evaluation by a qualified health care provider selected by the employee, within fifteen (15) days of the employee's receipt of a medical evaluation from the City. In the event of a difference of opinion between the City's and the employee's health care providers, the City may require a third opinion, at the City's expense, performed by a mutually agreeable health care provider who will make a final determination.

SECTION 13

MANAGEMENT PERSONNEL CLASSIFICATION AND COMPENSATION

Effective July 12015

Position	Grade	Minimum	Control Point	Maximum
Community Development Director	M19	\$101,227.59	\$126,533.94	\$139,187.12
Public Works Director	M19	\$101,227.59	\$126,533.94	\$139,187.11
Administrative Services Director	M18	\$91,922.34	\$114,990.69	\$126,489.34
Parks & Recreation Director	M17	\$86,120.36	\$104,516.02	\$114,967.85
Civil Engineer	M16	\$74,285.44	92,950.31	\$102,143.20
Human Resources/Risk Manager	M14	\$67,305.15	\$84,131.44	\$92,544.04
City Clerk	M14	\$67,305.15	\$84,131.44	\$92,544.04
Assistant to City Manager	M14	\$67,305.15	\$84,131.44	\$92,544.04
Senior Planner	M14	\$67,305.15	\$84,131.44	\$92,544.04
Building Inspector/Plan Check	M12	\$58,248.42	\$72,812.36	\$80,093.25
Finance Supervisor	M12	\$58,248.42	\$72,812.36	\$80,093.25
Environmental Coordinator	M12	\$58,248.42	\$72,812.36	\$80,093.25
Public Works Supervisor	M12	\$58,248.42	\$72,812.36	\$80,093.25
Emergency & Volunteer Service Coordinator	M12	\$58,248.42	\$72,812.36	\$80,093.25
Code Compliance Supervisor	M11	\$54,691.15	\$68,363.94	\$75,199.80

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APPENDIX A

City of Carpinteria Policy on Public Employee Personal Use of Telecommunication Equipment, Electronic Mail, Voice-Mail and other computer systems

PURPOSE

City-owned telecommunication equipment, computer hardware and software is intended to be used for business purposes. Electronic mail, known commonly as e-mail, is now a primary vehicle for communication in the workplace. As the use of e-mail increases, the need for a clear and comprehensive City's policy on personal use of City equipment becomes important to clarify the rights and obligations of employees and as a protection from potential liability for employers.

POLICY

The City maintains and utilizes as part of its operations a computer system, including e-mail, and a voice-mail system. These systems are provided to assist employees in the conduct of the City's business. All computers to the data stored on them, including e-mail, messages composed as well as all voice-mail are and remain at all times the property of the City. All remain the property of the City. Employees are prohibited from installing or downloading software onto the City's computer system except with the prior authorization of the Administrative Services Director.

Employees should attempt to limit voice-mail and e-mail messages to the conduct of the City's business. Use of the voice-mail and e-mail systems for the conduct of personal business is discouraged. The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate. Other use of computer systems, including use of the Internet and other telecommunicating capabilities, should be limited to the conduct of the City's business unless prior written approval is received from the employee's supervisor.

Except for the right of the City to access data stored on the computer system, including e-mail messages, and to access voice-mail messages as described in this policy, all data stored on the computer system and all messages sent by voice-mail and e-mail are considered to be confidential, and as such are to be accessed only by the employee storing the data, the addressed recipient or at the direction of the addressed recipient. Any exception to this policy must be approved by the Administrative Services Director.

The City reserves the right to retrieve and read any data stored on the computer system and any message composed, created, sent or received on the voice-mail and e-mail systems, as well as Internet usage data, at any time, with or without advance notice to the employee. Although the computer system, including e-mail, and the voice-mail system may accommodate the use of passwords for security, the reliability of passwords for maintaining confidentiality cannot be guaranteed. All passwords must be made known to the City, and passwords not known to the City may not be used. This is due to the need to access employees' computer systems, including

e-mail, and voice-mail systems in the event that an employee is absent or when otherwise deemed appropriate by the City. Employees must therefore assume that any and all voice-mail and e-mail messages and all data stored on the computer system may be read by someone other than the employee storing the data or the intended or designated recipient, and understand the ultimate privacy of data stored on the computer system, including e-mail, and voice-mail messages, cannot be guaranteed to anyone.

The City's policy against unlawful harassment, including sexual harassment, and the City's anti-discrimination policy apply to employees' use of voice-mail, e-mail messages and screen savers as well as any other information transmitted over the City's computer system. Employees should not use any means of electronic communications in a manner that would violate those policies. For example, employees may not communicate messages by computer, voice-mail or other electronic means that would constitute sexual harassment, may not use sexually suggestive screen savers, and may not receive or transmit pornographic, obscene or sexually offensive material or information. As a further example, employees may not use electronic communications to transmit comments or images which are reasonably likely to offend someone on account of his/her age, sex, sexual orientation, race, religious beliefs, national origin, disability, or any of the other factors included in the Equal Employment Opportunity section of this Handbook. Any employee who uses any electronic communications device in a manner which violates this policy will be subject to disciplinary action, up to and including termination of employment.

DIGITAL DEVICES

Employees may not use any personal e-mail account or any digital or electronic device not owned by the City, including but not limited to any laptop computer, desktop computer, tablet computer, cellular telephone, personal digital assistant, or any other device capable of storing electronic information ("Digital Device") for City business without the City's prior written approval. Digital devices used by employees for City business may be subject to inspection to obtain City-related communications if requested under the Public Records Act.

APPLICATION

This policy applies to all employees with the City of Carpinteria.

The City reserves the right to prohibit the use of voice-mail and e-mail for the conduct of personal business when deemed appropriate.

EMPLOYEE RESPONSIBILITY

- Employees will be required to acknowledge that they have read, understand and will abide by the agency's technology policy. Violation of the policy may result in discipline, up to and including dismissal.

- To the extent that, under some circumstance, an employee is allowed to use e-mail for personal purposes the employee does so at his or her own risk. Employees should be aware that deletion of a message or file may not fully eliminate the message from the system.
- ◆ Employees learning of any misuse of the voice-mail, e-mail or other computer system or violations of this policy shall immediately notify the City Manager or his/her designee.

MANAGEMENT RESPONSIBILITIES AND GUIDELINES

Management and supervisors are responsible for reasonable enforcement of this policy. Any e-mail information or messages revealed or disclosed under this policy are considered to be of a confidential nature.

APPENDIX B

SUBSTANCE ABUSE POLICY

I. PURPOSE OF POLICY

It is the City's intent to maintain a workplace that is free of drugs and alcohol and to discourage drug and alcohol abuse by its employees. The City has a vital interest in maintaining safe and efficient working conditions for its employees. Substance abuse is incompatible with health, safety, efficiency, and success at the City. Employees who are under influence of drug or alcohol on the job, endanger their own health and safety as well as others, and can cause a loss of efficiency, productivity, or a disruptive working environment.

As a condition of continued employment with the City, all employees must abide by and not violate this policy.

The City has established this policy concerning the use of alcohol and drugs, in order to further its interests in avoiding accidents, to promote and maintain safe and efficient working conditions for its employees, and to protect its business, property, and operations.

II. DEFINITIONS

For the purposes of this policy:

A. "Illegal drugs" means any drug or controlled substance that is not legally obtainable or is legally obtainable but has not been legally obtained.

B. "Legal drugs" means any drug, including prescription drugs and over-the-counter drugs, that has been legally obtained and that is not unlawfully sold or distributed.

III. EMPLOYEE ASSISTANCE

Employees who suspect that they may have alcohol or drug problems, even in the early stages, are encouraged to voluntarily seek diagnosis and to follow through with the treatment as prescribed by qualified professionals. Employees who wish to voluntarily enter and participate in an alcohol or drug rehabilitation program are encouraged to contact the Human Resources Administrator, who will determine whether the City can accommodate the employee by providing unpaid leave for the time necessary for the employee to complete participation in the program. Disclosures made by an employee to the Human Resources Administrator concerning the employee's use of drugs will be treated confidentially and will not be revealed to supervisors unless there is an important work-related reason to do so in order to determine whether it is advisable for the employee to continue working.

Employees should be aware, however, that participation in a rehabilitation program will not necessarily shield them from the imposition of disciplinary action for a violation of this policy, particularly if discipline is imposed for a violation occurring before the employee seeks assistance.

Nothing in this policy is intended to diminish the City's commitment to employ qualified handicapped individuals or to provide accommodation to such individuals as required under state and federal law.

IV. USE OF DRUGS

The City recognizes that it may be necessary for employees to use legal drugs from time-to-time. The City also recognizes that an employee who is using legal drugs might become impaired by the drug such that the employee's ability to perform or to perform safely would be compromised. Employees who are involved with maintenance functions, excluding administrative personnel, who know or should know that their use of drugs might endanger their own safety or the safety of some other person, or pose a risk of significant damage to City property or the property of others, are obligated to report such use of drugs to the Human Resources Administrator or the City Manager and obtain Human Resources' or the City Manager's consent to continue working. The City reserves the right to have a designated physician or the employee's own physician determine whether it is advisable for the employee to continue working while taking such drugs. The City further reserves the right to have the employee's physician certify that when return from a leave of absence, the employee will not be using any drugs which might impair the employee's ability to perform the employee's job duties for the City.

If appropriate, the City may restrict the work activities of an employee who is using drugs or require that the employee take a leave of absence while taking such drugs. If the City permits an employee to work while using legal drugs, the employee still cannot report to work in any case if impaired by the use of the drugs if the impairment might endanger the employee's own safety or the safety of anyone else, pose a risk of significant damage to City property or substantially interfere with the employee's job performance or the efficient operation of the City's business. The City may require a medical certificate as a precondition to return to work.

V. PROHIBITED CONDUCT

A. On-Duty Prohibition of Illegal Drugs and Alcohol

An employee shall not use, possess, purchase, sell, manufacture, distribute, transport, dispense, or be under the influence of any illegal drug or alcohol during working hours, while on City premises, while conducting or performing City business, regardless of location, or while operating or responsible for the operation, custody, or care of City equipment or other property.

B. Off-Duty Conduct

In addition to the restrictions imposed under subsection A above, the use, possession, purchase, sale, manufacture, distribution, transportation, dispensation, or being under the influence of any illegal drug or alcohol while off duty may result in disciplinary action, up to and including termination, if the employee is wearing apparel or there are other circumstances that identifies him/her as a City employee. Such off-duty conduct will be reviewed on a case-by-case basis.

C. Legal Drugs

Employees are prohibited from working while impaired by the use of any drug whenever such impairment might endanger the safety of the employee or some other person, pose a risk or significant damage to City property or equipment, or substantially interfere with the employee's job performance or the efficient operation of the City's business or equipment.

VI. TESTING FOR ILLEGAL DRUGS AND ALCOHOL

A. Job Applicants

Applicants receiving a conditional offer of employment for the designated safety sensitive positions of Maintenance Technician, Maintenance Worker I, Maintenance Worker II, Lifeguards and Code Compliance Officers shall be subject to a urine and/or blood test for the presence of illegal drugs or alcohol. The City may refuse to employ an applicant whose test results show the presence of illegal drugs or alcohol. Applicants who are under a physician's care and/or are required to take legal drugs must notify Human Resources or its designee of that fact in writing before the date of the pre-employment examination.

B. Testing of Employees

1. Any employee suspected of being under the influence of illegal drugs or alcohol may be suspended from work and required to submit to a urine or blood test to determine the presence of illegal drugs or alcohol. Such testing may be ordered only by City Manager based upon a reasonable suspicion that an employee is under the influence of any illegal drug or alcohol in violation of this policy. Refusal to undergo a urine or blood test when required pursuant to this policy constitutes insubordination and will result in disciplinary action, up to and including termination.
2. Reasonable suspicion means articulable belief based on specific facts and reasonable inferences drawn from those facts that an employee is under the influence of illegal drugs or alcohol. Circumstances which constitute a basis for determining reasonable suspicion may include, but are not limited to:
 - a. a pattern of abnormal conduct or erratic behavior;

- b. observable phenomena, such as direct observation of drugs or alcohol, possession and/or the physical symptoms of being under the influence of illegal drugs or alcohol (e.g., glassy or bloodshot eyes, alcohol odor on breath, slurred speech, poor coordination and/or reflexes);
 - c. conviction for a drug-related offense;
 - d. information provided by a reliable and credible source which is independently corroborated; or
 - e. newly discovered evidence that the employee has tampered with a previous drug test.
3. The City Manager or supervisor shall document in writing the facts, symptoms, or observations which form the basis for the determination that reasonable suspicion existed to warrant the testing of an employee.
4. Whether the testing is conducted by urine or blood sample shall be at the discretion of the City and/or the physician performing the test.
5. The urine or blood sample will be given and the testing will take place at an approved testing facility, and will be done in a manner to provide the employee with appropriate rights of privacy. Positive results will be reviewed by a licensed physician who will discuss all positive results with the employee to determine if the positive result could have resulted from the use of legal drugs or other causes.
6. Any urine or blood sample showing positive test results will be retested. The physician and/or testing facility will report the test results to the City only if the "retesting" of the sample shows positive results for illegal drugs or alcohol. The positive test results will be made available to the employee.
7. A portion of each sample taken will be properly preserved, and the employee will be allowed to have the sample tested by his or her own physician.
8. The City shall observe all laws and regulations protecting the confidentiality of medical information.
9. Any employee testing positive for illegal drugs or alcohol, or otherwise found to be in violation of this policy will be immediately relieved of duty, without pay, pending further disciplinary action.
10. Any employee who refuses to comply with a request for testing will be considered to be insubordinate and to have had a positive test. Any employee who provides false information in connection with a test or who attempts to falsify test results through tampering, contamination, adulteration, or substitution, shall be removed from duty immediately, and will be terminated. Refusal to submit to a test can include an inability to provide a urine specimen or breath sample without a valid medical explanation, as well as a verbal declaration, obstructive behavior or physical absence resulting in the inability to conduct the test.

11. Any employee may identify someone suspected of being under the influence of drugs and/or alcohol to any supervisory or management personnel. Employees should realize, however, that it is against the City policy to make false or malicious statements about other employees and doing so can result in disciplinary action being taken against the offending employee. A supervisor/manager must witness first-hand the employee's signs and symptoms.

VII. DISCIPLINARY GUIDELINES

A. Causes for Immediate Termination

Any violation of this policy may result in immediate termination, particularly whenever the prohibited conduct:

1. involves the sale, manufacture, possession, distribution, or dispensation of illegal drugs in violation of this policy; or
2. causes injury to the employee or any other person, or, in the sole opinion of the City, endangered the safety of the employee or any other person; or
3. results in significant damage the City property or equipment or, in the sole opinion of the City, posed a risk of significant damage; or
4. involves an employee who has not completed the probationary period or was a seasonal/part time or temporary employee.

B. Discretion Not to Terminate

The City, in its sole discretion, may choose not to terminate an employee for first violation of this policy. However, all violations of this policy may result in disciplinary action up to and including termination. The nature of such disciplinary action will depend upon the circumstances of each case, including a consideration of the following factors:

1. the circumstances under which the violation of the policy occurred;
2. the employee's participation in and satisfactory completion of a drug or alcohol abuse assistance or rehabilitation program;
3. the employee's length of City service; and
4. the history of employee's job performance with the City.

C. Effect of Criminal Conviction

An employee who is convicted under a criminal drug statute for a violation occurring in the workplace or during any City-related activity or event will be deemed to have violated this policy.

D. Effect of Second Violation

A second violation of this policy by an employee at any time will result in immediate termination.

APPENDIX C

CITY OF CARPINTERIA PROHIBITION OF HARASSMENT, DISCRIMINATION AND RETALIATION POLICY

A. PURPOSE

It is the City's intent and the purpose of this Policy to provide all employees, officer and officials, applicants, and contractors with an environment that is free from any form of unlawful harassment, discrimination or retaliation as defined in this Policy and as provided under federal and state law. This Policy prohibits unlawful harassment or discrimination on the basis of any of the following protected classifications: an individual's race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, military status, veteran status, marital status, age, medical condition, and physical or mental disability (whether perceived or actual).

It is also the policy of the City to provide a procedure for investigating and addressing complaints of alleged harassment, discrimination and retaliation in violation of this Policy. The protection from harassment and discrimination includes protection from retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy.

B. POLICY

The City has zero tolerance for any conduct that violates this Policy. Conduct need not rise to the level of a violation of law in order to violate this Policy. Instead, a single act can violate this Policy and provide grounds for discipline or other appropriate sanctions. If you are in doubt as to whether or not any particular conduct may violate this Policy, contact a manager, department head, or the Human Resources Administrator, and, if applicable, do not engage in the conduct and seek guidance from a manager, department head or the Human Resources Administrator.

C. DEFINITIONS

a. Protected Classifications:

This Policy prohibits harassment or discrimination because of an individual's protected classification(s). "Protected Classification" includes race, religion, color, sex (which includes gender, pregnancy, childbirth or related medical conditions), gender identity or expression, sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, citizenship status, military status, veteran status, marital status, age, medical condition and physical or mental disability (whether perceived or actual).

b. Policy Coverage:

This Policy prohibits City officials, officers, employees, and contractors from harassing or discriminating against applicants, officers, officials, employees, and contractors because: (1) of an individual's Protected Classification, (2) of the perception that an individual has a Protected Classification, or (3) the individual associates with a person who has or is perceived to have a Protected Classification. Third parties such as visitors to City Hall are also prohibited from engaging such harassment or discrimination. Any such alleged harassment or discrimination should be reported immediately as provided in this Policy.

c. Discrimination:

This Policy prohibits treating individuals differently or otherwise discriminations against an individual because of the individual's Protected Classification as defined by this Policy.¹

d. Harassment:

By definition, harassment based on an individual's protected classification as defined by this policy, including sexual harassment, is not within the course and scope of an individual's employment with the City. Harassment includes verbal, physical, and visual conduct that creates an intimidating, offensive or hostile working environment or interferes with work performance. Such conduct constitutes harassment when (1) submission to the conduct is made either an explicit or implicit condition of employment; (2) submission to or rejection of the conduct is used as the basis for an employment decision; or (3) the harassment interferes with an employee's work performance or creates an intimidating, hostile or offensive work environment. Harassing conduct can take many forms and includes, but is not limited to, slurs, jokes, statements, gestures, pictures, or cartoons regarding an employee's Protected Classification.. The following are some examples of behavior that can constitute harassment:

- **Verbal harassment**, such as epithets (nicknames and slang terms), derogatory or suggestive comments, jokes or slurs, including graphic verbal commentaries about an individual's body, or that identify a person on the basis of his or her Protected Classification. Verbal harassment may include comments on appearance and stories that tend to disparage those of a Protected Classification.
- **Visual forms of harassment**, such as derogatory posters, notices, bulletins, cartoons, drawings, sexually suggestive objects, or e-mails on the basis of a Protected Classification.
- **Physical harassment**, such as assault, touching, impeding or blocking movement, grabbing, patting, propositioning, leering, making express or implied job related threats in return for submission to physical acts, mimicking, taunting, or any physical interference with normal work or movement.

- **Sexually harassing conduct** in particular includes all of these prohibited actions as well as other unwelcome conduct such as requests for sexual favors, unwelcome sexual advances, or verbal or physical conduct of a sexual nature (like name calling, suggestive comments, or lewd talk).
- **Romantic or sexual relationships** between supervisors and subordinate employees are discouraged. There can be an inherent imbalance of power and potential for exploitation in such relationships. The relationship may create an appearance of impropriety and lead to charges of favoritism by other employees. A welcome sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. To avoid possible claims of sexual harassment, if a supervisor intends to enter into a romantic or sexual relationship with a subordinate employment, the supervisor must inform the Human Resources Administrator so that appropriate steps can be taken to minimize the risk of possible claims of sexual harassment.

D. RETALIATION

Retaliation against an employee who reports or provides information in good faith about harassment or discrimination is strictly prohibited, as is retaliation against an employee for his or her having taken action either as a complainant, or for assisting a complainant in taking action, participating in an investigation, or for acting as a witness or advocate on behalf of an employee in a legal or other proceeding to obtain a remedy for a breach of this Policy. Any act of retaliation violates this Policy and will result in appropriate disciplinary action. Examples of actions that might be retaliation against a complainant, witness or other participant in the complaint process include: (1) singling a person out for harsher treatment; (2) lowering a performance evaluation; (3) failing to hire, failing to promote, withholding pay increases, assigning more onerous work, abolishing a position, demotion or discharge; or (4) real or implied threats of intimidation to prevent an individual from reporting harassment or discrimination.

Before a supervisor or manager attempts to insulate or protect a complainant by changing his or her work environment or schedule or duties or by transferring the complainant to another, the supervisor or manager should contact the Human Resources Administrator.

E. REPORTING HARASSMENT, DISCRIMINATION OR RETALIATION

An applicant, employee, officer, official or contractor who feels he or she has been harassed, discriminated against or retaliated against in violation of this Policy should report the conduct immediately as outlined below so that the complaint can be resolved quickly and fairly.

All employees involved in the complaint process may be represented by a person of their choosing and at their own expense.

1. Object to the Conduct

Sometimes an individual is unaware that his/her conduct is offensive. In these situations the offensive behavior may be eliminated by simply informing the offender that the conduct or language in question is unwelcome and offensive and request that it be discontinued immediately.

A person who believes he/she is being harassed is encouraged to use this process. When the conduct in question continues after the offending person has been informed it is offensive, or if a person does not feel comfortable talking to the offending person directly, the employee should make a report in accordance with subsection 2 below or go directly to the formal reporting process.

2. Oral Report

If a person who believes that this Policy has been violated does not want to confront the offending person, he/she should report the conduct to a supervisor, any City management employee, or the Human Resources Manager. Any supervisory or management employee who receives such a report must in turn direct it to the Human Resources Administrator. The Human Resources Administrator will determine what level of investigation and response is necessary.

3. Written Process

An individual who believes this Policy has been violated and does not feel comfortable using the process outlined above may provide a written complaint to a supervisor, or any management employee who in turn must direct the complaint to the Human Resources Administrator. Individuals are encouraged to use the Confidential Complaint Form for this purpose.

F. CITY'S RESPONSE TO COMPLAINT OF HARASSMENT, DISCRIMINATION OR RETALIATION

1. Investigation

Upon receipt of a complaint of alleged harassment, discrimination or retaliation, the Human Resources Administrator will be responsible for coordinating a thorough investigation (unless he/she is named in the complaint). The Human Resources Administrator may hire an outside investigator if the City deems appropriate. The type of investigation undertaken, and the party chosen to conduct the investigation will depend on the nature of the complaint made and will be determined by the Human Resources Administrator. The Human Resources Administrator will report the status of investigations to the City Manager as appropriate.

The Human Resources Administrator, in concurrence with the City Manager, may take interim action to diffuse volatile circumstances, such as placing the alleged perpetrator on paid administrative leave or temporarily transferring the alleged perpetrator. Generally, no interim action should be taken to change the complaining individual's working conditions unless the complaining individual voluntarily consents to the temporary change or the Human Administrator determines that doing so is appropriate under the circumstances.

The City attempts to take a proactive approach to potential Policy violations and may conduct an investigation regarding possible harassment, discrimination or retaliation in appropriate circumstances, regardless of whether or not the recipient of the alleged action or a third party reports a potential violation.

At the conclusion of the investigation, if it is determined that the alleged conduct did not occur or that this Policy was not violated, the Human Resources Administrator will notify the complainant and the alleged perpetrator, if appropriate, of the general conclusion(s) of the investigation and whether any further action is warranted.

2. Remedial and Disciplinary Action

If the investigation determines that the alleged conduct occurred or that the conduct otherwise violated this Policy, the City will notify the complainant and perpetrator of the general conclusion(s) of the investigation and take effective remedial action that is designed to discipline the perpetrator and deter future violations of this Policy. Any employee or officer determined to have violated this Policy will be subject to disciplinary action, up to and including termination. Disciplinary action may also be taken against any official, supervisor or manager who condones or ignores potential violations of this Policy, or who otherwise fails to take appropriate action to enforce this Policy.

Any official contractor or other non-City employee found to have violated this Policy will be subject to appropriate sanctions.

3. Confidentiality

Every reasonable effort will be made to assure the confidentiality of complaints made under this Policy. Complete confidentiality cannot occur, however, due to the need to fully investigate potential Policy violations and take effective remedial action.

G. RESPONSIBILITIES OF EMPLOYEES, MANAGEMENT AND SUPERVISORY EMPLOYEES

1. Employees

In order to establish and maintain a professional working environment, while at the same time preventing harassment, discrimination, and retaliation, employees are expected to:

- Set an example of acceptable conduct by not participating in or provoking behavior that violates this Policy. Try not to be angry or insulted if an individual tells you that your behavior

is offensive. People have different ethical values and standards and may be offended by behavior you think is proper. When appropriate, tell the individual you did not realize your behavior was offensive, and immediately cease the conduct.

- Let fellow employees know when you consider behavior offensive. The City hires people from a wide variety of cultural and ethnic backgrounds, and an individual may not realize behavior he or she thinks is proper could be seen by others as offensive.
- Report harassment, discrimination or retaliation as quickly as possible, whether the employee is the target of the conduct or a witness.
- If an employee witness's harassment, he or she should report it to a supervisor, manager or the Human Resources Manager, and may tell the individual being harassed that the City has a policy prohibiting such behavior, and that he or she can demand that the harasser cease the behavior.
- Fully cooperate with the City's investigation of complaints made under this Policy.

2. Managers and Supervisors

In addition to the responsibilities listed above, managers and supervisors are responsible for the following:

- Implementing this Policy by taking all complaints seriously and modeling behavior that is consistent with this Policy. Direct all complaints to the Human Resources Administrator.
- Take positive steps to eliminate any form of harassment, discrimination or retaliation observed or brought to his/her attention.
- No department director, manager, supervisor or other employee may retaliate through any action of intimidation, restraint, coercion or discrimination.
- Monitoring the work environment and taking appropriate action to stop potential Policy violations.
- When appropriate, follow up with those who have complained to ensure the behavior complained of has ceased.

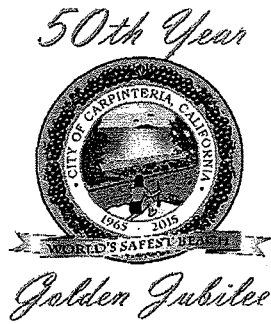
H. Option to Report to Outside Administrative Agencies

Sexual harassment and retaliation for opposing sexual harassment or participating in investigations of sexual harassment are illegal. In addition to notifying the Company about harassment or retaliation complaints, affected employees may also direct their complaints to the California Department of Fair Employment and Housing (DFEH), which has the authority to conduct investigations of the facts. The deadline for filing complaints with the DFEH is one (1) year from the date of the alleged unlawful conduct. If the DFEH believes that a complaint is

valid and settlement efforts fail, the DFEH may seek an administrative hearing before the California Fair Employment and Housing Council (FEHC) or file a lawsuit in court. Both the FEHC and the courts have the authority to award monetary and non-monetary relief in meritorious cases. You can contact the nearest DFEH office or the FEHC at the locations listed in the City's DFEH poster or by checking the state government listings in the local telephone directory.

**Management Personnel
Classification and Compensation Information
Effective July 1, 2015**

Position	Department	Grade	Minimum	Control Point	Maximum
Community Dev. Director	CCD	M19	\$101,227.59	\$126,533.94	\$139,187.11
Public Works Director	Public Works	M19	\$101,227.59	\$126,533.94	\$139,187.11
Adm Services Director	Finance	M18	\$91,992.34	\$114,990.69	\$126,489.34
Parks & Recreation Director	Parks & Recreation	M17	\$86,120.36	\$104,516.02	\$114,967.85
Civil Engineer	Public Works	M16	\$74,285.44	\$92,950.31	\$102,143.20
HR/Risk Manager	Human Resources	M14	\$67,305.15	\$84,131.44	\$92,544.04
City Clerk	General Government	M14	\$67,305.15	\$84,131.44	\$92,544.04
Assistant to City Manager	General Government	M14	\$67,305.15	\$84,131.44	\$92,544.04
Senior Planner	CCD	M14	\$67,305.15	\$84,131.44	\$92,544.04
Building Inspector/Plan Check	CCD	M12	\$58,248.42	\$72,812.36	\$80,093.25
Finance Supervisor	Finance	M12	\$58,248.42	\$72,812.36	\$80,093.25
Environmental Coordinator	Public Works	M12	\$58,248.42	\$72,812.36	\$80,093.25
Public Works Supervisor	Public Works	M12	\$58,248.42	\$72,812.36	\$80,093.25
Emerg & Vol Serv Coordinator	General Government	M12	\$58,248.42	\$72,812.36	\$80,093.25
Code Compliance Supervisor	Code Compliance	M11	\$54,691.15	\$68,363.94	\$75,199.80



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Adoption of Resolution No. 5619, approving a change in the payment and reporting value of Employer Paid Member Contribution (EPMC) to the California Public Employees Retirement System (CalPERS) for certain full time employees.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Adopt Resolution No. 5619, approving a change in the payment and reporting value of the employer paid member contributions to California Public Employees Retirement System for certain full time employees.

Motion: I move adoption of Resolution No. 5619, as read by title only, to approve a change in the payment and reporting value of the employer paid member contribution for certain full time employees.

BACKGROUND/DISCUSSION

At its Special meetings of December 22, 2014 and January 26, 2015, through adoption of Resolution Nos. 5563, 5586-88, the City Council approved revised conditions of employment for all full time employees.

Along with a number of other changes to the terms of employment, full time employees classified as "Classic" under the CalPERS Retirement System were scheduled to (1) increase pension cost sharing via a 1.25% increase beginning January 3, 2015 and a 1.25% increase beginning July 1, 2015; and, (2) receive a salary increase adjustments of 2.75% and 3.00% over the same period. The purpose of this matter is to implement the second, 1.25 % pension cost sharing increase beginning July 1, 2015.

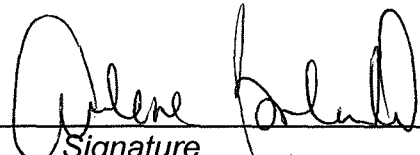
FINANCIAL CONSIDERATIONS

The changes in EPMC will save the City \$25,898.25 annually.

ATTACHMENTS

A. Resolution No. 5619

Staff contact: Arlene Balmadrid, HR/Risk Manager
(805) 684-5405 x 404; arleneb@ci.carpinteria.ca.us


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

RESOLUTION NO. 5619

**A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL
APPROVING A CHANGE IN EMPLOYER PAID MEMBER CONTRIBUTIONS**

WHEREAS, the City of Carpinteria has the authority to implement government Code Section 20691;

WHEREAS, the City of Carpinteria has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by the employer;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the City of Carpinteria of a Resolution to commence said Employer Paid Member Contributions (EPMC);

WHEREAS, the City of Carpinteria has identified the following conditions for the purpose of its election to pay EPMC:

- This benefit shall apply to all Management and Unrepresented Miscellaneous Personnel and SEIU Local 620 Represented employees, General Service and Public Works bargaining units, defined as "Classic" employees by CalPERS.
- This benefit shall consist of paying 4.50% of the normal member contributions as EPMC.
- The effective date of this Resolution shall be July 1, 2015.

NOW, THEREFORE, BE IT RESOLVED that the City of Carpinteria elects to pay EPMC, as set forth above.

PASSED, APPROVED AND ADOPTED this 22nd day of June 2015, by the following called vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Gregg A. Carty
Mayor, City of Carpinteria

ATTEST:

Fidela Garcia

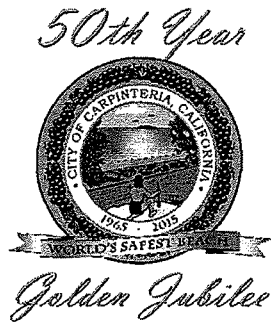
City Clerk, City of Carpinteria

I hereby certify that the foregoing was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 22nd day of June 2015.

Fidela Garcia
City Clerk, City of Carpinteria

Approved as to form:

Jeffrey Dinkin
Special Council



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Amendment of the Employment Agreement for the City Manager.

STAFF RECOMMENDATION

Action Item X; Non-Action Item ____

Approve the attached second amendment to the July 22, 2013 Employment Agreement of the City Manager.

Motion: I move to adopt and approve the second amendment to the July 22, 2013 Employment Agreement of the City Manager.

BACKGROUND

On January 26, 2015, the City Council approved the conditions of employment for management and miscellaneous unrepresented personnel.

The changes include revision to cost sharing and provisions of salary adjustment beginning July 1, 2015 as follows:

- Additional employee cost sharing on the combined CalPERS employer and employee retirement contribution rates of 1.25% effective July 1, 2015. The total employee cost sharing will be 7%.
- Base wage adjustment of 3.00% effective the first pay period after July 1, 2015.

DISCUSSIONS

The City Manager's position under the terms of the City's CalPERS agreement is a part of the management group. This proposed amendment would change the terms of the City Manager's contract to be consistent with other management staff.

The changes to the terms of Employment Agreement are as follows:

- Annual base wage from \$147,104.71 to \$151,517.90, a 3.00% increase.
- Additional 1.25% employer and employee retirement contribution to California Public Retirement System (CalPERS) making a total contribution of 7.00%. (Current employee retirement contribution is 5.75%).

The change in base pay will affect cost associated with the provision in the employment agreement that calls for the City to contribute five percent (5%) of the City Manager's annual gross salary to the designated deferred compensation plan. The change in annual cost is approximately \$200.66, (from \$7,355.24 to \$7,575.90).

FINANCIAL CONSIDERATIONS

Savings and costs for all employment agreement changes have been considered as part of the 2015-16 annual budget adoption.

ATTACHMENTS

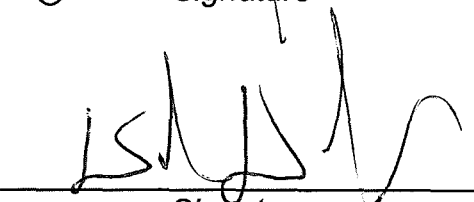
Second Amendment to the Employment Agreement dated July 22, 2013, City Manager, City of Carpinteria.

Staff contact: Arlene Balmadrid, HR/Risk Manager
(805) 684-5405, arleneb@ci.carpinteria.ca.us



Signature

Reviewed by: Dave Durflinger, City Manager



Signature

**SECOND AMENDMENT TO
EMPLOYMENT AGREEMENT OF JULY 22, 2013**

CITY MANAGER, CITY OF CARPINTERIA

THIS SECOND AMENDMENT TO EMPLOYMENT AGREEMENT is made and entered into this 22ND DAY OF JUNE, 2015 by and between **THE CITY OF CARPINTERIA** ("City") and **DAVE DURFLINGER** ("Employee") at Carpinteria, California, with reference to the following facts and intentions: This amendment will be effective July 1, 2015.

- A.** Employee serves as City Manager for City.
- B.** The City Manager is a part of the management group and receives the same retirement benefit, and the City Council wishes for recent changes made to retirement cost sharing and compensation to the conditions of employment for management employees to also be made a part of the City Manager contract.

NOW, THEREFORE, in consideration of the above Recitals and of the mutual promises and conditions of this Second Amendment, **IT IS AGREED** as follows:

- 1. Section 5 – Compensation. The following provisions of Section 5, Compensation, shall be amended to read as follows:
 - a. Salary - Employee shall be paid at the rate of Five Thousand Eight Hundred Twenty-Seven Dollars and Sixty-one Cents (\$5,827.61) bi-weekly, which equals to One Hundred Fifty One Thousand Five Hundred Seventeen Dollars and Ninety Cents (\$151,517.90) per year ("Base Salary").

All other provisions of Section 5, as amended, shall remain unchanged and in full force and effect

- 2. Section 6 – Benefits. The following provisions of Section 6, Benefits, shall be amended to read as follows:
 - f. Retirement - The City is a member of the Public Employees Retirement System (PERS) for the purpose of employee retirement benefits. Employee shall be eligible for coverage under PERS as provided under the existing contract between PERS and the City, and any subsequent amendments thereto, with the City paying the Employer contributions to PERS. Employee will be required to pay four and one-half percent (4.5%) of Employer contribution to PERS and Two and a half percent (2.50%) of the Employer Paid Member Contributions (EPMC) for a total of Seven percent (7.00%) of Employer and Employee contributions to PERS. In addition, the City shall report the value of Five percent (5.00%) of the normal member contributions as EPMC on earned compensation as

special compensation for Employee, as provided by Resolution No. 5564.

All other provisions of Section 6, as amended, shall remain unchanged and in full force and effect.

All other Sections of the Employment Agreement, as amended, shall remain unchanged and in full force and effect, with the understanding that the City Council will reevaluate the conditions of the contract no later than six months from the date of this amendment.

IN WITNESS WHEREOF, the parties hereto have executed this Second Amendment to the Employment Agreement of July 22, 2013, on the date first written above.

CITY
City of Carpinteria

EMPLOYEE
City Manager

By: _____
Gregg A. Carty, Mayor

Dave Durflinger, City Manager

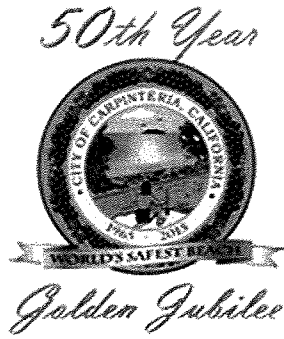
Date: _____

Date: _____

Approved as to form:

Peter Brown on behalf of
Brownstein Hyatt Farber Schreck, LLP
Acting as City Attorney of the City of Carpinteria

Date: _____



City of Carpinteria

COUNCIL AGENDA STAFF REPORT JUNE 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Local Coastal Program Amendments Creating a Transportation Corridor Wetland Overlay District and a Whitney Site Agricultural Overlay District and Redesignating Land from Agriculture to Transportation Corridor for the Extension of Via Real

Request by the California Department of Transportation (Caltrans) to amend the Local Coastal Program to accommodate development of three inter-related transportation improvement projects including the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, the South Coast 101 High Occupancy Vehicle (HOV) Lanes, and the Santa Claus Lane Bike Path.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

1. Approve the attached Final Mitigated Negative Declaration for Project 09-1522-LCPA;
2. Adopt Resolution No. 5623 to approve the Local Coastal Program Amendments included in Project 09-1522-LCPA;
3. Adopt Resolution No. 5624 to initiate an application to LAFCO for the removal of APNs 001-080-033 and 001-180-026 from the City's Sphere of Influence; and
4. Submit the Local Coastal Program Amendments to the California Coastal Commission for review and approval.

- Motions:
1. I move to adopt Resolution No. 5623, approving the Final Mitigated Negative Declaration for Project 09-1522-LCPA, approving the Local Coastal Program Amendments, Project 09-1522-LCPA, and adopting the Findings in Exhibit 1, Attachment A and Conditions of Approval in Exhibit 1, Attachment H.
 2. I move to adopt Resolution No. 5624, to initiate application to LAFCO for the removal of APNs 001-080-033 and 001-180-026 out of the City's Sphere of Influence.

SUMMARY

A series of inter-related improvements proposed for the US 101 corridor in the City include elements have been determined to be inconsistent with policies in the Local Coastal Program and California Coastal Act that protect agriculture and wetland resources. As such, the City proposes to amend the Coastal Land Use Plan and Map and related portions of the Zoning Code to accommodate the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV Lanes and Santa Claus Lane Bike Path.

The Casitas Pass Road interchange northbound ramps, including the related segment of Via Real, would convert approximately five acres of a nine-acre parcel from agricultural use to transportation facility. The loss of agricultural land is inconsistent with City and Coastal Act policies that protect agriculture. In this LCPA, conflicts with agricultural protection policies are balanced with an agriculture preservation program including community gardening sites and gardening / agriculture education programs and removal of two agricultural parcels from the City of Carpinteria Sphere of Influence, , as discussed in detail below. The two agriculture parcels to be removed from the Sphere total approximately 8.35 acres, as compared to the no greater than the direct loss of 5 acres of agriculture associated with transportation improvements that would be allowed under the proposed LCPA. A new zoning overlay district (Whitney Site Agriculture Overlay District) and text amendments to the Coastal Land Use Plan are proposed to address the loss of agricultural land via creation of this agriculture preservation program.

The proposed Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension encroach into wetland areas (using the Coastal Commission single criterion definition), riparian habitat and environmentally sensitive habitat area (ESHA) associated with Carpinteria Creek. The Linden Avenue improvements encroach into wetland which can also be defined as ESHA. The proposed South Coast HOV Lanes encroach into wetland buffers. The Santa Claus Lane bike path would encroach into wetland. The project designs avoid wetland, riparian and ESHA to the maximum extent, but total avoidance of these resources is not feasible. The preferred project alternatives minimize impacts and provide for restoration of habitat onsite where feasible and offsite where necessary. The encroachment of project elements into the buffer area for wetland and direct project impacts on (removal of) wetland are inconsistent with City and Coastal Act policies that protect these wetland resources.

Complete mitigation for impacts of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, the South Coast HOV Lanes and the Santa Claus Lane Bike Path on wetland, riparian and ESHA resources will be required for the projects to receive discretionary permit approvals. However, despite mitigation to ameliorate physical project impacts, conflicts with the City and Coastal Act policies would remain. Such conflicts must be weighed against benefits delivered by the projects under other objectives and policies of the Coastal Act. In the case of these projects, conflicts with wetland protection policies are to be balanced against policies addressing coastal public access and recreation opportunities, as discussed in detail below. A new zoning overlay district (Transportation Corridor Wetland Overlay District) and text amendments to the zoning code (§14.42.040 – development standards) and wetland protection portions of the Coastal Land Use Plan address the direct loss of wetland and wetland buffer, as well as create development standards for improvements that would be allowed to encroach into wetland and wetland buffer.

Balancing Coastal Act Policy Conflicts: Coastal Access and Recreation Enhancements

As stated above, conflicts with wetland protection policies associated with the US 101 improvements are to be balanced against policies addressing coastal public access and recreation opportunities. Coastal access and recreation enhancements delivered by the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension are considered primarily local or sub-regional in nature. The South Coast HOV Lanes has a regional scope, but would primarily benefit automobile, van and bus passengers. However, the freeway and interchange proposals, by themselves, lack a component to address improvement of access to coastal resources at the regional level for alternative and active transportation modes.

In order to achieve a regionally important improvement to alternative and active transportation modes, the LCPA includes the construction of two important bike path/trail segments. The completion of either path would increase the total length of bikeway within the Coastal Zone of the South Central Coast, improving bicycle access and recreation opportunities. Taken together, these bike path segments would close two gaps in a nearly 40-mile bikeway system from the City of Santa Barbara to the City of Ventura, resulting in a significant benefit to regional and statewide cyclists and to members of the public who seek to access coastal resources using active and affordable transportation. These two bike path/trail proposals are described in detail below.

The path/trail proposals achieve meaningful enhancements to regional scale access to coastal resources and coastal recreation opportunities which can then be used to balance the wetland protection policy conflicts, and to a lesser extent the agriculture protection policy conflicts, of the transportation projects. The bike/trail proposals are formally linked to the larger freeway and related improvements through this LCPA to implement policy conflict resolution under the Coastal Act.

1. Carpinteria Rincon Trail (From SR 150/Carpinteria Avenue to Rincon County Park)

This proposal consists of a bike path/trail from the eastern terminus of Carpinteria Avenue at State Route 150 to Rincon County Park. Construction of this trail would close a gap between Carpinteria Avenue and the new Class I trail along US 101 which begins at Mussel Shoals in Ventura County and ends at Bates Road, a distance of three miles. Coastal Commission staff has identified the Rincon Trail segment of the Carpinteria Coastal Vista Trail (CCVT) as a high priority in the region because the existing gap creates a significant constraint for bicyclists and pedestrians. In order to traverse this gap, southbound cyclists must ride the US 101/SR 150 southbound onramp and cycle along the freeway shoulder to Bates Road to access Rincon County Park. Northbound cyclists must also ride the freeway shoulder or take a circuitous route through local rural roads from Bates Road to Highway 150 before reaching Carpinteria Avenue. The Rincon Trail would close this gap, allowing cyclists to ride from the City of Ventura to the City of Carpinteria on a Class I bike path, avoiding the use of any freeway shoulders along this 14-mile stretch of scenic coastline. The Rincon Trail construction is required to be completed prior to completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension.

2. Santa Claus Lane Bike Path (Santa Claus Lane to Carpinteria Avenue)

This proposal consists of a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue, a distance of approximately 2,000 feet.

Development of this path will close a gap in the Coast Route Bike Path (as designated in the June 2015 draft Santa Barbara County Association of Governments Regional Active Transportation Plan, Santa Barbara County). A Class I Bike Path to connect Summerland and Carpinteria is also a planned bicycle project in the May 2012 draft Santa Barbara County Bicycle Master Plan and in the Toro Canyon Plan (December 2004). A goal of the construction design is to accommodate the path within the Caltrans/City/County rights-of-way and avoid any Union Pacific Railroad right-of-way. Preliminary path designs provide a five-foot travel lane in each direction, but in some areas this may be reduced due to physical constraints. Given the alignment of US 101 in the project vicinity, and the proximity to the Carpinteria Salt Marsh, it is anticipated the bike path would encroach into wetland and wetland buffer. Approval of a Coastal Development Permit (CDP) for the path depends on successful adoption of the proposed LCP Amendments. The Santa Claus Lane Bike Path shall be completed no later than completion of the adjacent phase of construction for the South Coast HOV Lanes.

Purpose and Intent

The proposed amendments respond to identified conflicts of the planned transportation improvements with coastal policies that protect agriculture and wetlands. The purpose and intent of each of the major components of the amendments is provided below.

Whitney Site Agriculture Overlay District

The purpose of the Whitney Site Overlay District is to provide for specific standards to ensure preservation of agricultural uses on the remainder of the Whitney parcel not dedicated to the extension of Via Real through an agricultural easement, and to provide for the establishment and maintenance of programs for sustainable agriculture in the Carpinteria Valley. This overlay district establishes specific standards for open field agriculture protection and mitigation. The community garden sites and gardening / agriculture education programs and the removal of two agricultural parcels from the City of Carpinteria Sphere of Influence are intended to enhance agricultural sustainability in the Carpinteria Valley in a manner that balances conflicts with agriculture protection policies of the Carpinteria Coastal Program and Coastal Act associated with the conversion of approximately five acres of agricultural land to transportation uses.

Text Amendments to Agriculture Portion of Coastal Land Use Plan

The purpose of the text amendments is to protect agriculture and provide agriculture education opportunities within the Whitney Site Agriculture Overlay District. The intent is to ensure awareness of applicability of the Whitney Site Overlay District to this parcel, with attendant restrictions and performance standards, including a limitation to the total area of the site which can be converted to public transportation.

Transportation Corridor Wetland Overlay District

The purpose of the Transportation Corridor Wetland Overlay District is to provide specific standards for three proposed projects in the vicinity of coastal wetlands: the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path. The intent is to ensure a more precise level of planning than ordinarily possible under the local implementation plan. This overlay establishes specific standards related to fill or other impacts to wetland or reduction of wetland buffers, mitigation measures, drainage and stormwater management, and coastal access and recreation enhancements.

Text Amendments to Wetland Portion of Coastal Land Use Plan

The purpose of the text amendments is to narrowly define the allowed encroachment into wetland and wetland buffer such that it is applicable only to the three identified transportation improvements, and to establish a link between the proposed trails and the freeway improvements. The link between the proposed regional trails and the freeway improvements is essential in achieving a balance between wetland protection policy conflicts and enhanced access to coastal access and recreation opportunities. The intent is to ensure applicability of the Transportation Corridor Wetland Overlay District, with attendant restrictions and performance standards, for any project improvements which cannot avoid encroachment into wetland and wetland buffer.

PROJECT DESCRIPTION

The City proposes to amend the Coastal Land Use Plan, Land Use Map and related portions of the Carpinteria Zoning Code to accommodate an inter-related series of transportation improvement project while at the same time ensuring preservation of agriculture and wetland resources (including wetland buffer area) and achieving a substantial and meaningful enhancement of public access to coastal resources and recreation.

The proposed project consists of a new zoning overlay district (Whitney Site Agriculture Overlay District) and text amendments to the agriculture portion of the Coastal Land Use Plan, a new zoning overlay district (Transportation Corridor Wetland Overlay District), zoning code text amendments to the wetland definition and text amendments for the wetland protection portions of the Coastal Land Use Plan. Last, the agriculture zoning and land use designation would be removed from the Via Real roadway portion of the Whitney parcel, redesignating this portion of the property Transportation Corridor. Each of these components of the proposed project is described in more detail below.

Whitney Site Agriculture Overlay District

The proposed Whitney Site Agriculture Overlay District applies to the portion of the former 8.95-acre Whitney parcel (APN 001-070-012) not dedicated to roadway improvements under the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension. The proposed overlay restricts roadway development within the parcel to no more than five acres; requires the balance of the property to be maintained in agriculture or used for agriculture education in perpetuity; and prescribes a comprehensive agriculture preservation program to be implemented in the City including a community garden program, gardening education and the removal of two agricultural parcels from the City of Carpinteria Sphere of Influence. The proposed Whitney Site Agriculture Overlay District text and boundaries are included as Attachment 1, Exhibits B and C.

Transportation Corridor Wetland Overlay District

The proposed Transportation Corridor Wetland Overlay District establishes a comprehensive set of development standards which would apply to the encroachment of development into wetland or wetland buffer located within the boundaries of the overlay district. An overlay district limits the areal extent or geographic boundaries within which any encroachment could be permitted into wetland or wetland buffer. The proposed overlay district also limits potential encroachments by designating only the three specific transportation projects that would be

eligible to encroach into wetland or wetland buffer after all efforts to avoid and minimize impacts have been implemented. Development standards include replacement ratios for wetland and wetland buffer impacts; best management practices to reduce water quality impacts to wetland and wetland buffers from impervious surfaces; incorporation of pervious surface and maximization of infiltration opportunities; and technical specifications for wetland and wetland buffer restoration. Finally, construction of the Rincon Trail (to be constructed if Linden/Casitas/Via Real proposal is approved) and the Santa Claus Lane Bike Path (to be constructed if South Coast HOV Lanes proposal is approved) is mandated in order to deliver enhanced coastal access and recreation benefits. The proposed Transportation Corridor Wetland Overlay text and boundaries are included as Attachment 1, Exhibits E and F.

Land Use Redesignation for Roadway Portion of Whitney Site

The Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension proposal would convert approximately five acres of the former Whitney parcel to public roadway, sidewalk and bikeway (transportation improvements). The agriculture zoning and land use designation on this portion of the property would no longer be appropriate once the public transportation improvements are completed. The Whitney Site Agriculture Overlay District has been specifically designed to apply to the balance of the parcel not converted to transportation, and therefore would not include the newly constructed segment of Via Real. Elsewhere in Carpinteria, US 101, including interchanges, ramps and frontage roads, is assigned a Coastal Plan Land Use Designation of Transportation Corridor (TC) and is not assigned a zoning designation. Therefore, the proposed amendments include removing the A-5 zoning designation from the transportation portion of the Whitney parcel and changing the Coastal Plan Land Use Designation from AG to TC. These proposed changes would bring the transportation portion of the parcel into conformity with other areas in Carpinteria that are similarly designated for transportation uses. Refer to Attachment 1, Exhibit G for an exhibit of the area where the AG designation would be replaced by the TC designation.

BACKGROUND

Project History

The need for the proposed LCP Amendments was identified by City and Coastal Commission staff during review of the Environmental Impact Report for the Linden-Casitas Interchanges project. A summary of milestones achieved in relation to the LCPA proposal is provided below.

March 2011

Initial meetings were held between Coastal Commission, Caltrans, City of Carpinteria and SBCAG staff to discuss an Amendment to the Carpinteria Local Coastal Program (LCP) necessary to accommodate the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension due to its conflict with agriculture and wetland protection policies.

March 2011 – February 2013

Coastal Commission, Caltrans, City of Carpinteria and SBCAG staff continued collaborative efforts to identify policy conflicts and consider policy conflict resolution approaches. Further, the team explored the potential to address the portion of the South Coast HOV Lanes within Carpinteria under the same LCPA. Consensus was reached that a single LCPA would be feasible to allow both transportation projects.

February 25, 2013

At a City Council public meeting, the Council unanimously voted to initiate the LCPA. Working drafts of the proposed amendments were then completed, followed by an iterative process of review, discussion and revision by the Coastal Commission, Caltrans, City of Carpinteria and SBCAG team.

August 29, 2013

The Draft Mitigated Negative Declaration for City of Carpinteria Local Coastal Program Amendments was released for public review. The Draft MND evaluated the environmental effects associated with the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV Lanes and Santa Claus Lane Bike Path, which could result from approving the LCPA.

May 18, 2015

The Planning Commission held a special meeting on Project 09-1522-LCPA and voted unanimously to recommend approval to the City Council.

LCPA Discretionary Action Overview

Planning Commission Review

The Planning Commission is responsible for primary discretionary review of the Proposed LCPA, and provides a recommendation to the City Council for consideration (approval or denial).

City Council Review

The City Council holds the local approval authority for the LCPA. The City Council must submit the LCPA to the Coastal Commission for review.

Coastal Commission Review

Once the Council authorizes submittal of the LCPA to the Coastal Commission, Coastal Commission staff will review the materials and prepare a staff report and recommendation for presentation to the Coastal Commission at a noticed public hearing. The Coastal Commission may approve, deny or suggest modifications to the requested LCPA. If the request is approved with suggested modifications, the City Council must decide whether to accept the modifications and ratify the approval, or to continue to work on the wording of the LCPA through additional proceedings with Commission staff. When the LCPA is finally approved and accepted by both the Coastal Commission and City Council, the Council can take final action on the any permits that rely on the LCPA to be completed in order to allow approval of the permits (e.g., Conditional Use Permit and Coastal Development Permit for Linden – Casitas – Via Real project).

DISCUSSION

Carpinteria's Local Coastal Program (LCP) must be amended in order to accommodate the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV Lanes and Santa Claus Lane Bike Path. The proposed amendments to the LCP modify the language regarding agriculture resources and wetland resources to acknowledge necessary

encroachment of limited project improvements into areas containing sensitive resources. The amendments include development standards that require avoidance and minimization of impacts first, followed by mitigation of direct and indirect impacts associated with encroachment on these resources, where such encroachment cannot be avoided. However, because various aspects of these three projects would be inconsistent with protection policies, the Coastal Act requires not only complete mitigation for the resources impacted, but also mandates that a finding be made that the LCPA will “on balance” be more protective of coastal resources overall.

Agriculture Resources

With respect to agriculture resources, the proposed Linden – Casitas Interchanges project would convert approximately five acres of land from agriculture to public roadway (Via Real Extension and Casitas Pass Road freeway ramps). To offset the loss of agricultural land and balance conflicts with Carpinteria LCP and Coastal Act agriculture protection policies, an agriculture preservation program is proposed. The basic elements of the Agriculture Preservation Program include the following.

1. New development shall be sited and designed to avoid impacts to agricultural land. If there is no feasible alternative that can eliminate all impacts, then the alternative development location and design that would result in the fewest or least significant impacts shall be selected. Impacts to agricultural land that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated as outlined in this Section. The portion of the parcel to be converted from agriculture to public roadway shall not exceed five acres, encompassing the southern portion of the parcel adjacent to US 101.
2. In order to prevent conversion of the approximately four-acre remainder parcel out of agriculture, ownership of the property shall be transferred to the City of Carpinteria. The remainder parcel shall be restricted to agricultural uses including organic farming, community gardening or agricultural education. Transfer of the property from Caltrans to the City would occur at the conclusion of project construction, and in concert with the transfer of the completed Via Real roadway and right-of-way. An agricultural conservation easement shall be placed on the property prior to transfer of ownership of the remainder parcel to the City which will prohibit non-agricultural uses on the property in perpetuity. The holder of the agricultural conservation easement shall be a public resources agency or private land trust with agricultural resource preservation experience, acceptable to the City of Carpinteria. Portions of the parcel that lie within the Carpinteria Creek channel, associated environmentally sensitive habitat area (ESHA) or riparian corridor buffer shall be excluded from the agricultural conservation easement to protect environmentally sensitive resources from disturbance associated with agricultural activities.
3. To address the long-term loss of agricultural productivity in Carpinteria associated with the conversion of five acres of agricultural land to transportation uses, a community garden system and gardening education program shall be established in the City of Carpinteria that includes:
 - a. Installation and maintenance of physical infrastructure to support community gardening at a minimum of three identified facilities.
 - b. Creation of a lease agreement for community garden plots.

- c. Funding of a half-time position with the City for five years to initiate the community garden system, and set a fee structure for continuation of the administration of the garden system.
 - d. Provision of funding to CUSD to develop adult-education workshops in the community gardens covering plant cultivation and food preparation involving fresh vegetables.
 - e. Provision of funding to CUSD for development of grade-specific curriculum focusing on vegetable cultivation using on-campus gardens.
4. To further offset the project-related direct loss of five acres of agricultural land within the City of Carpinteria, the City shall apply to the Local Agency Formation Commission (LAFCO) to remove two agricultural parcels which are currently included in the City's Sphere of Influence on Via Real (APN 001-080-033 and APN 001-180-026).

Regarding the request to remove two agricultural parcels from the City's Sphere of Influence as described in Item 4. above, additional background is provided here. First, Coastal Commission staff requested an exhaustive review of options to address the direct loss of five acres of agricultural land. Initial suggestions included identifying suitable land within Carpinteria to redesignate to agriculture or working with the County to establish agriculture conservation easements for parcels outside the City boundary. Following initial research and further deliberation with Coastal Commission staff, consensus was reached that removing two agriculturally zoned parcels from the City's Sphere of influence would further the goals of agriculture preservation and offsetting the direct five- acre loss. The two subject agriculture parcels are approximately 4.29 and 4.06 acres, respectively.

The rationale for removing APN 001-080-033 and APN 001-180-026 from the City's Sphere of Influence rests firmly on LAFCO policies directing that urban development should occur primarily within the urban limits of incorporated cities. These two parcels are currently designated agriculture, which is the land use desired to be preserved. The parcels are located in the County, in the City's Sphere of Influence, but outside the City's urban limit line. These are the only two parcels outside of the City boundary that are in the Sphere. Moving the Sphere boundary to exclude these parcels would clearly signify the lands are not suitable for urban development, reducing the pressure to convert the parcels out of agriculture and keeping the City's Sphere coterminous with the City boundary. It is also recognized that County regulations restrict development of new greenhouses as a means of preserving open field agriculture in the County. Therefore, removing the Sphere designation and leaving the parcels in the County jurisdiction is likely to result in the uniform application of such restrictions and discourages the development of these parcels for uses other than agriculture in the future.

Also important to note is that the two agricultural parcels were already in the Sphere of Influence when the 2003 General Plan/LCP was updated. It appears that the parcels were placed in the Sphere as a westward extension of the northern boundary of the existing residential neighborhood to the east, rather than via careful consideration of their relationship to extensive contiguous agricultural land extending to the north. From the perspective of agriculture preservation, the parcels should not have been included within the City's Sphere of Influence unless the City intends to eventually annex these parcels and convert them to urban use. With respect to burden on the City, the proposed condition of approval only requires the City to make Application to LAFCO for consideration of the Sphere revision. Caltrans is required to provide

funding for the LAFCO application, though there will be limited effort required to prepare and process the application to LAFCO.

Wetland Resources

With respect to wetlands, elements of the three proposed transportation projects would encroach into wetland or wetland buffer areas. Mitigation for wetland impacts from project encroachments is incorporated into development standards in the proposed Transportation Corridor Wetland Overlay (TCWO).

Below is a summary of the main elements of the proposed TCWO District:

- Provisions of the overlay shall apply only to the project area encompassed by the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path.
- Area of impact to wetland and wetland buffer for each of the three transportation projects, along with identification of project elements responsible for encroachment.
- Encroachment shall only be permitted after avoidance and minimization; a 100-foot buffer shall be created between wetland and new development, or where not feasible, the widest buffer practical shall be established; full mitigation in the form of restoration shall be provided for impacts caused to wetland from wetland encroachment or reduction of buffer areas. Mitigation shall be provided for direct impacts to wetlands (e.g., fill) and indirect impacts to wetlands (e.g., new development in wetland buffers). Mitigation measures shall include, at a minimum, creation or substantial restoration of habitats equal or similar to the impacted habitat type. Direct impacts shall be mitigated at a ratio of 4:1 for natural wetland areas, including salt marsh and wetlands associated with creeks. Direct impacts to riparian habitats shall be mitigated at a ratio of 3:1. Direct impacts to created wetlands (low functioning wetlands associated with freeway infrastructure) shall be mitigated at a ratio of 3:1. Indirect impacts to wetlands, such as development in wetland buffer areas, shall be mitigated by enhancing (e.g., invasive species removal, native screening vegetation, planting appropriate native species, water quality improvement, sound reduction) all portions of the remaining (undeveloped) wetland buffer area within 100 feet of the impacted wetland. Temporary impacts to wetlands and riparian habitat shall be mitigated at a ratio of 1:1.
- Post-construction coastal water quality standards apply to the three transportation projects, including:
 - a. Early site planning to minimize run-off through permeable paving, reduced lane widths or sub-grade stormwater retention.
 - b. Low impact development strategies with measures to infiltrate, evapotranspire, filter, detain and retain run-off.
 - c. Stormwater to be filtrated, retained or infiltrated onsite; BMPs shall include, but not be limited to, grading to create or modify topographic depressions to maximize the capture, detention or retention of run-off, amending onsite soils to

increase infiltration and detain run-off, adding or replacing vegetation in areas that receive road run-off with native plants, and constructing bioswales and biostrips.

- d. Water treatment BMPs shall accommodate all storms up to 85th percentile 24-hour storm event.
- e. Minimum infiltration or treatment volumes shall be calculated based on the impervious surface area added by the project.
- f. Where site conditions make it infeasible to infiltrate or treat the minimum volume of run-off onsite, infiltration or treatment offsite can occur where off-site infiltration or treatment will result in a greater benefit to coastal water quality and beneficial uses.
- g. Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bio-swales, and shall infiltrate, retain or detain the maximum possible volume of stormwater run-off.
- h. A post-construction run-off management plan shall include maps, figures, supporting design calculations and a narrative explaining the methods and approach to protect or enhance coastal water quality.

Policy Conflict Resolution – Balancing Considerations

In addition to the mitigation programs, the LCPA must be found to result in a net benefit to coastal resources. Coastal Commission staff has indicated the project must include as integral components such features as development of bikeway or multiple use trails to close gaps in existing regional trails systems providing direct access to beaches and other coastal recreation opportunities.

Coastal Commission staff and City staff have identified the following two important trail system improvements which are proposed in connection with either the Linden Avenue and Casitas Pass Road Interchanges project or the South Coast HOV Lanes.

- Rincon Trail – Proposed bike path extending from the eastern terminus of Carpinteria Avenue to Rincon County Park. This path would link the bikeway along Carpinteria Avenue with the new Class I Bike Path constructed as part of the Ventura/Santa Barbara HOV Lane project, eliminating the need for cyclists to use the shoulder of US 101 in this segment. The Rincon Trail shall be completed prior to completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements.
- Santa Claus Lane Bike Path – Proposed bike path extending from the eastern terminus of Santa Claus Lane and connecting to the western terminus of Carpinteria Avenue. This segment would link to Santa Claus Lane, closing a substantial gap in the California Coastal Trail system. The Santa Claus Lane Bike Path shall be completed no later than completion of the adjacent phase of construction for the South Coast HOV Lanes.

ENVIRONMENTAL

A Mitigated Negative Declaration (MND) was prepared for the LCP Amendments. The MND found the potential for significant impacts in the areas of aesthetics, air quality, biological

resources, geology/soils, water/flooding and noise. With incorporation of a mitigation framework for each identified impact, all impacts would be reduced to a less than significant level.

The MND was available for a 30-day public review period from August 29, 2013 until September 27, 2013. On September 19, 2013, the Environmental Review Committee (ERC) held a public hearing on the MND. The ERC requested minor revisions to the document and provided a recommendation for approval of the document to the Planning Commission. Minutes from the ERC meeting and public comment letters are attached to the Proposed Final MND which has been revised pursuant to comments received. The Proposed Final Mitigated Negative Declaration, including public comment letters, is provided as Attachment 2.

POLICY CONSISTENCY

Agriculture

Land Use Element

LU-1d. *Ensure that the type, location and intensity of land uses planned adjacent to any parcel designated open space/recreation or agriculture (as shown on Figure LU-1) are compatible with these public resources and will not be detrimental to the resource.*

The proposed amendments include a land use redesignation from Agriculture to Transportation Corridor for approximately five acres of an 8.95-acre agricultural parcel. The redesignation accommodates future development of Via Real, a local frontage road to include Class I bicycle/pedestrian paths and the northbound US 101/Casitas Pass Road freeway ramps. The proposed amendments also require permanent preservation of the remainder 3.95 acres of the parcel for agricultural purposes, including community garden and agriculture education. A local road and an adjacent Class I bicycle path are compatible with continued agricultural and educational uses on the remainder of the agriculturally zoned parcel as set forth in the LCPA documents. Stormwater best management practices would be installed on all paved surfaces adjacent to the remainder parcel to protect it from stormwater run-off.

LU-5a. *The City shall continue to give priority to agriculture, coastal-dependent industry and visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over residential, general industrial, or general commercial development.*

The future Via Real extension would improve vehicular access from existing residences to coastal resources and recreation opportunities, as well as enhance bicycle and pedestrian access to coastal resources via inclusion of a Class I bike path. With regard to prioritizing agriculture, the proposed amendments include an agriculture preservation program that would: permanently preserve the remaining 3.95-acre portion of the agriculture parcel for agriculture and education; establish and maintain community garden facilities; and, enhance agriculture and gardening education in the local school system. Finally, the amendments include a requirement to complete construction of the Rincon Trail before completing construction of the future Via Real extension. The Rincon Trail would close a gap in the Coastal Bikeway system allowing cyclists to navigate from Ventura to Carpinteria on a dedicated bike path with nearly uninterrupted ocean views, constituting a substantial public coastal recreation opportunity for both local and regional cyclists.

Circulation Element

C-3f. *Improve travel characteristics of the city's circulation plan by:*

- *planning and developing a continuous and direct east/west surface street route north of and parallel to Highway 101 to improve the efficiency of local traffic circulation (5 - 15 years);*
- *considering the westerly extension of Via Real to Casitas Pass Road and from Vallecito to Linden;*
- *prioritizing maximum protection for coastal waters, ESHA and agricultural resources in considering potential road extensions.*

The proposed redesignation of a portion of the 8.95-acre agriculture parcel to Transportation Corridor (TC) is intended to accommodate the extension of Via Real and new Casitas Pass Road northbound interchange, in accordance with the policy above. The proposed Transportation Corridor Wetland Overlay District provides for protection of wetland resources associated with the Via Real extension and Casitas Pass Road northbound ramps; the proposed Agriculture Preservation Program protects agriculture through various programs.

California Coastal Act

Coastal Act §30241. *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:*

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*
- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.*
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.*
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural availability, either through increased assessment costs or degraded air and water quality.*
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands.*

The proposed amendments include a land use redesignation from Agriculture to Transportation Corridor (TC) for a portion of an 8.95-acre agricultural parcel to accommodate future development of a segment of Via Real. Via Real is planned in the Circulation Element as a continuous frontage road along the north side of US 101 from Casitas Pass Road to Linden Avenue, optimizing circulation between land uses north of US 101 and lowering the dependency on the freeway system for local circulation. The following discussion is provided regarding each

of the lettered considerations above, and focuses on the ultimate construction of Via Real as intended under the TC redesignation.

(a) The subject agricultural parcel is surrounded by urban (non-agricultural) uses: US 101 is located to the south; Casitas Pass Road is located to the west; approximately 45 single family dwellings are located to the north; and a riparian corridor and community park are located to the east. Surrounding land uses in the vicinity include a mobile home park, single-family residences and commercial properties south of US 101.

(b) The conversion of agricultural land is necessary to accommodate the extension of Via Real and the reconstruction of the Casitas Pass Road northbound interchange. These roadway improvements have been contemplated in the Circulation Element as referenced in Policy C-3f. After reviewing 17 potential configurations, this was found to be the only feasible route to connect the western terminus of Via Real to Casitas Pass Road and provide local through access in the City and the only feasible location for the interchange that achieves the required northbound on and offramp configurations.

(c) The subject agricultural property is located in an urban area in the City surrounded by urban (non-agricultural) uses on all four sides. There are no immediately adjacent properties zoned or used for agriculture.

(d) It is not possible to extend Via Real in a logical manner, which completes the programmed Circulation Element Roadway Network, without converting some land now designated for agriculture.

(e) The extension of Via Real is designed to physically remove from agricultural production the smallest practical area; the agriculture preservation program included in the proposed amendments permanently preserves the remainder of the parcel for agricultural purposes, including community garden and agriculture education uses. Mandatory stormwater pollution prevention measures prevent water quality impacts from the Via Real extension on the remainder portion of the agricultural land.

(f) The conversion of a portion of the Whitney property from agriculture to a roadway with a sidewalk and Class I bike path completes a logical and viable neighborhood transportation corridor and does not threaten the existing stable limit to urban development defined as the City boundary. Additionally, the agriculture preservation program included in the proposed amendments would preserve the remainder property for agriculture in perpetuity. And, requesting that LAFCO remove two agricultural parcels from the City's Sphere of Influence furthers the goal of a stable urban limit line coterminous with the City's boundary.

Coastal Act §30242. *All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

The agricultural land to be converted is surrounded by urban land uses (see §30241(c) above). Immediate proximity to residences, in particular, has a negative influence on the overall viability of potential agriculture uses of the parcel, such as row crops. The conversion of up to five acres of agricultural property for use as a transportation corridor would not be incompatible with the

remaining agricultural parcel, which is required to be permanently preserved via recordation of an agriculture conservation easement, as agriculture has existed on the property for many years and is less disturbed by an adjacent roadway than other urban uses such as residences. Despite permanent preservation of the approximately 3.95-acre remainder parcel for agriculture and related education purposes, approximately five acres of agricultural land would be converted to non-agricultural uses; the conversion would not precisely meet standard (1) or (2) above, without additional elements to achieve the preservation of agriculture in the Carpinteria Valley.

To achieve compliance with the requirement to preserve agricultural land, the proposed amendments include a comprehensive Agriculture Preservation Program (refer to Attachment 1, Exhibit A). The basic elements of the proposed Agriculture Preservation Program include the following.

1. New development shall be sited and designed to avoid impacts to agricultural land. The portion of the parcel to be converted from agriculture to public roadway facility shall not exceed five acres, encompassing the southerly portion of the parcel adjacent to US 101.
2. In order to prevent conversion of the approximately four-acre remainder parcel out of agriculture, an agricultural conservation easement shall be placed on the property prior to transfer of ownership of the remainder parcel to the City which will prohibit non-agricultural uses on the property in perpetuity. The holder of the agricultural conservation easement shall be a public resources agency or private land trust with agricultural resource preservation experience, acceptable to the City of Carpinteria.
3. To address the long-term loss of agricultural productivity in Carpinteria associated with the conversion of five acres of agricultural land to transportation uses, establish a community garden system and gardening education program within the City of Carpinteria.
4. To further offset the project-related direct loss of five acres of agricultural land within the City of Carpinteria, the City shall apply to the Local Agency Formation Commission (LAFCO) to remove two agricultural parcels which are currently included in the City's Sphere of Influence on Via Real (APN 001-080-033 and APN 001-180-026).

Coastal Act §30250. *(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

The proposed amendments include a land use redesignation from Agriculture to Transportation Corridor (TC) for a portion of an 8.95-acre agricultural parcel to accommodate future roadway development. The end result of future development of Via Real would be a division of the existing 8.95-acre agricultural parcel into two parcels of approximately five acres (TC) and 3.95 acres (AG). The remainder agricultural parcel would be larger in size than the adjoining residential parcels and would remain suitable for avocado orchard, community garden plots and agriculture education; the agriculture parcel would be permanently preserved via a conservation

easement restricting future uses to agriculture. The subject parcel is located within the City limits and is contiguous with existing areas developed and zoned for urban land uses. Given the existing street network and the policies set forth in the Circulation Element, this extension of Via Real and the creation of pedestrian and bicycle amenities completes a logical development of public facilities.

Wetlands / Environmentally Sensitive Habitat Area (ESHA)

Land Use Element

Land Use Element Objective LU-2: *Protect the natural environment within and surrounding Carpinteria.*

Policy LU-2b: *Regulate all development, including agriculture, to avoid adverse impacts on habitat resources. Standards for habitat protection are established in the Open Space, Recreation & Conservation Element policies.*

The proposed amendments include the establishment of a Transportation Corridor Wetland Overlay (TCWO) District, within which project elements associated with three specific transportation projects would be permitted to encroach into wetland, wetland buffers and ESHA, after completing all attempts to design the projects to avoid such resources. Development standards contained in the proposed TCWO require encroachment to be the minimum feasible for each of the three projects, and mandate that resource impacts be fully mitigated via wetland and habitat restoration and mandatory stormwater best management practices to avoid indirect impacts to wetland and habitat resources from deleterious water quality.

Open Space, Recreation & Conservation Element

Objective OSC-1: *Protect, preserve and enhance local natural resources and habitats.*

Objective OSC-3: *Preserve and restore wetlands such as the Carpinteria Salt Marsh.*

The proposed amendments include the addition of Policy OSC-3e, as follows:

Policy OSC-3e. For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, new development in wetland or within the required 100-foot wetland buffer may be permitted in accordance with all of the following requirements and all other development policies and provisions of the LCP.

- a. New development shall be sited and designed to avoid fill or other impacts to wetland. If there is no feasible alternative that can eliminate all impacts, then the alternative location and design for each of the three projects that would result in the fewest or least significant impacts shall be selected. Impacts to wetland that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures may be approved when it is not feasible to fully mitigate impacts onsite, or where greater habitat value can be achieved or wider wetland buffer can be provided in an offsite wetland restoration or enhancement project. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to wetland.

- b. New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetland. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Impacts to wetland resulting from a reduced buffer width shall be fully mitigated. Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.
- c. All new development shall protect post-construction coastal water quality by including the following:
 - 1. emphasize run-off management in site design,
 - 2. preferentially use Low Impact Development strategies,
 - 3. maximize the use of structural and operational Source Control BMPs,
 - 4. prioritize the use of biologic, soil-based Treatment Control BMPs,
 - 5. avoid adverse run-off impacts to ESHA and wetland, and
 - 6. design and manage development to minimize hydromodification, as appropriate.

The proposed amendments also include revision of OSC-3 Implementation Policy 12, as follows:

12. *Maintain a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of all wetland. No structures other than those required to support light recreational, scientific and educational uses shall be permitted within the setback, where such structures are consistent with all other wetland development policies and where all feasible measures have been taken to prevent adverse impacts. The minimum setback may be adjusted upward to account for site-specific conditions affecting avoidance of adverse impacts.*

A minimum wetland buffer of 35 feet from structures, and 25 feet from fencing is allowed for the existing retention basin/drainage pond on the Ellinwood site (APN 004-013-026). The retention basin/drainage pond on this site shall be maintained only in accordance with the specific standards described in the Ellinwood Parcel (APN 004-013-026) Overlay District, in Chapter 14.43 of the Zoning Code.

For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, a reduced wetland buffer may be permitted in accordance with the provisions of Policy OSC-3e and the specific standards described in the Transportation Corridor Wetland Overlay District, in Chapter 14.41 of the Zoning Code.

The proposed amendments would require mitigation of direct and indirect impacts of the three future transportation project element encroachments into wetland, wetland buffer and ESHA via the development standards of the referenced TCWO District. However, the allowance of improvements to encroach into mapped wetlands would be in conflict with existing protection policies of the Carpinteria Open Space, Recreation & Conservation Element and the Coastal Act, which would invoke the need for policy conflict resolution (described in detail below).

California Coastal Act

Coastal Act §30121. *"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include seawater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.*

Coastal Act §30107.5. *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

Coastal Act §30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling run-off, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Act §30233 (a). *The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
- (6) Restoration purposes.*
- (7) Nature study, aquaculture, or similar resource dependent activities.*

The creation of the proposed Transportation Corridor Wetland Overlay (TCWO) District would allow encroachment of three future transportation project elements into wetland, wetland buffer and ESHA. Development standards contained in the TCWO require mitigation of impacts to these resources via restoration or creation of like resources at approved replacement ratios and incorporation of stormwater best management practices to protect biological resources. However, encroachments into wetland and ESHA would be in conflict with the above Coastal Act policies, which invokes the need for policy conflict resolution described below.

California Coastal Act Policy Conflict Resolution

Coastal Act §30200.

- (a) Consistent with the coastal zone values cited in Section 30001 and the basic goals set forth in Section 30001.5, and except as may be otherwise specifically provided in this division, the policies of this chapter shall constitute the standards by which the adequacy*

of local coastal programs, as provided in Chapter 6 (commencing with Section 30500), and, the permissibility of proposed developments subject to the provisions of this division are determined. All public agencies carrying out or supporting activities outside the coastal zone that could have a direct impact on resources within the coastal zone shall consider the effect of such actions on coastal zone resources in order to assure that these policies are achieved.

- (b) *Where the commission or any local government in implementing the provisions of this division identifies a conflict between the policies of this chapter, Section 30007.5 shall be utilized to resolve the conflict and the resolution of such conflicts shall be supported by appropriate findings setting forth the basis for the resolution of identified policy conflicts.*

Coastal Act §30007.5. *The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.*

Complete mitigation for direct and indirect impacts of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, the South Coast HOV Lanes and the Santa Claus Lane Bike Path on wetland, riparian and ESHA resources would be required under the development standards of the proposed TCWO. However, despite mitigation to ameliorate physical project impacts on these resources, conflicts with the City and Coastal Act policies would remain. Such conflicts must be weighed against benefits delivered by the projects, according to the conflict resolution provisions of the above Coastal Act policies. In the case of these projects, conflicts with wetland protection policies and agricultural protection policies are to be balanced against policies addressing coastal public access and recreation opportunities.

The proposed amendments include the addition of Carpinteria Open Space, Recreation & Conservation Element, Objective OSC-15e, as follows:

OSC-15e. *In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension and South Coast High Occupancy Vehicle (HOV) Lanes projects shall include the construction of the following bike path / trail segments:*

1. *Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue)* - a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue. Development of this path will close a gap in the coastal bike trail through Santa Barbara County. The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. The opening of this path to the public will be contingent on development of a permanent maintenance plan.
2. *Rincon Trail (From SR 150/Carpinteria Avenue to Rincon County Park)* - a Class I Bike Path/trail from the eastern terminus of Carpinteria Avenue (at State Route 150) to Rincon County Park. Construction of this path will close a coastal trail gap between Carpinteria

Avenue and the new Class I trail along US 101 which has a northern terminus at Bates Road. The Rincon Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension construction. The opening of this path to the public will be contingent on development of a permanent maintenance plan.

The completion of these two bike path projects would close existing gaps in a regionally significant bike system that also functions as a coastal recreation opportunity. Following construction of these bike path segments, cyclists would be able to navigate from the City of Santa Barbara to the City of Ventura, enjoying views to the ocean nearly the entire length. The regional bike system would also provide important linkages to the Carpinteria bikeway system.

The most significant east-west component of the Carpinteria bikeway system is a continuous Class 2 bike path along Carpinteria Avenue from an eastern origin at State Route 150 to a western terminus near the City limit. Dedicated Class 2 paths connect Carpinteria Avenue to the beachfront area and Carpinteria State Beach along Linden Avenue and Palm Avenue. From Linden Avenue, Sandyland Road and Third Street offer cyclists a route parallel to the ocean; these roads do not have dedicated bike paths, but enjoy low traffic volumes and low speeds of vehicular traffic compatible with shared cyclist use.

Non-motorized trails also connect the Carpinteria Avenue Class 2 bike path with the Carpinteria Bluffs Trail from Carpinteria State Beach eastward to nearly the Bluffs Area III property at the eastern boundary of the City. Trail connections are provided adjacent to the Tee Time Golf Center through the Carpinteria Bluffs Nature Preserve at the southern terminus of Bailard Avenue and Viola Field, the ball fields east of Bailard Avenue. Views of the ocean, Channel Islands, tidal interface and harbor seal haul out area are all available from the Carpinteria Coastal Vista Trail.

In that the spine of the bike system within the City of Carpinteria is represented by the Carpinteria Avenue Class 2 bike path, the connection of this path on the west with the Santa Claus Lane Bike Path and on the east with the Rincon Trail, will provide the ability for Carpinteria residents and visitors to reach recreational, employment and coastal resource destinations throughout the South Coast. It would also mean that cyclists from other destinations throughout the South Coast region could reach Carpinteria, with its many coastal resource amenities, on bicycle, thus providing a regional bike path resource and completing another segment of the California Coastal Trail.

Thus, the Coast Route (Santa Claus Lane) Bike Path and Rincon Coastal Trail would deliver substantial and meaningful enhancements to coastal access and recreation opportunities resulting in a net benefit to coastal resources when balanced against conflicts with agriculture and wetland protection policies associated with establishment of the TCWO District.

FINANCIAL CONSIDERATIONS

The LCP Amendments include an Agriculture Preservation Program with provisions for conserving the remainder of the Whitney site, a community garden program, gardening education programming, and the removal of two agricultural parcels from the City's Sphere of Influence. Caltrans is required to deed the remainder Whitney parcel to the City, accompanied by an agriculture conservation easement, and to provide funding to the City which would address initiation of the community garden and garden education programming. The creation of

a participation fee schedule is one of the identified tasks to be funded, in order to ensure long-term maintenance of the programs with little or no cost to the City. Caltrans would also fund the application to LAFCO for removal of the two agriculture parcels from the City's Sphere of Influence.

The LCP Amendments also include as integral components the development of the Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue) and Rincon Trail (from SR 150/Carpinteria Avenue to Rincon County Park). SBCAG is leading efforts to obtain grant funding for the design and construction of these projects, and the potential is very good that such grant funding can be secured. The long-term maintenance of these two facilities would need to be provided by the City of Carpinteria and/or the County of Santa Barbara (portions of both facilities are located in each of these jurisdictions). Depending on the outcome of negotiations with the County, there could be some level of maintenance obligation for the City.

LEGAL

City action on Project 09-1522-LCPA is not final until approved by the Coastal Commission and acknowledged by the City.

OPTIONS

1. Adopt the Final Mitigated Negative Declaration, approve the Local Coastal Program Amendment, Project 09-1522-LCPA, to create the Transportation Corridor Wetland Overlay and Whitney Site Agriculture Overlay Districts and adopt the Findings in Exhibit 1, Attachment A and Conditions of Approval as proposed in Exhibit 1, Attachment E; adopt a Resolution of Application to initiate the removal of APNs 001-080-033 and 001-180-026 from the City's Sphere of Influence; and submit the Local Coastal Program Amendment to the California Coastal Commission. (staff's recommendation)
2. Direct staff to prepare project revisions and return to the next Council meeting.
3. Conceptually deny the requested LCP Amendments. In this case, no submittal to the Coastal Commission would be made.

PRINCIPAL PARTIES EXPECTED AT MEETING

David Beard, Project Manager/Representative for Caltrans

Lara Bertaina, Environmental Lead for Caltrans

Fred Luna, Project Manager/Representative for SBCAG

Gregg Hart, Representative for SBCAG

ATTACHMENTS

Attachment 1 Resolution No. 5623

Exhibit A - Findings

Exhibit B - Draft Whitney Site Agriculture Overlay District (Zoning Code)

Exhibit C - Draft Whitney Site Text Amendments (Coastal Land Use Plan)

Exhibit D - Draft Transportation Corridor Wetland Overlay District (Zoning Code)

Exhibit E – Draft Wetland Buffer Development Standards (Zoning Code)

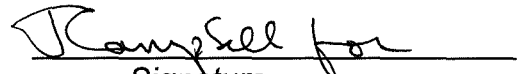
Exhibit F - Draft Wetland Protection Text Amendments (Coastal Land Use Plan)

Exhibit G – Draft Whitney Site Transportation Corridor Land Use Designation Map
Exhibit H – Conditions of Approval

Attachment 2 Proposed Final Mitigated Negative Declaration for LCPA

Attachment 3 Resolution No. 5624 - Initiation of Application to LAFCO

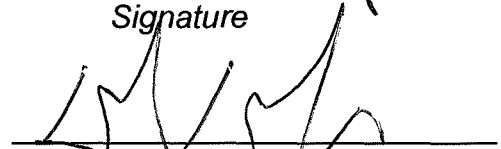
Staff Contact: Jonathan Leech, Contract Planner
(805) 963-0651 x3527


Signature

Staff Contact: Jackie Campbell, Community Development Director


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

ATTACHMENT 1

**City Council
Resolution No. 5623**

June 22, 2015

RESOLUTION NO. 5623

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARPINTERIA APPROVING LOCAL COASTAL PROGRAM AMENDMENT PROJECT 09-1522-LCPA, TO CREATE THE TRANSPORTATION CORRIDOR WETLAND OVERLAY AND THE WHITNEY SITE AGRICULTURE OVERLAY DISTRICTS IN THE CITY OF CARPINTERIA ZONING CODE AND ASSOCIATED TEXT AMENDMENTS TO THE COASTAL LAND USE PLAN AND LAND USE MAP

WHEREAS, the Carpinteria City Council has considered an application for a Local Coastal Program Amendment to change the Zoning Code, Coastal Land Use Plan and Land Use Map to allow for consideration of permits for replacement of the Linden Avenue and Casitas Pass Road US 101 overcrossings, reconfiguration of the northbound on and offramps at Casitas Pass Road, extension of the northbound Linden Avenue onramp and replacement of the southbound Linden Avenue offramp, replacement of the US 101 freeway bridges over Carpinteria Creek and extension of Via Real to Casitas Pass Road and to Linden Avenue (the Project); and

WHEREAS, the City reviewed the environmental impacts of the Project in accord with the California Environmental Quality Act (Public Resources Code §§ 21000, *et seq.*, "CEQA"), the regulations promulgated thereunder (14 Cal. Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"); and

WHEREAS, a Mitigated Negative Declaration (MND) was prepared for the project and was subject to a 30-day review period from August 29, 2013 to September 27, 2013; and

WHEREAS, the Environmental Review Committee reviewed the Draft MND on September 19, 2013 and recommended approval of the document to the Planning Commission with comments; and

WHEREAS, the Planning Commission conducted a special hearing on May 18, 2015 and received evidence in favor of the Local Coastal Program Amendments and recommended approval of the project to the City Council; and

WHEREAS, in accordance with CEQA, the Community Development Director has provided public notice of the intent of the City to adopt the Proposed Final MND prepared for this project by the City, and the City Council has considered the proposed Final MND, together with any comments received during the public review process; and

WHEREAS, the City Council has reviewed the policies of the General Plan/Coastal Plan and the Zoning Code standards that are relevant to the project.

NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

1. The City Council adopts the Final MND, recommends approval of the Local Coastal Program Amendments to the Coastal Commission, and authorizes submittal of the package to the California Coastal Commission for certification.

PASSED, APPROVED AND ADOPTED this 22nd day of June 2015, by the following called vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

ABSENT: COUNCIL MEMBER(S):

Gregg A. Carty, Mayor

ATTEST:

Fidela Garcia, City Clerk

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 22nd day of June 2015.

ATTACHMENT 1 - EXHIBIT A

Findings

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**CITY COUNCIL
PROJECT 09-1522-LCPA
Local Coastal Program Amendments Addressing a Transportation Corridor Wetland Overlay
District and a Whitney Site Agricultural Overlay District and Redesignating Land from
Agriculture to Transportation Corridor**

June 22, 2015

EXHIBIT A: FINDINGS

FINDINGS PURSUANT TO GOVERNMENT CODE, COASTAL PLAN, AND GENERAL PLAN

1.0 Administrative Findings

The City Council hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments thereto presented to the City Council and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Local Coastal Program Amendments has been properly conducted as follows:

- a. The City has proposed a Local Coastal Program Amendment, Project 09-1522-LCPA, to create the Transportation Corridor Wetland Overlay and the Whitney Site Agriculture Overlay Districts in the Carpinteria Zoning Code and add text amendments to the Coastal Land Use Plan and modify the Land Use Map for the Whitney Site (APN 001-070-012). Upon ultimate approval of the LCP Amendments by the Coastal Commission, the amendments could be found consistent with the remainder of the City's Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.
- b. The project has been reviewed by the City Council at a duly noticed public hearing which included, but is not limited to, mailed notice to all property owners within 300 feet and all occupants within 100 feet of the project right-of-way and publication in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act

California Environmental Quality Act (CEQA) findings pursuant to CEQA (California Public Resources Code Sections 21081, 21081.6) and State CEQA Guidelines (California Code of Regulations Sections 15091, 15096, 15097, 15162, 15164):

The City Council has considered the Proposed Final Mitigated Negative Declaration (MND) dated June 2015. The MND was prepared in accordance with the provisions of the State CEQA Guidelines. The Final MND constitutes adequate CEQA environmental documentation for the project (09-1522-LCPA).

The location and custodian of CEQA environmental documentation and file documents which constitute the record of proceedings upon which the project decision is based is the City of

Carpinteria Community Development Department, 5775 Carpinteria Avenue, Carpinteria, California.

A mitigation monitoring and reporting program for the project has been made a condition of project approval and is hereby adopted. Mitigation measures have been made enforceable through agency agreements or conditions of approval.

Mitigation measures applied as conditions of project approval would result in the avoidance or reduction of environmental impacts to insignificant levels. The City Council's approval of the project is conditioned upon the inclusion of these measures. These findings are supported by substantial evidence in the record, including the Certified Final MND dated June 2015 and associated appendix materials. These potential impacts and the relevant mitigation measures are discussed below, along with the appropriate findings under State CEQA Guidelines §15091.

- a. Aesthetics: The MND identified potential visual impacts associated with view blockage for US 101 travelers resulting from the safety mesh for the Coast Bike Route, as well as visual effects regarding barrier design compatibility and landscaping for this proposal. The mitigation framework recommended for inclusion in the future CEQA document for the Santa Claus Lane portion of the Coast Bike Route includes incorporating a barrier design compatible with the US 101 median for the South Coast HOV Lanes, employing a maximum transparency safety screen element, requirement for formal landscape plan preparation, and mandatory review of the design by the City of Carpinteria Architectural Review Board. All visual and aesthetic impacts would be reduced to insignificance with inclusion of these or similar mitigation measures in the CEQA document for the Santa Claus Lane portion of the Coast Bike Route.
- b. Air Quality: The MND identified potential short-term air quality impacts associated with construction of the Coast Bike Route, including fugitive dust and construction equipment exhaust. The mitigation framework recommended for inclusion in the future CEQA document for the Santa Claus Lane portion of the Coast Bike Route includes incorporating standard construction restrictions and conditions from the Santa Barbara County Air Pollution Control District pertaining to PM₁₀ control, grading best management practices for dust minimization, and equipment exhaust minimization. All air quality impacts would be reduced to insignificance with inclusion of these or similar mitigation measures in the CEQA document for the Santa Claus Lane portion of the Coast Bike Route.
- c. Biological Resources: The MND identified potential impacts to biological resources associated with the Coast Bike Route construction, including disruption of nesting birds, removal of rare plants, and encroachment into wetland. The mitigation framework recommended for inclusion in the future CEQA document for the Santa Claus Lane portion of the Coast Bike Route includes focused rare plant surveys and avoidance, fencing and protection from run-off of ESHA adjacent to the project alignment, pre-construction nesting bird surveys, restoration plans for encroachment into wetland and buffer, and a detailed construction monitoring plan. All biological resource impacts would be reduced to insignificance with inclusion of these or similar mitigation measures in the CEQA document for the Santa Claus Lane portion of the Coast Bike Route.
- d. Cultural Resources: The MND recommended a standard mitigation addressing the potential for discovery of cultural resources during project construction. The potential for cultural resources to exist has been identified as extremely low, this recommended mitigation is a precautionary measure which is applied on a routine basis for construction projects in the region.

- e. Geology/Soils: The MND identified potential short-term erosion impacts associated with construction of the Coast Bike Route. The mitigation framework recommended for inclusion in the future CEQA document for the Santa Claus Lane portion of the Coast Bike Route requires avoidance of materials stockpiling to the maximum extent feasible, and avoidance of construction during the rainy season. Short-term geology and soils impacts related to project construction would be reduced to insignificance with inclusion of these or similar mitigation measures in the CEQA document for the Santa Claus Lane portion of the Coast Bike Route.
- f. Hydrology: The MND identified potential flooding impacts associated with the Coast Bike Route. The mitigation framework recommended for inclusion in the future CEQA document for the Santa Claus Lane portion of the Coast Bike Route includes design and construction of the bike path above the 100-year flood elevation identified for the path alignment. Flooding impacts would be reduced to insignificance with inclusion of this or similar mitigation measures in the CEQA document for the Santa Claus Lane portion of the Coast Bike Route.
- g. Noise: The MND identified potential short-term noise impacts associated with construction of the Coast Bike Route. The mitigation framework recommended for inclusion in the future CEQA document for the Santa Claus Lane portion of the Coast Bike Route establishes construction schedule restrictions for avoidance of evening and nighttime nuisance noise, requires proper equipment mufflers, directs placement of staging areas away from vicinity residential properties, requires noise barriers around construction activities in close proximity to residential property, and dictates advance notification to neighbors of impending construction activities. Short-term noise impacts related to project construction would be reduced to insignificance with inclusion of these or similar mitigation measures in the CEQA document for the Santa Claus Lane portion of the Coast Bike Route.

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ATTACHMENT 1 - EXHIBIT B

Draft Whitney Site Agriculture Overlay District

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Whitney Site Agriculture Overlay – Zoning Code

June 2015

Chapter 14.41 – WHITNEY SITE (APN 001-070-012) OVERLAY DISTRICT

14.41.010 - Purpose and intent.

The purpose of the Whitney Site overlay district is to provide for specific standards to ensure preservation of the remainder of the Whitney Site for agricultural use through an agricultural easement and to provide for the establishment and maintenance of programs for sustainable agriculture in the Carpinteria Valley. Therefore, this overlay district establishes specific standards related to open field agriculture resource protection and mitigation.

14.41.020 - Applicability.

The provisions of this district shall apply only to the remainder portion of the original 8.95-acre Whitney Site (APN 001-070-012) not dedicated to public roadway purposes, as depicted in Figure 1 and shown on the city's official zoning maps.

14.41.030 - Development standards.

All applicable Local Coastal Program policies and provisions shall apply to the Whitney Site Overlay District unless specifically modified by standards detailed in this section. Development of any portion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension on the Whitney Site shall comply with all of the following requirements:

1. New development shall be sited and designed to avoid impacts to agricultural land. If there is no feasible alternative that can eliminate all impacts, then the alternative development location and design that would result in the fewest or least significant impacts shall be selected. Impacts to agricultural land that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated as outlined in this Section. The portion of the parcel to be converted from agriculture to public roadway facility shall not exceed five acres, encompassing the southern portion of the parcel adjacent to US 101.
2. In order to prevent conversion of the approximately four-acre remainder parcel out of agriculture, ownership of the property shall be transferred to the City of Carpinteria. The remainder parcel shall be restricted to agricultural uses including organic farming, community gardening or agriculture education. Transfer of the property from Caltrans to the City would occur at the conclusion of project construction, and in concert with the transfer of the completed Via Real roadway and right-of-way. An agricultural conservation easement shall be placed on the

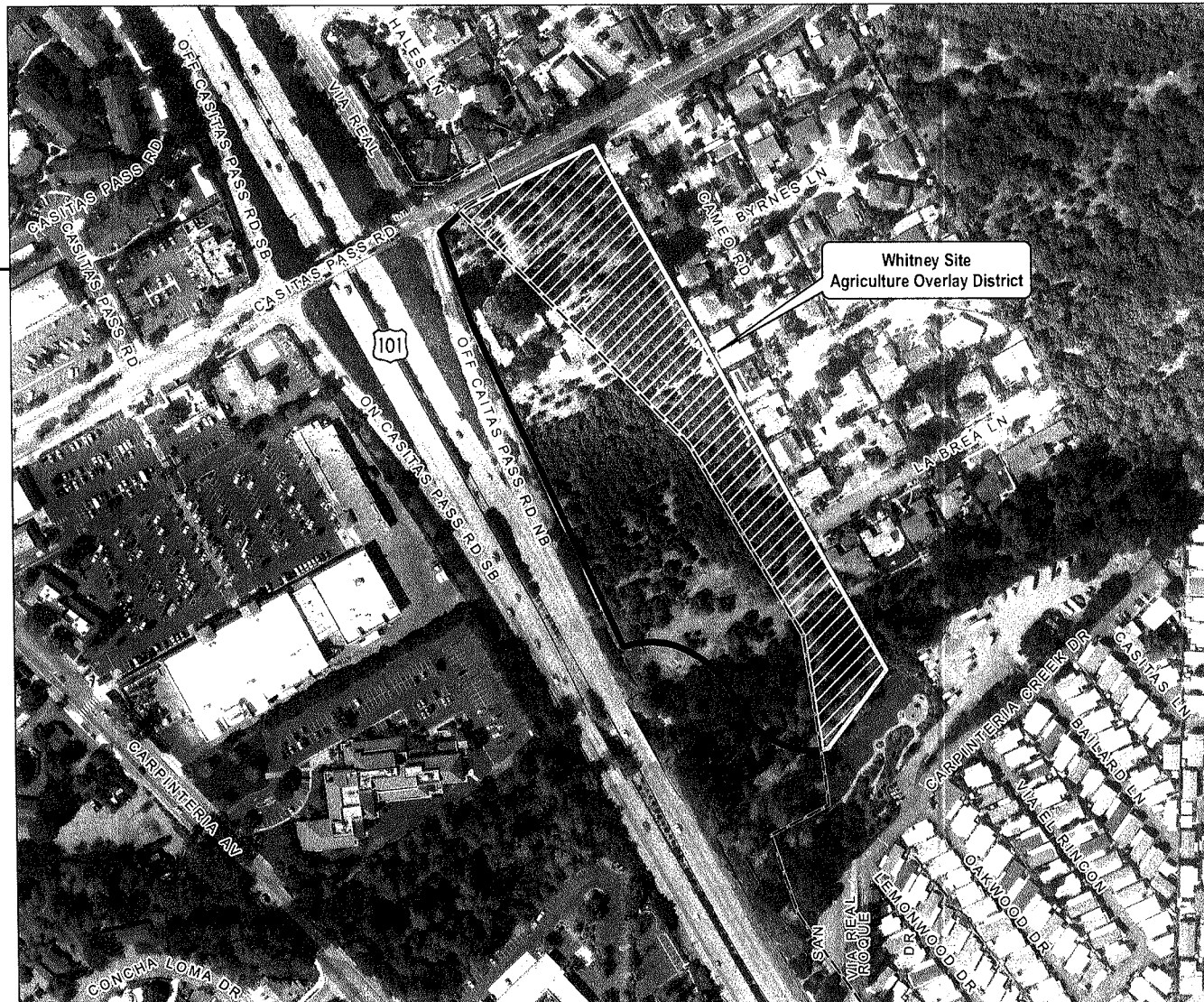
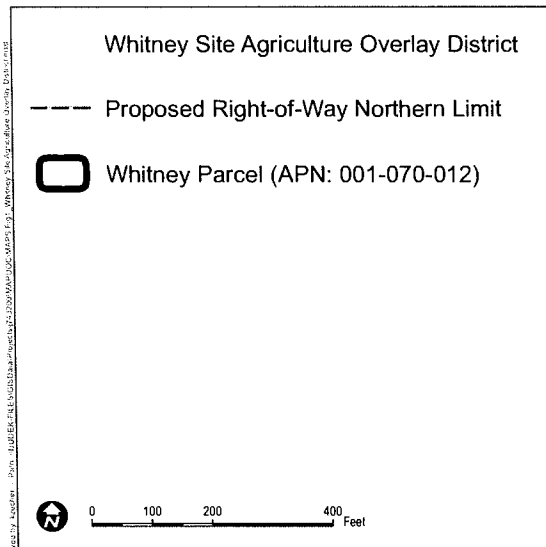
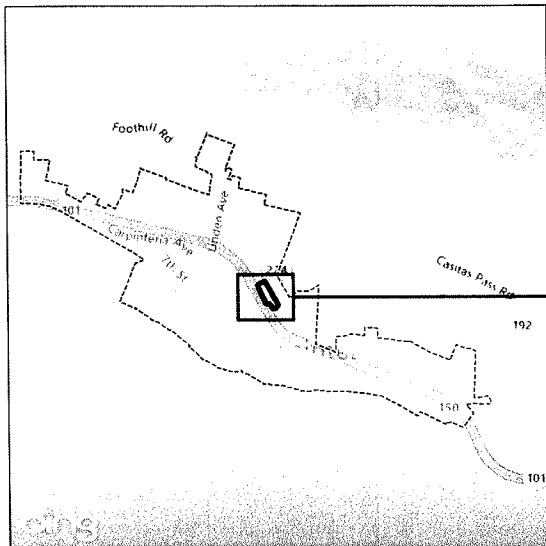
property prior to transfer of ownership of the remainder parcel to the City which will prohibit non-agricultural uses on the property in perpetuity. The holder of the agricultural conservation easement shall be a public resources agency or private land trust with agricultural resource preservation experience, acceptable to the City of Carpinteria. Portions of the parcel that lie within the Carpinteria Creek channel, associated environmentally sensitive habitat area (ESHA) or riparian corridor buffer shall be excluded from the agricultural conservation easement to protect environmentally sensitive resources from disturbance associated with agricultural activities.

3. Mitigation shall be provided for the direct loss of agricultural land via implementation of an Agriculture Preservation Program as set forth below. The developer shall contribute funds such that the City of Carpinteria can accomplish the following (at a minimum):
 - A. Installation of physical infrastructure for community garden plots at three or more properties in various locations to permit convenient public access. The following properties have been identified to fulfill the above goals; in the event that it is determined to be infeasible to operate a community garden on one or more of the properties detailed in subsection i or iii below, a substitute property(ies) may be enrolled.
 - i) Carpinteria Children's Project (formerly Main School campus of the Carpinteria Unified School District). Infrastructure and development may include:
 - a. Tilling to prepare planting area
 - b. Grid layout for plots
 - c. Perimeter fencing
 - d. Water source for irrigation
 - e. Small shed for tool/implement storage, not larger than 12' x 12'
 - ii) Four-acre Whitney Site remainder parcel. Infrastructure and development may include:
 - a. Tilling to prepare planting area within a portion of the site
 - b. Grid layout for plots
 - c. Preservation of a portion of the existing avocado orchard
 - d. Split-rail or similar perimeter fencing on the east, west and south boundaries
 - f. Water source for irrigation
 - g. Small shed for tool/implement storage, not larger than 12' x 12'
 - iii) Fifth Street 0.62-acre City-owned parcel between Holly Avenue and Elm Avenue. Infrastructure and development may include:
 - a. Tilling to prepare planting area
 - b. Grid layout for plots

- c. Split-rail or similar perimeter fencing
 - d. Water source for irrigation
 - e. Small shed for tool/implement storage, not larger than 12' x 12'
- B. Construction of a solid masonry wall approximately six feet in height on the northern boundary of the remainder Whitney Site shall be completed prior to opening a community garden on the property.
- C. Development of a uniform agreement or lease template for use of individual garden plots by members of the community.
- D. Drafting of an agreement(s) between the City and Carpinteria Unified School District (CUSD) for the Carpinteria Children's Project garden to be maintained and operated by the CUSD for children and families participating in onsite programs.
- E. Funding of one City of Carpinteria half-time staff position, for a period of five years from the date of final approval of the Linden Avenue – Casitas Pass Road and Via Real Extension project, to initiate the community garden system, and to create a fee structure (participation fee or plot lease) to subsidize the continuation of this staff position. In the event funding from the fee structure for community garden participation is not adequate following the five-year subsidy period to sustain a half-time position for administration of the community garden system, the City of Carpinteria will do one or more of the following.
 - i. Either restructure the participation fees or commit to providing funds for the difference between participation revenues and the position costs;
 - ii. Investigate administration of the community garden system by another agricultural education entity such as 4H or Future Farmers of America;
 - iii. Pursue grant funding to perpetuate the program; or
 - iv. Assume administration of the community garden system in perpetuity.
- F. Provide funding to CUSD for development of an adult education program to be delivered via offering workshops in plant cultivation at the community gardens and cooking with fresh garden produce (at the Carpinteria High School Culinary Kitchen). Once established, participation fees could fund perpetuation of the program.
- G. Provide funding to CUSD for development of grade-specific curriculum focusing on vegetable cultivation using on-campus gardens at each school facility in Grades 1-8. The lesson plans would increase knowledge and appreciation for fresh produce, supporting interest in both community gardening and the importance of local agriculture resources.
- H. Program administration and access for residents to at least one property enrolled in the community garden system shall be established within one year from approval of a Coastal Development Permit for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension. The Agriculture Preservation Program shall be substantially implemented within one year following completion of construction of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension.
- I. To further offset the project-related direct loss of five acres of agricultural land within the City of Carpinteria, the City shall apply to the Local Agency Formation

Commission (LAFCO) to remove two agricultural parcels which are currently included in the City's Sphere of Influence on Via Real (APN 001-080-033 and APN 001-180-026). The application to LAFCO to remove these parcels from the Sphere of Influence shall be completed within one year from approval of a Coastal Development Permit for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements. Successful removal of the parcels from the Sphere of Influence shall be accomplished prior to completion of construction of the public roadway improvements.

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AERIAL SOURCE: CIRGIS 2012
 DESIGN SOURCE: CALTRANS 2013

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FIGURE 1

Whitney Site Agriculture Overlay District

CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENT - MITIGATED NEGATIVE DECLARATION

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ATTACHMENT 1 – EXHIBIT C

Draft Text Amendments – Coastal Land Use Plan (Agriculture)

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CARPINTERIA COASTAL LAND USE PLAN
LINDEN AVENUE AND CASITAS PASS ROAD INTERCHANGES AND VIA REAL EXTENSION
Draft Policy - Whitney Site Agriculture Overlay District

June 2015

OSC-9m. Protect agriculture and agriculture education opportunities within the Whitney Site Agriculture Overlay District, pursuant to Chapter 14.41 of the Carpinteria Municipal Code.

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ATTACHMENT 1 - EXHIBIT D

Draft Transportation Corridor Wetland Overlay District

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Transportation Corridor Wetland Overlay – Zoning Code

June 2015

Chapter 14.45 –TRANSPORTATION CORRIDOR WETLAND OVERLAY DISTRICT

14.45.010 - Purpose and intent.

The purpose of the Transportation Corridor Wetland overlay district is to provide for specific standards of development for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, and for the portions located within the City of Carpinteria, the South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path projects. The intent is to ensure a more precise level of planning than ordinarily possible under the local implementation plan. Therefore, this overlay establishes specific standards related to fill or other impacts to wetland or reduction of wetland buffers, mitigation measures, drainage and stormwater management, and coastal access and recreation enhancements.

14.45.020 - Applicability.

The provisions of this district shall apply only to the project area encompassed by the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast High Occupancy Vehicle (HOV) Lanes, and Santa Claus Lane Bike Path projects, as depicted in Figure 2 and shown on the city's official zoning maps.

14.45.030 - Development standards.

All applicable LCP policies and provisions shall apply to development that is part of the Transportation Corridor Wetland Overlay (TCWO), unless specifically modified by the standards detailed in this section. Two general classes of wetlands have been identified within the TCWO: natural wetlands and created wetlands. Natural wetlands include components of Carpinteria Marsh, wetlands associated with native creeks and wetlands that are fragmented but are of high value. Created wetlands are relatively low functioning wetlands related to freeway and/or railroad infrastructure that have formed in drainage ditches, basins, water quality Best Management Practices (BMPs) features and/or topographic depressions, and were originally constructed out of dry land. The area abutting a wetland is the wetland buffer and provides a transition between development and the wetland resource. For the purpose of these development standards, wetland buffer only includes undeveloped areas between the wetland and the first line of development; thus, the road median is not a wetland buffer. Each wetland class has been assigned specific mitigation criteria to best facilitate the balance and protection of coastal resources in the TCWO.

All development for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, and all development for the portions of the South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path projects located within the City of Carpinteria, shall comply with the following:

1. For the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, the following project components may result in permanent and temporary direct wetland impacts (e.g., fill) and indirect wetland impacts (e.g., development in wetland buffer):
 - Carpinteria Creek bridge foundation components;
 - Slope retaining elements for the southbound US 101, northbound US 101, northbound Casitas Pass offramp and the Via Real extension;
 - Fill and retaining structures for the Via Real extension travel lanes, sidewalks and bike path;
 - Drainage improvements;
 - Soundwalls;
 - Fill and retaining structures for the Carpinteria Creek bike trail; and
 - Structural foundation elements, travel lane, sidewalk and bikeway, shoulder, fill and retaining structures for the northern end of the Linden Avenue overcrossing.
2. For the South Coast HOV Lanes, the following project components may result in permanent and temporary direct wetland impacts (e.g., fill) and indirect wetland impacts (e.g., development in wetland buffer):
 - Drainage improvements and soundwall along the northern shoulder of northbound 101 immediately east (south) of Santa Ynez Avenue;
 - Drainage improvements, soundwall, roadway, shoulder and fill in the immediate vicinity of Santa Monica Road onramp/offramp;
 - Drainage improvements and soundwall along the northern shoulder of northbound 101 in the vicinity of Taranto Circle; and
 - Drainage improvements and soundwall along the southern shoulder of southbound 101 immediately west (north) of Plum Street to just east of the western terminus of Carpinteria Avenue.
3. For the Santa Claus Lane Bike Path, the following project components may result in permanent and temporary direct wetland impacts (e.g., fill) and indirect wetland impacts (e.g., development in wetland buffer) between the existing US 101 southern shoulder and the UPRR railroad alignment which borders the north side of the Carpinteria Salt Marsh:
 - Fill;
 - Retaining structures;
 - Bike path; and
 - Drainage improvements.

4. Fill or other impacts to wetland or reduction of wetland buffers resulting from new development detailed in items 1 - 3 above, may be approved only in conformance with the following:
 - a. New development shall be sited and designed to avoid fill or other impacts to wetland. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to wetland that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts onsite. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to wetland.
 - b. New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetlands. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.
 - c. Mitigation shall be provided for direct impacts to wetlands (e.g., fill) and indirect impacts to wetlands (e.g., new development in wetland buffers). Mitigation measures shall include, at a minimum, creation or substantial restoration of habitats equal or similar to the impacted habitat type. Adverse direct impacts shall be mitigated at a ratio of 4:1 for natural wetland areas, including salt marsh and wetlands associated with creeks. Adverse direct impacts to riparian habitats shall be mitigated at a ratio of 3:1. Adverse direct impacts to created wetlands (low functioning wetlands associated with freeway infrastructure) shall be mitigated at a ratio of 3:1. Indirect impacts to wetlands, such as development in wetland buffer areas, shall be mitigated by enhancing (e.g., invasive species removal, native screening vegetation, planting appropriate native species, water quality improvement, sound reduction) all portions of the remaining (undeveloped) wetland buffer area within 100 feet of the impacted wetland. Temporary direct and indirect impacts to wetlands and riparian habitat shall be mitigated at a ratio of 1:1.
 - d. Wetland enhancement, restoration or creation plans shall be prepared by a qualified biologist for all areas where mitigation is required by Sections 4.a, b and c, above. Plans shall include details of appropriate wetland enhancement, restoration or creation acreage and location including the following:
 - i. Introduction. Including a purpose statement, existing site resource description and inventory, proposed wetland mitigation site plan and map comparing existing and future site conditions.

- ii. **Mitigation Goals.** A clear statement of the wetland mitigation goals including the desired wetland habitat type(s), major vegetation components, water quality improvements and hydrologic regime, and wildlife support functions.
 - iii. **Planting Plan.** Description of the desired relative abundance of particular wetland plant species in desired habitat type(s). Based on these goals, identify the species to be planted (plant “palette”), provide a rationale for and describe the size and number of container plants and/or the rate and method of seed application, and a site plan with planting location and planting guidelines for prescribed species. Seeds and propagules shall come from local native stock.
 - iv. **Grading Plan.** If wetland enhancement, restoration or creation requires topographic alterations, a formal grading plan shall be included.
 - v. **Best Management Practices (BMPs).** Erosion control, irrigation and weed eradication plans as necessary.
 - vi. **Success Criteria.** Selection and rationale of quantifiable success criteria. There must be an empirical basis for the selection of each success criterion (e.g., peer-reviewed literature, reference site data).
 - vii. **Monitoring.** Monitoring program that includes a detailed description of quantitative sampling design (e.g., sample sizes and sampling techniques such as quadrats, transects, photo plots), statistical procedures proposed for judging if success criteria are achieved, provisions for a five-year monitoring period, annual reporting and contingency measures should the mitigation efforts fail to achieve quantitative success criteria.
 - viii. **Final Report.** A final monitoring report prepared by a qualified biologist that evaluates whether the required wetland enhancement, restoration or creation has achieved the goals and success criteria set forth in the approved mitigation plan.
5. For each project listed in 1 through 3 above, all of the following post-construction coastal water quality standards shall be met:
- a. Early site design planning shall emphasize run-off management and shall prioritize the minimization of run-off by reducing lane and shoulder pavement widths, using permeable pavements and incorporating sub-grade stormwater retention, and shall use structural and operational Source Control BMPs to control pollutant sources, keep pollutants segregated from stormwater and minimize tainted run-off to the extent feasible. Minimization of impermeable surfaces shall be emphasized in freeway design where it is infeasible to infiltrate or treat freeway run-off that flows directly to high quality wetlands.
 - b. Low impact development strategies shall be preferentially used to treat run-off. Low impact development strategies use small scale control measures to infiltrate, evapo-transpire, filter, detain and retain run-off. These practices shall be maximized where they will pre-treat run-off that flows to wetlands. Earthen- (soil) based and/or bioengineered Caltrans-approved National Pollution Discharge Elimination System (NPDES) BMPs shall be allowed to be located and maintained within wetland buffers where there is no feasible alternative location available to locate the BMPs and where they support wetland protection.

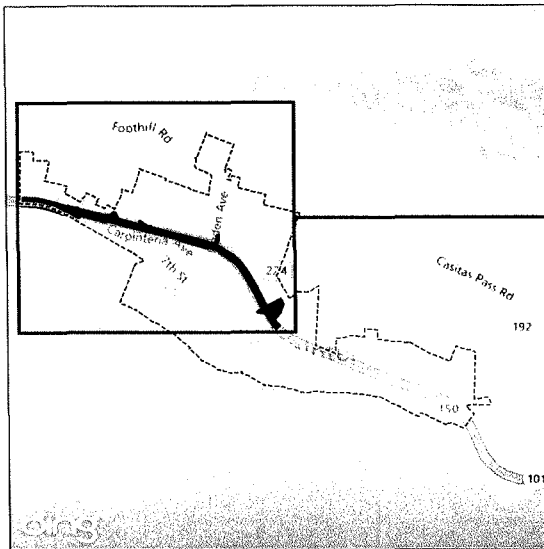
- c. To maximize the treatment and infiltration of run-off from the greatest area of freeway surfaces, post-development BMPs shall include, in addition to Caltrans-certified NPDES BMPs, alternative water quality BMPs. Alternative BMPs shall include, but not be limited to, grading to create or modify topographic depressions to maximize the capture, detention or retention of run-off, amending onsite soils to increase infiltration and detain run-off, adding or replacing vegetation in areas that receive freeway run-off with native plants, and constructing bioswales and biostrips that either do not require mowing or only require infrequent mowing or woody vegetation removal. These alternative BMPs shall be considered for use in areas that receive freeway run-off and wherever Caltrans-certified NPDES BMPs cannot be feasibly installed, including placement within wetland buffers where they support wetland protection.
- d. Created wetlands as defined in this chapter shall be enhanced wherever feasible by increasing the depth and areal extent of the wetland, removing invasive exotic vegetation and planting with native wetland plants. Maintenance of these enhanced created wetlands shall be limited to trimming vegetation that impacts the normal operation of the freeway, clearing drain inlets and trash removal, using non-mechanical methodologies (e.g., manual labor and no heavy equipment).
- e. Stormwater run-off shall be infiltrated, retained or detained onsite, in accordance with the site hydrology and geotechnical considerations. Infiltration BMPs shall be designed, at a minimum, to handle run-off from all storms up to and including the 85th percentile, 24-hour storm event onsite, to avoid negative effects of hydromodification. If it is not practical to retain the 85th percentile, 24-hour storm event onsite, the limitations preventing this practice shall be stated and an equal volume of run-off shall be infiltrated elsewhere within the project limits with preference given to sites within the same watershed.
- f. Where treatment control BMPs (or suites of BMPs) are used, they shall be designed to infiltrate and/or treat the amount of run-off produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or no less than 0.26 inches/hour for flow-based BMPs.
- g. Minimum infiltration or treatment volumes for treatment control BMPs shall be calculated based on the impervious surface area added by the project, in addition to the existing untreated freeway surface. Where it is infeasible to treat the volume of run-off from the existing freeway surface in addition to the new freeway surface, low impact development strategies shall be used to the maximum extent feasible to infiltrate, evapo-transpire, filter, detain and retain run-off from the existing freeway surface.
- h. Where site conditions make it infeasible to infiltrate or treat the stipulated minimum volume of run-off onsite, infiltration or treatment offsite within existing right-of-way can be substituted where it can be demonstrated that offsite infiltration or treatment will result in an equal or greater benefit to coastal water quality.
- i. Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bioswales, and shall infiltrate, retain, or detain the maximum possible volume of stormwater run-off in accordance with the site hydrology and geotechnical considerations. Biofilters shall not use invasive plant materials; plants shall be collected locally and/or propagated in a certified nursery with oversight by a

qualified plant ecologist. A biofilter/bioswale design plan, including the native wetland plant palette and the source of plant material, shall be submitted to the City for review and approval.

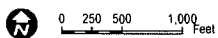
- j. A post-construction run-off management plan shall be submitted to the City and shall include maps, figures, supporting design calculations, and a narrative explaining the methods and approach proposed to protect or enhance coastal water quality. Maps shall be cross-referenced to grading, drainage and landscaping project plans. The run-off management plan shall include supporting information including but not limited to the infiltration and retention properties of the native or engineered BMP substrate, depth to groundwater, and the hydraulic design and pollutant treatment/removal capability of the proposed BMPs adequate to ensure that water quality will be protected to the maximum extent feasible. The post-construction run-off plan shall be certified by a qualified professional with appropriate credentials, education and training.
 - k. Where site or project conditions constrain any of the minimum requirements or practices in a. through j. above, the qualified professional shall document the nature and extent of the limitations and justify the alternative measures proposed to protect or enhance water quality.
6. To the extent allowed by the "Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements" (document adopted by the Coastal Commission on September 5, 1978 and incorporated herein by reference), repair and maintenance of the projects listed in 1 through 3 above are excluded from permit requirements. However, such exclusions shall not apply where such repair and maintenance would occur within riparian and wetland habitat or will cause direct impacts to wetland or other resources.
7. In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, two bike path/trail segments shall be constructed, including:
- a. Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue) - a Class I bike path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue. Construction of this path will close a gap in the coastal bike trail through Santa Barbara County. The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. The opening of this path to the public will be contingent on the development of a permanent maintenance plan.
 - b. Rincon Coastal Trail (SR 150/Carpinteria Avenue to Rincon County Park) - a Class I bike path/trail from the eastern terminus of Carpinteria Avenue (at State Route 150) to Rincon County Park. Construction of this path will close a gap between Carpinteria Avenue and the new Class I bike path along US 101 which has a northern terminus at Bates Road. The Rincon Coastal Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension construction. The opening of this bike path/trail to the public will be contingent on the development of a permanent maintenance plan.

8. To enhance educational and recreational opportunities, and to increase awareness of sensitive resources within the coastal environment, the following permanent displays are required:
 - a. In conjunction with the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, an educational or interpretive display shall be installed within Carpinteria Creek Park and/or at the entrance to the proposed Carpinteria Creek / US 101 bike path undercrossing which explains the importance of Carpinteria Creek, its riparian habitat and associated wetland resources.
 - b. In conjunction with the Santa Claus Lane Bike Path, an educational or interpretive display shall be installed which explains the importance of the Carpinteria Salt Marsh.
 - c. In conjunction with the Rincon Coastal Trail, an educational or interpretive display shall be installed which describes the nearby harbor seal rookery.

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-  Transportation Corridor Wetland Overlay District
-  City of Carpinteria



AERIAL SOURCE: CIRGIS 2012
 DESIGN SOURCE: CALTRANS 2013

DUDEK

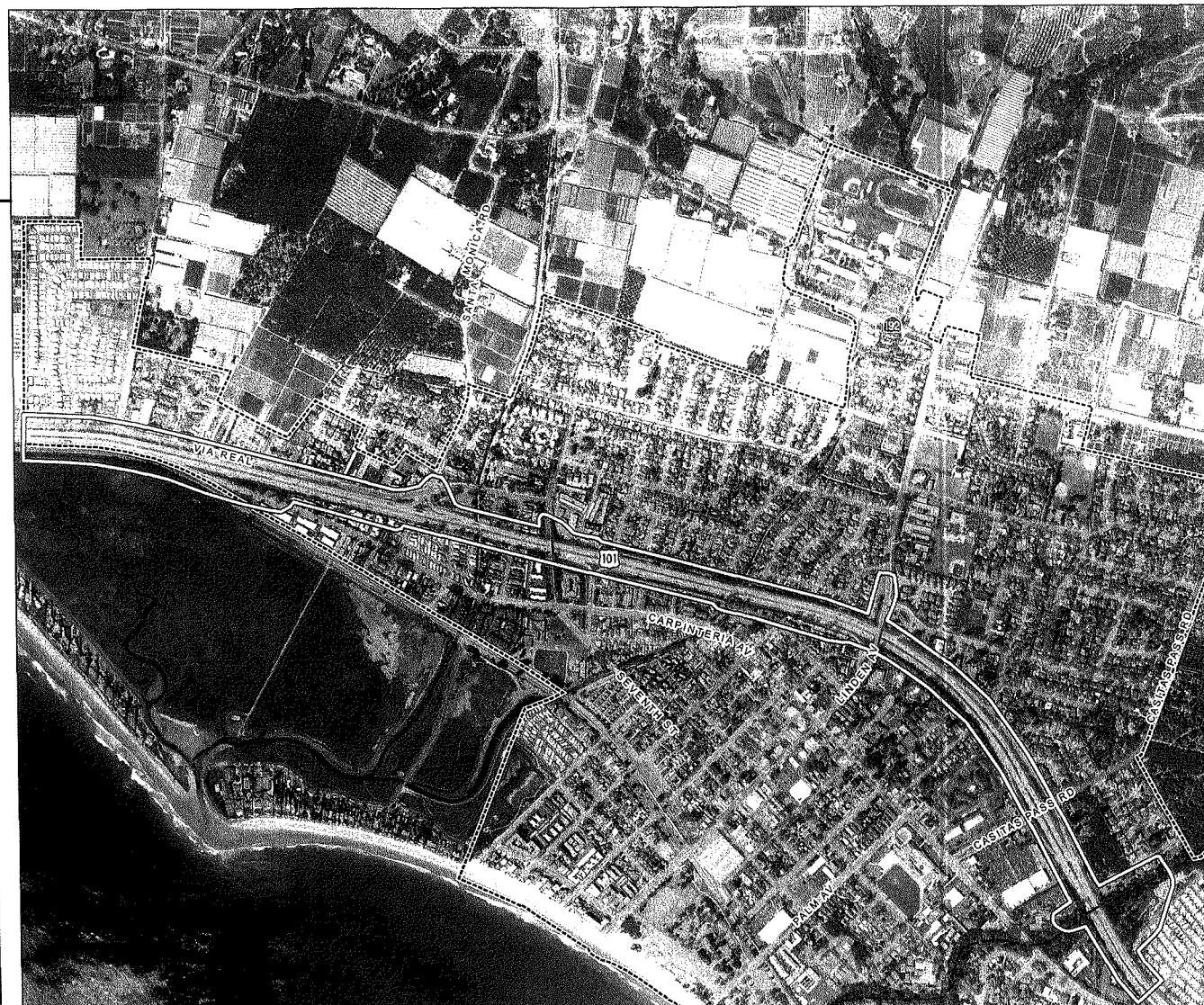


FIGURE 2

Transportation Corridor Wetland Overlay District

CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENT - MITIGATED NEGATIVE DECLARATION

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ATTACHMENT 1 - EXHIBIT E

Draft Text Amendments – Coastal Land Use Plan (Wetland Protection Policy)

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Wetland Buffer Encroachment Text Amendments – Zoning Code

June 2015

14.42.040 - Development standards.

Definitions of terms used in this chapter are contained in Section 3.9 of the Coastal Land Use Plan and are incorporated herein by reference.

Wetland 1. Wetland shall be defined as land where the water table is at, near or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes. Where environmental factors may prevent the development of hydric soils and/or hydrophytes, the presence of surface water or saturated substrate at some time during the year or the location within, or adjacent to, vegetated wetland or deepwater habitats will define their limits. If a question exists, the limit will be determined by habitat survey made by a City-approved biologist.

The upland limit of a wetland shall be defined as: a) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; b) the boundary between soil that is predominantly hydric and soil that is predominantly non-hydric; c) in the case of wetlands without hydrophytic vegetation or hydric soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not.

A buffer strip, one hundred (100) feet in width, shall be maintained in a natural condition along the upland limits of all wetlands. No structures other than those required to support light recreational, scientific and educational use shall be permitted, where such structures are consistent with all other wetland protection policies and where all possible measures have been taken to prevent adverse impacts.

2. New development adjacent to the required buffer around a wetland shall not result in adverse impacts due to additional sediment, run-off, noise and other disturbances.

3. For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, a reduced wetland buffer may be permitted in accordance with the provisions of Policy OSC-3e and the specific standards described in the Transportation Corridor Wetland Overlay District, in Chapter 14.45 of the Zoning Code.

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ATTACHMENT 1 - EXHIBIT F

Draft Text Amendments – Coastal Land Use Plan (Wetland Protection Policy)

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CARPINTERIA COASTAL LAND USE PLAN
LINDEN AVENUE AND CASITAS PASS ROAD INTERCHANGES AND VIA REAL EXTENSION
IMPROVEMENTS, SOUTH COAST HOV LANES AND
SANTA CLAUS LANE BIKE PATH

Draft Text Amendments – Wetland Protection Policy

June 2015

OSC-3e. For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, new development in wetland or within the required 100-foot wetland buffer may be permitted in accordance with all of the following requirements and all other development policies and provisions of the LCP.

- a. New development shall be sited and designed to avoid fill or other impacts to wetland. If there is no feasible alternative that can eliminate all impacts, then the alternative location and design for each of the four projects that would result in the fewest or least significant impacts shall be selected. Impacts to wetland that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures may be approved when it is not feasible to fully mitigate impacts onsite, or where greater habitat value can be achieved or wider wetland buffer can be provided in an offsite wetland restoration or enhancement project. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to wetland.
- b. New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetland. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Impacts to wetland resulting from a reduced buffer width shall be fully mitigated. Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.
- c. All new development shall protect post-construction coastal water quality by including the following:
 1. emphasize run-off management in site design;
 2. preferentially use Low Impact Development strategies;
 3. maximize the use of structural and operational Source Control BMPs;
 4. prioritize the use of biologic, soil-based Treatment Control BMPs;
 5. avoid adverse run-off impacts to ESHA and wetland; and
 6. design and manage development to minimize hydromodification, as appropriate.

Implementation Policies

12. Maintain a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of all wetland. No structures other than those required to support light recreational, scientific and educational uses shall be permitted within the setback, where such structures are consistent with all other wetland development policies and where all feasible measures have been taken to prevent adverse impacts. The minimum setback may be adjusted upward to account for site-specific conditions affecting avoidance of adverse impacts.

A minimum wetland buffer of 35 feet from structures, and 25 feet from fencing is allowed for the existing retention basin/drainage pond on the Ellinwood site (APN 004-013-026). The retention basin/drainage pond on this site shall be maintained only in accordance with the specific standards described in the Ellinwood Parcel (APN 004-013- 026) Overlay District, in Chapter 14.43 of the Zoning Code.

For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, a reduced wetland buffer may be permitted in accordance with the provisions of Policy OSC-3e and the specific standards described in the Transportation Corridor Wetland Overlay District, in Chapter 14.41 of the Zoning Code.

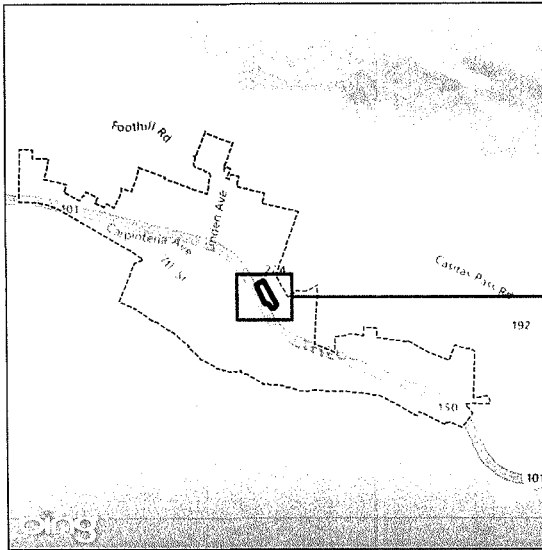
OSC-15e. In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension and South Coast High Occupancy Vehicle (HOV) Lanes projects shall include the construction of the following bike path / trail segments:

- a. Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue) - a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue. Development of this path will close a gap in the coastal bike trail through Santa Barbara County. The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. The opening of this path to the public will be contingent on development of a permanent maintenance plan.
- b. Rincon Trail (From SR 150/Carpinteria Avenue to Rincon County Park) - a Class I Bike Path/trail from the eastern terminus of Carpinteria Avenue (at State Route 150) to Rincon County Park. Construction of this path will close a coastal trail gap between Carpinteria Avenue and the new Class I trail along US 101 which has a northern terminus at Bates Road. The Rincon Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension construction. The opening of this path to the public will be contingent on development of a permanent maintenance plan.

ATTACHMENT 1 - EXHIBIT G

Whitney Parcel Transportation Corridor Land Use Designation

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Redesignate Land Use to Transportation
Corridor "TC" and Remove Zoning

--- Proposed Right-of-Way Northern Limit

 Whitney Parcel (APN: 001-070-012)



AERIAL SOURCE: CIRGIS 2012
DESIGN SOURCE: CALTRANS 2013

DUDEK



Whitney Parcel Transportation Portion Zoning and Land Use Designations

CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENT

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ATTACHMENT 1 - EXHIBIT H

Conditions of Approval

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EXHIBIT H: CONDITIONS OF APPROVAL

CITY COUNCIL PROJECT 09-1522-LCPA

LOCAL COASTAL PROGRAM AMENDMENT, PROJECT 09-1522-LCPA, TO CREATE THE TRANSPORTATION CORRIDOR WETLAND OVERLAY AND THE WHITNEY SITE AGRICULTURE OVERLAY DISTRICTS IN THE CITY OF CARPINTERIA ZONING CODE AND ASSOCIATED TEXT AMENDMENTS TO THE COASTAL LAND USE PLAN AND LAND USE MAP AND REDESIGNATE LAND FROM AGRICULTURE TO TRANSPORTATION CORRIDOR

June 22, 2015

The Conditions set forth in this permit affect the title and possession of the real property which is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions and restrictions herein imposed shall be binding upon and inure to the benefit of the owner, his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner by this permit.

1. **Project Description.** The LCP Amendments (09-1522-LCPA) approved by the City Council on June 22, 2015 are limited to the written project description, staff report exhibits and conditions of approval on file at the City of Carpinteria, subject to further City review and approval as detailed below.

As a condition of project approval, the following project elements and variations shall be incorporated into proposed plans and the project description and detailed more specifically subject to approval of the Community Development Director in consultation with the Public Works Director as follows:

2. **Mitigation Measures:** Caltrans / SBCAG shall consider incorporation of the following mitigation measures into the environmental review document(s) for the Santa Claus Lane Bike Path to address potentially significant impacts as identified in the LCPA MND dated June 2015.

- a. Visual and Aesthetics

AES-1 Barrier Design. The traffic barrier between the US 101 southbound shoulder and the Santa Claus Lane Bike Path shall incorporate color and texture compatible with the center median traffic barrier used for the adjacent section of the South Coast HOV Lanes and similar to the barrier used for the Class I Rincon Bikeway between Bates Road and Mussel Shoals.

AES-2 Safety Screen. The safety screen to be placed atop the traffic barrier to protect path users from blown or thrown objects shall provide the greatest transparency possible for US 101 travelers, consistent with the technical requirements for the safety screen function and similar to the safety

screen used for the Class I Rincon Bikeway between Bates Road and Mussel Shoals.

AES-3 Landscape Plan. A landscape plan shall be prepared to address the replacement of plants removed during construction of the Santa Claus Lane Bike Path, where such plants occur outside the limits of wetland.

AES-4 Design Review. The design of the Santa Claus Lane Bike Path shall be reviewed by the City of Carpinteria Architectural Review Board.

b. Air Quality

AQ-1 PM₁₀ Mitigation Measures. Dust generated by construction activities shall be kept to a minimum with a goal of retaining dust onsite. The following dust control measures shall be implemented:

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever winds exceed 15 miles per hour. If wind speeds increase to the point when such measures cannot prevent dust from leaving the site, construction activities shall be suspended.
- c. Grading operations shall be suspended when wind speeds exceed 20 mph.
- d. Gravel pads shall be installed at all access points to the project site to prevent tracking of mud onto City roadways.
- e. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust offsite. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to City staff and the APCD and shall be posted in three locations along the proposed project site's perimeter for the duration of grading and construction activities.

AQ-2 Grading and Dust Generation. If the construction site is graded and left undeveloped for over three weeks, the applicant shall employ the following methods immediately to inhibit dust generation:

- Seeding and watering to revegetate graded areas; and/or
- Use of a water truck to moisten exposed dirt areas during grading activity.
- Any other methods deemed appropriate by Community Development.

AQ-3 Equipment Exhaust. During project grading and hauling, construction contracts must specify that construction contractors shall adhere to requirements that reduce emissions of ozone precursors and particulate emissions from diesel exhaust. The following shall apply:

- a. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- b. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- c. Diesel construction equipment meeting the CARB Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- d. Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.
- e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- f. All construction equipment shall be maintained in tune per the manufacturer's specifications.
- g. The engine size of construction equipment shall be the minimum practical size.
- h. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- i. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

AQ-4 Diesel Fuel Vehicles. Diesel fuel emissions shall be limited. The following limitations on diesel-fueled vehicles in excess of 10,000 pounds shall apply during all construction activities:

- a. Diesel-fueled vehicles in excess of 10,000 pounds shall not idle in one location for more than five minutes at a time.
- b. Diesel-fueled vehicles in excess of 10,000 pounds shall not use diesel-fueled auxiliary power units for more than five minutes to power heater, air conditioner, or other ancillary equipment on any such vehicle.
- c. The applicant shall designate one or more locations as deemed appropriate for the posting of a notice(s) to all drivers of diesel-fueled vehicles in excess of 10,000 pounds of these limitations on vehicle idling in all areas of the property that may be frequented by such vehicles. Such signs shall be maintained in their approved location(s) throughout the construction period.

c. Biological Resources

BIO-1 Fencing and Protection from Run-off. Prior to the initiation of site grading, a qualified biologist shall implement the following measures to protect special status plant species that occur outside of the areas proposed for development:

1. Install orange construction fencing around all construction areas to prevent construction equipment and personnel from entering surrounding areas. Fencing may be installed in a phased manner if construction is also phased.
2. Construction activities shall be confined to the designated construction areas.
3. Fencing shall be monitored on a regular basis throughout the construction period to ensure that the integrity of the fence is maintained.
4. To prevent run-off and erosion from construction areas adjacent to special status vegetation communities or plant species populations from impacting these species, best management practices (BMPs) such as silt fences, straw bales, etc., shall be placed to intercept run-off, or ditches or other diversion structures shall be constructed.

BIO-2 Focused Rare Plant Survey and Avoidance. Focused surveys for special status plant species shall be conducted by a qualified botanist at the appropriate season (blooming period) prior to the commencement of grading/construction activities. The surveys shall be conducted no more than one year prior to commencement of construction activities within suitable habitat, and the surveys shall be conducted at a time of year when the plants can be located and identified. Should special status plant species be documented within the project boundary, avoidance measures shall be implemented to minimize impacts to individual plants wherever feasible. These measures shall include minor adjustments to the boundaries/location of haul routes and other trail features. If, due to design constraints, avoidance of all plants is not possible, then further measures described in BIO-3 shall be implemented to salvage seeds and/or transplant individual plants. All seed collection and/or transplantation methods, as well as the location of the receptor site for seeds/plants (assumed to be within preserved open space areas within the County Park), shall be coordinated with CDFG prior to impacting known occurrences of the special status species.

BIO-3 Mitigation and Monitoring Plan. If as a result of implementing mitigation measure BIO-2 above, it is determined that the proposed project will directly impact a special status plant species, a Mitigation and Monitoring Plan for Special Status Plants (Plan) shall be prepared prior to the initiation of construction.

The Plan shall provide for replacement of individual plants to be removed at a minimum 1:1 ratio, within suitable habitat at a site where no future construction-related disturbance will occur. The plan shall specify the

following: (1) the location of the mitigation site in protected/preserved areas; (2) methods for harvesting seeds or salvaging and transplantation of individual plants to be impacted; (3) measures for propagating plants (from seed or cuttings) or transferring living specimens from the salvage site to the introduction site; (4) site preparation procedures for the mitigation site; (5) a schedule and action plan to maintain and monitor the mitigation area; (6) the list of criteria and performance standards by which to measure the success of the mitigation site (below); (7) measures to exclude unauthorized entry into the mitigation areas; and (8) contingency measures such as erosion control, replanting or weeding to implement in the event that mitigation efforts are not successful.

BIO-4 Pre-construction Nesting Bird Surveys. Within 30 days of any vegetation clearing or ground disturbance associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically mid-February through August in the project region, or as determined by a qualified biologist), the City shall have weekly surveys conducted by a qualified biologist to determine if active nests of special status bird species or of any bird species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present in the disturbance zone or within 100 feet (300 feet for raptors) of the area to be disturbed. The surveys shall occur on a weekly basis, with the last survey being conducted no more than seven days prior to initiation of disturbance work. If ground disturbance is delayed, then additional pre-disturbance surveys shall be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. The City or contractor shall provide the biologist with plans detailing the extent of proposed ground disturbance prior to the survey effort.

If active nests are found, clearing and construction within 100 feet of the nest (300 feet for raptors) shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with highly visible construction fencing, and construction personnel shall be instructed on the sensitivity of nest areas. The results of the surveys, including graphics showing the locations of any nests detected, and any avoidance measures recommended, shall be submitted to the City within 14 days of completion of the pre-construction surveys to document compliance with applicable state and federal laws pertaining to the protection of native birds.

BIO-5 County of Santa Barbara LCP Amendments. In order to establish precise development standards, biological restoration performance standards and effective mitigation ratios to address the Santa Claus Lane Bike Path encroachment into wetland and wetland buffer areas within Santa Barbara County, the City of Carpinteria shall work with the County of Santa Barbara on a wetland protection overlay district that provides a functional equivalent to the Carpinteria Transportation Corridor Wetland Overlay District.

BIO-6 Wetland Restoration Plan. Prior to issuance of a grading permit for the portion of the bike path within each jurisdiction, wetland restoration plans in accordance with the specifications provided under the Transportation Corridor Wetland Overlay District (or County equivalent) shall be prepared for review and approval by the governing jurisdiction.

D. Cultural Resources

- In the unlikely event that potentially significant cultural materials are encountered during construction, grading should be temporarily redirected and/or suspended until a qualified archaeologist and local Chumash representative are retained to evaluate the find, including mapping and collecting any diagnostic (time-sensitive) artifacts, consistent with City of Carpinteria standards.

E. Geology and Soils

GEO-1 Materials Stockpiling. The stockpiling of earth materials related to the construction of the Santa Claus Lane Bike Path shall be avoided to the maximum extent feasible. Any necessary stockpiles should be designed and maintained such that the material is stored for the shortest time practical.

GEO-2 Construction to Avoid Rainy Season. To the extent feasible, the Santa Claus Lane Bike Path construction shall not occur during the rainy season (November 1 to April 1) in order to avoid short-term erosion of earth materials. If a portion(s) of the construction must occur during the rainy season, erosion control devices and best management practices shall be established and maintained for the duration of the construction which occurs during the rainy season.

F. Hydrology

HYDRO-1 Flood Control. The Santa Claus Lane Bike Path shall be designed and constructed to minimize damage or failure of the path during flooding events. If technically feasible and deemed appropriate, the elevation of the bike path surface should be constructed above the 100-year flood elevation adjacent to the bike path alignment.

3. Mitigation Compliance, Monitoring and Reporting Requirement. The applicant for any future transportation improvement project that relies on this LCPA shall submit to the Community Development Director a draft monitoring program for mitigation measures identified in the environmental review document(s) prepared for the transportation improvement project. A Project Environmental Coordinator (PEC) and mitigation monitors responsible for permit compliance monitoring shall be retained and paid for by the applicant. The mitigation monitoring program shall include, but not be limited to:

- a. Mitigation Measures. A list of the project's mitigation measures.
- b. Implementation of Mitigation. Timing and party responsible for implementation of each mitigation measure.
- c. Mitigation Monitoring. Timing and party responsible for monitoring of each mitigation measure and a list of mitigation monitors to be retained.

- d. Mitigation Reporting. Procedures, timing and responsible party for reporting to the City on project mitigation compliance and monitoring.

Written authorization to proceed and consent to conditions of approval by the applicant shall be provided to the City prior to commencement of any demolition or construction activity.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY
WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT

Applicant

Date

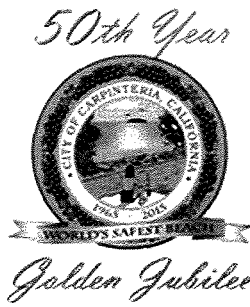
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ATTACHMENT 2

Proposed Final Mitigated Negative Declaration Project 09-1522

June 22, 2015

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**PROPOSED FINAL
MITIGATED NEGATIVE DECLARATION**

**CITY OF CARPINTERIA
LOCAL COASTAL PROGRAM AMENDMENT**

**LINDEN AVENUE - CASITAS PASS ROAD
INTERCHANGES AND VIA REAL EXTENSION**

SOUTH COAST HOV LANES

SANTA CLAUS LANE BIKE PATH

Applicant: City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013
(805) 684-5405

Contact

**Jackie Campbell, Director
Community Development Department
City of Carpinteria
jackiec@ci.carpinteria.ca.us
805-684-5405 x 451**

JUNE 2015

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Appendix E	Draft Text Amendments – Zoning Code (Wetland)
Appendix F	Whitney Parcel Transportation Portion Zoning & Land Use Designations
Appendix G	Comments Received on the Draft MND

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City of Carpinteria Draft Mitigated Negative Declaration

- 1. Project Title:** Carpinteria Local Coastal Program Amendments for Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path
- 2. Lead Agency:** City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013
- 3. Contact Person:** Jackie Campbell, Community Development Director
jackiec@ci.carpinteria.ca.us / (805) 684-5405 x451

4. Project Location:

The proposed Transportation Corridor Wetland Overlay District would generally encompass: Highway 101 (including a narrow strip of land along the outside shoulders) from the western boundary of the City of Carpinteria to the approximate vicinity of the Casitas Pass Road overcrossing; the alignments for Linden Avenue and Casitas Pass Road overcrossings within 1,000 feet of Highway 101; and the alignment for the Via Real extension. Refer to *Figure 1* for conceptual boundaries of the Transportation Corridor Wetland Overlay District.

The proposed Whitney Site Agriculture Overlay District would encompass only the remainder of the original 8.95-acre Whitney parcel (APN 001-070-012) not dedicated to public roadway purposes. Refer to *Figure 2* for conceptual boundaries of the Whitney Site Agriculture Overlay District.

5. Project Co-sponsors: California Department of Transportation (Caltrans) and Santa Barbara County Association of Governments (SBCAG)

6. General Plan/Local Coastal Land Use Plan Designations:

Transportation Corridor (TC), Agriculture (AG), Open Space/Recreation (OSR), Public Facility (PF), Visitor-Serving Commercial (VC), General Commercial (GC) and Residential (LDR and MDR)

7. Zoning:

Community Facility (CF), Manufacturing (M-CD), Commercial (CPD), Utility (UT), Agriculture (A-5), Planned Unit Development (PUD), Residential (PRD-20, PRD-18, 4-R-1, 6-R-1, 7-R-1, MHP), Resort (RES) and Recreation (REC)

8. Project Description: See Section 2 for project specific information.

9. Surrounding Land Uses and Setting: See Section 2.4 for a discussion of the surrounding land uses and environmental setting.

10. Other public agencies whose approval is required: See Section 1.3 for a discussion of other public agencies whose review or approval is required.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially significantly affected by this project as indicated by the checklist on the following pages.

- | | | |
|--|--|---|
| ☒ Aesthetics | ☒ Agricultural Resources | ☒ Air Quality |
| ☒ Biological Resources | ☐ Cultural Resources | ☒ Geology/Soils |
| ☐ Greenhouse Gas Emissions | ☐ Hazards & Hazardous Materials | ☒ Hydrology/Water Quality |
| ☒ Land Use/Planning | ☐ Mineral Resources | ☒ Noise |
| ☐ Population/Housing | ☐ Public Services | ☐ Recreation |
| ☐ Transportation/Traffic | ☐ Utilities/Service Systems | ☐ Mandatory Findings of Significance |

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequate supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) Negative Declaration: "Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant" to "Less Than Significant." The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures as described in (5) below may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR or other CEQA processes, an effect has been adequately analyzed in an earlier EIR or negative declaration (§15063(c)(3)(D)). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
- a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

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Section 1: Project Background and Regulatory Process

1.1 Project Overview

The proposal consists of amendments to the City of Carpinteria Local Coastal Program, including: 1) text amendments to the agriculture section of the Carpinteria Coastal Land Use Plan; 2) creation in the Zoning Code of a new Whitney Site Agriculture Overlay District; 3) text amendments to the wetland sections of the Carpinteria Coastal Land Use Plan; 4) creation in the Zoning Code of a new Transportation Corridor Wetland Overlay District and, 5) redesignation of the transportation portion of the Whitney Site to Transportation Corridor and elimination of the A-5 agriculture zoning designation.

The proposed amendments are being sought by the project co-sponsors in order to accommodate planned improvements to US 101 and related local transportation network elements. The proposed amendments, in and of themselves, do not entail physical development, construction or alteration of the physical or natural environment. However, adoption of the proposed amendments would establish a local coastal policy framework under which two freeway improvement proposals could potentially be approved for development: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; and 2) South Coast High Occupancy Vehicle (HOV) Lanes. In addition, two path/trail proposals are included with the amendments package, and would be required to be constructed in tandem with an associated highway improvement: 1) Carpinteria Rincon Trail (must be constructed if Linden/Casitas/Via Real is approved); and 2) Santa Claus Lane Bike Path (must be constructed if South Coast HOV Lanes is approved).

1.2 CEQA Lead Agency and Discretionary Approvals

The City of Carpinteria has authority to act as the Lead Agency for the proposed amendments to the Carpinteria Coastal Land Use Plan and Zoning Code in accordance with CEQA Guidelines Sections 15050 - 15051 and is responsible for preparing this Draft Mitigated Negative Declaration (MND). The purpose of the Draft MND is to determine whether the project may have significant effects on the environment.

1.3 Other Public Agencies Whose Review and/or Approval May Be Required

This Draft MND is also intended to be used by Responsible and Trustee agencies with permit or approval authority over the project. The following agencies have been identified by the City as having permit or approval authority over a portion of the project, or those needing to accept newly established performance standards or other obligations which would become applicable to currently planned improvements:

- California Coastal Commission – approval authority for the proposed amendments to the Carpinteria Local Coastal Program
- Caltrans District 5 – acceptance of development standards established for encroachment of project improvements into agriculture, wetland and wetland buffers

- SBCAG – acceptance of path/trail development obligations linked to related highway improvements, as established under the proposed amendments

1.4 Previous Environmental Review

Three of the interrelated transportation projects described above (Section 1.1) that would be accommodated under the proposed amendments to the Carpinteria Coastal Land Use Plan and related portions of the Carpinteria Zoning Code have undergone their own environmental review under the California Environmental Quality Act. The Carpinteria Local Coastal Program Amendments MND relies upon information in these documents, and therefore the following documents are hereby incorporated by reference for the purpose of the environmental review tiering provisions in CEQA:

California Department of Transportation (Caltrans). 2010. Linden Avenue & Casitas Pass Road Interchanges Project, Final Environmental Impact Report/Finding of No Significant Impact. July.

California Department of Transportation (Caltrans). 2012. South Coast 101 HOV Lanes Project Draft Environmental Impact Report/Environmental Assessment. March.

California Department of Transportation (Caltrans). 2015. Linden Avenue & Casitas Pass Road Interchanges Project, NEPA/CEQA Re-Validation Form and CEQA Addendum. March.

Carpinteria, City of. 2015. Carpinteria Rincon Trail Mitigated Negative Declaration. May.

4.41.5 Public Review Process

In accordance with CEQA, the City has provided a Notice of Intent to Adopt a Mitigated Negative Declaration (MND) to the public, Responsible agencies, Trustee agencies and the Santa Barbara County Clerk's Office. Comments can be submitted on the Draft MND in writing before the end of the comment period or at the Planning Commission meeting on its review of the MND and the proposed project.

In reviewing the MND, affected agencies and interested public should focus on the adequacy of the information provided in identifying environmental impacts of the project.

A 30-day review and comment period will be established in accordance with §15105(b) of the CEQA Guidelines. Following the close of the public comment period, the City will consider this MND, as well as comments provided by agencies and interested parties in determining whether to approve the project. Written comments should be mailed or emailed to:

Jackie Campbell, Community Development Director
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria, CA 93013
jackiec@ci.carpinteria.ca.us

Section 2: Project Description

2.1 Introduction

Background and Need for Proposed Amendments

A series of inter-related improvements proposed for the Highway US 101 transportation system within the City of Carpinteria have been deemed to be inconsistent with existing policy language of the Carpinteria Local Coastal Program and California Coastal Act. As such, the City proposes to amend the Carpinteria Coastal Land Use Plan and related portions of the Carpinteria Zoning Code in order to accommodate the following proposals: Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements and South Coast HOV Lanes (within Carpinteria).

The Casitas Pass Road interchange northbound onramp and offramp, including the related new segment of Via Real, would remove or convert an approximately five-acre portion of an existing nine-acre parcel from agricultural use to transportation facility. The conversion of five acres of agricultural land to non-agricultural use is considered to be inconsistent with City and Coastal Act policies that protect agriculture. Conflicts with agricultural resource protection policies are to be balanced against policies addressing coastal public access and recreation opportunities, as discussed in detail below. A new zoning overlay district (Whitney Site Agriculture Overlay District) and text amendments to the agriculture portion of the Coastal Land Use Plan are proposed in order to establish mitigation for the direct loss of agricultural land via creation of an agricultural preservation program (refer to Appendices A and B).

The Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements would encroach into existing wetland (as defined using the Coastal Commission single criterion definition), riparian habitat associated with Carpinteria Creek and designated environmentally sensitive habitat area (ESHA). The Linden Avenue improvements would encroach into existing wetland which can also be defined as ESHA under the Coastal Land Use Plan. The project team has worked to refine the alignment of proposed elements to avoid wetland, riparian and ESHA resources, but total avoidance of these resources has not been found to be feasible. The preferred project alternative minimizes encroachment into and impacts on these resources and provides restoration of habitat areas onsite where feasible and offsite where necessary. The encroachment of project elements into the established protective buffer area for wetland and direct project impacts upon (removal of) wetland are inconsistent with City and Coastal Act policies that protect these wetland resources within the Coastal Zone.

The South Coast HOV Lanes would encroach into existing wetland buffers (as defined using the Coastal Commission single criterion definition). The project team has worked to refine the alignment of proposed elements so as to avoid wetland resources, but total avoidance of these resources has not been found to be feasible. The encroachment of project elements into the established protective buffer area for wetland and direct project impacts upon (removal of) wetland are inconsistent with City and Coastal Act policies that protect these wetland resources within the Coastal Zone.

Complete mitigation for direct and indirect impacts of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements and the South Coast HOV Lanes on wetland, riparian

and ESHA resources will be required in order for the projects to receive discretionary approvals. However, despite mitigation to ameliorate physical project impacts on these resources, conflicts with the City and Coastal Act policies would remain. Such conflicts must be weighed against benefits delivered by the projects under other objectives and policies of the Coastal Act. In the case of these two projects, conflicts with wetland protection policies are to be balanced against policies addressing coastal public access and recreation opportunities, as discussed in detail below. A new zoning overlay district (Transportation Corridor Wetland Overlay District) and text amendments to the zoning code (§14.42.040 – development standards) and wetland protection portions of the Coastal Land Use Plan are proposed to establish mitigation for the direct loss of wetland and wetland buffer, as well as create development standards for improvements that would be allowed to encroach into wetland and wetland buffer (refer to Appendices C and D).

Balancing Coastal Act Policy Conflicts: Coastal Access and Recreation Enhancement Program

As stated above, conflicts with agriculture resource protection policies and wetland resource protection policies associated with the highway improvement projects are to be balanced against policies addressing coastal public access and recreation opportunities. Coastal access and recreation enhancements delivered by the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements would be considered primarily to be local or sub-regional in nature. The South Coast HOV Lanes project has a regional scope, but would primarily benefit automobile, van and bus passengers. However, the highway and interchange proposals, by themselves, lack a component to address improvement of access to coastal resources at the regional level for alternative transportation modes.

In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the project sponsors propose the construction of two important bike path/trail segments. The completion of either path would increase the total length of bikeway within the Coastal Zone of the South Central Coast, making a meaningful contribution to bicycle access and recreation opportunities. However, taken together, these two bike path segments would close the remaining two gaps in a nearly 40-mile long bikeway system that would span from the City of Santa Barbara to the City of Ventura, resulting in a significant benefit to regional and statewide cycling enthusiasts and to members of the public who seek to access coastal resources via an affordable transportation mode. These two bike path/trail proposals are described in detail below.

The path/trail proposals are necessary to achieve meaningful enhancements to regional scale access to coastal resources and coastal recreation opportunities which can then be used to balance the conflicts of the overall package of transportation projects with agriculture and wetland protection policies. The bike/trail proposals must be formally linked to the larger highway and related improvements for the ability to seek the proposed Coastal Plan Land Use and Zoning Code amendments, with respect to policy conflict resolution under the Coastal Act.

1. Carpinteria Rincon Trail (From SR 150/Carpinteria Avenue to Rincon County Park)

This proposal consists of construction of a coastal bike path/trail from the existing southern (eastern) terminus of Carpinteria Avenue (transition to State Route 150) to Rincon County Park. Construction of this path would close a coastal trail gap between Carpinteria Avenue and the new Class I trail along US 101 which begins at Mussel Shoals in Ventura County and has a northern terminus at the Rincon State Beach Park parking lot, a distance of three miles. The proposed alignment would require a right-of-way easement for the portion of the trail that crosses the Union Pacific Railroad (UPRR) tracks within the County of Santa Barbara. The Carpinteria Rincon Trail would not involve potential inconsistencies with existing policy language of the Carpinteria Coastal Land Use Plan or California Coastal Act and therefore this path does not require the proposed amendments to be adopted in order to proceed through the development review process. On May 4, 2015, the City of Carpinteria Planning Commission approved a Conditional Use Permit and Coastal Development Permit for the portions of the trail within the City's jurisdiction.

Coastal Commission staff has identified the Rincon segment of the Carpinteria Coastal Vista Trail (CCVT) as a high priority in the region because the existing gap in the trail creates a significant constraint for bicyclists and pedestrians. In order to traverse this gap, southbound cyclists are required to use the US 101/SR 150 southbound on-ramp, and cycle along the shoulder of the highway until reaching the Bates Road exit to access Rincon County Park. Northbound bicyclists must also ride along the highway shoulder or take a circuitous route through local rural roads from Bates Road to Highway 150 before reaching Carpinteria Avenue.

With closure of this gap by constructing the Rincon Coastal Trail, cyclists would be able to ride from the City of Ventura to the City of Carpinteria on a Class I bikepath, avoiding the use of any highway shoulder segments along this 14-mile stretch of scenic coastline. The Rincon Coastal Trail shall be completed prior to the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements construction. The opening of this trail to the public will be contingent upon the development of a permanent maintenance agreement among the parties, including the City of Carpinteria, Santa Barbara County and Caltrans.

2. Santa Claus Lane Bike Path (Santa Claus Lane to Carpinteria Avenue)

This proposal consists of a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue, a distance of approximately 2,000 feet. Development of this path will close an existing gap in the coastal bike trail (as designated in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). A coastal Class I Bike Path to connect Summerland and Carpinteria is also a planned bicycle project in the Santa Barbara County Bicycle Master Plan (Draft May 2012) and in the Toro Canyon Plan (December 2004). A goal of this construction design and implementation for the path would be to accommodate the path within the Caltrans/City/County right-of-way (to avoid any Union Pacific Railroad right-of-way). The path is generally being designed to provide a five-foot travel lane in each direction, but in some areas this may be reduced due to right-of-way or environmental constraints. Given the present alignment of US 101 in the project vicinity, and the location of mapped wetland and wetland buffer areas, it is anticipated the bike path could not be developed without encroachment into wetland and wetland buffer. While the path would deliver substantial benefits to local

and regional access for coastal resources and recreation opportunities, since it would itself involve encroachment into wetland and wetland buffer areas, the path would necessitate the wetland amendments proposed. As such, approval of a Coastal Development Permit (CDP) by the City of Carpinteria for the path would depend on successful adoption of the proposed amendments.

Of the total bike path length of approximately 2,000 feet, approximately 500 feet would be located within the jurisdiction of the County of Santa Barbara, while the remaining approximately 1,500 feet would be located within the City of Carpinteria. The County of Santa Barbara holds permit authority for the portion of the path within its jurisdiction, and would need to approve a CDP for the 500-foot section of the path. The County of Santa Barbara LCP has wetland protection policies that seem to prevent the development of the bike path portion within Santa Barbara County; an amendment of the County LCP to create a similar Transportation Corridor Wetland Overlay District therefore appears to be necessary (for both the South Coast HOV and the Santa Claus Lane Bike Path). County Planning and Development staff have been participating in Project Development Team (PDT) meetings for the South Coast HOV Lanes, and have acknowledged they will be proposing LCP Amendments similar to those of the City of Carpinteria. Approval of a CDP by the County of Santa Barbara for its portion of the bike path would depend on successful adoption of its own LCP Amendment.

The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. The opening of this path to the public will be contingent upon the development of a permanent maintenance agreement among the parties, including the City of Carpinteria, Santa Barbara County and Caltrans.

Local Context for Bike Path and Trails in Relation to Coastal Access

The most significant east-west component of the Carpinteria bikeway system is a continuous Class 2 bike path along Carpinteria Avenue from an eastern origin at State Route 150 to a western terminus near the City limit. Dedicated Class 2 paths connect Carpinteria Avenue to the beachfront area and Carpinteria State Beach along Linden Avenue and Palm Avenue. From Linden Avenue, Sandyland Road and Third Street offer cyclists a route parallel to the ocean; these roads do not have dedicated bike paths, but enjoy low volumes and low speeds of vehicular traffic compatible with shared cyclist use.

Non-motorized trails also connect the Carpinteria Avenue Class 2 bike path with the Carpinteria Bluffs Trail from Carpinteria State Beach eastward to nearly the Bluffs Area III property at the eastern boundary of the City. Trail connections are provided adjacent to the Tee Time Practice Golf Center through the Carpinteria Bluffs Nature Preserve at the southern terminus of Bailard Avenue and Viola Field, the ball fields east of Bailard Avenue. Views of the ocean, Channel Islands, tidal interface and harbor seal haul out area are all available from the Carpinteria Coastal Vista Trail.

An important connection to the Carpinteria Avenue Class 2 bike path from areas north of the US 101 corridor is along the Linden Avenue Class 2 bike facility. This path is currently constrained at the Linden Avenue overcrossing where vehicle travel lanes are quite narrow and must be shared by cyclists. The Linden Avenue bike path extends from the beach to Carpinteria High School, also the northern limits of developed neighborhoods, and connects to Foothill Road (SR 192). Foothill Road is a regional bike route (as designated

in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). Replacement of the Linden Avenue overcrossing with a structure featuring dedicated five-foot wide bike lanes in both directions will greatly enhance the usability of this major bikeway link from northern areas of the City across US 101 to coastal areas, as well as improving the bikeway link between SR 192 and Carpinteria Avenue.

The proposed Casitas Pass Road improvement project also has a striped Class 2 bike path between the US 101 overcrossing and Carpinteria Avenue, a highly traveled roadway segment that connects the residential neighborhoods inland of the freeway to the commercial area and coastal resources south of the freeway. The narrow overcrossing does not currently have a striped bike path and cyclists must share the narrow travel lanes with vehicles. On the north side of US 101, Casitas Pass Road is striped with a Class 2 facility all the way to Foothill Road (SR 192). Replacement of the Casitas Pass Road overcrossing with a structure featuring dedicated bike lanes in both directions will greatly enhance the usability and safety of this major bikeway link from northern areas of the City, across US 101, to coastal areas, as well as improving the bike way link between SR 192 and Carpinteria Avenue.

A third bike link from neighborhoods north of US 101 to coastal areas is provided by a Class 1 bike path along Carpinteria Creek, between the residential neighborhoods near Carpinteria Creek Park and Carpinteria Avenue, continuing as a Class 2 path to Palm Avenue and into Carpinteria State Beach Park. However, the segment under Highway 101 is only a dry weather facility; when there is any flow in Carpinteria Creek this path is unusable. The extension of Via Real and the construction of an all-weather bike path undercrossing beneath US 101 will complete a dedicated Class 1 bike path along the north side of US 101 between Linden Avenue and Bailard Avenue. Cyclists from the residential neighborhoods all along this new continuous path would have direct access to the Carpinteria Creek bike path and also to the Casitas Pass and Linden Avenue bike paths as well as to Palm Avenue which leads directly to the beach through Carpinteria State Beach Park. This bike path system would afford access both to and along the coast and to the regional bike route along the foothills.

In that the spine of the bike system within the City of Carpinteria is represented by the Carpinteria Avenue Class 2 bike path, the connection of this path on the west with the Santa Claus Lane Bike Path and on the east with the Rincon Trail, will provide the ability for Carpinteria residents and visitors to reach recreational, employment and coastal resource destinations throughout the South Coast area. It would also mean that cyclists from other destinations throughout the South Coast region could reach Carpinteria, with its many coastal resource amenities, on bicycle, thus providing a regional bike path resource and completing another segment of the California Coastal Trail.

2.2 Purpose and Intent

The proposed amendments have been devised in response to identified conflicts of the series of planned transportation improvements with coastal policies designed to protect agriculture, wetland and wetland buffers. The purpose and intent of each of the major components of the amendments is provided below.

Whitney Site Agriculture Overlay District

The purpose of the Whitney site overlay district is to provide for specific standards to ensure preservation of the remainder of the Whitney parcel for agricultural use through an agricultural easement and to provide for the establishment and maintenance of programs for sustainable agriculture in the Carpinteria Valley. Therefore, this overlay district establishes specific standards related to open field agriculture resource protection and mitigation.

Text Amendments to Agriculture Portion of Coastal Land Use Plan

The purpose of the text amendments is to protect agriculture and agriculture education opportunities within the Whitney Site Agriculture Overlay District. The intent is to ensure awareness of applicability of the Whitney site overlay district to this parcel, with attendant restrictions and performance standards, including a limitation to the total area of the site which can be converted to public transportation.

Transportation Corridor Wetland Overlay District

The purpose of the Transportation Corridor Wetland Overlay District is to provide for specific standards of development for three proposed projects that occur in the vicinity of coastal wetlands: ~~the joint SBCAG-Carpinteria-Caltrans~~—Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path [within Carpinteria] projects. The intent is to ensure a more precise level of planning than ordinarily possible under the local implementation plan. Therefore, this overlay establishes specific standards related to fill or other impacts to wetland or reduction of wetland buffers, mitigation measures, drainage and storm water management, and coastal access and recreation enhancements.

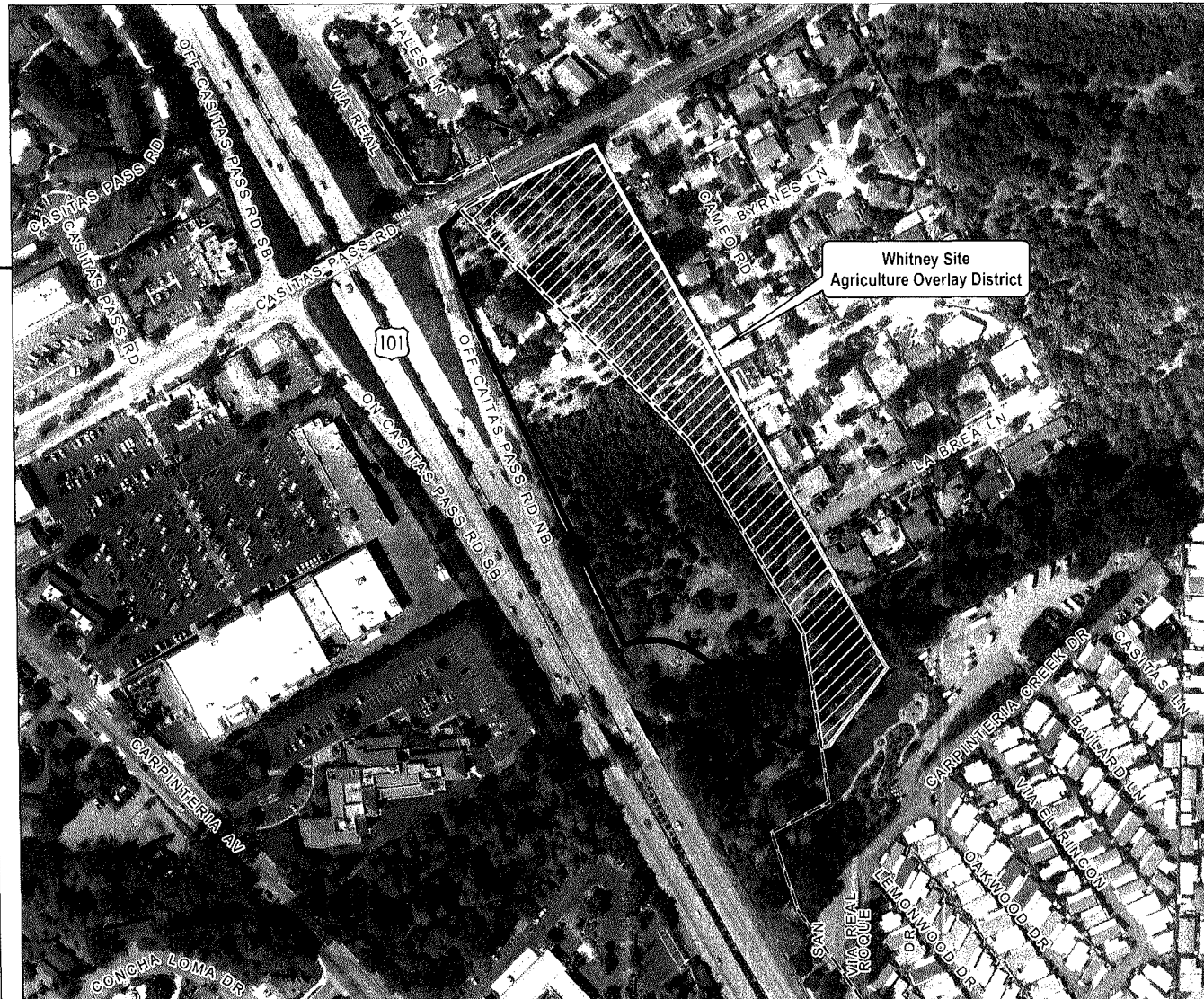
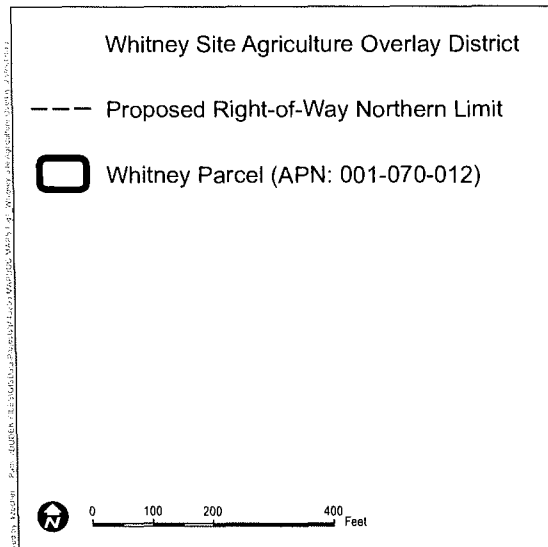
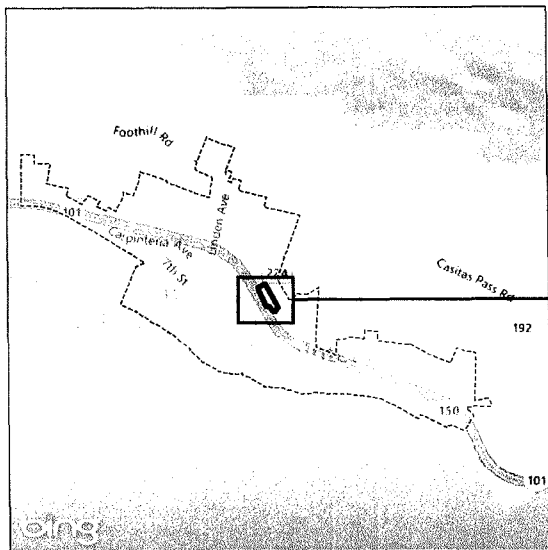
Text Amendments to Wetland Portion of Coastal Land Use Plan

The purpose of the text amendments is to narrowly define the allowed encroachment into wetland and wetland buffer such that it is applicable only to the three identified, planned, transportation improvements, and to establish an obligation link between proposed path/trail components and the planned highway improvement proposals. The intent is to ensure awareness of applicability of the Transportation Corridor Wetland Overlay District, with attendant restrictions and performance standards, for any project improvements which cannot avoid encroachment into wetland and wetland buffer.

2.3 Location

The proposed Transportation Corridor Wetland Overlay District would generally encompass: Highway 101 (including a narrow strip of land along the outside shoulders) from the western boundary of the City of Carpinteria to the approximate vicinity of the Casitas Pass Road overcrossing; the alignments for Linden Avenue and Casitas Pass Road overcrossings within 1,000 feet of Highway 101; and the alignment for the Via Real extension. Refer to *Figure 1* for conceptual boundaries of the Transportation Corridor Overlay District.

The proposed Whitney Site Agriculture Overlay District would encompass only the remainder of the original 8.95-acre Whitney parcel (APN 001-070-012) not dedicated to public roadway purposes. Refer to *Figure 2* for conceptual boundaries of the Whitney Site Agriculture Overlay District.



AERIAL SOURCE: CIRGIS 2012
 DESIGN SOURCE: CALTRANS 2013

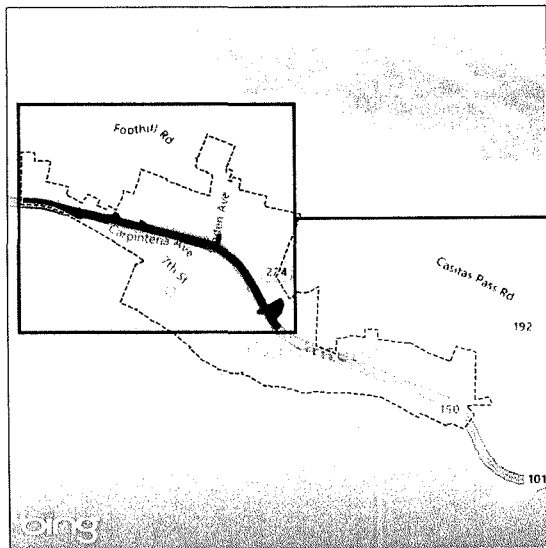
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FIGURE 1

Whitney Site Agriculture Overlay District

CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENT - MITIGATED NEGATIVE DECLARATION

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-  Transportation Corridor Wetland Overlay District
-  City of Carpinteria

0 250 500 1,000 Feet

AERIAL SOURCE: CIRGIS 2012
DESIGN SOURCE: CALTRANS 2013

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FIGURE 2

Transportation Corridor Wetland Overlay District

CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENT - MITIGATED NEGATIVE DECLARATION

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2.4 Surrounding Land Uses and Environmental Setting

From a geographic perspective, the proposed amendments principally entail the establishment of two distinct zoning overlay districts. The proposed Transportation Corridor Wetland Overlay District would generally encompass: ~~Highway US~~ 101 (including a narrow strip of land along the outside shoulders) from the western boundary of the City of Carpinteria to the approximate vicinity of the ~~Carpinteria-Casitas~~ Pass Road overcrossing; the alignments for Linden Avenue and Casitas Pass Road overcrossings within 1,000 feet of ~~Highway US~~ 101; and the alignment for the Via Real extension. A variety of land uses including manufacturing, commercial, utility, open space, park, residential and transportation are located along the outside of the proposed Transportation Corridor Wetland Overlay District.

With respect to the environmental setting, the Transportation Corridor Wetland Overlay District can be characterized as primarily developed, and containing paved roadway and related improvements. The main ~~Highway US~~ 101 portion of the proposed overlay district includes planted landscaping, including trees, shrubs and groundcover at various places along the edge of the paved roadway section and within the median separating the travel lanes. Wetland, primarily associated with drainage facilities constructed for the transportation facilities, also exists within the overlay district; the existence of such wetland is the impetus for the creation of the overlay district. The portion of the proposed overlay district encompassing the proposed Via Real extension includes native oak woodland, riparian habitat associated with Carpinteria Creek, wetland associated with Carpinteria Creek and planted avocado orchard.

The proposed Whitney Site Agriculture Overlay District would encompass the remainder of the original 8.95-acre Whitney parcel not dedicated to public roadway purposes. Surrounding land uses include residences to the west and north, open space and public park to the east and ~~Highway US~~ 101 to the south. With respect to the environmental setting, the proposed Whitney Site Overlay District includes native oak woodland, riparian habitat associated with Carpinteria Creek, wetland associated with Carpinteria Creek and planted avocado orchard.

2.5 Project Description

The City proposes to amend the Carpinteria Coastal Land Use Plan and related portions of the Carpinteria Zoning Code in order to accommodate an inter-related series of transportation improvement proposals while at the same time ensuring preservation of agriculture opportunities and wetland resources (including wetland buffer area) and achieving a substantial and meaningful enhancement of public access to coastal resources and recreation.

The proposed project consists of a new zoning overlay district (Whitney Site Agriculture Overlay District) and text amendments to the agriculture portion of the Coastal Land Use Plan, a new zoning overlay district (Transportation Corridor Wetland Overlay District), zoning code text amendments to the wetland definition and text amendments for the wetland protection portions of the Coastal Land Use Plan. Last, the agriculture zoning and land use designation would be removed from the roadway portion of the Whitney parcel, redesignating the transportation portion of the property to Transportation Corridor. Each of these components of the proposed project is described in more detail below.

Whitney Site Agriculture Overlay District

The proposed Whitney Site Agriculture Overlay District has been devised to apply to the portion of the former Whitney parcel not dedicated to proposed roadway improvements under the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements. The proposed overlay would restrict roadway development within the parcel to no more than five acres; would require the balance of the property to be maintained in agriculture or used for agriculture education in perpetuity; and would prescribe a comprehensive agriculture preservation program to be implemented within the City which includes a community garden program, gardening education, and the removal of two agricultural parcels from the City of Carpinteria Sphere of Influence. The proposed Whitney Site Agriculture Overlay District is included in Appendix A.

The proposed text amendment pertinent to agriculture resources in the Carpinteria Coastal Land Use Plan simply reinforces the applicability of the Whitney Site Agriculture Overlay District to any proposed activity to be carried out within the preserved portion of the Whitney parcel. Refer to Appendix B.

Transportation Corridor Wetland Overlay District

The proposed Transportation Corridor Wetland Overlay District establishes a comprehensive set of development standards which would apply to the encroachment of development into wetland buffer or wetland located within the boundaries of the overlay district. Specification of an overlay district limits the areal extent or geographic boundaries within which any encroachment could be permitted into wetland or wetland buffer. The proposed overlay district also goes further with respect to limiting potential encroachments by designating only three specific transportation proposals that would be eligible to encroach into wetland or wetland buffer after all avoidance and minimization efforts have been accomplished. The three improvements specified as eligible under the proposed Transportation Corridor Wetland Overlay District are: Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast HOV Lanes (within Carpinteria) and the Santa Claus Lane Bike Path (within Carpinteria). Development standards include appropriate replacement ratios for impacted wetland buffer and wetland; best management practices to address storm water quality from project impervious surfaces to wetland buffer and wetland; incorporation of pervious surface and maximization of infiltration opportunities; and technical specifications for the design of wetland and wetland buffer restoration. Finally, the Carpinteria Rincon Trail (to be constructed if Linden/Casitas/Via Real proposal is approved) and the Santa Claus Lane Bike Path (to be constructed if South Coast HOV Lanes proposal is approved) are mandated for development in order to deliver enhanced coastal access and recreation benefits. Refer to Appendix C (Transportation Corridor Wetland Overlay).

The proposed text amendment to the zoning code for wetlands would add a specification for the three named transportation improvement projects, establishing buffer setbacks consistent with the proposed Transportation Corridor Wetland Overlay District. The proposed text amendment to the Coastal Land Use Plan again would add the three named transportation improvement projects, establishing buffer setbacks consistent with the proposed Transportation Corridor Wetland Overlay District and would also repeat the mandate for development of the Carpinteria Rincon Trail (to be constructed if Linden/Casitas/Via Real proposal is approved) and the Santa Claus Lane Bike Path (to be constructed if South Coast HOV Lane

proposal is approved). The proposed text amendments to the zoning code and wetland portion of the Carpinteria Coastal Land Use Plan are included in Appendix D.

It should be noted the County of Santa Barbara Local Coastal Program contains coastal resource protection policies similar to those of the City of Carpinteria. Encroachment by the Santa Claus Lane Bike Path project into wetland and wetland buffer within areas under the County of Santa Barbara jurisdiction would therefore seem to represent a conflict with existing County LCP policies; consequently, amendment of the County of Santa Barbara LCP to incorporate a similar overlay district and text amendments seems necessary to accommodate development of the Santa Claus Lane Bike Path.

Rezone and Land Use Redesignation for Transportation Portion of Whitney Parcel

The Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements proposal would convert up to five acres of the former Whitney parcel to public roadway, sidewalk and bikeway (transportation improvements). The agriculture zoning and land use designations on this portion of the property would no longer be appropriate once the public transportation improvements have been completed. The Whitney Site Agriculture Overlay District has been specifically designed to apply to the balance of the parcel not converted to transportation, and therefore would not include the newly converted transportation portion. Elsewhere in Carpinteria, Highway 101 facilities, including interchanges, ramps and frontage roads, are assigned a coastal plan land use designation of TC, transportation corridor and are not assigned zoning designations. Therefore, the proposed amendments include removing the A-5 zoning designation from the transportation portion of the Whitney parcel, and changing the coastal plan land use designation from AG to TC. These proposed changes to the existing designations would bring the transportation portion of the parcel into conformity with other areas in Carpinteria that are similarly dedicated to transportation use. Refer to Appendix F for an exhibit of the area where these proposed new designations would be applied.

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Section 3: Impact Discussion

The City, as the CEQA Lead Agency, has prepared this Draft Mitigated Negative Declaration to identify potentially significant environmental impacts associated with the proposed amendments to the Carpinteria Coastal Plan Land Use Element and Zoning Ordinance. This Draft Mitigated Negative Declaration provides a checklist for each resource topic and supporting explanations concerning potential impacts in each resource area.

The resource topics considered in this document include:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mandatory Findings of Significance
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation and Traffic
- Utilities and Service Systems

3.1 AESTHETICS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☒	☐	☒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐	☒
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) found the existing visual character and quality of the project area would be diminished under the proposal from the placement of soundwalls and greater urbanization of the project area due to larger overcrossings, bridges and the extension of Via Real; these impacts were determined to be less than significant. Proposed new lighting along the extension of Via Real was determined to adversely impact nighttime views. The EIR concluded scenic vistas of the mountains would be impaired due to the placement of soundwalls, but the view blockage impact was deemed less than significant in that the project was found to have adverse but less than significant visual effects. The EIR recommended a series of mitigation measures including: incorporation of sufficient area for landscaping; replacement plantings and new plantings to incorporate trees at bridge abutments, street trees along all new local road segments, screening trees in the vicinity of Ogan Road, native plantings in the vicinity of the Via Real and Highway 101 Carpinteria Creek bridges, and landscape treatment for all soundwalls; aesthetic treatments and designs for all new bridge and overcrossing structures; aesthetic treatment and plantings for all retaining walls and soundwalls; replanting of damaged median plantings; preparation for planting of all areas involving ramp removal; careful placement of utility poles, appropriate height of luminaires and cut-off lenses for new lighting adjacent to residential areas; and the Caltrans design team shall work with the City of Carpinteria Architectural Review Board so the project is made as consistent as possible with City of Carpinteria aesthetic goals.

The South Coast 101 HOV Lanes Draft EIR (Caltrans 2012) determined the existing visual character and quality of the project area would be diminished under the proposal from the placement of soundwalls and greater urbanization due to the addition of another travel lane in each direction (greater width paved section); these impacts were determined to be less than significant. The EIR concluded scenic vistas of the ocean and mountains would be impaired due to the placement of soundwalls, but the view blockage impact was deemed less than significant. In that the project was found to have adverse but less than significant visual effects, the EIR recommended a series of mitigation measures including: all soundwalls would include aesthetic treatments such as texture and/or color to blend with the community character; all proposed concrete median barriers would include aesthetic treatments such as texture and/or color appropriate for the setting; drainage structures visible from public areas would be designed to visually blend with the setting as much as possible; if new traffic management elements are added to the project, all visible components would be located in the least obtrusive locations possible and colored to reduce visibility; any new signage would be located so that it minimizes view blockage of the Pacific Ocean; all new lighting would minimize excess light and glare by careful placement of utility poles, height and position of luminaires and use of shielded lenses where feasible; existing trees and shrubs would be preserved to the greatest extent possible; planting would be included with all retaining walls and soundwalls to the greatest extent possible; new landscaping would minimize view blockage of the Pacific Ocean to the greatest extent possible; plants with the potential of becoming skyline trees should be used as much as possible; and all permanent storm water treatment measures would be designed to visually fit with ornamental or natural landscaped roadsides.

The Carpinteria Rincon Trail Draft MND (City of Carpinteria 2012⁵) determined the proposed project would not have a significant adverse impact on scenic vistas; the trail is designed to take advantage of the area's

scenic views and is set into the existing topography. The project would provide pedestrians and bicyclists traveling along the trail expansive views of the Pacific Ocean, thereby resulting in a beneficial impact with regard to scenic vistas. Fencing along the trail would be the minimum height necessary to provide safety and would use materials and/or colors that would blend with the natural environment. The MND disclosed the proposed shared use trail would be visible to US 101 travelers in both directions; however, the new trail and bridge was found in the MND to not substantially modify or block any significant vistas or blue water ocean views. The MND also concluded the project would have temporary adverse effects during construction, due to the loss of mature vegetation over a limited time period until grow-in of new landscaping and restoration of native plants proposed as part of the project. The project would enhance area aesthetics by native landscape installations along the perimeter of the trail and ongoing landscape maintenance. The removal of existing native vegetation during trail construction was determined to be a potentially significant short-term visual impact. This impact was mitigated with a restoration planting plan, also required to mitigate biological resource impacts of the project.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving visual or aesthetic resources. The amendments also do not entail any direct physical development or proposed operations and would therefore not affect the visual or aesthetic environment in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; aesthetic impacts of these proposals have been addressed in previous environmental documents (as discussed above).

The Santa Claus Lane Bike Path, similar to the Carpinteria Rincon Trail, would afford cyclists and pedestrians views of a scenic vista, in this case the Carpinteria Salt Marsh with the Pacific Ocean in the background. There would also be views to the local mountains available. As such, the project would be anticipated to deliver a beneficial impact for cyclists and pedestrians with regard to scenic vistas. Some components of the Santa Claus Lane Bike Path would be visible to US 101 travelers in both directions, namely the concrete traffic barrier separating the path from the freeway and a mesh screen to prevent blown objects from impacting path users. The barrier would be approximately three feet in height, which would not block ocean views for freeway travelers; the mesh screen above the barrier could impair views, depending on the material chosen. View blockage by the mesh screen and visual incompatibility of the traffic barrier could result in potentially significant visual impacts. The project could also have temporary adverse effects during construction, due to the loss of mature vegetation, including plants located in wetland and wetland buffer

areas. Wetland plant impacts would be mitigated with a required restoration plan (see 3.4 *Biological Resources*); loss of mature plants not associated with wetland would be addressed by a project landscape plan as indicated in the mitigation discussion. Aesthetic impacts associated with the Santa Claus Lane Bike Path are therefore anticipated to be potentially significant; a mitigation approach for impacts to aesthetics would therefore be required for incorporation into future environmental review of the Santa Claus Lane Bike Path proposal.

Mitigation Framework

At such time when project design has advanced to provide sufficient detail for comprehensive environmental review for the Santa Claus Lane Bike Path proposal, the following mitigation measures would be appropriate to consider, based upon review of the conceptual project information.

- AES-1 Barrier Design.** The traffic barrier between the Highway 101 southbound shoulder and the Santa Claus Lane Bike Path shall incorporate color and texture compatible with the center median traffic barrier used for the adjacent section of the South Coast HOV Lanes.
- AES-2 Mesh Safety Screen.** The mesh screen to be placed atop the traffic barrier to protect path users from blown or thrown objects shall provide the greatest transparency possible for US 101 travelers, consistent with the technical requirements for the mesh screen function.
- AES-3 Landscape Plan.** A landscape plan shall be prepared to address the replacement of existing plant species removed during construction of the Santa Claus Lane Bike Path, where such species occur outside the limits of wetland.
- AES-4 Design Review.** The design of the Santa Claus Lane Bike Path shall be reviewed by the City of Carpinteria Architectural Review Board.

Residual Impacts

With incorporation of mitigation measures **AES-1**, **AES-2**, **AES-3**, **AES-4** and **BIO-3** and **BIO-5**, residual aesthetics impacts from potential future development of the Santa Claus Lane Bike Path would be less than significant. Additional evaluation of detailed project information may warrant modification of the identified mitigation measures.

3.2 AGRICULTURAL AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☒	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☒	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production [as defined by Government Code §51104(g)]?	☐	☐	☐	☒	☐
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐

Discussion

The proposed amendments to the Coastal Land Use Plan and Zoning Code include revisions pertinent to agricultural resources. More detailed discussion and analysis for this issue area are warranted compared to other issue areas where the proposed amendments are not identified to have a direct effect.

Environmental Thresholds

This threshold is based in part upon the State CEQA Guidelines Appendix G, and the existing policies of the City's Local Coastal Land Use Plan.

CEQA §15064 states that:

The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area.

The following general thresholds may apply to agricultural lands:

- *Development proposed on any property five acres or greater in size with a Prime Agricultural Soils designation may represent a significant environmental impact.*
- *Development proposed on any property in an Agricultural Preserve would represent a significant environmental impact.*
- *Development proposed on any property which in the past five years has been in agricultural production and which is agriculturally zoned may represent a significant environmental impact.*
- *Development of 10 or more acres of non-prime parcels may be significant due to historical use or surroundings (conversion may make adjacent agricultural land ripe for conversion).*

CEQA Appendix G states that a project will have a significant impact on the environment if it will:

- (a) *Conflict with adopted environmental plans and goals of the community where it is located.*
- (b) *Convert prime agricultural land to non-agricultural use or impair the agricultural productivity of prime agricultural land.*

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined impacts to agricultural resources would be less than significant due to a low rating under the Caltrans Farmland Impact Rating Form, the relatively small amount of farmland that would be converted and the location of the farmland in a highly urbanized area. Caltrans also completed an agricultural viability study which concluded the agricultural operation on the former Whitney Parcel was not economically viable and therefore that conversion from agriculture to transportation uses did not constitute a significant impact. The EIR did not include a comprehensive evaluation of the proposed project's inconsistency with Coastal Act policies that generally do not allow the conversion of coastal agriculture to non-agricultural uses. Following release of the Draft EIR, subsequent meetings between Caltrans, City of Carpinteria and Coastal Commission staff

were held on the topic of the necessity for an amendment to the Carpinteria Local Coastal Program to accommodate the proposed conversion of a portion of an existing agricultural parcel, as well as the need to ensure the project would deliver substantial benefits for other coastal resources in order for the Coastal Commission to consider allowing the proposal under balancing provisions of the Coastal Act policy conflict resolution process. The proposed amendments package has been crafted to: 1) preserve the remainder of the former Whitney parcel for agriculture; 2) establish an agriculture preservation program for the Carpinteria Valley to offset the direct loss of up to five acres converted by the project; and 3) to achieve a substantial enhancement to public access at the local and regional level for coastal resources and coastal recreation opportunities. Refer to the discussion below under *Impacts of Proposed Local Coastal Program Amendments*, for additional analysis.

The South Coast 101 HOV Lanes ~~Draft~~-EIR (Caltrans 2012⁴) concluded the project would have less than significant impacts on agriculture and forestry resources. Within Carpinteria, the South Coast HOV Lanes project is not adjacent to any property used or zoned for agriculture, and establishment of agriculture within the Highway 101 right-of-way is not feasible.

The Carpinteria Rincon Trail ~~Draft~~-MND (City of Carpinteria 2012⁵) concluded the project would have no impacts on agricultural resources or forest land. The MND described that most of the project area has been mechanically manipulated over the years and has been subject to extensive ground disturbance associated with previous construction of roadway and railway projects. Soils within the project area are not favorable and could not support agriculture or forest land growth and no agricultural resources or forest land are present at the project site.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

As indicated above, proposed amendments to the Local Coastal Program include revisions pertinent to preservation of agricultural resources. While the amendments do not involve any direct physical development or use, modified policy and development standards language would indirectly affect agricultural resources in Carpinteria. First, with adoption of the proposed amendments, the Linden Avenue and Casitas Pass Interchanges and Via Real Extension Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; agricultural resource impacts of these proposals have been addressed in previous environmental documents (see above).

Second, the Santa Claus Lane Bike Path would also be part of the amendments package to ensure enhancement of public access to coastal resources and recreation opportunities (this component of the amendments package has not yet undergone environmental review). The Santa Claus Lane Bike Path would be aligned adjacent to the existing southbound shoulder of US 101, from the eastern (southern) terminus of

Santa Claus Lane to the western (northern) terminus of Carpinteria Avenue. As with the Carpinteria Rincon Trail, the path is not anticipated to have an impact on agriculture or forestry resources as no such resources are present in the area of the proposed future path. The project area has been mechanically manipulated over the years and has been subject to extensive ground disturbance associated with previous construction of roadways and railway. Soils in the project area are not favorable for agricultural cultivation or forest land growth and no agricultural resources or forest land are present along the proposed alignment of the path.

Finally, and most importantly with regard to project impacts on agricultural resources, the proposed amendments would establish a new zoning overlay district to encompass the remainder of the former Whitney parcel not converted to transportation use; mitigation for the loss of agricultural land (conversion to transportation use) is also contained in the proposed overlay district language (refer to Appendix A for the complete proposed Whitney Site Agriculture Overlay District).

Below is a brief summary of the main agriculture preservation elements of the proposed overlay district:

- Design of development (i.e., the transportation improvements) shall minimize impacts on agriculture and the conversion of agriculture shall be limited to no more than five acres.
- The remainder of the Whitney parcel shall be transferred to an appropriate public or private agency with future use of the parcel restricted to organic farming, community gardening or agricultural education. An agriculture conservation easement shall be placed on the property to ensure agricultural use of the property in perpetuity.
- Mitigation for the direct loss of up to five acres of agricultural land shall be provided through establishment and operation, in perpetuity, of a community garden program in the Carpinteria Valley. Necessary details regarding initial sites for gardens, funding mechanisms, program administration, performance standards and agriculture education program content are contained in the overlay language.
- The City shall apply to the Local Agency Formation Commission (LAFCO) to remove two parcels on Via Real (APN 001-080-033 and APN 001-180-026) from the City's Sphere of Influence. The parcels are currently zoned and used for agriculture within Santa Barbara County.

The proposed Whitney Site Agriculture Overlay District would limit the absolute amount of the parcel which could be converted from agriculture, as well as placing an agriculture conservation easement on the remainder of the parcel. Placing the remainder of the parcel under a conservation easement, requiring it be used for agriculture and enrolling it in the community garden program, would ensure continued agricultural production or agriculture education; the remainder four-acre parcel would not likely continue to support agriculture if it were held in private ownership with no conservation easement.

There is no community garden program currently in the Carpinteria Valley. The program that is required to be established under the proposed overlay would provide opportunities for community members to grow produce, including the chance to learn about cultivation and food preparation including fresh fruits and vegetables. The community garden program would provide additional farmland for educational

opportunities related to the agriculture vocation program at Carpinteria High School, contributing to increased knowledge about sustainable agriculture practices in the Carpinteria Valley. Both from the potential number of community members who would benefit from access to community garden plots to the increased exposure to sustainable agriculture methods to the physical acres brought into active cultivation under the community garden program, the community garden program is expected to produce a beneficial impact.

Required Mitigation Measures

Mitigation would not be required.

Residual Impacts

The preservation of agricultural resources established under the proposed Whitney Site Agriculture Overlay District would result in a beneficial impact to agricultural resources. No residual impacts would occur.

3.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	☒
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	☒
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	☐	☐	☒	☐	☒
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	☒
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identified that the project was included in the Vision 2030 Regional Transportation Plan [RTP] (SBCAG 2008). Approval of the RTP included an air quality consistency determination, namely that the Plan would conform to the State Implementation Plan [SIP] for achieving the goals of the Clean Air Act. Because the Linden Avenue and Casitas Pass Road Interchanges Project is included in the 2030 RTP, it is deemed to be consistent with adopted air quality plans. The EIR concluded the project would not generate significant air quality emissions during construction. The EIR found the project would alter long-term air quality emissions by an insignificant degree, in that pedestrian and bicycle system improvements would tend to reduce the use of vehicles for local trips. Ambient pollutant concentrations within Carpinteria are characterized as “good” and therefore the EIR determined that the project would not expose people to substantial pollutant concentrations. The EIR identified that the project would not involve the generation of odors.

The South Coast 101 HOV Lanes Project ~~Draft~~-EIR (Caltrans 2012⁴) identified that the project was included in the Vision 2030 Regional Transportation Plan (RTP). Because the project was included in the 2030 RTP, it is deemed to be consistent with adopted air quality plans. The EIR found the project would not generate significant air quality emissions during construction. The EIR concluded the project would alter long-term air quality emissions by an insignificant degree in that proposed new travel lanes are intended to operate as high occupancy vehicle lanes during peak commute hours which would reduce the number of vehicles passing through the corridor to transport the same number of commuters, reducing emissions for a given commuter population as compared to the no project alternative. Ambient pollutant concentrations within Carpinteria are characterized as “good” and therefore the EIR determined that the project would not expose people to substantial pollutant concentrations. The EIR found the project would not involve the generation of odors.

The Carpinteria Rincon Trail ~~Draft~~-MND (City of Carpinteria 2012⁵) identified that the proposed project would not contribute to the projected City of Carpinteria or Santa Barbara County populations as estimated in the 2007 Santa Barbara County Association of Government's Regional Growth Forecast because the project does not include housing and would not directly or indirectly result in population growth. Given no contributions to regional population, the MND concluded the Carpinteria Rincon Trail would be consistent with the Santa Barbara County Air Pollution Control District 2010 Clean Air Plan. The MND found the project would not generate significant air quality emissions during construction; however, the MND identified standard mitigation measures for construction required to be implemented by every construction project in Santa Barbara County due to an existing non-attainment status with California Ambient Air Quality Standards (CAAQS) for ozone and particulate matter. The EIR concluded the project would alter long-term air quality emissions by an insignificant degree, in that the bike and pedestrian trail would tend to reduce the use of vehicles for trips between Carpinteria and Rincon Beach County Park. The trail is not located near any point sources for air quality emissions, and would therefore not expose the public to elevated pollutant concentrations. The MND found the project would not involve the generation of odors.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus

Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Plan Land Use and Zoning Code do not include revision of any policy or development standard involving air quality. The amendments also do not entail any direct physical development or use, and would therefore not affect the air quality environment in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; air quality impacts of these proposals have been addressed in previous environmental documents (see above).

The Santa Claus Lane Bike Path would close an existing gap in the coastal bike trail (as designated in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). The coastal bike trail was included in the 2030 RTP; therefore, construction of the Santa Claus Lane Bike Path, as a segment of the coastal bike trail, should be deemed to be consistent with adopted air quality plans. Similar to the Carpinteria Rincon Trail, the Santa Claus Lane Bike Path would not be anticipated to generate significant air quality emissions during construction; however, since the construction would generate ozone and particulate matter, standard APCD mitigation measures for construction would be required (see mitigation discussion). Again, similar to the Carpinteria Rincon Trail, the Santa Claus Lane Bike Path proposal would not be expected to alter long-term air quality emissions to a significant degree, in that the bike and pedestrian trail would tend to reduce the use of vehicles for trips between Santa Claus Lane and Carpinteria. The trail is not located near any point sources for air quality emissions and would therefore not be expected to expose the public to elevated pollutant concentrations. The project would also not be anticipated to involve the generation of odors.

Consequently, there are no indirect long-term air quality impacts of the proposed amendments that would be anticipated to require mitigation. However, due to the non-attainment status within Santa Barbara County for ozone and particulate matter, a mitigation framework is appropriate to incorporate into the future Santa Claus Lane Bike Path environmental review.

Mitigation Framework

At such time when project design has advanced to provide sufficient detail for comprehensive environmental review for the Santa Claus Lane Bike Path proposal, the following mitigation measures would be appropriate for consideration, based upon review of the conceptual project information.

AQ-1 PM₁₀ Mitigation Measures. Dust generated by construction activities shall be kept to a minimum with a goal of retaining dust on the site. The following dust control measures shall be implemented by the contractor/builder:

- a. During clearing, grading, earth moving, excavation, or transportation of cut or fill materials, water trucks or sprinkler systems are to be used to prevent dust from leaving the site and to create a crust after each day's activities cease.
- b. During construction, water trucks or sprinkler systems shall be used to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this would include wetting down such areas in the later morning and after work is completed for the day and whenever winds exceed 15 miles per hour. If wind speeds increase to the point when such measures cannot prevent dust from leaving the site, construction activities shall be suspended.
- c. Grading operations shall be suspended when wind speeds exceed 20 mph.
- d. Gravel pads shall be installed at all access points to the project site to prevent tracking of mud onto City roadways.
- e. Soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation.

The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering as necessary to prevent transport of dust off-site. Their duties shall include holiday and weekend periods when work may not be in progress. The name and telephone number of such persons shall be provided to City staff and the APCD and shall be posted in three locations along the proposed project site's perimeter for the duration of grading and construction activities.

AQ-2 Grading and Dust Generation. If the construction site is graded and left undeveloped for over three weeks, the applicant shall employ the following methods immediately to inhibit dust generation:

- Seeding and watering to revegetate graded areas; and/or
- Use of a water truck to moisten exposed dirt areas during grading activity.
- Any other methods deemed appropriate by Community Development.

AQ-3 Equipment Exhaust. During all project grading and hauling, construction contracts must specify that construction contractors shall adhere to requirements that reduce emissions of ozone precursors and particulate emissions from diesel exhaust. The following shall apply:

- a. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- b. Diesel powered equipment should be replaced by electric equipment whenever feasible.

- c. Diesel construction equipment meeting the CARB Tier 1 emission standards for off-road heavy-duty diesel engines shall be used. Equipment meeting CARB Tier 2 or higher emission standards should be used to the maximum extent feasible.
- d. Other diesel construction equipment, which does not meet CARB standards, shall be equipped with two to four degree engine timing retard or pre-combustion chamber engines. Diesel catalytic converters, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California shall be installed.
- e. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- f. All construction equipment shall be maintained in tune per the manufacturer's specifications.
- g. The engine size of construction equipment shall be the minimum practical size.
- h. The number of construction equipment operating simultaneously shall be minimized through efficient management practices to ensure that the smallest practical number is operating at any one time.
- i. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

AQ-4 Diesel Fuel Vehicles. Diesel fuel emissions shall be limited. The following limitations on diesel-fueled vehicles in excess of 10,000 pounds shall apply during all construction activities:

- a. Diesel-fueled vehicles in excess of 10,000 pounds shall not idle in one location for more than five minutes at a time.
- b. Diesel-fueled vehicles in excess of 10,000 pounds shall not use diesel-fueled auxiliary power units for more than five minutes to power heater, air conditioner, or other ancillary equipment on any such vehicle.
- c. The applicant shall designate one or more locations as deemed appropriate for the posting of a notice(s) to all drivers of diesel-fueled vehicles in excess of 10,000 pounds of these limitations on vehicle idling in all areas of the property that may be frequented by such vehicles. Such signs shall be maintained in their approved location(s) throughout the construction period.

Residual Impacts

With incorporation of mitigation measures **AQ-1** through **AQ-4** for construction-related dust control and diesel emissions, residual impacts to air quality resources during potential future construction of the Santa Claus Lane Bike Path proposal would be anticipated to be less than significant. Additional evaluation of detailed project information may warrant modification of the identified mitigations.

3.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by California Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	☒
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by California Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐	☒
c) Have a substantial adverse effect on federally protected wetlands as defined by §404 of the Clean Water Act (including but not limited to marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption or other means?	☐	☒	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒	☒

Discussion

The proposed amendments to the Coastal Land Use Plan and Zoning Code include revisions pertinent to wetland, a biological resource. More detailed discussion and analysis for this issue area are warranted, compared to other issue areas where the proposed amendments are not identified to have a direct effect.

Environmental Thresholds

The City of Carpinteria Guidelines for the Implementation of the California Environmental Quality Act of 1970, as Amended (1997), provides significance thresholds for determination of impacts to biological resources. The thresholds are summarized below.

The criteria for determining significance of environmental impacts are based on the following:

- The importance (e.g., legal, commercial, recreational, ecological or scientific) of the resource.
- The proximity of the resource to the project site.
- The proportion of the resource (in terms of numbers or area), considering the region surrounding the project area, which would be affected.
- The sensitivity of the resource to the type of impact being considered.
- The duration and/or ecological ramifications associated with the effect.

This determination considers the importance of the species and/or habitat affected and its sensitivity to impact. If an impact is likely to directly or indirectly cause measurable change in; (a) species composition or abundance beyond that of normal variability; or (b) ecological function within a localized area for five to 10 years or longer (long-term), it is considered significant. Measurable changes for less than five to 10 years would be short-term. Impacts would be *locally significant* if the size of the affected area is relatively small compared to that of an ecologically equivalent area in the region of impact. The threshold for significance is determined by scientific judgment and considers the relative importance of the habitat and/or species affected. *Regionally significant* impacts occur where the amount of affected area, relative to that available in the region, is large.

These criteria also apply to rare, candidate, threatened or endangered species. However, due to factors such as low population number, limited distribution and high sensitivity to impacts (e.g., limited ability to recover from impacts), a lower level of potential impact than for non-endangered biota would generally result in an assessment of significant impact on rare, candidate, threatened or endangered species.

The following guidelines would be applicable to the determination of potential biological impacts to the proposed amendments, and projects allowed with potential adoption of the amendments.

Guidelines for Biological Impacts

- 1) **Land Supporting Listed Species or Species Eligible for Listing.** This land includes any area supporting State or Federally listed species or species meeting the criteria for listing. All rare or endangered species are considered significant resources sensitive to development.

Any impact to the habitat of such a species, or any direct taking or harassment of such a species would be considered a significant biological impact. U.S. Fish and Wildlife Service consultation would be required.

- 2) **Land Supporting Sensitive Species.** Sensitive species are rare or declining species that have been identified by any one of a number of private groups and public agencies. The significance and sensitivity of these species varies dramatically.

In determining whether an impact to the habitat of a sensitive species is significant the following factors should be considered:

- a) sensitivity of the species (is the species very uncommon, or has there been a serious decline in the abundance of the species?);
- b) biological value (significance) of the habitat (i.e., does it support native wildlife, does it provide a wildlife corridor, etc.?);
- c) sensitivity of the site to the proposed development (would the proposed development retain all or most of the biological value of the site?);
- d) extent and degree of the proposed impact.

The biological significance and sensitivity of the resources should be weighed against the extent and degree of the projects impacts. Thus the determination of significance depends on the specific effect of the proposed project on the resources present on the site, in the context of the regional status of the particular resource present.

- 3) **Wildlife Corridors.** This land includes areas where development would sever a connection between two habitat areas. Connections need not be wide; narrow corridors can be used by many plant and animal species. The area with habitat value to which the site is connected must be at least ten acres in size. Wildlife corridors are biologically significant.

Loss of a connection between two habitat areas is usually considered a significant impact. Factors to consider when making the determination of whether or not the impact is significant include:

- a) importance of the corridor to wildlife (does the corridor provide a valuable and well used connection?);
- b) size of the habitat areas joined by the corridor (are the areas that are connected big enough to be of biological valued as long as there is a connection, or even if the connection were to be severed?);
- c) availability of an alternative corridor; and

d) the nature of the impact (Would it be temporary? Would the barrier prevent all movement, or just the movement of some species?).

- 5) **Oak Woodlands.** These woodlands include those areas with representative species of these habitats as defined by the California Department of Fish and Game's Natural species Diversity Data Base. The biological value of this community is usually high because of high levels of species diversity. Because the community has very limited range, it is considered sensitive to human development.

In areas where several specimens of characteristic dominant species are present, an impact to this community, or the wildlife supported by this community, is usually considered significant.

In areas where one or two individuals of characteristic dominant species occur in isolation, impact may or may not be considered significant, depending upon the values associated with the surrounding community and the importance of the individual specimens to the community. Factors to consider in determining the sensitivity and significance of the resources include:

- a) diversity of plant and animal present;
 - b) presence of sensitive species;
 - c) function of the woodland component (i.e., do they provide nesting sites for birds); and
 - d) effect of the project on the biological values (some projects may be able to incorporate specific components of the biological community into their design, thereby eliminating or minimizing the impact).
- 6) **Coastal Wetlands.** These lands include salt marsh habitats, surfgrass, mudflats intertidal zones and other wetlands occurring within the coastal zone. Coastal wetlands are extremely rich biological resources, and are also very sensitive to development. Direct impacts to coastal wetlands, or to the wildlife occurring within coastal wetlands, are always considered significant.
- 7) **Riparian Woodlands/Marshes.**

Woodlands

These habitats include a variety of different habitats as defined by the California Department of Fish and Game's Natural Species Diversity Data Base. They usually occur within wetlands. Riparian woodlands support a large number of bird species and are considered significant biological resources because of the richness. The extent of riparian woodlands has declined dramatically in the last few years. Thus, this community is considered sensitive to development.

Where riparian woodland occur within wetlands, impacts to the community, or to wildlife supported by the community, are considered significant.

Where riparian species are not associated with wetland soil or hydrology, a determination of the significance of impacts to the community depends on the following factors:

- a) extent and value of the riparian community (i.e., diversity of plant and animal life, connection to other areas with habitat value, etc.);
- b) presence or utilization by sensitive species;
- c) importance of the riparian community to the surrounding community;
- d) function as a stop-over place for native bird species; and
- e) extent and degree of the impact.

Marshes

This community occurs where the water table is at or just above the ground surface. They usually support a number of sensitive amphibian, reptile and bird species. Natural freshwater marshes are considered significant biological resources. Freshwater marsh habitat has declined dramatically over the past few years. It is considered a sensitive habitat type.

Direct impacts to naturally occurring freshwater marshes, or to wildlife occurring within the marshes, are considered significant.

Human activities have resulted in the creation of marshes. Impacts to these marshes may be considered significant when the man-made marshes display biological valuable functions, such as providing habitat to a diversity of native wildlife.

- 8) **Urban Drainages.** Run-off from urban areas can result in the degradation of natural drainages and the creation of waterways where none naturally occurred. These drainages are frequently channelized or partially channelized. These drainages are only considered significant biological resources when they support native species or act as a wildlife corridor.
- 9), 10) **Coastal Sage Scrub and Coastal Mixed Chaparral.** These habitat types have very limited ranges, which have been greatly reduced in recent years. A number of sensitive species are associated with these habitat types. If the components of the community are present, then a site is said to be characterized by that community. The presence of annual grasses and other invasive exotics does not eliminate the habitat values associated with the community, and therefore does not change the designation. These communities are considered sensitive because they have declined as a result of development and have limited ranges. They support unusual and distinctive plant communities and are considered biologically significant resources.

Impacts to these communities, or the wildlife supported by them, often are considered significant. When the site is small, isolated, and of limited biological value, impacts may not be considered significant. The extent and degree of the impact should be weighed against the biological value of the site in making this determination.

Indirect Effects. Indirect effects of a project may be as significant as the direct effects of the project, depending on the circumstances. However, in general, indirect effects are easier to mitigate than direct

effects. Some impacts may be considered indirect effects under some circumstances and direct effects under other circumstances. For example, the introduction of meso-predators as described below would be considered a direct effect if prey species, such as the light-footed clapper rail, were known to exist nearby. Indirect effects include, but are not limited to, the following impacts:

- the introduction of urban meso-predators (dogs and cats) into a biological system;
- the introduction of urban run-off into a biological system;
- the introduction of invasive exotic plant species into an area: noise and lighting impacts;
- loss of biological buffer, such as wetland buffer;
- alteration of a dynamic portion of a system, such as stream flow characteristics or fire cycles; and
- introduction of urban uses near a wetland, resulting in the need for environmentally damaging mosquito abatement.

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined the project would have potentially significant impacts on biological resources including riparian habitat and Coastal Commission-defined wetlands. Required mitigation includes replacement planting for riparian habitat at a ratio of 3:1; removal of root ball for *Arundo donax* from Carpinteria Creek within the project area; oak tree replacement plantings at a 10:1 ratio; tree and vegetation removal limited to the period September 1 through February 28 to avoid nesting birds; a 100-foot buffer area to be delineated in the field around identified occupied migratory bird nests; permanent wetland impacts to be mitigated on a 3:1 ratio; construction within or adjacent to Carpinteria Creek to take place during low flow conditions between May 1 and October 31; creek beds and banks will be graded to pre-construction conditions to resemble natural terrain; and protective fencing will be installed and maintained during construction to minimize impacts to adjacent environmentally sensitive areas. The EIR also identified encroachment into wetland and wetland buffer by project improvements would be inconsistent with existing policy in the Carpinteria Coastal Land Use Plan, and therefore an amendment would be required.

| The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2012⁴) determined the project within Carpinteria would have potentially significant temporary and permanent impacts on Coastal Commission-defined wetlands, U.S. Army Corps of Engineers Jurisdictional Wetlands and other waters of the U.S. Required mitigations include permanent wetland impacts to be mitigated on a 3:1 ratio; and, protective fencing will be installed and maintained during construction to minimize impacts to adjacent environmentally sensitive areas. The EIR also identified encroachment into wetland and wetland buffer by project improvements would be inconsistent with existing policy in the Carpinteria Coastal Land Use Plan and therefore a Local Coastal Program Amendment would be required.

| The Carpinteria Rincon Trail ~~Draft~~ MND (City of Carpinteria 2012⁵) concluded the project would have potentially significant impacts on special status plant and animal species, migratory birds and a native plant

community (Coastal Sage Scrub). Approximately 0.95 acres of native vegetation communities within the development footprint would be permanently removed, while an additional 0.66 acres would be temporarily disturbed during construction of the proposed trail. Habitat for special status species and migratory birds is included in this removed vegetation community. Required mitigation for biological resources impacts includes fencing and run-off controls during construction to protect adjacent sensitive resources, focused rare plant surveys and avoidance of identified rare plant occurrence, pre-construction silvery legless lizard surveys and relocation of any identified individuals, pre-construction nesting bird surveys, and a restoration plan for coastal scrub to create or restore this community.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

As indicated in the introduction to this section, proposed amendments to the Coastal Land Use Plan and Zoning Code include revisions pertinent to wetland and wetland buffer associated with the three transportation improvement proposals. While the amendments do not involve any direct physical development or proposed operations, modified policy and development standards language would indirectly affect wetland resources in Carpinteria. First, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; hydrology and water quality impacts of these proposals have been addressed in previous environmental documents (see above).

Second, the Santa Claus Lane Bike Path would also be part of the amendments package to ensure enhancement of public access to coastal resources and recreation opportunities; this component of the amendments package has not yet undergone environmental review. The Santa Claus Lane Bike Path would be aligned adjacent to the existing southern shoulder of ~~Highway~~ US 101 from the southern (eastern) terminus of Santa Claus Lane to the northern (western) terminus of Carpinteria Avenue, a total length of approximately 2,000 feet. Approximately 1,500 feet of the proposed bike path would be located within the City of Carpinteria, while the remaining 500 feet would be located in the County of Santa Barbara. Based on wetland mapping completed for the South Coast HOV Lanes EIR, the Santa Claus Lane Bike Path proposal within Carpinteria would result in direct impacts to wetland of approximately 0.38 acres and to wetland buffer of approximately 0.64 acres, constituting a significant impact upon wetland resources. Special status plant and animal species may also occur within the alignment, in association with the wetland; the project could therefore have potentially significant impacts upon special status species. Finally, migratory birds could establish nests in the adjacent Carpinteria Marsh which would be occupied during the construction period for the project, resulting in potentially significant impacts on migratory bird populations. The proposed Transportation Corridor Wetland Overlay District would require this project to mitigate for impacts to wetland and wetland buffer, and also to incorporate more stringent post-construction water quality standards than are now required by Caltrans or the City of Carpinteria. However, the amendments

do not include consideration of special status species or migratory birds and therefore a mitigation approach would be appropriate for potentially significant impacts of the bike path project in these issue areas.

Based on wetland mapping completed for the South Coast HOV Lanes EIR, the 500-foot portion of the bike path within Santa Barbara County would involve direct impacts to an additional 0.38 acres of wetland and 0.14 acres of wetland buffer, constituting a potentially significant impact upon wetland resources. Because the County portion of the bike path is outside the jurisdiction of the City of Carpinteria, the proposed Transportation Corridor Wetland Overlay District would not be applicable. Impacts to wetlands could occur from the development of the County of Santa Barbara portion of the bike path; therefore a mitigation approach would be appropriate for the County portion of the bike path at the time the County reviews a permit application for bike path construction.

Finally, and most importantly with regard to project impacts upon biological resources (wetland and wetland buffer), the proposed amendments would establish a new zoning overlay district. The purpose of the Transportation Corridor Wetland Overlay District is to provide for specific standards of development for the ~~joint SBCAG-Carpinteria-Caltrans~~ Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path [within Carpinteria] projects. Among other things, this overlay establishes development standards and performance requirements pertinent to wetland resources associated with the three transportation proposals (refer to Appendix C for the complete proposed Transportation Corridor Wetland Overlay District).

Below is a brief summary of the main elements of the proposed wetland overlay district:

- Provisions of the overlay shall apply only to the project area encompassed by the ~~joint SBCAG-Carpinteria-Caltrans~~ Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Bike Path (within Carpinteria).
- Area of impact to wetland and wetland buffer identified for each of the three included transportation projects, along with identification of project elements responsible for encroachment.
- Encroachment shall only be permitted after avoidance and minimization are attempted; a 100-foot buffer shall be created between wetland and new development, or where not feasible, the widest buffer practicable shall be established; full mitigation in the form of restoration shall be provided for impacts caused to wetland from wetland encroachment or reduction of buffer areas.
- Mitigation shall be provided for direct impacts to wetlands (e.g., fill) and indirect impacts to wetlands (e.g., new development in wetland buffers). Mitigation measures shall include, at a minimum, creation or substantial restoration of habitats equal or similar to the impacted habitat type. Adverse direct impacts shall be mitigated at a ratio of 4:1 for natural wetland areas, including salt marsh and wetlands associated with creeks. Adverse direct impacts to riparian

habitats shall be mitigated at a ratio of 3:1. Adverse direct impacts to created wetlands (low functioning wetlands associated with highway infrastructure) shall be mitigated at a ratio of 3:1. Indirect impacts to wetlands, such as development in wetland buffer areas, shall be mitigated by enhancing (e.g., invasive species removal, native screening vegetation, planting appropriate native species, water quality improvement, sound reduction) all portions of the remaining (undeveloped) wetland buffer area within 100 feet of the impacted wetland. Temporary direct and indirect impacts to wetlands and riparian habitat shall be mitigated at a ratio of 1:1.

- ~~Wetland mitigation shall be provided through creation or restoration of wetland or wetland buffer, at ratios appropriate to the quality of the impacted resource. Mitigation ratios range from 4:1 to 2:1. Wetland enhancement, restoration or creation plans shall be prepared by a qualified biologist for all areas where mitigation is required.~~
- Post-construction coastal water quality standards apply to the three transportation projects addressed in the overlay district, including:
 - a. Early site planning to minimize run-off through permeable paving, reduced lane widths or sub-grade storm water retention.
 - b. Low impact development strategies with small scale control measures to infiltrate, evapotranspire, filter, detain and retain run-off.
 - c. Stormwater to be filtrated, retained or infiltrated on-site; BMPs shall include, but not be limited to, grading to create or modify topographic depressions to maximize the capture, detention or retention of run-off, amending onsite soils to increase infiltration and detain runoff, adding or replacing vegetation in areas that receive freeway run-off with native plants, and constructing bioswales and biostripsto be designed for 85th percentile, 24-hour storm event.
 - d. Water treatment BMPs shall accommodate all storms up to 85th percentile 24-hour storm event.
 - e. Minimum infiltration or treatment volumes shall be calculated based on the impervious surface area added by the project.
 - f. Where site conditions make it infeasible to infiltrate or treat the stipulated minimum volume of run-off onsite, infiltration or treatment offsite can be substituted where it can be demonstrated that off-site infiltration or treatment will result in a greater benefit to coastal water quality and beneficial uses.
 - g. Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bioswales, and shall infiltrate, retain, or detain the maximum possible volume of storm water run-off considering site conditions.

- h. A post-construction run-off management plan shall be submitted to the City for review and approval and shall include maps, figures, supporting design calculations and a narrative explaining the methods and approach proposed to protect or enhance coastal water quality.
- In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the Santa Claus Lane Bike Path shall be constructed no later than the adjacent portion of the South Coast HOV Lanes and the Carpinteria Rincon Trail construction shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges.
- To enhance educational and recreational opportunities, and to increase awareness of sensitive resources within the coastal environment, permanent displays are required to be erected near the proposed new Carpinteria Creek / US 101 bike undercrossing, the Santa Claus Lane Bike Path and the Carpinteria Rincon Trail.

The designation of only the three named transportation projects restricts potential encroachment into wetland and wetland buffer. The total encroachment into wetland that would result from future implementation of the three transportation projects addressed in the amendments is calculated at 0.895 acres; the total encroachment into wetland buffer is calculated at 5.468 acres. Full mitigation of wetland and wetland buffer impacts is required, and the ratios for mitigation are specified. Details are provided for the enhancement/restoration/creation plan content, preparers, design specifications and performance standards. Post construction coastal water quality standards applicable to the three projects are generally more stringent than Caltrans or the City of Carpinteria would require for transportation improvement projects, which would be anticipated to result in storm water quality benefits as compared to not adopting the overlay. These standards range from full required wetland resource impact mitigation to preservation of wetland and wetland buffer area adjacent to new development to precise development and performance standards for restoration plans to mandated water quality controls for storm water run-off, the proposed Transportation Corridor Wetland Overlay would be expected to provide a mandatory mitigation framework that fully mitigates potential impacts on biological resources from the future implementation of the three transportation projects allowed under the overlay.

Consequently, there are no indirect biological resources impacts of the proposed amendments that would be anticipated to require mitigation. However, due to potentially significant biological resources impacts anticipated for the Santa Claus Lane Bike Path, a mitigation framework appears necessary to incorporate into the future Santa Claus Lane Bike Path environmental review.

Mitigation Framework

At such time when project design has advanced to provide sufficient detail for comprehensive environmental review under CEQA for the Santa Claus Lane Bike Path proposal, the following mitigation measures would be appropriate for consideration based on review of the conceptual project information.

BIO-1 Fencing and Protection from Run-off. Prior to the initiation of site grading, a qualified biologist shall implement the following measures to protect special status plant species that occur outside of the areas proposed for development:

1. Install orange construction fencing around all construction areas to prevent construction equipment and personnel from entering surrounding areas. Fencing may be installed in a phased manner if construction is also phased.
2. Construction activities shall be confined to the designated construction areas.
3. Fencing shall be monitored on a regular basis throughout the construction period to ensure that the integrity of the fence is maintained.
4. To prevent run-off and erosion from construction areas adjacent to special status vegetation communities or plant species populations from impacting these species, best management practices (BMPs) such as silt fences, straw bales, etc., shall be placed to intercept run-off, or ditches or other diversion structures shall be constructed.

BIO-2 Focused Rare Plant Survey and Avoidance. Focused surveys for special status plant species shall be conducted by a qualified botanist at the appropriate season (blooming period) prior to the commencement of grading/construction activities. The surveys shall be conducted no more than one year prior to commencement of construction activities within suitable habitat, and the surveys shall be conducted at a time of year when the plants can be located and identified. Should special status plant species be documented within the project boundary, avoidance measures shall be implemented to minimize impacts to individual plants wherever feasible. These measures shall include minor adjustments to the boundaries/location of haul routes and other trail features. If, due to design constraints, avoidance of all plants is not possible, then further measures described in BIO-3 shall be implemented to salvage seeds and/or transplant individual plants. All seed collection and/or transplantation methods, as well as the location of the receptor site for seeds/plants (assumed to be within preserved open space areas within the County Park), shall be coordinated with CDFG prior to impacting known occurrences of the special status species.

BIO-3 Mitigation and Monitoring Plan. If as a result of implementing mitigation measure BIO-2 above, it is determined that the proposed project will directly impact a special status plant species, a Mitigation and Monitoring Plan for Special Status Plants (Plan) shall be prepared prior to the initiation of construction.

The Plan shall provide for replacement of individual plants to be removed at a minimum 1:1 ratio, within suitable habitat at a site where no future construction-related disturbance will occur. The plan shall specify the following: (1) the location of the mitigation site in protected/preserved areas; (2) methods for harvesting seeds or salvaging and transplantation of individual plants to be impacted; (3) measures for propagating plants (from seed or cuttings) or transferring living specimens from the salvage site to the introduction site; (4) site preparation procedures for the mitigation site; (5) a schedule and action plan to maintain and monitor the mitigation area; (6) the list of criteria and performance standards by which to measure the success of the mitigation site (below); (7) measures to exclude unauthorized entry into the mitigation areas; and (8) contingency measures such as erosion control, replanting or weeding to implement in the event that mitigation efforts are not successful.

BIO-4 Pre-construction Nesting Bird Surveys. Within 30 days of any vegetation clearing or ground disturbance associated with construction or grading that would occur during the nesting/breeding season of native bird species potentially nesting on the site (typically mid-February through August in the project region, or as determined by a qualified biologist), the City shall have weekly surveys conducted by a qualified biologist to determine if active nests of special status bird species or of any bird species protected by the Migratory Bird Treaty Act or the California Fish and Game Code are present in the disturbance zone or within 100 feet (300 feet for raptors) of the area to be disturbed. The surveys shall occur on a weekly basis, with the last survey being conducted no more than seven days prior to initiation of disturbance work. If ground disturbance is delayed, then additional pre-disturbance surveys shall be conducted such that no more than seven days will have elapsed between the survey and ground disturbance activities. The City or contractor shall provide the biologist with plans detailing the extent of proposed ground disturbance prior to the survey effort.

If active nests are found, clearing and construction within 100 feet of the nest (300 feet for raptors) shall be postponed or halted, at the discretion of the biologist, until the nest is vacated and juveniles have fledged, as determined by the biologist, and there is no evidence of a second attempt at nesting. Limits of construction to avoid an active nest shall be established in the field with highly visible construction fencing, and construction personnel shall be instructed on the sensitivity of nest areas. The results of the surveys, including graphics showing the locations of any nests detected, and any avoidance measures recommended, shall be submitted to the City within 14 days of completion of the pre-construction surveys to document compliance with applicable state and federal laws pertaining to the protection of native birds.

BIO-5 County of Santa Barbara LCP Amendments. In order to establish precise development standards, biological restoration performance standards and effective mitigation ratios to address the Santa Claus Lane Bike Path encroachment into mapped wetland and wetland buffer areas within Santa Barbara County, the City of Carpinteria shall work with the County of Santa Barbara on a wetland protection overlay district that provides a functional equivalent to the Carpinteria Transportation Corridor Wetland Overlay District.

BIO-56 Wetland Restoration Plan. Prior to issuance of a grading permit for the portion of the bike path within each jurisdiction, wetland restoration plans in accordance with the specifications provided under the Transportation Corridor Wetland Overlay District (or County equivalent) shall be prepared for review and approval by the ~~City of Carpinteria~~ governing jurisdiction.

Residual Impacts

With incorporation of mitigation measures **BIO-1** through **BIO-5**, residual impacts on biological resources from future construction of the Santa Claus Lane Bike Path proposal would be anticipated to be less than significant. Additional evaluation of detailed project information may warrant modification of the identified mitigation measures.

3.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	☐	☐	☒	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐	☒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	☒
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined that no historic or archaeological resources are present within the project area of potential effect (APE). Consequently, the EIR concluded the project would not have impacts on either historic or archaeological resources.

The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2012²⁴) identified one historic site eligible for listing on the National Historic Register in the Summerland area (no sites within Carpinteria). The project was found to have no effects upon this identified historic resource. The EIR also disclosed the presence of one archaeological site, the Via Real redeposited midden, which is eligible for listing on the National Register

and which is located outside of the City of Carpinteria (in Santa Barbara County). The project would significantly impact the archaeological site, and mitigation was required under the EIR including a resource recovery program for the portion of the site directly impacted by the project and establishment of a sensitive zone during construction to preclude encroachment or disturbance to the balance of the site.

A Phase 1 report prepared for the Carpinteria Rincon Trail Draft MND (City of Carpinteria 2012²⁵) identified that no potentially important cultural resources exist within the trail alignment. The MND therefore concluded the proposed project would have no significant impact on historical or cultural resources. The Phase 1 included a search of the Native American Heritage Commission's Sacred Land File in order to determine the location of any sacred and/or burial sites within the proposed project area. The search did not indicate the presence of Native American cultural resources within the proposed project area. The project would therefore not impact known burial sites.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving historic or cultural resources. The amendments also do not involve any direct physical development or proposed operations that could potentially disturb unidentified cultural resources.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; cultural resource impacts of these proposals have been addressed in previous environmental documents (see above). The Santa Claus Lane Bike Path has not yet undergone environmental review. The Santa Claus Lane Bike Path would be aligned adjacent to the existing southern shoulder of Highway 101 from the southern (eastern) terminus of Santa Claus Lane to the northern (western) terminus of Carpinteria Avenue. For cultural and historic resources, the survey area to determine potential presence of sensitive resources typically extends beyond the project boundary, especially for major transportation improvement proposals. As the bike path would represent a minor expansion of the limits of the South Coast HOV Lane proposal for the limited distance of the bike path, this area would have been included in South Coast HOV Lane historic and archaeological surveys. Those surveys identified the presence of historic and archaeological resources in the general vicinity of Summerland only, not within Carpinteria or the Santa Claus Lane vicinity. In addition, the bike path is proposed to be located in the narrow space between the UPRR alignment and the existing Highway 101 alignment, which means that it would be highly unlikely for undisturbed archaeological deposits to exist in the bike path alignment. Consequently, it is not anticipated the Santa Claus Lane Bike Path would have impacts on either historic or archaeological resources.

Required Mitigation Measures

As the proposed amendments would have a potential for neither direct nor indirect significant impacts on cultural resources, no mitigation measures, including monitoring, are required.

Recommended Mitigation Measure

As no potentially significant cultural resources were identified, the proposed amendments would not have the potential for a significant impact on cultural resources. Therefore, no further measures such as construction monitoring are necessary. The following is recommended for application during the implementation phase of any of the three transportation improvement proposals that may be undertaken following adoption of the amendments, consistent with guidance provided in CEQA Guidelines §15064.5:

- In the unlikely event that potentially significant cultural materials are encountered during construction, grading should be temporarily redirected and/or suspended until a qualified archaeologist and local Chumash representative are retained to evaluate the find, including mapping and collecting any diagnostic (time-sensitive) artifacts, consistent with City of Carpinteria standards.*

The above recommended measure would ensure that the low potential for impacts to unknown cultural resources to occur during construction activities undertaken as a result of adoption of the amendments would be addressed consistent with City of Carpinteria standards.

Residual Impacts

Potential impacts to cultural resources would be less than significant without mitigation. No residual impacts would occur.

3.6 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐	☒

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
b) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: strong seismic ground shaking, seismic-related ground failure (including liquefaction) or landslides?	☐	☐	☒	☐	☒
c) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	☒
d) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	☒
e) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☒	☐	☒
f) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined the project would have a less than significant impact on geology and soils. The project does not include any habitable structures; overcrossings, bridges, and other structures would be constructed in accordance with applicable seismic design standards, avoiding impacts from anticipated seismic events. Roadway sections, structures, manufactured slopes and related improvements would each be designed and constructed in accordance with specifications from the project geotechnical investigation, avoiding impacts from unstable earth materials, including collapse and erosion. The project does not include restrooms or any other facilities that would generate wastewater or alter wastewater treatment and disposal demands in the region.

The South Coast 101 HOV Lanes Draft EIR (Caltrans 2012⁴) concluded geology and soils impacts from the project would be less than significant. Within Carpinteria, the project does not include new or modified bridges or overcrossings, nor any habitable structures; therefore the project would not expose people to risks of seismically induced structure failure. Roadway sections, manufactured slopes and related

improvements would each be designed and constructed in accordance with specifications from the project geotechnical investigation, avoiding impacts from unstable earth materials, including collapse and erosion. The project does not include restrooms or any other facilities that would generate wastewater or alter wastewater treatment and disposal demands in the region.

The Carpinteria Rincon Trail ~~Draft~~-MND (City of Carpinteria 2012⁵) found the project would result in less than significant impacts with respect to geology and soils. The project does not include any habitable structures; the rail overcrossing would be constructed in accordance with applicable seismic design standards, avoiding impacts from anticipated seismic events. The trail, manufactured slopes and related improvements would each be designed and constructed in accordance with specifications from the project geotechnical investigation, avoiding impacts from unstable earth materials, including collapse and erosion. The project does not include restrooms or any other facilities that would generate wastewater or alter wastewater treatment and disposal demands in the region.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving geology and soils. The amendments also do not entail any direct physical development and would therefore not affect geology and soils conditions in Carpinteria or change the level of seismic risk exposure for the public.

However, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; geology and soils impacts of these proposals have been addressed in previous environmental documents (see above). The Santa Claus Lane Bike Path has not yet undergone environmental review.

The Santa Claus Lane Bike Path would be aligned adjacent to the existing southern shoulder of Highway 101, from the southern (eastern) terminus of Santa Claus Lane to the northern (western) terminus of Carpinteria Avenue. According to the most recent fault location data, the proposed project is not located within an Alquist-Priolo earthquake fault zone and no identified fault would cross the alignment of the path (Department of Conservation 2011). The bike path proposal also does not include a habitable structure or bridge element, and would therefore not expose the public to structure failure from seismic activity or liquefaction. The trail would involve the placement of fill materials, in some locations, to achieve a level area for the path; fill slopes would not exceed approximately four feet in height and would be constructed either with appropriate slope face angle or the use of retaining wall; manufactured slopes and related improvements would each be designed and constructed in accordance with specifications from a project geotechnical investigation, avoiding impacts from unstable earth materials, including collapse and erosion.

However, during construction of the bike path, the potential could exist for significant short-term erosion impacts associated with any earth materials stockpiled for the project; a mitigation measure to address this short-term erosion impact would therefore be necessary. The project does not include restrooms or any other facilities that would generate wastewater or alter wastewater treatment and disposal demands in the region. Therefore, the Santa Claus Lane Bike Path would be anticipated to have less than significant impacts in the area of geology and soils.

Consequently, there are no indirect adverse geology and soils impacts of the proposed amendments that would require mitigation; and no need to establish a mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

There are no long-term geology and soils impacts of the proposed amendments that would be anticipated to require mitigation. However, due to potentially significant construction erosion impacts, a mitigation framework appears necessary to incorporate into the future Santa Claus Lane Bike Path environmental review.

Mitigation Framework

At such time when project design has advanced to provide sufficient detail for comprehensive environmental review under CEQA for the Santa Claus Lane Bike Path proposal, the following mitigation measures would be appropriate for consideration, based upon review of the conceptual project information.

GEO-1 Materials Stockpiling. The stockpiling of earth materials related to the construction of the Santa Claus Lane Bike Path shall be avoided to the maximum extent feasible. Any necessary stockpiles should be designed and maintained such that the material is stored for the shortest time practical.

GEO-2 Construction to Avoid Rainy Season. To the extent feasible, the Santa Claus Lane Bike Path construction shall not occur during the rainy season (November 1 to April 1) in order to avoid short-term erosion of earth materials. If a portion(s) of the construction must occur during the rainy season, erosion control devices and best management practices shall be established and maintained for the duration of the construction which occurs during the rainy season.

Residual Impacts

With incorporation of mitigation measures **GEO-1** and **GEO-2**, residual short-term erosion impacts during potential future construction of the Santa Claus Lane Bike Path would be less than significant. Additional evaluation of detailed project information may warrant modification of the identified mitigation measures and coordination with the South Coast HOV Lanes construction.

Required Mitigation Measures

Mitigation would not be required.

Residual Impacts

No residual impacts would occur.

3.7 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	☐

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identified that the most severe levels of carbon dioxide from mobile sources occur at stop-and-go speeds (0 - 25 miles per hour), and therefore one of the main strategies of Caltrans to reduce greenhouse gas emissions is to make California's transportation system more efficient (i.e., relieve congestion that results in very low vehicle speeds). The EIR concluded the project would improve US 101 operations (reducing congestion); reduce the use of Highway 101 for local trips; and improve local vehicular, bicycle and pedestrian circulation. The EIR also found that shoulder widening would improve safety, reduce accidents and avoid vehicle delays, potentially reducing greenhouse gas production. The project's contribution to cumulative greenhouse gas emissions was therefore found not to be considerable.

The South Coast 101 HOV Lanes Draft EIR (Caltrans 2012⁴) discussed the four primary strategies for reducing greenhouse gas emissions from transportation sources: 1) improve system and operation efficiencies; 2) reduce vehicle miles traveled; 3) transition to lower greenhouse gas fuels; and 4) improve vehicle technologies. The EIR identified the South Coast 101 HOV Lane Project would accomplish strategies #1 and #2, while also providing incentives for drivers to consider #3 and #4 (alternative fuel vehicles may be operated in the HOV lane with a single occupant in the vehicle). The EIR concluded that the project would not have a considerable contribution to cumulative greenhouse gas emissions from operation. The EIR found the project construction would generate greenhouse gas emissions, but not at a level which would be a considerable contribution to cumulative emissions inventories. Measures were recommended to minimize greenhouse gas emissions during construction.

The Carpinteria Rincon Trail ~~Draft-Final~~ MND (City of Carpinteria 2012⁵) determined construction of the limited scale project would have a less than cumulatively considerable impact on the environment. The MND concluded, relative to operation of the project, there would be no increase in population that would generate an increase in vehicle trips. Also, the completed project would facilitate non-motorized forms of transportation, reducing reliance on motor vehicles to access the beach, also minimizing GHG emissions. As such, the MND determined the proposed long-term operation of the Carpinteria Rincon Trail project would result in a less than cumulatively considerable contribution to GHG emissions and global climate change.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving greenhouse gas (GHG) emissions or climate change. The amendments also do not involve any direct physical development or proposed operations that could involve the generation of GHGs.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; GHG and climate change impacts of these proposals have been addressed in previous environmental documents (see above).

The Santa Claus Lane Bike Path, similar to the Carpinteria Rincon Trail ~~proposal~~, would involve limited construction that would have a less than cumulatively considerable impact on the environment. Relative to operation of the project, there would be no increase in population that would generate an increase in vehicle trips. Also, the completed project would facilitate non-motorized forms of transportation, reducing reliance on motor vehicles to access the Santa Claus Lane shops, restaurants and beach area, also minimizing GHG emissions. As such, it is anticipated the proposed long-term operation of the Santa Claus Lane Bike Path would result in a less than cumulatively considerable contribution to GHG emissions and global climate change.

Consequently, there are no indirect GHG or climate change impacts of the proposed amendments that would be anticipated to require mitigation, and no need to establish a GHG mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

Required Mitigation Measures

Mitigation measures would not be required.

Residual Impacts

No residual impacts would occur.

3.8 HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?	☐	☐	☐	☒	☒
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment?	☐	☐	☐	☒	☒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within 1/4 mile of an existing or proposed school?	☐	☐	☐	☒	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to GC §65962.5 and, as a result, would it create a significant hazard to the public or environment?	☐	☐	☐	☒	☒
e) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☒
f) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identified two contaminated sites near the project limits, neither of which would affect construction of the project. The project was determined not to involve use, transport, or potential release of hazardous materials; the

project would not involve habitable structures, and is not within wildlands or at the urban/wildlands interface. Finally, development of the project was found to result in a benefit for emergency response and evacuation plans, by enhancing emergency access and evacuation routes for the neighborhoods north of Highway 101. Project impacts associated with hazards and hazardous materials were therefore determined to be less than significant.

The South Coast 101 HOV Lanes ~~Draft~~-EIR (Caltrans 2012⁴) found there to be no adverse impacts related to hazards or hazardous materials which would result from the proposal.

The Carpinteria Rincon Trail ~~Draft~~-MND (City of Carpinteria 2015²) determined the project would neither use nor generate hazardous materials, avoiding release or risk of upset involving hazardous materials. The trail would not interfere with emergency response or evacuation planning as this area is not used for such purposes. The trail does not involve the construction of buildings, nor would it introduce substantial numbers of people into the area. Consequently, the MND concluded the project would not have impacts related to hazards or hazardous materials.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Plan Land Use and Zoning Ordinance do not include revision of any policy or development standard involving hazards or hazardous materials. The amendments also do not involve any direct physical development or proposed use that could emit or generate hazardous materials.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; hazards and hazardous materials impacts of these proposals have been addressed in previous environmental documents.

The Santa Claus Lane Bike Path project would not use or generate hazardous materials. Also, no existing or proposed public schools are located within a quarter mile of the project site. Therefore, there would be no impact to schools from the use or handling of any hazardous materials from the project. The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Access to the proposed trail/path would be provided via Santa Claus Lane on the west and Carpinteria Avenue on the east, both of which are public streets that can be accessed by emergency vehicles and personnel. The proposed project would not involve the construction of buildings or introduce substantial numbers of people into the area, and the path is not located within a high fire hazard zone. Therefore, the Santa Claus Lane Bike Path proposal would not be anticipated to have significant impacts on hazards and hazardous materials.

Consequently, there are no indirect hazards and hazardous materials impacts of the proposed amendments that would be anticipated to require mitigation, and no need to establish a hazards and hazardous materials mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

Required Mitigation Measures

Mitigation measures would not be required.

Residual Impacts

No residual impacts would occur.

3.9 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Violate any water quality standards or waste discharge requirements?	☐	☒	☐	☐	☒
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	☐	☐	☒	☐	☒
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface run-off in a manner which would result in flooding on- or offsite?	☐	☐	☒	☐	☒

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
e) Create or contribute run-off water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted run-off?	☐	☐	☒	☐	☒
f) Otherwise substantially degrade water quality?	☐	☐	☒	☐	☒
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	☒
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒	☒
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	☒
j) Inundation by seiche, tsunami or mudflow?	☐	☐	☒	☐	☒

Discussion

The proposed amendments to the Coastal Land Use Plan and Zoning Code include revisions pertinent to storm water quality, one of the issues contained under Hydrology and Water Quality. More detailed discussion and analysis for this issue area are warranted, compared to other issue areas where the proposed amendments are not identified to have a direct effect.

Environmental Thresholds

The City of Carpinteria's Guidelines for the Implementation of the California Environmental Quality Act of 1970, as Amended (1997), states that the following conditions or impacts shall be considered significant.

Hydrology

Flooding

- a) *Significant impacts result if the project would impose flood hazards on other properties.*

- b) The Municipal Code prohibits development within areas of special flood hazard except under certain circumstances. The policy requires approval by the Floodplain Administrator before construction, development or alteration begins within any area of special flood hazard.*

If the project would result in increased run-off:

- a) Impacts on hydrologic conditions may be significant because the area available for aquifer recharge is reduced. This may impact well water supplies.*
- b) There may be significant impacts on stream hydrology if uncontrolled run-off results in erosion and subsequent sedimentation of downstream water bodies.*

Threshold:

- moderate to large-scale projects where grading would occur during rainy season; or
- projects proximate to bodies of water or drainageways.

If project would result in modifications to existing drainage patterns:

- a) There may be significant impacts on biological communities if drainage patterns are changed.*

Threshold:

- Projects where drainage patterns are influenced such that existing vegetation would decline because long-or short-term soil-plant-water relationships would no longer meet habitat requirements.
- Projects which would result in substantial changes to streamflow velocities.

Water Quality

Pollution/Contamination

- a) Impacts on water quality may result in significant human health and safety impacts.*

Threshold:

- Projects which would generate any amount of highly noxious substance.
 - Projects which would generate large amounts of substances which in small amounts are insignificant but are cumulatively hazardous.
 - Projects that would result in the deterioration of the quality of a drinking water source.
- b) Impacts on water quality may have significant impacts on biological communities.*

Threshold:

- Projects which would generate, or result in the accumulation of substances which affect health, or cause genetic defects of wildlife either by direct physical contact with contaminated water, or by water quality changes which cause decline in riparian or lacustrine vegetation which provide wildlife habitat.

Project would be significant if it would result in erosion and subsequent sedimentation of water bodies:

Threshold:

- moderate to large-scale grading project (>2,000 cubic yards per graded acre)
- projects that result in loss of vegetation on slopes (e.g., brush management measures).

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined the project would have potentially significant impacts with regard to increased storm water run-off rates and water quality. Required mitigation includes temporary construction pollution prevention controls; permanent best management practices incorporated in the Caltrans right-of-way and City of Carpinteria right-of-way in compliance with Caltrans Stormwater Management Plan; post-construction run-off controls; limiting work in the creek bed to the dry season only; protection of sensitive watershed areas during construction; limiting the area of disturbance during construction; preparing and implementing a Storm Water Pollution Prevention Plan; and revegetation along both Carpinteria and Franklin Creeks. The EIR found the project to have a beneficial impact to the 100-year floodplains associated with Carpinteria Creek by restoring the historic flood course at the US 101 bridges.

The South Coast 101 HOV Lanes Draft-EIR (Caltrans 2012⁴) identified the project would add approximately 52 acres of new impervious surface (pavement). The EIR concluded the impact would be less than significant in that the project would provide adequate new drainage facilities and would be designed to minimize storm water discharge by installing appropriate permanent treatment measures to store and treat storm water run-off within the Caltrans right-of-way. The EIR determined that proposed widening of existing bridges at Franklin Creek and Santa Monica creek would not affect the 100-year floodplain for these creeks.

The Carpinteria Rincon Trail Draft-MND (City of Carpinteria 2012⁵) concluded the project would have less than significant impacts on hydrology and water quality. The proposed trail would result in approximately 5,000 linear feet of both permeable (decomposed granite and pervious concrete) and some impermeable surfaces (concrete), and would include native restoration plantings at graded areas along the alignment, where feasible, as well as a bio-swale and storm water cistern at a location below the concrete trail sections to reduce the potential for offsite run-off or localized drainage impacts. The stormwater run-off collected in the cistern would be gravity fed to irrigate native tree and shrub plantings during the dry summer months. The project is also not located within a 100-year or a 500-year flood boundary (City of Carpinteria 2003).

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a

consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

As indicated in the introduction to this section, proposed amendments to the Coastal Land Use Plan and Zoning Code include revisions pertinent to storm water quality associated with the three transportation improvement proposals. While the amendments do not involve any direct physical development or proposed operations, modified policy and development standards language would indirectly affect storm water quality in Carpinteria. First, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; hydrology and water quality impacts of these proposals have been addressed in previous environmental documents (see above).

Second, the Santa Claus Lane Bike Path would also be part of the amendments package, to ensure enhancement of public access to coastal resources and recreation opportunities; this component of the amendments package has not yet undergone environmental review. SBCAG has a consultant under contract to complete the detailed design of the bike path and to prepare a CEQA environmental review document, which is anticipated to be available in approximately February 2016. The Santa Claus Lane Bike Path would be aligned adjacent to the existing southbound shoulder of US 101, from the eastern (southern) terminus of Santa Claus Lane to the western (northern) terminus of Carpinteria Avenue constituting a total length of approximately 2,000 feet; approximately 1,500 feet of the path would be within the City of Carpinteria, the remaining 500 feet would be located in the County of Santa Barbara. Given a paved path width of not greater than 10 feet, the project would introduce approximately 20,000 square feet of new impervious area (roughly ½ acre). Because it will be aligned along the outside shoulder of Highway 101, and within the project area for the South Coast HOV Lanes, it should be feasible to incorporate storm water management for the Santa Claus Lane Bike Path into the systems developed to address the HOV Lanes proposal. The project could potentially result in storm water quality impacts to adjacent wetland resources if specific storm water controls are not required. For the portion of the bike path within the City of Carpinteria; however, the proposed Transportation Corridor Wetland Overlay District would require this project to incorporate more stringent post-construction water quality standards than are now required by Caltrans or the City of Carpinteria. Therefore, surface water quality impacts of the Carpinteria portion of the Santa Claus Lane Bike Path would remain less than significant, assuming the proposed Transportation Corridor Wetland Overlay District is adopted. The proposed Santa Claus Lane Bike Path project alignment falls within the 100-year flood plain associated with Arroyo Paredon Overflow, but it is not located within the floodway of any natural drainage. Therefore, while the path would not be anticipated to adversely impede or re-direct flood flows, this path improvement could be damaged during a flood event. A mitigation framework to address potentially significant flooding impacts of the bike path project would therefore be necessary.

Finally, and most importantly with regard to project impacts on hydrology and water quality, the proposed amendments would establish a new zoning overlay district. The purpose of the Transportation Corridor Wetland Overlay District is to provide for specific standards of development for the joint SBCAG-

~~Carpinteria Caltrans~~—Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path [within Carpinteria] projects. Among other things, this overlay establishes drainage and storm water management requirements applicable to the three transportation proposals (refer to Appendix C for the complete proposed Transportation Corridor Wetland Overlay District).

Below is a brief summary of the main storm water management elements of the proposed wetland overlay district:

- Post-construction coastal water quality standards apply to the three transportation projects addressed in the overlay district, including:
 - a. Early site planning to minimize run-off through permeable paving, reduced lane widths or sub-grade storm water retention
 - b. Low impact development strategies with small scale control measures to infiltrate, evapotranspire, filter, detain and retain run-off.
 - c. Storm water to be filtrated, retained or infiltrated on-site; BMPs shall include, but not be limited to, grading to create or modify topographic depressions to maximize the capture, detention or retention of runoff, amending onsite soils to increase infiltration and detain runoff, adding or replacing vegetation in areas that receive highway runoff with native plants, and constructing bioswales and biostripsto be designed for 85th percentile, 24-hour storm event.
 - d. Created wetlands shall be enhanced wherever feasible by increasing the depth and areal extent of the wetland, removing exotic vegetation and planting with native wetland plants.
 - ~~d.e.~~ Water treatment BMPs shall accommodate all storms up to 85th percentile, 24-hour storm event.
 - ~~e.f.~~ Minimum infiltration or treatment volumes shall be calculated based on the impervious surface area added by the project.
 - ~~f.g.~~ Where site conditions make it infeasible to infiltrate or treat the stipulated minimum volume of run-off on-site, infiltration or treatment off-site can be substituted where it can be demonstrated that off-site infiltration or treatment will result in a greater benefit to coastal water quality and beneficial uses.
 - ~~g.h.~~ Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bioswales, and shall infiltrate, retain or detain the maximum possible volume of storm water run-off considering site conditions.

~~h.i.~~ A post-construction run-off management plan shall be submitted to the City and shall include maps, figures, supporting design calculations and a narrative explaining the methods and approach proposed to protect or enhance coastal water quality.

Post construction coastal water quality standards applicable to the three projects are generally more stringent than Caltrans or the City of Carpinteria would require for transportation improvement projects, which would be anticipated to result in storm water quality benefits as compared to not adopting the overlay.

Mitigation Framework

At such time when project design has advanced to provide sufficient detail for comprehensive environmental review under CEQA for the Santa Claus Lane Bike Path proposal, the following mitigation measures would be appropriate for consideration, based upon review of the conceptual project information.

HYDRO-1 Flood Control. The Santa Claus Lane Bike Path shall be designed and constructed to minimize damage or failure of the path during flooding events. If technically feasible and deemed appropriate, the elevation of the bike path surface should be constructed above the 100-year flood elevation adjacent to the bike path alignment.

Residual Impacts

With incorporation of mitigation measure **HYDRO-1**, flooding impacts associated with the Santa Claus Lane Bike Path would be reduced to less than significant. Additional evaluation of detailed project information may warrant modification of the identified mitigation measures.

Required Mitigation Measures

Mitigation would not be required.

Residual Impacts

~~The establishment of precise development standards and coastal water quality standards to apply to each of the projects would result in a beneficial hydrology and water quality impact for the inter-related transportation projects. There would be no residual impacts.~~

3.10 LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Physically divide an established community?	☐	☐	☐	☒	☒

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
b) Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	☒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐	☒

Discussion

The proposed amendments would apply to the Coastal Land Use Plan and Zoning Code, which are land use documents. More detailed discussion and analysis for this issue area are warranted compared to other issue areas where the proposed amendments are not identified to have a direct effect.

Environmental Thresholds

The City of Carpinteria Guidelines for the Implementation of the California Environmental Quality Act of 1970, as Amended (1997), do not contain thresholds related to land use and planning. Generally, a potentially significant impact can occur if a project would result in a physical effect related to the checklist questions above.

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identified a less than significant impact from the conversion of agricultural land, but did not include a comprehensive evaluation of the proposed project's inconsistency with Coastal Act policies that generally do not allow the conversion of coastal agriculture to non-agricultural uses. City and Coastal Commission staff have determined the conversion of agriculture under the project would be inconsistent with policies in the Carpinteria Coastal Land Use Plan, necessitating an amendment to this document. The proposed amendments package has been crafted to: 1) preserve the remainder of the former Whitney parcel for agriculture; 2) establish an agriculture preservation program for the Carpinteria Valley to offset the direct loss of up to five acres converted by the project; and 3) achieve a substantial enhancement to public access at the local and regional level for coastal resources and coastal recreation opportunities. The EIR also identified that project encroachment into wetland and wetland buffer would be inconsistent with wetland protection policies of the Carpinteria Coastal Land Use Plan, which would require an amendment to the Local Coastal Program. The EIR did not identify draft language for such an amendment. With regard to wetland and wetland buffer encroachment, the proposed amendment package has been crafted to: 1) limit the projects eligible to be allowed to encroach into wetland and wetland buffer areas; 2) require full mitigation for the loss of wetland

or wetland quality from project encroachment; 3) establish appropriate mitigation ratios for wetland impacts versus restoration; 4) identify development and performance standards for development located adjacent to wetland and wetland buffer; and 5) achieve a substantial enhancement to public access at the local and regional level for coastal resources and coastal recreation opportunities. Refer to the discussion below under *Impacts of Proposed Coastal Land Use Plan and Zoning Code* for additional analysis.

The South Coast 101 HOV Lanes ~~Draft~~-EIR (Caltrans 2012²⁴) identified that project encroachment into wetland and wetland buffer would be inconsistent with wetland protection policies of the Carpinteria Coastal Land Use Plan, which would require an amendment to the Local Coastal Program. The EIR did not identify draft language for such an amendment. The currently proposed amendments package has been crafted to address the project's encroachment into wetland and wetland buffer area, providing the basis for the Coastal Commission to pursue policy conflict resolution through the balancing provisions of the Coastal Act. Refer to the discussion below under *Impacts of Proposed Coastal Land Use Plan and Zoning Code* for additional analysis.

The Carpinteria Rincon Trail ~~Draft~~-MND (City of Carpinteria 2012²⁵) concluded the project would have less than significant impacts with respect to land use and planning. The MND found the proposed shared use path would provide safe access from Carpinteria Avenue to Rincon Beach County Park and the Ventura County line, achieving convenient non-vehicular access and connections from neighborhoods in the City of Carpinteria and the County of Santa Barbara, potentially benefiting land uses near the project. The portion of the project site within the City of Carpinteria has a General Plan land use designation of Visitor-Serving Commercial (2003) and has been zoned for Resort; the proposed trail is an apt use for the City's vision for the property. Finally, the MND determined the project would not conflict with any applicable land use plan, policy or regulation.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

As indicated in the introduction to this section, the proposed amendments would apply to the Coastal Land Use Plan and Zoning Code, both of which are land use and/or planning documents. While the amendments do not involve any direct physical development or proposed operations, modified policy and development standards language would indirectly affect land use planning in Carpinteria. First, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; land use planning impacts of these proposals have been addressed in previous environmental documents (see above).

Second, the Santa Claus Lane Bike Path would also be part of the amendments package, to ensure enhancement of public access to coastal resources and recreation opportunities; this component of the

amendments package has not yet undergone environmental review. SBCAG has a consultant under contract to complete the detailed design of the bike path and to prepare a CEQA environmental review document, which is anticipated to be available in approximately February 2016. The Santa Claus Lane Bike Path would be aligned adjacent to the existing southbound shoulder of US 101, from the eastern (southern) terminus of Santa Claus Lane to the western (northern) terminus of Carpinteria Avenue. The bike path would be located partially within the County of Santa Barbara (western 500 feet), and partially within the City of Carpinteria (eastern 1,500 feet). The bike path alignment within Carpinteria ~~This area is~~ “un-zoned” by the City of Carpinteria, being part of the US 101 right-of-way; the Carpinteria portion of the proposed project would therefore be deemed an allowed use in the zone. The Carpinteria Coastal Plan Land Use designation for the bike path alignment is transportation corridor (TC), which would also allow development of the proposed bike path. However, development of the bike path would necessitate encroachment into wetland buffer and wetland. Consequently, the Carpinteria portion of the bike path proposal would not be allowed unless the proposed amendments are adopted.

The bike path alignment within the County of Santa Barbara carries a Land Use designation (Toro Canyon Plan) of transportation corridor (TC), and also a zoning designation of transportation corridor, which would each allow development of the proposed bike path. However, development of the bike path would necessitate encroachment into wetland buffer and wetland. Consequently, the Santa Barbara County portion of the bike path proposal would not be allowed unless amendments to the County LCP are adopted.

The Santa Claus Lane Bike Path would close an important gap in the Coastal Bike Route, whereby if completed, cyclists could travel from the City of Goleta to the City of Carpinteria (approximately 24 miles) on a bike circulation network that does not include any freeway shoulder path. The significant enhancement of public access via alternative transportation modes to coastal resources and coastal recreation opportunities delivered with the closure of the existing gap in the Coastal Bike Route is anticipated to be used in the policy conflict resolution process by the Coastal Commission (refer to the discussion below for additional analysis).

Whitney Site Agriculture Overlay District

In order to address an inconsistency with agriculture preservation policies which would be introduced with the Linden Avenue and Casitas Pass Road and Via Real Extension Improvements proposal, a new zoning overlay district is proposed. The proposed overlay district would encompass the remainder of the former Whitney agriculture parcel not converted to transportation use; mitigation for the loss of agricultural land (conversion to transportation use) is also contained in the proposed overlay district language (refer to Appendix A for the complete proposed Whitney Site Agriculture Overlay District).

Below is a brief summary of the main agriculture preservation elements of the proposed overlay district:

- Design of development (i.e., the transportation improvements) shall minimize impacts on agriculture, and the conversion of agriculture shall be limited to no more than five acres of the parcel.

- The remainder of the parcel shall be transferred to an appropriate public or private agency, with future uses of the parcel restricted to organic farming, community gardening or agricultural education. An agriculture conservation easement shall be placed on the property to prohibit non-agricultural use of the property in perpetuity.
- Mitigation for the direct loss of up to five acres of agricultural land shall be provided through establishment and operation, in perpetuity, of a community garden program in the Carpinteria Valley. Necessary details regarding initial sites for gardens, funding mechanism, program administration, performance standards and agriculture education program content are contained in the overlay language.
- The City shall apply to the Local Agency Formation Commission (LAFCO) to remove two agricultural parcels which are currently included in the City's Sphere of Influence on Via Real (APN 001-080-033 and APN 001-180-026).

The proposed Whitney Site Agriculture Overlay District would limit the absolute amount of the parcel which could be converted from agriculture, as well as placing a conservation easement on the remainder of the parcel. The community garden program would provide access for community members to grow fruit and vegetables, as well as additional farmland for education opportunities related to the agriculture vocation program at Carpinteria High School, contributing to increased knowledge about sustainable agriculture practices in the Carpinteria Valley. With the potential number of community members that would benefit from access to community garden plots the increased exposure to agriculture sustainability methods and the physical acres brought into active cultivation under the community garden program, the community garden program would be expected to produce a net beneficial impact with regard to land use planning and agriculture resource preservation.

Transportation Corridor Wetland Overlay District

In order to address an inconsistency with wetland protection policies which would be introduced with a series of inter-related transportation improvement projects, a new zoning overlay district is proposed. The purpose of the Transportation Corridor Wetland Overlay District is to provide for specific standards of development for the ~~joint SBCAG-Carpinteria-Caltrans~~ Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path [within Carpinteria] projects. This overlay establishes specific standards related to fill or other impacts to wetland or reduction of wetland buffers, mitigation measures, drainage and storm water management, and coastal access and recreation enhancements (refer to Appendix C for the complete proposed Transportation Corridor Wetland Overlay District).

Below is a brief summary of the main elements of the proposed wetland overlay district:

- Provisions of the overlay shall apply only to the project area encompassed by the ~~joint SBCAG-Carpinteria-Caltrans~~ Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements, South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Bike Path within Carpinteria.

- Area of impact to wetland and wetland buffer identified for each of the three included transportation projects, along with identification of project elements responsible for encroachment.
- Encroachment shall only be permitted after avoidance and minimization are attempted; a 100-foot buffer shall be created between wetland and new development, or where not feasible, the widest buffer practicable shall be established; full mitigation in the form of restoration shall be provided for impacts caused to wetland from wetland encroachment or reduction of buffer areas.
- Wetland mitigation shall be provided through creation or restoration of wetland or wetland buffer, at ratios appropriate to the quality of the impacted resource. Mitigation ratios range from 4:1 to 2:1. Wetland enhancement, restoration or creation plans shall be prepared by a qualified biologist for all areas where mitigation is required.
- Post-construction coastal water quality standards apply to the three transportation projects addressed in the overlay district, including:
 - a. Early site planning to minimize run-off through permeable paving, reduced lane widths or sub-grade storm water retention
 - b. Low impact development strategies with small scale control measures to infiltrate, evapotranspire, filter, detain and retain run-off.
 - c. Storm water to be filtrated, retained or infiltrated onsite; BMPs shall include, but not be limited to, grading to create or modify topographic depressions to maximize the capture, detention or retention of runoff, amending onsite soils to increase infiltration and detain runoff, adding or replacing vegetation in areas that receive highway runoff with native plants, and constructing bioswales and biostripsto be designed for 85th percentile, 24-hour storm event.
 - d. Created wetlands shall be enhanced wherever feasible by increasing the depth and areal extent of the wetland, removing exotic vegetation and planting with native wetland plants.
 - ~~d.e.~~ Water treatment BMPs shall accommodate all storms up to 85th percentile, 24-hour storm event.
 - ~~e.f.~~ Minimum infiltration or treatment volumes shall be calculated based on the impervious surface area added by the project.
 - ~~f.g.~~ Where site conditions make it infeasible to infiltrate or treat the stipulated minimum volume of run-off on-site, infiltration or treatment off-site can be substituted where it can be demonstrated that off-site infiltration or treatment will result in a greater benefit to coastal water quality and beneficial uses.

g-h. Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bio-swales, and shall infiltrate, retain or detain the maximum possible volume of storm water run-off considering site conditions.

h-i. A post-construction run-off management plan shall be submitted to the City and shall include maps, figures, supporting design calculations and a narrative explaining the methods and approach proposed to protect or enhance coastal water quality.

- In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the Santa Claus Lane Bike Path shall be constructed no later than the adjacent portion of the South Coast HOV Lanes and construction of the Carpinteria Rincon Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension.
- To enhance educational and recreational opportunities, and to increase awareness of sensitive resources within the coastal environment, permanent displays are required to be erected near the proposed new Carpinteria Creek / US 101 bike undercrossing, the Santa Claus Lane Bike Path and the Carpinteria Rincon Trail.

The designation of only the three named transportation projects restricts potential encroachment into wetland and wetland buffer; the identification of maximum encroachment area also individually limits the encroachment of even these three projects. Full mitigation of wetland and wetland buffer impacts is required, and the ratios for mitigation are specified. Greater detail than is normally specified in planning documents is provided for the enhancement/restoration/creation plan content, preparers, design specifications and performance standards. Post construction coastal water quality standards applicable to the three projects are generally more stringent than Caltrans or the City of Carpinteria would require for transportation improvement projects, which would be anticipated to result in storm water quality benefits as compared to not adopting the overlay. With full wetland resource impact mitigation, preservation of wetland and wetland buffer area adjacent to new development, precise development and performance standards for restoration plans, mandated water quality controls for storm water run-off, the required construction of two significant bike path or trail projects to enhance coastal access and recreation, the proposed Transportation Corridor Wetland Overlay would be expected to fully mitigate potential impacts associated with land use planning for wetland protection.

Rezone and Land Use Redesignation for Transportation Portion of Whitney Parcel

The Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements proposal would convert up to five acres of the former Whitney parcel to public transportation improvements. While public roadways are allowed to be located on land zoned agriculture, the conversion to public transportation facility would dedicate this portion of the parcel to this use, as well as precluding agricultural activity on this portion of the parcel. Consequently, agriculture zoning and land use designations on this portion of the property would no longer be appropriate once the public transportation improvements have been completed.

Elsewhere in Carpinteria, Highway 101 facilities, including interchanges, ramps and frontage roads, are assigned a coastal plan land use designation of transportation corridor (TC) and do not have zoning designations. Therefore, the proposed amendments include removing the A-5 zoning designation from the transportation portion of the Whitney parcel and changing the coastal plan land use designation from AG to TC. These proposed changes to the existing designations would bring the transportation portion of the parcel into conformity with other areas in Carpinteria that are similarly dedicated to transportation use. Refer to Appendix F for an exhibit of the area where these proposed new designations would be applied. The proposed change from agriculture to transportation would result in a land use and planning benefit, in that the new designation would better coincide with the actual use of the property (i.e., transportation improvements developed by the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements proposal). Since the public transportation improvements could actually be implemented under the current agriculture zoning, the proposed redesignation out of agriculture would only have an effect in the area of land use planning. In other words, the transportation improvements proposal could move forward without the redesignation, and therefore the redesignation is not considered necessary to enable the transportation improvements and would not induce other indirect physical changes to the environment. Placing the TC land use designation on the transportation improvements portion of the parcel would ensure these improvements are regulated in the same manner as the remainder of the Highway 101 corridor through Carpinteria.

Required Mitigation Measures

Mitigation would not be required.

Residual Impacts

The preservation of agricultural resources established under the proposed Whitney Site Agriculture Overlay District would result in a beneficial impact to land uses and planning related to agricultural resources. The mitigation of direct and indirect impacts to wetland from development of the transportation projects covered by the Transportation Corridor Wetland Overlay District, and the establishment of precise development standards and coastal water quality standards to apply to each of the projects, would reduce to less than significant all land use impacts related to wetlands for the inter-related transportation projects. There would be no residual impacts.

3.11 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Result in the loss of availability of a known mineral resource of value to the region and the residents of the state?	☐	☐	☐	☒	☒

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined the project would have no impacts on mineral resources.

The South Coast 101 HOV Lanes Draft EIR (Caltrans 2012⁴) concluded the project would have no impacts on mineral resources.

The Carpinteria Rincon Trail Draft MND (City of Carpinteria 2012⁵) found the project would not impact mineral resources.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving mineral resources. The amendments also do not entail any direct physical development, and would therefore not affect access to mineral resources in Carpinteria.

However, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; mineral resources impacts of these proposals have been addressed in previous environmental documents (see above). The Santa Claus Lane Bike Path has not undergone environmental review. However, oil is the only mineral resource known in the Carpinteria area in significant quantities. At this time, oil mining and extraction activities are limited to offshore drilling and extraction platforms, onshore oil storage facilities, a crew boat base, product transportation terminal and an oil and natural gas processing plant. No other mineral resources are known to exist in the project area. As the Santa Claus Lane Bike Path would be located between the US 101 shoulder and the UPRR alignment, the project would not result in the loss of available mineral resources or conflict with a potential mineral recovery site. In short, the project would not have

impacts upon mineral resources. Consequently, there are no indirect adverse mineral resources impacts of the proposed amendments and no need to establish a mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

Required Mitigation Measures

No mitigation would be required.

Residual Impacts

No residual impacts would occur.

3.12 NOISE

Would the project result in:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	☒
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	☒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	☒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above level existing without the project?	☐	☒	☐	☐	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identified existing noise exposure levels from US 101 which exceed State and Federal standards for some existing residences; soundwalls were prescribed where freeway noise levels exceed, or are anticipated to exceed, State and Federal criteria for noise sensitive land uses. The project was found not to result in noise level increases that would meet the Caltrans significance criteria. The EIR concluded the project would not generate significant vibration for long-term operation of the transportation improvements. Short-term noise associated with construction was determined to be adverse, and mitigation measures were recommended

including construction schedule limitations (daytime hours only, if possible), use of mufflers on construction equipment and erection of project soundwalls as early as possible. Short-term construction-related vibration impacts were found to be potentially significant, with slight damage possible to structures located within 60 feet of pile driving activity. Required mitigation includes pre-notification to potentially impacted residents, photo surveys of residents most susceptible to vibration damage (i.e., within 60 feet of pile driving), day-time only pavement breaking, and offers to residents for motel stays during required night-time pile driving activity (if any) within 100 feet of the pile driving activity.

The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2012⁴) identified project-related exposure levels from Highway 101 that would exceed State and Federal standards for some existing residences; soundwalls were prescribed where freeway noise is anticipated to exceed State and Federal criteria for noise sensitive land uses. The project was found not to result in noise level increases that would meet the Caltrans CEQA significance criteria. The EIR concluded the project would not generate significant vibration for long-term operation of the transportation improvements. Short-term noise associated with construction was determined to be adverse, and mitigation measures were recommended including construction schedule limitations (daytime hours only, if possible), use of mufflers on construction equipment, and erection of project soundwalls as early as possible. For construction-related vibration impacts, the EIR concluded the probability of exceeding architectural damage risk levels for continuous vibrations from construction is very low, resulting in a less than significant impact. However, if pavement breaking or extensive pile driving is involved, then damage to nearby older buildings or non-reinforced structures is a remote possibility (i.e., within 100 feet); structures susceptible to damage include historical buildings (unless in excellent condition), buildings in poor condition or buildings previously damaged in earthquakes. Buildings that are outside the limits for architectural and structural damage may still be close enough to pile-driving sites that the annoyance level from vibrations may be exceeded. Recommended mitigation includes pre-notification to potentially impacted residents or building owners, photo surveys of structures most susceptible to vibration damage (i.e., older buildings within 100 feet of pile driving), day-time only pavement breaking, and offers to residents for motel stays during required night-time pile driving activity (if any).

The Carpinteria Rincon Trail ~~Draft~~ MND (City of Carpinteria 2012⁵) found the project would have no impacts related to long-term generation of noise or vibration, and less than significant impacts with respect to the exposure of people to excessive noise levels (the trail is within the 70 dBA noise contour associated with Highway 101 and the UPRR corridor), due to the exposure of trail users to slightly elevated noise levels only for a portion of the day. The construction of the trail was found to have potentially significant, short-term noise impacts. Required mitigation measures include construction schedule restrictions and the use of proper mufflers on all construction equipment.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving noise. The amendments also do not entail any direct physical development or proposed operations and would therefore not affect the community noise environment in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; noise impacts of these proposals have been addressed in previous environmental documents.

The Santa Claus Lane Bike Path may include infrequent and periodic noise generation from pedestrians and bicyclists using the proposed path and from trail maintenance activities. Project noise is not expected to be audible over the ambient noise of the adjacent highway and railroad transportation corridors. The project area is located in a 70 dBA noise contour for existing and future conditions, as designated within the General Plan/Coastal Land Use Plan. The Santa Claus Lane Bike Path would not generate any new sources of vibration, and vibration effects to trail users from passing trains would be short-term and infrequent. Therefore, long-term project-generated noise and vibration impacts would be less than significant, as would noise exposure for path users.

Project-generated construction noise would be short term in nature. However, the peak construction noise levels associated with heavy equipment for construction of the Santa Claus Lane Bike Path could range up to 95 dBA at 50 feet from the equipment (Caltrans 2008). Since exterior noise from a point source such as construction diminishes (or attenuates) at the rate of six dB each time the distance is doubled, sensitive receptors within 1,600 feet of the construction activity could be exposed to noise levels of up to 65 dBA from construction. Residents along Sand Point Road are located approximately 500 feet to 1,900 feet from the bike path alignment, meaning that construction noise levels could range from 75 dBA (500 feet) to 64 dBA (1,900 feet). During the evening or overnight, these construction noise levels could result in sleep disturbance; during the daytime they could produce nuisance. Short-term impacts construction noise associated with the Santa Claus Lane Bike Path are therefore anticipated to be potentially significant; a mitigation approach for construction noise impacts would therefore be required for incorporation into future environmental review. It is envisioned that the bike path would be constructed concurrently with the South Coast HOV Lanes, in which case the Bike Path construction would not cause more noise or more significant impacts than previously evaluated for the South Coast HOV Lanes construction though the duration of the construction phase could be longer with inclusion of the bike path facility.

There are no long-term noise impacts of the proposed amendments that would be anticipated to require mitigation. However, due to potentially significant construction noise impacts, a mitigation framework appears necessary to incorporate into the future Santa Claus Lane Bike Path environmental review.

Mitigation Framework

At such time when project design has advanced to provide sufficient detail for comprehensive environmental review under CEQA for the Santa Claus Lane Bike Path proposal, the following mitigation measures would be appropriate for consideration, based upon review of the conceptual project information.

- NOISE-1 Construction Hours.** Construction activity for site preparation and for future development shall be limited to the hours between 7:00 a.m. and 5:00 p.m., Monday through Friday. No construction shall occur on State holidays (e.g., Thanksgiving, Labor Day). Construction equipment maintenance shall be limited to the same hours. Non-noise generating construction activities are not subject to these restrictions. If the bike path is constructed concurrently with the South Coast HOV Lanes, hours of construction for the bike path shall be the same as allowed for the HOV Lanes project which may include nighttime construction if necessary to avoid roadway closures. The Carpinteria Community Development Director may issue a waivers to allow specific construction activity to occur during restricted time periods, as necessary to accommodate technical requirements of the construction process (e.g., concrete pours) or for other extenuating circumstances.
- NOISE-2 Construction Equipment.** All construction equipment with engines must have original manufacturer's approved muffling devices.
- NOISE-3 Staging Area Siting.** Staging and equipment areas shall be sited to minimize noise effects to residential uses to the extent feasible.
- NOISE-4 Noise Barriers.** Temporary noise barriers shall be provided around the construction site as necessary to avoid extended disturbance to residents from construction noise.
- NOISE-5 Neighbor Notification.** Within 10 days prior to commencement of construction, the applicant shall provide notification of construction schedule to surrounding neighborhoods impacted by noise and vibration, in accordance with locations and in a manner specified in a City-approved construction management plan, and shall post information on the site in a location visible to the public, including the hours of operation and contact person with telephone number.

Residual Impacts

With incorporation of mitigation measures **NOISE-1** and ~~through~~ **NOISE-25**, residual noise impacts on nearby sensitive receptors during potential future construction of the Santa Claus Lane Bike Path would be less than significant. Additional evaluation of detailed project information may warrant modification of the identified mitigation measures and coordination with the South Coast HOV Lanes construction.

3.13 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐	☒
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identified the loss of one residence resulting from development of the proposal (the house on the Whitney parcel), but found the loss of a single residence would not meet the definition of “substantial” home or population displacement. The construction of the project was also found not to create substantial new jobs that would attract permanent new residents to the region or induce population growth. Project effects on population and housing were therefore determined to be less than significant.

The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2012⁴) found there to be no housing or population displacement which would result from the proposal; the construction of the project was also found not to create substantial new jobs that would attract permanent new residents to the region or induce population growth. The project effects on population and housing were therefore determined to be less than significant.

The Carpinteria Rincon Trail ~~Draft~~ MND (City of Carpinteria 2012⁵) found the project would have no impacts on growth inducement, housing or population displacement.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus

Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving housing or population growth control. The amendments also do not entail any direct physical development and would therefore not affect the existing or future demand for housing stock in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; population and housing impacts of these proposals have been addressed in previous environmental documents (see above).

The Santa Claus Lane Bike Path is not anticipated to result in an increase in population for the City of Carpinteria or the County of Santa Barbara. The proposed project does not include the demolition of existing housing, construction of new housing or displacement of people. The proposed project would generate short-term employment opportunities during construction of the trail. Given the temporary duration of project construction and availability of construction workers within Santa Barbara County and Ventura County, it is unlikely to generate a significant increase in population and/or new development that could result in a significant impact to the environment. Bike path maintenance would be performed by existing City of Carpinteria or County of Santa Barbara parks and recreation/maintenance staff. There would be no increase in part or full-time staff equivalents. Therefore, the Santa Claus Lane Bike Path proposal would not be anticipated to have significant impacts on population and housing.

Consequently, there are no indirect population and housing impacts of the proposed amendments that would be anticipated to require mitigation, and no need to establish a population and housing mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

Required Mitigation Measures

No mitigation measures would be required.

Residual Impacts

There would be no residual impact.

3.14 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
i. Fire protection?	☐	☐	☒	☐	☒
ii. Police protection?	☐	☐	☒	☐	☒
iii. Schools?	☐	☐	☐	☒	☒
iv. Parks?	☐	☐	☐	☒	☒
v. Other public facilities?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) found there to be no project impacts upon schools, parks and other public facilities. Project effects on fire and police protection were found to be beneficial, via enhancement of emergency services access provided by the higher capacity replacement overcrossings and improved circulation between disconnected neighborhoods on the north side of Highway 101 with completion of Via Real.

The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2012⁴) found there to be no project impacts on fire protection, police protection, schools, parks and other public facilities.

The Carpinteria Rincon Trail ~~Draft~~ MND (City of Carpinteria 2012⁵) found project impacts on police and fire protection to be less than significant, arising from an incremental increase in the demand for these services related to the use of the proposed trail. The MND found there to be no project impacts upon schools, parks and other public facilities.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving fire protection, police protection, schools, parks or other public facilities. The amendments also do not entail any direct physical development and would therefore not affect the existing or future demand for public services in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; public services impacts of these proposals have been addressed in previous environmental documents (see above). As with the Carpinteria Rincon Trail, it is anticipated that the Santa Claus Lane Bike Path would result in less than significant impacts on fire protection and police protection services, and have no impacts on schools, parks and other public facilities. Consequently, there are no indirect public services impacts of the proposed amendments that would be anticipated to require mitigation, and no need to establish a mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

Required Mitigation Measures

No mitigation would be required.

Residual Impacts

There would be no residual impact.

3.15 RECREATION

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	☒

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☒
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Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) concluded the project would have a less than significant impact on recreation. Enhanced park access for residents to the west of Carpinteria Creek Park, a new all-weather bike and pedestrian path along Carpinteria Creek underneath Highway 101, additional bike lanes along the extended Via Real and on both the replacement overcrossings would result in a beneficial recreation impact of the project.

The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2014²) determined there to less than significant project impacts on recreation. The project would result in an incremental benefit for recreation, by decreasing regional travel time to access coastal recreation opportunities in Carpinteria, and for Carpinteria residents to access recreation resources elsewhere on the south central coast.

The Carpinteria Rincon Trail ~~Draft~~ MND (City of Carpinteria 2012⁵) identified how the Rincon Trail would expand the Carpinteria Coastal Trail System and would connect the City of Carpinteria with Rincon Beach County Park and points east and west along the Pacific Coast Bikeway, providing additional recreation and access opportunities along the Santa Barbara County coastline. The MND also found the project would provide a safe, direct and scenic coastal pedestrian and bike trail link to Ventura County paralleling Highway 101 and would formalize one railroad overcrossing along this segment, providing for safe access to the coast. Consequently, the MND concluded the project would result in beneficial impacts on recreation.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Coastal Land Use Plan and Zoning Code Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving recreation. The amendments also do not entail any direct physical development and would therefore not affect the existing or future demand for recreation in Carpinteria.

However, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; recreation impacts of

these proposals have been addressed in previous environmental documents (see above). The Santa Claus Lane Bike Patch proposal consists of construction of a Class I Path from the southern (eastern) terminus of Santa Claus Lane to the northern (western) terminus of Carpinteria Avenue. Development of this path closes an existing problematic gap in the coastal bike trail (as designated in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). Closure of the coastal bike trail gap with this proposal would allow cyclists to travel from western Goleta (UCSB), through Santa Barbara and Summerland, and into Carpinteria on a system of interconnected bike paths, completely avoiding travel on highway road shoulders. As with the Carpinteria Rincon Trail, the Santa Claus Lane Bike Lane would both enhance coastal oriented recreation and increase access to coastal resources using alternative transportation modes (i.e., cycling and walking) resulting in substantial benefits to recreation. Consequently, there are no indirect adverse recreation impacts of the proposed amendments that would require mitigation; instead, recreation benefits would result indirectly from the proposed amendments.

Required Mitigation Measures

Mitigation would not be required.

Residual Impacts

Indirect impacts of the proposed amendments, resulting from transportation developments accommodated under the amendments, would result in a beneficial impact to recreation. No residual impacts would occur.

3.16 TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Conflict with any applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?	☐	☐	☒	☐	☒

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated road or highways?	☐	☐	☒	☐	☒
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	☒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐	☒
e) Result in inadequate emergency access?	☐	☐	☒	☐	☒
f) Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) concluded the project would result in a beneficial impact with regard to transportation/traffic. The increase in number of travel lanes on the Linden Avenue and Casitas Pass Road overcrossings would increase the capacity of these structures to achieve acceptable levels of service for the life of the project; these overcrossings currently operate below acceptable service levels during peak hours. The extension of Via Real would accommodate reconfiguration of the northbound access ramps at Casitas Pass Road, to eliminate the current inadequate separation distance between the Casitas Pass Road and Linden Avenue on-ramps. Increasing the clearance of the overcrossings to current height standards would reduce the potential for collision of taller trucks with the overcrossings, and also avoid surface street congestion from such trucks exiting the freeway to detour around the overcrossings. The completion of Via Real as a continuous frontage road between Bailard Avenue and Linden Avenue would increase emergency vehicle access to adjacent neighborhoods,

enhance circulation along the north side of the highway for vehicles, cyclists and pedestrians, and reduce the use of the highway for local trips. Finally, the provision of an all-weather bike path along Carpinteria Creek under US 101 would improve cyclist and pedestrian access from residential neighborhoods east and west of Carpinteria Creek on the north side of US 101 to schools, coastal resources and shopping opportunities south of the freeway.

| The South Coast 101 HOV Lanes ~~Draft~~-EIR (Caltrans 2012²⁴) determined the project would result in beneficial impacts to transportation/traffic. The addition of one HOV lane in each direction would increase the vehicle capacity of US 101 and would provide an incentive for commuters to travel via carpool, vanpool or bus in that a preferential lane with potentially higher travel speeds would be provided. The passenger throughput of US 101 across the South Coast HOV limits would increase, average commute time would decrease and congestion would decrease, comparing the proposal to the no project (no build) alternative. In that the project would deliver benefits in the area of transportation/traffic, no adverse impact is anticipated.

| The Carpinteria Rincon Trail ~~Draft~~-MND (City of Carpinteria 2012²⁴) found the project would reduce vehicle trips and encourage bicycle and pedestrian modes of transportation to access popular coastal destinations. The project would provide a safe, direct and well-maintained coastal pedestrian and bike trail link to Ventura paralleling US 101 and would formalize one railroad crossing along this segment, providing for safe access to the coast. Positive benefits would include a reduction in vehicle trips from Carpinteria residents and visitors who travel between the City of Carpinteria and Rincon Beach County Park. The proposed project would encourage non-vehicle travel between these two locations, thus reducing vehicle trips and minimizing the impacts of vehicles in the community and parking at Rincon Beach County Park. Consequently, the project would provide benefits for local transportation/traffic, as well as enhancing regional access for cyclists to/from Carpinteria and locations to the south.

| An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments do not include revision of any policy or development standard involving transportation, although the amendments are being sought in order to accommodate several inter-related transportation improvement proposals. The amendments also do not entail any direct physical development and would therefore not directly alter transportation systems in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access and recreation enhancement to accompany these developments; transportation/traffic impacts of these proposals have been addressed in previous environmental documents (see above). The Santa Claus Lane Bike Path has not yet undergone environmental review.

The Santa Claus Lane Bike Path proposal consists of construction of a Class I Path from the southern (eastern) terminus of Santa Claus Lane to the northern (western) terminus of Carpinteria Avenue. It is anticipated that construction of a bicycle path between the beach, shops and restaurants along Santa Claus Lane and the downtown and residential areas of Carpinteria would lead to the removal of some existing trips on US 101, due to the close proximity of these areas. The proposal would therefore result in transportation/traffic benefits for local cyclists, while marginally reducing highway trips.

Development of the Santa Claus Lane Bike path would also close an existing problematic gap in the coastal bike trail (as designated in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). Cyclists currently wishing to proceed eastward from Santa Claus Lane must back-track along Santa Claus Lane up to ½ mile to the US 101 undercrossing at the Padaro Lane/Santa Claus Lane intersection, proceed under US 101 and continue east along Via Real. The option to return to the ocean side of the highway does not occur along Via Real for approximately 1.5 miles, at the Santa Ynez Avenue overcrossing. The length of the proposed Santa Claus Lane Bike Path would be approximately 2,000 feet (0.38 miles). Providing this link between Santa Claus Lane and Carpinteria Avenue for cyclists would decrease the path of travel length for cyclists by approximately 1.2 miles, to arrive at the same common point of the Carpinteria Avenue/Seventh Street Intersection. Closure of the coastal bike trail gap with construction of the Santa Claus Lane Bike Path proposal would allow cyclists to travel from western Goleta (UCSB), through Santa Barbara and Summerland, and into Carpinteria on a system of interconnected bike paths, completely avoiding travel on highway road shoulders. The proposal therefore supports and implements a portion of Regional Bike Plan goals.

The path is proposed as a Class I facility, meaning that it would be physically separate from travel lanes for motor vehicles. Because the bike path would be aligned along the outside of the southbound shoulder US 101, Caltrans design guidelines require a solid concrete barrier between the highway shoulder and the bike path. The barrier would have mesh fence on top of it, to protect cyclists from debris blown by vehicle wash. Consequently, the bike path would not create any hazards due to improper design features.

Complete access for emergency vehicles would exist at either end of the Santa Claus Lane Bike Path; at Santa Claus Lane and at Carpinteria Avenue. The width of the two-way bike path would accommodate a passenger car or light duty truck, either of which could be employed in case of an emergency situation along the path. A removable center bollard is anticipated to be provided at each end of the path to prevent non-authorized vehicle operations on the path. The path would therefore not be anticipated to have adverse impacts upon emergency access. Consequently, the project would provide benefits for local transportation/traffic, as well as enhancing regional access for cyclists to/from Carpinteria and locations to the north (west).

Required Mitigation Measures

Mitigation would not be required.

Residual Impacts

Indirect impacts of the proposed amendments, resulting from transportation development accommodated under the amendments, would result in a beneficial impact. No residual traffic impacts would occur.

3.17 UTILITIES AND SERVICES SYSTEMS

Would the project:	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Reviewed Under Previous Document
a) Exceed wastewater treatment requirements of the RWQCB?	☐	☐	☐	☒	☒
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	☒
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	☒
d) Have sufficient water supplies available from existing entitlements and resources, or create the need for new or expanded entitlements?	☐	☐	☐	☒	☒
e) Result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	☒
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	☒
g) Comply with federal/state/local statutes and regulations related to solid waste?	☐	☐	☐	☒	☒

Previous Environmental Documents

The Linden Avenue and Casitas Pass Road Interchanges Project EIR (Caltrans 2010) determined there would be no project impacts on wastewater collection or treatment systems, since the project would not generate wastewater. Project impacts on solid waste were found to be less than significant; the project would comply with solid waste disposal regulations and would generate minimal volumes of solid waste (during project construction). The EIR determined the project would have limited demand for water during the establishment period for proposed landscaping and the proposed landscaping incorporates native species that would require very limited irrigation once mature, resulting in a less than significant impact on water supply. The EIR concluded the project would increase the volume of stormwater run-off, creating an elevated demand for storm water conveyance and treatment systems; these demands were determined to be less than significant considering the proposed drainage control systems incorporated into the design (refer to 3.9 *Hydrology and Water Quality*).

The South Coast 101 HOV Lanes ~~Draft~~ EIR (Caltrans 2012⁴) concluded there would be no project impacts on wastewater collection or treatment systems. Project impacts on solid waste and water supply were found to be less than significant; the project would generate minimal volumes of solid waste (during project construction) and would have limited water demands only during the grow-in period for the proposed drought-tolerant native landscaping. The EIR concluded the project would have a less than significant impact related to storm water from an increase in the volume of storm water run-off, which would be adequately addressed by the proposed drainage control systems incorporated into the design (refer to 3.9 *Hydrology and Water Quality*).

The Carpinteria Rincon Trail ~~Draft~~ MND (City of Carpinteria 2012⁵) concluded there would be no project impacts upon wastewater collection or treatment systems, due to a lack of wastewater generation by the project. Project impacts on solid waste and water supply were found to be less than significant; the project would generate a very small volume of solid waste (during project construction) and would have slight water demands only during the establishment period for the limited project landscaping (proposed to be native species). The EIR concluded the project would have a less than significant impact related to stormwater from an increase in the volume of stormwater run-off, which could be accommodated by existing storm water facilities in the vicinity of the project.

An environmental review document under CEQA has not yet been prepared for the Santa Claus Lane Bike Path project. The Santa Barbara County Association of Governments (SBCAG) executed a contract with a consultant to prepare the final engineering design and environmental review document for the Santa Claus Lane Bike Path. The projected availability of the public draft of the environmental document is approximately February 2016, for which Caltrans will be the CEQA Lead Agency.

Impacts of Proposed Local Coastal Program Amendments

The proposed amendments to the Coastal Land Use Plan and Zoning Code do not include revision of any policy or development standard involving wastewater, water supply, solid waste or storm water management facilities. The amendments also do not entail any direct physical development and would therefore not affect the existing or future demand for utility services in Carpinteria.

Nonetheless, with adoption of the proposed amendments, the Linden/Casitas Pass/Via Real Improvements and the South Coast HOV Lanes could be permitted to be developed, and the Carpinteria Rincon Trail would be a necessary public coastal access enhancement to accompany these developments; utility services impacts of these proposals have been addressed in previous environmental documents.

As with the Carpinteria Rincon Trail, it is anticipated that the Santa Claus Lane Bike Path would result in no impacts to wastewater collection or treatment systems; the path proposal does not include a restroom facility. Project impacts on solid waste and water supply are anticipated to be less than significant; solid waste would be generated only during construction and should represent an incremental addition to the solid waste from construction of the adjacent portion of the South Coast HOV Lanes project. Water demands of the Santa Claus Lane Bike Path proposal are also anticipated to be minor, in association with limited landscaping assumed to consist of appropriate native species not requiring permanent irrigation. Consequently, there are no indirect utility services impacts of the proposed amendments that would be anticipated to require mitigation, and no need to establish a mitigation framework for application to the Santa Claus Lane Bike Path future environmental review.

Required Mitigation Measures

No mitigation would be required.

Residual Impacts

There would be no residual impact.

3.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

3.19 PROJECT ALTERNATIVES

No significant unmitigable impacts were identified; therefore, identification of project alternatives is not required.

3.20 RECOMMENDATION BY STAFF

The staff of the City of Carpinteria:

- ☐ Finds that the proposed project WILL NOT have a significant effect on the environment and, therefore, recommends that a NEGATIVE DECLARATION (ND) be prepared.

- ☒ Finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of a Mitigated ND. The MND finding is based on the assumption that mitigation measures will be acceptable to the applicant; if not acceptable a revised Initial Study finding for the preparation of an EIR may result.

- ☐ Finds that the proposed project WILL have a significant effect on the environment and recommends that an ENVIRONMENTAL IMPACT REPORT (EIR) be prepared.

- ☐ Finds that from existing documents (previous EIRs, etc.) that a subsequent document (containing updated and site-specific information, etc.) pursuant to CEQA §15162/15163/15164 should be prepared.

 X With Public Hearing Without Public Hearing

Authority cited: Sections 21083 and 21087 21083.05, Public Resources Code. Reference: Section 65088A, Gov. Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino*, (1988) 202 CalApp.3d 296 (1988); *Leonoff v. Monterey Board of Supervisors*, (1990) 222 CalApp.3d 1337 (1990); *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 CalAppAth 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 CalAppAth at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 CalAppAth 656.

Section 4: References and Contacts

The following information sources have been referenced in preparation of this Draft MND, and will be made available for review upon request at the City offices located at 5775 Carpinteria Avenue, in Carpinteria:

14 CCR 15000–15387 and Appendix A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.

California Climate Action Team (CAT). 2006. *Climate Action Team Report to the Governor and Legislature*. Sacramento, California: California Environmental Protection Agency, California Climate Action Team. March 2006.

California Department of Conservation (CDC). 2011. “Alquist-Priolo Earthquake Fault Zone Maps.” Division of Mines and Geology (CDMG). http://www.quake.ca.gov/gmaps/ap/ap_maps.htm.

_____. 2010. *Santa Barbara County Important Farmland 2010*. Farmland Mapping and Monitoring Program (FMMP). Division of Land Resources Protection.

_____. 2006. *Simplified Geologic Map of California*. California Geological Survey (CGS). Map Sheet 57.

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APPENDIX A

Draft Whitney Site Agriculture Overlay District

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Whitney Site Agriculture Overlay – Zoning Code

May 2015

Chapter 14.41 – WHITNEY SITE (APN 001-070-012) OVERLAY DISTRICT

14.41.010 - Purpose and intent.

The purpose of the Whitney Site overlay district is to provide for specific standards to ensure preservation of the remainder of the Whitney Site for agricultural use through an agricultural easement and to provide for the establishment and maintenance of programs for sustainable agriculture in the Carpinteria Valley. Therefore, this overlay district establishes specific standards related to open field agriculture resource protection and mitigation.

14.41.020 - Applicability.

The provisions of this district shall apply only to the remainder portion of the original 8.95-acre Whitney parcel (APN 001-070-012) not dedicated to public roadway purposes, as depicted in Figure ## and shown on the city's official zoning maps.

14.41.030 - Development standards.

All applicable Local Coastal Program policies and provisions shall apply to the Whitney Site overlay district unless specifically modified by standards detailed in this section. Development of any portion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements on the Whitney Site shall comply with all of the following requirements:

1. New development shall be sited and designed to avoid impacts to agricultural land. If there is no feasible alternative that can eliminate all impacts, then the alternative development location and design that would result in the fewest or least significant impacts shall be selected. Impacts to agricultural land that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated as outlined in this Section. The portion of the parcel to be converted from agriculture to public roadway facility shall not exceed five acres, encompassing the southerly portion of the parcel adjacent to US Highway 101.
2. In order to prevent conversion of the approximately four-acre remainder parcel out of agriculture, ownership of the property shall be transferred to the City of Carpinteria. The remainder parcel shall be restricted to agricultural uses including organic farming, community gardening or agricultural education. Transfer of the property from Caltrans to the City would occur at the conclusion of project construction, and in concert with the transfer of the completed Via Real roadway and right-of-way. An agricultural

conservation easement shall be placed on the property prior to transfer of ownership of the remainder parcel to the City which will prohibit non-agricultural uses on the property in perpetuity. The holder of the agricultural conservation easement shall be a public resources agency or private land trust with agricultural resource preservation experience, acceptable to the City of Carpinteria. Portions of the parcel that lie within the Carpinteria Creek channel, associated environmentally sensitive habitat area (ESHA) or riparian corridor buffer shall be excluded from the agricultural conservation easement to protect environmentally sensitive resources from disturbance associated with agricultural activities.

3. Mitigation shall be provided for the direct loss of agricultural land via implementation of an Agricultural Preservation Program as set forth below. The developer shall contribute funds such that the City of Carpinteria can accomplish the following (at a minimum):
 - A. Installation of physical infrastructure for community garden plots at three or more properties in various locations to permit convenient public access. The following properties have been identified to fulfill the above goals; in the event that it is determined to be infeasible to operate a community garden on one or more of the properties detailed in subsection i or iii below, a substitute property(ies) may be enrolled.
 - i) The Carpinteria Children's Project (formerly Main School campus of the Carpinteria Unified School District); Infrastructure and development may include:
 - a. Tilling to prepare planting area
 - b. Grid layout for plots
 - c. Perimeter fencing
 - d. Water source for irrigation
 - e. Small shed for tool/implement storage, not larger than 12 ft x 12 ft
 - ii) The four-acre Whitney Site remainder parcel; Infrastructure and development may include:
 - a. Tilling to prepare planting area within a portion of the site
 - b. Grid layout for plots
 - c. Preservation of a portion of the existing avocado orchard
 - d. Split-rail or other perimeter fencing
 - e. Water source for irrigation
 - f. Small shed for tool/implement storage, not larger than 12 ft x 12 ft

- iii) The 0.62-acre City-owned parcel on Fifth Street, between Holly Avenue and Elm Avenue; Infrastructure and development may include:
 - a. Tilling to prepare planting area
 - b. Grid layout for plots
 - c. Split-rail or similar perimeter fencing
 - d. Water source for irrigation
 - e. Small shed for tool/implement storage, not larger than 12 ft x 12 ft
 - B. Development of a uniform agreement or lease template for use of individual garden plots by members of the community.
 - C. Drafting of an agreement(s) between the City and Carpinteria Unified School District (CUSD) for the Carpinteria Children's Project garden to be maintained and operated by the CUSD for children and families participating in onsite programs.
 - D. Funding of one City of Carpinteria half-time staff position, for a period of five years from the date of final approval of the Linden Avenue – Casitas Pass Road and Via Real Extension project, to initiate the community garden system, and to create a fee structure (participation fee or plot lease) to subsidize the continuation of this staff position. In the event funding from the fee structure for community garden participation is not adequate following the five-year subsidy period to sustain a half-time position for administration of the community garden system, the City of Carpinteria will do one or more of the following.
 - i. Either restructure the participation fees or commit to providing funds for the difference between participation revenues and the position costs;
 - ii. Investigate administration of the community garden system by another agricultural education entity such as 4H or Future Farmers of America;
 - iii. Pursue grant funding to perpetuate the program; or
 - iv. Assume administration of the community garden system in perpetuity.
 - E. Provide funding to CUSD for development of an adult education program to be delivered via offering workshops in plant cultivation at the community gardens and cooking with fresh garden produce (at the Carpinteria High School Culinary Kitchen). Once established, participation fees could fund perpetuation of the program.
 - F. Provide funding to CUSD for development of grade-specific curriculum focusing on vegetable cultivation using on-campus gardens at each school facility in Grades 1-8. The lesson plans would increase knowledge and appreciation for fresh produce, supporting interest in both community gardening and the importance of local agriculture resources.

- G. Program administration and access for residents to at least one property enrolled in the community garden system shall be established within one year from approval of a Coastal Development Permit for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements. The Agriculture Preservation Program shall be substantially implemented within one year following completion of construction of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Improvements.
- H. To further offset the project-related direct loss of five acres of agricultural land within the City of Carpinteria, the City shall apply to the Local Agency Formation Commission (LAFCO) to remove two agricultural parcels which are currently included in the City's Sphere of Influence on Via Real (APN 001-080-033 and APN 001-180-026). The application to LAFCO to remove these parcels from the Sphere of Influence shall be completed within one year from approval of a Coastal Development Permit for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements. Successful removal of the parcels from the Sphere of Influence shall be accomplished prior to completion of construction of the public roadway improvements.

APPENDIX B

Draft Text Amendments – Coastal Land Use Plan (Agriculture)

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CARPINTERIA COASTAL LAND USE PLAN
LINDEN AVENUE AND CASITAS PASS ROAD INTERCHANGES AND VIA REAL EXTENSION
IMPROVEMENTS

Draft Policy Language Relating to Whitney Site Agriculture Overlay District

May 2015

OSC-9m. Protect agriculture and agriculture education opportunities within the Whitney Site Agriculture Overlay District, pursuant to Chapter 14.41 of the Carpinteria Municipal Code.

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APPENDIX C

Draft Transportation Corridor Wetland Overlay District

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Transportation Corridor Wetland Overlay – Zoning Code May 2015

Chapter 14.45 –TRANSPORTATION CORRIDOR WETLAND OVERLAY DISTRICT

14.45.010 - Purpose and intent.

The purpose of the Transportation Corridor Wetland overlay district is to provide for specific standards of development for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, and for the portions located within the City of Carpinteria, the South Coast High Occupancy Vehicle (HOV) Lanes and Santa Claus Lane Bike Path projects. The intent is to ensure a more precise level of planning than ordinarily possible under the local implementation plan. Therefore, this overlay establishes specific standards related to fill or other impacts to wetland or reduction of wetland buffers, mitigation measures, drainage and stormwater management, and coastal access and recreation enhancements.

14.45.020 - Applicability.

The provisions of this district shall apply only to the project area encompassed by the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast High Occupancy Vehicle (HOV) Lanes, and Santa Claus Lane Bike Path projects, as depicted in Figure 2 and shown on the city's official zoning maps.

14.45.030 - Development standards.

All applicable LCP policies and provisions shall apply to development that is part of the Transportation Corridor Wetland Overlay (TCWO), unless specifically modified by the standards detailed in this section. Two general classes of wetlands have been identified within the TCWO: natural wetlands and created wetlands. Natural wetlands include components of Carpinteria Marsh, wetlands associated with native creeks and wetlands that are fragmented but are of high value. Created wetlands are relatively low functioning wetlands related to highway and/or railroad infrastructure that have formed in drainage ditches, basins, water quality Best Management Practices (BMPs) features and/or topographic depressions, and were originally constructed out of dry land. The area abutting a wetland is the wetland buffer and provides a transition between development and the wetland resource. For the purpose of these development standards, wetland buffer only includes undeveloped areas between the wetland and the first line of development; thus, the road median is not a wetland buffer. Each wetland class has been assigned specific mitigation criteria to best facilitate the balance and protection of coastal resources in the TCWO.

All development for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, and all development for the portions of the South Coast High Occupancy Vehicle (HOV)

Lanes and Santa Claus Lane Bike Path projects located within the City of Carpinteria, shall comply with the following:

1. For the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, the following project components may result in permanent and temporary direct wetland impacts (e.g., fill) and indirect wetland impacts (e.g., development in wetland buffer):
 - Carpinteria Creek bridge foundation components;
 - Slope retaining elements for the southbound US 101, northbound US 101, northbound Casitas Pass off-ramp and the Via Real extension;
 - Fill and retaining structures for the Via Real extension travel lanes, sidewalks and bike path;
 - Drainage improvements;
 - Soundwalls;
 - Fill and retaining structures for the Carpinteria Creek bike trail; and
 - Structural foundation elements, travel lane, sidewalk and bikeway, shoulder, fill and retaining structures for the northern end of the Linden Avenue overcrossing.
2. For the South Coast HOV Lanes, the following project components may result in permanent and temporary direct wetland impacts (e.g., fill) and indirect wetland impacts (e.g., development in wetland buffer):
 - Drainage improvements and soundwall along the northern shoulder of northbound 101 immediately east (south) of Santa Ynez Avenue;
 - Drainage improvements, soundwall, roadway, shoulder and fill in the immediate vicinity of Santa Monica Road on-ramp/off-ramp;
 - Drainage improvements and soundwall along the northern shoulder of northbound 101 in the vicinity of Taranto Circle; and
 - Drainage improvements and soundwall along the southern shoulder of southbound 101 immediately west (north) of Plum Street to just east of the western terminus of Carpinteria Avenue.
3. For the Santa Claus Lane Bike Path, the following project components may result in permanent and temporary direct wetland impacts (e.g., fill) and indirect wetland impacts (e.g., development in wetland buffer) between the existing US 101 southern shoulder and the UPRR railroad alignment which borders the north side of the Carpinteria Salt Marsh:
 - Fill;
 - Retaining structures;
 - Bike path; and
 - Drainage improvements.

4. Fill or other impacts to wetland or reduction of wetland buffers resulting from new development detailed in items 1 - 3 above, may be approved only in conformance with the following:
- a. New development shall be sited and designed to avoid fill or other impacts to wetland. If there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to wetland that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts onsite. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to wetland.
 - b. New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetlands. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.
 - c. Mitigation shall be provided for direct impacts to wetlands (e.g., fill) and indirect impacts to wetlands (e.g., new development in wetland buffers). Mitigation measures shall include, at a minimum, creation or substantial restoration of habitats equal or similar to the impacted habitat type. Adverse direct impacts shall be mitigated at a ratio of 4:1 for natural wetland areas, including salt marsh and wetlands associated with creeks. Adverse direct impacts to riparian habitats shall be mitigated at a ratio of 3:1. Adverse direct impacts to created wetlands (low functioning wetlands associated with highway infrastructure) shall be mitigated at a ratio of 3:1. Indirect impacts to wetlands, such as development in wetland buffer areas, shall be mitigated by enhancing (e.g., invasive species removal, native screening vegetation, planting appropriate native species, water quality improvement, sound reduction) all portions of the remaining (undeveloped) wetland buffer area within 100 feet of the impacted wetland. Temporary direct and indirect impacts to wetlands and riparian habitat shall be mitigated at a ratio of 1:1.
 - d. Wetland enhancement, restoration or creation plans shall be prepared by a qualified biologist for all areas where mitigation is required by Sections 4.a, b and c, above. Plans shall include details of appropriate wetland enhancement, restoration or creation acreage and location including the following:
 - i. Introduction. Including a purpose statement, existing site resource description and inventory, proposed wetland mitigation site plan, and map comparing existing and future site conditions.

- ii. **Mitigation Goals.** A clear statement of the wetland mitigation goals including the desired wetland habitat type(s), major vegetation components, water quality improvements and hydrologic regime, and wildlife support functions.
 - iii. **Planting Plan.** Description of the desired relative abundance of particular wetland plant species in desired habitat type(s). Based on these goals, identify the species to be planted (plant “palette”), provide a rationale for and describe the size and number of container plants and/or the rate and method of seed application, and a site plan with planting location and planting guidelines for prescribed species. Seeds and propagules shall come from local native stock.
 - iv. **Grading Plan.** If wetland enhancement, restoration or creation requires topographic alterations, a formal grading plan shall be included.
 - v. **Best Management Practices (BMPs).** Erosion control, irrigation and weed eradication plans as necessary.
 - vi. **Success Criteria.** Selection and rationale of quantifiable success criteria. There must be an empirical basis for the selection of each success criterion (e.g., peer-reviewed literature, reference site data).
 - vii. **Monitoring.** Monitoring program that includes a detailed description of quantitative sampling design (e.g., sample sizes and sampling techniques such as quadrats, transects, photo plots), statistical procedures proposed for judging if success criteria are achieved, provisions for a five-year monitoring period, annual reporting and contingency measures should the mitigation efforts fail to achieve quantitative success criteria.
 - viii. **Final Report.** A final monitoring report prepared by a qualified biologist that evaluates whether the required wetland enhancement, restoration or creation has achieved the goals and success criteria set forth in the approved mitigation plan.
5. For each project listed in 1 through 3 above, all of the following post-construction coastal water quality standards shall be met:
- a. Early site design planning shall emphasize runoff management and shall prioritize the minimization of runoff by reducing lane and shoulder pavement widths, using permeable pavements and incorporating sub-grade stormwater retention, and shall use structural and operational Source Control BMPs to control pollutant sources, keep pollutants segregated from stormwater and minimize tainted runoff to the extent feasible. Minimization of impermeable surfaces shall be emphasized in highway design where it is infeasible to infiltrate or treat highway runoff that flows directly to high quality wetlands.
 - b. Low impact development strategies shall be preferentially used to treat runoff. Low impact development strategies use small scale control measures to infiltrate, evapo-transpire, filter, detain and retain runoff. These practices shall be maximized where they will pre-treat runoff that flows to wetlands. Earthen- (soil) based and/or bioengineered Caltrans-approved National Pollution Discharge Elimination System (NPDES) BMPs shall be allowed to be located and maintained within wetland buffers where there is no feasible alternative location available to locate the BMPs and where they support wetland protection.

- c. To maximize the treatment and infiltration of runoff from the greatest area of highway surfaces, post-development BMPs shall include, in addition to Caltrans-certified NPDES BMPs, alternative water quality BMPs. Alternative BMPs shall include, but not be limited to, grading to create or modify topographic depressions to maximize the capture, detention or retention of runoff, amending onsite soils to increase infiltration and detain runoff, adding or replacing vegetation in areas that receive highway runoff with native plants, and constructing bioswales and biostrips that either do not require mowing or only require infrequent mowing or woody vegetation removal. These alternative BMPs shall be considered for use in areas that receive highway runoff and wherever Caltrans-certified NPDES BMPs cannot be feasibly installed, including placement within wetland buffers where they support wetland protection.
- d. Created wetlands as defined in this chapter shall be enhanced wherever feasible by increasing the depth and areal extent of the wetland, removing invasive exotic vegetation and planting with native wetland plants. Maintenance of these enhanced created wetlands shall be limited to trimming vegetation that impacts the normal operation of the highway facility, clearing drain inlets and trash removal, using non-mechanical methodologies (e.g., manual labor and no heavy equipment).
- e. Stormwater runoff shall be infiltrated, retained or detained onsite, in accordance with the site hydrology and geotechnical considerations. Infiltration BMPs shall be designed, at a minimum, to handle runoff from all storms up to and including the 85th percentile, 24-hour storm event onsite, to avoid negative effects of hydromodification. If it is not practical to retain the 85th percentile, 24-hour storm event onsite, the limitations preventing this practice shall be stated and an equal volume of runoff shall be infiltrated elsewhere within the project limits with preference given to sites within the same watershed.
- f. Where treatment control BMPs (or suites of BMPs) are used, they shall be designed to infiltrate and/or treat the amount of runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or no less than 0.26 inches/hour for flow-based BMPs.
- g. Minimum infiltration or treatment volumes for treatment control BMPs shall be calculated based on the impervious surface area added by the project, in addition to the existing untreated highway surface. Where it is infeasible to treat the volume of runoff from the existing highway surface in addition to the new highway surface, low impact development strategies shall be used to the maximum extent feasible to infiltrate, evapo-transpire, filter, detain and retain runoff from the existing highway surface.
- h. Where site conditions make it infeasible to infiltrate or treat the stipulated minimum volume of runoff onsite, infiltration or treatment offsite within existing right-of-way can be substituted where it can be demonstrated that offsite infiltration or treatment will result in an equal or greater benefit to coastal water quality.

- i. Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bioswales, and shall infiltrate, retain, or detain the maximum possible volume of stormwater runoff in accordance with the site hydrology and geotechnical considerations. Biofilters shall not use invasive plant materials; plants shall be collected locally and/or propagated in a certified nursery with oversight by a qualified plant ecologist. A biofilter/bioswale design plan, including the native wetland plant palette and the source of plant material, shall be submitted to the City for review and approval.
 - j. A post-construction runoff management plan shall be submitted to the City and shall include maps, figures, supporting design calculations, and a narrative explaining the methods and approach proposed to protect or enhance coastal water quality. Maps shall be cross-referenced to grading, drainage and landscaping project plans. The runoff management plan shall include supporting information including but not limited to the infiltration and retention properties of the native or engineered BMP substrate, depth to groundwater, and the hydraulic design and pollutant treatment/removal capability of the proposed BMPs adequate to ensure that water quality will be protected to the maximum extent feasible. The post-construction runoff plan shall be certified by a qualified professional with appropriate credentials, education and training.
 - k. Where site or project conditions constrain any of the minimum requirements or practices in a. through j. above, the qualified professional shall document the nature and extent of the limitations and justify the alternative measures proposed to protect or enhance water quality.
6. To the extent allowed by the "Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements" (document adopted by the Coastal Commission on September 5, 1978 and incorporated herein by reference), repair and maintenance of the projects listed in 1 through 3 above are excluded from permit requirements. However, such exclusions shall not apply where such repair and maintenance would occur within riparian and wetland habitat or will cause direct impacts to wetland or other resources.
7. In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, two bike path / trail segments shall be constructed, including:
- a. Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue) - a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue. Development of this path will close an existing gap in the coastal bike trail (as designated in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). A goal of the construction design is to accommodate the path within the Caltrans/City/County right-of-ways and to avoid Union Pacific Railroad right-of-way. The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. The opening of this path to the public will be contingent upon the development of a permanent maintenance plan.

- b. Rincon Coastal Trail (SR 150/Carpinteria Avenue to Rincon County Park) - a Class I Bike Path/trail from the eastern terminus of Carpinteria Avenue (transition to State Route 150) to Rincon County Park. Construction of this path will close a Coastal Trail gap between Carpinteria Avenue and the new Class I trail along US 101 which has a northern terminus at Bates Road. The Rincon Coastal Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension construction. The opening of this trail to the public will be contingent upon the development of a permanent maintenance plan.
8. To enhance educational and recreational opportunities, and to increase awareness of sensitive resources within the coastal environment, the following permanent displays are required:
- a. In conjunction with the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, an educational or interpretive display shall be installed within Carpinteria Creek Park and/or at the entrance to the proposed Carpinteria Creek / US 101 Freeway bike undercrossing which explains the importance of Carpinteria Creek, its riparian habitat and associated wetland resources.
 - b. In conjunction with the Santa Claus Lane Bike Path, an educational or interpretive display shall be installed which explains the importance of the Carpinteria Salt Marsh.
 - c. In conjunction with the Rincon Coastal Trail, an educational or interpretive display shall be installed which describes the nearby harbor seal rookery.

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APPENDIX D

Draft Text Amendments – Coastal Land Use Plan (Wetland Protection Policy)

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Wetland Buffer Encroachment Text Amendments – Zoning Code May 2015

14.42.040 - Development standards.

Definitions of terms used in this chapter are contained in Section 3.9 of the Coastal Land Use Plan and are incorporated herein by reference.

Wetland 1. Wetland shall be defined as land where the water table is at, near or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes. Where environmental factors may prevent the development of hydric soils and/or hydrophytes, the presence of surface water or saturated substrate at some time during the year or the location within, or adjacent to, vegetated wetland or deepwater habitats will define their limits. If a question exists, the limit will be determined by habitat survey made by a City-approved biologist.

The upland limit of a wetland shall be defined as a) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; b) the boundary between soil that is predominantly hydric and soil that is predominantly non-hydric; c) in the case of wetlands without hydrophytic vegetation or hydric soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation and land that is not.

A buffer strip, one hundred (100) feet in width, shall be maintained in a natural condition along the upland limits of all wetlands. No structures other than those required to support light recreational, scientific and educational use shall be permitted, where such structures are consistent with all other wetland protection policies and where all possible measures have been taken to prevent adverse impacts. (Policy 9-4)

2. New development adjacent to the required buffer around a wetland shall not result in adverse impacts due to additional sediment, runoff, noise and other disturbances. (Policy 9-5)

3. For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, a reduced wetland buffer may be permitted in accordance with the provisions of Policy OSC-3e and the specific standards described in the Transportation Corridor Wetland Overlay District, in Chapter 14.45 of the Zoning Code.

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APPENDIX E

Draft Text Amendments – Coastal Land Use Plan (Wetland Protection Policy)

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CARPINTERIA COASTAL LAND USE PLAN
LINDEN AVENUE AND CASITAS PASS ROAD INTERCHANGES AND VIA REAL EXTENSION IMPROVEMENTS,
SOUTH COAST HOV LANES, AND SANTA CLAUS LANE BIKE PATH

Draft Text Amendments –Wetland Protection Policy

May 2015

OSC-3e. For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; 2) South Coast High Occupancy Vehicle (HOV) Lanes project [within Carpinteria]; and 3) Santa Claus Lane Bike Path [within Carpinteria], new development in wetland or within the required 100 foot wetland buffer may be permitted in accordance with all of the following requirements and all other development policies and provisions of the LCP.

- a. New development shall be sited and designed to avoid fill or other impacts to wetland. If there is no feasible alternative that can eliminate all impacts, then the alternative location and design for each of the four projects that would result in the fewest or least significant impacts shall be selected. Impacts to wetland that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures may be approved when it is not feasible to fully mitigate impacts on-site, or where greater habitat value can be achieved or wider wetland buffer can be provided in an off-site wetland restoration or enhancement project. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to wetland.
- b. New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetland. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Impacts to wetland resulting from a reduced buffer width shall be fully mitigated. Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.
- c. All new development shall protect post-construction coastal water quality by including the following:
 1. emphasize runoff management in site design,
 2. preferentially use Low Impact Development strategies,
 3. maximize the use of structural and operational Source Control BMPs,
 4. prioritize the use of biologic, soil-based Treatment Control BMPs,
 5. avoid adverse runoff impacts to ESHA and wetland, and
 6. design and manage development to minimize hydromodification, as appropriate.

Implementation Policies

12. Maintain a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of all wetland. No structures other than those required to support light recreational, scientific and educational uses shall be permitted within the setback, where such structures are consistent with all other wetland development policies and where all feasible measures have been taken to prevent adverse impacts. The minimum setback may be adjusted upward to account for site-specific conditions affecting avoidance of adverse impacts.

A minimum wetland buffer of 35 feet from structures, and 25 feet from fencing is allowed for the existing retention basin/drainage pond on the Ellinwood site (APN 004-013-026). The retention basin/drainage pond on this site shall be maintained only in accordance with the specific standards described in the Ellinwood Parcel (APN 004-013- 026) Overlay District, in Chapter 14.43 of the Zoning Code.

For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; 2) South Coast High Occupancy Vehicle (HOV) Lanes project [within Carpinteria]; and 3) Santa Claus Lane Bike Path [within Carpinteria], a reduced wetland buffer may be permitted in accordance with the provisions of Policy OSC-3e and the specific standards described in the Transportation Corridor Wetland Overlay District, in Chapter XX.XX of the Zoning Code.

NOTE: The greyed portion of text above is the existing language of Implementation Policy 12, which is not proposed to be amended at this time.

OSC-3 - Implementation Policy 12 is the successor to Policy 9-4 of the City's January 1980 Coastal Land Use Plan. Technically Implementation Policy 12 has not taken effect at this time; the revisions above would also therefore be applied to Policy 9-4 of the City's January 1980 Coastal Land Use Plan.

OSC-15e In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the following joint SBCAG-Carpinteria-Caltrans projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; and 2) South Coast High Occupancy Vehicle (HOV) Lanes project shall include the construction of the following bike path / trail segments:

- c. Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue) - consisting of a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue. Development of this path will close an existing gap in the coastal bike trail (as designated in the Santa Barbara County Association of Governments Regional Bike Plan, Santa Barbara County, 2008). A goal of this construction design and implementation for the path would be to accommodate the path within the Caltrans/City/County right-of-way (to avoid any Union Pacific Railroad right-of-way). The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. Before this path opens to the public, there shall be a permanent maintenance agreement adopted among the parties, including the City of Carpinteria, Santa Barbara County and Caltrans.

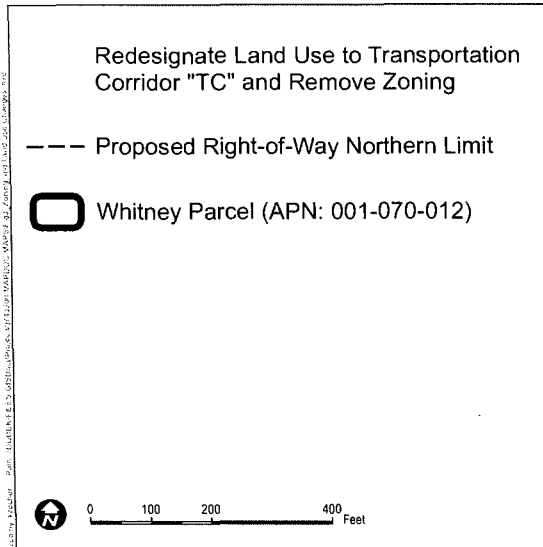
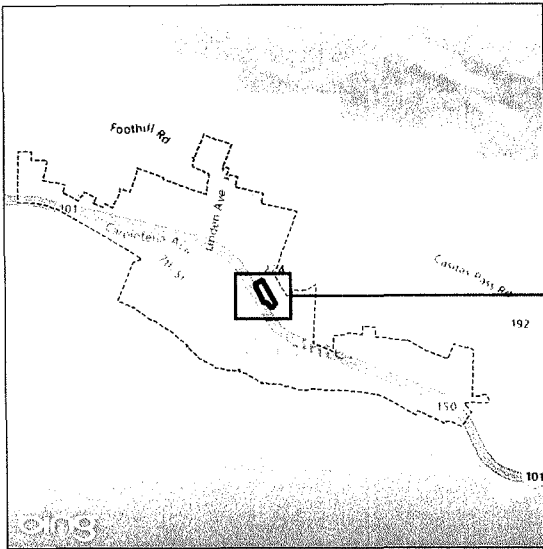
- d. Rincon Coastal Trail (From SR 150/Carpinteria Avenue to Rincon County Park) - consisting of a Class I Bike Path/trail from the eastern terminus of Carpinteria Avenue (transition to State Route 150) to Rincon County Park. Construction of this path will close a coastal trail gap between Carpinteria Avenue and the new Class I trail along US 101 which has a northerly terminus at the Rincon State Beach Park parking lot. The proposed alignment would require a right-of-way easement for the portion of the trail that crosses Union Pacific Railroad (UPRR). The Rincon Coastal Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements construction. Before this trail opens to the public, there shall be a permanent maintenance agreement adopted among the parties, including the City of Carpinteria, Santa Barbara County and Caltrans.

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APPENDIX F

Whitney Parcel Transportation Portion Zoning & Land Use Designations

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Whitney Parcel Transportation Portion Zoning and Land Use Designations

CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENT - MITIGATED NEGATIVE DECLARATION

APPENDIX F

AERIAL SOURCE: CIRGIS 2012
DESIGN SOURCE: CALTRANS 2013

DUDEK

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APPENDIX G

September 19, 2013 Environmental Review Committee Hearing Minutes

and

Comments Received on the Draft Mitigated Negative Declaration

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Environmental Review Committee Minutes
September 19, 2013
5:30 p.m. City Council Chambers



CALL TO ORDER: The meeting was called to order at 5:40 p.m. by Jackie Campbell, Chair.

ROLL CALL

Members Present: Jackie Campbell, Chair
Charlie Ebeling
Kevin Silk
Vince Semonsen
Natasha Lohmus

Others Present: Jonathan Leech, Contract Planner, Dudek
Fred Luna, Santa Barbara County Association of Governments

One member of the public was in attendance.

PROJECT PRESENTATION

Project No. 09-1522-CUP/CDP/LCPA

Draft Mitigated Negative Declaration for the Carpinteria Local Coastal Program Amendments for the Linden Avenue – Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV Lanes and Santa Claus Lane Bike Path Projects

Following an introduction by Chair Campbell, Jonathan Leech gave a presentation outlining the project description, issue areas and proposed mitigation measures.

COMMITTEE MEMBER QUESTIONS/COMMENTS

Natasha Lohmus

- Asked how close the bike path was to the Salt Marsh and what mitigation ratios would be used for impacts to wetlands. *Jonathan Leech responded that the bike path is located between the railroad and the highway and is separated from the marsh by the tracks, though there is wetland habitat in the area of the proposed path. The wetlands mitigation ratio is 4:1 for wetland habitat area and 2:1 for wetland buffer areas. He added that restoration would first occur in the area proposed for disturbance, and additional area within the Salt Marsh would be considered as well, if restoration opportunities are available there.*

Kevin Silk

- Asked if there are any suggested mitigation measures regarding potentially significant impacts to special status species or migratory birds. *Jonathan Leech referred to mitigation measures BIO-2 and BIO-4.*
- Asked about the plans to address long term stockpiling. *Jonathan Leech mentioned that stockpiling would be addressed in the specific permit for each of the upcoming projects associated with the Local Coastal Program Amendment.*
- Questioned the hours of construction for the bike path. *Jonathan Leech responded that the mitigation measures recognize that construction may occur simultaneously with construction of the South Coast HOV Lanes, which might entail some nighttime construction. If the bike path is*

constructed as a stand-alone project, then the specific environmental review and Coastal Development Permit for that project will address the noise mitigation requirements for the trail without concurrent construction of the highway widening project.

- Regarding Appendix A, asked if the affected parties (i.e., CUSD, LAFCO) have been contacted or are aware of the requirements included in the conditions. *It was confirmed that the parties are aware of the conditions.*

Vince Semonsen

- Asked how the work would occur at Carpinteria Creek outside of the wet season if the project is going to take three or four years to construct? *Jonathan Leech responded that work on the abutments could occur outside of the wet season, and the bird nesting season, over consecutive years. Charlie Ebeling added that with planning, it is possible to phase the bridge construction components to avoid the biological resources.*

PUBLIC COMMENTS

Patrick Tumamait

- Addressed the committee relative to concerns about cultural resources within the Linden-Casitas project area of disturbance and suggested that monitoring should occur during construction.

Fred Luna

- Indicated that the applicant is aware of the wetland resources and understands that mitigation will be required. Also addressed the issue of aesthetics related to the barrier between the Santa Claus Lane Bike Path and the US 101 southbound shoulder by comparing this to the approved bike barrier at the Ventura to Carpinteria HOV Lane Project and Class I Bike Path currently under construction along the Rincon Parkway. Relative to noise impacts, Mr. Luna suggested that some activities that occur outside of regular construction hours in order to minimize the disruption of traffic flow. *Ms. Campbell replied that the environmental document prepared for the Santa Claus Lane Bike Path would review the project-specific impacts related to aesthetics, biological resources and noise and that mitigation measures would be identified and specified as part of that review process. She also indicated that staff would review the proposed mitigation measure related to noise to ensure that bike path construction hours could include nighttime construction if necessary to minimize impacts to traffic flow on US 101.*

COMMITTEE COMMENTS

Natasha Lohmus

- As a follow-up question, Ms. Lohmus asked what the width is between the future bike path and the railroad tracks. *Mr. Leech responded that the distance will be approximately 20 – 30 feet, allowing for the ability to accommodate run-off from the highway, bike path and from the residences on the inland side of the freeway.*

ACTION: Motion by Mr. Silk, seconded by Mr. Ebeling, to incorporate changes into the document based on the comments from the Committee and forward the document to the Planning Commission with a recommendation of approval.

VOTE: 5 - 0

MEETING ADJOURNED: 6:25 p.m.

Comments Received on the Draft MND

Comments Received

- 1) County of Santa Barbara, September 20, 2013
- 2) Baird, Kevin, Property Neighbor, September 22, 2013 (Emailed Comment).
- 3) California Coastal Commission, September 24, 2013
- 4) Caltrans, November 2, 2013

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County Of Santa Barbara

Chandra L. Wallar
County Executive Officer



105 East Anapamu Street, Room 406
Santa Barbara, California 93101
805-568-3400 • Fax 805-568-3414
www.countyofsb.org

Executive Office

September 20, 2013

Jackie Campbell
Director
Community Development Department
5775 Carpinteria Avenue,
Carpinteria, CA 93013

E-mail: jackiec@ci.carpinteria.ca.us

RE: Draft MND, City of Carpinteria Local Coastal Program Amendments
Linden Avenue – Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV
Lanes, Santa Claus Lane Bikepath

Ms. Campbell:

Santa Barbara County has received the Notice of Availability for the Draft Mitigated Negative Declaration for the Local Coastal Program Amendments for the Linden Avenue Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV Lanes and Santa Clause Lane Bike Path. We thank you for the opportunity to review the document and have compiled the comments below, from the Planning and Development Department, which are focused only on the Santa Claus Lane Bike Path portion of the project description.

As directed by the Toro Canyon Plan, Santa Barbara County has been working on beach access, parking, and streetscape improvements along Santa Claus Lane since approximately 2000. A proposed Class I Bike Path between Santa Claus Lane and the City of Carpinteria has been envisioned as a desired addition to the County's project since its inception. The proposed Class I Bike Path is facilitated by the City of Carpinteria's adoption of Local Coastal Program amendments including the proposed Transportation Corridor Wetland Overlay District.

General Comment: The Aesthetics section is the first mention of previous environmental documents. It describes environmental documents for the Linden Avenue and Casitas Pass Road Interchanges, the South Coast HOV Lanes, and the Carpinteria Rincon Trail. This section should state that there currently is no environmental document for the Santa Claus Lane Bike Path. It should also include information about when the environmental document will be prepared and who will be preparing it. Finally, it would be useful to include this information in Section 1: Project Background.

Renée E. Bahl
Assistant County Executive Officer
rbahl@co.santa-barbara.ca.us

Terri Maus-Nisich
Assistant County Executive Officer
tmaus@countyofsb.org

Dennis Bozanich
Assistant to the County Executive Officer
dbozanich@co.santa-barbara.ca.us

Section 2 Project Description

Page 10, Santa Claus Lane Bike Path

This section should note that the Class I Bike Path is also included as a planned bicycle project in the Santa Barbara County Bicycle Master Plan (Draft May 2012) and in the Toro Canyon Plan (December 2004).

This section should include how long and wide the proposed Class I Bike Path would be and how much of the bike path would be in the City of Carpinteria vs. the County. It should clarify that approval of a Coastal Development Permit for the path would depend on successful adoption of Local Coastal Program amendments in both the City and County.

It would be helpful to include a figure showing the Santa Claus Lane Bike Path, including jurisdictional boundaries.

Page 16, Figure 2 Transportation Corridor Wetland Overlay District Map

The overlay extends slightly beyond the City's jurisdiction in the south east portion, please clarify.

Page 19, Transportation Corridor Wetland Overlay District

The first paragraph states that the Santa Claus Lane Bike Path is eligible under the proposed Transportation Corridor Wetland Overlay District. This section should specify that the proposed overlay district is solely in the City of Carpinteria's portion of the project.

This section should determine if the County would also need to propose a similar overlay district and amend the Coastal Land Use Plan in order to permit and complete the portion of the Santa Claus Lane Bikepath within the County's jurisdiction. To permit and construct this project, the City of Carpinteria and the County may need to approve comparable development standards.

Section 3: Impact Discussion

Page 21, Aesthetics

Under the Previous Environmental Documents heading, this section should state that there currently is no environmental document for the Santa Claus Lane Bike Path. It should include information about when the environmental document will be prepared and who will be preparing it.

Would the proposed Class I Santa Claus Lane Bike Path include lights? If so, the visual impact of light fixtures and the impacts of light on nighttime views should be included in the analysis.

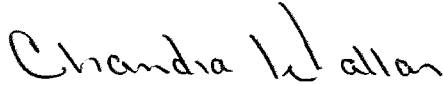
Page 57, Hydrology and Water Quality

Last paragraph notes that the Santa Claus Lane Bike Path part of the amendments package has not yet undergone environmental review. It also discusses the total length of the path, approximate square feet of impervious area, and notes that impacts are less than significant assuming the proposed Transportation Corridor Wetland Overlay District is adopted. This discussion should clarify: (1) when will environmental review take place (2) how much of the project is in the City vs. the County, and (3) the determination of less than significant impacts should be limited to the portion of the project under the City's jurisdiction since the project does not include a comparable overlay within the County's portion.

Because the Santa Claus Lane Bike Path is in both the City's and County's jurisdiction, this section should discuss allowed uses and zoning for the portion within the County's jurisdiction and if a similar Local Coastal Program amendment would need to be proposed by the County.

If you have any questions, please do not hesitate to contact my office directly or Glenn Russell, Director, Planning and Development at (805) 568-2085.

Sincerely,

A handwritten signature in black ink that reads "Chandra L. Wallar". The signature is written in a cursive, flowing style.

Chandra L. Wallar
County Executive Officer

Cc: Glenn Russell, Director, Planning and Development
Heather Imgrund, Planner, Planning and Development

From: kevin.baird@cox.net [mailto:kevin.baird@cox.net]
Sent: Sunday, September 22, 2013 7:41 PM
To: Jackie Campbell
Subject: Coments on the Draft Mitigated Negative Declaration

Hello Jackie.

I hope that you are well.

I am writing to comment on the MND for Linden and Casitas Pass Road interchanges and Via Real Extension, south coast HOV Lanes and Santa Claus Lane Bike Path... Whew.. that is way too much to have to type out.

I completely agree with Carp City Staff's recommendations on this:

the proposed project not be a significant effect in this case because the mitigation measures incorporated into the REVISED PROJECT DESCRIPTION would successfully mitigate the potentially significant impacts. Staff recommends the preparation of a Mitigated ND.

I feel that the net benefits to our community, will greatly out weigh any short term impacts to our community, the wetland, riparian and coastal environments. The benefits of a safer biking and walking in this town for residents and guests, will be significant. This along with less congestion on our freeways and reduced noise from sound walls will greatly improve life in our small rural town. I also feel that the loss of some acreage of ag land on the Whitney ranch will also provide a net benefit for our community with either community gardens and or educational opportunities for our students and other residents.

Thank you for all of the hard work that your staff has put into this multi year project. We will all be happy when it is done and we are enjoying the benefits.

Sincerely,

Kevin Baird
5402 Cameo Rd.
Carpinteria.

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
89 SOUTH CALIFORNIA ST., SUITE 200
VENTURA, CA 93001
(805) 585-1800



September 24, 2013

Jackie Campbell, Director
Community Development Department
City of Carpinteria
5775 Carpinteria Ave.
Carpinteria, CA 93013

RE: Draft Mitigated Negative Declaration for Local Coastal Program Amendments

Dear Ms. Campbell:

Commission staff has reviewed the Draft Mitigated Negative Declaration for the City of Carpinteria Local Coastal Program Amendments for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension, South Coast HOV Lanes, and Santa Claus Lane Bike Path, released on August 29, 2013. Our comments below represent our initial consideration of draft language that will be submitted as part of a Local Coastal Plan Amendment (LCPA) package by the City of Carpinteria. Due to the extensive nature of the proposed amendment, the future LCPA submittal will be reviewed in detail and Commission staff may have additional input and suggested modifications to the proposed LCPA language. Our comments are limited to the draft LCPA language proposed in the Appendices.

Appendix C**Chapter 14.45 - Transportation Corridor Wetland Overlay District****14.45.030 – Development Standards**Wetland Mitigation

Proposed Section 14.45.030(4)(d) in Appendix C sets out specific parameters that must be included in a wetland enhancement, restoration, or creation plan prepared for mitigation of impacts to wetlands, both those resulting directly from project construction and those resulting from reduced wetland buffers. Proposed Section 14.45.030(4)(d) requires a qualified biologist to prepare a detailed wetland enhancement, restoration, or creation plan which identifies clear mitigation goals, including desired wetland habitat types, major vegetation components, hydrological regime, and wildlife support functions. The plan is also required to include a planting plan, grading plan, best management procedures, success criteria, and monitoring and reporting provisions.

Some of the proposed new language in Appendix C - Section 14.45.030(4)(b) and (c) does not appear to be consistent with proposed restoration plan requirements in Section 14.45.030(4)(d) because the language places limitations on the restoration plan. Section 14.45.030(4)(b) provides for mitigation in the form of “appropriate application of best management practices at the area of

reduced buffer width, and the restoration or expansion of in-kind wetland buffer habitat within the project boundary.” This language is different than the parameters set out for the wetland enhancement, restoration, or creation plan outlined in Section 14.45.030(4)(d). Best management practices are identified as a part of the mitigation plan, but may not be appropriate at the site of the reduced buffer if that site is not part of the particular restoration area identified in the restoration plan. Further, the proposed new language in Section 14.45.030(4)(b) and (c) requires replacement of “in-kind” wetland buffer habitat within the project boundary which may not be the appropriate planting mix or site for the identified restoration goals in the plan prepared pursuant to Section 14.45.030(4)(d). Therefore, in order for the language in Sections 14.45.030(4)(b) and (c) to be consistent with the suggested restoration plan parameters and mitigation goals in Section 14.45.030(4)(d) for a comprehensive wetland restoration plan that envisions a mix of plants appropriate for the identified restoration site, we suggest the following revisions in ~~strikeout~~ and underline:

b. New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetland. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Impacts to wetland resulting from a reduced buffer width shall be fully mitigated ~~via appropriate application of best management practices at the area of reduced buffer width, and the restoration or expansion of in-kind buffer habitat within the project boundary~~ Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.

c. Mitigation shall be provided for fill or other impacts to wetland and reduction of wetland buffers. Mitigation measures shall include, at a minimum, creation or substantial restoration of wetland of a similar type. Adverse impacts shall be mitigated at a ratio of 3:1 for degraded wetlands (e.g., ditches, freeway catch basins) and adversely impacted riparian habitats, and other wetland areas, including salt marsh, shall be mitigated at a ratio of 4:1. However, in no event shall the wetland mitigation ratio be less than 2:1, and the 2:1 ratio will only be acceptable where, prior to the development impacts, the mitigation is completed within the Carpinteria Salt Marsh and is empirically demonstrated to meet performance criteria that establish that the created or restored wetland are functionally equivalent or superior to the impacted wetland, based on the restoration plan prepared pursuant to 4.d., below. Mitigation of project impacts from reduction of wetland buffer area shall consist of the creation or restoration of in-kind buffer or wetland habitat (i.e., upland native vegetation, emergent wetland, etc.), as incorporated into the restoration plan prepared pursuant to 4.d, below, on not less than a 2:1 ratio for the wetland buffer area reduced by project improvements. ~~The restored buffer habitat shall be located adjacent to wetland, or restored wetland, within the project boundaries~~

Water Quality Standards

Proposed Section 14.45.030(5) sets out post-construction coastal water quality standards for the identified projects in the transportation corridor. The projects that the proposed LCPA will facilitate will add a significant amount of new impervious surfaces in close proximity to coastal wetlands. For example, approximately 16 acres of new impervious surface will be added by the Linden and Casitas and Via Real extension projects. Additionally, according to the Draft MND, approximately 52 acres of new impervious surface will be added by the South Coast 101 HOV Lanes project. (p.57) The Draft MND further states (citing the 2012 Caltrans South Coast 101 HOV Lanes Draft EIR) that the South Coast 101 HOV lanes project would “provide adequate new drainage facilities and would be designed to minimize storm water discharge by installing appropriate permanent treatment measures to store and treat storm water runoff within the Caltrans right-of-way.” (p.57) However, the 101 Highway corridor in the project reach does not currently provide water quality treatment for existing stormwater runoff from existing impervious surfaces and, for the South Coast 101 HOV Lanes Project, Caltrans proposes to only treat net new impervious surface runoff. (Pers. Comm., Caltrans Staff, 9/9/13) Further, the proposed LCPA will allow additional impervious surfaces within approximately 0.895 acres of wetland and approximately 5.47 acres of wetland buffer. Therefore, in order to ensure that stormwater runoff from both existing impervious surfaces and new impervious surfaces areas are treated within the project reach to the maximum extent feasible to minimize adverse environmental effects on water quality and wetlands, the following revisions are suggested in ~~strikeout~~ and underline:

5. For each project listed in 1 through 3, above, all of the following post-construction coastal water quality standards shall be met:

...

b. Low impact development strategies shall be ~~used~~ preferentially used to treat runoff. Low impact development strategies use ~~integrate a system of small scale control measures to that infiltrate, evapotranspire, filter, detain and retain runoff close to the source. These practices shall be maximized where they will pre-treat runoff that flows to wetlands (including those measures that would be situated within wetland buffers).~~

...

e. Minimum infiltration or treatment volumes for Treatment Control BMPs shall be calculated based on the impervious surface area added by the project, in addition to the existing untreated highway surface. Where it is infeasible to treat the volume of runoff from the existing highway surface in addition to the new highway surface, low impact development strategies shall be used to the maximum extent feasible to infiltrate, evapotranspire, filter, detain and retain runoff from the existing highway surface. However, if the project increases the area of impervious surface that is equal to or greater than 50% of the existing impervious surface within the project boundaries, the entire area shall be used as

~~the basis to calculate the minimum volume that must be infiltrated/treated. Where less than a 50% increase in impervious surface will be added, priority shall be given to treating runoff from the newly created impervious surfaces. Runoff from existing pavement shall not be treated in lieu of treating runoff from newly created impervious surface unless it is infeasible to treat the newly added surface. Where it is infeasible to hydraulically separate runoff from existing impervious areas, the newly created impervious areas and as much of the hydraulically inseparable flow shall be treated as feasible, based on site conditions and constraints and shall bypass or divert any excess around the BMP to prevent overloading the BMP or impairing its performance.~~

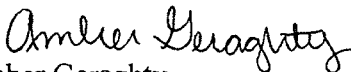
...

g. Treatment BMPs shall prioritize the use of soil-based biofilter techniques, such as bioswales, and shall infiltrate, retain, or detain the maximum possible volume of stormwater runoff in accordance with the site hydrology and geotechnical considerations. Biofilters shall not use invasive plant materials; plants shall be collected locally and/or propagated in a certified nursery with oversight by a qualified plant ecologist. A biofilter/bioswale design plan, including the native wetland plant palette and the source of plant material, shall be submitted to the City for review and approval.

...

Thank you for the opportunity to review and comment on the Draft MND. If you have any questions regarding these comments, please contact me at 805-585-1800.

Sincerely,



Amber Geraghty
Coastal Program Analyst

DEPARTMENT OF TRANSPORTATION

50 HIGUERA STREET
SAN LUIS OBISPO, CA 93401-5415
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<http://www.dot.ca.gov/dist05/>



*Flex your power!
Be energy efficient!*

November 2, 2013

Jackie Cambell
Community Development
City of Carpinteria
5775 Carpinteria Avenue
Carpinteria CA 93013

SCH 2013091004
05-SB-101-002.5

Dear Ms. Campbell:

**COMMENTS ON THE DRAFT MITIGATED NEGATIVE DECLARATION (MND)
FOR THE CITY OF CARPINTERIA LOCAL COASTAL PROGRAM AMENDMENTS
FOR LINDEN AVENUE – CASITAS PASS ROAD INTERCHANGES AND VIA
REAL EXTENSION, SOUTH COAST HOV LANES AND SANTA CLAUS LANE
BIKE PATH**

The California Department of Transportation (Caltrans) appreciates the opportunity to comment on the Draft MND for this project. The following are comments assembled from several Caltrans functional units.

In general, it is Caltrans' opinion that the document is combining too many mitigation measures for different projects. Albeit related, it may be more appropriate to discuss impacts and mitigations in separate environmental documents specific to each project rather than include them as mitigations for the Local Coastal Plan Amendment (LCPA). This would include, for example, the Santa Claus Bike Path project. Additionally, the checklist for the environmental document identifies several impacts that could be significant if mitigations were not incorporated. However, in many cases, the mitigation measures are identified, but not incorporated. Incorporation of mitigations is required by the California Environmental Quality Act (CEQA).

The polygon representing the transportation corridor overlay district should not extend into the Carpinteria Salt Marsh or outside the existing right-of-way, except at Carpinteria Creek and north of Linden Avenue. The polygon depicted does not match Caltrans' Biological Study Area. This should be updated since no work is planned beyond the State right-of-way.

Aesthetics:

The document indicates that the project would cause potentially significant impacts without mitigation under the Aesthetics section of the document. The potential visual impacts of the Santa Claus Lane Bike Path are discussed, however no impacts specific to

the project (LCPA) have been identified that would require mitigation to reduce the impacts to less than significant.

Agricultural and Forestry Resources:

The document indicates that conversion of prime farmland would be a significant impact; however, no mitigation measures are identified. If, in fact, the LCPA would have a potentially significant impact on prime farmland, mitigation measures must be identified as required by CEQA. However, the document states that the requirements included in the Whitney Site Agriculture Overlay District would have a beneficial impact, so it is unclear what impacts would require mitigation. As mentioned at the outset, the environmental document is not clear on what impacts are associated with which mitigations. Therefore, it is Caltrans' opinion that separate environmental documents should be created.

Biological Resources:

The document indicates that the project would result in potentially significant impacts; however, mitigation for the impacts is missing in the Biological Resources section of the document. The potential biological impacts of the Santa Claus Lane Bike Path are discussed, however no impacts specific to the LCPA have been identified that would require mitigation to reduce the impacts to less than significant. In fact, the document states that the Transportation Corridor Wetland Overlay would fully mitigate potential biological impacts, so it is unclear what impacts of the LCPA would require mitigation.

The statement regarding "full mitigation in the form of restoration shall be provided for impacts caused to wetland from wetland encroachment or reduction of buffer areas" (p. 41) incorrectly summarizes the language in the Wetland Overlay District in Appendix C (bullets b. and c. on page C-5). This specifically addresses mitigation for impacts to wetlands and wetland buffer encroachment.

The South Coast HOV project has additional avoidance and minimization measures that are not described. Those measures are similar to those described in the previous paragraph for Linden Casitas (nesting bird avoidance, work windows at creeks, ESA fencing replacement planting ratios). See Appendix F of the South Coast HOV Draft EIR for a full list.

Wetland impacts for the Santa Claus Lane Bike Path are presented only for the area within Carpinteria city limits, even though the project description in the text describes the bike path as "a Class 1 Bike path running from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue" (p. 10). Although this MND is for resources within the jurisdiction of the City of Carpinteria, the text currently leaves the reader with the impression that the impacts presented (0.38 acre wetlands; 0.64 acre buffer) are the full project impacts, when in fact the full impacts of the proposed bike path are greater, with an additional 0.34 acres of wetland impacts and 0.14 acres of buffer impacts outside the City limits.

The numbers presented for Caltrans South Coast HOV and the Santa Claus Lane Bike Path are not final calculations. All language throughout the document regarding wetland impacts and wetland buffer encroachment should be presented as "up to xx acres." Impacts for the South Coast HOV and for the Santa Claus Lane Bike Path are estimates because these projects are still in preliminary design phases (<30%).

Geology and Soils:

The discussion of the potential impacts of the Santa Claus Lane Bike Path omits discussion of potential effects of liquefaction. Because the proposed bike path would be constructed almost entirely on fill which would be laid over wetlands, it seems likely that, without proper geotechnical engineering, liquefaction could be a potential impact on users of the trail.

Hydrology and Water Quality:

The document indicates that the project would cause potentially significant impacts; however, no mitigations are discussed under the Hydrology and Water Quality section of the document. The project under consideration would result in benefits to hydrology and water quality within the City, therefore, the determination that the project would have a potentially significant effect on the environment without mitigation incorporation is incorrect.

Please include City of Carpinteria right-of-way under the Linden Avenue & Casitas Pass Road Interchanges Project EIR description of placement of permanent best management practices in compliance with Caltrans Storm Water Management Plan (page 39, Previous Environmental Documents).

Additionally, this section recommends that Caltrans incorporate storm water management for the Santa Claus Lane Bike Path into the systems developed to address the HOV project. Caltrans has no plans to incorporate storm water treatment BMPs in an environmentally sensitive area. Caltrans is willing to coordinate storm water treatment BMPs during project development of the South Coast HOV and the Santa Claus Lane projects, however, due to the early stages of project development for both projects, we cannot commit at this time to inclusion of storm water treatment for the Santa Claus Lane Bike Path project.

The document contains no discussion of flood plain impacts for the Linden and HOV projects. The discussion of flood plain impacts for the Santa Claus Lane Bike Path states that the path would not encroach in any 100-year flood plain, despite the fact that it crosses the flood plains for the Arroyo Paredon Overflow and for the unnamed watershed at Franciscan Court (FEMA Flood Insurance Rate Map Number 060831420G).

The Linden Avenue & Casitas Pass Road Interchanges Project EIR (Caltrans 2010) identifies a beneficial impact to flood plains at Carpinteria Creek by restoring the historic

flood course at the US 101 bridges. The Via Real bridge will encroach on the base floodplain, but does not significantly change the base floodplain.

The South Coast 101 HOV Lanes Draft EIR (Caltrans 2012) determines that floodplains at Franklin and Santa Monica Creeks, where existing bridges would be widened, would not be affected by the project. Sound walls proposed at the Cravens Lane watershed would have no effect on the base flood elevations.

Noise:

Since the project under consideration in this document (LCPA) would not directly result in construction or any changes to the community noise environment, it is inappropriate to identify potentially significant impacts without mitigation under the Noise section of the document.

The environmental document discusses the potential construction noise impacts of the Santa Claus Lane Bike Path, however no impacts specific to the project (LCPA) have been identified that would require mitigation to reduce the impacts to less than significant.

Mandatory Findings of Significance:

Since the project under consideration in this document would not directly result in construction, it is inappropriate to find that the project would have a potential to degrade the quality of the environment, reduce habitat, cause a species population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of special-status species, or eliminate major periods of California history or prehistory, or have environmental effects that would cause substantial adverse effects on human beings.

Comments on the Local Coastal Plan Amendments (the project)

Transportation Corridor Wetland Overlay - Zoning Code (Appendix C):

The last sentence in Section 4(c) states "The restored buffer habitat shall be located adjacent to wetland, or restored wetland, within the project boundaries" (p. C-5). It may not be feasible to provide buffer mitigation within the project limits. Caltrans would like to have the opportunity to provide mitigation for buffer encroachment within the Carpinteria Salt Marsh. The sentence in Section 4(c) appears to eliminate that opportunity. The last sentence should be revised to allow for buffer mitigation outside the project limits by adding the following sentence: "Mitigation for buffer encroachment shall only be approved off-site where it is not feasible to fully mitigate impacts on-site."

Stormwater requirements:

Caltrans has recently become aware of the California Coastal Commission's Nonpoint Source Program Strategy and Implementation Plan, 1998-2013. This document lays out the 15-year strategy by which the Storm Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCBs) and the California Coastal

Commission (CCC) promote protection of (1) water quality and (2) the uses and resources dependent on clean water from the potential adverse effects of nonpoint source pollution (NPS). In the Implementation Plan, SWRCB and CCC concur that the State will benefit from a unified and cooperative program to protect and restore water quality. The Program Plan also contains a Memorandum of Understanding (MOU), Appendix D, between the SWRCB and CCC. Although the two agencies have worked side-by-side to complete this document, the MOU is designed to enhance coordination between these agencies and serve to clarify roles and responsibilities of each agency over the next 15 years.

Section B. Authority, of the MOU (Appendix D of the Program Plan) states "5. According to Public Resources Code section 30412, the CCC, subject to limited exceptions regarding wastewater treatment plants, shall not modify, adopt conditions, or take any action in conflict with any determination by the SWRCB or any RWQCB in matters relating to water quality or the administration of water rights."

Public Resources Code 30412 states "(b)The State Water Resources Control Board and the California regional water quality control boards are the State agencies with primary responsibility for the coordination and control of water quality. The State Water Resources Control Board has primary responsibility for the administration of water rights pursuant to applicable law. The commission shall assure that proposed development and local coastal programs shall not frustrate this section. The commission shall not, except as provided in subdivision (c), modify, adopt conditions, or take any action in conflict with any determination by the State Water Resources Control Board or any California regional water quality control board in matters relating to water quality or the administration of water rights."

Caltrans is concerned that the proposed LCPA both modifies and adopts conditions which conflict with the determination of the State Water Resources Control Board and Central Coast Regional Water Quality Control Board regarding design requirements for water quality. These requirements are set forth in the Caltrans National Pollution Discharge Elimination System (NPDES) Permit, and most recently approved City of Carpinteria Small Phase II MS4 permit.

In order to avoid the risk of violating the Public Resource Code 30412, Caltrans suggests that water quality requirements in the proposed LCPA be changed by eliminating subsections 5 (c) and (d) in the Transportation Corridor Wetland Overlay - Zoning Code (Chapter 14.45).

Section 5(a) requires the use of permeable pavements which are not feasible for use on highways. However, such a requirement could be feasible for the Santa Claus Lane Bike Path project. Caltrans projects within Caltrans right-of-way are also not currently subject to hydromodification requirements, as described in this section (i.e. sub-grade storm water retention).

Ms. Jackie Campbell
Page 6

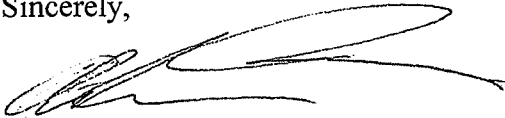
If Sections 5(c) and (d) are deleted from the text, please revise the text according to the following comments:

Section 5(c) requires "85th percentile, 24-hour storm event infiltration, Caltrans will provide treatment for the water quality flows (which are based on the 85th percentile 24 hour storm event), and provide infiltration where feasible. Caltrans is not required to infiltrate, retain, or detain this storm event on site."

Section 5(d) requires "the 85th percentile, one hour storm even (with an appropriate safety factor of two or greater) for flow-based BMPs." The Caltrans NPDES Permit sets the design storm for treatment BMPs and the benchmark for infiltration as the 85th percentile, 24-hour storm event for flow through treatment BMPs (bio-strips/swales). The California Stormwater Quality Association standard, used in Section 5(d) is twice that required by Caltrans negotiated treatment BMPs. Please delete this part of the sentence or modify appropriately.

If you have any questions, please feel free to contact me at (805) 549-3131 or adam.fukushima@dot.ca.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Adam Fukushima', with a long horizontal flourish extending to the right.

Adam Fukushima, PTP
Development Review
Caltrans District 5

ATTACHMENT 3

Resolution No. 5624

Initiation of Application to LAFCO

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RESOLUTION NO. 5624

A RESOLUTION OF THE CITY COUNCIL OF CARPINTERIA TO INITIATE AN APPLICATION TO LAFCO FOR THE REMOVAL OF APNs 001-080-033 AND 001-180-026 FROM THE CITY'S SPHERE OF INFLUENCE

WHEREAS, the Carpinteria City Council has considered an application for a Local Coastal Program Amendment to change the Zoning Code, Coastal Land Use Plan and Land Use Map to allow for consideration of permits to approve the construction of replacements for the Linden Avenue and Casitas Pass Road US 101 overcrossings, reconfiguration of the northbound on and offramps at Casitas Pass Road, extension of the northbound Linden Avenue onramp and replacement of the southbound Linden Avenue offramp, replacement of the US 101 freeway bridges over Carpinteria Creek and extension of Via Real to Casitas Pass Road and to Linden Avenue; and

WHEREAS, a Mitigated Negative Declaration was prepared for the project and was subject to a 30-day review period from August 29, 2013 to September 27, 2013; and

WHEREAS, the Environmental Review Committee reviewed the Draft Mitigated Negative Declaration on September 19, 2013 and recommended approval of the document to the Planning Commission with comments; and

WHEREAS, the Planning Commission conducted a special hearing on May 18, 2015 and received evidence in favor of the Local Coastal Program Amendments and recommended approval of the project to the City Council ; and

WHEREAS, in accordance with the California Environmental Quality Act, the Community Development Director has provided public notice of the intent of the City to certify the Proposed Final Mitigated Negative Declaration prepared for this project by the City, and the City Council has considered the proposed Final MND, together with any comments received during the public review process; and

WHEREAS, the City Council has reviewed the policies of the General Plan/ Coastal Plan and the Zoning Code standards that are relevant to the project.

NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

1. The City Council authorizes staff to initiate the application process to the Santa Barbara County Local Area Formation Commission (LAFCO) for the removal of APNs 001-080-033 and 001-180-026 from the City's Sphere of Influence.

PASSED, APPROVED AND ADOPTED this 22nd day of June 2015, by the following called vote:

AYES: COUNCILMEMBER(S):

NOES: COUNCILMEMBER(S):

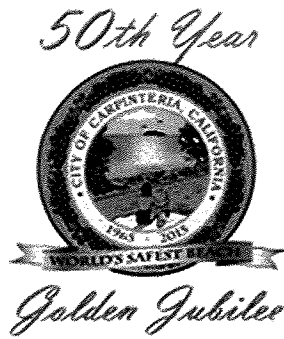
ABSENT: COUNCILMEMBER(S):

Gregg A. Carty, Mayor

ATTEST:

Fidela Garcia, City Clerk

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 22nd day of June 2015.



City of Carpinteria

COUNCIL AGENDA STAFF REPORT JUNE 22, 2015

ITEM FOR COUNCIL CONSIDERATION

Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension

Request by the California Department of Transportation (Caltrans) to replace the Linden Avenue and Casitas Pass Road US 101 overcrossings, reconfigure the northbound onramps and offramps at Casitas Pass Road, extend the northbound Linden Avenue onramp, rebuild the southbound Linden Avenue offramp, construct four soundwalls along the US 101 corridor, replace the US 101 freeway bridges over Carpinteria Creek and extend Via Real to Casitas Pass Road and to Linden Avenue.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Adopt Resolution No. 5625 conceptually approving a development permit for Project 09-1522-CUP/CDP for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension.

Motion: I move to adopt Resolution No. 5625 to conceptually approve Project 09-1522-CUP/CDP granting a Conditional Use Permit and Coastal Development Permit for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension and adopt the Findings in Attachment 1, Exhibit A and Conditions of Approval as proposed in Attachment 1, Exhibit C.

PROJECT DESCRIPTION

The Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension consists of replacing both the Linden Avenue and Casitas Pass Road US 101 overcrossings, reconfiguring the northbound on and offramps at Casitas Pass Road, extending the northbound Linden Avenue onramp, rebuilding the southbound Linden Avenue offramp, replacing the US 101 freeway bridges over Carpinteria Creek, constructing four soundwalls along the US 101 corridor and extending Via Real to Casitas Pass Road and to Linden Avenue. The following bulleted summary provides highlights of each of the major components of the proposal.

- Replace, widen, lengthen and raise the northbound and southbound US 101 Carpinteria Creek Bridges.
- Extend Via Real from the cul de sac at the San Roque Mobile Home Park over Carpinteria Creek to Linden Avenue, building a new bridge for Via Real over Carpinteria Creek (including one lane in each direction, one Class II bike path in each direction and a five-foot wide sidewalk on the north side).

- A 535-foot linear section of Carpinteria Creek would be widened to accommodate the US 101 and Via Real bridges over Carpinteria Creek. The width of the channel bottom near the ordinary high water mark (OHWM) would be widened from approximately 35 feet to 65 feet. The width between the creek banks would be widened from approximately 110 feet to 140 feet. An estimated 5,000 cubic yards of material would be excavated from the creek channel, including 638 cubic yards of material below the new OHWM of the widened channel. An estimated 4,850 cubic yards of rock slope protection (RSP) would be installed along the restored banks of Carpinteria Creek and in adjacent areas, including approximately 393 cubic yards of RSP below the new OHWM of the widened channel.
- Construct a Class I bike lane between Casitas Pass Road and the existing Carpinteria Creek Class I bike lane adjacent to Carpinteria Creek and remove the existing bike path that crosses Carpinteria Creek connecting to the cul de sac terminus of Via Real near Carpinteria Creek Park.
- Reconstruct the Casitas Pass Road southbound on and offramps. Remove the existing Casitas Pass Road northbound on and offramps and build new northbound on and offramps to be accessed from the Via Real frontage road extension. Install signals at the intersections of Via Real and the northbound Casitas Pass Road on and offramps, Casitas Pass Road and Via Real, and Casitas Pass Road and the southbound US 101 on and offramps.
- Replace the Casitas Pass Road overcrossing with a five-lane structure including bike lanes and sidewalks on both sides. The overcrossing would include a planted median in the center lane leaving four lanes for vehicle traffic.
- Remove the existing southbound offramp and build a new southbound offramp at Linden Avenue. Remove the existing northbound Linden onramp and build a new roundabout, including the new northbound onramp as one of the four legs. Reconfigure Ogan Road to form a third connection to the new roundabout, located on its northeastern side. Install signals at the intersections of Linden Avenue and Ogan Road, and Linden Avenue and the southbound US 101 offramp.
- Replace the Linden Avenue overcrossing with a three-lane structure, including bike lanes and sidewalks on both sides.
- Prior to construction of the new Via Real bridge, relocate the existing aboveground sewer line at Carpinteria Creek 20 feet below the creek bed using horizontal directional drilling parallel to Via Real.
- Construct the following soundwalls:
 - Soundwall B-4 along northbound US 101 located between Via Real and US 101, between the existing soundwall and the Verizon property;
 - Soundwall B-7 along southbound US 101, between Church Lane and Vallecito Road;
 - Soundwall B-2 along northbound US 101, between Linden Avenue and Franklin Creek Bridge;
 - Soundwall B-9 along southbound US 101, between Franklin Creek and the end of the existing soundwall along the Linden Avenue southbound offramp.

The project objectives are to improve access and operations at the two interchanges, improve operations on US 101, reduce the use of US 101 for local trips, and improve local vehicular, bicycle, transit and pedestrian circulation from areas north of US 101 to areas south of US 101, including the downtown and coastal recreation areas. The cost of the project is estimated at approximately \$75 million. The project is fully funded by the State Transportation Improvement Plan.

BACKGROUND

US 101 improvements have been the subject of many City meetings and discussions since the 1970s. In the early 1990s, Caltrans began preparing to widen US 101 from Santa Barbara to Ventura. The Santa Barbara County Association of Governments (SBCAG) started to accumulate State Transportation Improvement Plan (STIP) funds. Eventually, the proposals were dropped due to substantial community opposition. In 1995, SBCAG worked with the Santa Barbara County south coast local agencies to reallocate STIP funding. At the request of the City of Carpinteria, \$16 million was programmed for the Linden Avenue and Casitas Pass Road Interchanges. The remainder of the STIP funds were used for various US 101 operational improvements and the "101 In Motion" study.

The purpose of the 101 In Motion study was to develop an action plan for addressing US 101 congestion. The objectives were to start with as wide a range of ideas as possible, develop feasible alternatives, select a preferred package of solutions and then create an action plan. To prepare the study, SBCAG established a technical advisory group and held numerous community workshops. The study also included extensive data collection such as traffic volumes, truck volumes, collision data and rates, population, employment, housing and land use data, economic data including goods movement and air quality. SBCAG presented the 101 In Motion Study to the Carpinteria City Council in October 2005. The 101 In Motion effort culminated with the production of a final report in 2006. Several improvements to the US 101 corridor were recommended, including transit, carpools, commuter rail service and improvement to US 101 including improved interchanges and freeway lanes. One key element was to "Add A Lane and A Train." While the 101 in Motion Study was being completed, preliminary design on the Linden Avenue and Casitas Pass Road Interchanges began.

Throughout the 2000s, the City and Caltrans worked together to examine 17 project alternatives. The alternatives included many different interchange configurations. Eventually, four viable alternatives were studied in an environmental document. A comprehensive Environmental Impact Report (EIR) commenced in 2008 and was completed by Caltrans in July of 2010. The discussion below describes the major milestones accomplished for the project since that time.

December 2008

The Draft Environmental Impact Report (EIR)/Finding of No Significant Impact (FONSI) was released for public review.

May 18, 2009 (City Council)

A special meeting of the City Council was held to discuss the Draft EIR and to recommend a Preferred Alternative to the Project Development Team (City of Carpinteria, Caltrans and SBCAG). The City Council resolved to:

Recommend that the PDT select Alternative 3 as the Preferred Alternative with the caveat that this recommendation is made with information available at this time and may be reconsidered if and when additional information on feasible alternatives is developed.

June 29, 2009 (City Council)

A special meeting of the City Council was held as a Traffic Workshop. The purpose of the Traffic Workshop was to discuss traffic engineering and transportation planning principles and explain the relationship of traffic and roadway circulation to the project preliminary design and expected future roadway and intersection operating conditions. The City Council resolved to:

Recommend the PDT pursue a three-lane configuration for the Linden Avenue overcrossing, assuming such could be determined to be feasible based upon further traffic and structural engineering evaluation (the Linden Avenue overcrossing was proposed in a four-lane configuration under Alternative 3).

Recommend the PDT continue to refine the design of the Via Real Extension to minimize impacts identified during environmental review and address concerns expressed by California Coastal Commission staff.

November 2009

Caltrans conducted value engineering analyses and further traffic studies for the Linden Avenue overcrossing in response to Council direction. A three-lane overcrossing was determined to provide adequate capacity to meet Caltrans standards and City circulation policy requirements. Caltrans revised the Linden Avenue overcrossing to reduce the number of travel lanes from four to three.

July 2010

The Final Environmental Impact Report (EIR)/Finding of No Significant Impact (FONSI) was approved by Caltrans.

September 30, 2010 (ARB)

The Architectural Review Board (ARB) reviewed the proposal for initial comments and feedback in a conceptual review meeting. Caltrans staff requested feedback on the general shape of the columns for the bridges and design of the overcrossing structures, whether the City desired thematic design elements for the major structural features, the general color and surface treatment(s) for the bridge façades, retaining walls and soundwalls, and the landscape plans.

ARB members asked Caltrans to investigate lowering the elevation of the overcrossings; stated a preference for a limited number of colors and textures to be used for the structural elements; stated a preference for rectangular support columns over rounded; and gave direction to use more California native plants in the landscape plan.

October 2010

City Public Works and Caltrans staff collaborated to develop an alternative alignment for the Via Real extension which places it immediately adjacent to US 101 near Carpinteria Creek Park. A comparison of impacts concluded that the new proposed alignment would reduce impacts to riparian habitat, mature trees and park/recreation resources.

December 16, 2010 (ARB)

Caltrans returned to the ARB for continued Conceptual Review. Caltrans engineers were able to redesign the profile of the overcrossings to achieve an elevation that is two to four feet lower; the ARB commented that a vertical retaining wall on the north side of the overcrossings is acceptable as a means of minimizing the deck elevation for the overcrossings, and they were also not opposed to using a vertical retaining wall on the south side of the overcrossings for symmetry. The ARB found a round support column would work well with the curved retaining wall design, and also preferred columns to be perfectly smooth, or to include a reveal with stone or a brick pattern (not entirely clad in faux stone or brick); they would like an open rail barrier (Type 80) used for the bridges, with bike rail where necessary; they understand the overcrossings need a solid type barrier, but on top of the

solid barrier the ARB would like to see a trellis style structure similar to new City bus shelters that have mesh between the trellis upright elements.

March 2011

Initial meetings were held between Coastal Commission, Caltrans, City of Carpinteria and SBCAG staff to discuss an Amendment to the Carpinteria Local Coastal Program (LCP). Due to conflicts with agriculture and wetland protection policies of the LCP, an Amendment must be processed to allow the project to be approved.

October 24, 2011 (City Council)

A special joint meeting of the City Council, Planning Commission and Architectural Review Board was held as a Design Workshop. The purpose of the Design Workshop was to provide a summary of the design issues pertinent to the project. A synopsis of the project development review process was presented, and the Council was asked to authorize and appoint members to a Design Review Team (DRT). The DRT, including representatives from Council, Planning Commission, ARB and the public, was charged with providing advisory direction regarding the aesthetics of the project.

January – August 2012 (DRT)

From January 2012 to August 2012 the DRT met ten times. On August 29, 2012 the DRT approved a summary of their recommendations and a draft presentation for the City Council.

January 2013 (City Council)

To address lingering City Council concerns regarding the number of lanes for the Casitas Pass Road overcrossing, Caltrans, SBCAG and City Public Works staff updated the project's various Traffic Studies. First, a review and update of all of the previous studies was completed. This included new computer traffic models using the revised project design. Then, actual traffic data that had been collected periodically over a ten-year period was used to verify the model result to project future traffic growth. On January 28, 2013 the City Council resolved to:

Direct staff to continue to work on the project construction plans for the Linden Avenue and Casitas Pass Road Interchanges Project. The Council further directed that the design work should be based on a four-lane Casitas Pass Road overcrossing and the recommendations of the DRT.

February 11, 2013 (City Council)

A public hearing was held to discuss the Freeway Agreement between the City and Caltrans. The California Streets and Highways Code requires Caltrans to document the understanding between the City and Caltrans relating to the planned traffic and circulation features of the freeway. The Freeway Agreement must be completed before Caltrans can purchase right-of-way. The purpose of the Freeway Agreement between the State and the City is, generally, to recognize where and how local streets will be affected by the project. The City Council adopted Resolution No. 5441 authorizing the execution of a Freeway Agreement with Caltrans for the Linden Avenue and Casitas Pass Road Interchanges Project.

February 25, 2013 (City Council)

A public hearing was held in which the Council unanimously voted to authorize initiation of the Local Coastal Program Amendments (LCPA).

April 11 and May 16, 2013 (ARB – Preliminary Design Review)

Caltrans returned to the ARB for Preliminary Review. The overcrossing and bridge structure designs were generally applauded. Boardmembers also generally liked the abundance of proposed landscaping and the incorporation of native plants in particular. There was a question about extending some of the trees beyond the interchanges, instead of having them so dense within the project area. Caltrans responded that plantings cannot be located outside the project boundaries. With regard to the creek undercrossing, it was suggested to place some very large boulders in with the other rock materials for anchoring and to give more of an appearance of natural disorder (from a high water event). Board members inquired about the safety railing and fencing for the overcrossings. The proposal includes six feet of fencing on top of a two-foot high rail.

The focus of the discussion was primarily on the form and adornments of the overcrossings and bridges, as a refinement to the direction provided through the DRT exercise. Issues included making the support columns visually separate from the girder face, aligning lighting standards with vertical bridge elements, incorporating an arch form using a chamfer in the girder face, visually breaking up retaining and wing walls by introducing varied texture or strong horizontal elements and lowering the arch in the median section of the bridge to create more space above it. Lastly, the planted center median on the Casitas Pass Road overcrossing was discussed.

On May 16, 2013, the ARB recommended preliminary approval to the Planning Commission with changes to the retaining wall at the Linden Avenue southbound offramp to expose the bond beam and use texturing to imitate the haunch form below the wing wall. The ARB also recommended preliminary approval of the soundwall location along the freeway side of Via Real between Casitas Pass Road and Vallecito Road, rather than the alternate location along the north side of Via Real. Minutes of the April 11 and May 16, 2013 ARB meetings are attached as Attachment 2; Caltrans engineering plans and design renderings are attached as Attachment 1, Exhibit B.

August 29, 2013

The Draft Mitigated Negative Declaration for the Local Coastal Program Amendments was released for public review.

March 26, 2015

An Addendum to the Final Environmental Impact Report (EIR)/Finding of No Significant Impact (FONSI) for the Linden - Casitas project was approved by Caltrans.

May 18, 2015 (Planning Commission)

At a Special Meeting, the Planning Commission voted unanimously to recommend approval of the CUP/CDP to the City Council.

DISCUSSION

The Carpinteria Municipal Code (§14.62.030, Conditional Uses) requires that public improvements obtain a Conditional Use Permit (CUP). Because the project is located within the Coastal Zone, a Coastal Development Permit (CDP) is also required. Both of these permits are discretionary in nature, with the Planning Commission having decision making authority. However, because the project also involves a Local Coastal Program Amendment which is under the jurisdiction of the City Council, the Planning Commission's action on the CUP and CDP consisted of a recommendation for conceptual approval to the City Council. Final action on the CUP and CDP cannot be taken unless

and until the Local Coastal Program Amendments are certified by the California Coastal Commission, as discussed below.

Coastal Commission staff has consented to the City's simultaneous review of the CUP/CDP and LPCA for the project, which will allow direct comparison of physical project components against the amendments requested within the LCP to accommodate these components. Procedurally, the City will complete local review of the CUP/CDP and LPCA, concluding in a conceptual action on the CUP and CDP that can be made final once the Coastal Commission completes review of the LPCA.

Once the City conceptually approves the CUP/CDP and recommends approval of the LPCA, the LPCA will be forwarded to the Coastal Commission. The Coastal Commission will hold its own public hearing on the LPCA. If the request is approved by the Coastal Commission with suggested modifications, the City Council must then decide whether to accept the modifications and ratify the approval or to decline to accept the modifications, which could result in the project not going forward. The other potential outcome is the Coastal Commission approves the LPCA as submitted. In either approval case, once the LPCA is finalized, the CUP/CDP conceptual action will be scheduled for consideration of final approval by the City Council.

Once the LPCA, CUP and CDP are finally approved but before permits are issued to Caltrans, the ARB will review final design plans to ensure conformance with the preliminary design recommendations granted for the project in 2013 and incorporating any additional changes that may be incorporated into the final approval.

ENVIRONMENTAL

To satisfy environmental review requirements under the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), a combined Environmental Impact Report (EIR) / Finding of No Significant (FONSI) was prepared for this project by the State of California Department of Transportation (Caltrans) as the lead agency. The EIR found the potential for significant impacts in the areas of Land Use, Parks and Recreation, Water Quality/Storm Water Runoff, Noise, Biological Resources (natural communities, wetland, wildlife habitat, endangered species), Aesthetics, Paleontology, Cultural Resources, Traffic (short-term construction) and Air Quality (short-term construction). With incorporation of identified mitigation measures, all of these impacts would be reduced to a less than significant level.

The Draft EIR/FONSI was available for public review from December 22, 2008 to February 14, 2009. A public hearing on the document was held at the Canalino Elementary School on January 22, 2009. The City of Carpinteria provided comments on the Draft EIR, principally in the issue areas of Land Use (need for LPCA); parks and recreation (impacts to Carpinteria Creek Park from Via Real location); agriculture (policy conflicts and need to mitigate loss of agriculture land); transportation (the need for four lanes on Linden Avenue and five lanes on Casitas Pass Road and short-term construction impacts); biological resources (mitigation consistent with Local Coastal Program and Coastal Act); visual/aesthetics (insufficient level of detail in the analysis); stormwater quality (permanent controls for operational effects); air quality (short term construction emissions); and noise (schedule restrictions and a contact person for complaints). Based on the City and other agency comments received during the public review period, changes were made to the EIR/FONSI.

The Final EIR/FONSI was adopted by Caltrans on July 20, 2010. Chapter 3 of the EIR /FONSI addresses environmental analysis to satisfy CEQA; Chapter 3 of the Final EIR/FONSI is included in

Attachment 1, Exhibit D of this staff report. Appendix D of the Final EIR/FONSI (Minimization and/or Mitigation Summary) is also included in Attachment 1, Exhibit D.

Subsequent to the finalization of the EIR, revisions to the proposed project design were accomplished to: 1) reduce the Linden Avenue overcrossing from four lanes to three; 2) develop Casitas Pass Road overcrossing initially with four travel lanes and a center planted median, allowing conversion to a five-lane facility in the future upon removal of the planted median, if necessary; 3) shifting the original alignment for the Via Real segment over Carpinteria Creek to bring it closer to the US 101 alignment; and 4) reconfiguration of several soundwalls. Caltrans prepared an Addendum to the Final EIR/FONSI, dated March 26, 2015. Caltrans concluded in the Addendum that no new significant impacts would occur with the proposed project revisions, and that no new mitigation measures would be required. The CEQA statute does not require public review of an Addendum that meets these criteria. The Addendum is included as Attachment 1, Exhibit E.

As part of any action approving this project, the City, as a responsible agency, must accept the Caltrans Final EIR/FONSI and Addendum prior to final action on the Conditional Use Permit and Coastal Development Permit. Mitigation measures in the EIR and Addendum to address potentially significant environmental impacts have been incorporated as conditions of project approval (Attachment 1, Exhibit C).

POLICY CONSISTENCY

Transportation/Circulation

The Linden Avenue and Casitas Pass Road Interchanges project was included in the 2003 (current) City of Carpinteria General Plan/Local Coastal Land Use Plan. The Plan includes descriptions for rebuilding several of the US 101 interchanges within the City, including those at Linden Avenue and Casitas Pass Road. For this project, the Project Development Team, including Caltrans, the City of Carpinteria and SBCAG, identified the following five project objectives as part of the initial planning efforts:

- Improve access to and operations at the Linden Avenue and Casitas Pass Road Interchanges;
- Improve operations on US 101;
- Reduce the use of US 101 for local trips;
- Improve local vehicular circulation, including connectivity on Via Real; and
- Improve local bicycle and pedestrian connectivity.

These project objectives are consistent with the City's Objectives and policies in the Circulation Element which state:

Objective C-1: To improve the community's ability to access US 101 and areas north of the freeway through improvement of interchanges.

Policy C-1a: Continue coordination and collaboration with the County of Santa Barbara and Caltrans through SBCAG to improve freeway accessibility and to resolve circulation problems in inland areas.

Policy C-1b: The City shall strive to improve vehicular and pedestrian over crossings of the freeway and the various creeks while respecting their habitat value and sensitivity.

Policy C-1c: The City will endeavor to work with Caltrans to resolve freeway access, interchange development and noise attenuation problems as they affect the community.

Policy C-1d: *The City shall work closely with Caltrans to assure improvements to freeway interchanges and overpasses compliment the small town quality and charm of the City. Conventional methods for improving level of service such as widening of overpasses for independent turning lanes and signalization of intersections should be avoided if possible in favor of improvements consistent with the existing small town character and charm. Improvements required as a result of a development project shall also be consistent with this policy.*

C-3f. *Improve travel characteristics of the city's circulation plan by:*

- *planning and developing a continuous and direct east/west surface street route north of and parallel to Highway 101 to improve the efficiency of local traffic circulation [5-15 years]*
- *considering the westerly extension of Via Real to Casitas Pass Road and from Vallecito to Linden;*
- *prioritizing maximum protection for coastal waters, ESHA and agricultural resources in considering potential road extensions.*

The General Plan, in consideration of the above policies for all of the US 101 interchanges within the City, proposes the following for the Linden Avenue and Casitas Pass Road Interchanges:

- *Reconfiguration and reconstruction of the Linden Avenue/US 101 Interchanges, including the addition of southbound onramps and northbound offramps, installation of traffic signals and widening of the overpass.*
- *Reconfiguration and reconstruction of the Casitas Pass Road/US 101 Interchange, construction of turn lanes, installation of traffic signals and upgrades of the on- and offramps.*

In addition to the General Plan/Local Coastal Land Use Plan objectives and policies regarding freeway corridor improvements, Policy 3-Cf discusses improvements to travel characteristics of the City's circulation plan by directing the consideration of a continuous and direct east/west surface street north of and parallel to US 101 to improve local traffic circulation. The Plan goes on to state that a westerly extension of Via Real to Casitas Pass Road and from Vallecito Road to Linden Avenue should also be considered.

Using the above policies, the City has been able to work with Caltrans to evolve the project design in a manner that ensures greater consistency with the goals and objectives of the General Plan. Some of the important revisions that have been brought about in the project design are summarized below.

Linden Avenue Overcrossing

In response to concern expressed regarding the need for a four-lane overcrossing at Linden Avenue, Caltrans more fully investigated traffic and circulation, alignment and connection with existing roadway facilities, and constructability for a three-lane configuration of the Linden Avenue overcrossing. Caltrans was able to conclude that a three-lane configuration for the Linden Avenue overcrossing would be feasible, and would meet traffic and circulation performance standards adopted by the City (level of service "C"). The three-lane configuration is more in keeping with the small town character of Carpinteria and significant traffic growth on the Linden Avenue Overcrossing is not anticipated given existing land use patterns and zoning and Coastal Act restrictions that constrain development and therefore future traffic growth in the area. Also, Linden Avenue will not become a full-service interchange and will still only provide one northbound ramp (onramp) and one southbound ramp (offramp). Refer to Attachment 1, Exhibit B for the Linden Avenue overcrossing design plans.

Via Real Extension

The originally proposed alignment for the Via Real extension between San Roque Mobile Home Park and Casitas Pass Road was located a substantial distance north of the US 101 corridor. Due to impacts on riparian resources (Carpinteria Creek), agriculture (former Whitney parcel) and parks and recreation (Carpinteria Creek Park), City and Coastal Commission staff requested that this segment be restudied. An alternate alignment was designed to relocate the roadway close to US 101. Preliminary review of the comparative environmental effects indicates the new alignment would reduce the level of environmental impacts on most resources. The current project design incorporates the Via Real alignment close to US 101. Refer to Attachment 1, Exhibit B for Via Real design plans.

Elevation of Freeway Overcrossing Structures

Linden Avenue and Casitas Pass Road Overcrossings do not currently meet minimum vertical clearance standards for vehicles traveling on US 101 and must therefore be reconstructed with greater vertical clearance. The original design for these overcrossings was of concern to the community in terms of increased visibility and change in character when viewed from local roads. Working with direction from the ARB and comments from the public, Caltrans was able to reduce the height of the proposed overcrossings for Linden Avenue and Casitas Pass Road. Lowering the overcrossings is more in keeping with the character of the community. Refer to Attachment 1, Exhibit B for overcrossing elevations.

Soundwalls

Via Real Soundwall

Noise studies performed for the EIR concluded that residents along portions of Via Real would be exposed to project-related freeway noise that merits installation of a soundwall. The location of the soundwall presented in the EIR was generally along the north side of Via Real (between Via Real and the rear yards of residences adjacent to Via Real). This configuration requires openings at residential street intersections with Via Real, reducing the overall effectiveness of the soundwall. Some residents inquired about the possibility of moving the wall between US 101 and Via Real; Caltrans was able to determine a soundwall at this alternate location would be feasible. Staff believes the soundwall location along the freeway right-of-way is more appropriate and more effective, with regard to acoustic performance and reduction in visual impacts to individual property owners. The ARB recommendation for preliminary design approval includes the location of Soundwall B-4 along the freeway right-of-way. Refer to Attachment 1, Exhibit B for soundwall plans.

Nipomo Drive Soundwall

Noise studies performed for the South Coast High Occupancy Vehicle (HOV) Lanes EIR concluded that residents in the Nipomo Drive neighborhood would be exposed to project-related freeway noise that merits installation of a soundwall. After discussion between the project development teams for Linden - Casitas and the South Coast HOV Lanes, it was decided to move construction of this soundwall into the Linden - Casitas project. Soundwall B-2 (between the northbound Linden Avenue onramp and the Nipomo Drive neighborhood) is now proposed as an integral component of the Linden - Casitas Interchanges Project. Caltrans has indicated it is feasible to construct this soundwall fairly early in the project, which would both lessen the existing freeway noise in the Nipomo Drive neighborhood and provide protection for the neighborhood against short-term construction noise.

Cameo Road Soundwall

Noise studies performed for the EIR concluded that residents of the Cameo Road neighborhood north of the former Whitney property would not be exposed to project-related freeway noise that would merit installation of a soundwall. However, with the development of the Casitas Pass Road US 101 northbound freeway on and offramps and Via Real Extension on the southern portion of the Whitney property, some increase in traffic noise would be anticipated for this neighborhood. In addition, limited additional noise sources could be associated with future community gardening activities on the remainder of the Whitney property. For these reasons, the City is requiring a solid masonry wall approximately six feet in height along the northern boundary of the Whitney property, to be funded and built as part of improvements identified under the proposed Agriculture Preservation Program proposed with the LCPA.

Noise Attenuating Pavement Surface

The last project component related to overall sound reduction from long term project operation is the incorporation of a noise attenuating pavement surface. Use of this pavement can deliver up to 3 dBA of noise attenuation at freeway driving speeds.

Traffic Signals

At least one Circulation Element policy stipulates that freeway interchanges should avoid conventional methods of increasing capacity such as widening for independent turn lanes and signalization in favor of methods that preserve the charm of the City. A roundabout has been incorporated into the northbound Linden Avenue interchange as a “non-conventional” means of improving traffic flow between the overcrossing and the connecting local streets. The traffic study for the project indicates traffic signals are required at the following project intersections: 1) Linden Avenue southbound offramp/Linden Avenue; 2) Ogan Road Extension/Linden Avenue; 3) Casitas Pass Road southbound on/offramps; 4) Northbound on/offramps at Via Real; and 5) Casitas Pass Road/Via Real. The signals, in part, minimize the number of total travel lanes required on the overcrossings. The Public Works Director supports the incorporation of traffic signals at these intersections to reduce traffic congestion during peak hours and to maintain safety on US 101 by avoiding cars stacking on the offramps.

Casitas Pass Road Overcrossing

The initial configuration for the Casitas Pass Road overcrossing included six travel lanes and a bike lane and sidewalk on both sides. At the request of City staff, Caltrans performed a sensitivity analysis and was able to reduce the number of travel lanes to five. However, concerns over the scale of the overcrossing continued.

Casitas Pass Road is one of the few full freeway interchanges in Carpinteria, and will continue to provide onramp and offramp access for US 101 in both the northbound and southbound directions. Because of this, the capacity of the overcrossing must meet projected growth not only on the Carpinteria roadway system, but also on the regional freeway system. Through review of the traffic studies, Caltrans determined that five lanes would be necessary to meet traffic and circulation performance standards adopted by the City (level of service “C”).

Because of concern that remained regarding the five-lane configuration, Caltrans and City staff continued studying an alternate four-lane configuration to determine capacity to meet City circulation standards. Caltrans and City staff concluded that, should future regional growth occur as projected, the capacity of the five-lane configuration would ultimately be required. Caltrans engineers then

identified a solution that involves construction of the overcrossing with adequate width to accommodate five vehicle travel lanes, but with an alternative to initially construct a center landscaped median in the space of the future fifth lane. The planted median would enhance the aesthetics of the overcrossing for local travelers as well as for US 101 travelers who would be able to view the taller tree elements. If future growth does not meet expectations, and the capacity afforded by the fifth travel lane is not needed, the center landscaping would remain permanently. If future growth meets projections, the center landscaping could be removed to construct the center travel lane. This design was supported by the DRT.

Policy C-3h: *Require all new projects to demonstrate safe traffic flow integration with the Master Plan of Streets as well as street drainage improvements function. This shall include construction traffic and the designation of construction routes.*

The proposed improvements are designed to enhance local circulation via increased capacity of the overcrossings and to enhance safety and transportation circulation between US 101 and local streets. Mitigation measures in the EIR, adopted as conditions of approval, require temporary traffic controls during construction and a Traffic Management Plan (TMP) to avoid short-term traffic and circulation impacts during construction.

Objective C-7: *Build demand for alternative transportation use by increasing ease, effectiveness, and social acceptability, and through foresighted planning.*

Policy C-8a: *Integrate the development of bicycle routes and pedestrian pathways in additional areas of the city, and encourage the utilization of such routes for commuting as well as recreational purposes.*

Policy C-8d. *Encourage integration of the city's bicycle routes with state and countywide programs.*

Policy C-8h. *Encourage a bike trail link from Carpinteria to Summerland along the railroad right of way and a coastal link to Ventura paralleling U.S. 101.*

The project includes enhancements to the bicycle and pedestrian circulation system within Carpinteria including:

- Bike lanes (five-foot width) on both sides of Linden and Casitas Pass overcrossings;
- Sidewalks (eight-foot width) on both sides of Linden and Casitas Pass overcrossings;
- All-weather bike path along Carpinteria Creek, under US 101;
- Bike lane along the north side of Via Real.

These enhancements would benefit Carpinteria and substantially improve local access via alternative transportation modes from areas north of US 101 to the downtown and beach areas of the City south of US 101. In addition, the LCP Amendments include a requirement for the construction of the Rincon Trail. The Rincon Trail must be completed prior to completion of the Linden Avenue and Casitas Pass Road Interchanges project. The Rincon Trail would close a gap in the coastal bike system, allowing cyclists to navigate from Ventura to Carpinteria completely on a dedicated bike path. Use of this route would serve recreational purposes as well as provide a commuting alternative to single passenger automobile travel in the adjacent US 101 corridor.

Objective C-9: *Promote the use of public transit systems that provide mobility to all city residents and reduce automobile congestion within the capabilities of the community.*

Policy C-9a. *Continue cooperation with the Santa Barbara Metropolitan Transit District (SBMTD), Caltrans and other transportation agencies, in order to assure that all City residents have adequate access to public transit as an alternative to the automobile.*

Policy C-9b. *Develop the circulation system in a manner that will maximize route efficiency for transit lines within the city.*

The extension of Via Real as a continuous frontage road along the north side of US 101 would increase the feasibility for MTD to provide bus service for neighborhoods north of US 101, thereby improving local transit within Carpinteria and the region.

Policy C-9m. *Work with SBCAG's Traffic Solutions program to promote and educate citizens and employers about alternative transportation including bicycling, carpooling, vanpooling, buses, telecommuting, staggered start/stop times, compressed work weeks, and other alternatives as they are developed.*

SBCAG is a partner in the Linden Avenue and Casitas Pass Road Interchanges project. A mitigation strategy requires a Traffic Management Plan (TMP) for construction; SBCAG's Traffic Solutions played a key role in the design and implementation of the TMP for the Ventura to Santa Barbara County HOV Lanes and would do so with this project as well. Many of the altered transportation habits of commuters adopted during the construction process as part of the Traffic Solutions efforts would be anticipated to endure beyond completion of project construction.

Agriculture

Land Use Element

LU-1d. *Ensure that the type, location and intensity of land uses planned adjacent to any parcel designated open space/recreation or agriculture (as shown on Figure LU-1) are compatible with these public resources and will not be detrimental to the resource.*

The proposed extension of Via Real would convert less than five acres of an existing 8.95-acre agricultural parcel. Via Real would comprise a local frontage road to include Class I bicycle/pedestrian paths. Local Coastal Program Amendments are proposed to accommodate the Linden Avenue / Casitas Pass Road Interchanges, including a land use redesignation from Agriculture to Transportation Corridor for land encompassing the Via Real extension and a requirement for permanent preservation of the remaining 3.95 acres of the Whitney parcel for agriculture. Approval of the LCPA would therefore ensure protection of the remaining agriculture resource. A local road and an adjacent Class I bicycle lane would be compatible with, and not detrimental to, continued agricultural and educational uses on the remainder of the agricultural land. Stormwater best management practices would be installed on all paved surfaces adjacent to the remainder parcel to protect it from stormwater runoff.

LU-5a. *The City shall continue to give priority to agriculture, coastal-dependent industry and visitor-serving commercial recreational facilities designed to enhance public opportunities for coastal recreation over residential, general industrial, or general commercial development.*

The proposed Local Coastal Program Amendments include a land use redesignation from Agriculture to Transportation Corridor for less than five acres of an existing 8.95-acre agricultural parcel to accommodate development of Via Real and the Casitas Pass Road northbound interchange. The Via Real extension would provide more direct vehicular access from existing residences to coastal recreation areas, as well as enhancing bicycle and pedestrian access to coastal areas via the Class I bike path. With regard to prioritizing agriculture, the Local Coastal Program Amendments include an agriculture preservation program that would: permanently

preserve the remaining 3.95-acre portion of the former Whitney parcel for agriculture and education; establish and maintain a community garden system; and enhance agriculture and gardening education in the local schools. Finally, the Amendments include a requirement to complete construction of the Rincon Trail before completion of the Via Real extension. Approval of the LCP Amendments would therefore ensure prioritization of both agriculture (agriculture preservation program) and coastal recreation (development of the Rincon Trail) to balance the conversion of up to five acres of agricultural land.

California Coastal Act

Coastal Act §30241. *The maximum amount of prime agricultural land shall be maintained in agricultural production to assure the protection of the areas' agricultural economy, and conflicts shall be minimized between agricultural and urban land uses through all of the following:*

- (a) By establishing stable boundaries separating urban and rural areas, including, where necessary, clearly defined buffer areas to minimize conflicts between agricultural and urban land uses.*
- (b) By limiting conversions of agricultural lands around the periphery of urban areas to the lands where the viability of existing agricultural use is already severely limited by conflicts with urban uses or where the conversion of the lands would complete a logical and viable neighborhood and contribute to the establishment of a stable limit to urban development.*
- (c) By permitting the conversion of agricultural land surrounded by urban uses where the conversion of the land would be consistent with Section 30250.*
- (d) By developing available lands not suited for agriculture prior to the conversion of agricultural lands.*
- (e) By assuring that public service and facility expansions and nonagricultural development do not impair agricultural availability, either through increased assessment costs or degraded air and water quality.*
- (f) By assuring that all divisions of prime agricultural lands, except those conversions approved pursuant to subdivision (b), and all development adjacent to prime agricultural lands shall not diminish the productivity of prime agricultural lands.*

The Via Real extension would convert less than five acres of an existing 8.95-acre agricultural parcel to transportation uses. Via Real is planned in the Circulation Element as a continuous frontage road along the north side of US 101 from Casitas Pass Road to Linden Avenue, optimizing circulation between land uses north of US 101 and lowering dependency on the freeway system for local trips. The following discussion is provided regarding each of the lettered considerations above.

(a) The subject agricultural parcel is surrounded by urban (non-agricultural) uses: US 101 is located to the south; Casitas Pass Road is located to the west; approximately 45 single family dwellings are located to the north; and a riparian corridor and community park are located to the east. Surrounding land uses in the vicinity include a mobile home park, single-family residences and commercial properties south of US 101.

(b) The conversion of agricultural land is necessary to accommodate the extension of Via Real and the reconstruction of the Casitas Pass Road Interchange. The proposed location of these roadway improvements has been contemplated in the City's General Plan Circulation Element as referenced in Policy C-3f. This is the only feasible route to connect the current western terminus of Via Real to Casitas Pass Road and provide a local through access road in the City and the only feasible location for the interchange that achieves the required on and offramp configurations.

(c) The subject agricultural property is located in an urban area, surrounded by urban (non-agricultural) uses on all four sides. There are no immediately adjacent properties zoned or used for agricultural purposes.

(d) It is not possible to extend Via Real in a logical manner, which completes the programmed Circulation Element Roadway Network, without converting some land now designated for agriculture.

(e) The extension of Via Real is designed to physically remove from agricultural production the smallest practical area; the Agriculture Preservation Program included in the proposed LCP Amendments would permanently preserve the remainder of the parcel for agricultural purposes, including community garden and agriculture education uses. Mandatory storm-water pollution prevention components and measures would prevent water quality impacts from the Via Real extension on the remainder portion of the subject agriculture parcel.

(f) The conversion of a portion of the former Whitney property from agriculture to a roadway with a sidewalk and Class I bike path completes a logical and viable neighborhood transportation corridor and does not threaten the existing stable limit to urban development defined as the City boundary. Additionally, the Agriculture Preservation Program included in the LCPA would preserve the remainder property for agriculture in perpetuity.

Coastal Act §30242. *All other lands suitable for agricultural use shall not be converted to nonagricultural uses unless (1) continued or renewed agricultural use is not feasible, or (2) such conversion would preserve prime agricultural land or concentrate development consistent with Section 30250. Any such permitted conversion shall be compatible with continued agricultural use on surrounding lands.*

The proposed Via Real extension would convert approximately five acres of an existing 8.95-acre agricultural parcel to transportation uses. The agricultural land to be converted is surrounded by urban land uses (see §30241(c) above); immediate proximity to residences, in particular, has a negative influence on the overall viability of potential intensive agriculture uses such as row crops. The conversion of up to five acres of agriculture for use as a transportation corridor would not be incompatible with the remaining agricultural parcel, which is required under the proposed LCPA to be permanently preserved via recordation of an Agricultural Conservation Easement. Despite permanent preservation of the approximately 3.95-acre remainder parcel for agriculture and related education purposes, approximately five acres of agriculture land would be converted to non-agricultural uses; the conversion would not precisely meet standard (1) or (2) above, without additional elements designed to achieve preservation of existing agricultural land in the Carpinteria Valley. To achieve compliance with the requirement to preserve agriculture land, the proposed LCP Amendments include a comprehensive Agriculture Preservation Program.

Coastal Act §30250. *(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.*

The development of Via Real would result in a division of the existing 8.95-acre agricultural parcel into two parcels of approximately five acres (TC) and 3.95 acres (AG). The remainder agricultural

parcel would be larger in size than the adjoining residential parcels, and is suitable for continuation of the avocado orchard, a new community garden and agriculture education programs. Under the proposed LCPA, the agricultural parcel would be permanently preserved via a conservation easement restricting future uses to agriculture. The subject parcel is located within the City and is contiguous with areas developed and zoned for urban uses. Given the existing street network and Circulation Element policies, the extension of Via Real and creation of pedestrian and bicycle amenities completes a logical development of public facilities.

Open Space, Recreation & Conservation Element

Objective OSC-1: *Protect, preserve and enhance local natural resources and habitats.*

Objective OSC-3: *Preserve and restore wetlands such as the Carpinteria Salt Marsh.*

The proposed LCP Amendments designed to accommodate the Linden Avenue and Casitas Pass Road Interchanges include the addition of Objective OSC-3e, as follows:

OSC-3e. *For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path (within Carpinteria), new development in wetland or within the required 100-foot wetland buffer may be permitted in accordance with all of the following requirements and all other development policies and provisions of the LCP.*

- a. *New development shall be sited and designed to avoid fill or other impacts to wetland. If there is no feasible alternative that can eliminate all impacts, then the alternative location and design for each of the four projects that would result in the fewest or least significant impacts shall be selected. Impacts to wetland that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures may be approved when it is not feasible to fully mitigate impacts on-site, or where greater habitat value can be achieved or wider wetland buffer can be provided in an off-site wetland restoration or enhancement project. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to wetland.*
- b. *New development shall be sited and designed to provide a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of wetland. If there is no feasible alternative that can provide a buffer of 100 feet, then the alternative that would provide the widest buffer shall be selected. Impacts to wetland resulting from a reduced buffer width shall be fully mitigated. Mitigation shall not substitute for implementation of the project alternative that would provide the required wetland buffer.*
- c. *All new development shall protect post-construction coastal water quality by including the following:*
 1. *emphasize runoff management in site design;*
 2. *preferentially use Low Impact Development strategies;*
 3. *maximize the use of structural and operational Source Control BMPs;*
 4. *prioritize the use of biologic, soil-based Treatment Control BMPs;*
 5. *avoid adverse runoff impacts to ESHA and wetland; and*
 6. *design and manage development to minimize hydromodification, as appropriate.*

The proposed LCP Amendments designed to accommodate the Linden Avenue and Casitas Pass Road Interchanges also include revision of OSC-3 Implementation Policy 12, as follows:

12. *Maintain a minimum 100-foot setback/buffer strip in a natural condition along the upland limits of all wetland. No structures other than those required to support light recreational, scientific and educational uses shall be permitted within the setback, where such structures*

are consistent with all other wetland development policies and where all feasible measures have been taken to prevent adverse impacts. The minimum setback may be adjusted upward to account for site-specific conditions affecting avoidance of adverse impacts.

A minimum wetland buffer of 35 feet from structures, and 25 feet from fencing is allowed for the existing retention basin/drainage pond on the Ellinwood site (APN 004-013-026). The retention basin/drainage pond on this site shall be maintained only in accordance with the specific standards described in the Ellinwood Parcel (APN 004-013- 026) Overlay District, in Chapter 14.43 of the Zoning Code.

For the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension; 2) South Coast High Occupancy Vehicle (HOV) Lanes; and 3) Santa Claus Lane Bike Path, a reduced wetland buffer may be permitted in accordance with the provisions of Policy OSC-3e and the specific standards described in the Transportation Corridor Wetland Overlay District, in Chapter 14.41 of the Zoning Code.

Once adopted, OSC-3e would be applicable to the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension project, and would require complete mitigation for impacts from encroachments into wetland, wetland buffer and ESHA. The proposed Transportation Corridor Wetland Overlay (TCWO) District provides development standards that in general are more stringent than existing City policy regarding mitigation for impacts to various classifications of wetland and wetland buffer area.

Policy OSC-6a. *Support the preservation of creeks and their corridors as open space, and maintain and restore riparian habitat to protect the community's water quality, wildlife diversity, aesthetic values, and recreation opportunities.*

Policy OSC-6b. *Protect and restore degraded creeks on City-owned land where protection and restoration does not interfere with good flood control practices.*

Policy OSC-6c. *When alterations to creeks are permitted by the Coastal Act and policies herein, the creek shall be protected by only allowing creek bank and creek bed alterations where no practical alternative solution is available, where the best mitigation measures feasible have been incorporated, and where any necessary State and federal permits have been issued. Creek alterations should utilize natural creek alteration methods where possible (e.g. earthen channels, biotechnical stabilization). Nothing in this policy shall be construed to require the City to approve creek alterations not otherwise allowed herein and by the Coastal Act.*

Policy OSC-6d. *Carry out and maintain all permitted construction and grading within stream corridors in such a manner so as to minimize impacts on biological resources and water quality such as increased runoff, creek bank erosion, sedimentation, biochemical degradation, or thermal pollution.*

The proposed project includes replacement of the US 101 bridges over Carpinteria Creek, construction of a bridge for the Via Real extension across Carpinteria Creek and removal of the dry weather bike path crossing Carpinteria Creek. The bridge replacements remove column supports within Carpinteria Creek, improving the flood capacity of the channel and increasing the area of natural creek bed. Removal of the dry weather crossing would also return a portion of the creek bed to natural conditions. Abutments for the bridges would be outside the natural creek channel and would be protected from scour with boulder rip-rap. Mitigation measures in the EIR address short-term construction impacts to creek resources. The proposed Transportation Corridor Wetland Overlay district contains development standards that mandate mitigation of direct and indirect impacts to wetland and ESHA associated with Carpinteria Creek, and the incorporation of best

management practices for stormwater quality control to avoid long-term water quality impacts to the creek.

Policy OSC-6e. *Natural drainage patterns and runoff rates and volumes shall be preserved to the greatest degree feasible by minimizing changes to natural topography, and minimizing the areas of impervious surfaces created by new development.*

The proposed project has been designed with the smallest practical area of new impervious surface. Minimal changes to existing topography are proposed, however some cut and fill would be required to construct the replacement overcrossing and bridges. The EIR requires permanent stormwater quality control systems to avoid water quality impacts to offsite biological resources. The proposed Transportation Corridor Wetland Overlay district contains development standards that mandate incorporation of best management practices for stormwater to avoid long-term impacts to water quality. A condition of approval requires compliance with the City of Carpinteria Stormwater Management Plan (SWMP).

Policy OSC-6f. *All development shall be evaluated for potential adverse impacts to water quality and shall consider Site Design, Source Control and Treatment Control BMPs in order to minimize polluted runoff and water quality impacts resulting from the development. In order to maximize the reduction of water quality impacts, BMPs should be incorporated into the project design in the following progression: (1) Site Design BMPs, (2) Source Control BMPs, and (3) Treatment Control BMPs.*

The EIR requires adherence to the BMPs contained in the Caltrans Stormwater Program, which generally includes provisions in four categories governing stormwater quality: Pollution Prevention, Treatment, Construction and Maintenance. Caltrans holds a Statewide Permit from the State Water Resources Control Board which governs existing and new Caltrans facilities. Caltrans must demonstrate compliance with this Statewide permit for the proposed project. The proposed Transportation Corridor Wetland Overlay district contains development standards that mandate incorporation of best management practices for stormwater quality control to avoid long-term water quality impacts to creek resources. A condition of approval requires compliance with the SWMP.

Implementation Policy 32. *In order to protect watersheds in the City, all construction related activities shall minimize water quality impacts, particularly due to sediments that are eroded from project sites and are conveyed to receiving waters, by implementing the following measures:*

- a. *Proposed erosion and sediment prevention and control BMPs, both structural and non-structural, such as:*
 - *Stabilize disturbed areas with vegetation, mulch, geotextiles, or similar method;*
 - *Trap sediment on site using fiber rolls, silt fencing, sediment basin, or similar method;*
 - *Ensure vehicles on site are parked on areas free from mud; monitor site entrance for mud tracked off-site;*
 - *Prevent blowing dust from exposed soils.*
- b. *Proposed BMPs to provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials, such as:*
 - *Control the storage, application and disposal of pesticides, petroleum and other construction and chemical materials;*
 - *Site washout areas more than fifty feet from a storm drain, open ditch or surface water and ensure that runoff flows from such activities do not enter receiving water bodies;*

- *Provide sanitary facilities for construction workers;*
- *Provide adequate disposal facilities for solid waste produced during construction and recycle where possible.*

The EIR requires construction related stormwater quality controls in the following broad categories: soil stabilization; sedimentation control; tracking control; wind erosion controls; non-stormwater controls; and waste management and materials pollution controls. The EIR mitigation measures are designed to meet the intent of the above policy. However, a condition of approval stating the above policy language has also been placed on the CUP/CDP.

Implementation Policy 33. *In order to protect watersheds in the City, all development shall minimize water quality impacts, particularly due to stormwater discharges from existing, new and redeveloped sites by implementing the following measures:*

- a. Site design BMPs, including but not limited to reducing imperviousness, conserving natural areas, minimizing clearing and grading and maintaining predevelopment rainfall runoff characteristics, shall be considered at the outset of the project.*
- b. Source control Best Management Practices (BMPs) shall be preferred over treatment control BMPs when considering ways to reduce polluted runoff from development sites. Local site and soil conditions and pollutants of concern shall be considered when selecting appropriate BMPs.*
- c. Treatment control BMPs, such as bio-swales, vegetated retention/detention basins, constructed wetlands, stormwater filters, or other areas designated to control erosion and filter stormwater pollutants prior to reaching creeks and the ocean, shall be implemented where feasible.*
- d. Structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, one-hour runoff event, with an appropriate safety factor (i.e., two or greater), for flow-based BMPs.*
- e. Permits for new development shall be conditioned to require ongoing maintenance where maintenance is necessary for effective operation of required BMPs. Verification of maintenance shall include the permittee's signed statement accepting responsibility for all structural and treatment control BMP maintenance until such time as the property is transferred and another party takes responsibility. The City, property owners or homeowners associations, as applicable, shall be required to maintain any drainage device to insure it functions as designed and intended. All structural BMPs shall be inspected, cleaned, and repaired when necessary prior to September 30th of each year. Owners of these devices will be responsible for insuring that they continue to function properly and additional inspections should occur after storms as needed throughout the rainy season. Repairs, modifications, or installation of additional BMPs, as needed, should be carried out prior to the next rainy season.*

The EIR requires adherence to the BMPs in the Caltrans Stormwater Program, which generally includes provisions in four categories governing storm water quality: Pollution Prevention; Treatment; Construction; and Maintenance. As such, the Caltrans SWP meets the intent of the above measures. Currently Caltrans holds a Statewide Permit from the State Water Resources Control Board which governs existing and new Caltrans facilities; Caltrans would need to demonstrate compliance with this Statewide permit for the proposed project. The proposed Transportation Wetland Corridor Overlay district contains development standards that mandate incorporation of best management practices for stormwater quality control to avoid long-term water quality impacts to creek resources. A condition of approval requires compliance with the SWMP.

Policy OSC-7b. *When sites are graded or developed, areas with significant amounts of native vegetation shall be preserved. Structures shall be sited and designed to minimize the impact of grading, paving construction of roads, runoff and erosion on native vegetation. Sensitive resources that exhibit any level of disturbance shall be maintained, and if feasible, restored. New development shall include measures to restore any disturbed or degraded habitat on the project site. Cut and fill slopes and all areas disturbed by construction activities shall be landscaped or revegetated at the completion of grading. Plantings shall be of native, drought-tolerant plant species consistent with the existing native vegetation on the site. Invasive plant species that tend to supplant native species shall be prohibited.*

The EIR requires restoration for impacts on native vegetation and sensitive habitat areas. Complete mitigation for direct and indirect impacts of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension on wetland, riparian and ESHA resources would also be required under the development standards of the proposed Transportation Corridor Wetland Overlay.

Policy OSC-10c: *Degradation of the water quality of groundwater basins, nearby streams or wetlands, or any other water-body shall not result from development. Pollutants such as sediments, litter, metals, nutrients, chemicals, fuels or other petroleum hydrocarbons, lubricants, raw sewage, organic matter and other harmful waste shall not be discharged into or alongside any water-body during or after construction.*

Long-term operation of the proposed project would not involve the presence/use of most of the pollutants described above. The EIR requires adherence to the BMPs in the Caltrans Stormwater Program, which generally address the avoidance or control of such pollutants associated with short-term construction and long-term operation of freeways. A condition of approval enunciates specific BMPs to avoid short-term construction-related water quality impacts; another condition of approval requires compliance with the City of Carpinteria SWMP.

Policy OSC-11b. *Promote the reduction of mobile source emissions related to vehicular traffic (e.g. promote alternative transportation, van-share, buses).*

Policy OSC-11d. *Encourage the improvement of air quality in the Carpinteria Valley by implementing measures in the South Coast Air Quality Attainment Plan. For air quality enhancement, measures will include but not be limited to, measures to reduce dependence on the automobile and encourage the use of alternative modes of transportation such as buses, bicycles and walking.*

The project includes the following enhancements to the circulation system:

- Bike lanes (five-foot width) on both sides of Linden and Casitas Pass overcrossings;
- Sidewalks (eight-foot width) on both sides of Linden and Casitas Pass overcrossings;
- All-weather bike path along Carpinteria Creek, under US 101;
- Bike lane along the north side of Via Real; and
- Improved public transit route opportunities for MTD.

In addition, the LCP Amendments include a requirement for construction of the Rincon Coastal Trail to be completed prior to completion of construction of the Linden – Casitas project. The Rincon Trail construction would close a gap in the coastal bike system, allowing cyclists to ride from Ventura to Carpinteria completely on a dedicated bike path. Use of this route would serve recreational purposes as well as provide a commuting alternative to single passenger automobile travel in the adjacent US 101 corridor.

Policy OSC-16a. *Carefully review any development that may disturb important archaeological or historically valuable sites.*

Two recorded archaeological sites exist in proximity to the project Area of Potential Effect (APE). An extended Phase 1 cultural survey determined there are no intact archaeological artifacts within the APE. However, given the proximity of the recorded sites, there is a potential for resources undetected by the Phase 1 to be present. Potentially significant impacts to archaeological resources would be reduced to less than significant levels with standard mitigation measures.

California Coastal Act

Coastal Act §30121. *"Wetland" means lands within the coastal zone which may be covered periodically or permanently with shallow water and include seawater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats and fens.*

Coastal Act §30107.5. *"Environmentally sensitive area" means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.*

Coastal Act §30231. *The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface waterflow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Coastal Act §30233 (a). *The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:*

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.*
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.*
- (3) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.*
- (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.*
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.*
- (6) Restoration purposes.*
- (7) Nature study, aquaculture, or similar resource dependent activities.*

The proposed LCP Amendments include creation of a Transportation Corridor Wetland Overlay (TCWO) District that would allow encroachments for this and two other future transportation projects into wetland, wetland buffer and ESHA. Development standards in the TCWO require mitigation via restoration or creation of like resources at approved replacement ratios, and incorporation of stormwater best management practices to protect biological resources. However, allowing

improvements to encroach into wetland and ESHA is in conflict with the above Coastal Act policies, which invokes the need for policy conflict resolution (described below).

Coastal Act §30007.5. *The Legislature further finds and recognizes that conflicts may occur between one or more policies of the division. The Legislature therefore declares that in carrying out the provisions of this division such conflicts be resolved in a manner which on balance is the most protective of significant coastal resources. In this context, the Legislature declares that broader policies which, for example, serve to concentrate development in close proximity to urban and employment centers may be more protective, overall, than specific wildlife habitat and other similar resource policies.*

Complete mitigation for direct and indirect impacts of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension on wetland, riparian and ESHA resources would be required under the development standards of the proposed TCWO. However, despite mitigation to ameliorate physical project impacts on these resources, conflicts with City and Coastal Act policies remain. Such conflicts must be weighed against benefits delivered by the project, according to the conflict resolution provisions of this Coastal Act policy. In the case of the Linden - Casitas Interchanges project, conflicts with wetland and agriculture protection policies are balanced against policies that address coastal public access and recreation opportunities.

The proposed LCP Amendments include the addition of Carpinteria Open Space, Recreation & Conservation Element, Objective OSC-15e, as follows:

OSC-15e. *In order to achieve a regionally important improvement to alternative transportation modes for the purpose of increasing access to coastal resources for all members of the public, the following projects: 1) Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements; and 2) South Coast High Occupancy Vehicle (HOV) Lanes shall include the construction of the following bike path / trail segments:*

- a. Coast Route Bike Path (Santa Claus Lane to Carpinteria Avenue) - a Class I Bike Path from the eastern terminus of Santa Claus Lane to the western terminus of Carpinteria Avenue. Development of this path will close an existing gap in the coastal bike trail through Santa Barbara County. The Coast Route Bike Path shall be completed no later than the completion of the adjacent phase of construction for the South Coast HOV Lanes. The opening of this path to the public will be contingent on the development of a permanent maintenance plan.
- b. Rincon Coastal Trail (From SR 150/Carpinteria Avenue to Rincon County Park) - a Class I Bike Path/trail from the eastern terminus of Carpinteria Avenue (at State Route 150) to Rincon County Park. Construction of this path will close a Coastal Trail gap between Carpinteria Avenue and the new Class I trail along US 101 which has a northern terminus at Bates Road. The Rincon Coastal Trail shall be completed no later than the completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension construction. The opening of this trail to the public will be contingent on the development of a permanent maintenance plan.

The completion of these two bike path projects would close existing gaps in a regionally significant bike system that also functions as a coastal recreation opportunity. Note the Rincon Coastal Trail is required to be constructed prior to completion of the Linden - Casitas Interchanges project. Following construction of this trail segment, cyclists would be able to ride between the City of

Carpinteria and the City of Ventura, enjoying views to the ocean nearly the entire length. The regional bike system would also provide important linkages to the Carpinteria bikeway system.

Community Design Element

Objective CD-3: *The design of the community should be consistent with the desire to protect views of the mountains and the sea.*

The project proposed would have very limited potential to affect mountain and sea views. The replacement of overcrossings at Linden Avenue and Casitas Pass Road involves larger structures with slightly higher elevations than the existing overcrossings, but the increased width and height of the structures would not materially reduce available views of mountains and the sea for travelers on US 101. Views of the mountains and sea for travelers crossing the new overcrossings would be marginally enhanced, due to the slightly higher elevation of these vantage points, compared to existing overcrossings, and the undergrounding of existing overhead utility lines. Soundwalls included in the proposal could marginally reduce visual access to mountain and sea views, but not to a substantial degree compared to existing conditions in the project area.

Policy CD-9e. *Major streets should be designed and planted to preserve views of the ocean to the south and hills to the north.*

The Via Real extension is proposed to match the elevation of the adjacent segment of US 101, and therefore travelers along either Via Real or US 101 should not experience blockage of existing views of the ocean to the south or the foothills to the north. The landscaping along the outside edge of the right-of-way for Via Real has also been selected carefully to avoid new view blockage. The proposed Plant List and Planting Plan indicate that landscaping consisting of regularly spaced specimen trees and low-growing groundcover and shrubs that would not have the potential to create view blockage. The final landscape plan will be reviewed by the ARB to ensure consistency with this policy.

Downtown Sub-Area Design Objectives and Policies

The downtown sub-area includes Linden and Carpinteria Avenues, to which the Linden Avenue overcrossing replacement would extend.

Objective CDS2A-1: *Preserve and strengthen the visual and physical connections between the downtown and the beach, mountains, and other neighborhoods.*

The design of the Linden Avenue overcrossing is intended to extend key aesthetic elements of the Linden Avenue downtown corridor over the freeway to provide a strong visual link for Linden Avenue travelers to the neighborhoods north of US 101. Sidewalk width is carried forward from Linden Avenue south of Carpinteria Avenue onto the overcrossing. Light standards matching those on Linden Avenue in the downtown are proposed on the overcrossing. Landscape plantings along the sidewalks provide aesthetic enhancement to the overcrossing corridor, and also strengthen visual ties to landscaping in the downtown.

Policy CDS2A-c. *Encourage the gradual but systematic transformation of Carpinteria Avenue from a highway commercial strip to an integrated downtown street similar in character to Linden Avenue.*

A primary objective of the proposed Via Real extension is to provide a continuous frontage road on the north side of US 101 to enhance circulation through the neighborhoods on this side of the freeway and to reduce the volume of traffic using Carpinteria Avenue through the City. A frontage

road on the north side of US 101 supports this policy to change Carpinteria Avenue from a highway commercial strip to an integrated part of the downtown.

Northeast Sub-Area Design Objectives and Policies

The northeast sub-area is bordered on the south by US Highway 101, and includes the Casitas Pass Road overcrossing.

Objective CDS4-1: *Strengthen the visual and physical connections between the subarea, the downtown and other neighborhoods and districts in the city.*

Policy CDS4-a. *Ensure that new development is sensitive to the scale and character of the existing neighborhoods, and consistent with the city's "small beach town" image.*

The Casitas Pass Road overcrossing extends key aesthetic elements of the Casitas Pass Road corridor over the freeway to provide a visual link for Casitas Pass Road travelers to the neighborhoods north of US 101. Sidewalk width is carried forward from Casitas Pass Road north of Carpinteria Avenue onto the overcrossing. The same light standards from Casitas Pass Road are also proposed on the overcrossing. Extensive landscape plantings in the center median provide substantial aesthetic enhancement to the overcrossing and US 101 corridor, and also strengthen visual ties to landscaping along Casitas Pass Road north of Carpinteria Avenue. Further, through the review process, design changes to the overcrossings to reduce the number of lanes (and therefore the width of the structures), reduce the height of the bridge structures, use color, texture and landscaping compatible with existing development in the City also contributed to addressing the scale and character of the new development.

Implementation Policy 49. *The frontage street along the north side of the freeway should be improved with a wall and rows of trees on both sides. This will help to buffer the neighborhood from freeway noise and visual impacts.*

The Via Real extension is proposed to include a soundwall between the freeway and Via Real between Casitas Pass Road and Vallecito Road. The proposed Plant List and Planting Plan indicate that the Via Real extension would be extensively landscaped to include regularly spaced specimen trees and low-growing groundcover and shrubs.

Safety Element

Policy S-1c. *Development in areas identified as having high seismically induced liquefaction potential shall follow structural engineering foundation design parameters outlined in the Uniform Building Code or obtained through an independent structural engineering study.*

Implementation Policy 2. *Site specific geotechnical studies are required to more accurately determine the potential for liquefaction. These studies shall be performed prior to new construction and for the retrofit of critical facilities. The studies should include site-specific depth to groundwater and soil composition. Areas having liquefiable sediments should be identified, and structures should be designed to withstand liquefaction.*

Policy S-3b. *All new development will comply with the Uniform Building Code, local City building ordinances, and geotechnical recommendations related to construction in areas identified as having a high potential for expansive soils or soil settlement.*

The Caltrans Office of Geotechnical Design completed a geotechnical investigation of the entire project area. The report indicates high liquefaction potential and moderate expansive soil potential.

The geotechnical report contains specifications for project design and implementation to avoid impacts from these geotechnical constraints. The geotechnical report meets the intent of the above policy; a condition of approval requires adherence to the recommendations in the geotechnical report.

Policy S-4a. *All new development proposed in the 100-year floodplain must adhere to the County of Santa Barbara Floodplain Management Ordinance, Chapter 15-A of the County Code.*

Policy S-4b. *The development of critical facilities within the 100-year floodplain should be discouraged.*

The replacement of the US 101 bridges over Carpinteria Creek would move the support structures out of the 100-year floodway, eliminating the break-out of flood waters along the northern shoulder of US 101. The Via Real bridge abutments would be placed outside the 100-year floodway for Carpinteria Creek as well. With these features, the project complies with the Floodplain Management Ordinance.

Noise Element

Objective N-1: *The City will minimize noise impacts of Highway 101 traffic on residential and other sensitive land uses.*

Policy N-1b. *The City will cooperate with Caltrans to landscape or install mitigation elements along Highway 101 adjacent to residential or noise sensitive uses to reduce noise impacts. Any noise attenuation features should adhere to relevant policies in the city's Community Design Element.*

Soundwalls are neither proposed nor necessary in relation to the replacement overcrossings. Traffic-related noise from operation of the replacement overcrossings would not be anticipated to generate noise exceeding the exterior noise exposure criterion for adjacent noise-sensitive land uses. The Via Real extension includes a soundwall proposal along the north side of the US 101 right-of-way (along the south side of Via Real) between Casitas Pass Road and Vallecito Road to protect the Vallecito neighborhood. A soundwall will also be installed along the northbound shoulder of US 101 between Linden Avenue and the Franklin Creek Bridge to protect residents on Nipomo Drive from increased noise levels associated with the realignment of the Linden Avenue northbound onramp. Additionally, the installation of this soundwall will commence in the early stages of project construction.

Policy N-1c. *The City will work with local and regional transit agencies and businesses to provide public transit services that reduce traffic and minimize traffic's contribution to the noise environment.*

The extension of Via Real as a continuous frontage road along the north side of US 101 would increase the feasibility for MTD to provide bus service for neighborhoods on the north side of US 101. Increased bus ridership should reduce vehicle volumes, and also traffic noise levels.

Policy N-5b. *The City will require that construction activities adjacent to sensitive noise receptors be limited as necessary to prevent adverse noise impacts.*

Policy N-5c. *The City will require that construction activities employ techniques that minimize the noise impacts on adjacent uses.*

Sporadic disruptive construction noise may adversely affect adjacent residents. The EIR requires mitigation measures, adopted as conditions of approval, including use of equipment noise control (newer, quieter equipment with noise abatement measures such as mufflers, engine covers and vibration isolators), administrative measures (schedule construction activities to minimize noise effects during nighttime and weekend hours; locate stationary construction operations to be least

disruptive); barriers (use temporary wooden barriers if nighttime construction activities occur); and notification (advance notice of construction schedule and identified contact for complaint resolution).

FINANCIAL CONSIDERATIONS

Costs associated with processing the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension project are charged to the applicant (Caltrans). The City would take possession of Via Real and the balance of the former Whitney parcel upon completion of project construction, and would be responsible for maintenance of these properties and improvements. Ongoing agriculture and education uses on the former Whitney parcel are envisioned to be funded through establishment of a community garden plot leasing program or community garden participation fee. Maintenance of the new segments of Via Real would be anticipated to be included in the City general fund, road maintenance budget.

LEGAL

City Council action on Project 09-1522-CUP/CDP is conceptual until the companion Local Coastal Program Amendments package is certified by the California Coastal Commission. The project permits will be returned to a noticed public hearing for final action after the LCP Amendments are effective.

OPTIONS

1. Conceptually approve Project 09-1522-CUP/CDP to grant a Conditional Use Permit and Coastal Development Permit for the construction and operation of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension and adopt the Findings in Attachment 1, Exhibit A and Draft Conditions of Approval as proposed in Attachment 1, Exhibit C. (staff's recommendation)
2. Direct the applicant to prepare project revisions and return to the next Council meeting.
3. Conceptually deny the project as proposed. Direct staff to return with findings for denial to the Council's next meeting.

PRINCIPAL PARTIES EXPECTED AT MEETING

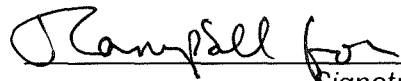
David Beard, Project Manager/Representative for Caltrans (Applicant)
Lara Bertaina, Environmental Lead for Caltrans (Applicant)
Fred Luna, Project Manager/Representative for SBCAG (Funding Coordinator)
Gregg Hart, Representative for SBCAG (Funding Coordinator)

ATTACHMENTS

Attachment 1 City Council Resolution No. 5625
Exhibit A – Findings
Exhibit B – Project Engineering Plans and Design Renderings
Exhibit C – Conditions of Approval
Exhibit D – Final EIR Chapter 3 (CEQA Analysis) and Appendix D (Mitigation Summary)
Exhibit E – Caltrans EIR Addendum, Linden Avenue and Casitas Pass Road Interchanges

Attachment 2 Action Minutes from April 11 and May 16, 2013 ARB Meetings

Staff Contact: Jonathan Leech, Contract Planner
(805) 963-0651 x3527


Signature

Staff Contact: Jackie Campbell, Community Development Director


Signature

Reviewed by: Dave Durflinger, City Manager


Signature

ATTACHMENT 1

**City Council
Resolution No. 5625**

June 22, 2015

RESOLUTION NO. 5625

A RESOLUTION OF THE CITY OF CARPINTERIA CITY COUNCIL CONCEPTUALLY APPROVING CONDITIONAL USE PERMIT AND COASTAL DEVELOPMENT PERMIT NO. 09-1522-CUP/CDP TO ALLOW CALTRANS TO CONSTRUCT THE LINDEN AVENUE AND CASITAS PASS ROAD INTERCHANGES AND VIA REAL IMPROVEMENTS

WHEREAS, the Carpinteria City Council has considered an application for a Conditional Use Permit and Coastal Development Permit filed by Caltrans on July 28, 2009 to allow the construction of replacements for both the Linden Avenue and Casitas Pass Road US 101 overcrossings, reconfiguration of the northbound on- and offramps at Casitas Pass Road, extension of the northbound Linden Avenue onramp and southbound offramp, replacement of the US 101 freeway bridges over Carpinteria Creek, extension of Via Real to Casitas Pass Road and to Linden Avenue, and construction of four soundwalls along US 101 (the Project); and

WHEREAS, the application was subsequently deemed complete and accepted by the City as being consistent with the applicable submittal requirements on March 26, 2015; and

WHEREAS, the City Council has conducted a hearing and received evidence in favor of the application for the Conditional Use Permit and Coastal Development Permit; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA), the Community Development Director has provided public notice of the intent of the City to accept the Final EIR and Addendum prepared for the Project by the California Department of Transportation (Caltrans), the City has reviewed the environmental impacts of the Project in accord with CEQA (Public Resources Code §§ 21000, *et seq.*) and the regulations promulgated thereunder (14 Cal. Code of Regulations §§ 15000, *et seq.*, the "CEQA Guidelines"), and the City Council has considered the proposed Final EIR and Addendum, together with any comments received during the public review process; and

WHEREAS, the City Council has reviewed the policies of the General Plan/Coastal Plan and the Zoning Code standards that are relevant to the Project.

NOW THEREFORE, THE CITY COUNCIL HEREBY RESOLVES AS FOLLOWS:

1. The Conditional Use Permit and Coastal Development Permit are conceptually approved by the City Council, subject to the Council making the Findings outlined in Attachment A.
2. The Conditional Use Permit and Coastal Development Permit for the Project shown in Attachment B are conceptually approved subject to the conditions set forth in Attachment C.

PASSED, APPROVED AND ADOPTED this 22nd day of June 2015, by the following called vote:

AYES: COUNCILMEMBERS:

NOES: COUNCILMEMBER(S):

ABSENT: COUNCILMEMBER(S):

Gregg A. Carty, Mayor
City of Carpinteria

ATTEST:

City Clerk, City of Carpinteria

I hereby certify that the foregoing Resolution was duly and regularly introduced and adopted at a regular meeting of the City Council of the City of Carpinteria held the 22nd day of June 2015.

City Clerk, City of Carpinteria

APPROVED AS TO FORM:

Peter N. Brown, on behalf of
Brownstein Hyatt Farber Schreck, LLP
acting as City Attorney of the City of Carpinteria

ATTACHMENT 1

**City Council
Resolution No. 5625**

Exhibit A - Findings

June 22, 2015

EXHIBIT A: FINDINGS

CITY COUNCIL HEARING PROJECT 09-1522-CUP/CDP LINDEN AVENUE AND CASITAS PASS ROAD INTERCHANGES AND VIA REAL IMPROVEMENTS June 22, 2015

1.0 Administrative Findings

The City Council hereby incorporates by reference as though set forth in full all Community Development Department staff reports and attachments hereto presented to the City Council and all comments made or received either orally or in writing at the public hearings on this project.

1.1 Procedures

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the process for public review of the subject Local Coastal Development Permit has been properly conducted as follows:

- a. An application for a Conditional Use Permit and Coastal Development Permit was submitted on July 28, 2009, and deemed complete and accepted by the City as being consistent with the applicable submittal requirements on March 26, 2015. Said application and all related material have been available for public review at City offices since the date of submittal.

In order to accommodate the project, the City has proposed a Local Coastal Program Amendment, Project 09-1522-LCPA, to create the Transportation Corridor Wetland Overlay and the Whitney Site Agriculture Overlay Districts in the Carpinteria Zoning Code and add text amendments to the Coastal Land Use Plan and modify the Land Use Map for the Whitney Site (APN 001-070-012). The application has been evaluated and found to conform to the applicable zone districts; upon ultimate approval of the LCP Amendments by the Coastal Commission, the project could be found consistent with the City's Local Coastal Program Land Use Plan, the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.

- b. The project, including the Environmental Impact Report and Addendum, has been reviewed by the City Council at a duly noticed public hearing which included, but is not limited to, mailed notice to all property owners within 300 feet and all occupants within 100 feet of the project right-of-way and publication in the local newspaper, the Coastal View News.

1.2 California Environmental Quality Act

California Environmental Quality Act (CEQA) findings pursuant to CEQA (California Public Resources Code Sections 21081, 21081.6) and State CEQA Guidelines (California Code of Regulations Sections 15091, 15096, 15097, 15162, 15164):

The City Council has considered the Caltrans Certified Final EIR/FONSI dated July 2010 and the EIR/FONSI Addendum dated March 26, 2015. The EIR and Addendum were prepared in accordance with the provisions of the State CEQA Guidelines. The Certified EIR/FONSI and Addendum constitute adequate CEQA environmental documentation for the project (09-1522-CUP/CDP).

The location and custodian of file documents which constitute the record of proceedings upon which the project decision is based is the City of Carpinteria Community Development Department, 5775 Carpinteria Avenue, Carpinteria, California. The California Department of Transportation (Caltrans) District 5 is located at 50 Higuera Street, San Luis Obispo, California and is the Lead Agency and custodian of documents for the CEQA environmental document (EIR/FONSI State Clearinghouse Number 2008041158).

A mitigation monitoring and reporting program for the project has been made a condition of project approval and is hereby adopted. Mitigation measures have been made enforceable through incorporation into the project description, conditions of Caltrans project approval, agency agreements, or conditions of Conditional Use Permit/Coastal Development Permit approval.

As described below, the EIR identifies several areas of insignificant impact consistent with Public Resources Code §21100 and State CEQA Guidelines §15128. The EIR also identifies areas where the project's environmental impact is considered potentially significant but mitigable consistent with State CEQA Guidelines §15091(a)(1).

Design features incorporated as part of the project description and mitigation measures applied as conditions of project approval would result in the avoidance or reduction of environmental impacts to insignificant levels. The City Council's approval of the project is conditioned upon the inclusion of these measures.

These findings are supported by substantial evidence in the record, including the Certified Final EIR/FONSI dated July 2010 and the EIR/FONSI Addendum dated March 26, 2015, and associated appendix materials. These impacts and the relevant mitigation measures are discussed below, along with the appropriate findings under State CEQA Guidelines §15091.

a. Land Use, Socioeconomics and Housing: The EIR identified land use effects of the project to be less than significant with respect to loss of open space, housing resources, effects on pedestrian, bicycle and transit facilities, environmental justice effects, growth inducement, and effects on economic growth. Caltrans identified a minimization approach to land use effects, including designing ramp geometrics which meet minimum design standards, and aligning the Via Real extension as close to US 101 as possible.

All land use, socioeconomic and housing impacts of the proposal would remain insignificant with no mitigation required.

b. Parks and Recreation: The proposal includes improvement to local bike circulation via the addition of bike lanes in both directions for the Linden Avenue and Casitas Pass Road overcrossings and along Via Real, as well as the reconfiguration of the bike path along Carpinteria Creek to make it all-weather accessible. These bike lane segments would intermittently be inaccessible during project construction. Mitigation includes advance notice of access restrictions or bike facility closures to affected stakeholders. Vehicle access to Carpinteria Creek would be interrupted at certain times during the construction of the Casitas Pass Road US 101 northbound ramps and Via Real. A project condition of approval requires temporary parking to be provided proximate to the park, with pedestrian access to the park, at times when vehicular access to the park is unavailable during project construction. Potentially significant short-term project impacts to recreation (bike circulation and Carpinteria Creek Park) would be reduced to less than significant levels with implementation of mitigation measures and other requirements applied as conditions of project approval.

c. Farmland: Approximately five acres of land designated agriculture and currently planted with avocado orchard would be converted to transportation use with the placement of project improvements including via real and Casitas Pass Road US 101 northbound ramps. In order to directly offset the loss of five acres of agriculture, the applicant shall provide funding for the Agriculture Preservation Program in the amount of \$485,422 to the City of Carpinteria to be placed in an escrow account and distributed for the implementation of the Program. The applicant shall also transfer to the City, as a single legal parcel, the remaining portion of the former Whitney property not developed with transportation improvements. A permanent agriculture easement shall be placed on the property at the time of transfer to the City. Potentially significant project impacts to agricultural resources would be reduced to less than significant levels with implementation of mitigation measures and other requirements applied as conditions of project approval.

d. Utilities: The construction of the Linden Avenue and Casitas Pass Road overcrossings, US 101 bridges over Carpinteria Creek and Via Real will require the relocation of existing utilities owned by parties other than Caltrans. Early coordination and communication between Caltrans and the utility provider(s) has occurred to avoid disruption of services or construction delays. Less than significant short-term project impacts upon utility systems would be minimized with implementation of mitigation measures applied as conditions of project.

e. Circulation and Traffic: The project would benefit long-term capacity, circulation, and safety for the Linden Avenue and Casitas Pass Road overcrossings and interchanges and Via Real, as well as enhancing opportunities for alternate transportation modes. Improvements to pedestrian and bicycle facilities would also benefit long-term circulation and traffic. During the multi-year phased project construction process, one lane of travel in each direction would be maintained for the overcrossings. Periodic ramp closures and detours would be instituted at various locations and time periods during construction, resulting in temporary adverse but less than significant traffic impacts. Construction traffic management measures to minimize temporary construction effects have been incorporated in the project description and applied as conditions of approval, including

public awareness / driver information measures (website, mailings, speakers bureau, public service announcements in the media, roadway signs, telephone information line), operations strategies (management plan evaluation and adjustment, freeway surveillance, reduced speeds through construction zones, alternate route strategies, temporary traffic management equipment, roadway signs, California Highway Patrol presence and enforcement; tow service for incident response, construction staging, parking and traffic route management), and alternative transportation modes and transportation demand management measures (bus, rail, rideshare subsidies and marketing, employer based incentives for telecommuting, alternate work hours and alternative travel modes). Less than significant short-term impacts to traffic would be minimized with implementation of mitigation measures applied as conditions of approval.

f. Visual Resources: The project would result in minimal blockage of coastal or mountain views due to replacement of the existing Linden Avenue and Casitas Pass Road overcrossings with wider and slightly higher elevations, and the construction of several soundwalls. The development would result in the loss of existing vegetation around the overcrossings, a potentially significant impact. With replanting proposed as part of the project and reviewed by the ARB, the impact would be reduced to an adverse but less than significant level. With the architectural design for the overcrossings, bridges, retaining walls, railings and lighting standards, as reviewed by the ARB, architectural design would not result in a significant visual impact. Temporary reduction in visual quality of the area would occur during construction and until vegetation matures (estimated three to five years), an adverse but less than significant impact. Impacts on visual and aesthetic resources would therefore be reduced to less than significant with implementation of mitigation measures applied as conditions of approval.

g. Cultural Resources: Archaeological resources are not anticipated to be present in the project Area of Potential Affect (APE). However, if cultural materials are discovered, all earth-moving activity within and around the discovery would be diverted until a qualified archaeologist could assess the nature and significance of the find. Potentially significant impacts to archaeological resources would be reduced to less than significant with implementation of mitigation measures applied as conditions of approval.

h. Hydrology and Water Quality: The project would increase impervious surface, thereby increasing the amount and volume of stormwater runoff and potential downstream erosion. Project drainage design would accommodate increased flow making project-specific and cumulative hydrological impacts less than significant. Long-term water quality effects (project-specific and cumulative) from increased discharge of urban pollutants and sediment to Carpinteria Creek would be reduced to less than significant levels with mitigation measures applied as conditions of approval in the Regional Water Quality Control Board (RWQCB) permitting process, including pollution prevention best management practices (i.e., preservation of existing vegetation, concentrated flow conveyance systems and slope surface protection systems) and treatment control best management practices (i.e., bio-filtration strips and swales). Temporary construction impacts to drainage and water quality would be reduced to less than significant levels with BMPs applied as conditions of project approval, including temporary sediment control, temporary soil stabilization, temporary concentrated flow conveyance systems, scheduling to avoid the rainy season whenever possible, preservation of vegetation, clear water diversion, dewatering operations, wind erosion control, sediment tracking control, solid waste management, materials handling,

concrete waste management, vehicle and equipment operations, paving operations, stockpile management, water conservation practices, illegal discharge detection and reporting, storm drain inlet protection and contaminated soil management.

i. Paleontology: The project is underlain by quaternary alluvium which has a very low potential to contain fossil resources. Consequently, impacts on paleontology resources would be less than significant and mitigation is not required or recommended.

j. Hazardous Materials and Waste: The potential exists for contaminated soil to be encountered during excavation for overcrossing and bridge foundations, and with construction of Via Real. The EIR identifies this as a potentially significant impact, and requires that any contaminated soil be transferred to an appropriate disposal site during construction. All procedures governing the handling or disposal of hazardous waste shall be in accordance with the appropriate regulatory agencies. Potential project impacts associated with soil contamination would be mitigated to less than significant levels through measures applied as conditions of approval.

k. Air Quality: No significant long-term air quality impacts (project-specific impacts or project contribution to cumulative impacts) would result from project development, and project circulation improvements would have a slight beneficial effect on long-term air quality via encouragement of reduction in congestion levels on the local roadway network, and encouragement of alternative transportation modes. Temporary construction dust effects would be mitigated to less than significant levels by application of standard Air Pollution Control District measures required as conditions of approval, including daily watering of exposed soils and stockpiles, stabilization of disturbed soil areas, covered truck transport, reduced construction vehicle speeds on unpaved surfaces, dust control monitoring and reporting, and complaint resolution procedures. Temporary construction exhaust emissions effects would also be mitigated to less than significant levels by application of standard Air Pollution Control District and measures including use of heavy-duty diesel-powered equipment with manufacture date not older than 1996, idling of heavy-duty equipment not longer than five minutes at any location, maintenance of construction equipment in tune per manufacturer specifications, incorporation of diesel catalytic converters, diesel oxidation catalysts, and diesel particulate filters and use of CARB approved on-road diesel fuel (when locally available).

l. Noise and Vibration: Predicted noise levels will increase between two and seven decibels as a result of the project. Four soundwalls are included in the project design to mitigate noise impacts. Long-term vibration effects to adjacent land uses due to passing heavy trucks and buses would be less than significant; it is recommended these be minimized with application of measures to provide smooth surfacing and use of lower-noise surfacing materials. Sporadic disruptive construction noise would occur temporarily during construction, an adverse but less than significant effect to adjacent residents with the application of mitigation measures as conditions of approval including use of equipment noise control (newer, quieter equipment with noise abatement measures such as mufflers, engine covers and vibration isolators), administrative measures (schedule construction activities to minimize noise effects during nighttime and weekend hours; locate stationary construction operations to be least disruptive); barriers (use temporary wooden barriers if nighttime construction activities occur); and notification (advance notice of construction schedule and identified contact for

complaints resolution). Potential noise impacts of the project would be mitigated to less than significant levels through measures applied as conditions of approval.

m. Wetlands: Project components would encroach into wetland and wetland buffer area, resulting in a potentially significant impact. The EIR requires mitigation for permanent impacts to wetland at a 3:1 ratio (i.e., three acres of wetland restored for every one acre of wetland lost). Because encroachment into wetland would be in conflict with policies of the Carpinteria Local Coastal Land Use Plan and the California Coastal Act, LCP Amendments (LCPA) have been proposed. The LCP Amendments include a proposed Transportation Corridor Wetland Overlay District with specific development standards dictating mitigation for wetland and wetland buffer impacts (Development Standard #3). As a condition of approval to ensure compliance with TCWO development standards, direct impacts shall be mitigated at a ratio of 4:1 for natural wetland areas, including salt marsh and wetlands associated with creeks. Indirect impacts to riparian habitats shall be mitigated at a ratio of 3:1. Direct impacts to created wetlands (low functioning wetlands associated with highway infrastructure) shall be mitigated at a ratio of 3:1. Indirect impacts to wetlands, such as development in wetland buffer areas, shall be mitigated by enhancing (e.g., invasive species removal, native screening vegetation, planting appropriate native species, water quality improvement, sound reduction) all portions of the remaining (undeveloped) wetland buffer area within 100 feet of the impacted wetland. Temporary direct and indirect impacts to wetlands and riparian habitat shall be mitigated at a ratio of 1:1. Potential project impacts associated with wetland resources would be mitigated to less than significant levels through mitigation measures and other requirements applied as conditions of approval.

n. Biological Resources: Focused botanical and wildlife surveys were conducted for the project on several occasions. Potentially significant impacts on biological resources include temporary impacts and loss of nesting habitat for two to three seasons for migratory birds; eucalyptus trees used by red-tailed hawks for nesting are currently proposed for removal and nests may exist under bridges at the time construction is intended. Temporary impacts to steelhead trout and tidewater goby will occur due to creek diversion activities. Removal of the concrete low-flow bike/pedestrian crossing will benefit both species by removing a barrier to fish passage in Carpinteria Creek. Mitigation measures include exclusion of bird nesting activities under bridges leading up to the proposed construction activity; pre-construction nesting bird surveys adjacent to individual project components; pre-construction survey for western pond turtle and two-striped garter snake, with relocation of any individuals present, prior to construction activities in Carpinteria Creek; construction within Carpinteria Creek only during low flow periods; installation and maintenance of exclusion fencing along the boundary of any ESHA adjacent to a work area; restoration for impacts to ESHA; and biological monitoring provided during construction. Potential project impacts associated with biological resources would be mitigated to less than significant levels through mitigation measures and other requirements applied as conditions of approval.

1.3 Conditional Use Permit

1. *The site for the proposed use is adequate in size and shape to accommodate the use.*

The Linden Avenue and Casitas Pass Road overcrossings and US 101 bridges over Carpinteria Creek would fit entirely within the existing Caltrans right-of-way for US 101. Via Real would be developed within roadway easements belonging to the City of Carpinteria, except within the former Whitney property. Caltrans will acquire the Whitney property in order to accommodate development of the Casitas Pass Road US 101 northbound ramps and Via Real; the balance of the parcel will be transferred to the City of Carpinteria with a permanent agriculture conservation easement as part of an agriculture preservation program to offset the direct loss of agriculture from project implementation.

2. *The site for the proposed use is served by streets and highways that are properly designed to carry the type and quantity of traffic generated by the subject use.*

This project is designed to increase capacity of the Linden Avenue and Casitas Pass Road interchanges, including ramp operations and travel lane capacity for the overcrossings. The additional design capacity is in direct response to existing congestion and poor operating levels, which would be exacerbated in the future by regional traffic volume increases in the absence of the proposed project.

3. *The granting of the permit will not materially adversely affect such necessary community services as sewage disposal, fire protection, water supply and police protection.*

A copy of the project application and plans were routed to all applicable agencies and special districts for review and comments. All of these agencies have indicated the project would not have adverse effects upon their ability to serve the population of Carpinteria. The project would improve traffic flow and reduce vehicle congestion to reduce emergency response times, providing a benefit to community safety. The project would not generate wastewater needing treatment, and would not generate an increase in demand for fire or police protection services. A negligible amount of water would be required to establish the new landscape plantings.

4. *The granting of the permit will not be detrimental to the health, safety and general welfare of the neighborhood.*

The Final EIR/FONSI and Addendum analyze potentially significant impacts associated with the project and identify appropriate mitigation measures to ensure that all impacts are mitigated to a less than significant level. Mitigation measures were identified for the following issue areas: Parks and Recreation, Traffic and Transportation, Visual and Aesthetics, Cultural Resources, Storm Water Quality, Hazardous Materials/ Wastes, Air Quality, Noise and Vibration and Biology. The mitigation measures incorporated into the project via the Final EIR/FONSI and Addendum and the project restrictions imposed via conditions of approval ensure that granting the permit will not be detrimental to the health, safety and welfare of the neighborhoods located immediately adjacent to project components.

5. *The proposed use is consistent with the Coastal Plan, General Plans and applicable Specific Plan(s).*

As discussed in the General Plan/Coastal Plan policy analysis section of the Staff Report dated June 22, 2015 and herein incorporated by reference, the project would be consistent with the various applicable policies from the Community Design, Circulation, Recreation, Safety, Noise, and Public Facilities and Services Elements. The proposed project would conflict with existing policies in the Land Use and Open Space Conservation Elements, due to encroachment of project components into designated agricultural land and wetland areas. As such, the City has proposed Local Coastal Program Amendments, Project 09-1522-LCPA, to create the Transportation Corridor Wetland Overlay and the Whitney Site Agriculture Overlay Districts; upon ultimate approval of the LCP Amendments by the Coastal Commission, the project could be found consistent with the City's Local Coastal Program (including the Coastal Land Use Plan), the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.

6. *The proposed use will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.*

The Final EIR/FONSI identified potentially significant impacts on wetland resources, ESHA and special status wildlife species. The Final EIR/FONSI and Addendum contain mitigation measures to reduce all environmental impacts of the proposal to less than significant levels; pertinent mitigation measures from the EIR/FONSI and Addendum have been incorporated as project conditions of approval.

7. *The proposed development will not conflict with recorded easements acquired by the public at large for access through or use of the property within the proposed development or any easements granted to any public agency or required as a condition of approval.*

The proposed project includes the addition of sidewalk and bike lanes in both travel directions for the overcrossing structure; extension of Via Real to achieve a continuous frontage road along the north side of US 101, including sidewalk and bike lanes; and the reconfiguration of the Carpinteria Creek bike path. The project also includes permanent dedication of approximately four acres of the former Whitney property for ongoing orchard use, community garden and agriculture education purposes. In this regard, the project enhances public access between areas north and south of US 101 and to the remainder of the Whitney property.

8. *Any other conditions which are reasonably necessary to protect the public peace, health, safety and general welfare.*

Through the environmental review process, a number of mitigation measures have been developed in order to avoid any significant impacts to the environment. All of the mitigation measures are identified in the Final EIR/FONSI and Addendum have been included in the conditions of approval.

1.4 Coastal Development Permit Finding

Pursuant to the California Coastal Act, the Administrative Regulations of the California Coastal Commission and the City's Local Coastal Program, it has been found that the permit requested may be issued based on the following finding.

1. *The proposed development is in conformity with the City's certified Local Coastal Program.*

The Caltrans right-of-way is designated Transportation Corridor (TC) in the General Plan/Coastal Plan and is undesignated with respect to zoning. The portion of the Whitney property proposed for the Casitas Pass Road US 101 northbound ramps and Via Real extension is designated agriculture (AG); however, a redesignation of this portion of the Whitney property to TC is proposed, along with removal of the current agriculture zoning (AG-5) on the portion of the Whitney site that is proposed to accommodate the roadway improvements. The proposed use is consistent with the stipulations outlined for this land use designation as it involves improvements to US 101 interchanges. A Conditional Use Permit and Coastal Development Permit are required for this major transportation facility. The project can meet all of the required findings for approval of the required CUP (discussed above) and CDP. The proposed project would conflict with existing policies in the General Plan/Coastal Plan Land Use and Open Space Conservation Elements, due to encroachment of project components into designated agricultural land and wetland areas. As such, the City has proposed Local Coastal Program Amendments to create the Transportation Corridor Wetland Overlay District and the Whitney Site Agriculture Overlay District; upon ultimate approval of the LCP Amendments by the Coastal Commission, the project could be found consistent with the City's Local Coastal Program (Zoning Code, Coastal Land Use Plan and Land Use Map), the Interpretive Guidelines of the Coastal Commission and the California Coastal Act.

ATTACHMENT 1

**City Council
Resolution No. 5625**

Exhibit B – Project Engineering Plans and Design Renderings

June 22, 2015

LEGEND

- | | |
|--|---|
|  Caltrans Right of Way |  Proposed Structure |
|  Proposed Soundwall |  Contrasting Paving |
|  Proposed Retaining Wall |  Proposed Mitigation and Habitat Enhancement Planting Areas |
|  Proposed Concrete Median Barrier |  Proposed Landscaped Area (may include mitigation plantings) |
|  Proposed Roadway | |



LINDEN CASITAS

Project Overview





Linden Avenue Overcrossing - Northbound Perspective

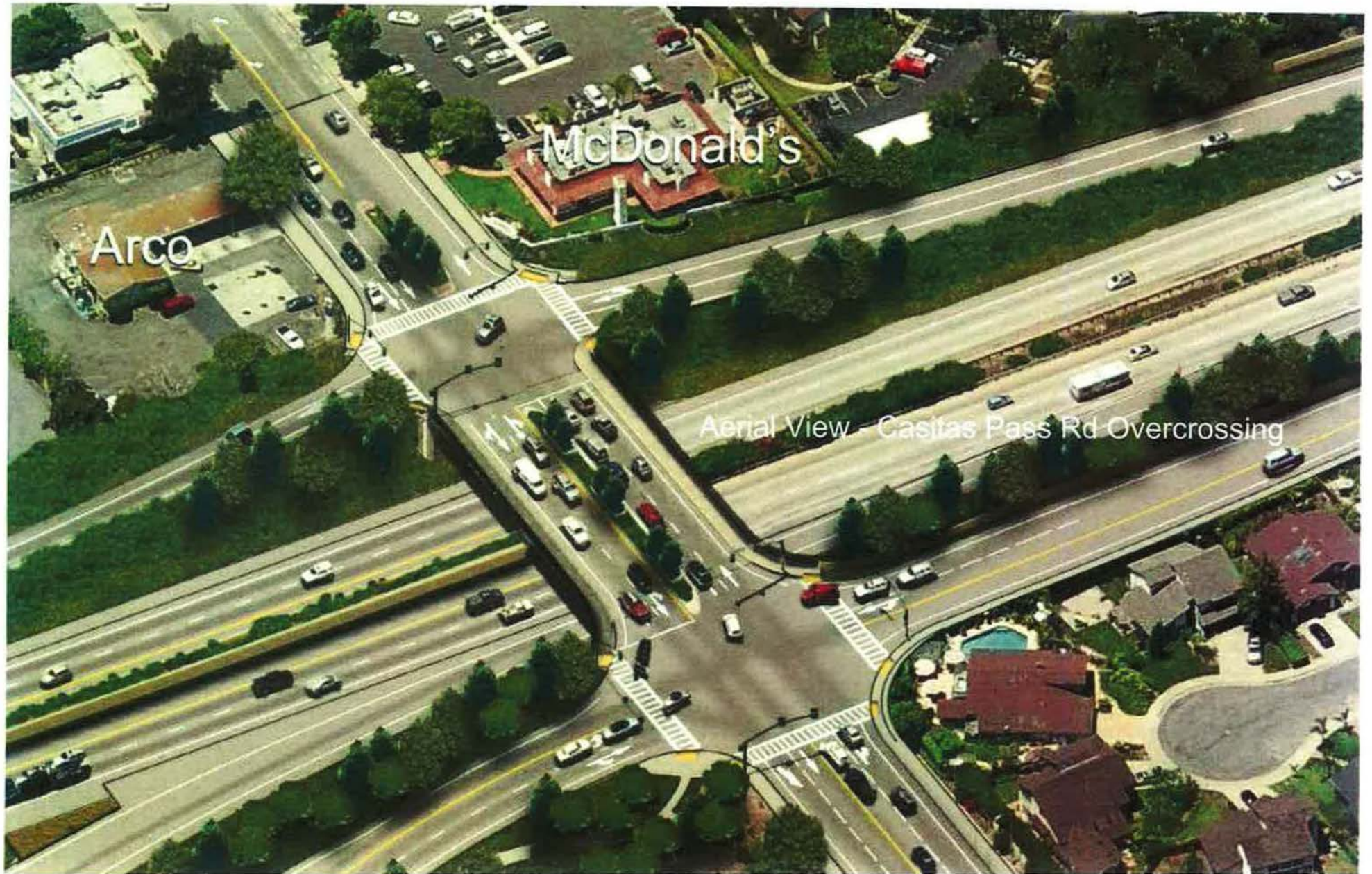


Casitas Pass Road Overcrossing - Northbound US 101 Perspective



Casitas Pass Road - Northbound Traveler Perspective



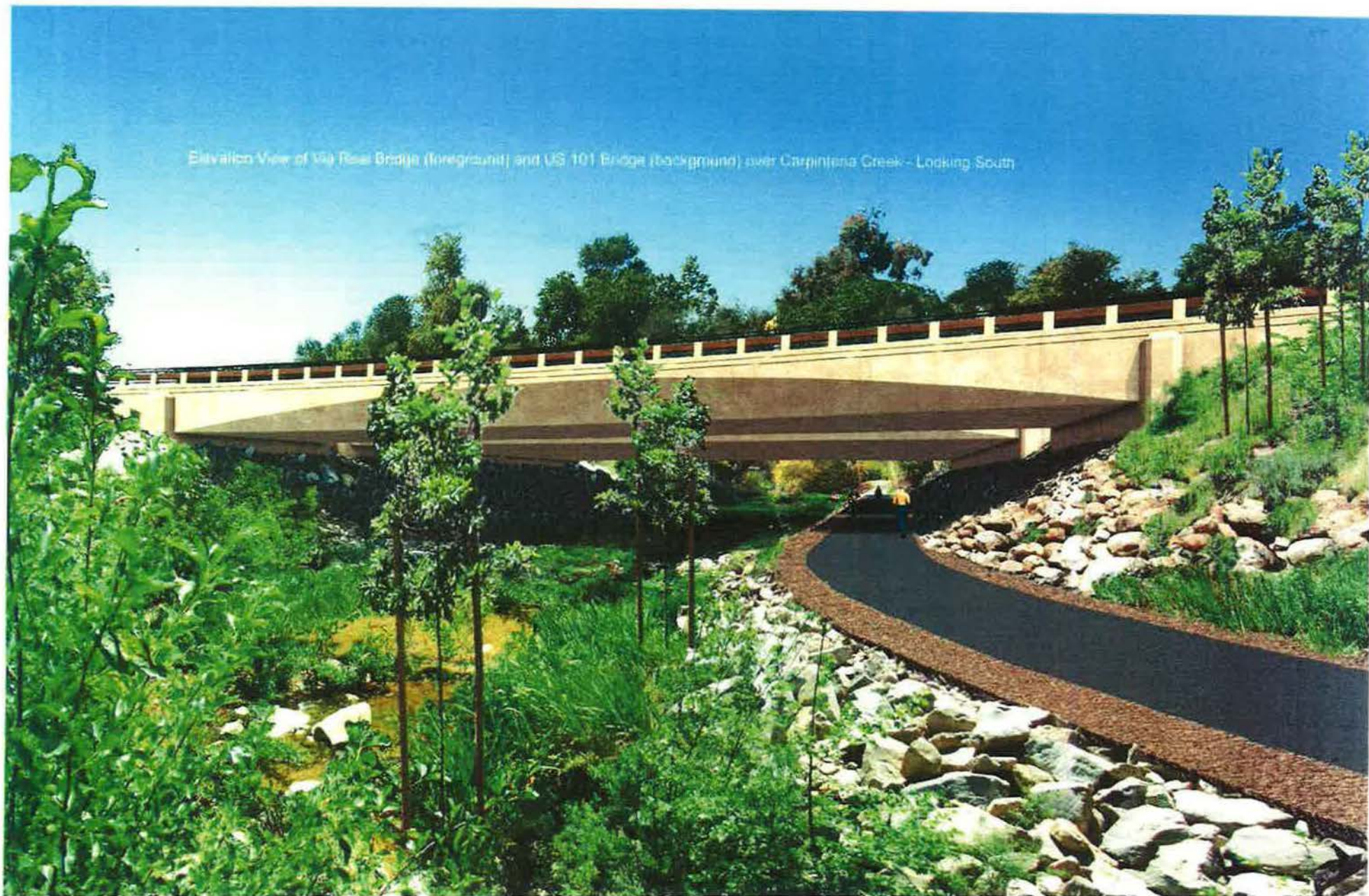


McDonald's

Arco

Aerial View - Casitas Pass Rd Overcrossing

Elevation View of Via Real Bridge (foreground) and US 101 Bridge (background) over Carpinteria Creek - Looking South





Aerial View of Linden Roundabout



Aerial View of Via Real and Casitas Ramps

INDEX OF PLANS

NOTE:

THE LISTING OF THE INDEX OF PLANS IS SHOWN ON THE INDEX OF PLANS SHEET.

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON STATE HIGHWAY

IN SANTA BARBARA COUNTY
IN CARPINTERIA

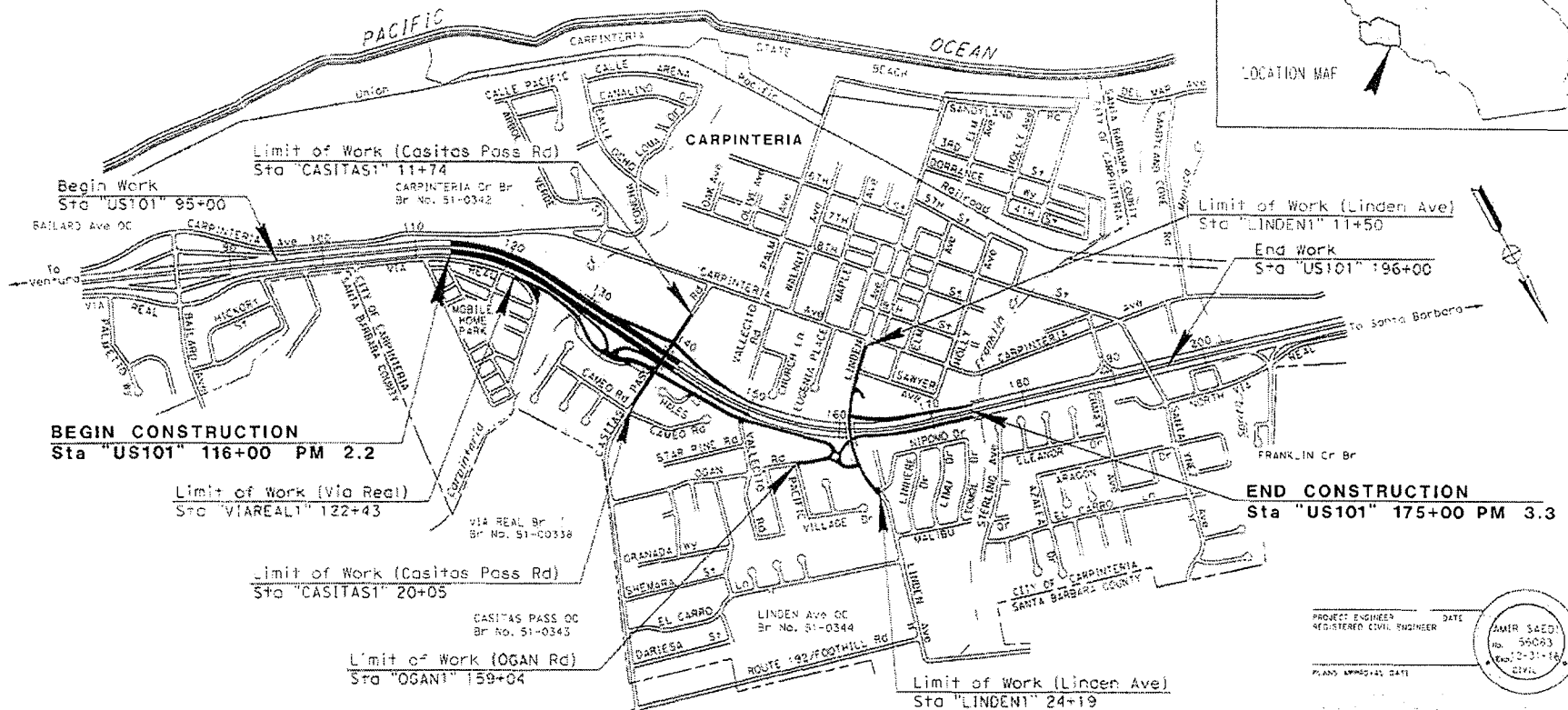
FROM 0.2 MILE SOUTH OF CARPINTERIA CREEK BRIDGE
TO 0.3 MILE NORTH OF LINDEN AVENUE OVERCROSSING

TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2010

Plot COUNTY ROUTE DIST. MILES SHEET TOTAL
05 SB 101 2.2/3.3 XXX



LOCATION MAP



BEGIN CONSTRUCTION
Sta "US101" 116+00 PM 2.2

Limit of Work (Via Real)
Sta "VIAREAL" 122+43

Limit of Work (Casitas Pass Rd)
Sta "CASITAS" 20+05

Limit of Work (OGAN Rd)
Sta "OGAN" 159+04

END CONSTRUCTION
Sta "US101" 175+00 PM 3.3

Limit of Work (Linden Ave)
Sta "LINDEN" 24+19

NO SCALE

THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

PROJECT ENGINEER
REGISTERED CIVIL ENGINEER

PLANS APPROVED DATE

CONTRACT NO. 05-4482U4
PROJECT ID 0500000543



USEPAGE 22
DON FILE 43

JUL 1 2011 PROJECT NUMBER & PHASE 0500000543

DATE PLOTTED 07-01-11
TIME PLOTTED 11:11

FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

2018 SAED
86082
12-3-18
CIVIL



No. (X)	R	Δ	T	L
6	492'	31° 22' 58"	158.25'	259.55'
11	146'	40° 35' 22"	51.80'	99.32'
15	3,009'	93° 11' 29"	83.97'	167.02'
22	4,067'	04° 20' 29"	156.25'	308.35'
27	146'	56° 52' 54"	75.83'	138.99'
23	3,625'	04° 45' 43"	109.15'	218.16'
24	4,300'	05° 00' 42"	175.06'	348.89'
25	3,902'	47° 30' 53"	1,321.16'	2,489.15'
26	2,691'	13° 15' 22"	315.34'	623.89'
27	2,952'	88° 56' 33"	231.66'	462.36'

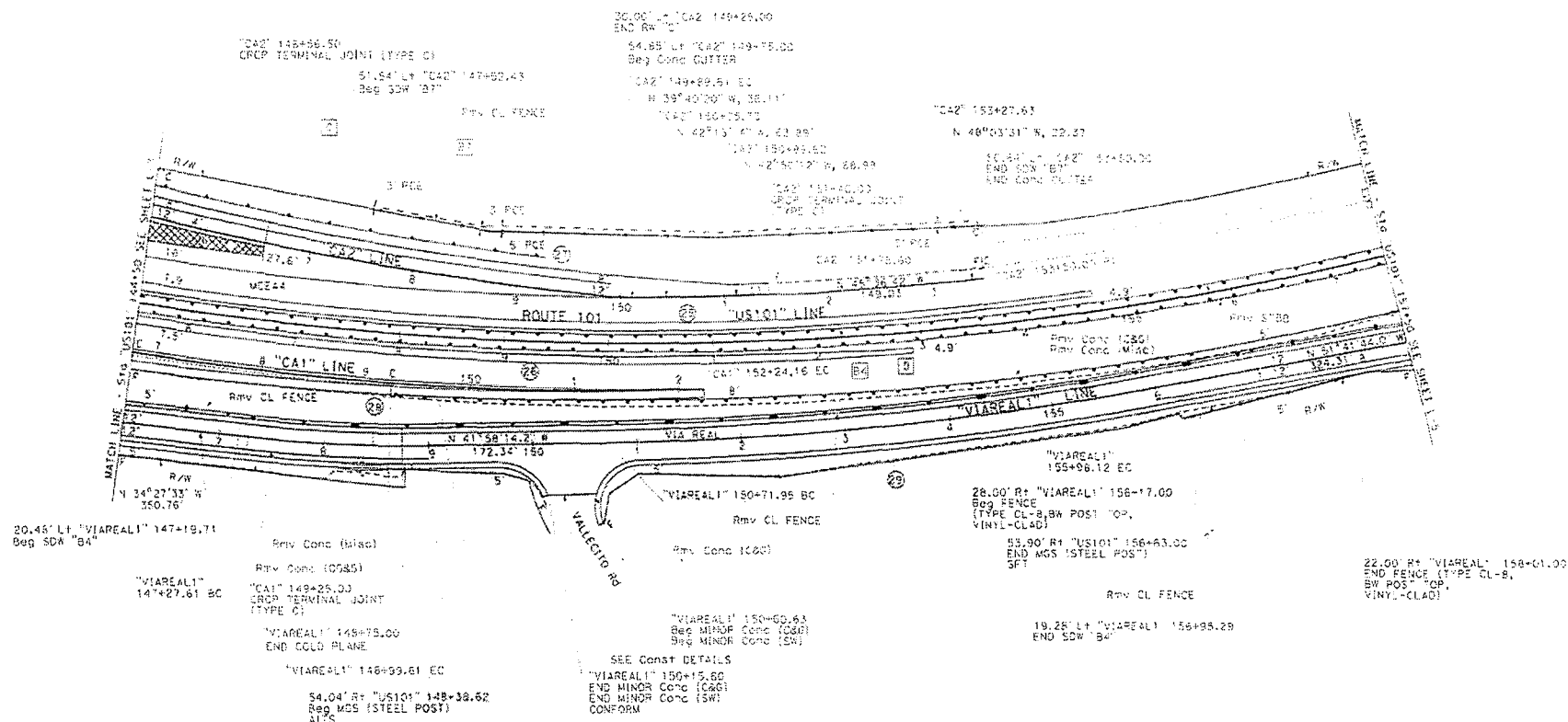
LAYOUT
SCALE: 1" = 50' L-3

NOTE:

FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE
DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES	SHEET TOTAL
05	SB	101	2.2/3.3	
REGISTERED CIVIL ENGINEER			DATE	
PLANS APPROVAL DATE				

AMR 54201
56033
04/23/16
01/16



CURVE DATA

No. (X)	R	Δ	T	L
25	3,002'	47°30'53"	1,321.18'	2,489.15'
26	2,697'	13°15'22"	313.34'	623.88'
27	2,952'	08°58'33"	231.66'	462.38'
28	1,312'	07°30'41"	86.12'	172.00'
29	2,100'	09°43'30"	263.72'	526.17'

LAYOUT
SCALE: 1" = 50' L-4

USERNAME ***
DATE FILED

UNIT 1001

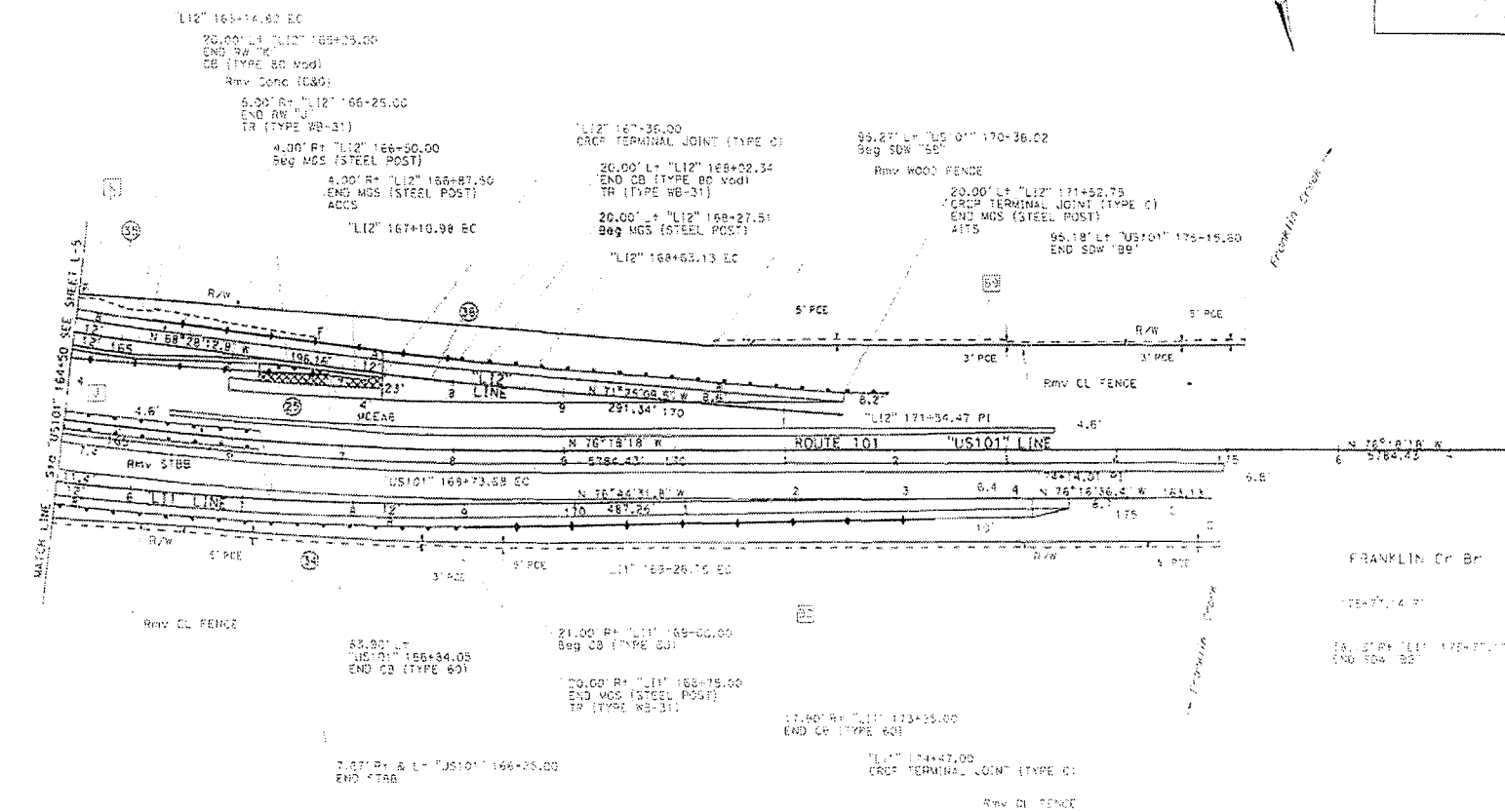
PROJECT NUMBER & PHASE

0500000541

10-01-14
09-17-14

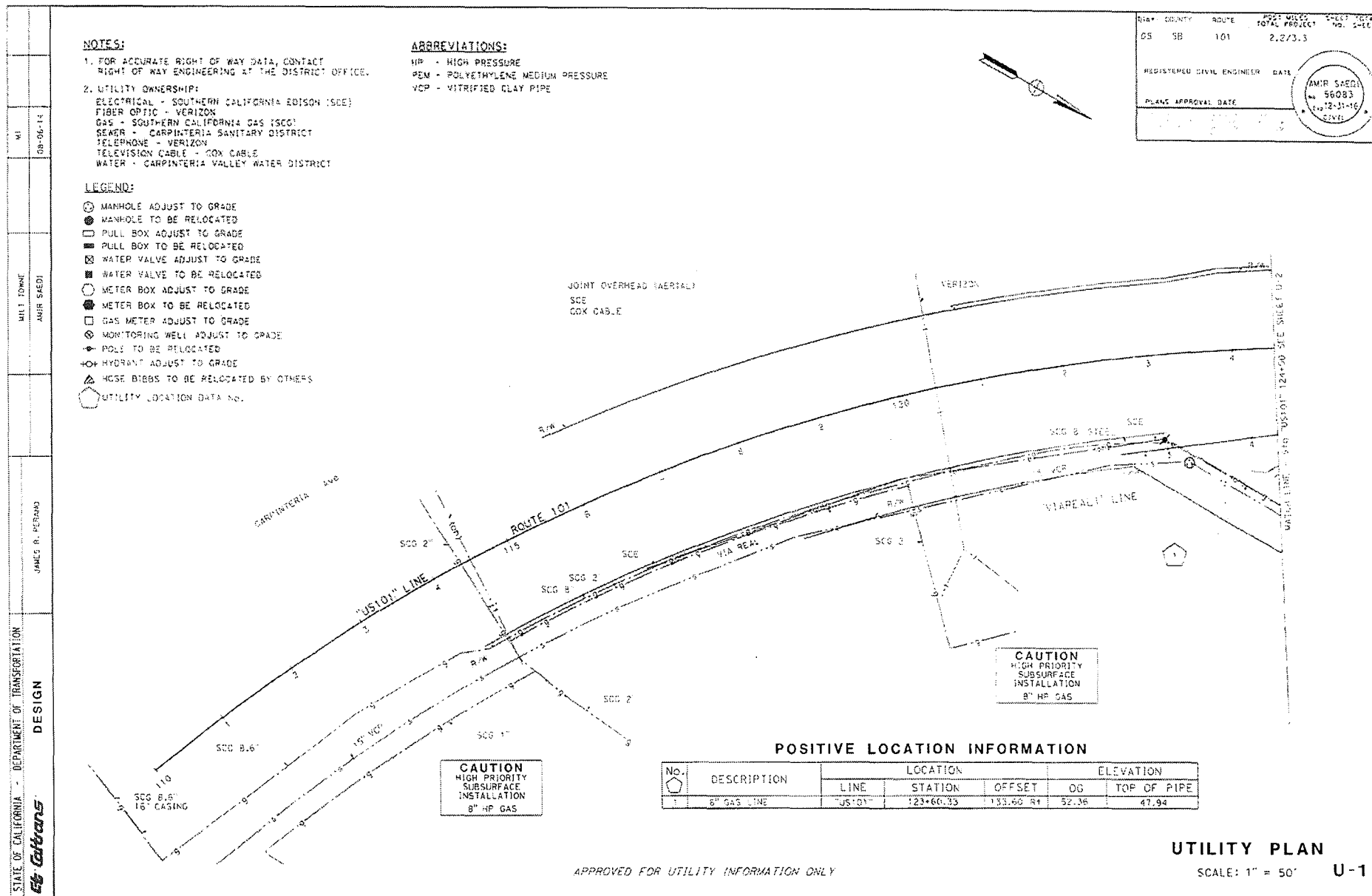
NOTE:
FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

CITY	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL No. SHEETS
OS	SR	101	2.2/3.3	
REGISTERED CIVIL ENGINEER			DATE	
PLANS APPROVAL DATE			AMR S&ED 86083 08-12-14 2191	



CURVE DATA				
No.	R	Δ	T	L
25	3,002	77°30'53"	1,321.18'	3,489.14'
24	3,052	07°45'18.8"	206.94'	473.04'
15	1,000	16°53'47"	148.53'	234.90'
16	2,956	02°56'45"	76.09'	152.15'

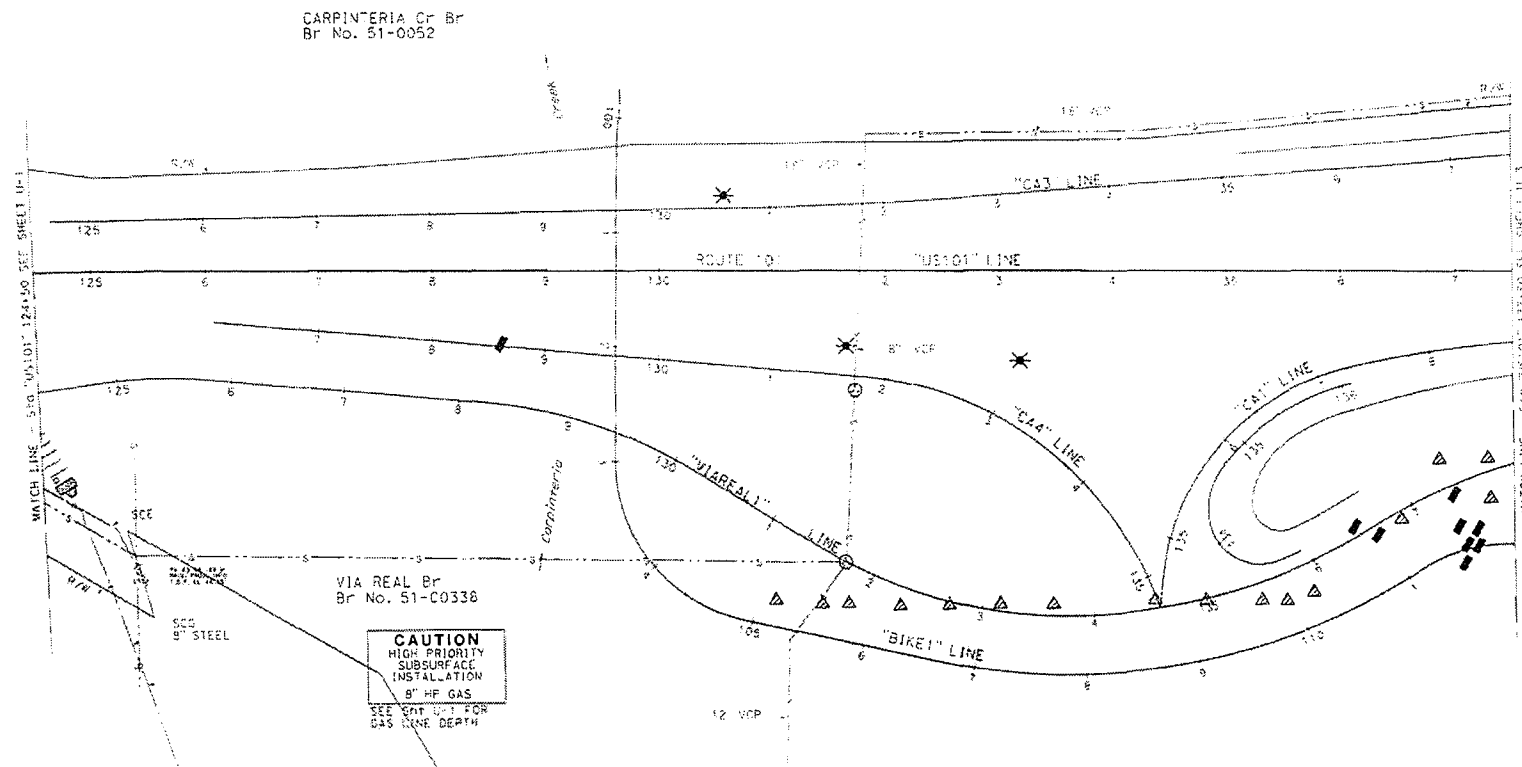
LAYOUT
SCALE: 1" = 50' L-6



NOTE:
FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DIST	COUNTY	ROUTE	POST MILES TOTAL PROJECT	SHEET TOTAL NO. SHEETS
05	SB	101	2.2/3.3	
REGISTERED CIVIL ENGINEER			DATE	
PLANS APPROVAL DATE				

AMIR SAEDI
 No. 56963
 Exp. 12-31-16
 CIVIL



APPROVED FOR UTILITY INFORMATION ONLY

UTILITY PLAN
SCALE: 1" = 50' **U-2**

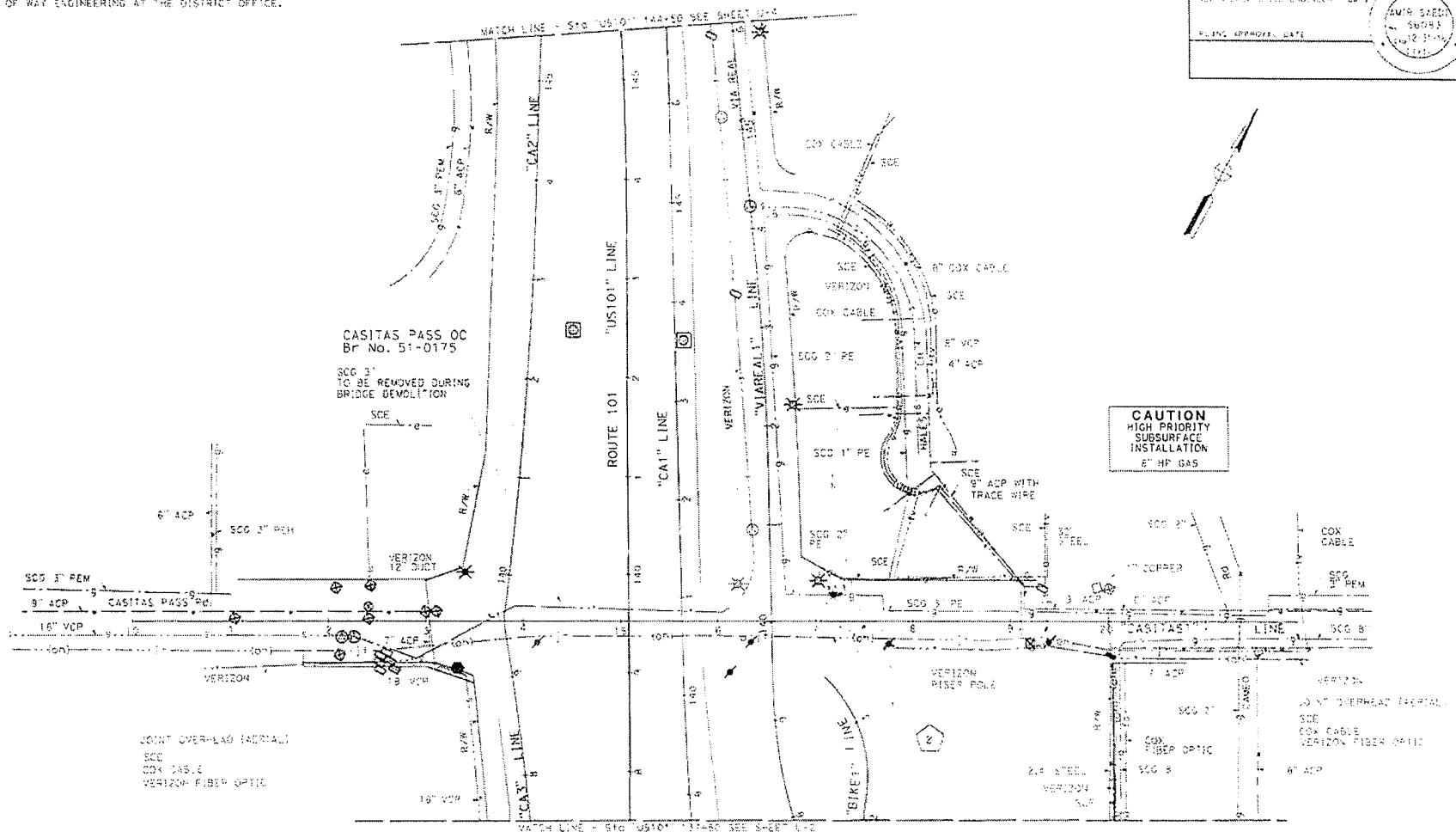
FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DESK NUMBER NAME POST OFFICE STREET PHONE NO. CITY
 05 10 101 2225 S.

APP. INSIDE MAIL ENGINEER DATE

PLACING APPROVER, DATE

(Circular stamp: AMV. S. B. SUTHERS, JUN 19 1917)



POSITIVE LOCATION INFORMATION

NO.	DESCRIPTION	LOCATION			ELEVATION	
		LINE	STATION	OFFSET	OG	TOP OF PIPE
2	4" GAS LINE	US101	123+60.13	206.86 R+	50.96	47.06

APPROVED FOR UTILITY INFORMATION ONLY

UTILITY PLAN

SCALE: 1" = 50' U-3

NOTE:
FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

DATE: 05/15/14

NO. 56087

PROJECT: 05000005431

SHEET: 104

TOTAL SHEETS: 104

REGISTERED CIVIL ENGINEER

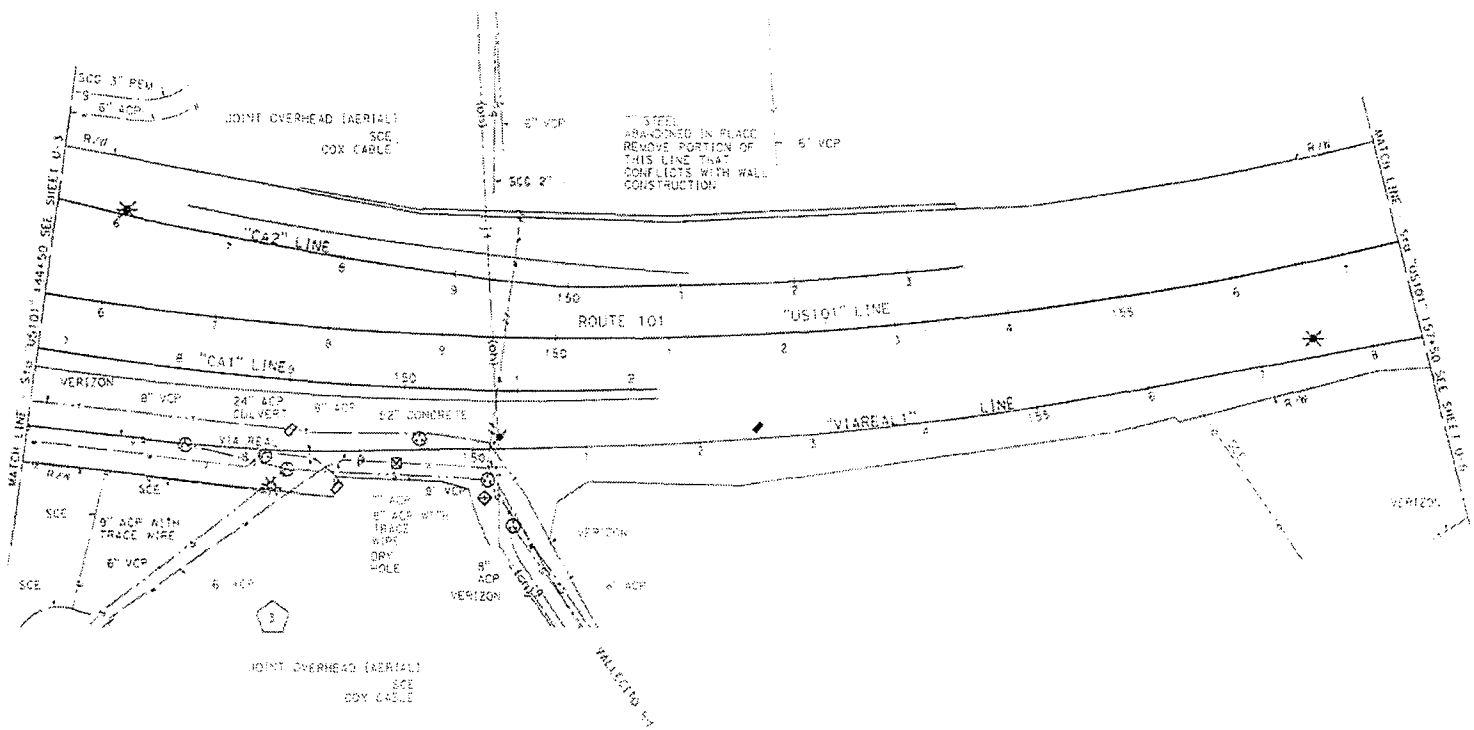
DATE: 2/2/13

PLANS APPROVAL DATE:

AMIR SAEDI

NO. 56087

EXP. 12-31-16



NO.	DESCRIPTION	LOCATION			ELEVATION	
		LINE	STATION	OFFSET	OG	TOP OF PIPE
3	6" WATER LINE	US101"	147+89.68	126.15' RT	42.00	39.00

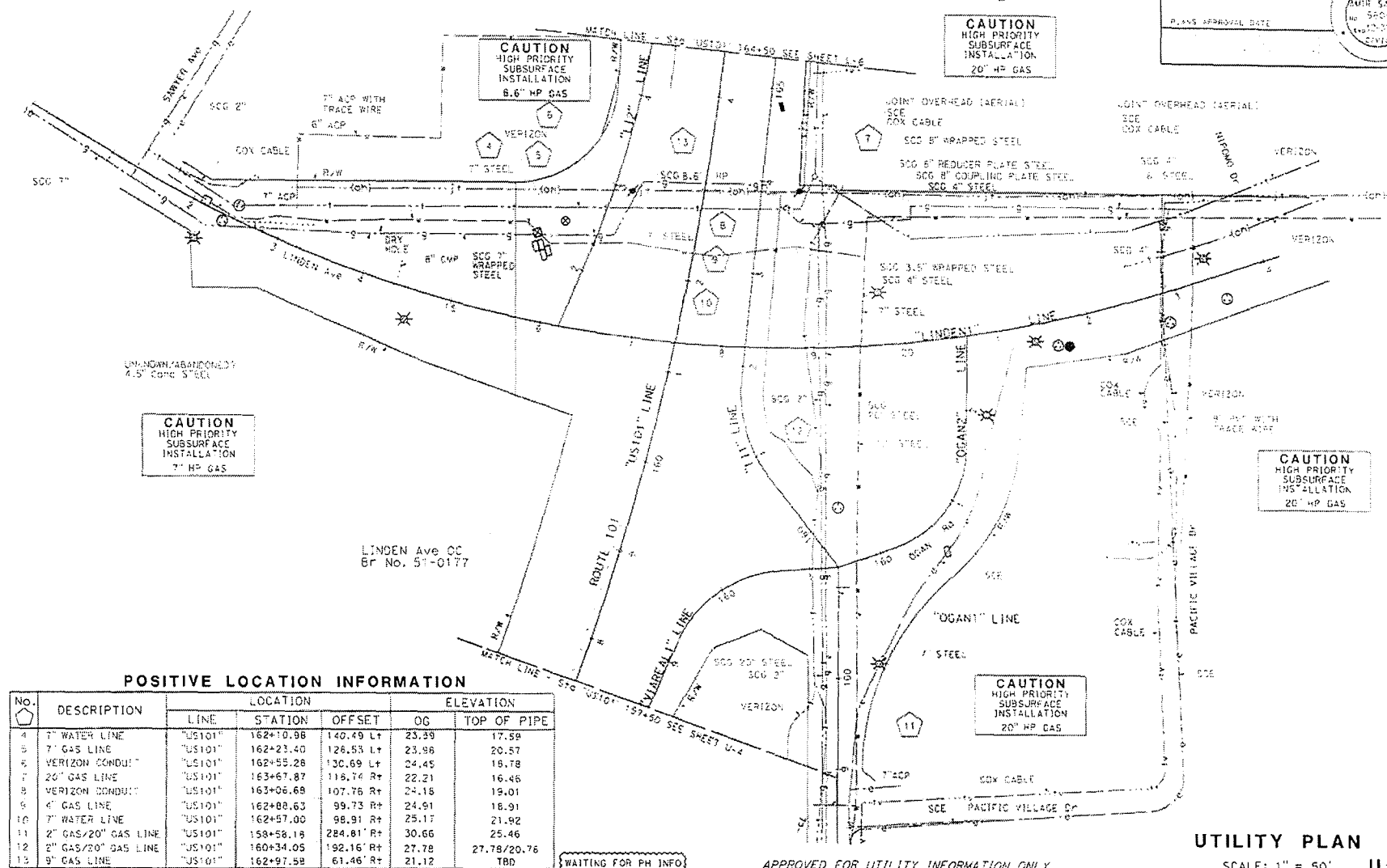
APPROVED FOR UTILITY INFORMATION ONLY

UTILITY PLAN
SCALE: 1" = 50' U-4

FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

CAUTION
HIGH PRIORITY
SUBSURFACE
INSTALLATION
20" H₂ GAS

01	COMPET	ROUTE	REG. NO.	INSTR. NO.
05	50	101	TOTAL MILES:	NO. SCS
			2,273.3	
RECEIVED CIVIL ENGINEER			DATE	
PLANS APPROVAL DATE				



No.	DESCRIPTION	LOCATION		ELEVATION	
		LINE	STATION	OFFSET	TOP OF PIPE
4	7" WATER LINE	"US101"	162+00.98	140.49 L	23.99
5	7" GAS LINE	"US101"	162+23.40	126.53 L	23.98
6	VERIZON CONDUIT	"US101"	162+55.28	130.69 L	24.45
7	20" GAS LINE	"US101"	163+67.87	118.74 R	22.21
8	VERIZON CONDUIT	"US101"	163+06.68	107.76 R	24.18
9	4" GAS LINE	"US101"	162+08.63	99.73 R	24.91
10	7" WATER LINE	"US101"	162+57.00	98.91 R	25.17
11	2" GAS/20" GAS LINE	"US101"	158+58.18	284.81 R	30.66
12	2" GAS/20" GAS LINE	"US101"	160+34.05	192.16 R	27.78
13	9" GAS LINE	"US101"	162+97.58	61.46 R	21.12

WAITING FOR PH INFO

APPROVED FOR UTILITY INFORMATION ONLY

UTILITY PLAN
SCALE: 1" = 50' 11-5

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
E. E. Caltans DESIGN

JAMES R. PERANO

AMIR SAEDI
JAN 1 1987

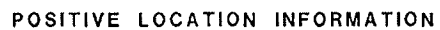
05-15-18
187

05 15 14 INE 60150 2

FOR ACCURATE RIGHT OF WAY DATA, CONTACT
RIGHT OF WAY ENGINEERING AT THE DISTRICT OFFICE.

REGISTERED CIVIL ENGINEER DATE
PLANS APPROVAL DATE

AMIR SAED
66083
Exp 12-31-82
STW



NO. 🔷	DESCRIPTION	LOCATION			ELEVATION	
		LINE	STATION	OFFSET	OG	TOP OF PIPE
14	20" GAS LINE	US101"	171+00.00	92.25' R+	17.35	11.10

APPROVED FOR UTILITY INFORMATION ONLY

UTILITY PLAN

SCALE: 1" = 50' U-6

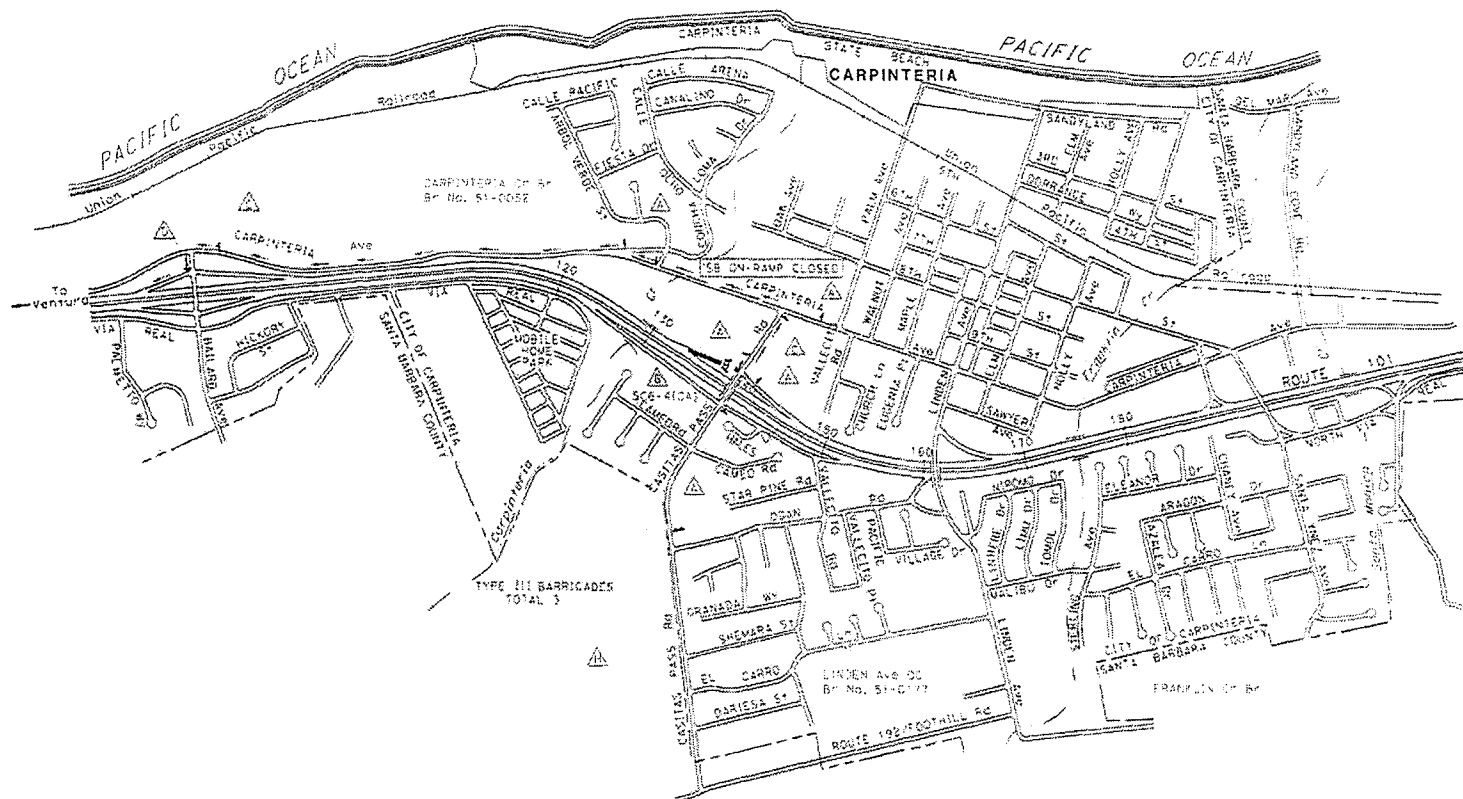
NOTES:

1. LOCATION OF ROADSIDE SIGNS ARE APPROXIMATE. EXACT LOCATIONS WILL BE DETERMINED BY THE ENGINEER.
2. SEE STANDARD PLAN (7-101) LANE CLOSURE CHARTS FOR ADDITIONAL REQUIRED SIGNS.

LEGEND:

ROADSIDE SIGN

DATE	05/08/01	ROUTE	101	POST MILES	0.243.1	SHEET NO.	1	TOTAL SHEETS	1
REGISTERED CIVIL ENGINEER	DATE		F. W. Z. 101 05/08/01 05/08/01						
PLANS APPROVAL DATE									



- (S) 026-21041 (1)
- (SOUTH) M-3
- (DETOUR) 026-21041
- (RAMP CLOSED) 026-41041
- (S) 026-21041 (1)
- (SOUTH) M-3
- (DETOUR) M-3 (1)
- (END DETOUR) M-3-90
- (SPEC'AL)
- ROUTE 101 SB ON RAMP CLOSED AHEAD USE DETOUR

DETOUR PLAN 1 CASITAS PASS ROAD SB ON RAMP CLOSED
 FROM CASITAS PASS ROAD TO SB ON RAMP AT BAILLARD AVE
 TURN LEFT ON CARPINTERIA AVE
 TURN LEFT ON BAILLARD AVE AND MERGE TO SB ON RAMP 101

MOTORIST INFORMATION PLAN (SOUTHBOUND CASITAS PASS ON RAMP CLOSED)

MI-1

NO SCALE

APPROVED FOR MOTORIST INFORMATION WORK ONLY

NOTE:

DURING THE NB OFF-RAMP CLOSURE, THE PWS MESSAGE SHOULD READ:

CASITAS PASS ROAD
NB OFF-RAMP CLOSED

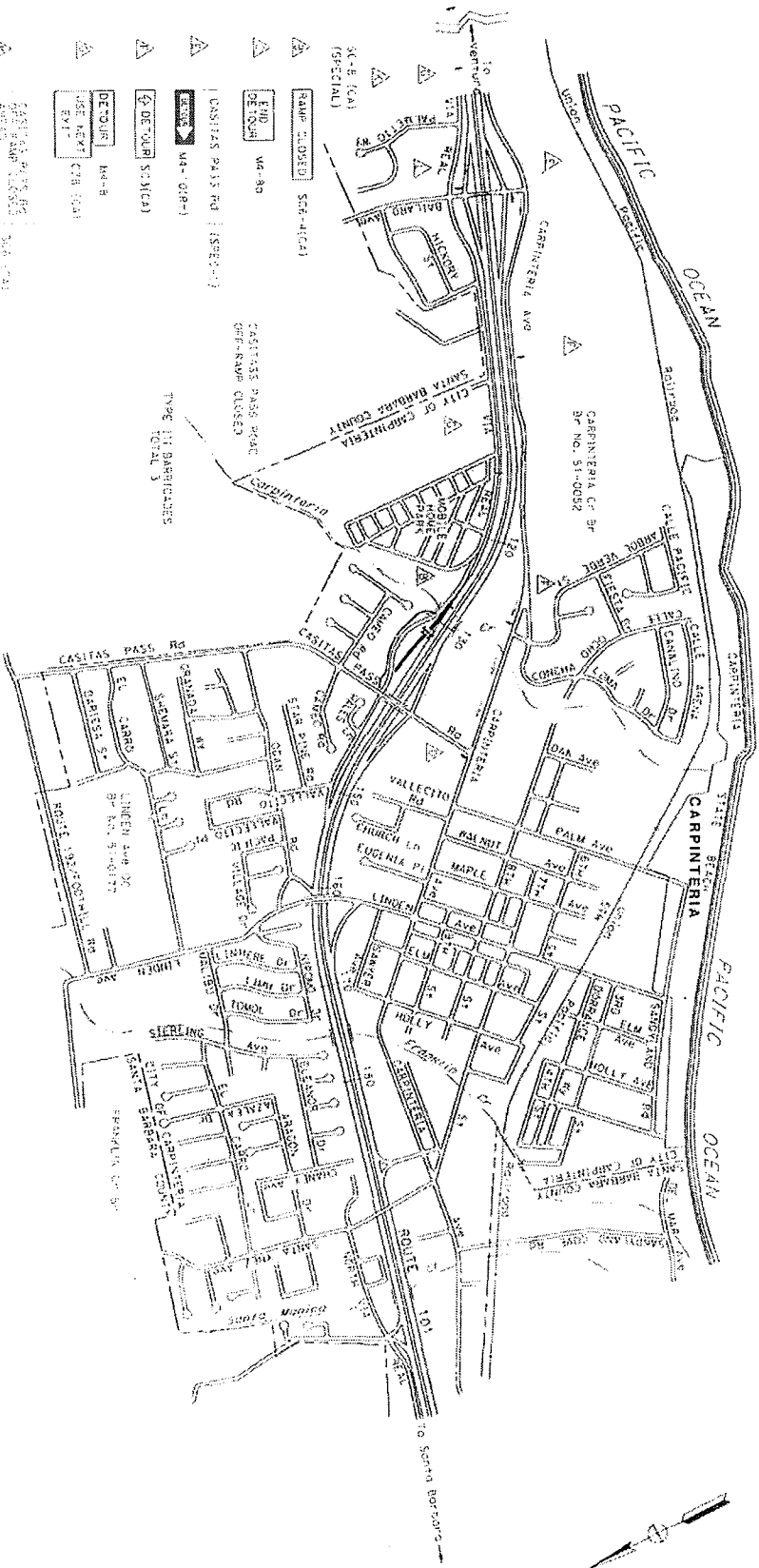
15' FRAME

15' FRAME

USE BALL AND WIRE
NEXT EXIT

DETOUR PLAN:

CASITAS PASS ROAD NB OFF-RAMP CLOSED USE BALL AND WIRE AND NB OFF-RAMP
TURN LEFT ON SULLY AVE
TAKE RIGHT ON CARPINTERIA AVE TO ACCESS CASITAS PASS ROAD



CASITAS PASS RD (SPEC-11)
OFF-RAMP CLOSED
USE BALL AND WIRE
NEXT EXIT

DATE: 12/17/14
DRAWN BY: [signature]
CHECKED BY: [signature]

APPROVED FOR MOTORIST INFORMATION BOOK ONLY

MOTORIST INFORMATION PLAN
(NORTHBOUND CASITAS PASS ROAD
(OFF RAMP CLOSED))

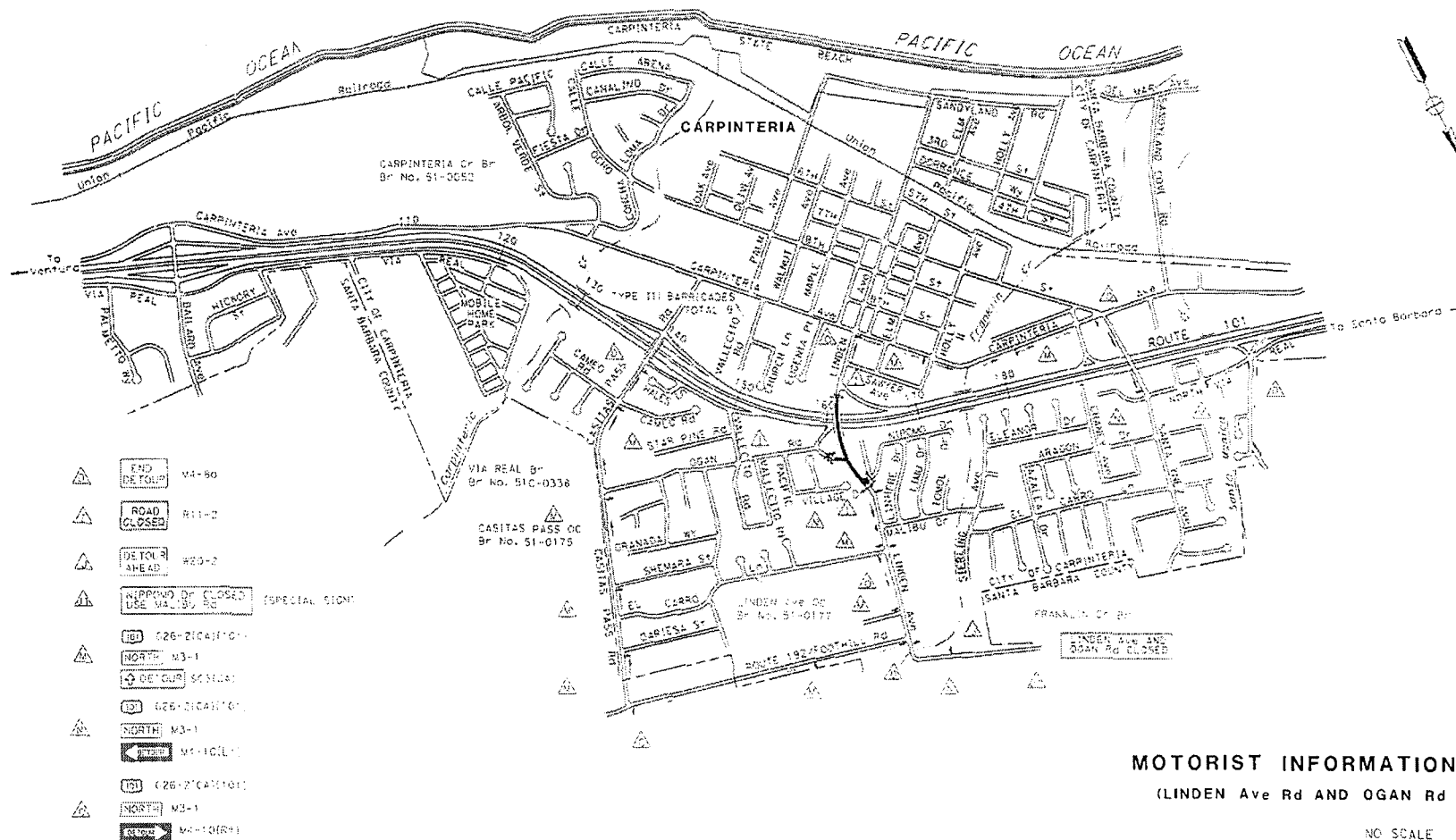
NO SCALE

DATE: 12/17/14

PROJECT: 1427

PROJECT: 1427

STAMP
FBI
JAN 1960
FBI
FBI



MOTORIST INFORMATION PLAN
(LINDEN Ave Rd AND OGAN Rd CLOSED)

NO SCALE MI-3

APPROVED FOR MOTORIST INFORMATION WORK ONLY

UNIT 147

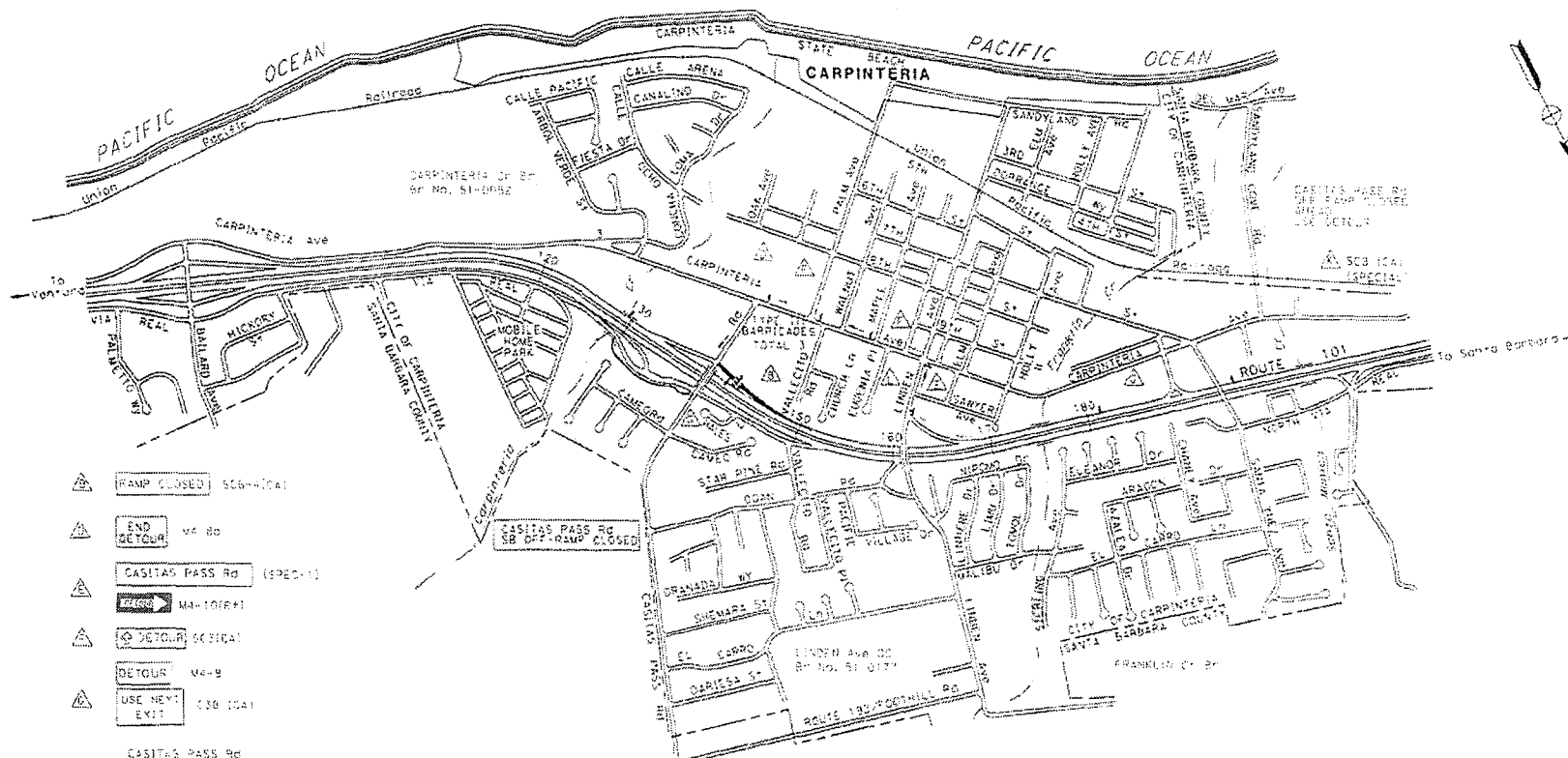
PROJECT NUMBER & PHASE

05000125431

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 $\times$ $\cdot$
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 $\frac{469}{8192}$ $\frac{471}{8192}$
 $\frac{473$

DETOUR PLAN 1: CASITAS PASS ROAD SB OFF RAMP CLOSED
 CASITAS PASS ROAD SB OFF RAMP CLOSED USE LINDEN AVE SB OFF RAMP
 TURN RIGHT ON LINDEN AVE
 TAKE LEFT ON CARPINTERIA AVE TO ACCESS CASITAS PASS ROAD

DATE	COUNTY	ROUTE	POST MILES	SHEET TOTAL
05	SB	101	2.2/3.3	
REGISTERED CIVIL ENGINEER DATE			SEAL ADAM MAGUIRE No. 51450 State of CA	
PLANS APPROVAL DATE				



- ▲ RAMP CLOSED SCB-10(A)
- ▲ END DETOUR M-80
- ▲ CASITAS PASS Rd (SPEC-1)
- ▲ M-10(L*)
- ▲ DETOUR SCB-10(A)
- ▲ DETOUR M-80
- ▲ USE NEXT EXIT SCB 10(A)
- ▲ CASITAS PASS Rd OFF RAMP CLOSED AHEAD USE DETOUR SCB 10(A)
- ▲ CASITAS PASS Rd (SPEC-1)
- ▲ M-10(L*)

MOTORIST INFORMATION PLAN
 (SOUTHBOUND CASITAS PASS ROAD
 OFF RAMP CLOSED)

MI-4

NO SCALE

APPROVED FOR MOTORIST INFORMATION WORK ONLY

STATE OF CALIFORNIA • DEPARTMENT OF TRANSPORTATION
St. Caltrans • TRAFFIC DESIGN

REVISIONS
 ON FILE

UNIT 100

PROJECT NUMBER & PHASE

05/05/2004

10-08-14 (M-10) (M-10)

DETOUR PLAN: LINDEN AVE SB OFF RAMP CLOSED

LINDEN AVE SB OFF RAMP CLOSED USE
 REYNOLDS AVE SB OFF RAMP
 TAKE LEFT TURN ON CARPINTERIA AVE TO ACCESS LINDEN AVE.
 IF TAKE CASITAS PASS AVE SB OFF RAMP
 TURN RIGHT ON CASITAS PASS AVE
 TAKE RIGHT TURN ON CARPINTERIA AVE TO ACCESS LINDEN AVE

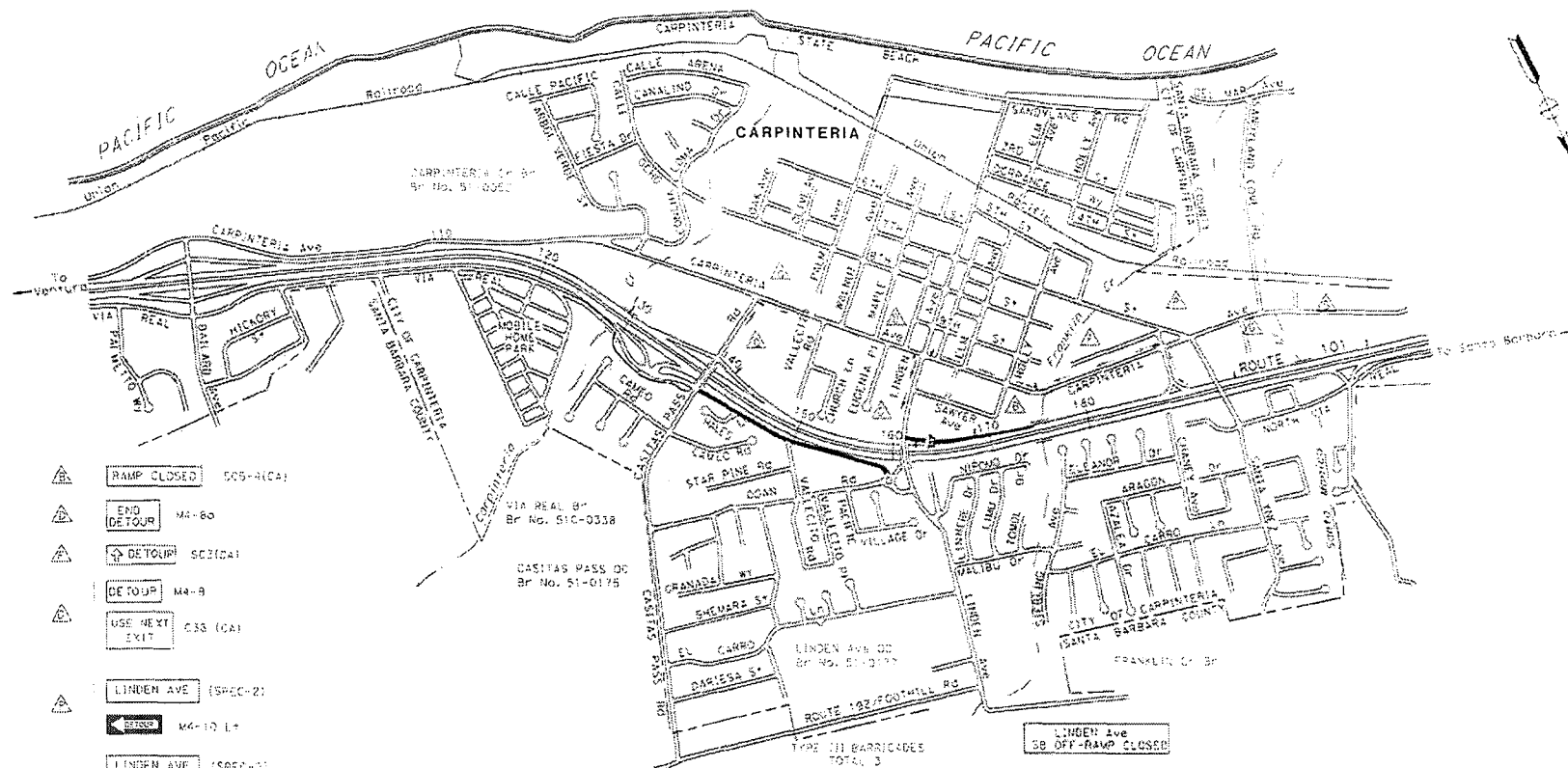
NOTE:

DURING THE LINDEN AVE SB OFF-RAMP CLOSURE, THE RCM MESSAGE SHOULD READ:

LINDEN AVE
 OFF-RAMP CLOSED
 1ST FRAME

USE EXIT REYNOLDS AVE
 NEXT EXIT
 2ND FRAME

DATE	02/22/03	PROJECT NO.	02/22/03
DESIGNER	ST. GIBBONS	CHECKED BY	ST. GIBBONS
REGISTERED CIVIL ENGINEER	DATE	PLANS APPROVAL DATE	



MOTORIST INFORMATION PLAN
 (SOUTHBOUND LINDEN AVENUE
 OFF RAMP AND VIA REAL CLOSED)

NO SCALE MI-5

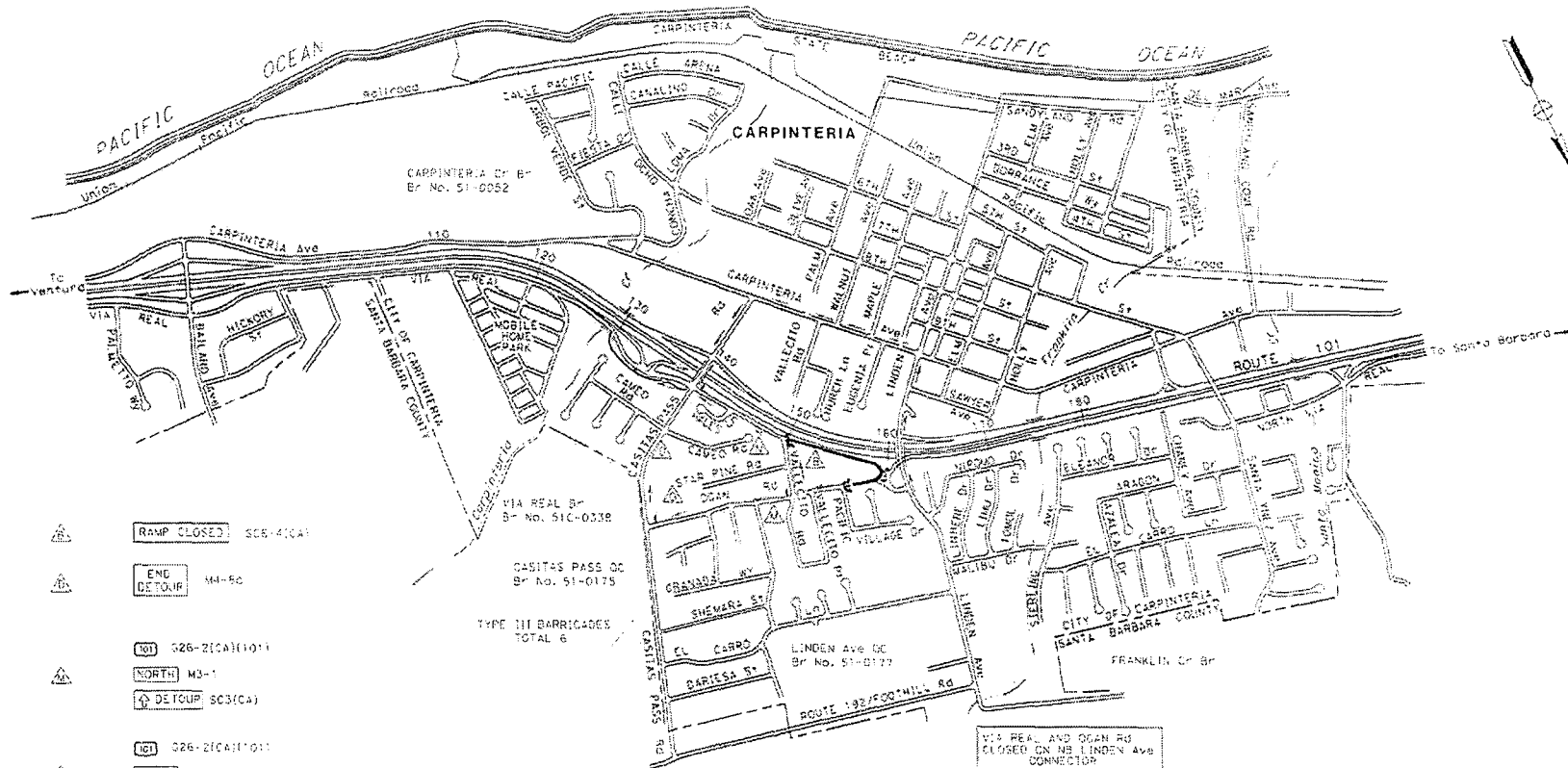
APPROVED FOR MOTORIST INFORMATION WORK ONLY

DETOUR PLAN:

VIA REAL AND OGAN ROAD CLOSED AT NB LINDEN AVE ON RAMP CONNECTOR.
USE S OGAN RD AND VIA REAL TO ACCESS NB ON RAMP 101 AND OTHER LOCAL ST

SAN COUNTY	ROUTE	POST MILES	DATE
05	5A	17	2/2/83
APPROVED CIVIL ENGINEER		DATE	
PLANS APPROVAL DATE			

PAUL
FACHAGUE
C.E.T.S.
10-10-100
0101



- RAMP CLOSED SC6-4(CA)
- END DETOUR M4-50
- NORTH M3-1
- DETOUR SC3(CA)
- NORTH M3-1
- DETOUR M4-10(L-)
- NORTH M3-1
- DETOUR M4-10(R-)

CASITAS PASS CC
Br No. 51-0175

TYPE III BARRICADES
TOTAL 6

VIA REAL AND OGAN RD
CLOSED ON NB LINDEN AVE
CONNECTOR

MOTORIST INFORMATION PLAN (VIA REAL AND OGAN ROAD CLOSED ON NORTHBOUND LINDEN AVE CONNECTOR)

NO SCALE MI-6

APPROVED FOR MOTORIST INFORMATION WORK ONLY

PAUL FACHAGUE
SUBMIT BILL

WORKED SETBACK

TRAFFIC DESIGN

St. Gilberts

USERNAME **
DON FILE **

UNIT 1447

PROJECT NUMBER 6 P-458

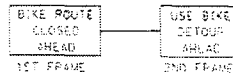
0500000542

02-25-14 THE

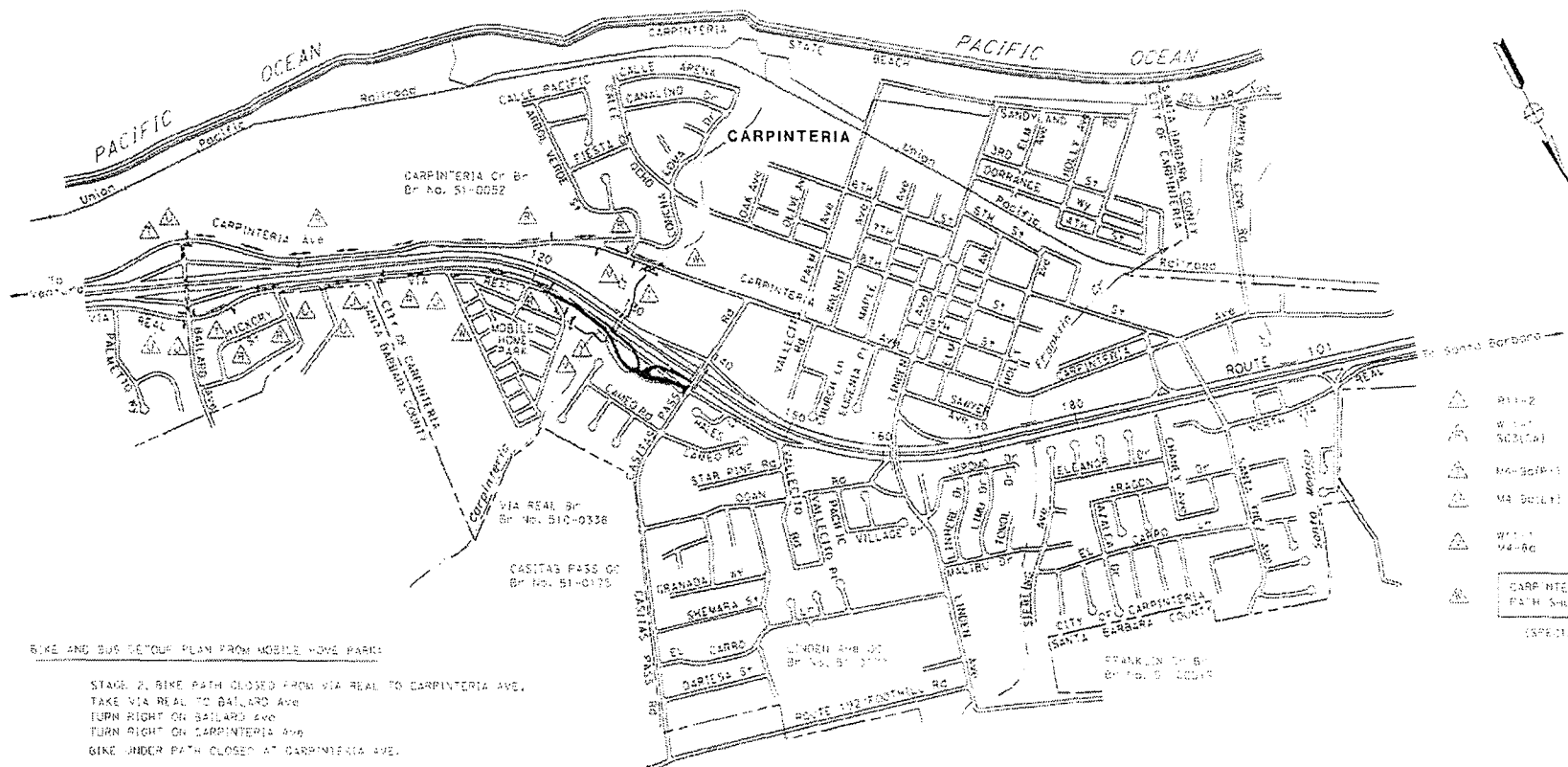
NOTES:

1. BIKE FACILITIES ARE CLOSED DURING THE CONSTRUCTION OF NEW BRIDGE, BIKE PATH STRUCTURE AND OTHER RELATED WORK.

2. DURING THE CARPINTERIA CREEK UNDER PATH WORK, THE FORM MESSAGE AT (A) SHOULD READ....



DATE	08/10/10	PROJECT	102753.3
REGISTERED CIVIL ENGINEER	DATE		
PLANS APPROVAL DATE			



BIKE AND BUS DETOUR PLAN FROM MOBILE HOME PARK:

STAGE 2, BIKE PATH CLOSED FROM VIA REAL TO CARPINTERIA AVE.
TAKE VIA REAL TO BAILARD AVE
TURN RIGHT ON BAILARD AVE
TURN RIGHT ON CARPINTERIA AVE
BIKE UNDER PATH CLOSED AT CARPINTERIA AVE.

BIKE AND BUS DETOUR PLAN TO MOBILE HOME PARK:

STAGE 2, BIKE PATH CLOSED FROM VIA REAL TO CARPINTERIA AVE.
TAKE CARPINTERIA AVE TO BAILARD AVE
TURN LEFT ON BAILARD AVE
TURN LEFT ON VIA REAL AVE TO MOBILE HOME PARK

MOTORIST INFORMATION PLAN
(BIKE AND BUS
CARPINTERIA CREEK PATH SHUTTLE DETOUR)

APPROVED FOR MOTORIST INFORMATION WORK ONLY

NO SCALE

MI-7

STATE OF CALIFORNIA - DEPARTMENT OF TRANSPORTATION
St. Gallen TRAFFIC DESIGN
SANTO YAMAMOTO
DANIEL BELL
BASSAN MARI

USER: 03
DON FILE: 03

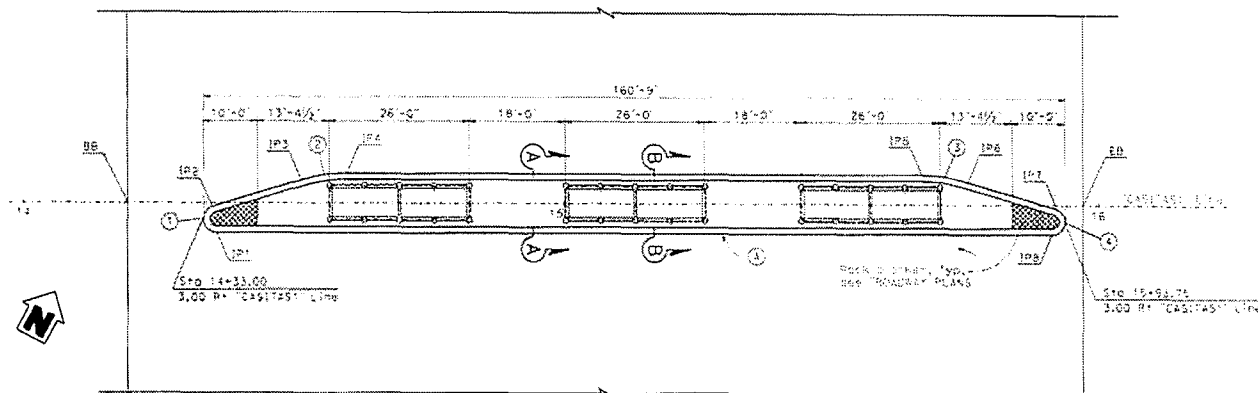
UNIT: 1447

PROJECT NUMBER & PHASE

0500000543

1. *Journal of the American Medical Association*, 2000; 284: 2689-2694.

DATE	COUNTY	ROUTE	POST MILES	SHEET NO.
05	SB	101		33
<i>Rafael Dora</i> REGISTERED CIVIL ENGINEER 5-23-10 DATE				
PLANS APPROVAL DATE: _____ THE STATE OF CALIFORNIA or its officers or agents shall not be responsible for the accuracy or completeness of drawings after the plan sheet				



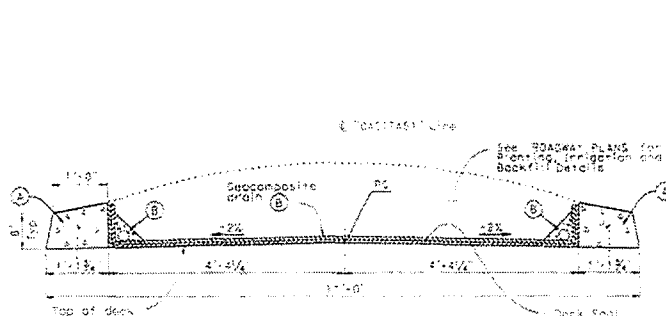
PLAN
1" = 10'

CURVE DATA					
NO.	R	Δ	T	L	E
1	1.50	158°20'50"	13.18	4.92	
2	15.50	14°38'25"	4.32	5.55	
3	24.50	15°59'25"	4.32	5.55	
4	0.16	158°32'58"	13.10	6.92	

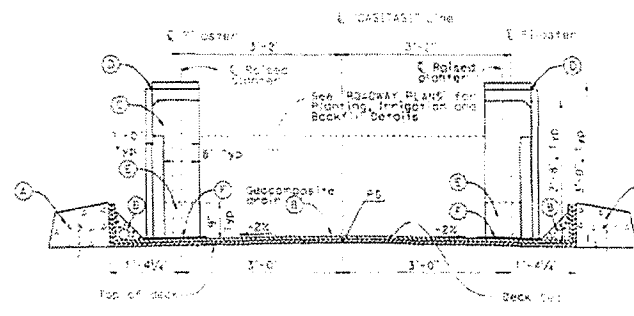
ISLAND (PLANTER) POINT DESCRIPTIONS

NO.	LOCATION / DESCRIPTION
IP1	100' R CASITAS LINE, STA 10+31.50
IP2	14.2' R CASITAS LINE, STA 14+34.50
IP3	4.25' R CASITAS LINE, STA 14+50.00
IP4	5.50' R CASITAS LINE, STA 14+52.50
IP5	5.50' R CASITAS LINE, STA 14+52.50
IP6	4.32' R CASITAS LINE, STA 15+52.50
IP7	0.50' R CASITAS LINE, STA 15+52.50
IP8	5.50' R CASITAS LINE, STA 15+52.50

Notes:
1. Island (Planter) Point



SECTION A-A
1" = 1'-0"



TYPICAL SECTION B-B
1" = 1'-0"

Notes:
For dimensions not shown, see SECTION A-A.

- TYPE A3-8 (MOD) CURB
- Notes:
- 1. Type A3-8 (Mod) curb, integral colored concrete.
 - 2. Bridge detail, see "BRIDGE PLANTER DETAILS NO. 2" sheet.
 - 3. Planter will use "BRIDGE PLANTER DETAILS NO. 2" sheet, integral colored concrete.
 - 4. Planter, see "BRIDGE PLANTER DETAILS NO. 2" & "BRIDGE PLANTER DETAILS NO. 2" sheet, integral colored concrete.
 - 5. Planter will use "BRIDGE PLANTER DETAILS NO. 2" sheet.
 - 6. Expansion joint, if or, see "BRIDGE PLANTER DETAILS NO. 2" sheet.

DESIGNER	R. Dora / S. Johnson	CHECKED	S. Johnson / W. Quindoc	STATE OF CALIFORNIA	DIVISION OF ENGINEERING SERVICES	BRIDGE NO.	CASITAS PASS ROAD OVERCROSSING (REPLACE)
DETAILS	Carla Campino	DESIGNED	S. Johnson / W. Quindoc	DEPARTMENT OF TRANSPORTATION	STRUCTURE DESIGN	BRIDGE BRANCH	7
QUANTITY	N. V. / J. D. Dora	ESTIMATED	W. Quindoc				

STRUCTURES DESIGN DETAIL, BRIDGE PLANTER, BR-01-101

DESIGN SCALE: 1" = 1'-0"

UNIT: 1990

PROJECT NUMBER & PHASE: 050200001

CONTRACT NO.: 05-00004

BRIDGE PLANTER DETAIL

DATE: 05/05/10

BY: [Signature]

33 53

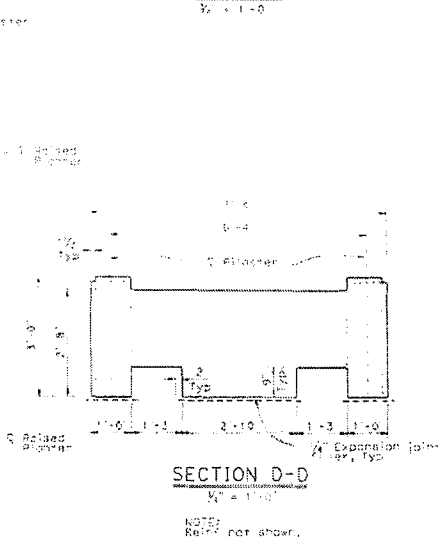
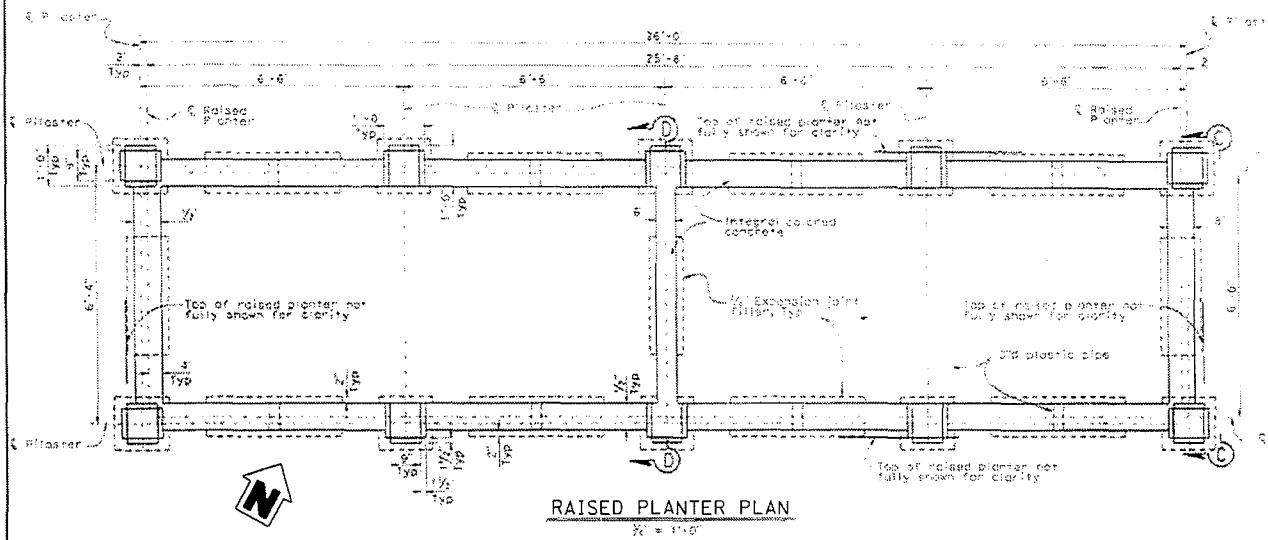
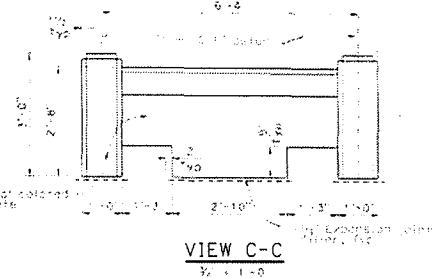
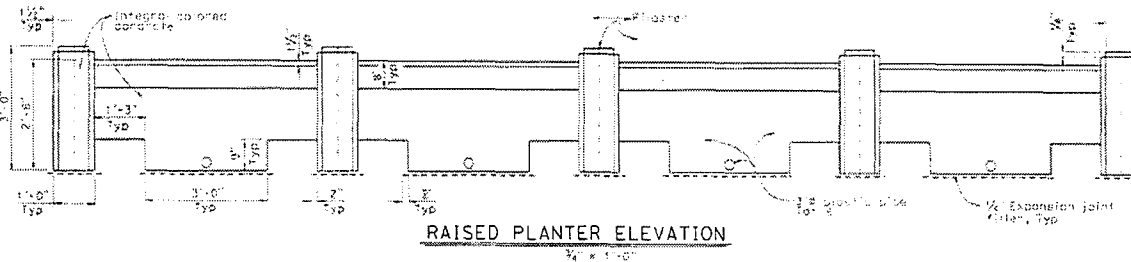
NOTES:

1. $\frac{1}{4}$ " Expansion joint filler to be placed at the bottom of raised planter, exp. joint filler to be extended 2" beyond limits of raised planter as shown.
2. For "VIEW C-C" and "SECTION D-D" reinforcement, see BRIDGE PLANTER DETAILS NO. 3 sheet.

LEGEND:

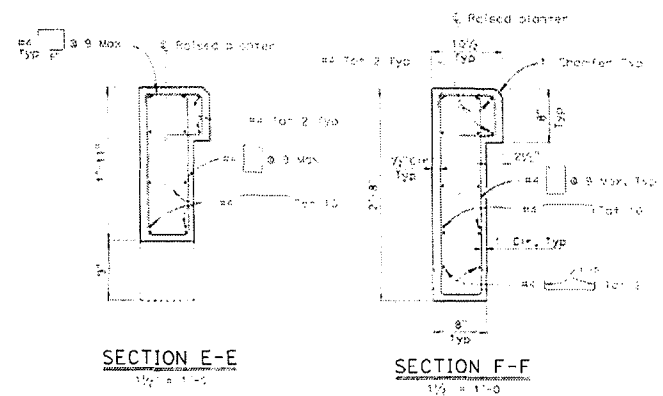
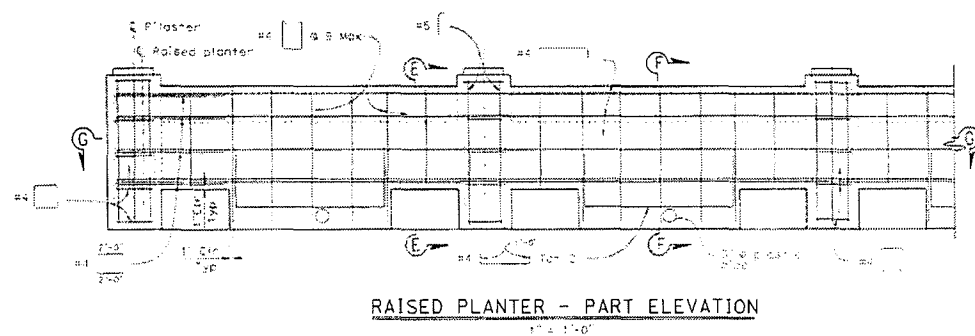
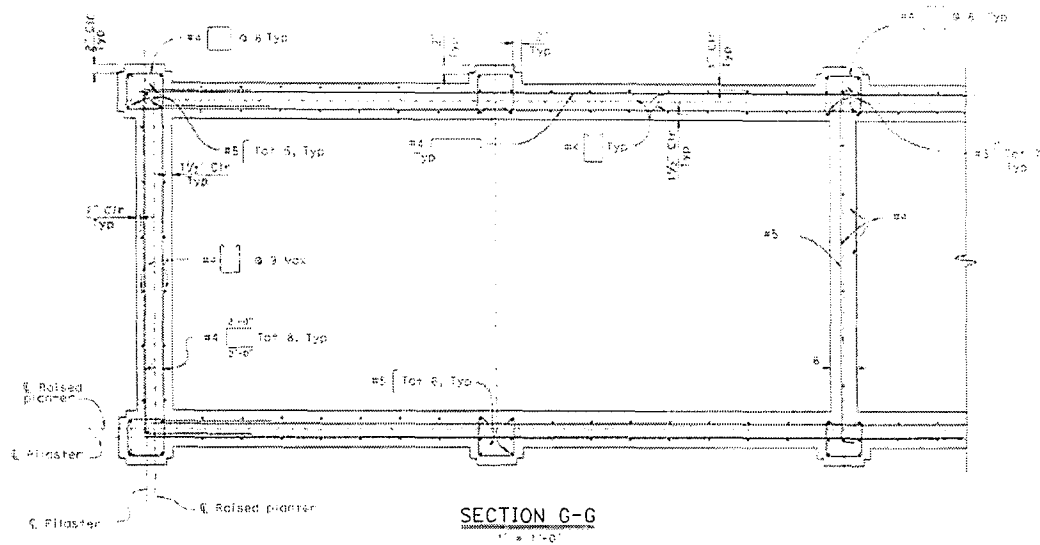
--- Limits of $\frac{1}{4}$ " Expansion joint filler

DESIGN	COUNTY	DATE	PROJECT NUMBER	SHEET NO.	TOTAL SHEETS
05	05	10/1	1-23-14	1	1
REGISTERED CIVIL ENGINEER <i>Rafael De</i>			DATE 10/1/14		
PLANS APPROVED DATE 10/1/14					
The State of California or its officers or agents shall not be responsible for the accuracy or completeness of information shown on this plan sheet.					



REVISION 1. 10/1/14 2. 10/1/14 3. 10/1/14 4. 10/1/14 5. 10/1/14 6. 10/1/14 7. 10/1/14 8. 10/1/14 9. 10/1/14 10. 10/1/14 11. 10/1/14 12. 10/1/14 13. 10/1/14 14. 10/1/14 15. 10/1/14 16. 10/1/14 17. 10/1/14 18. 10/1/14 19. 10/1/14 20. 10/1/14 21. 10/1/14 22. 10/1/14 23. 10/1/14 24. 10/1/14 25. 10/1/14 26. 10/1/14 27. 10/1/14 28. 10/1/14 29. 10/1/14 30. 10/1/14 31. 10/1/14 32. 10/1/14 33. 10/1/14 34. 10/1/14 35. 10/1/14 36. 10/1/14 37. 10/1/14 38. 10/1/14 39. 10/1/14 40. 10/1/14 41. 10/1/14 42. 10/1/14 43. 10/1/14 44. 10/1/14 45. 10/1/14 46. 10/1/14 47. 10/1/14 48. 10/1/14 49. 10/1/14 50. 10/1/14 51. 10/1/14 52. 10/1/14 53. 10/1/14 54. 10/1/14 55. 10/1/14 56. 10/1/14 57. 10/1/14 58. 10/1/14 59. 10/1/14 60. 10/1/14 61. 10/1/14 62. 10/1/14 63. 10/1/14 64. 10/1/14 65. 10/1/14 66. 10/1/14 67. 10/1/14 68. 10/1/14 69. 10/1/14 70. 10/1/14 71. 10/1/14 72. 10/1/14 73. 10/1/14 74. 10/1/14 75. 10/1/14 76. 10/1/14 77. 10/1/14 78. 10/1/14 79. 10/1/14 80. 10/1/14 81. 10/1/14 82. 10/1/14 83. 10/1/14 84. 10/1/14 85. 10/1/14 86. 10/1/14 87. 10/1/14 88. 10/1/14 89. 10/1/14 90. 10/1/14 91. 10/1/14 92. 10/1/14 93. 10/1/14 94. 10/1/14 95. 10/1/14 96. 10/1/14 97. 10/1/14 98. 10/1/14 99. 10/1/14 100. 10/1/14	STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION DIVISION OF ENGINEERING SERVICES STRUCTURE DESIGN DESIGN BRANCH 7 CASITAS PASS ROAD OVERCROSSING (REPLACE) BRIDGE PLANTER DETAILS NO. 1
--	--

DIST.	COUNTY	ROUTE	POST MILE	SHEET TOTAL
UP	SB	101	TOTAL PROJECT	NO. SHEETS
REGISTERED CIVIL ENGINEER <i>Rafael De</i> DATE: 6-23-12			PROJECT NO. 630015 DATE 6/20/12	
PLANS APPROVED DATE:				
The State of California or its officers or agents shall not be held liable for the accuracy or the absence of bearing of all or any of the above				



DESIGN		BY	A. Dea / J. S. Saunders	CHECKED	J. S. Saunders / M. Rodriguez	DATE	6/23/12	CASITAS PASS ROAD OVERCROSSING (REPLACE) BRIDGE PLANTER DETAILS NO. 2
DETAILS		BY	Bravo Jasso	DESIGNED	J. S. Saunders / M. Rodriguez	DATE	6/23/12	
QUANTITIES		BY	M. W. / J. S. Saunders	QUANTITIES	J. S. Saunders	DATE	6/23/12	
STRUCTURE DESIGN DETAIL SHEET (SHEET NO. 101)								
STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION				DIVISION OF ENGINEERING SERVICES STRUCTURE DESIGN DESIGN BRANCH 7		PROJECT NUMBER & PHASE: 630000043 CONTRACT NO.: 63-05-443204		

-0.405%
BVC 124+86.43
Elev 55.71

367.11' VC
R/C = -0.2501% / Sta

2.674%
EVC 134+73.87
Elev 42.83

PROFILE GRADE

No Scale

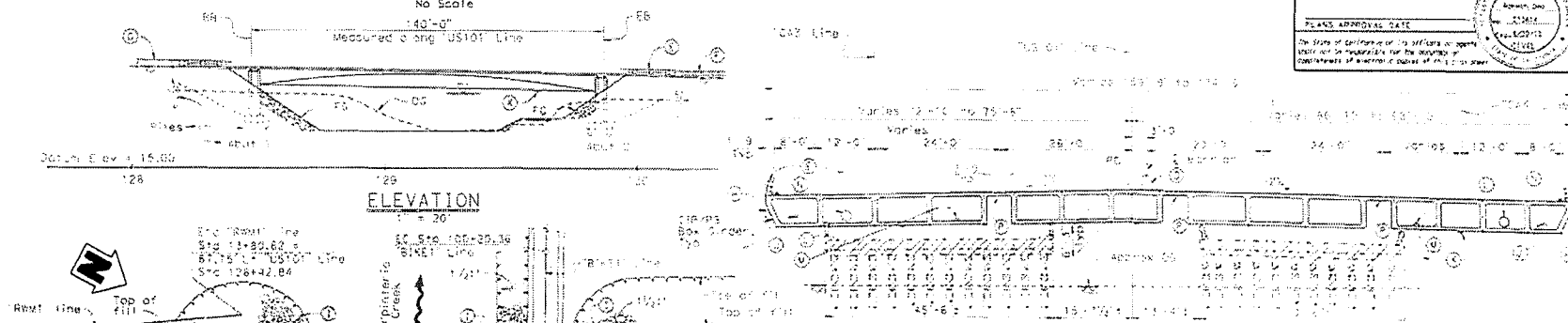
NOTE: For Quantities, See "DECK CONTOURS" sheet.

DIST.	COUNTY	ROUTE	POST MILE	SHEET NO.	TOTAL SHEETS
05	58	131		23	24

Rachel Doo
REGISTERED CIVIL ENGINEER
DATE: 5-23-16

PLANS APPROVAL DATE: _____

By State of California or its officers or agents
shall not be responsible for the design or
construction of a project or project of this State.



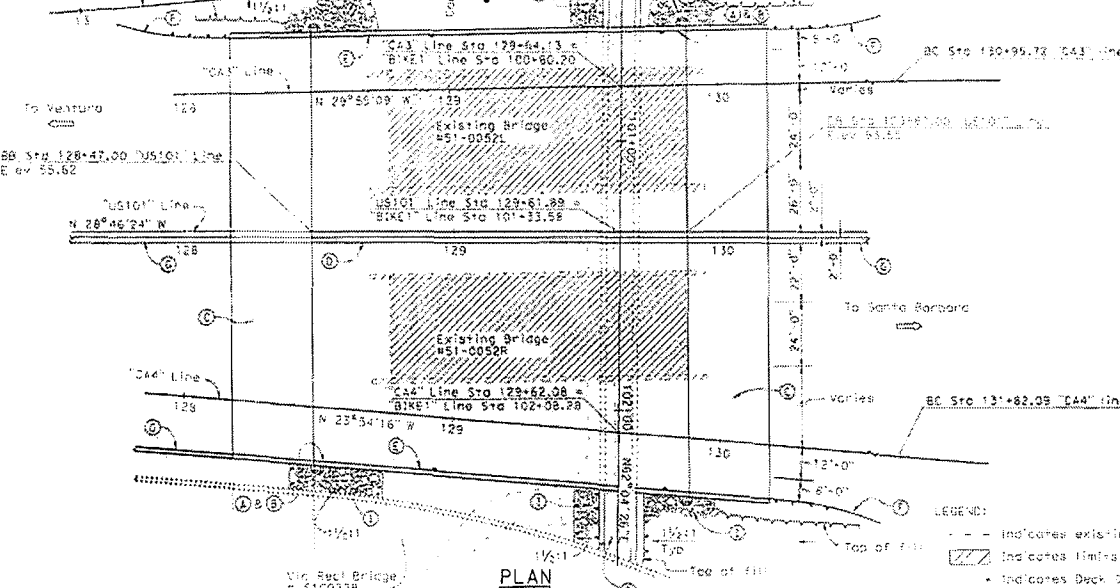
TYPICAL SECTION

1" = 10'-0"

- ① Point "Carpenter Creek Bridge"
- ② Point "Sta. 51+03.82"
- ③ Structure Approach (Type A103)
- ④ Concrete Barrier (Type 60 Modified)
- ⑤ Concrete Barrier (Type 60 Modified)
- ⑥ WGS, see "Roadway Plans"
- ⑦ Type F3 Barrier, see "Roadway Plans" for
Barrier Foundation Details, see Concrete
Barrier Details No. 2 sheets.
- ⑧ Architectural arch, see
"BRIDGE GEOMETRICS" sheet.
- ⑨ Rock Slope Protection (RSP), see "Roadway Plans"
- ⑩ Deck Drainage pipe
- ⑪ Safety lights, see "CIRCUIT LAYOUT NO. 1" and
"CIRCUIT LAYOUT NO. 2" sheets.
- ⑫ Future Utility
- ⑬ 3" Water Supply Line (bridge)
- ⑭ 2" x 4" Electric Conduit (Irrigation), see "Roadway Plans"
- ⑮ Bike Path, see "Roadway Plans"
- ⑯ Closure door

NOTES:

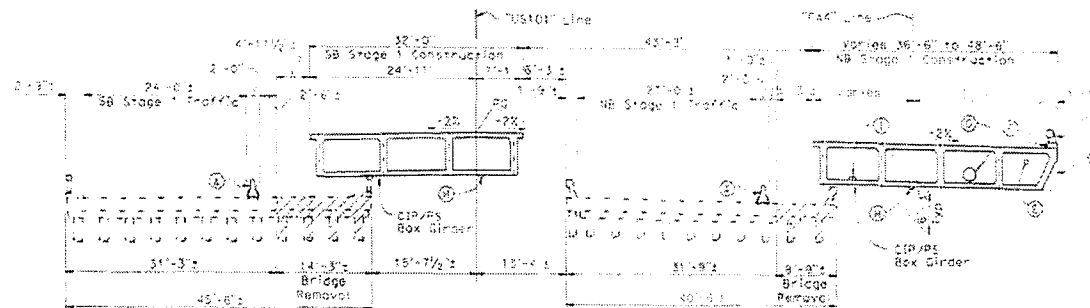
- 1. For Index to Plans, Standard Plans, General Notes and
File Data Table, see "INDEX TO PLANS" sheet.
- 2. For hydrology and foundation, see
"FOUNDATION PLAN" sheet.



LEGEND:

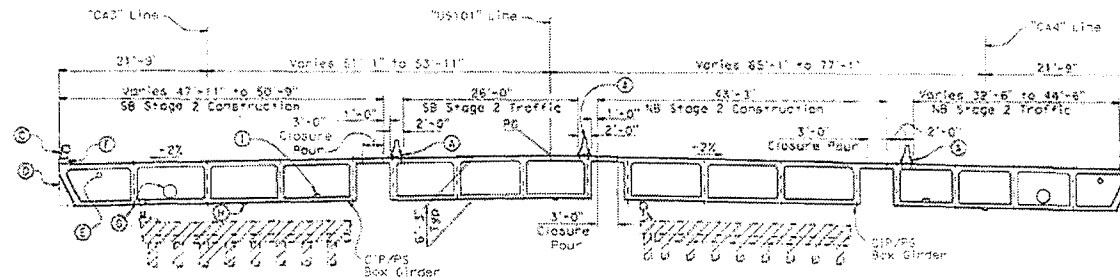
- - - Indicates existing structure
- ▨ Indicates limits of bridge removal
- * Indicates Deck Drain Type D-1

DESIGN		CHECK		DATE		APPROVED		STATE OF CALIFORNIA		DIVISION OF ENGINEERING SERVICES		STRUCTURE DESIGN		DESIGN BRANCH 7		CARPENTER CREEK BRIDGE (REPLACE)		GENERAL PLAN	
DESIGNED BY	W. J. GARDNER	CHECKED BY	W. J. GARDNER	DATE	5/23/16	APPROVED BY	W. J. GARDNER	DATE	5/23/16	PROJECT NUMBER	58-131-0000-0011	CONTRACT NUMBER	58-131-0000-0011	DATE	5/23/16	DATE	5/23/16	DATE	5/23/16



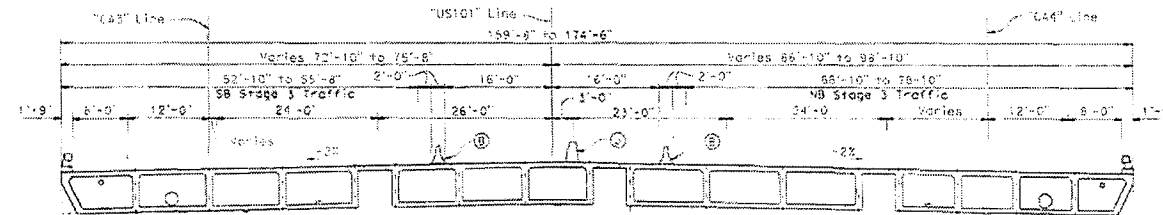
STAGE 1 CONSTRUCTION

1/8" = 1'-0"



STAGE 2 CONSTRUCTION

1/8" = 1'-0"



STAGE 3 CONSTRUCTION

1/8" = 1'-0"

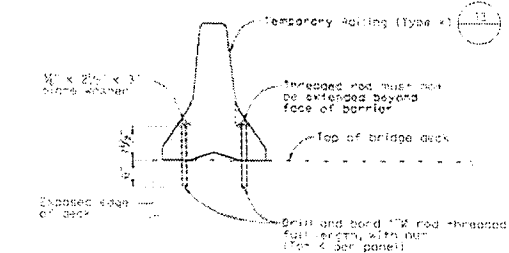
NOTE:
VERIFY ALL CONTROLLING FIELD
DIMENSIONS BEFORE ORDERING OR
FABRICATING ANY MATERIAL.

LEGEND:

- 1. TO SHOW EXISTING BRIDGE
- 2. TO SHOW EXISTING BRIDGE REMOVAL

NOTES:

- 1. Temporary Railing, Type K, see "ROADWAY PLANS"
- 2. Temporary Railing, Type K, see "ROADWAY PLANS"
- 3. Concrete barrier, Type 60, see "ROADWAY PLANS"
- 4. Architectural finish, see "BRIDGE GEOMETRICS" sheet
- 5. Deck Drainage pipe
- 6. 2" x Electric Conduit (Irrigation), see "ROADWAY PLANS"
- 7. Future Utility
- 8. Safety Lights, see "GIRDER LAYOUT NO. 1" and "GIRDER LAYOUT NO. 2" sheets
- 9. 3" Water Supply Line (bridge)
- 10. Concrete Barrier (Type 60 modified)



TEMPORARY RAILING (TYPE K) ATTACHMENT DETAIL

No Scale

DESIGN: "SUN TRUSS" DETAILS: "BRIDGE DECK" QUANTITIES: "TRUSS BRIDGE"	DESIGN: "SUN TRUSS" DETAILS: "BRIDGE DECK" QUANTITIES: "TRUSS BRIDGE"	STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION	DIVISION OF ENGINEERING SERVICES STRUCTURE DESIGN DESIGN BRANCH 7	CARPINTERIA CREEK BRIDGE (REPLACE) STAGE CONSTRUCTION
--	--	---	--	--

Sta 127+95.00
Elev 54.05

Sta 132+54.17
Elev 54.56

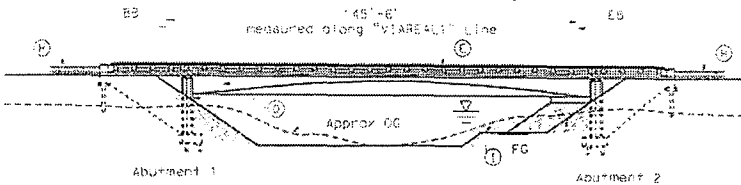
+0.24% -0.30% +0.20%

PROFILE GRADE

NO SCALE

Limits of precast and strain concrete barrier
Limits of tubular bicycle railing

145'-6"
measured along "VIAREAL" Line



Datum Elev = 16.00

ELEVATION

1" = 20'



Carpenteria Creek Bridge
No. 51-0342

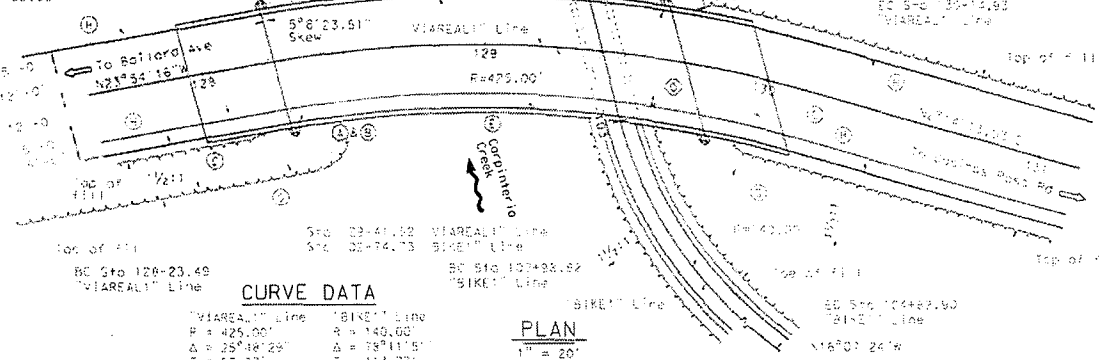
Sta 126+04.31
"CA4" Line

BB Sta 128+25.50
Elev 53.96

BC Sta 131+62.09
"CA4" Line

EB Sta 129+71.00
Elev 53.52

EC Sta 130+14.93
"VIAREAL" Line



CURVE DATA

"VIAREAL" Line "BIKE" Line
R = 425.00' R = 140.00'
Δ = 25°18'29" Δ = 78°11'5"
T = 97.37' T = 113.00'
L = 181.46' L = 131.00'

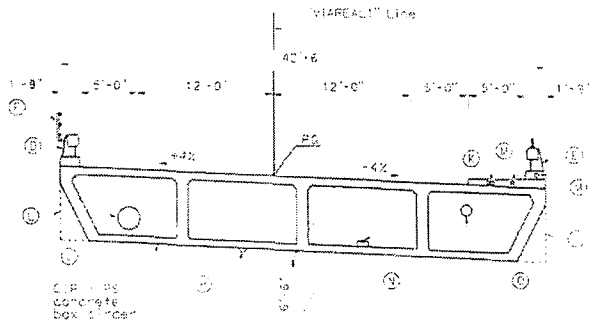
PLAN

1" = 20'

NOTES:

1. Refer to "Pile Data" sheet
2. Refer to "Bt. No. 51-0342"
3. Structure Approach S.D. Type 11.50'
4. Concrete Barrier (Type 80 Modified)
5. Concrete Barrier (Type 80 Modified)
6. Tubular Bicycle Railing
7. Rock Slope Protection (RSP), see "ROADWAY PLANS"
8. V&S, see "ROADWAY PLANS"
9. Bike Path, see "ROADWAY PLANS"
10. Future utility
11. Two 4"R opening for future utility
12. Architectural arch, see "STRUCTURAL DETAILS" sheet
13. 2" Electric conduit (lighting), see "ROADWAY PLANS"
14. 3" Water supply line (bridge)
15. Deck Drainage
16. Soffit Light, see "GRADE LAYOUT" sheet

DATE	BY	CHKD	APP'D	REVISION
5-23-16	Rahk Das			
REGISTERED CIVIL ENGINEER				
PLANS APPROVAL DATE				
The State of California is not responsible for the accuracy or completeness of information of third parties.				



TYPICAL SECTION

1" = 8'

NOTES:

1. For Index to Plans, Standard Plans, General Notes and Pile Data Table, see "INDEX TO PLANS" sheet
2. For Hydrologic/Hydraulic summary, see "FOUNDATION PLAN" sheet

QUANTITIES

ITEM	DESCRIPTION	QUANTITY	UNIT
1	STRUCTURE APPROACH (TYPE 11.50')	2.00	EA
2	CONCRETE BARRIER (TYPE 80 MODIFIED)	2.00	EA
3	TUBULAR BICYCLE RAILING	2.00	EA
4	ROCK SLOPE PROTECTION (RSP)	1.00	EA
5	V&S	1.00	EA
6	BIKE PATH	1.00	EA
7	ARCHITECTURAL ARCH	1.00	EA
8	2" ELECTRIC CONDUIT (LIGHTING)	1.00	EA
9	3" WATER SUPPLY LINE (BRIDGE)	1.00	EA
10	DECK DRAINAGE	1.00	EA
11	SOFFIT LIGHT	1.00	EA
12	CONCRETE BARRIER (TYPE 80 MODIFIED)	2.00	EA
13	CONCRETE BARRIER (TYPE 80 MODIFIED)	2.00	EA

STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION		DIVISION OF ENGINEERING SERVICES STRUCTURE DESIGN DESIGN BRANCH 7		BRIDGE NO. 51-0342	VIA REAL BRIDGE GENERAL PLAN
DESIGNER D. Besci / R. Das	CHECKED Y. Feng / G. Dickerson	LAYOUT P. Sale	SPECIFICATIONS R. Das	PROJECT NUMBER & PHASE 51-0342-01	CONTRACT NO. 05-14004
QUANTITIES R. Das	APPROVED R. Das	APPROVED R. Das	APPROVED R. Das	UNIT: 05 PROJECT NUMBER & PHASE: 51-0342-01	CONTRACT NO. 05-14004

ATTACHMENT 1

**City Council
Resolution No. 5625**

Exhibit C – Conditions of Approval

June 22, 2015



EXHIBIT C: DRAFT CONDITIONS OF APPROVAL

CITY COUNCIL HEARING PROJECT 09-1522-CUP/CDP

Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension

JUNE 22, 2015

The Conditions set forth in this permit affect the title and possession of the real property which is the subject of this permit and shall run with the real property or any portion thereof. All the terms, covenants, conditions and restrictions herein imposed shall be binding upon and inure to the benefit of the owner (applicant, developer), his or her heirs, administrators, executors, successors and assigns. Upon any sale, division or lease of real property, all the conditions of this permit shall apply separately to each portion of the real property and the owner (applicant, developer) and/or possessor of any such portion shall succeed to and be bound by the obligations imposed on the owner (applicant, developer) by this permit.

1. **Permitted Development.** The development conceptually approved by the City Council on June 22, 2015 is limited to the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension Improvements (Project 09-1522-CUP/CDP), consisting of the improvements shown on the plans and written project description and the conditions of approval on file at the City of Carpinteria, subject to further City review and approval as detailed below.

As a condition of project approval, the following project elements and variations shall be incorporated into proposed plans and the project description and detailed more specifically subject to approval of the Community Development Director in consultation with the Public Works Director as follows:

- A. **Nipomo Lane Soundwall (B-2):** The installation of this soundwall shall be achieved at the earliest practical point in the construction of the project.
- B. **Temporary Construction Staging Areas:** The applicant shall submit to the Public Works Director for approval any areas intended for temporary staging of construction equipment and materials which are proposed to be located outside of the US 101 right-of-way.
- C. **Road Surfacing:** Road surfacing shall be made as smooth as possible and lower-noise surfacing materials shall be utilized to the extent determined feasible, to minimize long-term noise and vibration effects.
- D. **Construction Storm Water Pollution Prevention:** In order to provide compliance with relevant Coastal Plan policies, the following measures shall be implemented during project construction:

- a. Best available erosion and sediment prevention and control measures, both structural and non-structural, such as:
 - Stabilize disturbed areas with vegetation, mulch, geotextiles or similar method;
 - Trap sediment onsite using fiber rolls, silt fencing, sediment basin or similar method;
 - Ensure vehicles onsite are parked on areas free from mud; monitor site entrance for mud tracked offsite;
 - Prevent blowing dust from exposed soils.
- b. Best Management Practices to provide adequate sanitary and waste disposal facilities and prevent contamination of runoff by construction chemicals and materials, such as:
 - Control the storage, application and disposal of pesticides, petroleum and other construction and chemical materials;
 - Site washout areas more than 50 feet from a storm drain, open ditch or surface water and ensure that runoff flows from such activities do not enter receiving water bodies;
 - Provide sanitary facilities for construction workers;
 - Provide adequate disposal facilities for solid waste produced during construction and recycle where possible.

2. **Plan Review and Approval by City.** At several steps in the development of the improvement and construction plans, the project shall be subject to further review and approvals from City Departments, the Architectural Review Board (ARB) and other agencies (e.g., Carpinteria-Summerland Fire Protection District). Caltrans shall submit design plans for the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension on State of California plan format for City approval at the following intervals: *95% completion* plans prior to final ARB review and *final plans* prior to commencement of construction.

The applicant shall submit project plans in accordance with the City of Carpinteria final Architectural Review Board process. Plans shall address design comments made by the ARB as identified in their meeting minutes of May 16, 2013.

The Architectural Review Board shall review the architectural design of all structures, landscaping and proposed project signage for aesthetics, compatibility and community character issues in accordance with General Plan/Coastal Plan policies.

3. **95% Project Plans.** The following plans and information shall be submitted to the City prior to or concurrently with submittal of 95% Completion Project Plans for City review and approval by the Community Development Director in consultation with the Public Works Director prior to final review by the Architectural Review Board.

- A. **Storm Water Quality Measures.** Stormwater treatment system details shall be submitted for approval by the Public Works Department. Plans shall identify and describe the proposed stormwater treatment devices to be installed for

CONDITIONS OF APPROVAL

Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension

09-1522-CUP/CDP

Page 2

treating runoff from the new overcrossing and bridge structures, freeway ramp, and Via Real, including any new drains installed as part of the project. Stormwater treatment devices shall consist of vegetated strips, bio-swales or equivalent. The treatment devices shall have the capacity to treat the first one inch of rainfall and shall have pollutant removal rates consistent with Caltrans' approved NPDES permit if placed on Caltrans property, and shall meet the Central Coast Post-Construction Requirements if placed on City or private property. Plans submitted for approval shall include all systems, including vegetated swales, filters, detention ponds, trash racks, interceptors, etc. Plans shall show any proposed connections or upgrades to the City storm drain system on drainage plans, flow conveyance systems (ditches, dikes, berms and swales), energy dissipaters, hard surface for slope protection systems and vegetated systems and shall preserve existing vegetation where possible. Permanent stormwater systems shall comply with post-construction coastal water quality standards contained in the proposed Transportation Corridor Wetland Overlay District (Development Standard #5).

- B. *Drainage Plans.*** Final drainage design and calculations shall be submitted for Public Works review and approval for all drainage improvements, and shall reflect all upgrades to existing infrastructure required by additional flows. Construction of any new culverts shall commence at the most downstream end and may be completed in phases according to the overall construction schedule. Applicant shall provide Stormwater Pollution Prevention Plan (SWPPP) requirements to bidders for proposed construction prior to accepting bids.
- C. *Agency Cooperative Agreements - Pre-Construction.*** Provide a draft Agency Cooperative Agreement between Caltrans, SBCAG, City of Carpinteria and any other entities carrying forward the project, setting forth pre-construction activities affecting City streets and facilities related to the subject project, including responsibility for environmental permitting, project design, drainage considerations, coordination of City permits for improvements (encroachments) located outside of the US 101 corridor, relocation of existing utilities, provision for any applicable fees, identification of any required project construction staging areas specifically located on City-owned properties and rights-of-ways, if any, and other essential elements.
- D. *Right of Way Map(s) and Actions.*** Provide copies of Right-of-Way Record Maps showing data applicable to the project area as necessary to verify location of Caltrans rights-of-way, City rights-of-way and any affected adjacent properties (in lieu of preliminary title reports). Depict locations of City's affected streets adjacent to the US 101 travel lanes on all plans (i.e., Layout plans, Drainage plans, Utility plans, etc.).
- E. *Recycling Plan.*** Submit to the Public Works Director for approval a waste reduction plan including a completed Construction and Demolition Waste Diversion Plan that demonstrates how at least 65% of the project demolition and construction waste will either be re-used or recycled. Construction and Demolition Waste quantities shall be reported to Public Works on a monthly basis during the construction contract period.

- F. Construction Traffic Management Plan.** Provide a detailed Construction Traffic Management Plan for review by Public Works, Community Development, Carpinteria-Summerland Fire Protection District and the Santa Barbara County Sheriff's Department, and obtain approval from the Community Development Director in consultation with the Public Works Director. The plan shall identify:
- a. Construction Phases. Project construction stage exhibits including work descriptions.
 - b. Staging and Parking Areas. Equipment staging, materials storage and construction worker parking areas.
 - c. Truck Routes. Construction truck routes to minimize noise and traffic effects to residential neighborhoods.
 - d. Ramp Closures and Detours. Any proposed closures of US 101 ramps and/or detours, by construction stage.
 - e. City Street Closures and Detours. Any proposed closures of City streets and/or detours, by construction stage.
 - f. Signs and Traffic Control Measures. Signage and other planned temporary traffic control measures, by construction stage.

Specific measures to be taken to reduce traffic effects shall be identified, including:

- g. Public Awareness. A program for public awareness and outreach to commuters, property owners, businesses, residents and agencies affected by project construction.
- h. Public Relations Committee. Applicant is required to facilitate the formation and support/staffing of a Public Relations Committee consisting of business, residents and City representatives. The Committee is to meet regularly prior to and during construction. Applicant shall review construction, construction phasing, project mitigation measures and permit conditions of approval with the committee. Applicant shall consider feedback and comments from the committee, as well as the general public, throughout project construction and make necessary adjustments in response to problems and/or concerns when possible.
- i. Maintenance of Access. Plans for providing access to businesses, coastal dependent uses and recreational uses during construction;
- j. Motorist Information Measures. Elements such as radio announcements and appropriate signage.
- k. Incident Response Measures. Strategies such as COZEEP and freeway service patrol.
- l. Alternative Transportation and Transportation Demand Management (TDM). Incentives and other measures to increase use of alternative modes of transportation, flexible hours and TDM to minimize traffic effects of project construction.
- m. Coordination and Reporting. A program for ongoing reporting and coordination with the City and other affected agencies throughout the project construction process.

G. Long-Term Impact Mitigation Measures: Applicant shall submit the following information describing long-term mitigation measures required in the Certified EIR and Addendum and/or included in the Project Description:

a. Parks & Recreation. [EIR Mitigation 2.1.1.4]

- Public access to Carpinteria Creek Park shall be provided from the proposed extension of Via Real.
- The Class I bicycle path shall be replaced with an Americans with Disabilities Act (ADA) compliant bicycle path.
- When the Class I bicycle path requires closure, Caltrans shall provide a minimum seven-day public notice of the closure and designated detour routes.

b. Population Relocation. [EIR Mitigation 2.1.3.1]

- Adequate replacement housing shall be made available to relocate all permanently displaced residents within the community.

c. Natural Communities [EIR Mitigation 2.3.1]

- Caltrans shall comply with regulatory agencies' recommendations.
- Environmentally Sensitive Area (ESA) fencing shall be installed to limit construction activities and protect biological habitats of concern. Proposed ESA fencing shall be established at all wetlands, riparian areas, oak tree areas and all areas of wildlife habitat in order to avoid, minimize and reduce potential impacts to biological resources. ESA fencing locations shall be determined in the Plans, Specifications & Estimates (PS&E) phase of the project. [Addendum Mitigation]
- All oaks and native trees and shrubs that will remain in the project vicinity shall be delineated on plans and fenced in the field as environmentally sensitive areas.
- To comply with provisions for the protection of nesting birds found in the Migratory Bird Treaty Act, a 15.2- to 30.5-meter (50.0- to 100.0-foot) buffer area shall be identified and delineated on plans and in the field.
- Revegetation shall occur in disturbed areas.
- Replacement ratios for riparian trees greater than four inches diameter at breast height (dbh) shall be 3:1; oaks greater than six inches dbh shall also follow a 3:1 ratio; all other natural community trees and shrubs shall be replaced at a 3:1 ratio based on acreage.
- Both riparian trees and oak trees will have a three-year plant establishment period.

d. Wetlands and Other Waters

- Applicant shall submit detailed restoration plans which shall achieve mitigation of project impacts on biological habitat areas at the

following minimum ratios, in accordance with the development standards contained in the proposed Transportation Corridor Wetland Overlay District (Development Standard #3). Adverse direct impacts shall be mitigated at a ratio of 4:1 for natural wetland areas, including salt marsh and wetlands associated with creeks. Adverse direct impacts to riparian habitats shall be mitigated at a ratio of 3:1. Adverse direct impacts to created wetlands (low functioning wetlands associated with freeway infrastructure) shall be mitigated at a ratio of 3:1. Indirect impacts to wetlands, such as development in wetland buffer areas, shall be mitigated by enhancing (e.g., invasive species removal, native screening vegetation, planting appropriate native species, water quality improvement, sound reduction) all portions of the remaining (undeveloped) wetland buffer area within 100 feet of the impacted wetland. Temporary direct and indirect impacts to wetlands and riparian habitat shall be mitigated at a ratio of 1:1.

- The project shall incorporate environmentally sensitive area fencing; diversion shall be restricted to summer months; cofferdam construction is required. [EIR Mitigation 2.3.2]
- Restoration of 145 square meters (1,560 square feet) of Jurisdictional Waters of the US shall be conducted. [EIR Mitigation 2.3.2]

e. Animal Species [EIR Mitigation 2.3.4]

- Caltrans shall comply with regulatory agencies' recommendations.
- Environmentally Sensitive Area fencing shall be installed prior to beginning construction and depicted in the final design layout plans.
- Bird nests shall be excluded from the US 101 Carpinteria Creek Bridges prior to and during construction.

f. Steelhead Trout [EIR Mitigation 2.3.5]

- Applicant shall comply with regulatory agencies' recommendations.
- Steelhead trout and other native fish within the creek area to be diverted shall be removed and relocated.
- Soil exposed as a result of the project shall be revegetated using native hydroseeding or live planting methods.
- Applicant shall restore the contour, slope and surrounding area of the creek bed to pre-construction conditions or better.
- Applicant shall remove the at-grade concrete bike and pedestrian crossing over Carpinteria Creek to create a free-flowing and natural channel bottom.
- A 3:1 replacement ratio shall be employed for all riparian vegetation.
- Removal of a remaining root ball of invasive giant reed (*Arundo donax*) on the north bank of Carpinteria Creek within and adjacent to

the property at 1212 Casitas Pass Road shall be included as part of this project.

- Applicant shall complete a Section 7 Endangered Species Consultation with US Fish and Wildlife Service and National Oceanic and Atmospheric Administration Fisheries.
- Applicant shall obtain a National Pollution Discharge Elimination System Permit from the State Water Resources Control Board.

g. Tidewater Goby [EIR Mitigation 2.3.5]

- Applicant shall comply with regulatory agencies' recommendations.
- Intakes shall be completely screened with wire mesh no larger than five millimeters.
- Approved fish removal and relocation techniques shall be implemented.
- Upon completion of construction activities, the barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance to the substrate.
- Fish passage shall be maintained during and after construction.
- Environmentally Sensitive Area fencing shall be installed prior to beginning construction and depicted in the final design layout plans.
- Applicant shall restore the contour, slope and surrounding area of the creek bed to pre-construction conditions or better.

h. Western Pond Turtle and Two-striped Garter Snake [Addendum Mitigation]

- Applicant shall comply with regulatory agencies' recommendations.
- Prior to construction, a biologist determined qualified by Caltrans shall survey the ADI and, if present, capture and relocate any western pond turtles or two-striped garter snakes to suitable habitat downstream of the project study area.
- Observations of Species of Special Concern (SSC) or other special-status species shall be documented on CNDDDB forms and submitted to CDFW upon project completion.
- If these species or other SSC aquatic species are observed during construction, they shall likewise be relocated to suitable downstream habitat by a qualified biologist.

i. Invasive Species [EIR Mitigation 2.3.6]

- In compliance with Executive Order 13112 on Invasive Species and subsequent guidance from the Federal Highway Administration, landscaping and erosion control shall not use species listed as noxious weeds.

- In areas of particular sensitivity, extra precaution shall be taken if invasive species are found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.
- Invasive species shall be removed within the project footprint including sticky snakeroot (*Ageratina adenophora*), sweet fennel (*Foeniculum vulgare*) and bristly ox-tongue (*Helminthotheca echinoides*). [Addendum Mitigation]

j. Visual/Aesthetics [EIR Mitigation 3.3]

- All new lighting in the vicinity of the residential neighborhoods north of US 101 shall be minimized for excess light and glare.
- Sufficient area shall be designated for landscaping.
- Landscape shall be included at retaining walls, sound walls, roundabouts and medians.
- Aesthetic treatments and design shall be integrated into all new bridge structures.
- Trees shall be planted at the bridge abutments. Street trees shall be included along all new local roads.
- Planting shall be included along Via Real in the vicinity of the "Ogan property."
- Native vegetation planting shall be included in the vicinity of the Via Real/Carpinteria Creek bridge and the bicycle paths.
- All soundwalls shall include landscaping to reduce their urban appearance.
- The US 101/Carpinteria Creek bridges and the Via Real/Carpinteria Creek bridge shall include open-style bridge rail.
- Any existing median planting removed or damaged shall be replaced in the median, to the greatest extent possible.
- All paving and base material shall be removed, the earth shall be ripped or scarified, and topsoil placed and made ready for planting.
- Yellow barrel-type crash cushion end treatments shall not be installed.

- k. Hazardous Waste. Applicant shall submit hazardous waste/materials investigation reports and evidence of compliance with applicable regulatory requirements for any clean-up and/or disposal of hazardous materials to the California Environmental Protection Agency, Department of Toxic Substances Control (DTSC) for review. This same information shall be submitted to Community Development with comments from DTSC for City review.

- l. Road Surfacing. Applicant shall submit information demonstrating how road surfacing will be made as smooth as possible to minimize long-term noise and vibration impacts, with an analysis of the feasibility of using rubberized or other non-traditional surfacing.
- m. Agriculture Resources. Prior to commencement of construction, applicant shall provide funding for the Agriculture Preservation Program in the amount of \$485,422 to the City of Carpinteria to be placed in an escrow account and distributed for the implementation of the Program. The applicant shall also transfer to the City, as a single legal parcel, the remaining portion of the former Whitney property not developed with transportation improvements at the time of completion of the Casitas Pass Road Interchanges and Via Real Extension. A permanent agriculture easement shall be placed on the property at the time of transfer to the City.
- n. Stormwater Quality.
 - Applicant shall submit plans and information demonstrating compliance with the post-construction coastal water quality standards contained in the proposed Transportation Corridor Wetland Overlay District (Development Standard #5).
 - Revegetation shall occur for disturbed areas along creeks. Work in the creek bed shall be performed during the dry season. Contractor shall comply with Stormwater Pollution Prevention Plan. [EIR minimization techniques 2.2.2]
- o. Coastal Access and Recreation. Construction of the Rincon Trail shall be completed prior to completion of the Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension.
- p. Noise/Soundwalls.
 - Soundwalls shall be included in the project varying in height from eight feet to 12 feet. [EIR minimization technique 2.2.7]
 - Applicant shall submit information demonstrating soundwall construction in the locations indicated in the project description and shown on the project plans, including length, height, surface materials and landscaping.

H. *Mitigation Compliance, Monitoring and Reporting Requirement.* Applicant shall submit to the Community Development Department a draft monitoring program for the mitigation measures as identified in the Certified EIR, approved Project Description and Conditions of Approval for review and comment. A Project Environmental Coordinator (PEC) and mitigation monitors responsible for permit compliance monitoring shall be retained and paid for by the applicant. The mitigation monitoring program shall include, but not be limited to:

- a. **Mitigation Measures.** A list of the project's mitigation measures.
- b. **Implementation of Mitigation.** Timing and party responsible for implementation of each mitigation measure.

- c. Mitigation Monitoring. Timing and party responsible for monitoring of each mitigation measure and a list of mitigation monitors to be retained.
 - d. Mitigation Reporting. Procedures, timing and responsible party for reporting to the City on project mitigation compliance and monitoring.
- I. *Project Environmental Coordinator Required; Monitoring/Reporting.*** A qualified Project Environmental Coordinator (PEC) shall be designated by the applicant. The PEC shall be responsible for ensuring compliance with the provisions of the Mitigation Monitoring and Reporting Program. The PEC shall have authority over all other monitors. The applicant shall submit the name, contact information and qualifications of the PEC and obtain approval from the Community Development Director prior to commencement of construction.
 - J. *Archaeologist and Native American Monitors.*** Applicant shall submit to the Community Development Department for approval the names of archaeologists and Native American monitors for the project who are familiar and experienced with local archaeological conditions. Monitors shall be approved by the City prior to commencement of construction.
 - K. *Dust Control Plan.*** Applicant shall submit a Dust Control Plan that incorporates EIR mitigation measures and includes complaint resolution procedures and a reporting structure, consistent with SBCAPCD requirements, for approval by the City.
- 4. Final Plans.** Prior to final approval for project site preparation, earthwork or construction, applicant shall submit final project construction plans and the following, or evidence of completion of the following for approval by the Community Development Director in consultation with the Public Works Director:
- A. *Hazardous Materials Clean-Up/Remediation.*** Applicant shall submit evidence to Community Development verifying completion of required soil and/or groundwater clean-up or remediation in accordance with applicable regulations and approved plans and shall obtain DTSC approval of remediation completion.
 - B. *Fire District/Sheriff's Department Notification.*** The Fire District and Sheriff's Department shall be contacted prior to ramp or lane closures and/or circulation alterations and restrictions. A final construction Traffic Management Plan (TMP) with projected dates including closures and restrictions of ramps and lanes shall be provided to the Fire District and Sheriff's Department for review and approval prior to the commencement of construction.
 - C. *Agency Cooperative Agreement.*** Prior to commencement of project construction, the applicant shall obtain City approval of an Agency Cooperative Agreement for the project.
 - D. *Pre-Construction Conference.*** Prior to commencement of construction, a pre-construction conference shall be held by the General Contractor to include construction processes and environmental mitigation and monitoring. The conference shall include representatives from Public Works, Fire District, Sheriff's Department, Community Development, Project Engineer, Landscape

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Linden Avenue and Casitas Pass Road Interchanges and Via Real Extension

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Architect, Contractor and Subcontractor(s), Project Environmental Coordinator, Archaeologist and Mitigation Monitors.

5. **Record Drawings.** Upon completion of construction of the project, the applicant shall submit record drawings, stamped and signed by a registered civil engineer, to the City for review, approval and signature by the City Engineer. The record drawings shall include, but not be limited to, all facilities that will be relinquished to the City including all traffic signal and electrical plans, roadway improvements, drainage structures, soundwalls and the Via Real bridge over Carpinteria Creek.
6. **Construction Mitigation.** The following measures shall be implemented by the applicant during project site preparation, demolition, grading and/or construction processes to mitigate environmental impacts. Mitigation monitoring and reporting shall be implemented in accordance with the City-approved plan.
 - A. **Temporary Construction Staging Areas:** Temporary staging of construction equipment and materials outside of the Caltrans right-of-way shall be restricted to locations approved by the Public Works Director. Staging areas shall be screened to the maximum extent feasible.
 - B. **Traffic and Parking.** The Traffic Management Plan approved by Public Works shall be implemented by the applicant throughout project construction.
 - a. Detour routes shall be provided for all full closures. [EIR Construction Impact Mitigation]
 - b. The Traffic Management Plan shall include: Public Awareness Campaign: Flyers, brochures, press releases, website and advertising as required to inform travelers of the project. Construction Zone Enhanced Enforcement Plan (COZEEP); Additional strategies for motorist information, incident management, construction, demand management and alternate route(s) Temporary facilities such as changeable message signs as listed in the Caltrans Transportation Management Plan Guidelines. [EIR Construction Impact Mitigation]
 - C. **Recreation Access.** Vehicular, pedestrian and bicycle access to Carpinteria Creek Park shall be maintained at all times during construction. For short periods of time when direct vehicle access cannot be maintained, temporary parking proximate to the park shall be provided along with a pedestrian route from the parking area to the park.
 - D. **Cultural Resources Mitigation.** Applicant shall implement EIR mitigation measures and standard City monitoring and archaeological resource discovery procedures as identified in the City's archaeological guidelines. The following apply:
 - a. Construction Worker Notification. Prior to the start of any vegetation or paving removal, demolition, trenching or grading, contractors and construction personnel shall be alerted to the possibility of uncovering unanticipated subsurface archaeological features or artifacts associated with past human occupation of the project area, and procedures that shall occur in the event of discoveries.

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- b. Archaeological and Native American Monitors. Ground disturbance in areas sensitive for subsurface archaeological resources as identified in the EIR shall be monitored by a qualified archaeologist, who shall consult with a qualified Native American representative in the event that resources are discovered. Reports on monitoring shall be provided in accordance with the approved Mitigation Monitoring and Reporting Plan.
- c. Discovery Procedures. If cultural resources are encountered, work shall be halted immediately in the vicinity of the find. The Project Environmental Coordinator and Native American Heritage Commission shall be notified, a qualified archaeologist shall be consulted to evaluate the find, and mitigation measures shall be undertaken as necessary to avoid significant impacts in accordance with Public Resources Code Section 5097.98. If the discovery potentially consists of human remains, the Santa Barbara County Coroner shall also be contacted per regulatory requirements. Work in the area may only proceed after authorization is granted by the Project Environmental Coordinator.

E. *Water Quality BMPs.*

- a. Temporary measures to protect water quality as required by an approved Stormwater Pollution Prevention Plan (SWPPP), including sediment control, soil stabilization, concentrated flow conveyance systems, scheduling of ground disturbance activities with respect to rainy season, preservation of existing vegetation, clear water diversion, dewatering operations, wind erosion control, sediment tracking, solid waste management, materials handling, concrete waste management, vehicle and equipment operations, paving operations, stockpile management, water conservation practices, illegal connection or discharge detection and reporting, storm drain inlet protection and contaminated soil management.
- b. There will be storm water inspections both by the contractor and Caltrans during construction. The project shall be subject to the Caltrans General Permit (RWQCB). Work in the creek bed shall be performed during the dry season (June 1 – October 31). Contractor shall acquire SWPPP. [EIR Construction Impact Mitigation]

F. *Hazardous Materials.* Measures shall be implemented in the event of discovery of hazardous materials during project construction to ensure protection of the public, construction workers and environment from hazardous exposure and assessment and remediation of contamination in accordance with regulatory requirements and procedures. Any contaminated soil identified with the proposed project shall be transferred to an appropriate disposal site during construction. All procedures governing the handling or disposal of hazardous waste shall be in accordance with the appropriate regulatory agencies. California regulatory criteria for determining whether excavated soils are to be classified as hazardous waste for disposal purposes based on their metal content are contained in the California Code of Regulations, Title 22, Division 4.5, Chapter 11, Article 3, Section 66261.24. [EIR Construction Impact Mitigation]

G. *Air Quality Mitigation Measures.*

- a. Caltrans Standard Specifications pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 7-1.01F (Air Pollution Control) require the contractor to comply with the more stringent of local or state rules, regulations and ordinances regarding air quality (Government Code §11017). Section 10 of the Standard Specifications regulates dust control. California Health and Safety Code requires the contractor to keep visible dust from blowing offsite. [EIR Construction Impact Mitigation]
- b. A final dust control plan is required to be prepared by Caltrans and approved by SBCAPCD and shall include standard APCD construction-related control measures that mandate minimizing disturbed areas, watering of disturbed areas and stockpiles; stabilization and paving of disturbed areas; covering of trucks and reduction of vehicle speeds on unpaved construction areas. Construction equipment and vehicles shall be maintained in proper tune and low sulfur fuel shall be used in construction equipment.

H. Noise and Vibration. Applicant shall implement mitigation measures identified in Certified EIR/Addendum as follows:

- a. Construction Hours. Construction activities that create sporadic disruptive noise that cannot be muffled (such as pile driver striking a steel beam, reinforced concrete piles and jackhammer breaking pavement) shall be limited to weekday hours between 8:00 a.m. and 5:00 p.m.
- b. Equipment Maintenance and Mufflers. All construction equipment shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.
- c. Staging Area Siting. Staging and equipment areas shall be sited to minimize noise effects to residential uses to the extent feasible.
- d. Noise Barriers. Temporary noise barriers shall be provided around the construction site as necessary to avoid extended disturbance to residents from construction noise.
- e. Neighbor Notification. Within 10 days prior to commencement of each construction stage, the applicant shall provide notification of the construction schedule to surrounding neighborhoods impacted by noise and vibration, in accordance with locations and in a manner specified in the City-approved Construction Management Plan, and shall post information onsite in a location visible to the public, including the hours of operation and contact person with telephone number.
- f. Vibration. Notify residents two weeks prior to pile driving and use vibratory pile driving when available. Use rubber-tired vehicles. Maintenance of night joints and bridge conforms. Restrict severe vibration activities to daylight hours as much as possible. Nighttime demolition work limited to overcrossings. Arrange hotel/motel rooms for residents living within 100 feet of the proposed activity when protracted vibrations in excess of the threshold

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are expected at their residence during hours that they normally sleep. [EIR Construction Impact Mitigation]

I. *Wildlife Mitigation.* Measures for protection of wildlife species during project construction as identified in the Certified EIR/Addendum and required by any resource agency permits shall be implemented by the applicant during project construction as follows.

- a. **Animal Species:** Environmentally Sensitive Area fencing shall be used to prevent animals from entering the work areas. [EIR Construction Impact Mitigation]
- b. **Migratory Birds:** In project construction areas, habitat shall be removed before migratory nesting season begins, using bird netting if needed. [EIR Construction Impact Mitigation]
- c. **Steelhead Trout and Tidewater Goby:** Use of Environmentally Sensitive Area exclusionary fencing; dewatered fish shall be removed and relocated; maintain downstream flow; Wildlife Identification Training; restore the contour, slope and surrounding area of the creek bed to pre-construction conditions or better. [EIR Construction Impact Mitigation]
- d. **Tidewater Goby:** Work conducted outside primary breeding season; approved fish removal and relocation techniques shall be implemented; Environmentally Sensitive Area fencing shall be employed; riparian areas disturbed during construction shall be revegetated using native hydroseeding. [EIR Construction Impact Mitigation]

J. *Habitat Protection.* Measures for the prevention of impacts to habitat area and native plant communities during project construction as identified in the Certified EIR/Addendum and required by any resource agency permits shall be implemented by the applicant during project construction as follows.

- a. **Natural Communities:** The number of access routes, size of staging areas, and total area of activity shall be limited to the minimum necessary. [EIR Construction Impact Mitigation]
- b. **Wetlands and Other Waters:** Compliance with California Coastal Commission and the US Army Corps of Engineers; Environmentally Sensitive Area fencing; silt fencing; diversion restricted to summer months (June 1 – October 31); use of cofferdams; restoration to natural channel bottom; project shall incorporate Best Management Practices and abide by Stormwater Pollution Prevention Plan. [EIR Construction Impact Mitigation]

K. *Pre-construction Surveys.* [Addendum Mitigation].

- a. To ensure that potential impacts to biological resources are avoided and/or minimized, and due to the long lead-time until construction, pre-construction surveys for tidewater goby, California red-legged frog (although their presence is not expected, this will allow for time to coordinate use of the Programmatic Biological Opinion if California red-legged frogs are unexpectedly found), western pond turtle and two-striped garter snake shall be conducted by a qualified Caltrans biologist or designee. Surveys for nesting birds (if work is proposed to occur from

February 15 to September 1 during the nesting season) shall be conducted by a qualified biologist or designee no more than 14 days prior to initiation of construction.

- b. If any federally listed species are found during the pre-construction surveys, other than steelhead trout and tidewater goby, construction shall cease until Formal Section 7 Consultation between Caltrans/FHWA and USFWS is completed. If California red-legged frog is found during pre-construction surveys, Caltrans shall coordinate with USFWS to use the Programmatic Biological Opinion as Formal Section 7 Consultation.
- c. If any state-listed endangered or threatened species are found during the pre-construction surveys, the project shall cease until consultation between Caltrans and CDFW is completed.

L. *Duties of the Biologist and/or Environmental Monitor.* [Addendum Mitigation].

- a. If any special status species are found in the ADI during construction, the Caltrans Biologist or designee shall be present at the construction site until such time as instruction has been given to the workers, the special-status species has been allowed to move out of the ADI on its own, or the special-status species has been relocated outside of the ADI (if authorized by the relevant regulatory agencies).
- b. A Biological/Environmental Monitor shall be onsite during construction activities that may impact special status species and/or migratory birds. This includes clearing and grubbing of Carpinteria Creek, the stream diversion/dewatering of Carpinteria Creek, and the removal of trees during the nesting season from February 15 to September 1.

M. *Authority of the Biologist and/or Environmental Monitor.* The Caltrans Biologist and/or Environmental Monitor shall have the authority to halt any action that might result in impacts that exceed the anticipated levels of impact that were determined during agency review (by Caltrans, U.S. Army Corps of Engineers [ACOE], CDFW, California Coastal Commission (CCC) and/or USFWS) of the proposed plans. If work is stopped, these same regulatory agencies shall be notified immediately by the Caltrans Biologist or Environmental Monitor. [Addendum Mitigation]

N. *Equipment Maintenance and Staging and Materials Storage Restrictions.* All refueling and maintenance of equipment and vehicles shall be conducted at least 60 feet from any aquatic habitat, wetland area or any water body. The contractor shall ensure contamination of habitat does not occur during such operations. All workers shall be informed of the importance of preventing spills of fuels and of the appropriate measures to take should a spill occur. Equipment staging and materials storage shall be located outside of stream corridors and associated riparian habitat. [Addendum Mitigation]

K. *Geology and Soils.* At Linden Avenue, recommendations of the geotechnical report shall be followed, including a likely fill delay period and/or a fill surcharge before placement of the bridge piles and the pavement structural section. Geosynthetic reinforcement shall be required for slope angles to 1:1.5. The

project shall incorporate a revegetation program, including irrigation required on both cut and fill slopes. [EIR Construction Impact Mitigation]

- L. *Paleontology.*** Because there still exists the potential to find sensitive paleontological remains in low sensitivity formations, the following statement shall be included in the Resident Engineer's Instructions: If any vertebrate or plant fossils are discovered during construction, it is required that construction be halted in the immediate vicinity (33-foot radius) of the discovery until the District Paleontology Coordinator has the opportunity to review the find. Remediation of any sensitive resources encountered before or during construction may include removal, preparation and curation of any significant finds. [EIR Construction Impact Mitigation]
- M. *Solid Waste.*** The project solid waste management plan for demolition and construction waste shall be reviewed and approved by the Public Works Department prior to project construction and shall be implemented throughout construction. Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal (e.g., concrete asphalt) with a minimum 65% diversion rate. During grading and construction, separate bins for recycling of construction materials and brush shall be provided onsite. This requirement shall be printed on grading and construction plans. Applicant shall provide Public Works with receipts for recycled materials. Materials shall be recycled as necessary. During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly.
- N. *Project Implemented as Approved by City.*** Applicant shall implement the project in accordance with the final plans and provisions approved by the City of Carpinteria as outlined in these conditions of approval. After final design approval, any minor alterations in project components, design or construction processes shall require prior approval by the Community Development Director and any major alterations shall require prior approval by the Planning Commission and/or City Council. Project structures, facilities and landscaping shall be maintained for the life of the project.
- O. *Annual Report.*** Annually through completion of project construction, the applicant shall submit a report to the Public Works Department on the progress and status of the project.

- 7. *Design.*** The project shall obtain final design review by the Architectural Review Board (ARB) prior to commencement of construction. Structural improvements of the project, including but not limited to overcrossings, bridges, retaining walls, soundwalls, railings, light standards, sidewalks, etc., and landscaping, shall be constructed and installed in conformance with the final design review.
- 8. *Graffiti Abatement.*** The applicant shall clean up graffiti within 72 hours. If the problem persists, as determined by Community Development, a plan for preventing recurrence shall be submitted to Community Development for review and approval, and shall be implemented as approved. Suggested anti-graffiti measures include the use of vertical landscaping or vines along affected wall surfaces and/or the use

of anti-graffiti paint. This condition shall be printed on final construction plans. A graffiti prevention plan shall be submitted upon determination of need by Community Development.

9. **Staging Area Closeout.** The applicant shall clear the project staging areas of all excess construction debris. This requirement shall be noted on final construction plans. Debris clearance shall occur upon project completion and obtain approval from Public Works.

CONDITIONAL USE PERMIT

10. This Conditional Use Permit is not valid until a Grading Permit for the development and/or use has been obtained. Failure to obtain said Grading Permit shall render this Conditional Use Permit null and void. Prior to the approval of the Grading Permit, all of the conditions listed in this Conditional Use Permit that are required to be satisfied prior to approval of a Grading Permit must be satisfied. Upon issuance of the Grading Permit, the Conditional Use Permit shall be valid. The effective date of this Permit shall be the date of action by the City Council.
11. If the Planning Commission or City Council determines at a noticed public hearing that the permittee is not in compliance with any permit condition(s), the Planning Commission or City Council is empowered, in addition to revoking the permit pursuant to said section, to amend, alter, delete or add conditions to this permit.
12. Any use authorized by this Conditional Use Permit shall immediately cease upon expiration or revocation of this Conditional Use Permit. Any Building Permit issued pursuant to this Conditional Use Permit shall expire upon expiration or revocation of the Conditional Use Permit. Conditional Use Permit renewals must be applied for prior to expiration of the Conditional Use Permit.
13. The applicant's acceptance of this permit and/or commencement of construction and/or operations under this permit shall be deemed acceptance of all conditions of this permit by the permittee.
14. Within two years after the effective date of this permit, construction shall commence. Construction cannot commence until a Grading Permit has been issued. Failure to commence the construction pursuant to a valid Grading Permit shall render the Conditional Use Permit null and void.
15. All time limits may be extended by the Planning Commission or City Council for good cause shown, provided a written request, including a statement of reasons for the time limit extension request is filed with Community Development prior to the expiration date.

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16. If the applicant requests a time extension for this permit, the permit may be revised to include updated language to standard conditions and/or mitigation measures and additional conditions and/or mitigation measures which reflect changed circumstances or additional identified project impacts. Mitigation fees shall be those in effect at the time of issuance of a Building Permit.
17. Approval of this Conditional Use Permit/Coastal Development Permit is subject to the Coastal Commission approving the required Local Coastal Program Amendments.
18. Before commencing any work pertaining to the erection, alteration, enlarging or rebuilding of any structure or improvement, the applicant shall obtain a Grading Permit. The permit is necessary to ensure implementation of the conditions required by the City Council. Before any Permit will be issued by Community Development, the applicant must obtain written clearance from all agencies having conditions; such clearance shall indicate that the applicant has satisfied all pre-construction conditions. A form for such clearance is available from Community Development.
19. Prior to issuance of a Grading Permit, applicant shall notify in writing all property owners and occupants of parcels within 300 feet of the project site of its approval and conditions. Proof of mailing the notices shall be provided to Community Development.
20. If, at any time, the City or Planning Commission determines that there has been, or may be, a violation of the findings or conditions of this Development Plan and Coastal Development Plan, or of the Municipal Code regulations, a public hearing may be held before the Planning Commission to review this permit. At said hearing, the Planning Commission may add additional conditions, or recommend enforcement actions, or revoke the permit entirely, as necessary to ensure compliance with the Municipal Code, and to provide for the health, safety, and general welfare of the City. The applicant shall reimburse the City for all costs associated with gaining compliance with the original conditions of approval.
21. Any changes to the approved project must be reviewed and approved by the Community Development Director.
22. Any minor changes may be approved by the City Manager and/or Community Development Director. Any major changes will require the filing of a revision application to be considered by the Planning Commission.
23. All requirements of the City of Carpinteria (including but not limited to public improvements as defined in the City of Carpinteria Municipal Code (CMC), Section 15.16.110) and any other applicable requirements of any law or agency of the State and/or any government entity or District shall be met.

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24. The standards defined within the City's adopted model Building Codes (UBC; NEC; UMC; UFC; UPC; UHC) relative to the building and occupancy shall apply to this project.
25. Any and all damage or injury to public property resulting from this development, including without limitation, City streets, shall be corrected or result in being repaired and restored to its original or better condition.
26. No Grading Permits shall be issued for this project prior to meeting all required terms and conditions listed herein. When not specified herein, all conditions shall be satisfied prior to issuance of a Grading Permit or prior to commencement of construction when allowed by the Community Development Director.
27. To allow time for the utility companies to locate and mark their facilities for the contractor, the applicant shall telephone Underground Service Alert (USA) toll free at 1-800-227-2600 a minimum of 48 hours prior to the start of construction. For best response, provide as much notice as possible, up to 10 working days.
28. Compliance with the Carpinteria Valley Water District letter dated June 12, 2015.
29. All applicable final conditions of approval shall be printed in their entirety on applicable pages of grading/construction or building plans submitted to CDD. These shall be graphically illustrated where feasible. The approved set of plans shall be retained at the construction site for review by the Building Inspector during the course of construction.
30. Applicant shall ensure that the project complies with all approved plans and all project conditions including those which must be monitored after the project is built and occupied. To accomplish this, applicant agrees to contact CDD at least two weeks prior to commencement of construction activities to schedule an onsite pre-construction meeting with the owner, other agency personnel and with key construction personnel.
31. *Pre-project Flood Risk Determination* – The applicant shall obtain a Federal Emergency Management Agency (FEMA) Letter of Map Revision under the National Flood Insurance Program for City of Carpinteria area Flood Insurance Rate Map, Panel No. 06083C1420G. The Letter of Map Revision (LOMR) shall address the pre-project flood risk associated with US 101. The pre-project risk condition shall include the previously mapped diversion of the 1% chance per year flood flow to the Franklin Creek watershed caused by the existing US 101 bridges over Carpinteria Creek and the risk that all of the floodwaters will follow Carpinteria Creek to the ocean. The applicant shall obtain the LOMR prior to commencement of construction. The applicant shall reimburse all costs the City of Carpinteria may incur, including costs for staff time, to obtain the LOMR from FEMA. The applicant shall also offer to assist

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with and pay for the preparation and filing of Flood Determination Letters and Elevation Certificates for all properties that area affected by the resultant change in the FIRM. The offer to the property owners must be made by certified mail and be available for no less than one year after the approval of the LOMR by FEMA.

- 32. *Project Related Flood Risk Determination* – The applicant shall prepare all FEMA required documents and Flood Insurance Rate Map revisions that may be required as result of the proposed project. This shall include, but is not limited to, all costs the City of Carpinteria may incur. If a Conditional Letter of Map Revision (CLOMR) is required, the FEMA-approved CLOMR shall be obtained by the applicant prior to commencement of construction.
- 33. Prior to issuance of a Grading Permit, the applicant shall provide a signed copy of the Conditions of Approval on a form acceptable to Community Development. Such form may be obtained from the CDD office.

Written authorization to proceed and consent to conditions of approval by the applicant shall be provided to the City prior to commencement of any demolition or construction activity.

I HAVE READ AND UNDERSTOOD, AND I WILL COMPLY
WITH ALL ABOVE STATED CONDITIONS OF THIS PERMIT

Applicant Date



Carpinteria Valley Water District

1301 Santa Ynez Avenue • Carpinteria, CA 93013
Phone (805) 684-2816

BOARD OF DIRECTORS

Alonzo Orozco
President
Polly Holcombe
Vice President
Richard Forde
Matthew Roberts
June Van Wingerden

GENERAL MANAGER

Charles B. Hamilton

June 12, 2015

City of Carpinteria
Attention Jackie Campbell
5775 Carpinteria Ave.
Carpinteria CA. 93013
Summerland, CA. 93067

SUBJECT: LINDEN AVENUE AND CASITAS PASS BRIDGES CONDITIONS LETTER

Hello Mrs Campbell

Please be advised, this parcel is within the Carpinteria Valley Water District and therefore is entitled to District water service in accordance with District Rules and Regulations. Currently the District is in a Stage II Drought Emergency for more information on the recently passed Ordinance 15-2, please visit the District website www.cvwd.net.

Listed are the Carpinteria Valley Water District conditions for the project.

The Owner will be required to pay the necessary Capital Cost Recovery Fees CCRF for the new meters for the project. These fees will be required to be paid prior to the meters being installed and the District signing off on the Final sign off. (See attached fee estimate)

The Owner will need to supply to the District a copy of the irrigation plan that includes flow demands and plant list.

If you have any questions please feel free to contact me at brian@cvwd.net or 684-2816x103.

Very truly yours,
Carpinteria Valley Water District


Brian King, P.E.
Associate Engineer

BVK/bvk
C: file copy

CARPINTERIA VALLEY WATER DISTRICT

FEE ESTIMATE FOR NEW SERVICES

Project Name

CAL TRANS 101 IMPROVEMENT

Description:

DOWNSIZE TWO EXISTING 2 INCH METERS TO 1 1/2 INCH METERS AND GET 4 NEW 3/4 INCH METERS

Owner**CAL TRANS****Date of Fee estimate**

06/12/2015

Estimate valid through:

06/30/2016

Capital Cost Recovery Fees (CCRF) CREDIT

Description	Qty	Unit Fee	Fee
2 INCH METER EXISTING	2	\$50,941.00	\$101,882.00
			\$0.00
CCRF SUBTOTAL CREDIT =			\$101,882.00

Capital Cost Recovery Fees for new meters

Description	Qty	Unit Fee	Fee
1 1/2 inch meter	2	\$33,217.00	\$66,434.00
3/4 inch meter	4	\$12,579.00	\$50,316.00

CCRF SUBTOTAL = \$116,750.00

CCRF Subtotal =	\$116,750.00
MINUS CCRF SUBTOTAL CREDIT =	\$101,882.00
CCRF DUE=	\$14,868.00

ATTACHMENT 1

**City Council
Resolution No. 5625**

**Exhibit D – Final EIR Chapter 3 (CEQA Analysis)
And
Appendix D (Mitigation Summary)**

June 22, 2015

Linden Avenue & Casitas Pass Road Interchanges Project

In the City of Carpinteria, 0.4 kilometer (0.2 mile) south of Carpinteria Creek
Bridge to 0.5 kilometer (0.3 mile) north of Linden Avenue Overcrossing

05-SB-101-KP 3.5/5.5 (PM 2.2/3.4)

05-4482U0

SCH# 2008041158

Final Environmental Impact Report/ Finding of No Significant Impact



State of California Department of Transportation

The environmental review, consultation, and any other action required in accordance with applicable federal laws for this project is being, or has been, carried out by the California Department of Transportation under its assumption of responsibility pursuant to 23 US Code 327.

July 2010



Chapter 3 California Environmental Quality Act Evaluation

3.1 Determining Significance under the California Environmental Quality Act

The proposed project is a joint project by the California Department of Transportation (Caltrans) and the Federal Highway Administration and is subject to state and federal environmental review requirements. Project documentation, therefore, has been prepared in compliance with both the California Environmental Quality Act and the National Environmental Policy Act. The Federal Highway Administration's responsibility for environmental review, consultation, and any other action required in accordance with the National Environmental Policy Act and other applicable federal laws for this project is being, or has been, carried out by Caltrans under its assumption of responsibility pursuant to 23 US Code 327. Caltrans is the lead agency under the California Environmental Quality Act and the National Environmental Policy Act.

One of the main differences between the National Environmental Policy Act and the California Environmental Quality Act is the way significance is determined.

Under the National Environmental Policy Act, significance is used to determine whether an Environmental Impact Statement, or some lower level of documentation, will be required. The National Environmental Policy Act requires that an Environmental Impact Statement be prepared when the proposed federal action (project) *as a whole* has the potential to "significantly affect the quality of the human environment." The determination of significance is based on context and intensity. Some impacts determined to be significant under the California Environmental Quality Act may not be of sufficient magnitude to be determined significant under the National Environmental Policy Act.

Under the National Environmental Policy Act, once a decision is made regarding the need for an Environmental Impact Statement, it is the magnitude of the impact that is evaluated and no judgment of its individual significance is deemed important for the text. The National Environmental Policy Act does not require that a determination of significant impacts be stated in the environmental documents.

The California Environmental Quality Act, on the other hand, does require Caltrans to identify each “significant effect on the environment” resulting from the project and ways to mitigate each significant effect. If the project may have a significant effect on any environmental resource, then an Environmental Impact Report must be prepared. Each significant effect on the environment must be disclosed in the Environmental Impact Report and mitigated if feasible.

In addition, the California Environmental Quality Act Guidelines list a number of mandatory findings of significance, which also require the preparation of an Environmental Impact Report. There are no types of actions under the National Environmental Policy Act that parallel the findings of mandatory significance under the California Environmental Quality Act. This chapter discusses the effects of this project and California Environmental Quality Act significance.

3.2 Discussion of Significant Impacts

See Chapter 2 for a discussion of affected environments, potential impacts, and avoidance, minimization and/or mitigation measures. Chapter 3 discusses the impacts addressed in Chapter 2 that fall under the jurisdiction of the California Environmental Quality Act.

3.2.1 Less than Significant Effects of the Proposed Project

Farmland: For purposes of the California Environmental Quality Act, the impact to farmland is considered less than significant. This is due to the low rating on the Farmland Conversion Impact Rating Form (see Table 2.5), the relatively small amount of farmland that will be converted, and the location of the farmland in a highly urbanized area.

Geology and Soils: The project will be constructed to seismic standards to minimize impacts of liquefaction and seismic activity.

Hazards and Hazardous Materials: Two contaminated sites near the project limits have been identified, neither of which will affect the project construction.

Mineral Resources: When balancing energy used during construction and operation against energy saved by relieving congestion and other transportation efficiencies, the project will not have substantial energy impacts. No other mineral resources will be affected by the project.

Population and Housing: The project will require the demolition of one residence and the relocation of the inhabitants of that residence.

Public Services: The project will not require additional public services. The project will enhance access by emergency services to neighborhoods within the project limits.

Recreation: The project will change access to the Carpinteria Creek Park.

Transportation and Traffic: The project will change traffic patterns and improve level of service within the project limits.

Utility and Service Systems: The project will use approximately 6 acre-feet of water per year for three years after the completion of construction to support landscape planting.

Hydrology and Water Quality: The project will remove an obstruction to water flow from Carpinteria Creek, allowing the full 100-year flow to pass. For more information, see Hydrology and Floodplain Section 2.2.1.

Noise: *Special note about noise:* When determining whether a noise impact is significant under CEQA, comparison is made between the existing noise level and the future (design year) noise level. The CEQA noise analysis is completely independent of the NEPA-23 CFR 772 analysis discussed in Chapter 2, which is centered on noise abatement criteria. Under CEQA, the assessment entails looking at the setting of the noise impact and then how large or perceptible any noise increase would be in the given area. Key considerations include the uniqueness of the setting, the sensitive nature of the noise receptors, the magnitude of the noise increase, the number of residences affected, and the absolute noise level. Under CEQA, a significant impact occurs when the design year noise levels (20 years after construction of the project) increase by 12 or more decibels over existing noise levels.

The existing noise level at Receptor 1 is 65 dBA; the predicted noise level under all build alternatives is 69 dBA. This 4-dBA increase between existing noise levels and the build alternative will be barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor will approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 2 is 73 dBA; the predicted noise level under all build alternatives is 76 dBA. This 3-dBA increase between existing noise levels and the build alternative will be barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 3 is 66 dBA; the predicted noise level under all build alternatives is 73 dBA. This 5-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor will approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 4 is 68 dBA; the predicted noise level under all build alternatives is 75 dBA. This 7-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 5 is 73 dBA; the predicted noise level under all build alternatives is 80 dBA. This 7-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 6 is 72 dBA; the predicted noise level under all build alternatives is 78 dBA. This 6-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 7 is 71 dBA; the predicted noise level under all build alternatives is 77 dBA. This 6-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 8 is 64 dBA; the predicted noise level under all build alternatives is 67 dBA. This 3-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 9 is 64 dBA; the predicted noise level under all build alternatives is 67 dBA. This 3-dBA increase between existing noise levels and the build alternative will be barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 10 is 65 dBA; the predicted noise level under all build alternatives is 69 dBA. This 4-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 11 is 61 dBA; the predicted noise level under all build alternatives is 64 dBA. This 3-dBA increase between existing noise levels and the build alternative will be barely perceptible to the human ear. Under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project, and no mitigation is required.

The existing noise level at Receptor 12 is 68 dBA; the predicted noise level under all build alternatives is 75 dBA. This 7-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 13 is 66 dBA; the predicted noise level under all build alternatives is 69 dBA. This 3-dBA increase between existing noise levels and the build alternative will be barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 14 is 65 dBA; the predicted noise level under all build alternatives is 64 dBA. This 1-dBA decrease between existing noise levels and the build alternative will be barely perceptible to the human ear. The decrease in noise levels will be due to the extension of Via Real acting like a noise attenuator, due to its raised elevation. Under CEQA, no significant noise impact will occur as a result of the project and no mitigation will be required.

The existing noise level at Receptor 15 is 62 dBA; the predicted noise level under all build alternatives is 64 dBA. This 2-dBA increase between existing noise levels and the build alternative will be barely perceptible to the human ear. Therefore, under CEQA, no significant noise impact will occur as a result of the project and no mitigation will be required.

The existing noise level at Receptor 16 is 70 dBA; the predicted noise level under all build alternatives is 77 dBA. This 7-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

The existing noise level at Receptor 17 is 65 dBA; the predicted noise level under all build alternatives is 61 dBA. This 4-dBA decrease between existing noise levels and the

build alternative will be perceptible to the human ear. The decrease in noise levels will be due to the extension of Via Real acting like a noise attenuator, due to its raised elevation. Under CEQA, no significant noise impact will occur as a result of the project and no mitigation will be required.

The existing noise level at Receptor 18 is 76 dBA; the predicted noise level under all build alternatives is 81 dBA. This 5-dBA increase between existing noise levels and the build alternative will be perceptible to the human ear. However, under CEQA, no significant noise impact (12 dBA or more) will occur as a result of the project and no mitigation is required. However, under NEPA/23 CFR 772, because the noise levels at this receptor already approach or exceed the noise abatement criteria of 67 dBA, noise abatement will need to be considered.

3.2.2 Significant Environmental Effects of the Proposed Project

The following impacts will have a significant effect on the environment:

Visual/Aesthetics: The existing visual character and quality of the project area will be diminished due to the placement of sound walls and the greater urbanization of the project area due to larger overcrossings, bridges, and the extension of Via Real. New lighting along the extension of Via Real will adversely affect nighttime views. Scenic vistas of the mountains will be impaired due to the placement of sound walls, but the impact is considered less than significant. For more information, see Visual/Aesthetics, Section 2.1.6.

Biological Resources: The project will have an impact on riparian habitat and Coastal Commission-defined wetlands. The removal of oak trees potentially conflicts with the City of Carpinteria's Local Coastal Plan (Policy OSC-7a). For more information, see Biological Environment, Section 2.3, and the State and Local Policy Analysis in Appendix E.

The City of Carpinteria Local Coastal Program does not contain an exception to the required 30.5-meter (100-foot) minimum setback along the upland limits of all wetlands. Therefore, the project will need a Coastal Land Use Plan Amendment.

Construction Impacts

Biology: Due to creek diversion, the project could have an impact on migratory fish (steelhead trout). Creek diversion during construction could have an adverse effect on special-status species (tidewater goby and steelhead trout). For more information, see Biological Environment, Section 2.3.

Air Quality: The project will add to particulate matter less than 10 microns in size and ozone during construction. For more information, see Air Quality, Section 2.2.5.

3.2.3 Unavoidable Significant Environmental Effects

There are no significant impacts after mitigation.

3.2.4 Climate Change under the California Environmental Quality Act

Regulatory Setting

While climate change has been a concern since at least 1988, as evidenced by the establishment of the United Nations and World Meteorological Organization's Intergovernmental Panel on Climate Change (IPCC), the efforts devoted to greenhouse gas (GHG) emissions reduction and climate change research and policy have increased dramatically in recent years. These efforts are primarily concerned with the emissions of greenhouse gasses related to human activity that include carbon dioxide (CO₂), methane, nitrous oxide, tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (1, 1, 1, 2 –tetrafluoroethane), and HFC-152a (difluoroethane).

In 2002, with the passage of Assembly Bill 1493 (AB 1493), California launched an innovative and pro-active approach to dealing with greenhouse gas emissions and climate change at the state level. Assembly Bill 1493 requires the California Air Resources Board (CARB) to develop and implement regulations to reduce automobile and light truck greenhouse gas emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with the 2009-model year; however, in order to enact the standards California needed a waiver from the U.S. Environmental Protection Agency (EPA). The waiver was denied by Environmental Protection Agency in December 2007 and efforts to overturn the decision had been unsuccessful. See *California v. Environmental Protection Agency*, 9th Cir. Jul. 25, 2008, No. 08-70011. However, on January 26, 2009, it was announced that EPA would reconsider their decision regarding the denial of California's waiver. On May 18, 2009, President Obama announced the enactment of a 35.5-mpg fuel economy standard for automobiles and light duty trucks, which will take effect in 2012. On June 30, 2009, the EPA granted California the waiver. California is expected to enforce its standards for 2009 to 2011 and then look to the federal government to implement equivalent standards for 2012 to 2016. The granting of the waiver will also allow California to implement even stronger standards in the future. The state is expected to start developing new standards for the post-2016 model years later this year.

On June 1, 2005, Governor Arnold Schwarzenegger signed Executive Order S-3-05. The goal of this order is to reduce California's greenhouse gas emissions to: 1) 2000 levels by 2010, 2) 1990 levels by the 2020 and 3) 80 percent below the 1990 levels by the year 2050. In 2006, this goal was further reinforced with the passage of Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 sets the same overall greenhouse gas emissions reduction goals while further mandating that CARB create a plan, which includes market mechanisms, and implement rules to achieve "real, quantifiable, cost-effective reductions of greenhouse gases." Executive Order S-20-06 further directs state agencies to begin implementing AB 32, including the recommendations made by the state's Climate Action Team.

With Executive Order S-01-07, Governor Schwarzenegger set forth the low carbon fuel standard for California. Under this order, the carbon intensity of California's transportation fuels is to be reduced by at least 10 percent by 2020.

Climate change and greenhouse gas reduction is also a concern at the federal level; however, at this time, no legislation or regulations have been enacted specifically addressing greenhouse gas emissions reductions and climate change. California, in conjunction with several environmental organizations and several other states, sued to force the U.S. Environmental Protection Agency (EPA) to regulate greenhouse gas as a pollutant under the Clean Air Act (*Massachusetts vs. Environmental Protection Agency et al.*, 549 U.S. 497 (2007)). The court ruled that greenhouse gas does fit within the Clean Air Act's definition of a pollutant, and that the EPA does have the authority to regulate greenhouse gas. Despite the Supreme Court ruling, there are no promulgated federal regulations to date limiting greenhouse gas emissions.

On December 7, 2009, the EPA Administrator signed two distinct findings regarding greenhouse gases under section 202(a) of the Clean Air Act:

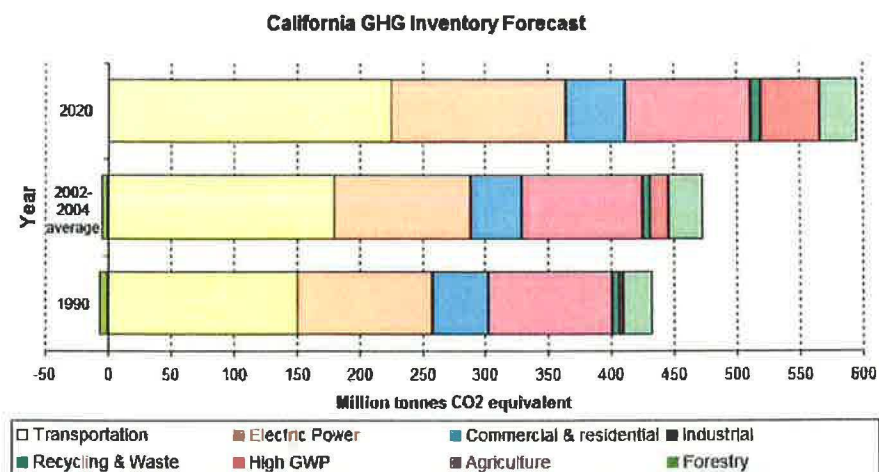
- **Endangerment Finding:** The Administrator finds that the current and projected concentrations of the six key well-mixed greenhouse gases--carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆)--in the atmosphere threaten the public health and welfare of current and future generations.
- **Cause or Contribute Finding:** The Administrator finds that the combined emissions of these well-mixed greenhouse gases from new motor vehicles and new motor vehicle engines contribute to the greenhouse gas pollution which threatens public health and welfare.

These findings do not themselves impose any requirements on industry or other entities. However, this action is a prerequisite to finalizing the EPA's proposed greenhouse gas emission standards for light-duty vehicles, which were jointly proposed by EPA and the Department of Transportation's National Highway Safety Administration on September 15, 2009. ⁹

According to *Recommendations by the Association of Environmental Professionals on How to Analyze greenhouse gas Emissions and Global Climate Change in CEQA Documents* (March 5, 2007), an individual project does not generate enough greenhouse gas emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other sources of greenhouse gas. In assessing cumulative impacts, it must be determined if a project's incremental effect is "cumulatively considerable." See CEQA Guidelines sections 15064(i)(1) and 15130. To make this determination the incremental impacts of the project must be compared with the effects of past, current, and probable future projects. To gather sufficient information on a global scale of all past, current, and future projects in order to make this determination is a difficult if not impossible task.

As part of its supporting documentation for the Draft Scoping Plan, CARB recently released an updated version of the greenhouse gas inventory for California (June 26, 2008). Shown below is a graph from that update that shows the total greenhouse gas emissions for California for 1990, 2002-2004 average, and 2020 projected if no action is taken.

⁹ <http://www.epa.gov/climatechange/endangerment.html>

Figure 3.1 California Greenhouse Gas Inventory

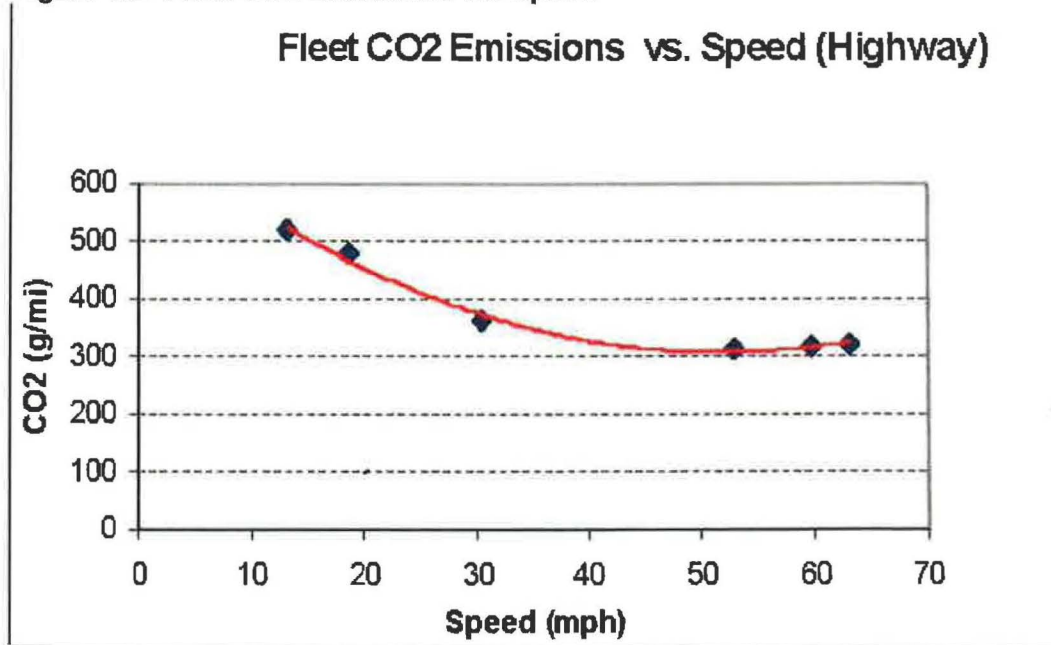
Source: <http://www.arb.ca.gov/cc/inventory/data/forecast.htm>

Caltrans and its parent agency, the Business, Transportation, and Housing Agency, have taken an active role in addressing greenhouse gas emission reduction and climate change. Recognizing that 98 percent of California's greenhouse gas emissions are from the burning of fossil fuels and 40 percent of all human made greenhouse gas emissions are from transportation (see Climate Action Program at Caltrans (December 2006), Caltrans has created and is implementing the Climate Action Program at Caltrans that was published in December 2006. This document can be found at: <http://www.dot.ca.gov/docs/ClimateReport.pdf>.

Project Analysis

One of the main strategies in the Department's Climate Action Program to reduce greenhouse gas emissions is to make California's transportation system more efficient. The highest levels of carbon dioxide from mobile sources, such as automobiles, occur at stop-and-go speeds (0-25 miles per hour) and speeds over 55 miles per hour; the most severe emissions occur from 0-25 miles per hour (see figure below). Relieving congestion by enhancing operations and improving travel times in high congestion travel corridors will lead to an overall reduction in greenhouse gas emissions.

Figure 3.2 Fleet CO2 Emissions vs. Speed



Source: Center for Clean Air Policy— [http://www.ccap.org/Presentations/Winkelman%20TRB%202004%20\(1-13-04\).pdf](http://www.ccap.org/Presentations/Winkelman%20TRB%202004%20(1-13-04).pdf)

The project lies in the South Central Coast Air Basin, which is classified as “in attainment/unclassified” for all current federal air quality standards and in non-attainment for state standards for PM10 and ozone. No criteria exist at this time for greenhouse gases.

This project is designed to improve operations on Route 101; reduce use of Route 101 for local trips; and improve local vehicular, bicycle, and pedestrian circulation. The project will provide a slight improvement in operations on the mainline of Route 101 in both 2016 and 2036. In 2016, the project will provide a substantial improvement in operations and levels of service at six of the local intersections within the study area. In 2036, the project will provide a substantial improvement in operations and levels of service at five of the local intersections within the study area.

The project is consistent with the Santa Barbara County Association of Government’s Regional Transportation Plan and Metropolitan Transportation Plan as well as the City of Carpinteria’s General Plan, Circulation Element.

Construction Emissions

Greenhouse gas emissions for transportation projects can be divided into those produced during construction and those produced during operations. Construction greenhouse gas emissions include emissions produced as a result of material processing, emissions produced by onsite construction equipment, and emissions arising from traffic delays due to construction. These emissions will be produced at different levels throughout the construction phase; their frequency and occurrence can be reduced through innovations in plans and specifications and by implementing better traffic management during construction phases.

In addition, with innovations such as longer pavement lives, improved traffic management plans, and changes in materials, the greenhouse gas emissions produced during construction can be mitigated to some degree by longer intervals between maintenance and rehabilitation events.

CEQA Conclusion

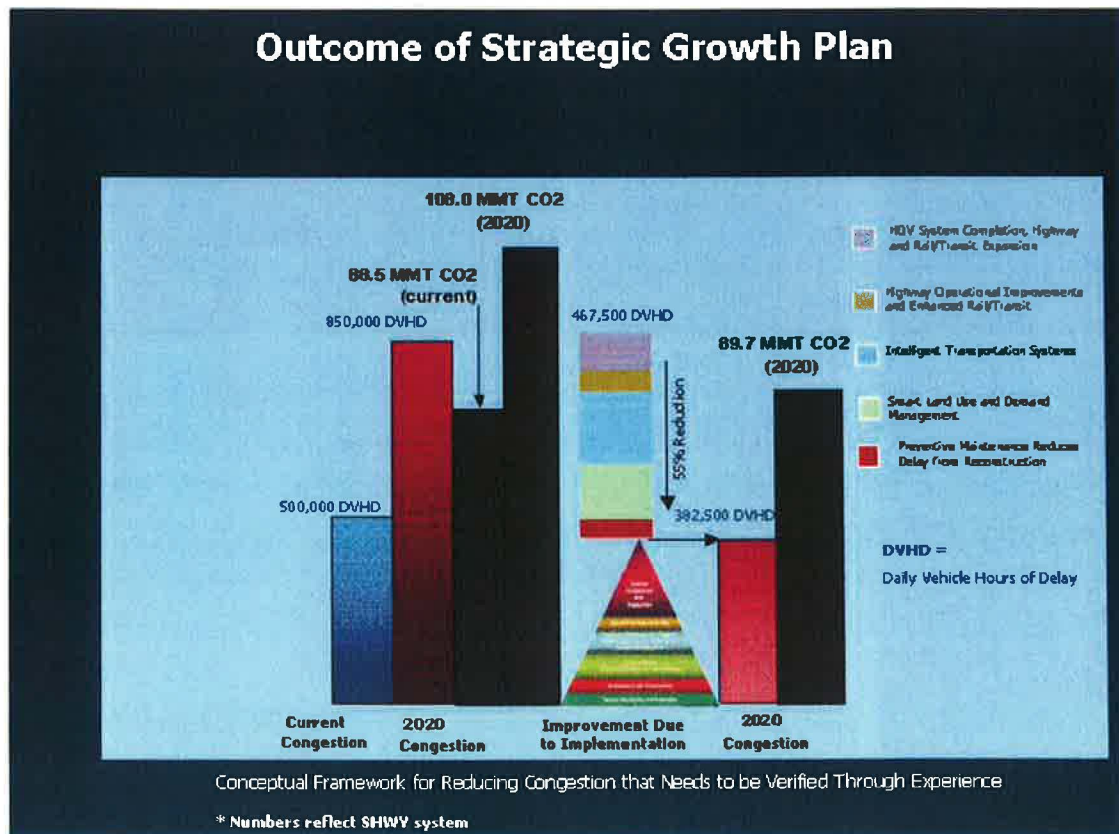
This project will improve operations on Route 101; reduce use of Route 101 for local trips; and improve local vehicular, bicycle, and pedestrian circulation. With the project shoulder widening, safety will be improved leading to fewer accidents, less vehicle delays, which may reduce greenhouse gas emissions. Based on the above, it is Caltrans determination that in the absence of further regulatory or scientific information related to greenhouse gas emissions and CEQA significance, it is too speculative to make a determination regarding the project's direct impact and its contribution on the cumulative scale to climate change. However, Caltrans is firmly committed to implementing measures to help reduce the potential effects of the project. These measures are outlined in the following section.

AB 32 Compliance

The Department continues to be actively involved on the Governor's Climate Action Team as CARB works to implement the Governors Executive Orders and help achieve the target set forth in AB 32. Many of the strategies Caltrans is using to help meet the targets in AB 32 come from the California Strategic Growth Plan, which is updated each year. Governor Arnold Schwarzenegger's Strategic Growth Plan calls for a \$222 billion infrastructure improvement program to fortify the state's transportation system, education, housing, and waterways, including \$100.7 billion in transportation funding during the next decade. As shown on the figure below, the Strategic Growth Plan targets a significant decrease in traffic congestion below today's level and a corresponding

reduction in greenhouse gas emissions. The Strategic Growth Plan proposes to do this while accommodating growth in population and the economy. A suite of investment options has been created that combined together yield the promised reduction in congestion. The Strategic Growth Plan relies on a complete systems approach of a variety of strategies: system monitoring and evaluation, maintenance and preservation, smart land use and demand management, and operational improvements.

Figure 3.3 Outcome of Strategic Growth Plan



As part of the *Climate Action Program at Caltrans* (December 2006), Caltrans is supporting efforts to reduce vehicle miles traveled by planning and implementing smart land use strategies: job/housing proximity, developing transit-oriented communities, and high density housing along transit corridors. Caltrans is working closely with local jurisdictions on planning activities; however, Caltrans does not have local land use planning authority. Caltrans is also supporting efforts to improve the energy efficiency of the transportation sector by increasing vehicle fuel economy in new cars, light and

heavy-duty trucks; Caltrans is doing this by supporting ongoing research efforts at universities, by supporting legislative efforts to increase fuel economy, and by its participation on the Climate Action Team. It is important to note, however, that the control of the fuel economy standards is held by EPA and CARB. Lastly, the use of alternative fuels is also being considered; the Department is participating in funding for alternative fuel research at the University of California at Davis.

Table 3.1 summarizes Caltrans' and statewide efforts that Caltrans is implementing in order to reduce greenhouse gas emissions. For more detailed information about each strategy, please see Climate Action Program at Caltrans (December 2006); it is available at <http://www.dot.ca.gov/docs/ClimateReport.pdf>

Table 3.1 Climate Change Strategies

Strategy	Program	Partnership		Method/Process	Estimated CO ₂ Savings (MMT)	
		Lead	Agency		2010	2020
Smart Land Use	Intergovernmental Review (IGR)	Caltrans	Local Governments	Review and seek to mitigate development proposals	Not Estimated	Not Estimated
	Planning Grants	Caltrans	Local and regional agencies & other stakeholders	Competitive selection process	Not Estimated	Not Estimated
	Regional Plans and Blueprint Planning	Regional Agencies	Caltrans	Regional plans and application process	0.975	7.8
Operational Improvements & Intelligent Trans. System (ITS) Deployment	Strategic Growth Plan	Caltrans	Regions	State ITS; Congestion Management Plan	0.007	2.17
Mainstream Energy & GHG into Plans and Projects	Office of Policy Analysis & Research; Division of Environmental Analysis	Interdepartmental effort		Policy establishment, guidelines, technical assistance	Not Estimated	Not Estimated
Educational & Information Program	Office of Policy Analysis & Research	Interdepartmental, CalEPA, CARB, CEC		Analytical report, data collection, publication, workshops, outreach	Not Estimated	Not Estimated

Fleet Greening & Fuel Diversification	Division of Equipment	Department of General Services	Fleet Replacement B20 B100	0.0045	0.0065 0.45 0.0225
Non-vehicular Conservation Measures	Energy Conservation Program	Green Action Team	Energy Conservation Opportunities	0.117	0.34
Portland Cement	Office of Rigid Pavement	Cement and Construction Industries	2.5 % limestone cement mix 25% fly ash cement mix > 50% fly ash/slag mix	1.2 0.36	3.6
Goods Movement	Office of Goods Movement	Cal EPA, CARB, BT&H, MPOs	Goods Movement Action Plan	Not Estimated	Not Estimated
Total				2.72	18.67

To the extent that it is applicable or feasible for the project and through coordination with the project development team, the following measures will be included in the project to reduce the greenhouse gas emissions from the project:

- Caltrans Standard Specification Provisions restricts idling time for lane closure during construction to 10 minutes in each direction; in addition, the contractor must comply with Santa Barbara County Air Pollution Control District's rules, ordinances, and regulations in regard to air quality restrictions.
- The project will incorporate energy-efficient light emitting diode (LED) traffic signals. High-pressure sodium lighting is planned at this time for other applications, however testing is underway to determine if light emitting diode lighting is also feasible for other project applications.
- Crossing the highway is currently difficult on foot or bicycle. Sidewalks and bicycle lanes on both sides of both overcrossings will be built with this project to help facilitate pedestrian or bicycle use.

Generally speaking, the overall benefits of landscaping and erosion control work will be expected to outweigh their detriments with respect to energy use or climate change. Trees sequester atmospheric carbon to create beneficial greenhouse gases sinks. Tree canopy also creates a drop in paved surface temperatures through shade and the cooling effect of water as it evaporates into the air from leaves through transpiration. Vegetation increases the amount of vapor in the air and rainwater retained in a location resulting in a cooling effect as well as increasing groundwater recharge.

- The proposed project will be designed to minimize removal of existing trees, especially mature trees. The proposed project will overlap existing road surfaces or will remove existing pavement that is no longer needed and will re-vegetate those surfaces thus helping to maintain the carbon sequestration potential of the project site.
- Disturbed areas will be planted with a variety of native and drought-tolerant trees and shrubs in ratios sufficient to replace the air quality and cooling benefits of trees removed by construction of the project. Additional trees will be planted as space allows to further increase those benefits. Street trees will be planted from large-sized containers to accelerate reestablishment of the

greenhouse gas sink and to shade the pavement. Riparian planting will also be included to maintain shade along creek corridors.

- Slopes, drainage channels, and other disturbed areas will be seeded with native and drought-tolerant shrubs, perennials and grasses.

The proposed project will include measures to reduce potential project contributions to greenhouse gas emissions and energy use. To the extent that it is applicable or feasible, the following measures will be incorporated into the project:

- Use of non-chlorinated High Density Polyethylene irrigation crossover conduit.
- Application of compost and soil amendments derived from waste materials.
- Use of fiber produced from recycled pulp such as newspaper, chipboard, cardboard.
- Application of wood mulch made from green waste and/or clean manufactured or natural wood.
- Use of irrigation controllers with water conservation features such as flow monitoring and seasonal scheduling adjustments, which can detect leaks, identify broken sprinkler heads, and reduce over watering.
- Restricted pesticide use and reduction goals.
- The concrete mix used for the project will incorporate fly ash to the maximum extent allowable (currently 35%).

The State of California maintains several websites, which provide public information on measures to improve renewable energy use, energy efficiency, water conservation and efficiency, land use and landscape maintenance, solid waste measures, and transportation alternatives.

Adaptation Strategies

“Adaptation strategies” refer to how Caltrans and others can plan for the effects of climate change on the state’s transportation infrastructure and strengthen or protect the facilities from damage. Climate change is expected to produce increased variability in precipitation, rising temperatures, rising sea levels, storm surges and intensity, and the frequency and intensity of wildfires. These changes may affect the transportation infrastructure in various ways, such as damaging roadbeds by longer periods of intense heat; increasing storm damage from flooding and erosion; and

inundation from rising sea levels. These effects will vary by location and may, in the most extreme cases, require that a facility be relocated or redesigned. There may also be economic and strategic ramifications as a result of these types of impacts to the transportation infrastructure.

Climate change adaptation must also involve the natural environment as well. Efforts are underway on a statewide level to develop strategies to cope with impacts to habitat and biodiversity through planning and conservation. The results of these efforts will help California agencies plan and implement mitigation strategies for programs and projects.

On November 14, 2008, Governor Schwarzenegger signed Executive Order S-13-08, which directed a number of state agencies to address California's vulnerability to sea level rise caused by climate change.

The California Resources Agency [now the Natural Resources Agency, (Resources Agency)], through the interagency Climate Action Team, was directed to coordinate with local, regional, state and federal public and private entities to develop a state Climate Adaptation Strategy. The Climate Adaptation Strategy will summarize the best known science on climate change impacts to California, assess California's vulnerability to the identified impacts and then outline solutions that can be implemented within and across state agencies to promote resiliency.

As part of its development of the Climate Adaptation Strategy, Resources Agency was directed to request the National Academy of Science to prepare a *Sea Level Rise Assessment Report* by December 2010 to advise how California should plan for future sea level rise. The report is to include:

- Relative sea level rise projections for California, taking into account coastal erosion rates, tidal impacts, El Niño and La Niña events, storm surge and land subsidence rates.
- The range of uncertainty in selected sea level rise projections.
- A synthesis of existing information on projected sea level rise impacts to state infrastructure (such as roads, public facilities and beaches), natural areas, and coastal and marine ecosystems.
- A discussion of future research needs regarding sea level rise for California.

Furthermore Executive Order S-13-08 directed the Business, Transportation, and Housing Agency to prepare a report to assess vulnerability of transportation systems to sea level rise affecting safety, maintenance and operational improvements of the system and economy of the state. The Department continues to work on assessing the transportation system vulnerability to climate change, including the effect of sea level rise.

Prior to the release of the final *Sea Level Rise Assessment Report*, all state agencies that are planning to construct projects in areas vulnerable to future sea level rise were directed to consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise. However, all projects that have filed a Notice of Preparation, and/or are programmed for construction funding from 2008 through 2013, or are routine maintenance projects as of the date of Executive Order S-13-08 may, but are not required to, consider these planning guidelines. Sea level rise estimates should also be used in conjunction with information regarding local uplift and subsidence, coastal erosion rates, predicted higher high water levels, storm surge and storm wave data. (Executive Order S-13-08 allows some exceptions to this planning requirement.) This project is not subject to EO S-13-08. The Notice of Preparation was issued in April 2008.

Climate change adaptation for transportation infrastructure involves long-term planning and risk management to address vulnerabilities in the transportation system from increased precipitation and flooding; the increased frequency and intensity of storms and wildfires; rising temperatures; and rising sea levels. The Department is an active participant in the efforts being conducted as part of Governor Schwarzenegger's Executive Order on Sea Level Rise and is mobilizing to be able to respond to the National Academy of Science report on *Sea Level Rise Assessment*, which is due to be released by December 2010.

On August 3, 2009, the Natural Resources Agency in cooperation and partnership with multiple state agencies, released the 2009 California Climate Adaptation Strategy Discussion Draft, which summarizes the best known science on climate change impacts in seven specific sectors and provides recommendations on how to manage against those threats. The release of the draft document set in motion a 45-day public comment period. Led by the California Natural Resources Agency, numerous other state agencies were involved in the creation of discussion draft, including Environmental Protection; Business, Transportation and Housing; Health

and Human Services; and the Department of Agriculture. The discussion draft focuses on sectors that include: Public Health; Biodiversity and Habitat; Ocean and Coastal Resources; Water Management; Agriculture; Forestry; and Transportation and Energy Infrastructure. The strategy is in direct response to Governor Schwarzenegger's November 2008 Executive Order S-13-08 that specifically asked the Natural Resources Agency to identify how state agencies can respond to rising temperatures, changing precipitation patterns, sea level rise, and extreme natural events. As data continues to be developed and collected, the state's adaptation strategy will be updated to reflect current findings. A revised version of the report was posted on the Natural Resources Agency website on December 2, 2009; it can be viewed at: <http://www.energy.ca.gov/2009publications/CNRA-1000-2009-027/CNRA-1000-2009-027-F.PDF>.

Currently, the Department is working to assess which transportation facilities are at greatest risk from climate change effects. However, without statewide planning scenarios for relative sea level rise and other climate change impacts, the Department has not been able to determine what change, if any, may be made to its design standards for its transportation facilities. Once statewide planning scenarios become available, the Department will be able review its current design standards to determine what changes, if any, may be warranted to protect the transportation system from sea level rise.

3.3 Mitigation Measures for Significant Impacts under the California Environmental Quality Act

Visual

To maintain the visual quality of Carpinteria and the Route 101 corridor and to provide a project consistent with community visual resource objectives, the following actions are recommended:

1. To the greatest extent possible, final determination of state right-of-way needs shall include sufficient area for landscaping, determined in conjunction with the Caltrans District Landscape Architect.
2. The project shall include replacement planting to the greatest extent possible, including but not limited to:

- Trees shall be planted at the bridge abutments at Casitas Pass Road and Linden Avenue overcrossings, and at the Via Real/Carpinteria Creek bridges to soften the presence of the structures.
 - Street trees shall be included along all new local roads. Street trees shall be clustered as necessary to maintain views to the Santa Ynez Mountains as seen from public areas.
 - Additional planting shall be included along Via Real in the vicinity of the “Ogan property” to visually screen the property from the new roadway. Specific planting design shall be determined in conjunction with the Caltrans District Cultural Resources specialist.
 - Native vegetation planting shall be included in the vicinity of the Via Real/Carpinteria Creek bridges and the bicycle paths to help visually integrate the project with the natural setting and the Carpinteria Creek Park.
 - All sound walls shall include landscaping to reduce their urban appearance.
3. Appropriate safe and maintainable planting shall be included in the center of the roundabout proposed with Alternative 3.
 4. Aesthetic treatments and design shall be incorporated into all new bridge structures, for example: texturized surfaces, architectural relief, and color application.
 5. The Route 101/Carpinteria Creek bridges and the Via Real/Carpinteria Creek bridges shall include open-style bridge rails.
 6. Aesthetic treatment (for example split-face blocks, textures, and colors) and safe, maintainable planting opportunities shall be incorporated into all proposed retaining walls and sound walls.
 7. Any existing median planting removed or damaged as part of the project shall be replaced in the median, to the greatest extent possible.
 8. All areas where existing ramps and other roadways are removed shall be made suitable for planting. All paving and base material shall be removed, the earth shall be ripped or scarified, and topsoil placed.

9. All new lighting in the vicinity of the residential neighborhoods north of Route 101 shall minimize excess light and glare by careful placement of the poles, height and position of luminaires, and the use of full cut-off lenses where feasible.
10. To the greatest extent possible, integrate and/or relocate the elements of the Traffic Management System (TMS) project (EA 480620, expected to be constructed before this project) into this project, with the goal of reducing noticeability of poles and vertical elements.
11. During the Coastal Development Permit application phase of the project, Caltrans shall work with the City of Carpinteria's Architectural Review Board, using the Santa Barbara County Highway 101 Design Guidelines, and applicable Caltrans design guidance, so that to the greatest extent feasible the project is consistent with City of Carpinteria aesthetic goals.

Biological Resources

Natural Communities

- Replacement planting of riparian habitat will be at a 3:1 ratio.
- Removal of a remaining root ball of invasive giant reed (*Arundo donax*) on the north bank of Carpinteria Creek within and adjacent to the property at 1212 Casitas Pass Road will be included as part of this project.
- Oak replacement plantings will be at a 10:1 ratio for each oak tree removed.
- Tree and vegetation removal will be limited to September 1 through February 28 to avoid nesting birds.
- Removal of ornamental/landscape and non-native trees will require replacement at a ratio of 1:1 using native trees.
- A 15- to 30-meter (50- to 100-foot) buffer area will be delineated in the field to protect nesting migratory birds during construction.

Wetlands and Other Waters

Permanent impacts to wetlands will be mitigated at a 3:1 ratio.

Steelhead Trout, Southern California Evolutionary Significant Unit

During the project development process, it was concluded that the removal of the existing concrete low-flow bike and pedestrian crossing on Carpinteria Creek would

be included as an avoidance and minimization feature of each build alternative. Removal of the existing crossing will clear the channel of a potential movement barrier and return this portion of the creek to a natural channel bottom condition, which will benefit both the steelhead trout and tidewater goby.

The following additional avoidance and minimization measures will be incorporated into each build alternative:

- A 3:1 ratio replacement of all riparian vegetation to be removed during construction is required for all project alternatives.
- Removal of a remaining root ball of invasive giant reed (*Arundo donax*) on the north bank of Carpinteria Creek within and adjacent to the property at 1212 Casitas Pass Road will be included as part of this project.
- Construction within or adjacent to Carpinteria Creek will only take place during low flow conditions between May 1 and October 31 to avoid affecting migrating steelhead trout.
- Following water diversion installation, any remaining fish within the area to be dewatered will be removed using a seine and dip nets. Any steelhead trout encountered during the seining of the dewatered area will be relocated to a suitable location in Carpinteria Creek.
- Disturbance of riparian vegetation and jurisdictional waters shall be minimized by identifying and protecting any adjacent environmentally sensitive areas with fencing. Soils disturbed by the project shall be hydroseeded or planted with native species.
- Creek beds and banks will be graded to pre-construction conditions or to resemble natural terrain.
- Due to the extensive avoidance and minimization efforts, additional compensatory mitigation measures will not be required.

Tidewater Goby

During the project development process it was concluded that the removal of the existing concrete low-flow bike and pedestrian crossing on Carpinteria Creek will be included as an avoidance and minimization feature of each build alternative. The removal of the existing crossing will clear the channel of a potential movement

barrier and return this portion of the creek to a natural channel bottom condition which will benefit both steelhead and tidewater goby.

Additional avoidance and minimization measures include:

- A 3:1 ratio for replanting of all removed native riparian vegetation and the removal of non-native invasive plant species.
- All work activities within and adjacent to Carpinteria Creek shall be completed outside of the primary breeding season to reduce the potential harassment and mortality of tidewater gobies. The window of work for construction within or adjacent to Carpinteria Creek and Franklin Creek will be during the low flow period between May 1 and October 31.
- Only qualified personnel authorized under a biological opinion shall participate in activities associated with the capture, handling, and relocation of tidewater gobies. The names and credentials of personnel who will conduct these activities shall be supplied to the US Fish and Wildlife Service for review and approval at least 15 days prior to the onset of these activities.
- If water is to be pumped around work sites, intakes shall be completely screened with wire mesh not larger than 5 millimeters (0.2 inch) to prevent tidewater gobies from entering the pump system.
- If present during the de-watering effort, as many tidewater gobies as possible shall be removed prior to draining the site. After barriers are constructed, tidewater gobies shall be captured, transported in buckets, and released in the most appropriate habitat immediately adjacent to the de-watered area. If a beach seine is used, it shall be pulled to shore in a deliberate manner with care being taken to avoid rolling the lead line inward. The number of tidewater gobies shall be estimated prior to release. All debris and aquatic and emergent vegetation in the pumped area shall be carefully inspected for tidewater gobies and other vertebrates. As the work site is diverted, remaining pools shall be inspected for tidewater gobies. As many individuals as possible shall be captured using dip nets and other appropriate tools and moved as described above. Handling time for tidewater gobies shall be minimized to the maximum extent practicable.

- In work areas that have been dewatered, water above the barrier shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, the barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance to the substrate.
- Fish passage will be maintained during and after construction.
- All disturbance to potential tidewater goby habitat including riparian vegetation and jurisdictional waters shall be minimized with the use of environmentally sensitive area fencing and all soil exposed as a result of the project shall be revegetated using native hydroseeding or live planting methods.
- If the substrate of the stream is altered during work activities, it shall be graded or otherwise treated to preconstruction conditions or better after the work is completed.

Invasive Species

To assist with controlling the spread of invasive plants, weeds will be removed in the area of direct impact, and all remaining topsoil that was full of weed seeds will either be removed from the area or buried (due to the presence of a high quantity of weed seeds). Measures to control invasive exotic plants long term shall also be implemented.

In compliance with the Executive Order on Invasive Species, Executive Order 13112, and subsequent guidance from the Federal Highway Administration, the landscaping and erosion control included in the project will not use species on the California List of Noxious Weeds <http://ucce.ucdavis.edu/files/filelibrary/5319/4893.pdf>. Measures to control invasive exotic plants shall be implemented according to the Caltrans landscape architect's recommendations. Exotic and invasive weeds such as ice plant, kikuyu grass, fennel, pampas grass, fountain grass and other assorted invasive plants that are listed as "most invasive" on the list will be removed within the area of direct impact and topsoil will not be used in any revegetation areas due to the presence of a high quantity of weed seeds.

After construction is complete, all soil surfaces remaining will be revegetated with native plants suitable for the area.

Compensatory mitigation is not proposed for invasive plant removal and control; it is part of the avoidance and minimization efforts for the project.

Construction Impacts

Utilities/Emergency Services

Before and during construction, all utilities in conflict with the proposed project will be relocated.

Advanced coordination between Caltrans and Carpinteria public safety officials will ensure that services are not disrupted. Accurate pre-construction utility location will be required in conjunction with service providers to avoid accidental disruption of any utility service.

Traffic and Transportation/Pedestrian and Bicycle Facilities

A traffic management plan will be developed for the project. Detour routes will be provided for all full closures.

The Traffic Management Plan for this project may include the following items:

- Public Awareness Campaign: Flyers, brochures, press releases, web site, and advertising as required informing travelers of the project.
- Construction Zone Enhanced Enforcement Plan (COZEEP): Additional California Highway Patrol will be assigned to the construction zone during peak travel times, to ensure construction zone safety.
- Temporary facilities such as changeable message signs and ramp detours to provide notice of road closures, detours and other pertinent information.
- Temporary access to residences and/or businesses will be provided as necessary.
- The project contract specifications will require that emergency services be notified before any required roadway or highway lane closures.
- The maintenance of traffic and sequencing of construction will be planned and scheduled to minimize traffic delays.
- When ramps are closed, detour signs will direct traffic to the nearest available ramp.

- Alternative bicycle and pedestrian routes will be identified and demarcated throughout construction.

Cultural Resources

If cultural materials were discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist could assess the nature and significance of the find.

State Health and Safety Code Section 7050.5 states that, if human remains are discovered, further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner shall be contacted. Pursuant to Public Resources Code Section 5097.98, if the remains were thought to be Native American, the coroner would notify the Native American Heritage Commission, which would then notify the Most Likely Descendent. At this time, the person who discovered the remains would contact Terry Joslin, who would work with the Most Likely Descendent on the respectful treatment and disposition of the remains. Further provisions of Public Resources Code 5097.98 would be followed as applicable.

Water Quality and Stormwater Runoff

Standard stormwater best management practices will be used during and after construction of the project to control potential discharges of pollutants to surface water. Work in the creek bed will be performed during the dry season. A stream diversion may be necessary if the creek is flowing during construction.

Paleontology

Though the potential to find sensitive paleontological remains in low sensitivity formations, the following statement shall be included in the resident engineer's file:

If any vertebrate or plant fossils are discovered during construction, it is required that construction be halted in the immediate vicinity (33-foot radius) of the discovery, until the District Paleontology Coordinator has the opportunity to review the find.

Remediation of any sensitive resources encountered before or during construction may include removal, preparation, and curation of any significant finds.

Hazardous Waste

Any contaminated soil identified with the proposed project will be transferred to an appropriate disposal site during construction. All procedures governing the handling or disposal of hazardous waste shall be in accordance with the appropriate regulatory

agencies. California regulatory criteria for determining whether excavated soils are to be classified as hazardous waste for disposal purposes based on their metal content are contained in the California Code of Regulations, Title 22, Division 4.5, Chapter 11, Article 3, Section 66261.24.

Air Quality

Caltrans Standard Specifications pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 7-1.01F (Air Pollution Control) require the contractor to comply with the more stringent of local, or state rules, regulations, and ordinances regarding air quality (Government Code 11017). Section 10 of the Standard Specifications regulates dust control. California Health and Safety Code requires the contractor to keep visible dust from blowing offsite.

Most of the construction impacts to air quality are short-term in duration and, therefore, will not result in adverse or long-term conditions. Implementation of the following measures will reduce any air quality impacts resulting from construction activities:

1. Apply water or dust palliative to the site and equipment as frequently as necessary to control fugitive dust emissions.
2. Spread soil binder on any unpaved roads used for construction purposes and on all project construction parking areas.
3. Wash trucks off as they leave the right-of-way as necessary to control fugitive dust emissions.
4. Properly tune and maintain construction equipment and vehicles. Use low sulfur fuel in all construction equipment as provided in California Code of Regulations Title 17, Section 93114.
5. Develop a special dust control plan documenting sprinkling, temporary paving, speed limits, and expedited revegetation of disturbed slopes as needed to minimize construction impacts to existing communities.
6. Locate equipment and materials storage sites as far away from residential and park uses as practical. Keep construction areas clean and orderly.

7. To the extent feasible, establish Environmentally Sensitive Areas for sensitive air receptors (e.g., schools, parks, adult and child care facilities) within which extended idling of diesel equipment will be restricted.
8. Use track-out reduction measures such as gravel pads at project access points to minimize dust and mud deposits on roads affected by construction traffic.
9. Cover all transported loads of soils and wet materials prior to transport, or provide adequate freeboard (space from the top of the material to the top of the truck) to reduce PM₁₀ and deposition of particulate during transportation.
10. Remove dust and mud that are deposited on paved, public roads due to construction activity and traffic to decrease particulate matter.
11. To the extent feasible, route and schedule construction traffic to reduce congestion and related air quality impacts caused by idling vehicles along local roads during peak travel times.
12. Install mulch or plant vegetation as soon as practical after grading to reduce windblown particulate in the area.

Noise

Caltrans Standard Specifications (May 2007, Chapter 7 101I Noise Control) that are applicable on all state highway construction projects require that the contractor "... comply with all local sound control and noise level rules, regulations, and ordinances which apply to any work performed pursuant to the contract. Each internal combustion engine, used for any purpose on the job or related to the job, shall be equipped with a muffler of a type recommended by the manufacturer. No internal combustion shall be operated on the job site without the muffler."

Advanced Notice: The resident engineer shall notify the District 5 Public Information office to place notice of the proposed project in local news media in advance of construction. The notice will give estimated dates of construction and mention potential noise impacts.

Construction Schedule: Whenever possible, schedule the noisiest operations during the daylight or early evening hours.

Early Construction of Sound Barriers: In cases where sound barriers are required to be installed with the project, and where the barriers will not interfere with

construction, construction of the barriers prior to project construction is recommended.

Public Relations: A telephone shall be installed in the resident engineer's office to receive noise complaints. The telephone number shall be publicized in local newspapers, and by letter to residences near the construction area.

Temporary Sound Barriers: When necessary and warranted, temporary noise barriers shall be installed to mitigate construction noise, dust, glare, and visual impacts.

Natural Communities

To ensure that all potential impacts to biological resources are avoided and/or minimized, and due to the long lead-time until construction, pre-construction surveys for special-status species (both plants and animals) must be conducted by a qualified Caltrans biologist or designee. Surveys will be conducted about one year before construction, during the appropriate survey season.

The number of access routes, size of staging areas, and the total area of the activity shall be limited to the minimum necessary to safely construct this project. All access will be restricted to the existing roads and designated temporary access areas.

Environmentally sensitive area fencing will be installed to limit construction activities and protect biological habitats of concern. Proposed environmentally sensitive area fencing will be established at all wetland and riparian areas and all areas that exhibit good wildlife habitat potential, to avoid and minimize any potential impacts to biological resources.

Special Provisions for installation of environmentally sensitive area fencing shall also be included in the Construction Contract and shown on Project Plans and Layout Sheets. Routes and boundaries shall be clearly delineated in the field with environmentally sensitive area fencing to minimize activities adjacent to biological resources, including drainages, wetlands and/or native plant communities. All environmentally sensitive area fencing delineated in the field must be approved by the project biologist prior to beginning any construction activities, including vehicle storage. In advance of construction, the resident engineer will contact Lisa Schicker, Caltrans Biologist, (805-549-3628), Caltrans Construction Environmental Liaison George Sistek (805-549-3487) or Caltrans Environmental Planning Supervisor Chuck Cesena (549-3622).

All oaks and native plants that will remain in the project vicinity will be delineated on the plans and fenced in the field as environmentally sensitive areas, to protect and preserve them during construction.

Wetlands and Other Waters

Environmentally sensitive area fencing to prevent damage to areas where no construction will be necessary shall be delineated on all plans and installed in the field prior to construction.

Riparian wetland and wetland areas are regulated under the jurisdiction of the both the California Coastal Commission (through Carpinteria City Local Coastal Program and the Coastal Act) and the US Army Corps of Engineers. To reduce/minimize and compensate for any possible direct or indirect impacts to the wetland areas adjacent to the area of direct impact during construction, the following measures shall be followed:

- Adjacent wetlands shall be fenced off as an environmentally sensitive area with either environmentally sensitive area fencing or silt fencing, depending on the proximity of the work area to the wetlands and the drainage. The project biologist must be contacted prior to beginning any activities in this area to approve the environmentally sensitive area in the field.
- Diversion of the creeks and the Caltrans' drainage channel leading to Franklin Creek will only take place during the low flow summer months, from May 1 through October 31. Water will be diverted around the work sites using the same method for both creeks. Sandbags and filter fabric will be used to form a cofferdam just upstream of the work sites. The water will be diverted in a flexible pipe culvert of adequate size to facilitate fish passage. Following construction, the channel bottom of Carpinteria Creek will be restored to a natural channel bottom and to its original elevation.
- Following construction within Franklin Creek for Alternatives 1 and 4, the channel would be cleaned of any debris and left in its current condition. On completion of construction activities on both creeks, the materials for diversion would be removed in a manner that would allow flow to resume with the least disturbance to the substrate.
- If a work site were to be temporarily dewatered by diversion, pumping and treating, intakes shall be completely screened with wire mesh not larger than

five millimeters (0.2 inch) to prevent all aquatic wildlife from entering the pump system. Water shall be released or pumped to an appropriate location at a rate to maintain downstream flows during construction. On completion of construction activities, any barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance to the substrate.

- All refueling and maintenance of equipment and vehicles shall be at least 18 meter (60 feet) from any aquatic habitat, wetland area, or any water body. The contractor shall ensure contamination of habitat does not occur during such operations. All workers shall be informed of the importance of preventing spills of fuels and of the appropriate measures to take should a spill occur.
- Prior to the onset of work, the Army Corps of Engineers shall ensure that the permittee has prepared a plan to allow a prompt and effective response to any accidental spills around aquatic habitats. All workers shall be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur.
- During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- All construction activities shall be completed in accordance with Caltrans National Pollution Discharge Elimination System Permit, the General Construction Permit and Caltrans Statewide Stormwater Management Plan.
- To protect all adjacent biological habitats of concern (including willow riparian wetlands and native vegetation areas) and for all exposed soils and drainage repair areas during and after construction, Caltrans shall implement best management practices, as identified by the Central Coast Regional Water Quality Control Board. These best management practices will be implemented to minimize or eliminate the potential for a non-stormwater discharge. Construction site best management practices will be addressed in detail in the Storm Water Pollution Control Plan that will be developed for the project site.

Animal Species

General avoidance and minimization measures, such as the use of environmentally sensitive area fencing and exclusion will reduce excavation, grading and disturbance of natural habitat areas, which will minimize impacts to wildlife.

Animal Species (Migratory Birds)

Provisions will be incorporated into the project to address specific protection measures for migratory birds before, during, and after construction. Tree and vegetation removal will be limited to September 1 through February 28 to avoid nesting and raising young. Preconstruction surveys will be conducted to determine if nesting is occurring within or adjacent to the project limits. Delineation on the construction plans and installation of environmentally sensitive area fencing in the field will be required. A 15- to 30-meter (50- to 100-foot) buffer area will be identified and delineated on the plans and in the field to protect nesting migratory birds during construction.

Barn swallows are also protected under the Migratory Bird Treaty Act, and have been observed nesting under the bridges within the area of direct impact. If necessary, special measures can be taken before the breeding season to ensure that swallows and other migratory birds do not nest in the area of direct impact during project construction.

- All habitat used by migratory birds that will be removed to construct the project should be removed from September 1- February 28, before the migratory season begins.
- Preconstruction surveys should be conducted for presence/absence for active nests of birds that are protected under the Migratory Bird Treaty Act one year before the period of construction, during the nesting season (March 1–August 31).
- Bird netting may be used to limit or restrict use of the bridges during the nesting season (March 1–August 31). If necessary to install bird netting, it shall be installed before nesting season.
- Special Provisions to address migratory and nesting bird protection shall be included with the Project Plans and Specifications.

The area of direct impact includes all temporary construction access areas and routes, vehicle and equipment storage areas, and staging areas.

Threatened and Endangered Species

General avoidance and minimization measures for threatened and endangered species are as follows:

- Preconstruction surveys for special-status wildlife will be re-conducted by the Caltrans biologist (or designee) for all species known to occur in the project vicinity about two weeks before beginning construction.
- If any additional federal listed species were found during the preconstruction surveys, the project would cease until formal Section 7 consultation between Caltrans and the US Fish and Wildlife Service were completed.
- If any state special-status species were found during the preconstruction surveys, the project would cease until consultation between Caltrans and the Department of Fish and Game is completed.
- Before the start of construction, the resident engineer shall notify Lisa Schicker, Biologist, at 805-549-3628.
- If any special-status species are found in the area of direct impact during construction and then after any and all required consultations with agencies have occurred, the Caltrans biologist or designee shall be present at the construction site until such time as removal of all special-status species has occurred and all instruction has been given to the workers.
- A Biological/Environmental Monitor will be present onsite during construction activities that may affect special-status species and/or migratory birds. This includes drilling and blasting for the construction of piers and abutments for new bridges and sound walls and any associated diversion activities.
- The Caltrans resident engineer, in consultation with the biologist and/or Environmental Monitor shall have the authority to halt any action that might result in impacts that exceed the anticipated levels of impact that were determined during agency review (by Caltrans, Army Corps of Engineers, California Department of Fish and Game, California Coastal Commission

and/or US Fish and Wildlife Service) of the proposed actions. If work were stopped, these same regulatory agencies shall be notified immediately by the biologist or Environmental Monitor.

Steelhead Trout, Southern California Evolutionary Significant Unit and Tidewater Goby

The following avoidance and minimization measures will be incorporated into each build alternative:

- Caltrans will adhere to all agreements made in the Biological Opinions.
- Construction within or adjacent to Carpinteria Creek will take place only during low flow between May 1 and October 31 to avoid affecting migrating steelhead trout.
- Fish passage will be maintained during construction through a flexible pipe culvert of adequate size to facilitate fish passage.
- Following water diversion installation, any remaining fish in the area to be dewatered will be removed using a seine and dip nets. Any steelhead trout or tidewater goby encountered during the seining of the dewatered area will be relocated to a suitable location in Carpinteria Creek.
- All disturbance to riparian vegetation and jurisdictional waters shall be minimized with the use of environmentally sensitive area fencing, and all soil exposed as a result of the project shall be re-vegetated using native hydroseeding, or live planting methods.
- In work areas that have been dewatered, water above the barrier shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction.
- Upon completion of construction activities, the barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance to the substrate.
- If the substrate of the stream is altered during work activities, it shall be graded or otherwise treated to preconstruction conditions or better after the work is completed.

- Onsite Wildlife Identification Training will be conducted before construction begins. A Caltrans biologist (or designee) will conduct a training session for all construction personnel before any construction activities begin. The training session shall include a description of all special-status species known to occur in the project vicinity (tidewater goby and steelhead). The biologist will discuss their habitats, their importance and general measures being implemented to conserve these species as they relate to the project boundaries. Brochures, photographs, books, and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.
- The Environmental Monitor/biologist will monitor all aquatic activity during construction to insure compliance with conditions found in the Biological Opinions. If the monitor observes abnormal activities or behaviors, she/he will ask the resident engineer to cease all activities until the US Fish and Wildlife Service and National Oceanic and Atmospheric Administration could be consulted and additional avoidance and minimization measures are put in place.
- Caltrans shall restore the contour, slope and surrounding area of the creek bed to preconstruction conditions or better.

Additional Avoidance and Minimization Measures for Tidewater Goby

- All work activities within and adjacent to Carpinteria Creek shall be completed outside of the primary breeding season to reduce the potential harassment and mortality of tidewater goby. The window of work for construction within or adjacent to Carpinteria Creek and Franklin Creek will be during the low flow period between May 1 and October 31.
- Only qualified personnel authorized under a biological opinion shall participate in activities associated with the capture, handling, and relocation of tidewater goby. The names and credentials of personnel who desire to conduct these activities shall be supplied to the US Fish and Wildlife Service for the review and approval at least 15 day before the onset of these activities.
- If water is to be pumped around work sites, intakes shall be completely screened with wire mesh not larger than five millimeters to prevent tidewater goby from entering the pump system.

- During the diversion effort, if present, as many tidewater goby as possible shall be removed prior to draining the site. After barriers are constructed, tidewater goby shall be captured, transported in buckets, and released in the most appropriate habitat immediately adjacent to the de-watered area. If a beach seine is used, it shall be pulled to shore in a deliberate manner with care being taken to avoid rolling the lead line inward. The number of tidewater gobies shall be estimated prior to release. All debris and aquatic and emergent vegetation in the pumped area shall be carefully inspected for tidewater goby and other vertebrates. As the work site is diverted, remaining pools shall be inspected for tidewater goby. As many individuals as possible shall be captured using dip nets and other appropriate tools and moved as described above. Handling time for tidewater goby shall be minimized to the maximum extent practicable.
- All disturbance to potential tidewater goby habitat including riparian vegetation and jurisdictional waters shall be minimized with the use of environmentally sensitive area fencing and all soil exposed as a result of the project shall be revegetated using native hydroseeding or live planting methods.

Vibration

Vibration sensitivity zones resulting from pile driving, structure demolition, and pavement breaking are divided into 18-meter (60-foot), 30-meter (100-foot), and 90-meter (300-foot) intervals. These are shown in Figure 2.14.

To reduce the effects of construction vibration, the following measures are recommended:

- Individually notify residents within 90 meters (300 feet) of areas where pile driving and pavement breaking will take place at least two weeks in advance of the proposed activity. Residents may wish to secure fragile items that could be broken by shaking.
- Arrange motel rooms for residents living within 30 meter (100 feet) of the proposed activity when protracted vibrations in excess of the threshold are expected at their residence during hours that they are normally asleep.¹⁰

¹⁰ Refer to Table 1 that shows the level at which continuous vibrations can disturb an individual's sleep, and Table 4 that shows the residences that are anticipated to be within the 100-foot zone.

- Conduct a photo or video survey of susceptible areas in advance of the potentially damaging construction work. Such activities will occur along the northbound Linden Avenue on-ramp, Ogan Road, Via Real (near the Verizon Switching Center), and residences near the intersection of Sawyer and Holly Lane.
- Monitor and record peak particle velocities near the sensitive receptors while the highest vibration-producing activities are taking place.
- Use vibratory pile driving when soil and other conditions are favorable for employment of this method. Pre-drill pile-holes, or use cast in drill hole or cast in steel shell piles when feasible.
- Use rubber tires instead of tracked vehicles near vibration-sensitive areas.
- Assure that night joints and bridge conforms are as smooth as possible, especially where there is heavy truck traffic near residences.
- Perform activities most likely to propagate objectionable vibrations during the day, or at least before most residents retire for the night.
- Pavement breaking shall be restricted to daylight hours.
- Nighttime demolition work shall be limited to removal of the Linden Avenue and Casitas Pass Road overcrossings.
- All pile driving shall be done during daylight hours.

Appendix D Minimization and/or Mitigation Summary

Section Number Reference & Resource	Minimization and Mitigation Commitments
2.1.1 Land Use	Minimization measures include designing ramp geometrics, which meet minimum design standards and aligning the Via Real extension as close to Route 101.
2.1.1.4 Parks and Recreation	Bicycle and pedestrian detours clearly marked during the construction. <u>Mitigation</u> New public access to the park will be provided from the proposed extension of Via Real. The Class I bicycle path will be replaced with an Americans with Disabilities Act compliant bicycle path. When the Class I bicycle path requires closure, Caltrans will provide a minimum seven-day public notice of the closure and designated detour routes.
2.1.3.1 Relocations	<u>Mitigation</u> Adequate replacement housing available to relocate all permanently displaced residents within the community.
2.2.2 Water Quality	Revegetation along creeks. Permanent and temporary construction design pollution prevention Best Management Practices. Work in the creek bed will be performed during the dry season. Contractor will acquire Storm Water Pollution Prevention Plan.
2.2.7 Noise	Abatement for this project includes: Caltrans intends to incorporate noise abatement in the form of sound barriers at nine locations. The proposed sound barriers vary in height from 8 feet to 12 feet. Most of the proposed barriers will be 12 feet tall.

2.3.1 Natural Communities	Caltrans will comply with regulatory agencies' recommendations. All oaks and native trees and shrubs that will remain in the project vicinity will be delineated on the plans and fenced in the field as environmentally sensitive areas. To comply with provisions for the protection of nesting birds found in the Migratory Bird Treaty Act, a 15.2- to 30.5-meter (50.0- to 100.0-foot) buffer area will be identified and delineated on the plans and in the field. <u>Mitigation</u> Re-vegetation will occur in disturbed areas. Replacement ratios for Riparian trees >10 cm dbh (4 inches) will be 3:1, Oaks >10 cm dbh (4 inches) will follow a 10:1 ratio, and all other natural community trees and shrubs will be replaced 3:1 (acreage) Both riparian and oaks will have a three-year plant establishment period.
2.3.2 Wetlands and other Waters	Plants that will be removed due to channel improvements shall be collected and relocated to a suitable area. The project will incorporate environmentally sensitive area fencing; diversion will be restricted to summer months; cofferdam construction required. <u>Mitigation</u> Permanent wetland impacts will be mitigated at a 3:1 ratio (acreage). Temporary wetland impacts will be mitigated at a 1:1 ratio (acreage). Restoration of 145-square-meters (1,560 square-feet) of Jurisdictional Waters of the US will be conducted.
2.3.4 Animal Species	Caltrans will comply with regulatory agencies' recommendations In coordination with the project's biologist, Environmentally Sensitive Area fencing will be installed prior to beginning construction and in depicted in the final design layout plans.

2.3.5 Threatened and Endangered Species	<i>Steelhead Trout, Southern California Evolutionary Significant Unit:</i> Caltrans will comply with regulatory agencies' recommendations. Steelhead trout, and native fish, within the project area to be diverted will be removed and relocated. Soil exposed as a result of the project shall be re-vegetated using native hydroseeding, or live planting methods. Caltrans shall restore the contour, slope and surrounding area of the creek bed to pre-construction conditions or better.
	<u>Mitigation: Steelhead Trout</u> The removal of the at-grade concrete bike and pedestrian crossing over Carpinteria Creek to create a free-flowing and natural channel bottom. A 3:1 replacement ratio for all riparian vegetation. Removal of a remaining root ball of invasive giant reed (<i>Arundo donax</i>) on the north bank of Carpinteria Creek within and adjacent to the property at 1212 Casitas Pass Road will be included as part of this project.
	<u>Permits</u> Section 7 Endangered Species Consultation from US Fish and Wildlife Service and National Oceanic and Atmospheric Administration Fisheries. National Pollution Discharge Elimination System Permit from State Water Resources Control Board.

2.3.5 Threatened and Endangered Species	<i>Tidewater Goby:</i> Caltrans will comply with regulatory agencies' recommendations. Intakes shall be completely screened with wire mesh no larger than 5 millimeters. Approved fish removal and relocation techniques shall be implemented. Upon completion of construction activities, the barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance to the substrate. Fish passage will be maintained during and after construction. In coordination with the project's biologist, Environmentally Sensitive Area fencing will be installed prior to beginning construction and in depicted in the final design layout plans. Caltrans shall restore the contour, slope and surrounding area of the creek bed to pre-construction conditions or better. <u>Mitigation: Tidewater Goby</u> Removal of the at-grade concrete bike and pedestrian crossing over Carpinteria Creek to create a free-flowing and natural channel bottom. A 3:1 ratio for replanting of all removed riparian. Removal of a remaining root ball of invasive giant reed (<i>Arundo donax</i>) on the north bank of Carpinteria Creek within and adjacent to the property at 1212 Casitas Pass Road will be included as part of this project.
2.3.6 Invasive Species	In compliance with the Executive Order on Invasive Species, Executive Order 13112, and subsequent guidance from the Federal Highway Administration, the landscaping and erosion control included in the project will not use species listed as noxious weeds. In areas of particular sensitivity, extra precautions will be taken if invasive species were found in or adjacent to the construction areas. These include the inspection and cleaning of construction equipment and eradication strategies to be implemented should an invasion occur.
3.3 Visual/ Aesthetics	The project will be reviewed by the City's Architectural Review Board as part of the Coastal Development Permit Process. All new lighting in the vicinity of the residential neighborhoods north of Route 101 will be minimized for excess light and glare.

	<u>Mitigation</u> Sufficient area designated for landscaping. Landscape will be included at retaining walls, sound walls, roundabouts, and medians. Aesthetic treatments and design shall be integrated into all new bridge structures. Trees shall be planted at the bridge abutments. Street trees shall be included along all new local roads. Planting shall be included along Via Real in the vicinity of the “Ogan property.” Native vegetation planting shall be included in the vicinity of the Via Real/Carpinteria Creek bridge and the bicycle paths. All sound walls shall include landscaping to reduce their urban appearance. The Route 101/Carpinteria Creek bridges and the Via Real/Carpinteria Creek bridge shall include open-style bridge rail. Any existing median planting removed or damaged as part of the project shall be replaced in the median, to the greatest extent possible. All paving and base material will be removed, the earth shall be ripped or scarified, and topsoil placed and made ready for planting. Project shall not install yellow barrel-type crash cushion end treatments.
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3.4 Construction Impacts	<i>Natural Communities:</i> The number of access routes, size of staging areas, and total area of activity shall be limited to the minimum. <i>Wetlands and Other Waters:</i> Compliance with California Coastal Commission and the US Army Corps of Engineers; Environmentally sensitive area fencing; silt fencing; diversion restricted to summer months; use of cofferdam; restoration to natural channel bottom; projects will incorporate best management practices and abide by Storm Water Pollution Control Plan. <i>Animal Species:</i> use of environmentally sensitive area fencing. <i>Migratory Birds:</i> habitat removed before migratory nesting season begins; use of bird netting, if needed. <i>Threatened and Endangered Species:</i> Biologist present; Biologist shall have the authority to halt action. • <i>Steelhead Trout, Southern California Evolutionary Significant Unit and Tidewater Goby:</i> Use of environmentally sensitive area; dewatered fish will be removed and relocated; maintain downstream flow; Wildlife Identification Training; Caltrans shall restore the contour, slope and surrounding area of the creek bed to pre-construction conditions or better. • <i>Additional minimization for Tidewater Goby:</i> Work conducted outside primary breeding season; Approved fish removal and relocation techniques shall be implemented; environmentally sensitive area fencing; revegetated using native hydroseeding. <i>Hazardous Waste:</i> Any contaminated soil identified with the proposed project will be transferred to an appropriate disposal site during construction. All procedures governing the handling or disposal of hazardous waste shall be in accordance with the appropriate regulatory agencies. California regulatory criteria for determining whether excavated soils are to be classified as hazardous waste for disposal purposes based on their metal content are contained in the California Code of Regulations, Title 22, Division 4.5, Chapter 11, Article 3, Section 66261.24.
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	<i>Paleontology:</i> Because there still exists the potential to find sensitive paleontological remains in low sensitivity formations, the following statement shall be included in the Resident Engineer's Instructions: If any vertebrate or plant fossils are discovered during construction, it is required that construction be halted in the immediate vicinity (33-foot radius) of the discovery, until the District Paleontology Coordinator has the opportunity to review the find. Remediation of any sensitive resources encountered before or during construction may include removal, preparation, and curation of any significant finds. <i>Utilities and/or Emergency Services:</i> A Traffic Management Plan will be developed for the proposed project. Detour routes will be provided for all full closures. A Public Awareness Campaign will be developed. <i>Cultural Resources:</i> If cultural materials are discovered during construction, all earth-moving activity within and around the immediate discovery area would be diverted until a qualified archaeologist could assess the nature and significance of the find. • State Health and Safety Code Section 7050.5 states that, if human remains are discovered, further disturbances and activities shall cease in any area or nearby area suspected to overlie remains, and the County Coroner shall be contacted. • Pursuant to Public Resources Code Section 5097.98 <i>Traffic and Transportation/ Pedestrian and Bicycle Facilities:</i> A Traffic Management Plan will be developed to accommodate local traffic patterns and reduce delays, congestions, and collisions. Detour routes will be provided for all full closures. The Traffic Management Plan will include: Public Awareness Campaign: Flyers, brochures, press releases, web site, and advertising as required informing travelers of the project. Construction Zone Enhanced Enforcement Plan (COZEED); Additional California Highway Other strategies: Temporary facilities such as changeable message signs and ramp.
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3.4 Construction Impacts	<i>Vibrations:</i> Notify residents two weeks prior to pile driving Use of vibratory pile driving when available. Use rubber-tired vehicles. Maintenance of night joints and bridge conforms. Restrict severe vibration activities to daylight hours as much as possible. Nighttime demolition work limited to overcrossings. Arrange motel rooms for residents living within 100 feet of the proposed activity when protracted vibrations in excess of the threshold are expected at their residence during hours that they are normally asleep. <i>Water Quality:</i> Temporary construction site pollution prevention Best Management Practices will be included. There will be storm water inspections both by the contractor and Caltrans during construction. The project will be subject to the new CGP. Work in the creek bed will be performed during the dry season. Contractor shall acquire SWPPP. <i>Geology and Soils:</i> At Linden Avenue, it is likely a fill delay period and/or a fill surcharge will be required before placement of the bridge piles and the pavement structural section. Geosynthetic reinforcement required for slope angles to 1:1.5. The project will incorporate a revegetation program, including irrigation required on both cut and fill slopes. <i>Air Quality:</i> Caltrans Standard Specifications pertaining to dust control and dust palliative requirements are a required part of all construction contracts and should effectively reduce and control emission impacts during construction. The provisions of Caltrans Standard Specifications, Section 7-1.01F (Air Pollution Control) require the contractor to comply with the more stringent of local, or state rules, regulations, and ordinances regarding air quality (Government Code 11017). Section 10 of the Standard Specifications regulates dust control. California Health and Safety Code requires the contractor to keep visible dust from blowing off site. Most of the construction impacts to air quality are short-term in duration and, therefore, will not result in adverse or long-term conditions. Implementation of the following measures will reduce any air quality impacts resulting from construction activities: • Apply water or dust palliative to the site and equipment. • Spread soil binder on any unpaved roads and on all project construction parking areas. • Wash trucks off. • Properly tune and maintain construction equipment and vehicles. Use low sulfur fuel in all construction equipment.
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	• Develop a dust control plan. • Locate equipment and materials storage sites as far away from residential and park uses as practical. Keep construction areas clean and orderly. • Identify areas where extended idling is allowed. • Use track-out reduction measures such as gravel pads at project access points. • Cover all transported loads of soils and wet materials prior to transport, or provide adequate freeboard. • Remove dust and mud that are deposited on paved, public roads. • Route and schedule construction traffic to reduce congestion and related air quality impacts. • Install mulch or plant vegetation as soon as practical after grading.
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ATTACHMENT 1

**City Council
Resolution No. 5625**

**Exhibit E – Caltrans EIR Addendum,
Linden Avenue and Casitas Pass Road Interchanges**

June 22, 2015

NEPA/CEQA RE-VALIDATION FORM

DIST./CO./RTE.	05/SB/101
PM/PM	2.2/3.3
E.A. or Fed-Aid Project No.	05-4482u
PROJECT TITLE	Linden Avenue & Casitas Pass Interchanges
ENVIRONMENTAL APPROVAL TYPE	EIR/FONSI
DATE APPROVED	7/20/2010
REASON FOR CONSULTATION (23 CFR 771.129)	Check reason for consultation: ☐ Project proceeding to next major federal approval ☒ Change in scope, setting, effects, mitigation measures, requirements ☐ 3-year timeline (EIS only) ☐ N/A (Re-Validation for CEQA only)
DESCRIPTION OF CHANGED CONDITIONS	Realignment of Via Real, closer to US 101. Provide temporary planted median in 5th lane on Casitas Pass Road overcrossing. Directional drilling of sanitary sewer line under Carpinteria Creek. Removal of soundwall B-3. Realignment and narrowing of Linden Avenue overcrossing. Lengthen soundwall B-9 by approximately 270 feet.

NEPA CONCLUSION - VALIDITY

Based on an examination of the changed conditions and supporting information: [Check ONE of the three statements below, regarding the validity of the original document/determination (23 CFR 771.129). If document is no longer valid, indicate whether additional public review is warranted and whether the type of environmental document will be elevated.]

- ☐ The original environmental document or CE remains valid. No further documentation will be prepared.
- ☒ The original environmental document or CE is in need of updating; further documentation has been prepared and ☐ is included on the continuation sheet(s) or ☒ is attached. With this additional documentation, the original ED or CE remains valid.
- Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☐
- ☐ The original document or CE is no longer valid.
- Additional public review is warranted (23 CFR 771.111(h)(3)) Yes ☐ No ☐
- Supplemental environmental document is needed. Yes ☐ No ☐
- New environmental document is needed. Yes ☐ No ☐ (If "Yes," specify type: _____)

CONCURRENCE WITH NEPA CONCLUSION

I concur with the NEPA conclusion above.

Signature: Environmental Branch Chief

03/26/15
Date

David Beard
Signature: Project Manager/DLAE

3/26/15
Date

CEQA CONCLUSION : (Only mandated for projects on the State Highway System.)

Based on an examination of the changed conditions and supporting information, the following conclusion has been reached regarding appropriate CEQA documentation: (Check ONE of the five statements below, indicating whether any additional documentation will be prepared, and if so, what kind. If additional documentation is prepared, attach a copy of this signed form and any continuation sheets.)

- ☐ Original document remains valid. No further documentation is necessary.
- ☒ Only minor technical changes or additions to the previous document are necessary. An addendum has been or will be ☒ prepared and is ☐ included on the continuation sheets or ☒ will be attached. It need not be circulated for public review. (CEQA Guidelines, §15164)
- ☐ Changes are substantial, but only minor additions or changes are necessary to make the previous document adequate. A Supplemental environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15163)
- ☐ Changes are substantial, and major revisions to the current document are necessary. A Subsequent environmental document will be prepared, and it will be circulated for public review. (CEQA Guidelines, §15162) (Specify type of subsequent document, e.g., Subsequent FEIR:)
- ☐ The CE is no longer valid. New CE is needed. Yes ☐ No ☐

CONCURRENCE WITH CEQA CONCLUSION

I concur with the CEQA conclusion above.

Signature: Environmental Branch Chief

03/26/15
Date

David Beard
Signature: Project Manager/DLAE

3/26/15
Date

NEPA/CEQA RE-VALIDATION FORM

CONTINUATION SHEET(S)

Address only substantial changes or substantial new information since approval of the original document and only those areas that are applicable. Use the list below as section headings as they apply to the project change(s). Use as much or as little space as needed to adequately address the project change(s) and the associated impacts, minimization, avoidance and/or mitigation measures, if any.

Changes in project design, e.g., substantial scope change; a new alternative; change in project alignment

Realignment of Via Real, closer to US 101. Provide temporary planted median in 5th lane on Casitas Pass Road overcrossing. Directional drilling of sanitary sewer line under Carpinteria Creek. Removal of soundwall B-3. Realignment and narrowing of Linden Avenue overcrossing. Lengthen soundwall B-9 by approximately 270 feet. See attachment for more information. See attachment for more information.

Changes in environmental setting, e.g., new development affecting traffic or air quality;

Revised wetland delineations resulted in additional wetland impacts. Raptor nests near Carpinteria Creek appear to no longer exist. Additional invasive species were identified. See attachment for more information.

Changes in environmental circumstances, e.g., a new law or regulation; change in the status of a listed species.

Changes in special status species have occurred. See attachment for more information.

Changes to environmental impacts of the project, e.g., a new type of impact, or a change in the magnitude of an existing impact.

Changes in impacts have been identified in Traffic and Transportation, Visual/Aesthetics, Natural Communities, Wetlands and Other Waters, Animal Species, Special Status Species, and Invasive Species. See attachment for more information.

Changes to avoidance, minimization, and/or mitigation measures since the environmental document was approved.

New or revised avoidance, minimization, and/or mitigation measures have been identified for Natural Communities, Wetlands and Other Waters, Animal Species, and Special Status Species. See attachment for more information.

Changes to environmental commitments since the environmental document was approved, e.g., the addition of new conditions in permits or approvals. When this applies, append a revised Environmental Commitments Record (ECR) as one of the Continuation Sheets.

Biological environmental commitments have been revised to reflect the project changes and the latest regulatory requirements and policies. See attachment for more information.

NEPA/CEQA RE-VALIDATION FORM

Introduction

In July 2010, Caltrans approved an Environmental Impact Report and Finding of No Significant Impact (EIR/FONSI) for the Linden Avenue & Casitas Pass Road Interchanges Project. Alternative 3 was the alternative selected for design and construction. Since the environmental approval, several changes to the project have occurred, requiring an update to the environmental document.

This revalidation is intended to update the Final EIR/FONSI based on changes to the project since its approval. For information about the original project, including the affected environment, project effects, and avoidance, minimization, and mitigation measures, please refer to the Final EIR/FONSI (July 2010).

California Environmental Quality Act (CEQA) Guidelines Section 15164 provides for the preparation of an Addendum when "minor technical changes or additions "that are necessary to assure that the original environmental analysis is adequate under CEQA, provided that:

- there are no new significant environmental effects,
- there is no substantial increase in the severity of previously identified significant effects,
- no substantial changes occur with respect to the circumstances under which the project is undertaken requiring major revisions to the previous environmental document,
- there is no new information of substantial importance which was previously unknown,
- there are no considerably different mitigation measures or alternatives identified that do not become adopted by the project sponsor."

Caltrans finds that the previous environmental document as amended may be used to fulfill the environmental review requirements of the current project. The changes in the project are minor, technical changes that do not change the significance of the project's environmental impacts. There has been no substantial increase in the severity of significant effects. No substantial changes in the regulatory circumstances have occurred. No new information that was previously unknown has been identified. No new alternatives have been identified. Mitigation measures proposed herein are substantially similar to the original mitigation measures provided for the project.

Under NEPA, there are three triggers that necessitate the initiation of the consultation or reevaluation process:

1. Project is proceeding to the next major federal approval
2. Project changes

NEPA/CEQA RE-VALIDATION FORM

3. Three year timeline for an EIS

23 CFR 771.129(c) provides that the Department must consult (ensure that the original environmental document/determination is still valid) prior to requesting any major approvals from the Federal Highway Administration (FHWA). Although project changes are not specifically called out in 23 CFR 771.129, they can be important triggers for reevaluation.

While the entire project must be re-examined for changes, an evaluation of the NEPA document should focus on any changes to the project, its setting, impacts, or new issues that have arisen since the circulation of the document. Based on the written evaluation, a decision is made whether the existing NEPA document remains valid, to supplement the existing document, or prepare a new document.

Caltrans finds that the previous environmental document as amended herein may be used to fulfill the environmental review requirements of the current project. The changes in the project are minor, technical changes that do not change the significance of the project's environmental impacts. There has been no substantial increase in the severity of significant effects. No substantial changes in the regulatory circumstances have occurred. No new information of substantial importance that was previously unknown has been identified. No new alternatives have been identified. Mitigation measures proposed herein are not considerably different from the original mitigation measures identified for the project.

Project Description Summary

The project description summary is unchanged from the original project description. Caltrans proposes to make operational improvements to Route 101 within the City of Carpinteria, including: reconstructing the Linden Avenue and Casitas Pass Road interchanges, reconfiguring on- and off-ramps, replacing Route 101 bridges over Carpinteria Creek, extending the Via Real frontage road from Bailard Avenue through to Linden Avenue, adding a new bridge over Carpinteria Creek at Via Real, and reconstructing bike paths.

Purpose and Need

The project purpose and need are unchanged from the original purpose and need. The purpose of the project is to improve access and operations at two interchanges on Route 101; improve operations on Route 101; reduce use of Route 101 for local trips; and improve local vehicular, bicycle, and pedestrian circulation.

The project is needed because the Linden Avenue and Casitas Pass Road overcrossings have nonstandard vertical clearance over Route 101; on-ramps within the project limits have nonstandard spacing and merging lengths; three discontinuous sections of Via Real create difficulties for local traffic on the north side of Route 101, including bicycles, pedestrians, and

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emergency vehicles; the northbound on-ramp at Casitas Pass Road interchange is combined with two-way traffic on Via Real, including traffic from Vallecito Road and Hales Lane; pedestrian facilities are provided on only one side of both the Linden Avenue overcrossing and the Casitas Pass Road overcrossing, and there is insufficient room to provide bicycle lanes.

Background of Project Changes

During a Value Analysis study, and at the request of the City of Carpinteria, Caltrans revisited the traffic report and found that three lanes would accommodate future traffic at the Linden Avenue overcrossing. Caltrans also determined that realigning Linden Avenue with a slight curve to the east would help to avoid impacts to an existing wetland along the northwest side of Linden Avenue, would help to lower the overall height of the new overcrossing, and would facilitate construction.

At the request of the City of Carpinteria and the California Coastal Commission, the project team determined that impacts could be lessened by realigning the extension of Via Real over Carpinteria Creek closer to Route 101.

At the request of the City of Carpinteria, the project team developed a supplemental traffic report and determined that four functioning lanes would accommodate future traffic at the Casitas Pass Road overcrossing under 2016 traffic conditions, however, under 2036 traffic conditions, five lanes would be required. In order to minimize the initial visual impact of a five-lane overcrossing, the central lane would be constructed with a temporary planted median. This median can be removed and used as a traffic lane in the future when traffic conditions require it.

At the request of affected property owners along Via Real, and with the approval of the City Council, the project development team determined that noise barriers proposed along Via Real on the property lines could instead be combined into one wall and located between Route 101 and Via Real.

Soundwall B-3 was removed from the project due to rejection by affected property owners in Pacific Village during the soundwall voting process.

The South Coast 101 High Occupancy Vehicle Lanes project has proposed an extension to Soundwall B-9. In order to minimize construction impacts to an existing wetland along the Linden southbound off-ramp between Linden Avenue and Carpinteria Creek, the project team decided to construct the entire length of soundwall B-9 in the Linden Avenue & Casitas Pass Interchanges project.

All of the previous changes to Alternative 3 were evaluated and discussed with State and federal agencies. In coordination with these agencies, the extent of RSP in the Carpinteria

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Creek corridor was reduced in order to minimize project effects on Waters of the US (i.e., wetlands and other waters), riparian habitat, and critical habitat for steelhead trout.

Revised Project Description

Changes to the project are shown in *italics*. Table 1 allows for a comparison of changes to project features.

- Replace, widen, lengthen, and raise the northbound and southbound Route 101 Carpinteria Creek Bridges.
- Extend Via Real from the current cul-de-sac at the San Roque Mobile Home Park over Carpinteria Creek to Linden Avenue, building a new bridge for Via Real over Carpinteria Creek (including one lane in each direction, one Class II bike path in each direction, and five-foot sidewalks on the north side). *The proposed alignment of Via Real has been moved closer to Route 101. An approximately 535 linear-ft section of Carpinteria Creek would be regraded and widened. The width of the bottom of the channel near the ordinary high water marks (OHWMs) would be widened from an existing width of approximately 35 ft to a new width of approximately 65 ft. The width between banks would be widened from an existing width of approximately 110 ft to a new width of approximately 140 ft. An estimated 5,021 cubic yards of material would be excavated from the existing Carpinteria Creek channel, including approximately 638 cubic yards of material below the new OHWMs of the widened channel. An estimated 4,848 cubic yards of rock slope protection (RSP) would be installed along the restored banks of Carpinteria Creek and in adjacent areas, including approximately 393 cubic yards of RSP below the new OHWMs of the widened channel*

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- Construct Class I bike lane between Casitas Pass Road and existing Carpinteria Creek Class I bike lane adjacent to Carpinteria Creek.
- Remove the existing bike path that crosses Carpinteria Creek connecting to the end of Via Real.
- Reconstruct the Casitas Pass Road southbound on- and off-ramps.
- Remove the existing Casitas Pass Road northbound on- and off-ramps, and build new northbound on- and off-ramps to be accessed from the new Via Real frontage road extension.
- Replace the Casitas Pass Road overcrossing with a five-lane structure including bike lanes and sidewalks on both sides. *The overcrossing will include a temporary, planted median in the center lane leaving four lanes of traffic.*
- Install signals at the intersections of Via Real and the northbound Casitas Pass Road on- and off-ramps, Casitas Pass Road and Via Real, and Casitas Pass Road and the southbound Route 101 on- and off-ramps.
- Remove the existing southbound off-ramp and build a new southbound off-ramp at Linden Avenue.
- Remove the existing northbound on-ramp and build a new roundabout, including the new northbound on-ramp as one of the four legs.
- Replace the Linden Avenue overcrossing with a 3-lane structure (previously 4 lanes), including bike lanes and sidewalks on both sides.
- Reconfigure Ogan Road to form a third connection to the new roundabout, located on its northeastern side.
- Install signals at the intersections of Linden Avenue and Ogan Road, and Linden Avenue and the southbound Route 101 off-ramp.
- *Prior to construction of new Via Real bridge, replace existing above-ground sewer line at Carpinteria Creek 20 feet below the creek bed using horizontal directional drilling method within the existing project limits parallel to the Via Real extension.*
- Construct the following soundwalls:
 - Soundwall B-4 along northbound Route 101 located between Via Real and Route 101, between the existing soundwall and the Verizon property. (Previously broken into B-6, B-5, B-4, and B-8 between property lines and Via Real/northbound Route 101 on-ramp)
 - Soundwall B-7 along southbound Route 101, between Church Lane and Vallecito Road.

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- Soundwall B-2 along northbound Route 101, between Linden Avenue overcrossing and Franklin Creek Bridge.
- *Soundwall B-9 along southbound Route 101, between Franklin Creek and the end of the existing soundwall along the Linden Avenue southbound off-ramp.*
(Previously shorter wall ending before Franklin Creek)
- *Soundwall B-3 near Pacific Village along Ogan Road has been removed from the project.*

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Table 1: Comparison of Project Feature Descriptions

Project Feature	Original Project Description	New Project Description
Extend Via Real from Bailard Avenue to Linden Avenue.	Bridge alignment across Carpinteria Creek would be approximately 150 feet upstream of Route 101 Bridges.	Bridge alignment across Carpinteria Creek would be approximately 10 feet upstream of Route 101 Bridges.
Sewer Line At Carpinteria Creek	Although Caltrans was aware of the need to move the existing sewer line at Carpinteria Creek, construction methods were previously unknown.	Construct new, underground sewer line between San Roque mobile home park and Casitas Pass Road at Carpinteria Creek using horizontal directional drilling methods.
Carpinteria Creek	Extent of RSP, channel contouring, widening, and grading were unknown.	An approximately 535 linear-ft section of Carpinteria Creek would be regraded and widened to widths of approximately 65 ft (bottom of channel) to 140 ft (new banks). An estimated 5,021 cubic yards of material would be excavated from the existing Carpinteria Creek channel and an estimated 4,848 cubic yards of RSP would be installed along the restored banks of Carpinteria Creek and in adjacent areas, including approximately 393 cubic yards of RSP below the new OHWM of the widened channel.
Casitas Pass Road Overcrossing	Replace existing two-lane overcrossing with a five-lane overcrossing (two northbound lanes and two southbound lanes with a left turn lane in the center).	Replace existing two-lane overcrossing with a five-lane overcrossing. Two northbound lanes and two southbound lanes would be constructed. The center lane would be used as a temporary planted median until congestion requires replacement of the planted median with a center left turn lane.
Linden Avenue Overcrossing	Construct a four-lane overcrossing on a straight alignment.	Construct a three-lane overcrossing on an eastward curved alignment
Soundwalls	Construct soundwalls B-6, B-5, B-4 and B-8 between property lines and Via Real.	Construct a single soundwall (B-4) between northbound Route 101 and Via Real.
	Construct Soundwall B-9 along the southbound Linden Avenue off-ramp for 250 feet.	Construct soundwall B-9 along the southbound Linden Avenue off-ramp for 520 feet.
	Construct Soundwall B-3 along Ogan Road near Pacific Village.	Removed from project.

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Changes to Affected Environment

This section describes changes that have occurred in the environmental setting and/or circumstances (e.g. new law or regulation or change in the status of a listed species). For information regarding existing resources in the Affected Environment that have not changed, please refer to the Final Environmental Impact Report/Finding of No Significant Impact (Final EIR/FONSI) (July 2010).

Natural Communities

A total of 177 coast live oak trees ≥ 6 " diameter at breast height (dbh) were identified and mapped throughout the project study area during final design of the project. The Final EIR/FONSI identified a stand of coast live oak trees (*Quercus agrifolia*) located next to a field east of Carpinteria Creek that would not have been affected by the project. However, in realigning Via Real, more of those oaks will be removed, though the alignment was carefully designed to avoid as many of these trees as possible. In addition to these oaks, several other coast live oak trees were identified and mapped throughout the project study area. The majority of the remaining oaks that occur within Caltrans right of way are individual trees that are interspersed randomly throughout roadside landscaping along the highway shoulder and are not considered a natural oak woodland community.

ACOE Wetlands and Other Waters

Through final design and negotiations with regulatory agencies regarding areas of jurisdiction, Caltrans has refined the areas identified as jurisdictional waters.

Preliminary ACOE jurisdictional wetlands were delineated along Carpinteria Creek in August and October 2013. In-stream wetlands in the vicinity of the bike path crossing over Carpinteria Creek and in other areas downstream were found to support hydrophytic vegetation, hydric soil, and wetland hydrology indicators (i.e., three-parameter wetlands). The approximate position of the existing OHWM and the presence of Army Corps of Engineers (ACOE) jurisdictional wetlands and other waters was verified by ACOE. Caltrans also ceded jurisdiction of the drainage ditch adjacent to the Linden Avenue off-ramp to ACOE. ..

CCC Riparian ESHA and Drainage Ditches

Upon further review of the project area, CCC recommended that Caltrans characterize riparian habitat at Carpinteria Creek as "Riparian ESHA" rather than "coastal wetlands." CCC also recommended that Caltrans characterize the drainage ditches leading to Franklin Creek as man-made ditches rather than "coastal wetlands." These recommendations resulted in changes to

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how existing and affected resources under CCC jurisdiction are characterized and, therefore how the impacts are quantified.

Animal Species

Migratory Birds

The eucalyptus trees adjacent to Carpinteria Creek have a history of use from a nesting pair of red-tailed hawks. These eucalyptus trees are currently proposed for removal. No evidence of recent red-tailed hawk nesting was observed in August and October 2013, as no nests were observed in the eucalyptus trees adjacent to Carpinteria Creek.

Evidence of nesting by either barn swallows (*Hirundo rustica*) or American cliff swallows (*Petrochelidon pyrrhonota*) was observed under the existing Route 101 Carpinteria Creek bridges, where remnants of nests remained after apparently being knocked down through presumed maintenance. Barn swallows have been observed nesting under the Route 101 bridges in the past.

Special Status Species

The list of species considered in the Natural Environment Study Addendum (March 2015) has been updated based on the updated United States Fish and Wildlife Service (USFWS), California Natural Diversity Database (CNDDDB), and California Native Plant Society (CNPS) species lists. Based on individual species' distribution patterns and habitat associations observed within the study area, the list was narrowed down for those considered having potential to occur within the area of direct impact, those with potential to be impacted by the project, and/or species for which additional information is warranted.

Plants

Special status plant species that were identified on the USFWS species list and/or on the CNDDDB and CNPS searches that have potential to occur within the area of impact include Gambel's watercress (*Nasturtium gambelii*) and marsh sandwort (*Arenaria paludicola*).

The habitat requirements for Gambel's watercress and marsh sandwort occur within or adjacent to the project limits at both Carpinteria Creek and the tributary drainages to Franklin Creek. Botanical surveys within the study area were negative for the presence of these species and the project will not impact these species. No further discussion is required.

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Animals

Special status animal species that have a potential to occur within the area of impact or for which additional information is warranted were identified from the USFWS species list and a search of the CNDDDB. These include the steelhead trout southern California distinct population segment (DPS) (*Oncorhynchus mykiss*), tidewater goby (*Eucyclogobius newberryi*), California red-legged frog (*Rana draytonii*), western pond turtle (*Emys marmorata*), two-striped garter snake (*Thamnophis hammondi*), southwestern willow flycatcher (*Empidonax traillii extimus*), and least Bell's vireo (*Vireo bellii pusillus*). Of these species, the western pond turtle and two-striped garter snake were not addressed in previous documents.

Suitable habitat is present along Carpinteria Creek for western pond turtle and two-striped garter snake. No specific agency survey protocols exist for western pond turtle and two-striped garter snake, but these species would have been observable, if present, during protocol California red-legged frog surveys. During numerous field surveys along Carpinteria Creek, neither species has been observed. Although there is a low potential for these species to occur along Carpinteria Creek, avoidance and minimization measures are proposed.

The project changes presented herein do not affect the results of previous discussions of the special status animal species.

Invasive Species

Additional invasive species observed during recent field work conducted along Carpinteria Creek include sticky snakeroot (*Ageratina adenophora*), sweet fennel (*Foeniculum vulgare*), and bristly ox-tongue (*Helminthotheca echioides*).

Changes in Environmental Consequences

This section describes the effects of the project changes to identified resources. For information regarding the Affected Environment, please refer to the Final EIR/FONSI (July 2010).

Traffic and Transportation/Pedestrian and Bicycle Facilities

Linden Avenue Overcrossing

In December 2009 an update to the traffic study indicated that the Linden Avenue overcrossing would operate at similar levels of service with three lanes as it would with four lanes. One intersection (Hwy 101 SB off-ramp and Linden Avenue) would degrade with this configuration from level of service (LOS) A to LOS B in 2020, still an acceptable level of service.

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With construction of a three lane-facility rather than a four-lane facility, the available storage on Linden Avenue between Hwy 101 SB off-ramp and Ogan Road is estimated to be 350 ft. The 95th percentile queues for three-lane bridge overpasses are estimated to be longer than those experienced under the four-lane analysis. However, estimated AM/PM peak hour queues for both options would be accommodated within the available storage. Therefore, queue spill-backs are not anticipated.

Casitas Pass Road Overcrossing

In January 2013 the Traffic Study was updated to review the effects of four lanes of traffic on the Casitas Pass Road overcrossing. Under Year 2016 conditions, all three study intersections at the Casitas Pass Road interchange are anticipated to operate at acceptable levels (LOS C or better) during both AM and PM peak hours when the Casitas Pass Road overcrossing provides four lanes. In order to maintain acceptable levels of service by the year 2036, the temporary planted median barrier would have to be removed and turned into a travel lane in order to retain acceptable levels of service. Under Year 2036 conditions, all three study intersections at the Casitas Pass Road interchange are anticipated to operate at acceptable levels (LOS C or better) during both AM and PM peak hours when the Casitas Pass Road overcrossing provides five lanes.

Visual/Aesthetics

Via Real Extension

The realignment of Via Real closer to US 101 would add to a more open, urban character within the balance of Carpinteria Creek Park. Although the removal of mature roadside vegetation would have a negative effect on visual intactness and unity, the elevated profile of Highway 101 over Carpinteria Creek and the removal of roadside trees would expand views of the Santa Ynez Mountains, resulting in a somewhat increased vividness rating from the perspective of the US 101 traveler. The proposed northbound off-ramp and Via Real bridges over Carpinteria Creek would be more visually dominant because of their increased size, elevations, and the removal of mature vegetation in the immediate vicinity when viewed from the Class I Bike Path at Carpinteria Creek. Views in this area would also include the newly aligned bike path. The prominence of the new bridges combined with the loss of mature trees would alter the visual character as seen from this viewing area. Although the overall vegetative character would be reduced, the new bridges would create a somewhat more unified appearance compared to the existing structures. It is expected that the improved bike path in this area would also increase visual access to Carpinteria Creek, both upstream and downstream of the new structures. The increased visual access to this natural visual resource would add to the memorability of the views in these areas. Substantial new planting would be required in the

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vicinity of the creek which would over time re-establish much of the vegetative character as well as minimize visibility of the bridge structures as seen from the bike path.

Casitas Pass Road Overcrossing

Views approaching the Casitas Pass Road overcrossing would show a wider structure, with the local roadway lanes continuing over the bridge to the north. From vantage points on Casitas Pass Road, the visual changes would be most evident in terms of the additional lanes, the proposed planted median and the new bridge rails and sidewalks. Although the visual scale of the bridge deck would be evident, the scale would generally be consistent with the local city street and would increase visual continuity in the area. The landscaped median and architectural details on the bridge rail would help the structure and roadway maintain a pedestrian scale and character and would add visual interest compared to the existing condition. In addition, the removal of existing overhead utility poles and lines along the proposed overcrossing would reduce visual clutter and increase visual unity as seen from Casitas Pass Road as well as US 101.

Soundwall B-9

The project in this area would extend the previously proposed soundwall toward Franklin Creek. The construction of the wall would result in the removal of some of the roadside vegetation in this area. New landscaping in combination with the remaining vegetation would help retain much of the visual unity and intactness although a minor reduction in vegetative character would occur. The vividness would remain the same as the existing view since the distant mountains would still be seen.

Combined Soundwalls along Via Real and Southbound US 101

The northbound view along Highway 101 north of Casitas Pass Road would undergo a visual change as a result of the combination of retaining and sound wall at this location. Proposed landscaping associated with the walls would somewhat off-set the increased visual scale of the walls and provide some degree of continuity. However the increase in built elements and the alteration of spatial characteristics would be noticeable, resulting in a decrease in the visual unity and intactness. Northerly views of the distant Santa Ynez Mountains would be somewhat reduced, although hillside views toward the west and northwest would remain dominant visual elements. As a result, the loss of hillside views to the north would result in the vividness, or memorability of the view being reduced in this area.

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Linden Avenue Overcrossing

The project in the area approaching the southbound Linden Avenue off-ramp on Highway 101 would extend the previously proposed soundwall toward Franklin Creek. The construction of the wall would result in the removal of some of the roadside vegetation in this area. New landscaping in combination with the remaining vegetation would help retain much of the visual unity and intactness although a minor reduction in vegetative character would occur. The vividness would remain the same as the existing view since the distant mountains would still be seen.

Visible improvements from along westbound Ogan Road would mainly include the slight realignment of Ogan Road and the temporary reduction of some landscaping along the north side of Ogan Road. Re-landscaping the area along the sidewalk would re-establish much of the vegetated character lost by removing the existing plants. The general scale of the roadway would increase, although the overall appearance of the new facility would not be out-of place with the existing suburban highway ramp/local road interface. As a result, the intactness and unity of the view would remain basically the same as the existing condition. The proposed realignment of Ogan Road would not affect views of the Santa Ynez Mountains to the north, resulting in no changes to the visual memorability.

Natural Communities

All oak trees to be affected by the proposed project are coast live oaks (*Quercus agrifolia*). Up to 147 coast live oak trees would be removed from the project site during construction. Most of the impacts would be a result of the clearing/grubbing required for the various proposed roadway improvements. Table 2, below enumerates the number and size range of oak trees requiring removal.

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Table 2: Coast Live Oak Tree Impacts

Oak Tree Size Class (dbh)	Estimated Number of Trees Removed
6 – 12"	92
13 – 18"	24
19 – 24"	8
25 – 30"	13
31 – 36"	6
37 – 42"	1
43 – 48"	2
49"+	1
Total	147

ACOE Wetlands and Other Waters

Carpinteria Creek

A total of 0.059 acre of ACOE wetlands along the bed of Carpinteria Creek were delineated in 2013; these wetlands did not occur when the original EIR was prepared and were determined to have become recently established in the channel. Channel widening will temporarily impact all of the existing ACOE wetlands but new wetlands will be established in the widened channel. Channel widening and mitigation (e.g., planting of emergent wetland species along the streambed) are anticipated to result in an eventual net increase of ACOE wetlands along Carpinteria Creek. This will create a widened two-year floodline/OHWM that will exist post-construction, allowing for revegetation opportunities and natural recruitment of emergent vegetation along the newly widened channel. The federal jurisdictional impacts to Carpinteria Creek have been quantified under ACOE wetlands ACOE other waters in Table 3.

The proposed sewer line relocation will not result in any additional impacts to ACOE wetlands because it will be installed via horizontal directional drilling under the channel in the vicinity of the area that will eventually be disturbed to accommodate the Route 101 and Via Real bridges

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Drainage Ditch Leading to Franklin Creek

Temporary and permanent impacts to the drainage ditch adjacent to the Linden Avenue off-ramp will occur during construction. The western section will be temporarily filled to allow work access to the area where Soundwall B-9 will be constructed. This area will be restored to the pre-existing condition after construction of the soundwall. The middle section of the ditch will be widened to increase post-construction capacity. This will result in a reconfiguration of the ACOE other waters along a new low-flow channel/OHWM in this section of the ditch. The eastern section of the ditch will be permanently impacted/filled, including a small area of RSP to accommodate a proposed culvert outfall and headwall. The federal jurisdictional impacts to the drainage ditch have been quantified under ACOE other waters in Table 3.

CCC Riparian ESHA and Drainage Ditch

Impacts to CCC jurisdictional riparian habitat/Riparian ESHA have been quantified and updated in Table 3. Temporary and permanent impacts to riparian habitat along Carpinteria Creek will occur in order to facilitate construction of a new Via Real Bridge, the northbound Route 101 off ramp, the widening and replacement of the Route 101 bridges, and the widening of a section of the stream channel, and installation of RSP. Channel widening and installation of RSP will impact riparian vegetation, but this will be partially offset by incorporating riparian mitigation plantings into specific areas within RSP where replanting is feasible, and therefore considered temporary impacts. Temporary and permanent impacts to the drainage ditch adjacent to the Linden Avenue off-ramp will occur during construction. See description above for more information. These CCC jurisdictional impacts have been quantified under CCC drainage ditch in Table 3.

Animal Species

Migratory birds

Adverse changes in adult nesting behaviors, nest abandonment, nest failure, or injury/mortality of eggs or young could occur if birds are found to be nesting under the existing bridges at the time of demolition or disturbance associated with the removal of the bridges during the nesting season.

Special Status Species

Suitable habitat for western pond turtle and two-striped garter snake have been determined to exist along Carpinteria Creek. These species were not addressed in the original EIR. Updates on Section 7 Endangered Species Act consultation for steelhead trout and tidewater goby have

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been provided to account for updates to consultation that occurred after the original EIR was prepared.

Western pond turtle, two-striped garter snake

Project construction could result in the injury or mortality of western pond turtle or two-striped garter snake (if present) during diversion/dewatering. The potential need to capture and relocate these species could subject these animals to stresses that could result in adverse effects. Injury or mortality could occur via accidental crushing by worker foot-traffic or construction equipment. Erosion and sedimentation could also occur, which could directly or indirectly affect water quality. While these would be new impacts not previously identified in the EIR, the potential for these impacts is anticipated to be low because the species were not observed within the study area during surveys.

Steelhead trout

The project “may affect, and is likely to adversely affect” steelhead. If the project were to affect this species, “incidental take” of steelhead may occur. Incidental take could be a result of harassment, harm, or mortality of steelhead during water diversion, demolition and construction, or relocation actions if they become necessary.

The project “may affect, but is not likely to adversely affect” steelhead critical habitat. Most impacts will be temporary and minor, and sections of the stream corridor will be restored. The project is expected to allow critical habitat to retain habitat functions and preserve its primary constituent elements.

Formal Section 7 of the Endangered Species Act consultation has been conducted between the Federal Highway Administration (FHWA)/Caltrans and National Oceanic and Atmospheric Administration (NOAA) as a result of potential impacts to steelhead trout and critical habitat. A federal Biological Opinion for steelhead was issued by NOAA Fisheries to Caltrans on April 20, 2010 (File Number 151422SWR2009PR00467) and amended on 11/18/2013 to reflect changes to the project description. The National Marine Fisheries Service (NMFS) indicated that the project description changes would result in no additional adverse effects to steelhead trout.

Tidewater Goby

The project “may affect, and is likely to adversely affect” tidewater goby. If the project were to affect the species, then “incidental take” of tidewater gobies may occur. Incidental take could be a result of harassment, harm, or mortality of tidewater gobies during water diversion,

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demolition, construction, or relocation actions if they become necessary. Take of tidewater gobies is not anticipated although it has the potential to occur.

Formal Section 7 of the Endangered Species Act consultation has been conducted between FHWA/Caltrans and USFWS as a result of potential impacts to tidewater goby. A federal Biological Opinion for tidewater goby was issued by USFWS to Caltrans on January 8, 2010 (File Number 8-8-09-F-57) and amended on September 27, 2013 to reflect changes to the project description. The USFWS indicated that the project description changes would result in no additional adverse effects to tidewater goby.

Invasive Species

No changes to the project impacts have been identified.

Changes to Avoidance, Minimization, and/or Mitigation Measures

The avoidance, minimization and mitigation measures identified in the EIR/FONSI will be implemented with the addition of the following new or modified avoidance, minimization, and/or mitigation measures that would be required as part of this project. A summary of all currently proposed Avoidance, Minimization, Compensatory Mitigation, Monitoring and Reporting Measures is included in the Environmental Commitments section.

Traffic and Transportation/Pedestrian and Bicycle Facilities

The proposed changes to both Linden Avenue and Casitas Pass Road overcrossings would not have different environmental impacts than those discussed in the original EIR/FONSI (July 2010). No additional avoidance, minimization, or mitigation measures are required.

Visual/Aesthetics

The proposed changes to the project would not change the visual environment substantially. No changes to the avoidance, minimization, or mitigation measures are proposed.

Natural Communities

Impacts to native oak trees $\geq 6"$ dbh would be offset by replacement planting within the project limits. Replacement plantings will be achieved using a 3:1 ratio for each oak tree removed, in accordance with Santa Barbara County's Draft Guidelines for Urban Oak Trees (2006). Oak tree plantings would be monitored to ensure successful revegetation at six months and then once a year for three years. Native tree and shrub species such as western sycamore, lemonade berry, toyon, laurel sumac and coyote brush will also be included as replacement plantings.

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ACOE Wetlands and Other Waters

Caltrans anticipates that proposed mitigation can be accomplished on-site. ACOE jurisdictional wetlands and other waters mitigation ratios and total areas are quantified in Table 3.

CCC Riparian ESHA and Drainage Ditch

For this Addendum, Caltrans has taken an acreage approach to mapping and assessing impacts to riparian habitat and jurisdictional waters. To offset impacts to riparian habitat, Caltrans proposes 3:1 replacement for permanent impacts and 1:1 replacement for temporary impacts. Caltrans anticipates that proposed mitigation can be accomplished on-site. CCC Riparian ESHA and Drainage Ditch mitigation ratios and total areas are quantified in Table 3.

Table 3: CCC Riparian ESHA, Drainage Ditch, and ACOE Wetlands/Other Waters Impacts and Mitigation

	CCC Riparian ESHA ¹		Drainage Ditch ²		ACOE Wetlands ³		ACOE Other Waters ⁴	
	Perm Impact	Temp Impact	Perm Impact	Temp Impact	Perm Impact	Temp Impact	Perm Impact	Temp Impact
Carpinteria Creek	0.420 ac	0.886 ac	0	0	0	0.059 ac	0	0.136 ac
Drainage Ditch-to Franklin Ck - Linden/101 SB off ramp	0	0	0.023 ac	0.067 ac	0	0	0.023 ac	0.067 ac
Total Acreage Impacted	0.420 ac	0.886 ac	0.023 ac	0.067 ac	0	0.059 ac	0.023 ac	0.203 ac
Proposed Mitigation Ratio	3:1	1:1	3:1	1:1	3:1	1:1	3:1	1:1
Total Mitigation Acreage Needed to Compensate for Impacts	(0.420 ac X 3)+(0.886 ac X 1) = 2.146 ac total		(0.023 ac X 3)+(0.067 ac X 1) = 0.136 ac total		0.059 ac total		(0.023 ac X 1)+(0.203 ac X 3) = 0.272 ac total	
Potential On-site Mitigation Acreage Proposed	Up to 0.886 ac replanted in temporary impact areas + Up to 3.814 ac available in additional areas currently lacking riparian vegetation = Up to 4.7 ac available for riparian habitat mitigation		0.666 ac		0.370 ac on-site		0.296 ac on-site	

¹ CCC Riparian ESHA are defined as areas along stream courses within the ADI dominated primarily by native trees/woody overstory.
² This feature is a man-made drainage ditch that supports one or more wetland parameters, but is considered non-ESHA because it is of low-quality and its primary function is for water conveyance. The Linden/101 SB off ramp ditch supports high ground water and stormwater infiltration is not possible at this location.
³ ACOE Wetlands are defined as federally jurisdictional non-isolated three-parameter wetlands (i.e., supporting hydrophytic vegetation, hydric soils, and wetland hydrology).
⁴ ACOE Other Waters are defined as federally jurisdictional non-isolated waters featuring an ordinary high water mark and lacking one or more of the three wetland parameters.

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Animal Species

Migratory Birds

As an additional avoidance and minimization measure, bird nests will be excluded from the existing Route 101 Carpinteria Creek Bridges prior to and during project construction. Nesting bird exclusion methods may include installation of exclusion netting, removing/knocking down nests before they contain eggs, or other methods approved by CDFW. The proper time for installation of bird exclusion netting is outside of the typical nesting season (i.e., implement exclusion methods from September 2 to February 14).

Threatened and Endangered Species

Steelhead Trout

No changes to avoidance, minimization or mitigation measures are proposed.

Tidewater goby

No changes to avoidance, minimization or mitigation measures are proposed. .

Western pond turtle, two-striped garter snake

Prior to construction, a biologist determined qualified by Caltrans shall survey the ADI and, if present, capture and relocate any western pond turtles or two-striped garter snakes to suitable habitat downstream of the project study area. Observations of Species of Special Concern (SSCs) or other special-status species shall be documented on CNDDDB forms and submitted to CDFW upon project completion. If these species or other SSC aquatic species are observed during construction, they will likewise be relocated to suitable downstream habitat by a qualified biologist.

Invasive Species

Additional invasive species have been identified for removal within the project footprint including sticky snakeroot (*Ageratina adenophora*), sweet fennel (*Foeniculum vulgare*), and bristly ox-tongue (*Helminthotheca echioides*).

Summary of Biological Environmental Commitments

Caltrans has revised the biological environmental commitments in order to reflect the project changes and the latest regulatory requirements and policies.

All other environmental commitments remain unchanged.

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Summary of Existing Mitigation Ratios

Native oak trees ≥ 6 " diameter at breast height (dbh) shall be replaced at 3:1 for trees removed.

All of the following ratios are expressed in area.

In general, temporary impacts on all habitat types will be mitigated at a ratio of 1:1.

Permanent impacts to riparian habitat will be mitigated at a ratio of 3:1.

Permanent impacts to Coastal Commission riparian ESHA will be mitigated at a ratio of 3:1.

Permanent impacts to ACOE wetlands will be mitigated at a ratio of 3:1.

Permanent impacts to ACOE other waters will be mitigated at a ratio of 3:1.

Avoidance and Minimization Measures

This Addendum includes avoidance, minimization, compensatory mitigation and monitoring agreements that are negotiated with the Project Development Team (PDT) and all of the regulatory agencies that have jurisdiction over this project.

This list of measures has been prepared for use by Caltrans personnel who are and/or who will be responsible for implementing various recommendations that are made by the PDT and all regulatory agencies during and after construction.

A. General Avoidance and Minimization Measures

To avoid and minimize impacts to all biological resources within the project area, the following avoidance and minimization measures shall be implemented project wide:

1. **Limit the Work Area and Install Environmentally Sensitive Area (ESA) Fencing.** The number of access routes, size of staging areas and the total area of the activity shall be limited to the minimum necessary to safely construct this project. All access will be restricted to the existing roads and designated temporary access areas.

ESA fencing will be installed to limit construction activities and protect biological habitats of concern. Proposed ESA fencing will be established at all wetlands, riparian areas, oak tree areas, and all areas that exhibit good wildlife habitat potential, in order to avoid, minimize and reduce any potential impacts to biological resources. ESA fencing locations will be determined in the Plans, Specifications & Estimates (PSE) phase of the project.

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The installation of ESA fencing shall also be included in the Construction Contract and shown on Project Plans and Layout Sheets. Routes and boundaries shall be clearly delineated in the field with ESA fencing to minimize activities adjacent to biological resources, including drainages, wetlands and/or native plant communities. All ESA fencing delineated in the field must be approved by the project Biologist prior to beginning any construction activities, including equipment and materials storage. The Resident Engineer should contact George Sistek, Construction Liaison (805-549-3487), Larry Bonner, Senior Environmental Planner (805-549-3337), or Lara Bertaina, Associate Environmental Planner (805-542-4610) if there are questions regarding ESA fencing.

2. **Preconstruction Surveys.** In order to ensure that potential impacts to the biological resources discussed in this document are avoided and/or minimized, and due to the long lead-time until construction, pre-construction surveys for tidewater goby, California red-legged frog (although their presence is not expected, this will allow for time to coordinate use of the Programmatic Biological Opinion if California red-legged frogs are unexpectedly found), western pond turtle, and two-striped garter snake will be conducted by a qualified Caltrans biologist or designee. Surveys for nesting birds (if work is proposed to occur from February 15 to September 1 during the nesting season) will be conducted by a qualified biologist or designee within 14 days prior to initiation of construction.

As delineated on project maps in Appendix A of the Natural Environment Study Addendum (NESA), the Area of Direct Impact (ADI) encompasses all temporary and permanent impacts to vegetated areas.

If any federally listed species are found during the preconstruction surveys, other than steelhead trout and tidewater goby, construction shall cease until Formal Section 7 Consultation between Caltrans/ FHWA and USFWS is completed. If California red-legged frog is found during preconstruction surveys, Caltrans shall coordinate with USFWS to use the Programmatic Biological Opinion as Formal Section 7 Consultation.

If any state-listed endangered or threatened species are found during the pre-construction surveys, the project shall cease until consultation between Caltrans and CDFW is completed.

3. **Duties of the Biologist and/or Environmental Monitor.** If any special status species are found in the ADI during construction the Caltrans Biologist or designee shall be present at the construction site until such time as instruction has been given to the workers, the special-status species has been allowed to move out of the ADI on its own, or the special-status species has been relocated outside of the ADI (if authorized by the relevant regulatory agencies).

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A Biological/Environmental Monitor will be present on site during construction activities that may impact special status species and/or migratory birds. This includes clearing and grubbing of Carpinteria Creek, the stream diversion/dewatering of Carpinteria Creek, and the removal of trees during the nesting season from February 15 to September 1.

4. **Authority of the Biologist and/or Environmental Monitor.** The Caltrans Biologist and/or Environmental Monitor, shall have the authority to halt any action that might result in impacts that exceed the anticipated levels of impact that were determined during agency review (by Caltrans, U.S. Army Corps of Engineers [ACOE], CDFW, California Coastal Commission (CCC), and/or USFWS) of the proposed actions. If work is stopped, these same regulatory agencies shall be notified immediately by the Caltrans Biologist or Environmental Monitor.
5. **Equipment Maintenance and Staging and Materials Storage Restrictions.** All refueling and maintenance of equipment and vehicles shall be at least 60 feet from any aquatic habitat, wetland area or any water body. The contractor shall ensure contamination of habitat does not occur during such operations. All workers shall be informed of the importance of preventing spills of fuels and of the appropriate measures to take should a spill occur. Equipment staging and materials storage shall be located outside of stream corridors and associated riparian habitat.
6. **Trash Control.** During construction, all trash that may attract predators shall be properly contained, removed from the work site and disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
7. **Invasive Plant Control.** In compliance with Executive Order 13112 on Invasive Species and subsequent guidance from the FHWA, the landscaping and erosion control included in the project will not use species on the California List of Noxious Weeds <http://plants.usda.gov/java/noxious?rptType=State&statefips=06>. Measures to control invasive exotic plants shall be implemented according to the Caltrans Landscape Architect's recommendations. Exotic and invasive weeds such as ice plant, kikuyu grass, fennel, pampas grass, fountain grass and other assorted invasive plants that are listed as "most invasive" on the list will be removed within the ADI and topsoil from weed-infested areas will not be used in any revegetation areas due to the presence of a high quantity of weed seeds.
8. **Revegetation and Site Restoration.** The ADI, encompassing all temporary and permanent impacts to vegetated areas (as opposed to existing impermeable surfaces such as Route 101 and other roadways), has been estimated at approximately 25 acres.

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After construction is complete, project sites shall be first evaluated for the potential for successful revegetation and restorations. An appropriate assemblage of suitable native riparian wetland and/or native vegetation shall be recommended by Biology and Landscape Architecture.

Permanently impacted wetlands and waters shall be replaced as part of the project and considered as part of the avoidance and minimization measures. Vegetation and habitat loss in these areas shall be replaced onsite using native plants at a 3:1 ratio for permanent impacts and at a 1:1 ratio for temporary impacts. Native riparian vegetation shall be replaced at 3:1 (acreage) for permanent impacts and 1:1 (acreage) for temporary impacts. Native oak trees ≥ 6 " dbh shall be replaced at 3:1 for trees removed. Plant salvage, local seed collection, and contract growing are potential techniques that may be used to minimize the loss of native wetland plants. Locally collected and salvaged plants and seeds can then be used for project revegetation and restoration purposes.

A Mitigation and Monitoring Plan (MMP) will also be prepared to satisfy ACOE requirements.

B. Avoidance and Minimization Measures for Special-status Wildlife

1. All avoidance, minimization, and mitigation measures contained within the Biological Opinions for the project shall be incorporated into the project PSE package and shall be implemented, as appropriate, before, during, and/or post construction.
2. If any additional federal listed species are found during the preconstruction surveys, the project shall cease until Formal Section 7 Consultation between FHWA and USFWS is completed.
3. If any state-listed endangered or threatened species are found during the pre-construction surveys, the project shall cease until consultation between Caltrans and CDFW is completed.
4. On-site Special-status Species Identification Training shall be conducted and shall include a description of steelhead trout, tidewater goby, California red-legged frog, western pond turtle, two-striped garter snake, and nesting birds. A Caltrans Biologist (or designee) will conduct training sessions for all construction personnel before they perform work onsite. The biologist will discuss a description of these special-status species and their habitats, their legal status, project boundaries, general measures to be implemented to conserve these species as they relate to the project, and what to do if these species are observed during construction. Brochures, photographs, books and briefings may be used in the training session, provided that a qualified person is on hand to answer any questions.

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5. Steelhead and Tidewater Goby

Construction within or adjacent to Carpinteria Creek would only take place during the low flow period defined as between June 1st and October 31st in order to minimize impacts to steelhead trout and tidewater goby.

Only qualified personnel authorized under a Biological Opinion shall participate in activities associated with the capture, handling, and relocation of tidewater gobies. The names and credentials of personnel who desire to conduct these activities shall be supplied to the USFWS for their review and approval at least 15 day prior to the onset to these activities. NOAAF does not require approval of steelhead biologists; however, the names and credentials of personnel who desire to conduct steelhead relocation and monitoring activities shall be supplied to Caltrans for their review and approval at least 15 day prior to the onset to these activities.

The Environmental Monitor/biologist shall monitor stream diversion/dewatering activities during construction to insure compliance with conditions found in the Biological Opinions. Monitoring shall be continuous throughout installation and removal of the stream diversion, reverting to periodically (e.g., two site visits a week) to check on the status of the diversion once it has successfully been installed. If necessary to protect listed species, the monitor shall coordinate with the Resident Engineer to cease all activities until USFWS and NOAAF can be consulted to determine if additional avoidance and minimization measures are required.

Fish passage would be maintained during construction through a flexible pipe culvert of adequate size in order to facilitate fish passage.

During the de-watering effort, if present, as many steelhead and tidewater gobies as possible shall be removed prior to draining the site. After barriers are constructed, steelhead and tidewater gobies shall be captured with a seine and dip nets, transported in buckets, and released in the most appropriate habitat adjacent to the de-watered area. If a beach seine is used, it shall be pulled in a deliberate manner with care being taken to avoid rolling the lead line inward. The number of steelhead and tidewater gobies shall be estimated prior to release. All debris and aquatic and emergent vegetation in the pumped area shall be carefully inspected for steelhead, tidewater gobies, and other vertebrates. If water is to be pumped around work sites, intakes shall be completely screened with wire mesh not larger than 0.2 inch to prevent small steelhead and tidewater gobies from entering the pump system. As the work site is de-watered, remaining pools shall be inspected for steelhead and tidewater gobies. As many individuals as possible shall be captured using dip nets and other appropriate tools and moved as described above. Handling time for steelhead and tidewater gobies shall be minimized to the maximum extent practicable.

NEPA/CEQA RE-VALIDATION FORM

In work areas that have been de-watered, water above the barrier shall be released or pumped downstream at an appropriate rate to maintain downstream flows during construction. Upon completion of construction activities, the barriers to flow shall be removed in a manner that will allow flow to resume with the least disturbance to the substrate.

All disturbance to potential steelhead and tidewater goby habitat including riparian vegetation and jurisdictional waters shall be minimized with the use of ESA (environmentally sensitive area) fencing and all soil exposed as a result of the project shall be revegetated using native hydroseeding or live planting methods.

If the substrate of the stream is altered during work activities, it shall be graded or otherwise treated to pre-construction conditions or better after the work is completed.

6. Western Pond Turtle and Two-striped Garter Snake.

Prior to construction, a biologist determined qualified by Caltrans shall survey the ADI and, if present, capture and relocate any western pond turtles or two-striped garter snakes to suitable habitat downstream of the ADI. Observations of SSCs or other special-status species shall be documented on California CNDDB forms and submitted to CDFW upon project completion. If these species or other SSC aquatic species are observed during construction, they will likewise be relocated to suitable downstream habitat by a qualified biologist.

C. Avoidance and Minimization Measures for Migratory Bird Treaty Act Compliance

1. If feasible, habitat used by migratory birds that will be removed to build the project should be removed from September 2 to February 14, before the nesting season begins.
2. Preconstruction surveys shall be conducted by a qualified biologist or designee for presence/absence for active nests of birds that are protected under the Migratory Bird Treaty Act if vegetation removal or other work is proposed within potential nesting habitat during the nesting season (February 15 to September 1). 100-foot exclusion zones around active nests shall be established by a qualified biologist or designee until nesting activity has ceased.

As an additional avoidance and minimization measure, it is recommended that bird nests be excluded from the existing Route 101 Carpinteria Creek Bridges Nesting bird exclusion methods may include, installation of exclusion netting, removing/knocking down nests before they contain eggs, or other methods approved by CDFW. The proper time for installation of bird exclusion netting is outside of the typical nesting season (i.e., implement exclusion methods from September 2 to February 14).

ATTACHMENT 2

**Action Minutes from the April 11, 2013 and May 16, 2013
Architectural Review Board Meeting**

June 22, 2015

ACTION MINUTES

The meeting was called to order at 5:35 p.m. by Richard Johnson, Chair.

ROLL CALL

Boardmembers present: Richard Johnson
Scott Ellinwood
Bill Araluce
Rachelle Gahan
Jim Reginato

Boardmembers absent: None

OTHERS PRESENT: Approximately 20 interested persons were present.

PRESENTATIONS BY CITIZENS: None

PROJECT REVIEW

- 1) Applicant: David Beard, Project Manager, Caltrans Planner: Jonathan Leech
Project Number: 09-1522-CUP/CDP/LCPA
Project Location: Casitas Pass Road and Linden Avenue at Highway 101, Via Real from San Roque
Mobile Home Park to Linden Avenue
Zoning: Multiple zone districts including MHP, REC, A-5, 7-R-1 and UT

Hearing on the request of the California Department of Transportation (Caltrans) to construct replacement overcrossings and interchanges with traffic signals for Linden Avenue and Casitas Pass Road at US Highway 101; to replace the US Highway 101 mainline bridges over Carpinteria Creek; and to construct a roadway extension for Via Real from its terminus at San Roque Mobile Home Park across Carpinteria Creek to Casitas Pass Road and from Vallecito Road to Linden Avenue. The proposed project will provide vehicle travel lanes and a dedicated bike lane and sidewalk on both sides of the overcrossings. The Via Real extension will also include bike lanes and the abandonment of the existing dry weather pedestrian/bike crossing in Carpinteria Creek. A sidewalk will be added on one side of Via Real. Lighting and landscaping is also included throughout the project area.

Following a staff report presentation by Jonathan Leech, Caltrans Project Manager David Beard and Caltrans Landscape Architect Dave Emerson provided additional information.

Public Comment

Catherine Olerman – likes soundwalls aesthetics and would like to see them extended in front of the Mobile Home Parks on Via Real (San Roque and Rancho Granada).

Linda Tornello – praise for the project design; concern regarding soundwalls locations where walls are not being built due to infeasibility. Pacific Village and Cameo Road walls are needed.

Boardmember Discussion

Scott Ellinwood – Participated in the ten Design Review Team (DRT) meetings. The designs represent the consensus reached by the DRT regarding the number of lanes and width of Casitas Pass Road. Purpose of bridges is to connect the City across the freeway.

William Araluce – Compliments to the DRT and appreciation for Boardmember Ellinwood's service. Soundwall along Via

Real doesn't help to connect City even though it benefits the neighbors (he still favors the soundwall at property lines on Via Real rather than at northbound Highway 101 shoulder). Likes bridge designs – wants to see shear key feature at center support of Casitas Pass Road bridge similar to how it looks at the abutments with chamfered edges.

Likes light standards position and integration on Linden Avenue bridge. Would like light standards on top of the shear key at Casitas Pass Road abutments. Asked about the Casitas Pass Road planted median. Three groups of planted trees at 2.5-foot soil depth with a stepped wall down to curb height adjacent to the travel lanes are proposed. May include queen palm, redbud and/or strawberry trees, Australian grasses; drainage goes into a system that travels underground toward McDonalds. Will bike path survive 100-year flood? Yes, as path will be higher than current location, but it could suffer damage in that type of event.

View impacts from new trees? Skyline trees are concentrated at structures, others are oaks. Maybe add something significant at the roundabout, like sycamores. Very nice job, he was impressed with the progress.

Boardmember Reginato: Good job responding to public and decisionmaker comments. What about the public comments regarding the soundwalls? Also prefers Via Real soundwall on property lines vs. Highway 101 shoulder; likes the proposed landscaping.

Boardmember Ellinwood: Center column on freeway bridges comment from Boardmember Araluce wasn't clear. Thinks the addition of a shear key element would diminish the effect of the haunch arch feature. Maybe a chamfer instead, or hold the column back one foot? Maybe a reveal or capital, but a capital is too fussy.

Boardmember Gahan: Curious regarding the gap between the bottom of the rail and the bridge deck. This will be closed with green vinyl-coated chain link (one inch mesh) to prevent debris from falling onto the freeway but will appear open. Likes that there are lots of plants and lots of native plants in particular. Asked if there was any way to reduce the density of trees and move some out into the community? No, plantings cannot be located outside of the project boundaries. Suggested using ginkgos since there are some on Linden Avenue already. Could there be Jacarandas farther from roadways or as an isolated accent plant? Caltrans Landscape Architect Dave Emerson responded that this could be considered.

Boardmember Johnson: The project design is coming along great. Is there lighting under the creek bridge? There are issues regarding creek habitat, but maybe some low level (foot-lighting) for the bike path. Likes rocks and even giant boulders along the creek. Likes curved inset arch on Via Real bridge. Could that be done on freeway bridges? Likes stained concrete sandstone color. What is in the median planters? Plants on the bridges would be low water, super hardy plants, like *Raphiolepis*, with white or pink flowers in spring. Height of fence on bridges? There is six feet of fencing on top of a two-foot high rail. Detailing on faces of overcrossing? Not as ornate as in Santa Barbara, but something.

Boardmember Ellinwood: DRT consensus was for something simpler in terms of treatments, with maybe some Chumash iconography on the fencing.

Boardmember Johnson: Agrees with Boardmember Araluce regarding light fixture placement at the shear keys and bridge center. Asked about "stone" treatment at abutments. Dave Emerson replied that it is not stone but a concrete form liner that is split-face block with staggered relief, like the Serena Park soundwall.

Boardmember Araluce: Maybe add concrete on top of the wing wall with similar (mirror) haunch arch.

Boardmember Johnson: Lower top of arches in median support under bridge to provide "rustication."

Boardmember Araluce: Will retaining walls and soundwalls be consistent with the median wall in the Mussel Shoals project? Yes, that is the intent.

ACTION: Motion by Boardmember Araluce, seconded by Boardmember Ellinwood, to continue the item to the meeting of May 16th, with the direction for Caltrans staff to respond to the comments raised by the Board as follows:

1. Would like the median bridge column to be separated visually by extending outward from the girder face, creating a vertical element similar to the shear key elements at the bridge ends. The column could also be separated by recessing it back behind the girder face, or by using a chamfer or capital.
2. Would like the light standards and related details to be directly above the vertical bridge elements (columns/shear keys).
3. Incorporate an arch form using a chamfer in the girder face of the overcrossings, blended into the haunches at the ends.
4. Walls to be broken up visually and mirror the haunch form in concrete at the top of the wingwall, above the block wall pattern.
5. Tops of the open arches between columns in the center median under the bridge should be lowered from the soffit, leaving more space above.

VOTE: 5-0

OTHER BUSINESS: None

CONSENT CALENDAR:

- Action Minutes of the Architectural Review Board meeting held March 21, 2013.

ACTION: Motion by Boardmember Johnson, seconded by Boardmember Gahan to approve the minutes of March 21, 2013.

VOTE: 3-0-2 (Reginato and Araluce abstained)

- Action Minutes of the Architectural Review Board meeting held March 28, 2013.

ACTION: Motion by Boardmember Johnson, seconded by Boardmember Reginato to approve the minutes of March 28, 2013.

VOTE: 5-0

MATTERS REFERRED BY THE PLANNING COMMISSION/CITY COUNCIL: None

MATTERS PRESENTED BY STAFF: None

ADJOURNMENT

Chair Johnson adjourned the meeting at 7:00 p.m. to the next regularly scheduled meeting to be held at 5:30 pm on Thursday, May 16, 2013 in City Council Chambers. All Boardmembers thought they would be in attendance.

Secretary, Architectural Review Board

ATTEST:

Chair, Architectural Review Board

ACTION MINUTES

The meeting was called to order at 5:35 p.m. by Richard Johnson, Chair.

ROLL CALL

Boardmembers present: Richard Johnson
Scott Ellinwood
Bill Araluce
Rachelle Gahan
Jim Reginato

Boardmembers absent: None

OTHERS PRESENT: Approximately six interested persons were present.

PRESENTATIONS BY CITIZENS: None

PROJECT REVIEW

- 1) Applicant: David Beard, Project Manager, Caltrans Planner: Jonathan Leech
Project Number: 09-1522-CUP/CDP/LCPA
Project Location: Casitas Pass Road and Linden Avenue at Highway 101, Via Real from San Roque
Mobile Home Park to Linden Avenue
Zoning: Multiple zone districts including MHP, REC, A-5, 7-R-1 and UT

Continued hearing on the request of the California Department of Transportation (Caltrans) to construct replacement overcrossings and interchanges with traffic signals for Linden Avenue and Casitas Pass Road at US Highway 101; to replace the US Highway 101 mainline bridges over Carpinteria Creek; and to construct a roadway extension for Via Real from its terminus at San Roque Mobile Home Park across Carpinteria Creek to Casitas Pass Road and from Vallecito Road to Linden Avenue. The proposed project will provide vehicle travel lanes and a dedicated bike lane and sidewalk on both sides of the overcrossings. The Via Real extension will also include bike lanes and the abandonment of the existing dry weather pedestrian/bike crossing in Carpinteria Creek. A sidewalk will be added on one side of Via Real. Lighting and landscaping is also included throughout the project area.

Following a staff report presentation by Jonathan Leech, Caltrans Project Manager David Beard and Caltrans Landscape Architect Dave Emerson provided additional information.

Public Comment: None

Boardmember Discussion

Boardmember Reginato commented that he thought the arches were still a bit high on the center median bridge support but overall that the design looked good. He asked why there was no concrete on the wing walls on the Linden Avenue bridge.

Boardmember Ellinwood asked about the recessed distance of the chamfer on the vertical face of the bridge. Dave Emerson of Caltrans responded that the recess distance is six inches, but it is not chamfered. Boardmember Ellinwood indicated that he liked the arches on the median support structure as they had been redesigned, but he indicated a preference for a chamfered false arch like on the bridge at Cacique Street in Santa Barbara. He indicated a desire to see the haunch arch shape repeated on the wing wall where the concrete extends out from the shear key elements. He indicated that he was pleased with the direction this design has gone. He also commented positively on the alignment of the light standards with the vertical elements of the bridges.

Boardmember Araluce asked about the radius curve at the intersection of the Linden Avenue Bridge and the Linden Avenue southbound off-ramp retaining wall. He suggested that the bridge should be all the same material until the radius where the retaining wall begins.

Boardmember Ellinwood thought that the same strategy as implemented on Casitas Pass Road Bridge, with the wingwalls repeating the concrete form of the haunch arch out to the edge of the walls. After much discussion, Caltrans engineers were asked if they could expose the bond beam at the top of the retaining wall, carry it all the way down to the level of the highway, and treat it with the same finish as the bridge, thereby creating a “cap” look to the top of the retaining wall.

Boardmember Gahan commented favorably on the proposed median landscaping for the Casitas Pass Road overcrossing, in particular calling out the attractive Queen Palms that are repeated elsewhere in the Downtown. She also liked the use of native plants in the US 101 median and suggested that a lower form of Carissa be used.

Boardmember Johnson agreed with the comments that had been made by his fellow Boardmembers.

ACTION: Motion by Boardmember Ellinwood, seconded by Boardmember Reginato to recommend preliminary approval to the Planning Commission with the changes to the retaining wall at the Linden Avenue southbound offramp to expose the bond beam and use texturing to imitate the haunch form below the wing wall and have it return around the corner at the radius.

VOTE: 5 – 0

The Board then discussed the soundwall location along Via Real between Casitas Pass Road and Vallecito Road and received information from the Caltrans engineers about how the soundwall functions and the height of the wall in its different locations (either along the highway and Via Real or adjacent to the private properties on the inland side of Via Real). The original location had been at the private properties but community members had expressed a preference to locate the wall on the highway side of Via Real during review by the Design Review Team.

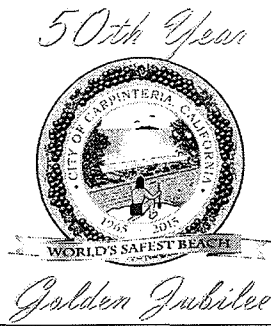
ACTION: Motion by Boardmember Ellinwood, seconded by Boardmember Johnson to recommend preliminary approval of the soundwall location along the Highway side of Via Real between Casitas Pass Road and Vallecito Road.

VOTE: 4 – 1 (Araluce no)

PROJECT REVIEW

2) Applicant: Islands Apartments Revisions
Project Number: 10-1551-DPR/CDP
Project Location: 261 Linden Avenue
Zoning: Planned Residential Development (PRD-20)

Planner: Nick Bobroff



City of Carpinteria

COUNCIL AGENDA STAFF REPORT June 22, 2015

ITEM FOR COUNCIL CONSIDERATION

A letter of opposition to Assembly Bill 718 (Chu) a proposed law that would, in part, prohibit cities and counties from establishing bans on vehicle camping in public streets and parking lots.

STAFF RECOMMENDATION

Action Item X ; Non-Action Item

Approve for the Mayor's signature a letter of opposition to Assembly Bill 718.

Motion: I move to approve for the Mayor's signature a letter of opposition to Assembly Bill 718.

BACKGROUND

Carpinteria Municipal Code (CMC), Chapter 8.20, prohibits sleeping and camping except in designated places. The regulations, in part, make it illegal for a person to camp at any time, whether inside or outside of a vehicle, in or on any public street or other public property, e.g., a parking lot. The City's camping regulations¹ were established over 40 years ago in response to the City's experience with persons camping in vehicles on City streets and other areas. Sometimes this illicit camping was undertaken due to local campgrounds and other visitor accommodations being fully occupied and unavailable or as a no-cost alternative to local visitor accommodations.

The proposed Assembly Bill 718 (AB 718) would preempt and render unenforceable CMC Chapter 8.20. The analysis of AB 718 states that the author and sponsor² of the bill believe an increasing number of California cities are adopting regulations that make sleeping in a vehicle illegal and that this effectively punishes people for being homeless and for whom sleeping in a vehicle may be their only option. Assemblymember Chu's website includes the following statement:

¹ Ordinance 344 § 1, 1983: prior code § 5300

² Assemblymember Kansen Chu, Fremont, and Housing California.

"For many, including women and children who have fled domestic violence, a vehicle is often the only safe place they can find. For many more, it is their only asset and often the sole means of transportation and shelter," stated Chu. "In the absence of adequate shelter resources, a car is not just an emergency shelter solution for some families, but also how tenuously housed adults get to work and their children get to school."

The author and sponsor are proposing AB 718 as a response to their stated concerns and interest in preventing people experiencing homelessness from having their situations exacerbated by being cited by law enforcement agencies for violating local restrictions on where sleeping and camping may occur.

AB 718 was passed out of the Assembly on June 1, 2015, and has been referred by the Senate to its Committee on Government & Finance. The League of California Cities has taken an Oppose position on the bill.

DISCUSSION

The City's regulations on Sleeping and Camping, CMC 8.20, were established in response to the problem of people camping in vehicles on public streets and in shopping center parking lots³. This issue has been acute in certain areas of the City where retail and restaurant services are convenient and on streets and parking lots near to the beach. Public and private signs have been posted (see attached examples) in these areas to notify the public of the City's regulations.

Violations of City camping regulations can include camping in parks, creek corridors and other open spaces, as well as in vehicles on streets and in parking lots. Illegal camping is typically identified through public complaints or City field staff, i.e., law or code enforcement staff and parks and public works staff. The Sheriff's Office estimates that two to three contacts a week are the result of suspicion that a person is sleeping or camping in a vehicle in violation of the City regulations. Sheriff's reports more contacts during the summer months when more people are traveling and the weather tends to be better. Most of these contacts result in warnings rather than citations.

Designated campgrounds, public or private, as well as other transient and permanent housing, include appropriate facilities such as trash receptacles and restrooms and are either managed or the property owner(s) lives on site. These conditions promote public health and safety where convenient access to facilities encourages their use and where persons have a vested interest in monitoring the conduct of residents and maintaining the property. Public streets and parking lots are not designed or managed for either short or long-term residency. Trash receptacles, area lighting, restrooms and other facilities may not be adequate or available and there is not a person responsible for managing/overseeing the conduct of campers/tenants.

³ City Council meeting minutes of February 14, 1983

If camping on public streets and in parking lots is made legal, as proposed through AB 718, it would be expected to result in a proliferation of camping on streets and parking lots in the City of Carpinteria. Carpinteria is a popular visitor destination and the State Beach campground and other visitor accommodations can be full during certain times of the year. If camping on streets and in public parking lots is made legal, hundreds, perhaps thousands of additional transient residents would occupy these areas. Because the City's streets are not improved or provided services sufficient to support short or long-term camping/residency, there is a likelihood that significant problems would develop. In the absence of improvements and services designed to address the needs of street campers, adjacent property owners and City law enforcement and street maintenance workers would likely be forced to act as de facto campground managers, monitoring camper conduct, responding to conflicts, and cleaning up after them.

The legislative analysis of AB 718 makes clear that the proposed law would not affect cities and counties authority to establish and enforce all manner of parking restrictions on public streets and in public parking lots. The following is an excerpt from the Bill Analysis for AB 718:

Cities and counties have broad authority to regulate parking within their communities. They can, among other things, establish time limits, install meters, prohibit parking entirely or at certain times of day on a particular street, and provide preferential parking privileges in certain areas to residents only. If a vehicle is parked in accordance with whatever regulations a local government has applied to that particular parking space, it is not clear what purpose is served by additionally regulating what is happening inside the vehicle, so long as the activity is otherwise legal. Sleeping is not inherently more objectionable than eating, reading, listening to music, talking on the phone, or any other number of activities that someone might undertake in a parked car. While some cities have attempted to justify these bans on public safety grounds, it is hard to imagine how a sleeping person poses a threat to public safety.

However, establishing byzantine parking regulations would have its own costs in administration and enforcement, and, perhaps most significantly, on the public's right to access to the coast. This is because the type of parking management tools that could be most effective in discouraging camping such as time limits, residential permit parking, and parking fees, are also the most likely to serve as a barrier to the public's access to the coast and to conflict with the California Coastal Act.

POLICY CONSISTENCY

As a matter of policy, the City addresses the needs of persons experiencing homelessness by advocating for and connecting people with appropriate housing. The City participates in the Central Coast Collaborative on Homelessness and a local coordination committee that are working to identify and prioritize for permanent housing persons experiencing homelessness in Carpinteria.

The City provides assistance to drivers that are fatigued and need respite or persons that are homeless and need temporary, overnight accommodations, through an established policy that allows for parking and sleeping in certain designated spaces at City Hall.

FINANCIAL CONSIDERATIONS

AB 718, if established as law, could result in significant cost to the City if it elected to establish and enforce expanded parking regulations and/or if it chose to enhance public facilities and services in response to a proliferation of street camping.

LEGAL

AB 718 would prohibit local agencies from enforcing laws and ordinances and imposing civil or criminal penalties against people sleeping or resting in lawfully parked motor vehicles. Based on our analysis, AB 718 would expressly preempt Carpinteria Municipal Code Chapter 8.20.020, which currently prohibits persons from sleeping or camping (whether inside or outside of a vehicle) on or on any public street, public property (except public property designated for overnight camping), or private property including, but not limited to, beaches, vacant lots, parking areas and commercial properties without permission from the owner. (See *Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal. 4th 893, 897 ["If otherwise valid local legislation conflicts with state law, it is preempted by such law and is void . . . A conflict exists if the local legislation duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication."] [internal citations and quotations omitted].) If AB 718 is enacted, the City could not enforce Chapter 8.20.020 against any person who is sleeping or camping in a lawfully parked motor vehicle.

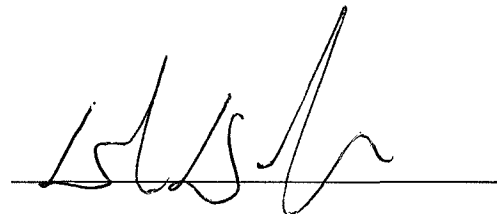
PRINCIPAL PARTIES EXPECTED AT MEETING

None.

ATTACHMENTS

- A. Draft Assembly Bill 718 letter of opposition
- B. Assembly Bill 718 (Chu)
- C. League of California Cities joint letter, dated, May 8, 2015
- D. No Camping sign examples

Staff contact: Dave Durflinger
(805 684-5405, daved@ci.carpinteria.ca.us)

A handwritten signature in black ink, appearing to read 'DD', is written over a horizontal line.

CITY of CARPINTERIA, CALIFORNIA



June 22, 2015

The Honorable Kansen Chu
California State Assembly
State Capitol, Room 2179
Sacramento, CA 95814
Via FAX: (916) 319-2125

AB 718 (Chu) – Notice of Opposition

Dear Assembly Member Chu:

I am writing to inform you that the City of Carpinteria opposes AB 718. This proposed law is far too broad and would allow every public street to become an unregulated campground. Although AB 718 is undoubtedly well intentioned, it would open the door to a host of issues that have nothing to do with helping to address the needs of people experiencing homelessness in our communities.

Carpinteria is a small beach town and a popular tourist destination. The City has a variety of affordable accommodations including a very popular State Beach campground. During the summer and at other peak periods, demand for visitor accommodations often outstrips availability. More than 40 years ago, in response to a proliferation of recreational and other vehicle camping on City streets and in private and public parking lots of Carpinteria, the City established regulations to prohibit camping in these places. Signs and enforcement have been used for decades to ensure that the City's residential neighborhoods and commercial districts don't function as de facto campgrounds which would lack the services, facilities, and security that an organized campground provides. Street camping generates waste, litter, noise, safety issues, and crime, which in turn negatively affect public health safety, and property values.

It can be predicted that, should this law be enacted, many California cities and counties may adopt complicated and expensive parking restriction programs such as residential permit parking programs, which would be an unwanted intrusion on public convenience. Carpinteria intentionally has not enacted such regulations, and is one of just a few coastal cities that do not charge fees for use of public parking. This is a benefit for residents and visitors alike. AB 718 would likely bring a substantial number of street campers to Carpinteria's streets. Enacting restrictions on public parking and increasing its cost may also not be feasible in a coastal city such as Carpinteria because it could create conflicts with the public access policies of the California Coastal Act, which the City of Carpinteria implements through its certified Local Coastal Program. This is just one example of the likely unintended consequences of a law that is clearly too broad and needs to be reconsidered.

Carpinteria works hard to house and to meet the needs of persons that are experiencing homelessness in our community. The City participates in a regional coordination committee composed of local business representatives, clergy, residents, service agencies, and professional and volunteer outreach workers that seeks to get homeless individuals into safe and sanitary housing as quickly as possible.

5775 CARPINTERIA AVENUE • CARPINTERIA, CA 93013-2603 (805) 684-5405 • FAX (805) 684-5304

www.carpinteria.ca.us

June 22, 2015

Page two

What is most needed to assist in Carpinteria's efforts to assist persons experiencing homelessness is funding: funding, for example, for rapid re-housing that can move families and individuals experiencing homelessness as quickly as possible into permanent housing where appropriate support services can be effectively delivered. Funding for such services is the greatest assistance that the Legislature could provide to cities that are on the front line of addressing the issues of homelessness.

The City of Carpinteria opposes AB 718 because it proposes to prevent local governments from regulating any restrictions on sleeping in vehicles, thus preempting local regulations that are both reasonable and necessary for public health, safety and welfare.

Sincerely,

Gregg A. Carty
Mayor

cc: Assemblyman Das Williams, State Capitol, Room 4005, Sacramento, CA 95814
Senator Hannabeth Jackson, State Capitol, Room 5080, Sacramento, CA 95814
William Weber, Principal Consultant, Assembly Republican Caucus Fax: (916) 319-3560
Misa Lennox, Consultant, Assembly Local Government Committee Fax: (916) 319 3959
Dave Mullinax Regional Public Affairs Manage, dmullinax@cacities.org
Meg Desmond, League of California Cities, mdesmond@cacities.org

AMENDED IN ASSEMBLY MAY 18, 2015
AMENDED IN ASSEMBLY APRIL 21, 2015
AMENDED IN ASSEMBLY MARCH 26, 2015

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 718

Introduced by Assembly Member Chu
(Coauthor: Assembly Member Gonzalez)

February 25, 2015

An act to add Section 50034 to the Government Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

AB 718, as amended, Chu. Local government: powers.

Existing law authorizes the legislative body of a city or county to pass ordinances not in conflict with state or federal law and the state or federal constitution.

This bill would prohibit the legislative body of a city, county, or city and county from ~~prohibiting~~, *prohibiting* or otherwise subjecting to civil or criminal penalties, *or removing or impounding a motor vehicle by reason of*, the act of sleeping or resting in a lawfully parked motor vehicle. *The bill would also find and declare that the provisions of the bill address the health and safety of homeless individuals, a matter of statewide concern, and that therefore, they apply to charter cities, charter counties, and charter cities and counties.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. The Legislature finds and declares that the*
2 *provisions of this measure address the health and safety of*
3 *homeless individuals, a matter of statewide concern, and that*
4 *therefore, they apply to charter cities, charter counties, and charter*
5 *cities and counties.*

6 ~~SECTION 1.~~

7 *SEC. 2.* Section 50034 is added to the Government Code, to
8 read:

9 50034. The legislative body of a city, county, or city and county
10 shall not ~~prohibit~~, *prohibit* or otherwise subject to civil or criminal
11 penalties, *or remove and impound a motor vehicle by reason of,*
12 the act of sleeping or resting in a lawfully parked motor vehicle.



California
Business
Properties
Association



May 8, 2015



American Planning Association
California Chapter

Making Great Communities Happen



International Council of Shopping Centers



The Honorable Kansen Chu
California State Assembly
State Capitol, Room 2179
Sacramento, CA 95814

**Re: AB 718 (Chu) – Removal of Regulatory Authority: Vehicles Used For Human Habitation
Notice of Opposition**

Dear Assembly Member Chu:

On behalf of the League of California Cities, American Planning Association, California Chapter, California Business Properties Association, International Council of Shopping Centers, the California Law Enforcement Association of Records Supervisors and the California Police Chiefs Association, California Association of Code Enforcement Officers and California College and University Police Chiefs Association, we regret to inform you of our oppose position on your AB 718. This measure, as drafted, would prohibit local agencies from enforcing laws and ordinances, or otherwise subject to civil or criminal penalties, the act of people sleeping or resting in a lawfully parked motor vehicle.

Our organizations are also concerned about the many challenges of addressing homelessness, and support measures that support additional funding to develop more affordable housing and provide mental health and other services. We do not believe, however, that removing local regulatory authority is an appropriate solution.

This bill is a preemption of local authority to regulate and enforce laws governing the use of public and private space. Local ordinances arise and are adopted by communities to address specific issues affecting health, safety and broader public welfare.

With over 13 million registered vehicles, automobile use is a major reality in California and that use must be managed. Cities work closely with businesses to ensure adequate parking and traffic flow in shopping and retail districts. Commercial businesses offer parking on private property for their customers and also rely on parking availability on adjacent streets. For residential neighborhoods, the need for available parking is also important; debates often occur, especially in residential neighborhoods, over retaining available parking for visitors and maintaining property values.

Those that have served on local city councils are familiar with such debates. For instance, a resident may become upset if a neighbor's motorhome or older vehicle leaking motor oil is parked in front of their home. Commercial businesses also raise concerns when they believe they are losing business when vehicles of non-customers are occupying parking spaces typically available to serve their businesses. Debates on these issues often go late into the night at city council meetings; but that is as it should be. Whether the solutions be parking ordinances, parking meters, residential parking permits, or parking prohibitions between certain times and other responses, these issues should be addressed at the local level, not in Sacramento.

The issues raised by AB 718 are less about parking, and more about the use of vehicles for human habitation, including sleeping and “resting.” City parking locations whether on public or private property—other than campgrounds—were never intended or designed for residential occupancy.

While AB 718 seeks to remove local authority to regulate such activity, the community impacts that will be imposed by this bill cannot be avoided:

- By combining the terms “sleeping” and “resting” within a vehicle, to the time that the occupant may be otherwise outside of the vehicle, the bill appears to be designed to allow an individual to live in a vehicle anywhere on either public or private property where it is not otherwise forbidden to park a vehicle.
- It is one thing to park an empty car in front of someone’s house; it is quite another for an occupied vehicle to be parked “resting” in front of the house for hours and days. The property owner will want to know: Who is this person? What is their intention? How can you tell if they are “resting” under SB 718 versus stalking the home or its occupants? Under AB 718, the bill appears to prohibit a police officer from asking the person to move or issuing a citation if they don’t. Presumably, if there were no other parking restrictions, the vehicle and its occupants could remain there until the city adopted an ordinance prohibiting all parking in that area.
- Commercial properties would face similar issues. One or more vehicles could park in front of a business removing potential parking spots for customers, and depending on the conduct of the occupants, potentially intimidate the public from visiting the location.
- What about public health and sanitation? How is human waste to be addressed? What does the term “resting” apply and not apply to?
- The concept of “resting” was the central feature of SB 608 (Liu) the “Right to Rest Act,” which is a now a two-year bill in the Senate. That measure, which is co-sponsored by a key supporter of this measure, the Western Regional Advocacy Project, contained language that stated “*the existence of homelessness requires that civil and human rights that are amply protected in the home and in other private places be extended to the public areas in which homeless persons live to ensure the equal rights of all Californians, whether homeless or housed.*” Such an assertion raises fundamental questions about the ultimate intent of this measure. Does this imply that “rights” reserved to the home, such as keeping and bearing arms, consumption of alcohol, and other private activity extend to someone sleeping or “resting” in an automobile on a public street or on private property?

This measure should be rejected. Cities work hard to balance all of the needs of their communities. It is simply not appropriate for the Legislature to attempt to remove local government authority to appropriately protect the public health, safety and welfare of their residents from issues that arise when people live outside of campgrounds in cars and trucks parked on public and private property. These are not easy issues to deal with, but they cannot responsibly be ignored.

At the state level, what is most needed to combat homelessness is funding for affordable housing and emergency shelters. There are several major pending measures that can help restore funds for affordable housing; the May Revise is expected to yield additional state revenue. We encourage legislators to support additional funding for affordable housing and homeless solutions.

For these reasons, we regret we must oppose AB 718. If you have any questions about our position, please call Dan Carrigg at the League at (916) 658-8222; Lauren De Valencia y Sanchez for APA California at (916) 443-5301; Matthew Hargrove for International Council of Shopping Centers and California Business Properties Association at (916) 443-4676; Thomas Sheehy for California Police Chiefs Association at (916) 442-1111; John Lovell for California Association of Code Enforcement Officers and California College and University Police Chiefs Association (916) 261-7188; and Joseph Surges, California Law Enforcement Association of Records Supervisors at (925) 671-3005.

Sincerely,



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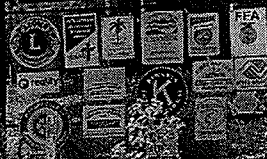
Joseph Surges,
President
Calif. Law Enforcement Assoc. of Records Supervisors

Cc: Chair and Members, Assembly Local Government Committee
Misa Lennox, Consultant, Assembly Local Government Committee
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TIME

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ANYTIME
ON ANY
STREET
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