

CITY OF SANTA BARBARA  
COMMUNITY DEVELOPMENT DEPARTMENT, PLANNING DIVISION



**INITIAL STUDY/ ENVIRONMENTAL CHECKLIST**

**PROJECT TITLE: Los Patos Underpass Removal**

**APPLICATION NUMBER: PLN2019-00591**

**DATE: SEPTEMBER 2024**

This Initial Study has been prepared in accordance with CEQA (Public Resources Code §21000 et seq.) and the State CEQA Guidelines (Title 14, California Code of Regulations, §15000 et seq.). This Initial Study has been completed for the project described below because the project is subject to review under the California Environmental Quality Act (CEQA) and was determined not to be exempt from the requirement for the preparation of an environmental document. The information, analysis, and conclusions contained in this Initial Study determine whether the project could have significant environmental impacts and if preparation of a Negative Declaration (ND), Mitigated Negative Declaration (MND), or Environmental Impact Report (EIR) is required to further analyze project impacts and significance levels. Additionally, if preparation of an EIR is required, the Initial Study is used to focus the scope of the EIR on the effects determined to be potentially significant.

**LEAD AGENCY**

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**APPLICANT/ PROPERTY OWNER**

Applicant: City of Santa Barbara Public Works Department

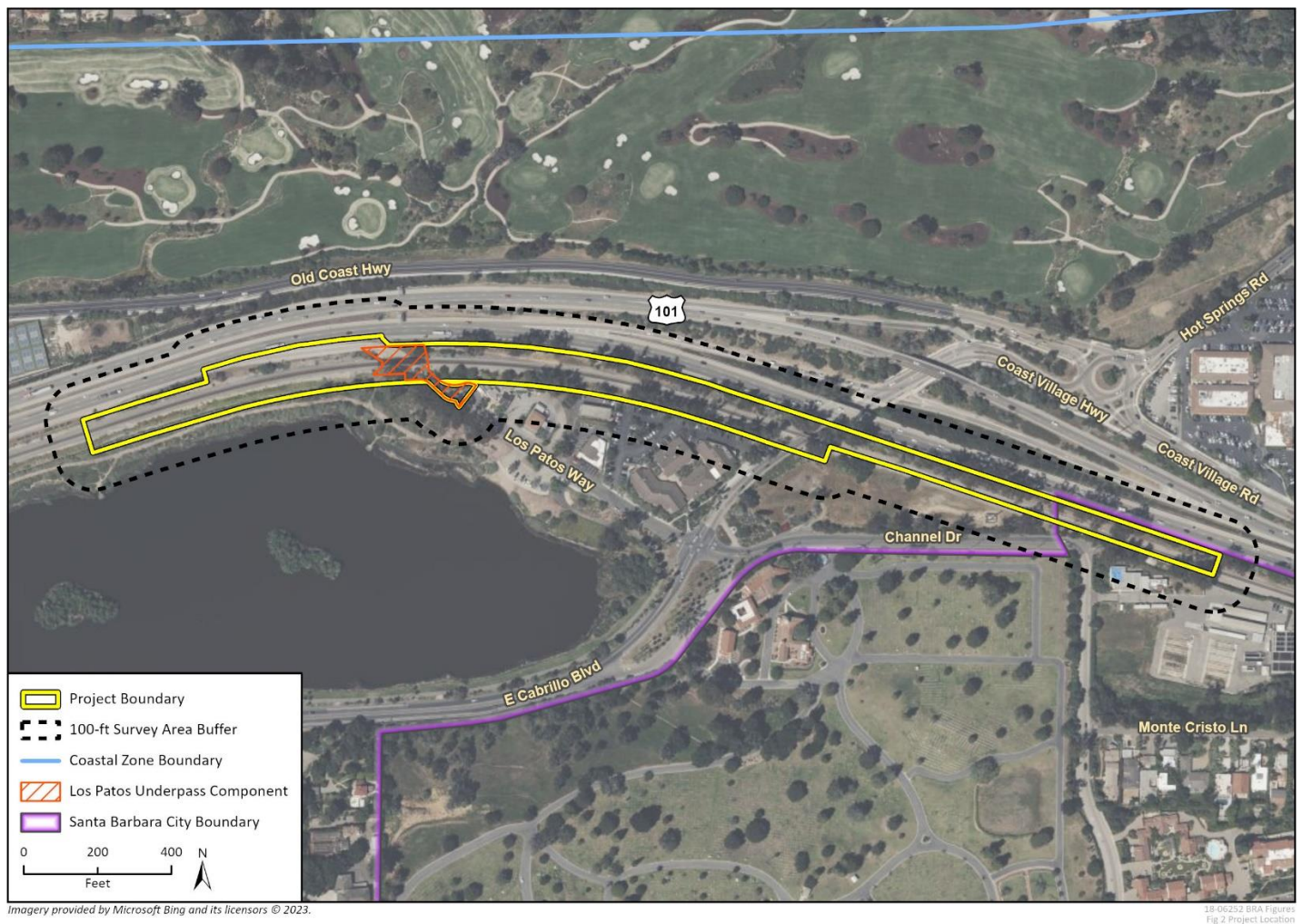
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Owner(s): Union Pacific Railroad, Caltrans, City of Santa Barbara

**PROJECT ADDRESS/LOCATION**

The project site is located along Los Patos Way, directly off the southbound exit 95 from U.S. Highway 101 (U.S. 101) and includes the Union Pacific Railroad's (UPRR) Underpass. The Los Patos Underpass is located on Santa Barbara County Assessor's parcel number 017-010-079 south of, and adjacent to U.S. 101. Located at UPRR mile-post 372.5 and Caltrans mile-post 11.65, the bridge carries railroad track over the Los Patos Underpass (Exit 95) of southbound U.S. 101. The project site consists of right-of-way owned by Caltrans, UPRR, and the City of Santa Barbara. The vicinity map is shown in Figure 1.

**Figure 1 Vicinity Map**



## **PROJECT DESCRIPTION**

The proposed project involves the removal of the Los Patos Way Off-Ramp Underpass (Los Patos Underpass), Bridge No. 51-0235 and construction of a shoofly (rail bypass) to allow continued train travel during construction of a new rail bridge over Cabrillo Boulevard. A replacement offramp will be constructed as part of the U.S. 101 HOV project (redesign of the U.S. 101/Cabrillo interchange) and to be in operation prior to closing Los Patos Way as an offramp. The Los Patos Underpass is currently owned and operated by UPRR. UPRR determined that portions of the subject structure will need to be removed, including the abutments, center pier, girders, and decking, and replaced with solid fill, consisting of about 2,750 cubic yards of imported fill at Los Patos, and a small culvert or drainpipe through the fill to convey minor flows. The abutment and center pier will be removed down to a few feet above grade. There will be no ground disturbance in the removal of the structure. The limits of ground disturbance for the Los Patos bridge removal consist of removing the existing paving under the crossing. Approximately 2,750 cubic yards of fill will be placed to support the tracks in place of the existing girders and abutment system. Grading and earthwork for the project is anticipated to last three weeks and the reconstruction of the rail components would be completed in two days (over one weekend). A new maintenance path and driveway will be constructed at the curb line of the cul-de-sac. A rolling maintenance gate and fencing will be installed at the property line of the City parcel containing the Los Patos Way off-ramp. The area adjacent to the maintenance path will be mulched. A number of trees will be planted in the remaining open space to replace up to 69 City-protected trees and 13 County-protected trees (BRA Addendum 2024). The Caltrans 101 HOV project construction impacts the same area where many of these trees are located, so a final count of impacted trees will occur following construction of the 101 HOV project that will occur prior to start of this project. According to UPRR, no landscaping would be allowed on the new fill. The railroad track would remain in the same location and would be placed on the new fill. The Historic Structures Evaluation

(Rincon, 2020) found the Los Patos Underpass to be eligible for listing on the California Register of Historical Resources (CRHR) and for designation as a City Structure of Merit. The character defining features were determined to be the sandstone bridge abutments and center pier, and the riveted steel girders. This listing as a historic resource triggered the preparation of an Environmental Impact Report for this project as the Los Patos Underpass is proposed to be removed and replaced with fill.

The U.S. 101 off-ramp at Los Patos Way will be vacated upon completion of U.S. 101 High Occupancy Vehicle Lane (U.S. 101 HOV) Project. Once completed, the Los Patos off-ramp will be removed by Caltrans up to the UPRR right of way, rendering the underpass unusable. UPRR has indicated the removal of this underpass is necessary to complete the Cabrillo Blvd Pedestrian and Bicycle Improvements, Los Patos/Cabrillo Roundabout and UPRR Bridge Replacement Project (Cabrillo/UPRR Bridge Project). The Cabrillo/UPRR Bridge Project is a mitigation measure for the U.S. 101 HOV Project and must be completed before the U.S. 101 HOV Project can be completed. UPRR indicated the necessity of the removal of the underpass and closing of the Los Patos Way off-ramp as a safety measure. The existing underpass is a low-clearance structure (non-standard vertical clearance) and has caused numerous shutdowns to railroad operations as several trucks have hit the structure. Also, leaving the underpass in place would have created an attractive nuisance, providing an increased security risk for UPRR. **See Attachment A – Conceptual Project Plans.**

The project will include, as stated before, a shoofly track. A shoofly track is a temporary track that will facilitate continued service for the UPRR and passenger commuter trains running on this track during a construction project. This shoofly track will cross over Los Patos Way and Cabrillo Boulevard. It will be constructed on the north side of the existing mainline track and will be built entirely on UPRR right-of-way. The alignment of the shoofly track will be located as close as possible to the Caltrans right-of-way, to the north, without encroaching onto the Caltrans right-of-way.

The shoofly track will be supported by approximately 8,000 cubic yards of fill material not including the fill needed to replace the Los Patos underpass. There will be approximately 5,000 cubic yards of roadway excavation and approximately 72,000 square feet of clearing and grubbing activities. Implementation of the shoofly track will require approximately between 50-100 of the 146 identified trees to be removed (which will not include planting replacement trees as the UPRR will not allow trees to be planted on their right-of-way), approximately 300 track-feet of track removal, approximately 1,200 track-feet of shifted track, approximately 2,000 track-feet of new track on wood ties, approximately 650 cubic yards sub ballast materials, and approximately 2,400 square feet of retaining walls.

Also, in order for the shoofly track to cross over existing Cabrillo Boulevard a shoofly bridge will be built, and will be built to span just the width of existing roadway or as needed to assist with construction of the bridge.

The fill materials will remain in-place after the shoofly is abandoned with only the track materials being removed from the project site.

### Project Components

The purpose of the project is to remove from service the Los Patos Underpass and construct a shoofly to allow continued train travel during construction of a new rail bridge over Cabrillo Boulevard. Removal of the Los Patos Underpass would eliminate the currently required continued maintenance and liability associated with potential structure failure, as this bridge is more than 100 years old, and has a non-standard vertical clearance. Once the Underpass is removed, the Project would replace the existing structure with solid fill material that is similar to the materials located on either side of the underpass. The shoofly will allow for continuous use of the UPRR rail line during construction of a new and expanded rail bridge over Cabrillo Boulevard.

### Project Operations

The closure of the off-ramp will occur ahead of this Project as part of the U.S. 101 HOV Project; therefore, traffic would no longer exit U.S. 101 at this location. The UPRR will continue to operate as usual. Los Patos Way will terminate at the new cul-de-sac. The UPRR rail line would continue operations using the shoofly until the new Cabrillo rail bridge is completed.

## Demolition/Construction

The Project would remove the existing Los Patos Underpass structure located northwest of the intersection at Cabrillo Boulevard and Los Patos Way and replace it with solid fill material that is similar to the materials located on either side of the underpass. Los Patos Way would be reconfigured as a cul-de-sac. The cul-de-sac would be formed by continuing the existing curb line and centerline radius across the existing off-ramp roadway thereby eliminating access to that stretch of roadway. The roadway from the new curb line to the Caltrans right of way beyond the underpass would be removed. A new narrow maintenance access path would be provided from the newly formed cul-de-sac to the south side of the existing underpass. A portion of the new curb in the cul-de-sac would be a rolled curb to accommodate City maintenance vehicles.

The shoofly track will be built utilizing two separate shooflies and four phases. Phase 1A of the first shoofly will be to construct the shoofly bridge and then construct the first shoofly track to the 13 feet clear point from the mainline track. Phase 1B of the first shoofly will consist of shifting the existing track and connecting the mainline to the shoofly track.

Phase 2A of the first shoofly will remove the existing bridge and the existing mainline track. Phase 2B will construct the new bridge over Cabrillo Boulevard and the mainline track across the new bridge. Finally, the mainline track will be shifted to connect the mainline track to the shoofly track, on both sides of the new bridge.

Phase 3A of the second shoofly will be to remove the first shoofly track and widen Cabrillo Boulevard beneath the new bridge. Finally, Phase 3A will construct the second shoofly track to the 13 feet clear point of the existing mainline (after Los Patos Way is closed to traffic).

Phase 3B of the second shoofly will shift the existing track and connecting to the mainline track to the shoofly track.

Phase 3C of the second shoofly track will remove the Los Patos Way Underpass and the existing mainline track across the bridge.

Phase 3D of the second shoofly track will construct the mainline track and then shift track and connect to the mainline track.

Phase 4 (Final) Phase will remove the existing second shoofly track.

Once rail operation moves back to the main line, the shoofly tracks and structures will be removed. The added ballast for the shoofly tracks would remain in place. Some minor grading of the ballast may occur to better blend in the ballast with the main track to reduce any shifting of the ballast after the track is removed.

## Required Discretionary Actions

1. A Coastal Development Permit (CDP2020-00025) to allow the proposed development in the Non-appealable Jurisdiction of the City's Coastal Zone (SBMC §28.44.060), and
2. Project Design and Final Approvals by the Historic Landmarks Commission (SBMC Chapter 22.22).

## Other Public Agency Approvals Required

Caltrans encroachment permit.



**PROPERTY CHARACTERISTICS**

<b>Assessor's Parcel Number:</b>	Portion of 017-010-019 (UPRR parcel); City Right of Way; Caltrans Right of Way	<b>Local Coastal Plan Designation:</b>	Parks/Open Space
<b>Zoning:</b>	UPPR: P-R/SD-3 (Park and Recreation/ Coastal Overlay)  Non-appealable Jurisdiction of Coastal Zone	<b>Parcel Size:</b>	Project site is approximately 6.60 acres
<b>Existing Uses:</b>	UPRR ROW and Los Patos Way Off-Ramp Underpass	<b>Proposed Uses:</b>	UPRR ROW and public right of way
<b>Slope:</b>	Flat below underpass and within City Right of Way		
Surrounding Zoning:			
<b>North:</b>	N/A, Caltrans Right of Way		
<b>South:</b>	P-R/SD-3 (Park and Recreation/Coastal Overlay)		
<b>East:</b>	HRC-2/SD-3 (Hotel and Related Commerce II/Coastal Overlay)		
<b>West:</b>	P-R/SD-3 (Park and Recreation/Coastal Overlay)		

**ENVIRONMENTAL SETTING**

Existing Site Characteristics

Topography:

The area is generally flat with a raised berm that is part of the UPRR line.

Seismic/Geologic Conditions:

The City’s Master Environmental Assessment indicates that the project site is located in an area of moderate erosion potential; high expansive soils; high liquefaction potential; low landslide potential; and potentially shallow groundwater. The two fault systems closest to the project site are the Mission Ridge Fault approximately 0.3 miles to the north and the San Andreas Fault approximately 40 miles to the northeast.

Flooding/Fire Hazard:

The City’s Master Environmental Assessment indicates that the project site is located within the Tsunami Hazard Zone and it is not located in a High Fire Hazard Zone. According to FEMA flood maps, the project site west of Los Patos Way is located in Flood Zone AE (100-year) and 0.2% Annual Chance Flood Hazard zone at Los Patos Way, with the tracks east of the 0.2% zone not in a Special Flood Hazard Area zone (FEMA.gov 2024). However, the Thomas Fire burned areas of Santa Barbara north of the project site in late 2017. This was followed by heavy rains in early 2018 causing flooding and a debris flow in the Montecito area east of the project site, including portions of U.S. 101 adjacent to the project site. The potential for flooding and fire hazard is high based on past events.

Creeks/Drainage:

Sycamore Creek is located approximately 0.6 mile to the west of the project site and in heavy rain events minimal run-off

makes its way onto Los Patos Way Underpass.

#### Biological Resources:

The project is located adjacent to the Andree Clark Bird Refuge (Refuge). There are 16 trees within the project area including 14 sugar gum eucalyptus (*Eucalyptus cladocalyx*), one pine tree, (*pinus sp.*) and one coast live oak (*Quercus agrifolia*) within the Los Patos bridge and roadway work plus there are between 50-100 of the 146 identified trees within the UPRR right of way that may be removed for construction of the shoofly. The actual trees impacted by the shoofly will be identified when the shoofly design is completed. The tree types within the shoofly area included mostly Blue gum eucalyptus (*Eucalyptus globulus*) and sugar gum eucalyptus (*Eucalyptus cladocalyx*) in addition to stone pine (*Pinus pinea*), coast live oak (*Quercus agrifolia*), black acacia (*Acacia melanoxydon*), red willow (*Salix laevigata*), silver wattle (*Acacia dealbata*), pittosporum (*Pittosporum undulatum*), broad-leaved paperbark (*Melaleuca quinquenervia*), and Crimson bottlebrush (*Callistemon citrinus*). The study area contains six vegetation communities (quailbush scrub, eucalyptus groves, lemonade berry scrub, fountain grass swards, annual grassland, and salt marsh bulrush marsh) and three land cover types (ornamental landscaping, developed, and unvegetated beach).

#### Archaeological Resources:

The City's Master Environmental Assessment indicates that the project site is located within the Prehistoric Sensitivity Area as shown on the City's Archaeological Resource Sensitivity Map and is in close proximity to Prehistoric Drainage Courses zone. A Phase 1 Archaeological Resources Report was prepared by Rincon Consultants (Rincon, 2021). No archaeological resources are known to occur on the site.

#### Hazards and Hazardous Materials

There is the potential for contamination due to the project site's proximity to Highway 101 and the UPRR railroad. Aerially deposited lead is common along the freeway. Additionally, the railroad right-of-way may contain elevated lead from train brake dust, arsenic from weed abatement, and Total Petroleum Hydrocarbon (TPH) and Semi-Volatile Organic Compounds including Polycyclic Aromatic Hydrocarbons (PAHs) from creosote-based wood preservatives used in the railroad ties. Because of the potential for these contaminants at the project site to create a hazard to the public or the environment, this potentially significant impact will be further evaluated in the EIR.

#### Historic Resources:

The Project-specific Historic Structure/Site Report (Rincon, 2020) indicates that the existing Los Patos Underpass was built in 1901. The Los Patos Underpass has been found eligible for listing in the California Register of Historical Resources and as a City of Santa Barbara Landmark or Structure of Merit (Rincon, 2020). The project area is adjacent to two historic resources located at 40 and 50 Los Patos Way to the east of the underpass. The project area is not within a historic district but is located adjacent to the East Cabrillo Blvd. Parkway Historic District and the El Pueblo Viejo Landmark District.

A Draft Preservation Alternatives and Mitigation Measures Analysis memorandum (see **Attachment C**) completed for the project identified potential draft alternatives to the complete removal of the underpass, and potential draft mitigation measures to mitigate impacts resulting from its removal including reuse of the sandstone on the Cabrillo Railroad Underpass as an architectural feature.

#### Tribal Cultural Resources

No Native American cultural resources are known to be located in the vicinity of the project site.

#### Noise:

The City's Master Environmental Assessment indicates that the existing noise level at the site is >70 DBA LDN. Noise is generated from the vehicles traveling on U.S. 101 and existing traffic noise due to the nearby commercial uses. Periodic noise is also generated by the operation of the UPRR. The nearest sensitive receptors are located on Los Patos Way between the Los Patos Underpass and Cabrillo Boulevard.

*Visual and Aesthetic Resources*

The primary scenic resources surrounding the project site include the Andree Clark Bird Refuge, which is adjacent to the project site to the south, and the Pacific Ocean further to the south. The removal of a large number of trees required by the shoofly may result in a significant visual impact. The potential for this impact will be addressed in the EIR.. The project would result in no impacts to lighting and glare.

Existing Land Use

Existing Facilities and Uses:

The UPRR line is in use as part of their rail system. The underpass allows vehicle access off of southbound U.S. 101 onto Los Patos Way (Exit 95).

Access and Parking:

Regional access is via the U.S. 101 (Exit 95) onto Los Patos Way. Los Patos Way at the undercrossing is one-way traffic exiting U.S. 101 toward Cabrillo Boulevard. There is no parking along the Underpass and on Los Patos Way, although there is a parking lot adjacent to the project site for the Andree Clark Bird Refuge.

Neighboring Land Uses and Characteristics

The US Highway 101 is adjacent to and north of the site, which is off Exit 95 along Los Patos Way. The bridge is part of the UPRR line which continues east-west of the project site. There is undeveloped land with existing vegetation south of the project and a mix of commercial properties to the southeast. The Andree Clark Bird Refuge is located south and adjacent to the project site.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project.

<input checked="" type="checkbox"/> Aesthetics and Visual Resources	<input type="checkbox"/> Agriculture and Forestry Resources	<input type="checkbox"/> Air Quality and Greenhouse Gas Emissions
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Cultural and Tribal Cultural Resources	<input type="checkbox"/> Energy
<input type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Hazards and Hazardous Materials	<input checked="" type="checkbox"/> Land Use and Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population and Housing
<input type="checkbox"/> Public Services and Utilities	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation and Circulation
<input type="checkbox"/> Water Quality and Hydrology	<input type="checkbox"/> Wildfire	<input checked="" type="checkbox"/> Mandatory Findings of Significance

**DETERMINATION**

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared by:   
\_\_\_\_\_  
Signature

9/11/2024  
Date

Approved by:  
\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## **ENVIRONMENTAL CHECKLIST**

The following checklist contains questions concerning potential changes to the environment that may result if this project is implemented. The potential level of significance should be indicated as follows:

Significant: Known substantial environmental impacts. Further review is needed to determine whether there are feasible mitigation measures and/or alternatives to reduce the impact.

Potentially Significant: Unknown, potentially significant impacts that need further review to determine significance level and whether any impacts identified as potentially significant can be mitigated.

Less than Significant with Mitigation: Potentially significant impacts that are avoided or reduced to less than significant levels with identified feasible mitigation measures.

Less than Significant: Impacts that are not substantial or significant.

Beneficial Impact: Impacts would improve environmental conditions.

No Impact: Project would not cause this type of impact.

1. AESTHETICS AND VISUAL RESOURCES	Level of Significance
Except as provided in Public Resources Code Section 21099* (CEQA provisions for Transit-Oriented In-Fill Projects), would the project:	
a) Have a substantial adverse effect on a public scenic vista or a private scenic vista visible to a large portion of the community?	Potentially Significant Impact
b) Substantially damage scenic resources, including, but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?	Potentially Significant Impact
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Potentially Significant Impact
d) Create a new source of substantial light or glare which would adversely affect surrounding areas or important public day or nighttime views in the area?	No Impact

*\* CEQA California A Public Resources Code §21099(d)(1): “Aesthetic and parking impacts of a residential, mixed-use, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. (2)(A) This subdivision does not affect, change, or modify the authority of a lead agency to consider aesthetic impacts pursuant to local design review ordinances or other discretionary powers provided by other laws or policies. (B) For the purposes of this subdivision, aesthetic impacts do not include impacts on historical or cultural resources.”*

Aesthetics and Visual Resources – Discussion

**Issues:** Issues associated with visual resources and aesthetics include the potential blockage or substantial alteration of important public scenic views, project on-site aesthetic character and compatibility with the surrounding area, substantial changes in exterior lighting and shade/shadow, and introduction of substantial new sources of glare.

**Impact Evaluation Guidelines:** Aesthetic quality, whether a project is visually pleasing or unpleasing, may be perceived and valued differently from one person to the next, and depends in part on the context of the environment in which a project is proposed. The significance of visual changes is assessed qualitatively based on consideration of the proposed physical change and project design within the context of the surrounding visual setting. First, the existing visual setting is reviewed to determine whether important existing visual aesthetics are involved, based on consideration of existing public views, existing visual aesthetics on and around the site, and existing lighting conditions. Under CEQA, the evaluation of a project’s potential impacts to scenic views is focused on views from public (as opposed to private) viewpoints and larger community wide views (those things visible by a larger community, as opposed to select individuals). The importance of existing public views is assessed qualitatively based on whether important visual resources such as mountains, skyline trees, or the coastline, can be seen, the extent and scenic quality of the views, whether the views are experienced from public viewpoints, and how many people can see the views. The visual changes associated with the project are then assessed qualitatively to determine whether the project would result in substantial effects associated with important public scenic views, on-site visual aesthetics, or lighting.

Significant visual resources impacts may potentially result from:

1. Substantial obstruction of important public or communitywide scenic views. This includes, but is not limited to, the following scenic resources: Pacific Ocean, Stearn’s Wharf, the Harbor, Douglas Family

Preserve, Montecito Country Club, Andree Clark Bird Refuge, Bellosguardo, Santa Barbara Zoo, coastal bluffs and shoreline, creeks, estuaries, lagoons, riparian areas, parks and open space, historic structures, sites, and trees important for their visual quality, Channel Islands, Foothills, Riviera, and Santa Ynez Mountains.

2. Substantial damage to scenic resources within a state scenic highway (Highway 154). Impacts to local scenic roads should also be considered. These include Highway 101; Cabrillo Boulevard between U.S Highway 101 and Castillo Street; Sycamore Canyon Road (144)/Stanwood Drive (Highway 192)/Mission Ridge Road (Highway 192)/Mountain Drive to the Old Mission on Los Olivos Street, or Shoreline Drive from Castillo Street to the end of Shoreline Park.
3. Substantial negative aesthetic effect or incompatibility with surrounding land uses or structures due to project size, massing, scale, density, architecture, signage, or other design features.
4. Substantial degradation of important public or communitywide scenic views or the visual quality of the site through extensive grading and changes in topography, removal of substantial amounts of vegetation and trees visible from public areas without adequate landscaping; or substantial loss of important public open space.
5. Substantial light and/or glare that substantially affects offsite properties, safe travel, or sensitive wildlife, or substantially affects important public views.

## **Aesthetics and Visual Resources – Existing Conditions and Project Impacts**

### **1.a) Scenic Views**

The primary scenic resources surrounding the project site include the Andree Clark Bird Refuge, which is adjacent to the project site to the south, and the Pacific Ocean further to the south. Santa Barbara's natural beauty is central to the City's character and is a major part of the City's appeal as an international tourist destination. Public views of Santa Ynez Mountains ridgelines and foothills, the Pacific Ocean and Channel Islands, beaches, the harbor, and natural and landscaped open areas are available throughout the City. Much of the City's architectural design has been oriented around maintaining views of these natural amenities from within the City and from outlying areas. The underpass is mostly hidden from view by large trees and other vegetation if standing in or looking upon the bird refuge and is not part of the refuge. Removal of the underpass would not impact scenic views and would not create a significant impact on scenic views. There is a potential visual impact from removing a large number of trees required by the shoofly. that we will address in the EIR, therefore just the impact from the tree removal on scenic views will be studied further in the EIR.

### **1.b) Scenic Highways and Scenic View Corridors**

The US Highway 101 is located to the north of the project site. It is eligible to be a designated scenic highway by the California Department of Transportation (Caltrans 2020).

The underpass is at the end of the Los Patos Way southbound off-ramp is only visible to southbound drivers. Their line of sight while driving by the underpass is away from it and the site is only momentarily visible going by at highway speeds. The view of the site from the highway is not a contributing factor to the highway's designation as a scenic route. There is only a partial view of the bridge approximately 950 feet from the intersection of Los Patos Way and Cabrillo Boulevard with the bridge blending with the background. The damaged sandstone features of the bridge are not identifiable until standing near the bridge. The closest public viewpoint is at the turnaround for Los Patos Way, more than 150 feet from the bridge. The bridge is mostly hidden from public viewpoints and does not have scenic attributes that would visually connect it to the Andree Clark Bird Refuge.

The Los Patos Way off ramp is identified in the Highway 101 Santa Barbara Coastal Parkway Design Guidelines (Guidelines) (Santa Barbara, April 1996). The purpose of the Guidelines is to preserve the historic nature and visual quality of the portion of U.S. 101 in the coastal zone. The Los Patos Way railroad bridge with its sandstone revetments and support

column is identified as a rare surviving example of stonework common to the City. The Guidelines encourage preservation of existing highway structures but also acknowledges that there are situations where state and federal policies conflict with City design guidelines. The Guidelines encourage coordination between Caltrans, SBCAG, and the City to resolve potential areas of disagreement. In this case, impacts to the railroad bridge will require further analysis in the Environmental Impact Report, as described in the Cultural Resources section.

The removal of the railroad bridge would be a *potentially significant impact* to the scenic highway or scenic view corridor and will be evaluated in the EIR.



### **1.c) Visual Character and Quality including Changes to Grading and Topography**

The project is located adjacent to scenic views of local importance and a highway eligible for state designation as a scenic highway. The project would not change the topography of the area, as it would fill in the currently open area under the existing rail line. The elevation of the rail line would not change. There would be limited grading as the project's topography is generally level.

The existing visual character of the area would change with the removal of the railroad bridge. Therefore, the removal would have a *potentially significant impact* to the visual character and quality in the area. There would be *no impact* on topography. The change in visual character from the removal of the railroad bridge will be further evaluated in the EIR.

### **1.d) Lighting and Glare**

The project would not result in new outdoor lighting or exterior lighting that would be subject to compliance with the requirements of Santa Barbara Municipal Code Chapter 22.75, the City's Outdoor Lighting and Design Ordinance. The project would consist of removing an existing bridge structure. Therefore, there would be *no impacts* related to lighting and glare.

#### **Aesthetics and Visual Resources – Mitigation**

The project would result in a *less than significant impact* to scenic views and no impacts to lighting and glare. However, the project's impacts to the scenic highway or scenic view corridor and to the visual character and quality in the area are *potentially significant* and will be evaluated in the EIR.

#### **Aesthetics and Visual Resources – Residual Impacts**

The project would result in a *less than significant impact* to scenic views and *no impacts* to lighting and glare. However, the project's impacts to the scenic highway or scenic view corridor and to the visual character and quality in the area are *potentially significant* and will be evaluated in the EIR.

<b>2. AGRICULTURE AND FORESTRY RESOURCES</b> Would the project:	<b>Level of Significance</b>
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?	No Impact
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact
d) Result in the loss of forest land or conversion of forest land to non-forest land?	No Impact
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 land?	No Impact

**Agricultural and Forestry Resources – Discussion**

**Issues:** There are no agricultural designated lands or lands under Williamson Act contracts within the City; however, agricultural lands exist adjacent to the City boundary. Agriculture and forestry resource issues include land use compatibility with nearby agricultural operations and forested lands, and potential indirect impacts that could result in a loss of agriculture and forestry resources (for example, annexation of lands with agricultural resources). Increased density and intensity of land uses have the potential affect the productivity of nearby agricultural lands.

**Impact Evaluation Guidelines:** A significant impact could occur from projects that result in the conversion of lands suitable for agriculture to non-agricultural uses or result in a disruption to surrounding agricultural operations.

Agriculture and Forestry Resources – Existing Conditions and Project Impacts

**2.a-e) Agriculture and Forestry Resources**

There are no existing agricultural uses or lands zoned for agricultural use within, or in the vicinity of the project site, and the project site is not under a Williamson Act contract. The proposed project would include the demolition and filling in of an underpass and would not involve any conversion of agricultural or forest land to non-agricultural or non-forest land. Additionally, the project site and adjacent land is not currently zoned for agricultural use, nor would the project require rezoning of the project site or its surroundings. As a result, the project would have *no impact* to agricultural or forestry resources.

**Agriculture and Forestry Resources – Mitigation**

No mitigation is required.

**Agriculture and Forestry Resources – Residual Impacts**

No impact.

<b>3. AIR QUALITY AND GREENHOUSE GAS EMISSIONS</b> Would the project:	<b>Level of Significance</b>
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant Impact
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is designated in non-attainment under an applicable federal or state ambient air quality standard?	Less than Significant Impact
c) Expose sensitive receptors to substantial pollutants?	Less than Significant Impact
d) Result in other emissions such as those leading to odors adversely affecting a substantial number of people?	Less than Significant Impact
e) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant Impact
f) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases?	Less than Significant Impact

**Air Quality and Greenhouse Gas Emissions – Discussion**

**Issues:**

*Air Quality:* Air quality issues involve pollutant emissions from vehicle exhaust, stationary sources (e.g., gas stations, boilers, diesel generators, dry cleaners, oil and gas processing facilities, etc.), and minor stationary sources called “area sources” (e.g., residential heating and cooling, fireplaces, etc.) that contribute to smog, particulates, nuisance dust associated with grading and construction processes, and nuisance odors. Emissions of harmful air pollutants are of particular concern to sensitive receptors. Sensitive receptors are populations who are more susceptible to the effects of air pollution than the population at large and include children, persons over 65 years of age, athletes, and persons with cardiovascular or chronic respiratory diseases. Land uses typically associated with sensitive receptors include residences, schools, parks, playgrounds, recreation facilities, childcare centers, retirement homes, convalescent homes, hospitals, and health care facilities and clinics.

Smog, or ozone, is formed in the atmosphere through a series of photochemical reactions involving interaction of oxides of nitrogen (NO<sub>x</sub>) and reactive organic compounds (ROC) (referred to as ozone precursors) with sunlight over a period of several hours. Primary sources of ozone precursors in the South Coast area are vehicle emissions. Sources of particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) include demolition, grading, road dust, agricultural tilling, mineral quarries, and vehicle diesel exhaust.

The City of Santa Barbara is part of the South Coast Air Basin (Santa Barbara County area). The City is subject to the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS). The CAAQS apply to seven pollutants: photochemical ozone (O<sub>3</sub>), carbon monoxide (CO), sulfur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), coarse particulate matter (PM<sub>10</sub>), fine particulate matter (PM<sub>2.5</sub>), and lead (Pb). There are also established state standards for other criteria pollutants including sulfates, hydrogen sulfide (H<sub>2</sub>S), and visibility reducing particulates. The Santa Barbara County Air Pollution Control District (APCD) provides oversight on compliance with air quality standards and preparation of the County Clean Air Plan (2013) and the Ozone Plan (2019).

Santa Barbara County is currently in attainment of most federal and state standards. The County does not presently meet the state PM10 standard. See Table 1 below.

**Table 1. County Attainment Status of Federal and State Ambient Air Quality Standards (2023)**

Criteria Pollutant	Federal Attainment Status	State Attainment Status
O <sub>3</sub> 8-hour	Attainment	Nonattainment-Transitional
O <sub>3</sub> 1-hour	No standard	Attainment
PM <sub>10</sub>	Attainment	Nonattainment
PM <sub>5</sub>	Unclassified	Unclassified
CO	Attainment	Attainment
Pb	Attainment	Attainment
SO <sub>2</sub>	Unclassified	Attainment
NO <sub>2</sub>	Unclassified	Attainment
S <sub>x</sub>	No Standard	Attainment
H <sub>2</sub> S	No Standard	Attainment
Vinyl Chloride	No Standard	Unclassified
Visibility Reducing Particulates	No Standard	Attainment

The APCD has analysis and permitting requirements regarding toxic air contaminants (TACs) generated from activities such as gasoline dispensing, dry cleaning, freeways, manufacturing, etc., and may require projects with high TAC emissions to mitigate or redesign features of the project to avoid excessive health risks. The APCD requires submittal of an asbestos notification form for each regulated structure that is proposed to be demolished or renovated. CARB and APCD also recommend 500-foot buffers between Highway 101 and new residential developments or other sensitive receptors in order to reduce potential health risks associated with traffic-related air pollutant emissions, particularly diesel particulates. Based on analysis in the certified Final Program EIR for the Plan Santa Barbara General Plan Update (2011; herein referred to as the General Plan EIR), the City established an interim policy (SBMC 22.65) limiting the introduction of new residential sensitive receptor structures or uses within 250 feet of Highway 101 (excluding minor additions or remodels of existing homes or the construction of one new residential unit on vacant property), until CARB implements further statewide phased diesel reduction measures and/or the City otherwise determines that project design measures satisfactorily address highway exhaust effects. Certain projects also have the potential to create objectionable odors that could create a substantial nuisance to neighboring residential areas or sensitive receptors and should be evaluated in CEQA documents.

Greenhouse Gases: Global climate change refers to accelerated changes occurring in average worldwide weather patterns, measurable by factors such as air and ocean temperatures, wind patterns, storms, and precipitation. Climate change is forecasted to result in increasingly serious effects to human health and safety and the natural environment in coming decades, such as more extreme weather, drought, wildfire, sea level rise effects on flooding and coastal erosion, and impacts on air quality, water quality and supply, habitats and wildlife, and agriculture.

Substantial evidence identifies accelerated climate change due to emissions of carbon dioxide and other heat trapping greenhouse gases<sup>1</sup> (GHGs) from human activities. Natural processes emit GHGs to regulate the earth's temperature; however, substantial increases in emissions, particularly from fossil fuel combustion for electricity production and vehicle use, have substantially elevated the concentration of these gases in the atmosphere well beyond naturally occurring concentrations.

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<sup>1</sup> GHGs include carbon dioxide, methane, and nitrous oxide, as well as smaller contributions from hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. Greenhouse gas emissions are typically measured in metric tons (MT) of carbon dioxide equivalents (CO<sub>2</sub>e) based on global warming potential, which allows for totaling the emissions.



Carbon dioxide accounts for 81 percent of greenhouse gas emissions within the United States. California is a substantial contributor of GHGs, with transportation and industrial uses representing the largest sources (41 and 24 percent, respectively). In Santa Barbara, direct sources of GHG emissions are on-road vehicles, natural gas consumption, and off-road vehicles and equipment. Indirect sources (emissions removed in location or time) are electricity consumption (power generation), landfill decomposition (methane releases), and State Water Project transport (electricity use).

California Assembly Bill 32 (2006 Global Warming Solutions Act) sets a target to reduce statewide GHG emissions to 1990 levels by the year 2020. Senate Bill 375 (2008 Sustainable Communities and Climate Protection Act) requires regional coordination of transportation and land use planning throughout the State to reduce vehicle GHG emissions. CARB established targets for Santa Barbara County to not exceed 2005 per capita vehicle emissions in the years 2020 and 2035. State Senate Bill 97 (enacted in 2007 and amended in 2010) requires that project environmental reviews include analysis of GHG impacts and mitigation, and establishes that public agencies may provide for a communitywide GHG emissions mitigation program through an adopted climate action plan.

The City of Santa Barbara Climate Action Plan was first adopted in September 2012 and recently updated in July of 2024 (CAP Update). The CAP Update builds off and incorporates the climate protection programs that the City has in place and will continue to reduce GHG emissions. The CAP Update addresses municipal and communitywide GHG emissions and includes a goal of reducing communitywide GHG emissions output by 378,507 metric tons of carbon dioxide equivalent (MT CO<sub>2</sub>e) by 2030 (consistent with California Senate Bill 32 target for 2030). Additionally, the City of Santa Barbara has aspirational goals to achieve carbon neutrality by 2035, which is substantially more aggressive than the state's emissions reduction target of 40% below 1990 levels by 2030 (SB 32) and 85% below 1990 levels or net zero by 2045 (AB 1279).

**Impact Evaluation Guidelines:** A project may create a significant air quality impact associated with criteria air pollutants from the following:

1. Exceeding an APCD pollutant threshold; inconsistency with District regulations; or exceeding population forecasts in the adopted County Clean Air Plan (2013) or Ozone Plan 2019.
2. Exposing sensitive receptors, such as children, persons over 65 years of age, or persons with cardiovascular or respiratory conditions, to substantial pollutant concentrations.
3. Placement of sensitive land uses within 250 feet of Highway 101.
4. Substantial unmitigated nuisance dust during earthwork or construction operations.
5. Creation of nuisance odors inconsistent with APCD regulations.

Long-Term (Operational) Air Quality Impact Guidelines: The City of Santa Barbara uses the APCD thresholds of significance for evaluating air quality impacts. In accordance with the APCD Environmental Review Guidelines (2015), the APCD does not consider a proposed project to a significant air quality impact on the environment if operation of the project would:

1. Emit (from all project sources, both stationary and mobile) less than 240 pounds per day for ROC and NO<sub>x</sub>, and 80 pounds per day for PM<sub>10</sub>;
2. Emit less than 25 pounds per day of ROC or NO<sub>x</sub> from motor vehicle trips only;
3. Not cause or contribute to a violation of any CAAQS or NAAQS;
4. Not exceed the APCD health risks public notification thresholds adopted by the APCD Board; and
5. Be consistent with the adopted federal and state air quality plans applicable to the Santa Barbara Air Basin.

Substantial long-term project emissions could potentially stem from stationary sources which may require permits from the APCD and from motor vehicles associated with the project and from mobile sources. Examples of stationary emission sources that require permits from APCD include gas stations, automobile repair body shops, diesel generators, boilers and large water heaters, dry cleaners, oil and gas production and processing facilities, and wastewater treatment facilities.

Short-Term (Construction) Impacts Guidelines: Projects involving grading, paving, construction, and landscaping activities may cause localized nuisance dust impacts and increased particulate matter (PM<sub>10</sub>). Dust-related impacts can be mitigated and less than significant with the application of standard dust control mitigation measures pursuant to APCD rules and regulations (e.g., Rule 345, Control of Fugitive Dust from Construction and Demolition Activities) and City ordinance provisions (SBMC 22.04.020), such as dampening graded areas and soil stockpiles. Exhaust from construction equipment also contributes to air pollution.

Quantitative thresholds of significance are not currently in place for short-term or construction emissions for non-stationary sources because cumulative basin-wide effects are not identified as significant. However, APCD uses a criterion for stationary sources, which is also considered a guideline for evaluating impacts of construction emissions for non-stationary source projects. The criterion states that a project's combined emissions from all construction equipment not exceed 25 tons of any pollutant except carbon monoxide within a 12-month period. Standard equipment exhaust mitigation measures are recommended by APCD to be applied to projects.

Cumulative Impacts and Consistency with Clean Air Plan (2013) and Ozone Plan (2019): Consistency with the Clean Air Plan and Ozone Plan means that emissions associated with the project are accounted for within each Plan's emissions growth assumptions, land use and population projections, and that the project is consistent with policies adopted within each Plan. If the project-specific impact exceeds the ozone precursor significance threshold, it is also considered to have a considerable contribution to cumulative impacts. If a project would exceed the Clean Air Plan growth projections, then the project's impact may also be considered for whether it represents a considerable contribution to cumulative air quality impacts. The Santa Barbara County Association of Governments and CARB on-road emissions forecasts are used as a basis for vehicle emission forecasting. If a project provides for increased population growth beyond that forecasted in the most recently adopted Clean Air Plan and Ozone Plan, or if the project does not incorporate appropriate air quality mitigation and control measures, or is inconsistent with APCD rules and regulations, then the project may be found inconsistent with the Clean Air Plan and may constitute a significant impact on air quality.

Greenhouse Gas Emission Impact Guidelines: In accordance with Appendix G of the CEQA Guidelines, a project may have a significant impact related to GHG emissions if it would generate substantial GHG emissions either directly or indirectly, or would conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emission of greenhouse gases. Analysis should include a quantification of GHG emissions from all project sources, including direct and indirect, as applicable. This includes energy usage, water conveyance, waste disposal, and vehicle trips.

Based on the analysis within the City Climate Action Plan Update (2024) and the General Plan Program EIR Addendum (2012), projects within the growth assumptions of the Plan Santa Barbara General Plan (2011) and that meet applicable City regulations for GHG emission reductions:

1. Would be consistent with the City Climate Action Plan and associated policies and regulations for reducing greenhouse gas emissions;
2. Would be within the citywide GHG impact assessment in the Climate Action Plan and associated General Plan Program EIR Addendum (2012), which found that total citywide GHG emissions and per capita vehicle emissions would meet State and City reduction targets and would not constitute a significant environmental impact; and

3. Would be within the City Climate Action Plan adoption finding that less than significant GHG impacts would result from General Plan build out of the City.
4. Would the project emit more than the screening significance level of 10,000 metric tons per year (MT CO<sub>2</sub>e).

### Air Quality and Greenhouse Gas Emissions – Existing Conditions and Project Impacts

#### **3.a) Clean Air Plan**

Direct and indirect emissions associated with the project are accounted for in the 2012 Clean Air Plan and 2019 Ozone emissions growth assumptions for the Air Basin since the project is an existing structure. Appropriate air quality conditions of approval, including construction dust suppression, would be applied to the project, consistent with Clean Air Plan, Ozone Plan, and APCD rules, and City policies and ordinance provisions, and are identified in **Attachment B Standard Conditions of Approval**. The project would be consistent with the 2012 Clean Air Plan and 2019 Ozone Plan as the project would not change land uses accounted for in these plans; therefore, project impacts would be *less than significant*.

#### **3.b) Air Pollutant Emissions and Cumulative Impacts**

##### Short-Term (Construction) Emissions:

Proposed removal of the underpass could result in emissions of pollutants due to grading, fumes, and vehicle exhaust during construction. Sensitive receptors are located at an apartment complex on Los Patos Way, approximately 0.1 mile to the east, and houses located approximately 0.2-mile northwest across U.S. 101. However, due to the barrier of U.S. 101 the receptors across the highway would not be substantially affected by dust and particulates from grading and exhaust emissions during project construction. Grading and earthwork for the project is anticipated to last three weeks and the reconstruction of the rail components would be completed in two days (over one weekend). Diesel and gasoline powered construction equipment also emit particulate matter and ozone precursors NO<sub>x</sub>, and ROC. In order for emissions from construction equipment to be considered a potentially significant environmental impact, combined emissions from all construction equipment would need to exceed 25 tons of any pollutant (except carbon monoxide) within a 12-month period. Dust-related impacts would be addressed with the application of standard dust control mitigation measures pursuant to APCD rules and regulations (e.g., Rule 345, Control of Fugitive Dust from Construction and Demolition Activities) and City ordinance provisions (SBMC 22.04.020). Exhaust from construction equipment also contributes to air pollution. Due to the short duration to complete the removal and/or demolition of the underpass and fill in the section (less than one month) and limited size of the project, the project would not exceed any established thresholds for short-term construction emissions. Also, the project would be required to apply the City's standard conditions of approval (AQ-1 Air Quality and Dust Control) to minimize dust during demolition/construction and require all construction equipment to meet California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles and limiting engine idling time, which would further reduce criteria pollutant emissions during construction. Therefore, short-term construction emissions impacts would be *less than significant*.

##### Long-Term (Operational) Emissions:

Once the underpass has been removed, Los Patos Way would be converted to a cul-de-sac that would carry substantially fewer vehicle trips as compared to existing conditions since the only vehicular access would be from Cabrillo Blvd onto Los Patos Way. The project would not result in any change to vehicle travel lanes/roads/highways in a manner that would modify traffic patterns or otherwise increase VMT. A replacement offramp will be constructed as part of the U.S. 101 HOV project (redesign of the U.S. 101\Cabrillo interchange) and will be in operation prior to closing Los Patos Way as an offramp. Therefore, long-term operational emissions impacts would be *less than significant*.

#### **3.c) Sensitive Receptors**

Sensitive receptors can be found in areas that contain residences, health care facilities, elder-care facilities, rehabilitation centers, schools, daycare centers, and parks. Air emissions, including TACs have adverse implications for public health,

particularly for sensitive receptors. Apartments located within 0.1 mile east of the project site on Los Patos Way are the closest sensitive receptors to the project site. Other nearby sensitive receptors include the Andree Clark Bird Refuge. The short duration of the project and requirements for dust control through the City standard conditional of approval described in AQ-1 that would minimize exposure to the nearby sensitive receptors on Los Patos Way. Therefore, impacts to sensitive receptors would be *less than significant*.

### **3.d) Odors**

The project is limited to its existing use as a UPRR underpass and once removed would not cause or involve any new odors or smoke. The project would not contain features with the potential to emit substantial odors, from sources such as commercial cooking equipment, combustion or evaporation of fuels, sewer systems, or solvents and surface coatings.

Project construction equipment may emit minor short-term odors such as diesel exhaust. Nevertheless, due to the nature of the proposed land use and limited size of the project, project impacts related to odors would be *less than significant*.

### **3.e-f) Greenhouse Gases**

The project would be consistent with applicable plans, policies, and regulations for reducing GHG emissions. There would be negligible project GHG emissions associated with the operation of the project and minor GHG emissions from construction equipment during the short-term and temporary construction period. The project would be consistent with applicable plans, policies, and regulations for reducing GHG emissions. Therefore, greenhouse gas impacts would be *less than significant*.

### **Air Quality and Greenhouse Gas Emissions – No Mitigation Required**

No mitigation is required. Also see AQ-1 (Air Quality and Dust Control) in Attachment B, Standard Conditions of Approval Applicable to Project.

### **Air Quality and Greenhouse Gas Emissions - Residual Impacts**

*Less than significant.*



<b>4. BIOLOGICAL RESOURCES</b> Would the project:	<b>Level of Significance</b>
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 the California Department of Fish and Wildlife or U.S Fish and Wildlife Service?	Less than Significant Impact with Mitigation
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Less than Significant Impact
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than Significant Impact
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?	Less than Significant Impact
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Potentially Significant Impact
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?	No Impact

**Biological Resources – Discussion**

**Issues:** Biological resources issues involve the potential for a project to substantially affect biologically-important natural vegetation and wildlife, particularly species that are protected as rare, threatened, or endangered by federal or state wildlife agencies, and their habitats.

**Impact Evaluation Guidelines:** Existing native wildlife and vegetation on a project site are assessed to identify whether they constitute important biological resources, based on the types, amounts, and quality of the resources within the context of the larger ecological community. If important or sensitive biological resources exist, project effects on the resources are qualitatively evaluated to determine whether the project would substantially affect these important biological resources. Significant biological resource impacts may potentially result from substantial disturbance to important wildlife and vegetation in the following ways:

1. Elimination, substantial reduction or disruption of important natural vegetative communities, wildlife habitat, migration corridors, or habitats supporting sensitive species such as oak woodland, coastal strand, riparian, and wetlands.
2. Substantial effect on a protected plant or animal species listed or otherwise identified or protected as endangered, threatened, or rare.
3. Substantial loss or damage to biologically important native trees such as oak or sycamore trees (note that, if applicable, historic or landmark trees are discussed in Section 5, Cultural Resources, and other trees are discussed in Section 1, Aesthetics and Visual Resources).

## **Biological Resources – Existing Conditions and Project Impacts**

### **4.a) Endangered, Threatened, or Rare Species**

There are 26 special-status plant species and 33 special-status wildlife species documented by the California Natural Diversity Database (CNDDDB) within a five mile and 6-quad search of the project site with only 14 species having a potential to occur on the project site, at least transiently. A Project-specific Biological Resource Assessment (BRA) was conducted in September 2021 and updated in an Addendum in 2024 to assess the shoofly and Los Patos Way improvements (Rincon BRA 2021, BRA Addendum 2024). No federal- or State-listed rare, threatened, or endangered plant species were observed within the project area or a 100-foot buffer (study area) during preparation of the BRA and Addendum.

The shoofly component extends about 900 feet west Los Patos Way to approximately 380 feet southeast of the corner of Channel Drive, totaling approximately 0.60-mile along the UPRR. Vegetation communities and land cover types for the entire project are shown in Figure 2. The Project is located northwest of the southern coastal salt marsh habitat of the Andree Clark Bird Refuge with the improvements within the Los Patos Way right of way. The shoofly components are further from the refuge occurring on the north side of the UPRR tracks. Project activities would not result in direct impacts to the salt marsh, as jurisdictional waters, including wetlands are located outside of the project site, and the Project does not propose any encroachments into, or alterations to, the salt marsh or riparian habitat associated with the salt marsh. No equipment would enter, or be used within, the adjacent salt marsh or its riparian habitat, as the project footprint is a minimum of 70 feet from the marsh in all locations.

The project would not result in significant indirect impacts to the salt marsh, as the project design would be required to incorporate features necessary to meet the City's Tier 3 Storm Water Runoff Requirements and the Post-Construction Storm Water Management Program, including implementing a combination of site design, best management practices, and stormwater runoff best management practices (City 2013). In addition to these design features and best management practices, the project site is subject to the requirements of the City's CLUP (City 2019), the City's Municipal Code, and the Environmental Resources Element of the City's General Plan (City 2011). The CLUP, Municipal Code, and General Plan contain policies identifying the protection, preservation, and enhancement of biological and natural resources, in particular, Environmentally Sensitive Habitat Areas (ESHA) and trees. These specific policies are described in the BRA Addendum prepared for the project (BRA Addendum, 2024) Compliance with these policies could include replacement of trees removed, construction controls during nesting birds breeding season, and implementing a combination of site design, best management practices, and stormwater runoff best management practices to reduce potential runoff impacts to the ESHA. These requirements would reduce indirect impacts to listed species to a less than significant level.

No special status plant species were determined to have a potential to occur within the project site; however, quailbush scrub and lemonade berry scrub habitat located outside of the project site has the potential to support special status plant species. The project is entirely contained within developed land and is separated from natural vegetation communities by the eucalyptus grove; therefore, the project would not directly, or indirectly, impact special status plant species potentially occurring off site.

**Figure 2 Vegetation Communities and Land Cover Types**



No special-status animal species were detected during the field reconnaissance surveys in August 2021 and November 2023. Nine special status avian species have a low to moderate potential to occur transiently on the project site. The adjacent Andee Clark Bird Refuge (Refuge) supports as many as 192 bird species, including migratory waterfowl and wading birds, and the federally and state endangered California least tern (*Sternula antillarum*) and bank swallow (*Riparia riparia*) have been found nearby. Those special-status wildlife species that may occur in the Refuge are generally not anticipated to occur on the project site due to the highly disturbed/developed nature of the site and lack of foraging/nesting habitat. The existing developed areas and associated disturbances to wildlife, such as the active UPRR and U.S. 101, limit the quantity and quality of suitable habitat for these special status wildlife and reduce the ability for self-sustaining wildlife populations to occur within the project area. Due to the Project’s proximity to the Refuge and a variety of habitats, including the vegetated lagoon edge (quailbush scrub) and shrubs and large trees of various ornamental and native species, avian species have a potential to forage adjacent to the project site. One special-status species, Cooper’s hawk, has a low potential to breed and forage adjacent to the site. Monarch butterflies have a low potential to occur transiently on site in the eucalyptus groves. California legless lizard and coast patch-nosed snake have a low potential to occur transiently on site.

The ornamental shrubs and eucalyptus groves near the project site at Los Patos Way serve as a visual buffer between the project site and the quailbush scrub and the Refuge, however increased noise/dust/lighting from construction has a potential to indirectly impact avian species associated with the Refuge that may forage within the study area. Cooper’s hawk has the potential to be directly and indirectly impacted by construction. Within the study area, 133 City-protected trees and 13 County-protected trees have the potential to be removed or impacted by the project. These trees have the potential to support nesting bird species (including raptors) protected under the California Fish and Game Code and the migratory Bird Treaty

Act. Protected trees within the City included native and non-native species and were located within Caltrans, UPRR, and City street ROW. Protected trees were defined based on the City's Coastal Land Use Plan (CLUP; City 2019) and Municipal Code Chapters 15.20 (Street Tree Ordinance) and 15.24 (Tree Preservation Ordinance), the County's Article II § 35-140, and the MCP Policy BIO-M-1.15 through BIO-M-1.17. No native trees are proposed to be impacted within ESHA or ESHA buffers. Per Policies 4.1-13 and 4.1-20 of the CLUP (City 2019), mature native trees within ESHAs, wetlands, creeks, and required habitat buffers that are substantially impacted or removed should be replaced. The City's Municipal Code tree ordinances require permits for pruning or removing protected trees. These regulations would reduce impacts to nesting bird species to a less than significant with mitigation.

The project has the potential to directly impact transient reptiles on site during ground disturbance and/or vegetation removal. The project has the potential to indirectly impact special status-avian species foraging or breeding adjacent to the project site and the potential to directly impact other nesting bird species that may forage or breed on site. Construction activity could result in direct mortality if nests were to be destroyed, or individual birds injured or killed through impacts with construction equipment. Construction activity, noise and vibrations could result in nest abandonment, and displaced birds could suffer stress from displacement into adjacent territories belonging to other individuals. Implementation of mitigation measures BIO-1, BIO-2, BIO-3, BIO-4, and BIO-5 would reduce impacts to less than significant. Therefore, the Project would have a *less than significant impact with mitigation* on endangered, threatened, or rare species.

#### **4.b-c) Natural Communities; Wetland and Riparian Habitats**

Santa Barbara is largely built out and urban in character; however, the City contains substantial areas of relatively undisturbed native habitats. The Project is located in an urban environment and comprises developed and ornamental land cover and non-native eucalyptus groves. The project site is located approximately 30 feet northeast of a vegetated hillslope associated with the Andree Clark Bird Refuge. The vegetated hillslope comprises quailbush scrub natural vegetation community, which constitutes riparian vegetation and coastal wetlands. In addition, lemonade berry scrub, a CDFW sensitive natural community, is present outside the project site adjacent to the quailbush scrub. The vegetated hillslope at the lagoon edge lacked an ordinary high-water mark (OHWM); as such, no non-wetland waters of the U.S. were present. Although no wetland indicators were observed within the vegetated hillslope and it does not constitute a landform that could support three -parameter wetlands, a wetland determination sample point was evaluated to confirm if USACE wetland waters of the U.S. were present within the study area. Some hydrophytic vegetation was present but the predominant vegetation was non-hydrophytic, the upland landform was not suitable for formation of wetlands, and no hydric soil indicators or wetland hydrology indicators were present. As such, it was determined that USACE wetland waters of the U.S. were not present. The project is also located approximately 150 feet northeast of the salt marsh habitat of the Andree Clark Bird Refuge. The project will not directly impact these areas as they are located outside of the project site. The project will not indirectly impact these areas as the eucalyptus groves provide a natural buffer from the site, and these areas are located on a hillslope slightly elevated from the project site (which aids in preventing runoff from the project site). The project design will incorporate features necessary to meet the City's Tier 3 Storm Water Management Program requirements including installation of a bio retention basin within the project area. The Project would have *less than significant impact with mitigation* to natural communities, or wetland and riparian habitats as wetlands and riparian habitats are not within the project limits and the adherence to City standards, application of City Standard Conditions of Approval, and application of mitigation measures BIO - through BIO-5 would reduce impacts to natural communities to less than significant.

#### **4.d) Wildlife Dispersal and Migration Corridors**

The project site is a freeway off-ramp and provides minimal potential to support wildlife movement. Migratory waterfowl and wading birds regularly use the salt marsh and open water habitat of the Andree Clark Bird Refuge as a wildlife corridor. The project site contains habitat that can support nesting birds, including raptors protected under the CFGC and the MBTA. Furthermore, CDFW protects raptor nests regardless of nesting status (active vs. inactive). The project could adversely affect raptors and other nesting birds if construction occurs while they are present on or adjacent to the site, through direct mortality or abandonment of nests. The loss of a nest due to construction activities would be a violation of the MBTA and CFGC 3503 et. seq. Wildlife movement within the Refuge lagoon would not be directly or indirectly affected by construction

activities due to the 150-foot buffer from the site and the eucalyptus grove buffer, and application of mitigation measures BIO 1-4, City standards, and application of City Standard Conditions of Approval to protect nesting birds and implement best management practices to protect and reduce impacts to wildlife. Therefore, the Project would have a *less than significant impact with mitigation* on migration corridors or the dispersal of wildlife.

#### **4.e) Local Ordinances**

The project site is subject to the requirements of the City's Coastal Land Use Plan (CLUP). The project is located approximately 30 feet northeast of the quailbush scrub wetland ESHA and the lemonade berry scrub sensitive natural community ESHA. The project would not directly impact ESHA as both ESHA areas are located outside the project site. The project is located within the minimum habitat buffers for the ESHAs (100-feet for estuaries, lagoons, and associated wetlands, and typically 25-feet for sensitive vegetation communities). The project would be exempt from minimum habitat buffer requirements per CLUP Policy 4.1-15 as it involves only improvements to existing roads and road rights-of-way, does not involve an increase in development footprint, and is separated from the ESHA by eucalyptus trees that serve as a visual and noise buffer. In addition, the project design will incorporate runoff management as discussed in 4.a and 4.b-c.

The trees in the project site are afforded certain protections pursuant to the CLUP, City of Santa Barbara Municipal Code, and the Environmental Resources Element of the City of Santa Barbara's General Plan. There are approximately 16 trees within the Los Patos Bridge and roadway project area; 14 sugar gum eucalyptus (*Eucalyptus cladocalyx*), one pine tree, (*pinus* sp.), and one coast live oak (*Quercus agrifolia*) within the Los Patos bridge and roadway work. Up to 69 City-protected trees and 13 County-protected trees (BRA Addendum 2024) may be impacted by the Project. The Caltrans 101 HOV project construction impacts the same area where many of these trees are located, so a final count of impacted trees will occur following construction of the 101 HOV project that will occur prior to start of this project. . The exact number of trees impacted will be determined once the shoofly design is completed. Any pruning of trees would be subject to the requirements of SBMC Chapter 15.20 Tree Planting and Maintenance. These trees would be replaced per City tree policies and ordinances described in 4.a. Suitable locations within City and/or County rights of way or property would need to be identified as UPRR will not allow planting of new trees within their right of way. In addition to the listed mitigation below, the City will impose on the project their standard conditions for nesting birds and tree removal and replacement. These standard conditions are listed below after the required mitigation. Adherence to these requirements and mitigation, the project could have a *less than significant impact* on biological resources protected by local ordinances. Because it is not known at this time the number of trees that will need to be replaced and required replacement ratio and the inability to replace trees within the UP right-of-way, it cannot be determined at this time if adequate replacement locations for tree mitigation can be identified and so is considered a *potentially significant impact*. Therefore, this issue will be further studied in the EIR.

#### **Biological Resources –Mitigation Required.**

**BIO-1** *Worker's Environmental Awareness Training.* Prior to initiation of construction activities (including staging and mobilization), a qualified biologist will conduct a Worker's Environmental Awareness Program (WEAP) training for all construction personnel. The training will aid workers in recognizing special-status species, native birds, protected trees, ESHA, or other biological resources that may occur in the construction area. The specifics of this program should include identification and habitats of special-status species with potential to occur in the study area, description of the regulatory status and general ecological characteristics of sensitive resources, review of the limits of construction, and an explanation of measures required to protect biological resources. A fact sheet conveying this information shall be prepared for distribution to all contractors, their employers, and other personnel involved with construction. All employees will sign a form provided by the trainer indicating they have attended the WEAP training and understand the information presented to them. The crew foreman will be responsible for ensuring crew members adhere to the guidelines and restrictions designed to avoid impacts to biological resources. If new construction personnel are added to the project, the crew foreman will ensure the new personnel receive the WEAP training before starting work.

**BIO-2 Nesting Bird Surveys.** To avoid disturbance of nesting and special-status birds, including raptor species protected by the MBTA and CFGC, construction activities shall occur outside of the bird breeding season (February 1 through August 30), if feasible. If construction must begin during the breeding season, then a nesting bird survey shall be conducted no more than 14 days prior to initiation of ground disturbance and/or vegetation removal activities. The nesting bird survey shall be conducted on foot inside the project boundary, including a 300-foot buffer (500-foot for raptors), and in inaccessible areas (e.g., private lands) from afar using binoculars to the extent practical. The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in southern California coastal communities. If active nests are found, an avoidance buffer (dependent upon the species, the proposed work activity, and existing disturbances associated with land uses outside of the site) shall be established by the biologist. If a raptor nest is observed in a tree proposed for removal, the Applicant must consult with CDFW and obtain authorization prior to removal of the nest. The buffer area(s) should be closed to all construction personnel and equipment until a qualified biologist has confirmed that breeding/ nesting is completed and the young have fledged the nest. If the buffer zones are determined to be infeasible, a full-time qualified biological monitor must be on site to monitor construction within the buffer zones to help ensure that active nests and nesting birds are not impacted.

**BIO-3 Best Management Practices.** The following measures shall be adhered to throughout construction.

- a. The contractor shall clearly delineate construction limits and prohibit any construction-related traffic outside these boundaries.
- b. Projected related vehicles and construction equipment shall restrict off-road travel outside of the designated construction area.
- c. All open trenches shall be fenced or sloped to prevent entrapment of wildlife species.
- d. No pets or firearms shall be allowed at the project area during construction activities.
- e. During project activities, all trash shall be properly contained, and removed from the work/disposed of regularly. Following construction, all trash and construction debris shall be removed from work areas.
- f. Pallets or secondary containment areas for chemicals, drums, or bagged materials shall be provided. If material spills occur, materials and/or contaminants shall be cleaned immediately.
- g. All vehicles and equipment shall be properly maintained and free of leaks of oil, fuel, or residues.
- h. Construction shall be restricted to daylight hours (7:00 AM to 5:00 PM) to avoid impacts to nocturnal and crepuscular (dawn and dusk activity period) species. If night-time construction is unavoidable, all lighting will be shielded and directed downward to minimize potential for glare or spillover to reduce impacts on wildlife.

**BIO-4 Pre-Construction Wildlife Surveys.** Within one week prior to the initiation of ground disturbance and vegetation removal, a qualified wildlife biologist shall conduct pre-construction surveys in the southern portion of the project site south of Los Patos Way near the quailbush scrub habitat, including a 50-foot buffer around the project site (inaccessible areas will be surveyed with binoculars as practicable). The biologist will document existing conditions and search for special-status species (i.e. coast patch-nosed snake and California legless lizard). If either species is found, individual animals shall be relocated to similar habitat from construction activities, at least 200 feet from any area of project construction.

**BIO-5 *Tree Protection Plan.*** Prior to the start of construction activities (such as but not limited to pruning, trimming, compaction, or grading) that have the potential to impact protected trees (as determined by a certified arborist) and prior to obtaining a tree permit from the City, a Tree Protection Plan (TPP) shall be prepared by a certified arborist in accordance with the City's Street Tree Ordinance and Tree Preservation Ordinance. The TPP should include data on each protected tree such as, but not limited to: species, diameter at breast height (DBH), height, dripline, and overall health. The TPP shall at a minimum graphically depict the locations of all protected trees with at least a portion of their driplines within the project boundary, project boundary and tree protection zone, and measures to protect trees during construction including but not limited to: protective fencing, monitoring during construction, activities allowed/prohibited within TPZs, proper root and canopy pruning techniques, and replacement standards if impacts exceed 20% of a tree's dripline.



## **Standard Conditions of Approval Applicable to Project for Biology**

1. **Nesting Birds.** Birds and their eggs nesting on or near the project site are protected under the Migratory Bird Treaty Act and pursuing, hunting, taking, capturing, killing, or attempt to do any of the above is a violation of federal and state regulations. No trimming or removing brush or trees shall occur if nesting birds are found in the vegetation. All care should be taken not to disturb the nest(s). Removal or trimming may only occur after the young have fledged from the nest(s).
2. **Tree Removal and Replacement.** All trees removed, except fruit trees and street trees approved for removal without replacement by the Parks Department, shall be replaced on-site on a one-for-one basis with minimum 15 gallon size tree(s) of an appropriate species or like species, in order to maintain the site's visual appearance and reduce impacts resulting from the loss of trees.
3. **Tree Protection Measures.** The landscape plan and grading plan shall include the following tree protection measures:
  - a. **Tree Protection.** All trees not indicated for removal on the approved landscape plan shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and/or any related Conditions of Approval.
  - b. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s), as determined by the ABR.
  - c. **Oak Trees.** The following additional provisions shall apply to existing oak trees on site:
    - i. No irrigation system shall be installed within three feet of the dripline of any oak tree.
    - ii. Oak trees greater than four inches (4") in diameter at four feet (4') above grade removed as a result of the project shall be replaced at a ten to one (10:1) ratio, at a minimum five (5) gallon size, from South Coastal Santa Barbara County Stock.
    - iii. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
    - iv. No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
  - d. **During Construction.**
    - i. All trees within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection.
    - ii. A qualified Arborist shall be present during any excavation beneath the dripline(s) of the tree(s) which are required to be protected. All excavation within the dripline(s) of the tree(s) shall be minimized and shall be done with hand tools.
    - iii. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.
    - iv. Any root pruning and trimming shall be done under the direction of a qualified Arborist.
    - v. No heavy equipment, storage of materials or parking shall take place under the dripline of any tree(s), or within five (5) feet of the dripline of any oak tree.
    - vi. Oak seedlings and saplings less than four inches (4") at four feet (4') above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible, replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.

**Biological Resources – Residual Impacts.**

*Less than Significant.*



<b>5. CULTURAL AND TRIBAL CULTURAL RESOURCES</b> Would the project:	<b>Level of Significance</b>
a) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA §15064.5?	Significant Impact
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA §15064.5?	Less than Significant Impact
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less than Significant Impact
d) Cause a substantial effect on an important tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with important cultural value to a California Native American tribe, and that is: <ul style="list-style-type: none"> <li data-bbox="334 764 1040 911">i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code §5020.1.1(k), or</li> <li data-bbox="334 936 1040 1173">ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence and within consideration of the views of California Native American tribes, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1?</li> </ul>	Less than Significant Impact

**Cultural and Tribal Cultural Resources – Discussion**

**Issues:**

Archaeological Resources are subsurface deposits dating from prehistoric or historical time periods. Native American culture appeared along the channel coast over 10,000 years ago, and numerous villages of the Barbareno Chumash flourished in coastal plains now encompassed by the City. Spanish exploration and eventual settlements in Santa Barbara occurred in the 1500’s through 1700’s. In the mid-1800’s, the City began its transition from Mexican village to American city, and in the late 1800’s through early 1900’s experienced intensive urbanization.

Historic Resources are above-ground structures and sites from historical time periods with historic, architectural, or other cultural importance. The City’s built environment has a rich cultural heritage with a variety of architectural styles, including the Spanish Colonial Revival style emphasized in the rebuilding of Santa Barbara’s downtown following a destructive 1925 earthquake.

Tribal Cultural Resources are defined in Public Resources Code (PRC) Section 21074.1 as sites, features, places, cultural landscapes, sacred places, and objects that have cultural value to Native American tribes. A tribal cultural resource can be included on or eligible for a national, state, or local register of historical resources. In addition, the City can determine that a tribal cultural resource is significant even if it has not been evaluated as eligible for a national, state, or local register.

**Impact Evaluation Guidelines:** Archaeological, historical, and tribal cultural impacts are evaluated based on review of available cultural resource documentation, data gathered from records searches, and consultation with tribal representatives. Existing conditions on a site are assessed to identify whether important or unique resources exist, based on criteria specified in the State CEQA Guidelines §15064.5 and City Master Environmental Assessment Guidelines for Archaeological Resources and Historical Structures and Sites, summarized as follows:

1. Contains information needed to answer important scientific research questions and there exists a demonstrable public interest in that information.
2. Has a special and particular quality such as being the oldest of its type or the best available example of its type.
3. Is directly associated with an important prehistoric or historic event or person.
4. Is depicted on the City's Archeological Resources Reports Location Map.
5. Is designated, or meets criteria for inclusion on a national, state, or local landmark or historic resource register. This includes, but is not limited to, the National Register of Historic Places, National Historic Landmarks, California Register of Historical Resources, California Registered Historical Landmarks, City of Santa Barbara Landmarks, and City of Santa Barbara Structures of Merit.
6. Is associated with a traditional way of life important to an ethnic, national, racial, or social group, or to the community at large; or illustrates the broad patterns of cultural, social, political, economic, or industrial history.
7. Is determined by the City to be significant, based on substantial evidence.
8. Constitutes a tribal cultural resource based on statutory criteria and/or consultation with Native American tribal representatives.

If important resources exist on the site, project changes are evaluated to determine whether they would substantially affect important resources. A project could have a significant impact if it may cause a substantial adverse change in the characteristics of a resource that convey its significance or justify its eligibility for inclusion in a national, state, or local register. Impacts may include physically damaging, destroying, or altering all or part of a resource, altering the characteristics of the surrounding environment that contribute to the resource's significance, neglecting the resource to the extent that it deteriorates or is destroyed, or the incidental discovery of a resource without proper notification and protocols.

## **Cultural and Tribal Cultural Resources – Existing Conditions and Project Impacts**

### **5.a) Historical Resources**

Santa Barbara's diverse cultural heritage is reflected in the broad range of heritage resources within the City. Heritage resources include archaeological sites, and historical buildings, structures, sites, objects, and districts. Individual historical resources include structures used for habitation, work, recreation, education, and religious worship. The City Municipal Code (Chapter 30.57) also defines an historic district as a delineated geographic area of the City (or a noncontiguous grouping of real properties within the City) where most of the properties within the district are thematically architecturally related and possess historical significance, special character, or aesthetic value, including, but not limited to, a distinct section of the City possessing a significant concentration of cultural resources which are united historically or aesthetically either by plan or by physical development.

The existing underpass is not located within a designated or potential historic district nor is it listed on the City's list of Designated Landmarks, Designated Structures of Merit, or Potential Historic Resources (Santa Barbara 2019, 2020a, 2020b and 2020c).

On December 11, 2019, a Phase 1 Historic Structures/Sites Report (Rincon Consultants, November 2019) was reviewed by

the Historic Landmarks Commission (HLC). The report concluded that the Los Patos Way Off-Ramp Underpass is eligible for listing in the California Register of Historical Resources and as a City of Santa Barbara Landmark or Structure of Merit as an example of a structure that was constructed out of local sandstone. The structure therefore meets the definition of a historical resource under California Environmental Quality Act and the City Master Environmental Assessment Guidelines. HLC accepted the report as submitted and directed staff to prepare a Resolution of Intention to consider the structure for Structure of Merit status and the comment to adjust Criterion 3.I to represent a familiar feature of the neighborhood as a contributing element.

On April 15, 2020, a Revised Phase 1 Historic Structures/Sites Report (Rincon Consultants, February 2020) was reviewed by the HLC. Consistent with the findings of the original 2019 Phase 1 Historic Structures/Sites Report, the Revised Phase 1 Historic Structures/Sites Report concluded that the Los Patos Way Off-Ramp Underpass is eligible for listing in the California Register of Historical Resources and as a City of Santa Barbara Landmark or Structure of Merit. The structure's significance stems from it being an example of local sandstone construction; thus, its character defining features are its sandstone pier and abutments. Non-character-defining features which are utilitarian and ubiquitous include the wooden ties, rails, ballast, girders, wooden posts and cable railing. The sandstone pier and abutments meets the definition of a historical resource under CEQA and the City MEA Guidelines. The revised report concluded that only the sandstone abutments were historically significant. HLC did not accept the report because a majority of the Commission found the steel girders to contribute to the significance of the structure.

Therefore, because the bridge has been determined to be eligible for listing as a locally historic resource, the demolition would be considered a *potentially significant impact* on a historic resource and will require further analysis in the EIR.

A Draft Preservation Alternatives and Mitigation Measures Analysis memorandum was prepared to identify potential alternatives to the complete removal of the underpass, and potential mitigation measures to mitigate impacts resulting from its removal, including reuse of the sandstone on the Cabrillo Railroad Underpass as an architectural feature. This will require further analysis in the EIR.

### **5.b) Archaeological Resources**

A Phase 1 Archaeological Resources Report was prepared by Rincon Consultants (Rincon, 2021) in compliance with the requirements of the CEQA and the City of Santa Barbara's MEA Guidelines for Archaeological Resources and Historic Structures and Sites (City of Santa Barbara 2002). This report was accepted by the HLC on April 14, 2021. This study included the results of a cultural resources records search of the California Historical Resources Information System (CHRIS), a review of historical documents, maps and aerial imagery, a site history, an archaeological pedestrian survey of the project site, and preparation of this report. On September 12, 2016, Rincon conducted a CHRIS records search (as part of the Cabrillo Boulevard Pedestrian and Bicycle Improvements and Replacement of the Union Pacific Railroad Bridge Project) at the Central Coast Information Center (CCIC) located at the University of California, Santa Barbara. Rincon requested copies of additional reports and resource records from the CCIC on January 3 and January 17, 2017. Rincon Archaeologist Lucas Nichols conducted an archaeological pedestrian survey of the project site on January 8, 2021. This report was completed in February 2021. The cultural resources records search results identified three previously recorded archaeological resources within a radius of 0.5-mile to 1.0-mile surrounding the project site; none of which are within the project site. The pedestrian survey completed for this study did not identify any cultural resources within the project site. On August 28, 2023, another CHRIS records search was conducted by CCIC staff at the Santa Barbara Museum of Natural History. Archaeologist Pedro Garcia, BA, conducted an archaeological field survey on November 7, 2023.

Even though the project site is within the City's "Prehistoric Sites and Watercourses" sensitivity zone, no known archaeological resources are located within the project site and no archaeological materials were identified during the Phase 1 survey of the project site. The project site has been subject to substantial previous disturbances, and proposed ground disturbances associated with the removal of the existing Los Patos Underpass, placement of fill soil, and removal of the existing off-ramp are limited. There is always a potential to encounter unanticipated archaeological resources that is addressed through standard condition of approval CUL-1 in the project specs. Therefore, this impact is less than significant impact with adherence to the City's MEA Guidelines for Archaeological Resources and Historic Structures and Sites as

described in standard conditions of approval CUL-1. With the implementation of the standard condition of approval, impacts to archaeological resources would be *less than significant*.

### **5.c) Human Remains**

There is no evidence that the site contains any human remains. Standard conditions of approval for the Project include procedures pursuant to State regulations for the unanticipated discovery of human remains. To minimize or avoid potential impacts, if any human remains are discovered, all construction activities would cease, and the Santa Barbara County Coroner would be contacted in accordance with 14 California Code of Regulations (CCR) Section 15064.5(e). If the coroner determines that the human remains are of Native American origin, the Native American Heritage Commission (NAHC) would be notified to determine the Most Likely Descendent (MLD) for the area. The MLD would make recommendations for the arrangements for the human remains per Public Resources Code (PRC) Section 5097.98. Therefore, this impact is less than significant impact with adherence to the City's MEA Guidelines for Archaeological Resources and Historic Structures and Sites as described in mandatory conditions of approval Cul-2. With the implementation of the standard condition of approval, impacts to archaeological resources would be *less than significant*.

### **5.d) Tribal Cultural Resources**

The City provided an opportunity for Native American tribal consultation regarding the potential effects of the Project on tribal cultural resources to tribes that had requested notification by the City on CEQA projects, in compliance with Assembly Bill 52. This notification took place in November of 2020. In response to the letters the City held a meeting with SYB of Chumash in January 2021, at which time Chumash requested to be on the distribution list for the NOP. AB 52 consultation occurred in early 2021 and no tribal resources were identified. In addition to the initiation of Native American tribal consultation, the City submitted a request for review by the Native American Heritage Commission's (NAHC's) Sacred Lands Inventory File (SLF) on August 28, 2023. The SLF identified no Native American cultural resources are known to be located in the vicinity of the project site. Impacts to tribal cultural resources are *less than significant*.

### **Cultural Resources – Mitigation**

Draft project alternatives and mitigation strategies were prepared to avoid and reduce historic impacts, and the likely feasibility and performance of said alternatives and mitigation strategies. See **Attachment C - Potential Preservation Alternatives and Mitigation Options for the Los Patos Underpass Removal Project**, City and County of Santa Barbara, California. This will be evaluated in the EIR.

See **Attachment B for Standard Conditions of Approval** related to archaeological resources.

### **Cultural Resources – Residual Impacts**

Because the bridge has been determined to be eligible for listing as a locally historic resource, the demolition would be considered a *potentially significant impact* on a historic resource and will require further analysis in the EIR and assess if any residual impacts would occur to a historic resource.

<b>6. ENERGY</b> Would the project:	<b>Level of Significance</b>
a) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation; or conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than Significant Impact
b) Conflict with a state or local plan for renewable energy or energy efficiency?	Less than Significant Impact

**Energy – Discussion**

**Issues:** Issues include the potential for the project to result in impacts on energy conservation and/or consumption. A project may have the potential to cause such impacts if it would result in the inefficient, wasteful, or unnecessary consumption of energy from sources including construction and operational equipment, electricity, natural gas, and transportation fuel supplies and/or resources.

**Impact Evaluation Guidelines:** A project has the potential to result in a significant impact if it would:

1. Use large amounts of fuel or energy in an unnecessary, wasteful, or inefficient manner;
2. Constrain local or regional energy supplies, affect peak and base periods of electrical or natural gas demand, require or result in the construction of new electrical generation and/or transmission facilities, or necessitate the expansion of existing facilities, the construction of which could cause significant environmental effects;  
or
3. Conflict with existing energy standards, including standards for energy conservation.

**Energy – Existing Conditions and Project Impacts**

**6.a-b) Energy Conservation and Consumption**

The project site would be provided temporary electricity by Southern California Edison (SCE). In 2018, SCE provided approximately 43.8 percent of the total electricity used in California. The Project includes removal of an existing structure and would not result in any continued use of energy once constructed. The Project would only expend energy during its short and temporary construction period and not expend substantial energy or wasteful, inefficient, or unnecessary energy, nor conflict with energy plans or policies. Therefore, Project’s energy use impact would be *less than significant*.

**Energy – Mitigation**

No mitigation is required.

**Energy – Residual Impacts**

*Less than significant.*

7. GEOLOGY AND SOILS	Level of Significance
Would the project:	
a) Earthquake Hazards: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic conditions: <ul style="list-style-type: none"> <li>i. Rupture of a known earthquake fault as delineated on the most recent Alquist-Priolo Earthquake C 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)</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure, including liquefaction?</li> <li>iv. Tsunami/Seiche</li> </ul>	Less than Significant Impact
b) Geologic or Soil Instability: 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, collapse, or sea cliff failure? Be located on expansive soils, as defined the Uniform Building Code, creating substantial direct or indirect risk to life or property?	Less than Significant Impact
c) Erosion: Result in substantial soil erosion or the loss of topsoil?	Less than Significant Impact
d) Septic System: 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 waste water?	No Impact
e) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than Significant Impact

**Geology and Soils – Discussion**

**Issues:** Geophysical impacts involve geologic and soil conditions, and their potential to create physical hazards affecting persons or property; or substantial changes to the physical condition of the site. Included are earthquake-related conditions such as fault rupture, ground shaking, liquefaction (a condition in which saturated soil loses shear strength during earthquake shaking), or seismic waves; unstable soil or slope conditions, such as landslides, sea cliff retreat, subsidence (the downward shifting of the Earth’s surface; can result in sinkholes), expansive or compressible/collapsible soils, or erosion; and extensive grading or topographic changes.

Erosion is the movement of rocks and soil from the Earth’s surface by wind, rain, or running water. Several factors influence erosion, such as topography, the size of soil particles (larger particles are more prone to erosion), and vegetation cover, which prevents erosion. Projects in areas with high erosion potential could reduce natural ground cover, create exposed cut or fill slopes and increase loss of surface soils and downstream sedimentation. Removal of vegetation and increased earthwork would potentially expose soils to erosion.

Unique geologic features are features that are unique to the field of geology and typically embody distinct characteristics of a geological principle, provide important information to the field of geology, and/or are the best example of its kind locally or regionally. Paleontological resources include fossils, which are the preserved remains

or traces of animals, plants, and other organisms from prehistoric time (i.e., the period before written records). Fossils and traces of fossils are preserved in sedimentary rock units (formed by the deposition of material at the Earth's surface) and are more likely to be preserved subsurface, where they have not been damaged or destroyed by previous ground disturbance or natural causes, such as erosion by wind or water.

**Impact Evaluation Guidelines:** Potentially significant geophysical impacts may result from:

1. Exposure of people or structures to risk of loss, injury, or death involving unstable earth conditions due to: seismic conditions (such as earthquake faulting, ground shaking, liquefaction, or seismic waves); landslides; sea cliff retreat; or expansive soils.
2. Exposure to or creation of unstable earth conditions due to geologic or soil conditions, such as landslides, settlement, or expansive, collapsible/compressible, or expansive soils.
3. Substantial erosion of soils.
4. Placement of a septic system in an area with soils not capable of adequately supporting disposal of waste water or where waste water could potentially cause unstable conditions or water quality problems.
5. Loss or damage to a unique geological feature or paleontological resource.

## **Geology and Soils – Existing Conditions and Project Impacts**

### **7.a-b) Seismic and Geologic Hazards**

Santa Barbara is located along the San Andreas Fault and is within the Mission Ridge Fault System. The City is characterized by the prominent structural features within the Santa Barbara Fold Belt. Most of the City is underlain by marine sedimentary rocks. The Rincon Shale and the Monterey Formation crop out along the northern and southwestern borders of the City in the Northridge Road area, Mission Canyon, the Riviera, and in the Las Positas Valley. These formations weather into expansive clay soils that expand when wet and contract when dry, which, when combined with steep slopes, increases the risk of soil creep and slumps in these areas. With adverse bedding orientation in these clayey bedrock formations, these steep slope areas are also prone to landslides.

The level portions of the City in the downtown and surrounding areas are underlain by alluvium with pockets of abundant boulders. The West Beach area and the southern parts of downtown are underlain by Estuarine Deposits associated with an estuary that was filled in the 1900s. These deposits exhibit low strength and stability and some areas have potential for liquefaction<sup>1</sup> during seismic events. Santa Barbara's sea cliffs bordering the Pacific Ocean are marine terrace deposits that extend from the harbor to the western City boundary, and south of the Andree Clark Bird Refuge in the southeastern portion of Santa Barbara.

#### **Fault Rupture:**

As with most of Southern California, the project site is within a seismically active area where active faults could produce ground substantial shaking. The San Andreas Fault Zone, located approximately 40 miles northeast of the city, is the dominant active fault in California. There have been numerous historic earthquakes along the San Andreas Fault, which is likely capable of producing a maximum earthquake of magnitude 8.25 on the Richter scale (Santa Barbara 2010). Faults in the Project vicinity may have some potential for ground surface rupture during earthquakes of significant magnitude. The nearest fault is the Mission Ridge Fault System located approximately 0.3 mile north from the project site (USGS 2020). The Project would not directly or indirectly risk exacerbating potential substantial adverse effects from a fault rupture on people or structures and therefore would result in *no impact*.

#### **Ground Shaking and Liquefaction:**

The project site is located in an area with low to moderate liquefaction potential based on the Project-specific Geotechnical Report for the nearby Cabrillo Boulevard Underpass Project by Diaz, Yourman and Associates on August 14, 2018; Revised

on March 29, 2019 (Diaz 2019). The subsurface soils in the area primarily consisted of fills that overlaid alluvial soils in addition to the depth to historically highest groundwater level which indicated that the liquefaction in the area to be low. However, soils can settle during seismic shaking. Once the structure is removed, no impacts would occur. This project does not include any habitable structures and therefore would not increase the risk of geologic hazards on any individuals.

According to Figure 8.1 and Table 8.1 of the Santa Barbara General Plan EIR several other local faults are located near the Project in addition to the Mission Ridge Fault mentioned above. These faults are also of concern for ground shaking (Santa Barbara 2010). Standard construction measures will be implemented in order to provide suitable compaction of soils. A geotechnical soils report will be required prior to construction and all required recommendations would be incorporated into the project. The Project would not directly or indirectly risk exacerbating potential substantial adverse effects from ground shaking or liquefaction on people or structures and therefore would result in a *less than significant impact*.

#### Tsunami/Seiche:

The project site is located in the Tsunami Hazard Zone. Tsunamis are large ocean waves that are generated by a subsea earthquake or landslide. These waves travel across the ocean at high speeds (several hundreds of miles per hour). As the waves reach shore they can rise up and cause widespread flooding in areas near the ocean and along low-lying river channels. The low-lying southeastern portion of the City, especially areas south of Carrillo Street below 50 feet in elevation, are potentially vulnerable to tsunamis, as are areas near Arroyo Burro Beach Park and oceanfront areas below City College. The project site is located approximately 0.4 mile north of the Pacific Ocean. This project would not increase exposure to a tsunami hazard as the project will not result in attracting people or provide housing to the Tsunami Hazard Zone. This route is not an evacuation route nor could it be used for evacuation in the event of a tsunami. Removal of the undercrossing would only benefit those evacuating from a tsunami as it would work to limit water reaching Highway 101, which is a potential risk if the undercrossing remains in place.

A seiche is a wave or series of waves produced within enclosed water bodies such as a lake or bay, most often caused by landslides falling into the body of water, or by an earthquake. Most water bodies in and around the City such as the Harbor, Andree Clark Bird Refuge, and Sheffield Reservoir, are not surrounded by unstable slopes with landslide potential. The Andree Clark Bird Refuge is located adjacent to the project site to the southwest. The Project would not directly or indirectly risk exacerbating potential substantial adverse effects from a tsunami or seiche on people or structures and therefore would result in a *less than significant impact*.

#### Geologic/Soil Instability:

The project site is located in an area with low-level landslide potential (Diaz, 2019). Landslides occur on unstable slopes and are often triggered during periods of rainfall or by earthquakes. Landslide-prone areas include steep slopes with weak or highly fractured rock, loose, weak soil, and areas near ancient landslides. Mudslides are typically generated by heavy rainfall and entail shallow slope failures of the upper soil layer not commonly involving bedrock. The project site has little slope except for the rail line base that is made of compacted soil. The Project would not risk exacerbating landslide hazards and there would be *no impact* from landslides.

#### Subsidence and Expansive Soils:

The project site is located in an area with moderate erosion potential, low to moderate seismic settlement, and high expansive soils. Expansive soils contain clay that can shrink and swell with changes in moisture content, which can damage buildings and foundations by repeated swelling of the supporting soil. In the event unsuitable expansive soils are encountered during excavation and compaction those soils will be removed and replaced with suitable fill. Standard construction practices for testing soil for settlement potential and obtaining fill for the Project that does not contain expansive soils will result in *less than significant impact* related to subsidence or expansive soils.



### **7.c) Soil Erosion**

The project site is located within a low-level-landslide-potential zone. Based on the level topography of the site, the landslide potential and erosion at the site is low. The embankment fill slopes are inclined at approximately 1.5H:1V (horizontal to vertical) or flatter with vegetation. These slopes are judged to be stable. Impacts from soil erosion are *less than significant*.

### **7.d) Septic Systems**

The proposed Project would not include the use of any septic tanks or alternative wastewater disposal systems. *No impact* would occur regarding the adequacy of soils to support a septic and alternative wastewater systems.

### **7.e) Unique Geological Features and Paleontological Resources**

The City of Santa Barbara Coastal Land Use Plan, Cultural Resources Element, Figure 4.4-1 shows that there are no unique geological features located on or near the site. Paleontological resources and sites have been found throughout Santa Barbara. Implementation of the Project would involve ground disturbing activities and require earthwork, but with minimal and with shallow excavation of up to one foot, and grading in a highly disturbed area due to past construction. Due to the limited potential to disturb paleontological resources within the Project area as the Project area is located off of Los Patos Way, this impact would *be less than significant*.

### **Geology and Soils – Mitigation**

No mitigation is required.

### **Geology and Soils – Residual Impacts**

*Less than significant.*

<b>8. HAZARDS AND HAZARDOUS MATERIALS</b> Would the project:	<b>Level of Significance</b>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Potentially Significant Impact
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than Significant Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Potentially Significant Impact
e) For a project located within the SBCAG Airport Land Use Plan, Airport Influence Area, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Less than Significant Impact
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact

**Hazards and Hazardous Materials – Discussion**

**Issues:** Hazardous materials issues involve the potential for public health or safety impacts from exposure of persons or the environment to hazardous materials or risk of accidents involving combustible or toxic substances. Hazards issues include the exposure of people or structures to airport hazards or other types of hazards.

**Impact Evaluation Guidelines:** Significant impacts may result from the following:

1. Siting of incompatible projects in close proximity to existing sources of safety risk, such as pipelines, industrial processes, railroads, airports, etc.
2. Exposure of project occupants or construction workers to unremediated soil or groundwater contamination.
3. Exposure of persons or the environment to hazardous substances due to the improper use, storage, transportation, or disposal of hazardous materials.
4. Physical interference with an emergency evacuation or response plan.

Emergency access is discussed in the Section 15, Transportation and Circulation. Toxic air contaminants are discussed in Section 2, Air Quality and Greenhouse Gas Emissions. Wildland fire hazards are discussed in Section 17, Wildfire.

**Hazards and Hazardous Materials – Existing Conditions and Project Impacts**

**8.a-e) Public Health and Safety**

The transport, use, and disposal of hazardous materials used or removed during proposed Project activities would be conducted in compliance with applicable federal, state, and local laws pertaining to the safe handling, transport, and disposal

of hazardous materials, including the Federal Resource Conservation and Recovery Act (RCRA), which includes requirements for hazardous solid waste management; the California Department of Toxic Substances Control (DTSC) Environmental Health Standards for the Management of Hazardous Waste (CCR Title 22, Division 4.5), which includes standards for generators and transporters of hazardous waste. Impacts from the routine transport, use, or disposal of hazardous materials would be *less than significant*.

#### Hazardous Materials Exposure:

The undercrossing is currently in use by UPRR for the existing railroad line. During the construction phase, removal of the undercrossing along with associated debris and addition of the replacement fill would result in need for waste disposal of potentially hazardous lead and/or asbestos containing materials. Hazardous materials and hazardous wastes are regulated by many state and federal laws. Hazardous waste in California is regulated mainly under the authority of the federal Resource Conservation and Recovery Act of 1976 and the California Health and Safety Code. Worker health and safety and public safety are key issues when dealing with hazardous materials that may affect human health and the environment. Proper disposal of hazardous material is vital if it is disturbed during Project construction. The 101 HOV Lane Project evaluated several undercrossing along the Project area that had asbestos-containing materials. The 101 HOV Lane Project recommended that a licensed registered contractor with the California Occupational Safety and Health Administration for asbestos-related work perform the removal of such materials. The contractor would have to comply with the rules and regulations of the Santa Barbara County Air Pollution Control District and file a notification as required by the National Elimination System for Hazardous Air Pollutants before demolishing any of these structures. There is the potential for contamination due to its proximity to Highway 101 and the UPRR railroad. Aerially deposited lead is common along the freeway. Additionally, the railroad right-of-way may contain elevated lead from train brake dust, arsenic from weed abatement, and Total Petroleum Hydrocarbon (TPH) and Semi-Volatile Organic Compounds including Polycyclic Aromatic Hydrocarbons (PAHs) from creosote-based wood preservatives used in the railroad ties. Because of the potential for these contaminants at the project site, this potentially significant impact will be further evaluated in the EIR.

#### Public Safety:

The project site is not located near or within pipelines or other potential safety or aircraft hazards. It is located approximately 0.01 mile south of the US Highway 101 and there are no schools within a 0.25-mile radius. Use of hazardous materials would occur during the construction phase which would be typical for use of construction equipment such as fuel. Therefore, impacts to public safety would be *less than significant*.

### **8.f) Emergency Evacuation and Response**

The Project would not interfere with existing emergency evacuation and response protocols according to the Santa Barbara Emergency Management Plan. The undercrossing would be removed only after the replacement off-ramp at Cabrillo Boulevard is in operation, which would maintain emergency access to and from the Project vicinity. Impacts would be *less than significant*.

#### **Hazards and Hazardous Materials -Mitigation**

A phase II site assessment is being prepared to identify and evaluate potential soil contamination within the project area. These results will be evaluated in the EIR.

#### **Hazards and Hazardous Materials – Residual Impacts**

A phase II site assessment is being prepared to identify and evaluate potential soil contamination within the project area. These results will be evaluated in the EIR.

9. LAND USE AND PLANNING	Level of Significance
Would the project:	
a) Physically divide an established community?	No Impact
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating and environmental impact?	Potentially Significant Impact

**Land Use and Planning – Discussion**

**Issues:** Certain land uses have the potential to result in incompatibility with existing surrounding land uses or activities. Typically, development applications for General Plan Amendments, Rezones, Conditional Use Permits, Performance Standard Permits, and certain modifications have the greatest potential to result in land use compatibility issues. Incompatibility can result from a proposed project’s generation of noise, odor, safety hazards, traffic, visual effects, or other environmental impacts.

**Impact Evaluation Guidelines:** Significant impacts may result from a project that would create a physical barrier that would substantially impact circulation within an established neighborhood. Significant impacts may result from a project where an inconsistency with the General Plan, Municipal Code, or Coastal Land Use Plan (if applicable) would result if an adverse environmental effect. Analysis should focus on regulations, standards, and policies that relate to avoiding or mitigating environmental impacts, and an assessment of whether any inconsistency with these standards creates a significant physical impact on the environment.

Certain land uses have the potential to result in conflicts with existing surrounding land uses or activities. Typically, development applications for General Plan Amendments, Rezones, Conditional Use Permits, Performance Standard Permits, and certain Modifications have the greatest potential to result in land use compatibility issues. Conflicts can result from generation of noise, odor, safety hazards, traffic, visual effects, or other environmental impacts.

**Land Use and Planning – Existing Conditions and Project Impacts**

**9.a) Physically Divide a Community**

The Coastal Land Use Plan designates the project site as Parks/Open Space. The project site is located in an urban built-out area of Santa Barbara and the Project would not physically divide an established community as the project would only remove an existing structure no longer required. There would be *no impact*.

**9.b) Conflict with a Plan or Policy that would Avoid or Mitigate an Environmental Impact**

Applicable Coastal Land Use Plan policies include:

**Policy 4.4-1** Preserve, Protect, and Enhance Cultural Resources. Protect the heritage of the City by preserving, protecting, and enhancing the City’s pre-historic and historic past, which includes, but it is not limited to, important or unique pre-historic and historic archaeological artifacts, objects, and/or sites, and important paleontological resources and sites.

Applicable General Plan Historic Resource Element policies include:

**HR1** Protect Historic and Archeological Resources. Protect the heritage of the City by preserving, protecting and enhancing historic resources and archeological resources. Apply available governmental resources, devices and approaches, such as the measures enumerated in the Land Use Element to facilitate preservation and protection.

**HR3** Discourage Demolition. Develop effective measures to discourage and curtail the demolition of historic resources and HR3.3 to require development proposal that request demolition of historic resources to present preservation alternatives.

**HR4** Pursue Adaptive Reuse. Encourage the adaption of historic buildings or structures for uses other than the original intended use when the original use is no longer viable.

The Los Patos Way Off-Ramp Underpass is a historic resource under CEQA and its removal would result in a significant impact that will be further analyzed in the EIR under Cultural Resources. The EIR will include project preservation alternatives and mitigation, including adaptive reuse, and will include further analysis of consistency with historical resource policies in exploring ways to mitigate the removal of a historic resource to the extent feasible. A draft Preservation Alternatives and Mitigation Measures Analysis memorandum has been prepared. Therefore, the Project would have *a potentially significant impact* to land use and planning.

**Land Use and Planning – Mitigation**

The project’s consistency with City historic resource protection and preservation policies will be evaluated in the EIR.

**Land Use and Planning – Residual Impacts**

The project’s consistency with City historic resource protection and preservation policies will be evaluated in the EIR.

10. MINERAL RESOURCES	Level of Significance
Would the project:	
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No Impact
b) Result in the loss of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	No Impact

**Mineral Resources – Discussion**

**Issues:** A mineral is a naturally occurring chemical element or compound formed from inorganic processes (not biological in origin). Minerals include metals, rock, sand, petroleum products, and geothermal resources. The City has no active aggregate operations within its jurisdiction, and no quarry or mine operations are pending reactivation or initiation.

**Impact Evaluation Guidelines:** A significant impact could occur from projects that result in the loss of known mineral resources, or loss of mineral resource recovery sites including quarries and petroleum extraction sites.

**Mineral Resources – Existing Conditions and Project Impacts**

**10.a-b) Loss of Known Mineral Resource or Mineral Resource Recovery Site**

Santa Barbara is largely urbanized with limited mineral resources (Santa Barbara 2010). There are no known mineral resources within the project site. The project site is located within a highly urbanized area of the City and the potential for mineral resources to occur onsite is low. Therefore, the Project would not result in the loss of availability of a mineral resource, or a mineral resource recovery site and *no impact* would occur.

**Mineral Resources – Mitigation**

No mitigation is required.

**Mineral Resources – Residual Impacts**

*No impact.*

11. NOISE Would the project result in:	Level of Significance
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Less than Significant Impact
b) Generation of excessive ground borne vibration or ground borne noise levels?	No Impact
c) Siting of a land use in an area with noise levels exceeding City General Plan noise policies and land use compatibility guidelines?	No Impact
d) For a project located within the vicinity of a private airstrip or the SBCAG Airport Land Use Plan/Airport Influence Area, would the project expose people residing or working in the project area to excessive noise levels?	No Impact

**Noise – Discussion**

**Issues:** Noise issues are associated with siting of a new noise-sensitive land use in an area subject to high ambient background noise levels, siting of a noise-generating land use next to existing noise-sensitive land uses, and/or short-term construction-related noise. Similarly, construction techniques such as pile driving and blasting, and land uses such as the railroad can present issues of groundborne vibration. If groundborne vibration is excessive, it can impact the integrity of structures and can affect sensitive land uses.

The primary source of ambient noise in the City is vehicle traffic noise. The City Master Environmental Assessment (MEA) Noise Contour Map identifies average ambient noise levels within the City.

Ambient noise levels are determined as averaged 24-hour weighted levels, using the Day-Night Noise Level ( $L_{dn}$ ) or Community Noise Equivalence Level (CNEL) measurement scales. The  $L_{dn}$  averages the varying sound levels occurring over the 24-hour day and gives a 10-decibel penalty to noises occurring between the hours of 10:00 p.m. and 7:00 a.m. to take into account the greater annoyance of intrusive noise levels during nighttime hours. Since  $L_{dn}$  is a 24-hour average noise level, an area could have sporadic loud noise levels above 60 dBA which average out over the 24-hour period. CNEL is similar to  $L_{dn}$  but includes a separate 5 dB(A) penalty for noise occurring between the hours of 7:00 p.m. and 10:00 p.m. CNEL and  $L_{dn}$  values usually agree with one another within 1 dB(A). The Equivalent Noise Level ( $L_{eq}$ ) is a single noise level, which, if held constant during the measurement time period, would represent the same total energy as a fluctuating noise level.  $L_{eq}$  values are commonly expressed for periods of one hour, but longer or shorter time periods may be specified. In general, a change in noise level of less than three decibels is not audible. A doubling of the distance from a noise source will generally equate to a change in decibel level of six decibels.

Guidance for appropriate long-term background noise levels for various land uses are established in the City General Plan Noise Element Land Use Compatibility Guidelines. Building codes also establish maximum average ambient noise levels for the interiors of structures.

High construction noise levels occur with the use of heavy equipment such as pile drivers, scrapers, rollers, graders, trenchers and large trucks for demolition, grading, and construction. Equipment noise levels can vary substantially through a construction period, and depend on the type of equipment, number of pieces operating, and equipment maintenance. Construction equipment may generate noise levels of more than 80 or 90 dBA at a distance of 50 feet, and the shorter impulsive noises from other construction equipment (such as pile drivers and drills) can be even

higher, up to and exceeding 100 dBA at a distance of 50 feet. Noise during construction is generally intermittent and sporadic, and after completion of the initial demolition, grading and site preparation activities, tends to be quieter.

The Noise Ordinance (Chapter 9.16 of the SBMC) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations, and provides criteria for defining nuisance noise in general.

Aircraft traffic also creates intermittent higher noise levels and is a major source for noise in the communities surrounding the Santa Barbara Airport. The Airport is located outside of the continuous boundary of the City, and areas affected by aircraft noise include several neighborhoods within the City of Goleta, UCSB, and unincorporated areas of the County. The Santa Barbara Airport's Noise Compatibility Program and the Airport Land Use Plan provide noise abatement procedures and policies for the airport to minimize noise; guidelines for placement of noise sensitive land uses near the airport, and mitigation measures to prevent impacts to residential areas from airport noise.

**Impact Evaluation Guidelines:** A significant noise impact may result from:

**Project Noise Generation:** Substantial noise and/or vibration from project operations (such as stationary mechanical equipment) or grading and construction activities (such as the use of pile drivers) in close proximity to noise-sensitive receptors for an extensive duration. Exposure to noise levels of 100 dBA for longer than 15 minutes, or 85 dBA for more than 8 hours, has the potential to result in harmful health effects. A vibration study is required for projects that will use pile drivers.

**Ambient Noise Levels:** Siting of a project such that persons would be subject to long-term ambient noise levels in excess of the Noise Element land use compatibility guidelines as follows. The guidelines include maximum interior and exterior noise levels.

1. Interior noise levels are of primary importance for residences due to the health concerns associated with continued exposure to high interior noises. Projects not meeting interior noise levels would have significant noise impacts.
2. For exterior noise levels, there are two levels of noise:
  - a. “Clearly unacceptable” exterior levels are those levels above which it would be prohibitive, even with mitigation, to achieve the maximum interior noise levels, and the outdoor environment would be intolerable for the assigned use. Projects exceeding the maximum “clearly unacceptable” noise levels would have significant noise impacts.
  - b. “Normally unacceptable” noise levels are those levels which it is clear that with standard construction techniques maximum interior noise levels will be met and there will be little interference with the land use. Projects below the maximum “normally unacceptable” noise levels would have less than significant noise impacts.
  - c. Projects with exterior noise levels exceeding the “normally acceptable” level and below the maximum “clearly unacceptable” level are evaluated on a case by case basis to identify mitigation to achieve the “normally acceptable” exterior levels to the extent feasible and to determine the level of significance of the noise exposure.

The following are the maximum interior and exterior noise levels for common land uses in the City:

- Commercial (retail, restaurant, etc.) and Office (personal, business, professional): Normally acceptable maximum exterior ambient noise level of 75 dBA  $L_{dn}$ ; clearly unacceptable



maximum exterior noise level of 80 dBA L<sub>dn</sub>; maximum interior noise level of 50 dBA L<sub>dn</sub>.

- Residential: Normally acceptable maximum exterior ambient noise level of 60 dBA L<sub>dn</sub> in single family zones and 65 dBA L<sub>dn</sub> in non-residential or multi-family residential zones); clearly unacceptable maximum exterior noise level of 75 dBA L<sub>dn</sub>; maximum interior noise level of 45 dBA L<sub>dn</sub>.

**Aircraft Noise:** project site location near the Airport that would result in excessive noise exposure for project residents or employees.

### **Noise – Existing Conditions and Project Impacts**

The project site is adjacent to U.S. 101 and the Project is a UPRR underpass located on an active railroad used by UP. The nearest residential areas are located approximately 0.1 mile east of the project site on Los Patos Way. The Andree Clark Bird Refuge located south of and adjacent to the site is also a sensitive noise receptor. The project site currently is located within an area that generates noise due to the proximity to the U.S. 101 Freeway and the railroad use. Vehicle noise affects relatively large areas of the City along transportation corridors, particularly neighborhoods in close proximity to the 8-mile long corridor of U.S. 101. Noise from U.S. 101 affects City neighborhoods such as the lower Eastside, Westside, parts of Samarkand, and Hitchcock Road. Noise levels exceeding 65 dBA L<sub>dn</sub> extend outward between 100 and 680 feet from various segments of the freeway, depending on topography, intervening barriers, and traffic levels. At the project site, the noise level is 70-75 dBA L<sub>dn</sub> at 150 feet, 65-69 dBA L<sub>dn</sub> at 260 feet and 60-64 dBA L<sub>dn</sub> at 470 feet (Santa Barbara 2010).

#### **11.a-b) Increased Noise Level from Project**

##### Temporary Construction Noise and/or Vibration:

The 23-day demolition/construction schedule includes using the following equipment: Welding apparatus, crane, flatbed truck, dump trucks, excavation/backhoe, and a roller compacter. These are not considered high noise generating equipment such as pile driving equipment but do produce noise in excess of normal conditions while operating. The Santa Barbara Noise Ordinance (Chapter 9.16 of the SBMC) governs short-term or periodic noise, such as construction noise, operation of motorized equipment or amplified sound, or other sources of nuisance noise. The ordinance establishes limitations on hours of construction and motorized equipment operations. Noise during construction would generally be intermittent and sporadic. Adherence to the requirements in the noise ordinance would reduce short term construction noise and vibration impacts to *less than significant*.

##### Long-Term Operational Noise:

There will be no new or increased long-term operational noise from the replacement of the underpass. The rail line would continue to operate as it currently operates after replacement. There would be a reduction in traffic noise along Los Patos Way once the off-ramp is closed as it would no longer function as such and only have local traffic accessing the adjacent uses. There would be *no impact* related to long-term operational noise.

#### **11.c) Exposure to High Noise Levels**

The Project would not expose neighboring uses to high noise levels during construction beyond levels allowed in the Santa Barbara Noise Ordinance *No impact* would result.

#### **11.d) Aircraft Noise**

The Project is not located within the vicinity of the Santa Barbara Airport nor any private airstrip. *No impact* would occur.

**Noise – No Mitigation Required**

City standard conditions of approval, N-1 to N-3 would apply to reduce noise impacts to a less than significant level. These are listed in Attachment B . These standard conditions include proper neighborhood notification, construction hours, and controlling equipment noise as appropriate. No additional mitigation is required.

**Noise – Residual Impact**

*Less than significant.*

12. POPULATION AND HOUSING	Level of Significance
Would the project:	
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?	No Impact
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No Impact

**Population and Housing – Discussion**

**Issues:** Population and housing issues include induced population growth that would strain environmental resources within the City or require new infrastructure or development, the construction of which could result in environmental impacts. The loss of housing units would displace populations and increase demand for housing within the City.

**Impact Evaluation Guidelines:** A potentially significant population and housing impact may occur if:

1. Growth inducement, such as provision of substantial population or employment growth or creation of substantial housing demand; development in an undeveloped area, or extension/ expansion of major infrastructure that could support additional future growth.
2. Loss of a substantial number of people or housing units, especially loss of lower cost housing.

**Population and Housing – Existing Conditions and Project Impacts**

**12.a) Growth-Inducing Impacts**

The Project would not involve a substantial increase in major public facilities such as extension of water or sewer lines or roads that would facilitate other growth in the area. The Project would not involve substantial employment growth that would increase population or housing demand as no housing is proposed for the Project. No growth-inducing impacts would occur because the Project is the removal of an underpass. *No impact* would result from the Project.

**12.b) Housing Displacement**

The Project would not involve any displacement of people or housing. *No impact* would result from the Project.

**Population and Housing – Mitigation**

No mitigation is required.

**Population and Housing – Residual Impact**

*No impact.*

<b>13. PUBLIC SERVICES AND UTILITIES</b>	<b>Level of Significance</b>
Would the project:	
a) Require or result in the relocation or construction of new or expanded storm water drainage facilities or expansion of water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?	Less than Significant Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	No Impact
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	No Impact
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	No Impact
f) 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: <ul style="list-style-type: none"> <li>i. Fire Protection?</li> <li>ii. Police Protection?</li> <li>iii. Schools?</li> <li>iv. Parks?</li> <li>v. Other Public Facilities?</li> </ul>	No Impact

**Public Services and Utilities – Discussion**

**Issues:** This section evaluates project effects on fire and police protection services, schools, public facility maintenance and other governmental services, utilities, including electric and natural gas, water and sewer service, and solid waste disposal.

**Water:** The City of Santa Barbara's water supply comes primarily from the following sources, with the actual share of each determined by availability and level of customer demand: Lake Cachuma and Tecolote Tunnel; Gibraltar Reservoir, Devils Canyon and Mission Tunnel; groundwater; State Water Project Table A allotment; desalination; and recycled water. Conservation and efficiency improvements are projected to contribute to the supply by offsetting demand that would otherwise have to be supplied by additional sources. The Long Term Water Supply Program (LTWSP) for the planning period 2011-2030 outlines a strategy to use the above sources to meet the City's estimated system demand (potable plus recycled water) of 14,000 acre-feet per year (AFY), plus a 10 percent safety margin equal to

1,400 AFY, for a total water supply target of 15,400 AFY. The LTWSP concludes that the City's water supply is adequate to serve the anticipated demand plus safety margin during the planning period.

Sewer: The maximum capacity of the El Estero Water Resource Center is 11 million gallons per day (MGD), with current average daily flows in 2020 of 6 MGD. In 2010, the City certified a citywide Program FEIR for the Plan Santa Barbara General Plan Update. This FEIR concluded that the increased wastewater flows to El Estero Wastewater Water Resource Center are enough to accommodate the growth planned through 2030 for the City. The FEIR also concluded that the increased wastewater flows into the City's collection systems would not substantially contribute to current problems of offsite inflow and infiltration of wastewater flows from the City's system.

Solid Waste: Most of the waste generated in the City is transported on a daily basis to seven landfills located around the County. The County of Santa Barbara, which operates the landfills, has developed impact significance thresholds related to the impacts of development on remaining landfill capacity. These thresholds are utilized by the City to analyze solid waste impacts. The County thresholds are based on the projected average solid waste generation for Santa Barbara County from 1990-2005. The County assumes a 1.2 percent annual increase (approximately 4,000 tons per year) in solid waste generation over the 15-year period. The County's threshold for project specific impacts to the solid waste system is 196 tons per year (this figure represents 5% of the expected average annual increase in solid waste generation [4000 tons per year]) for project operations. Source reduction, recycling, and composting can reduce a project's waste stream by as much as 50 percent. If a proposed project generates 196 or more tons per year after reduction and recycling efforts, impacts would be considered significant and unavoidable. Proposed projects with a project specific impact as identified above (196 tons per year or more) would also be considered cumulatively significant, as the project specific threshold of significance is based on a cumulative growth scenario. However, as landfill space is already extremely limited, any increase in solid waste of 1% or more of the expected average annual increase in solid waste generation (4,000 tons per year), which equates to 40 tons per year, is considered adverse significant cumulative impact.

The County of Santa Barbara adopted revised solid waste generation thresholds and guidelines in October 2008. According to the County's thresholds of significance, any construction, demolition or remodeling project of a commercial, industrial or residential development that is projected to create more than 350 tons of construction and demolition debris is considered to have a significant impact on solid waste generation. The County's 350 ton threshold has not been formally adopted by the City; however, it provides a useful method for calculating and analyzing construction waste generated by a project.

Facilities and Services: In 2010, the City certified a citywide General Plan EIR. The EIR concluded that under existing conditions as well as the projected planned development and all studied alternatives, all public services (police, fire, library, public facilities, governmental facilities, electrical power, natural gas and communications) could accommodate the potential additional growth until 2030. The FEIR also determined that growth in the City under the General Plan would not result in a considerable contribution to cumulative impacts on public services on the South Coast.

Schools: None of the school districts in the South Coast have been designated "overcrowded" as defined by California State law. Per California Government Code Section 66000, the City collects development impact fees from new development to offset the cost of providing school services/additional infrastructure to accommodate new students generated by the development.

**Impact Evaluation Guidelines:** The following may be identified as significant public services and facilities impacts:

1. Inadequate water, sewage disposal, or utility facilities or capacity to serve the project.
2. Substantial increase in solid waste disposal to area sanitary landfills that would result in a disproportional use of remaining landfill capacity.
3. Creation of a substantial need for increased police department, fire department, public facility maintenance, or government services staff or equipment.

4. Generation of substantial numbers of students exceeding public school capacity where schools have been designated as overcrowded.

### **Public Services and Utilities – Existing Conditions and Project Impacts**

#### **13.a-c) Water, Stormwater, and Sewer**

##### Water:

The Project would not result in operational demand for water, except minor water use for dust control during demolition and construction. This temporary water use would have no adverse effects on water supply. In addition, the newly graded slope would be within the UPRR right-of-way with no anticipated planting or vegetation. New landscaping would potentially occur along Los Patos Way and would follow City of Santa Barbara guidelines and regulations for drought tolerant plants, vegetation and irrigation. Therefore, impacts would be *less than significant*.

##### Stormwater

The Project would not result in the need to expand stormwater facilities. The Project would address any minor drainage requirements from filling in the underpass to maintain existing storm flows through the installation of a drain pipe through the fill section, sized to convey the design storm in its current configuration. Therefore, *no impact* would occur.

##### Sewer:

The Project would not require sewer service during construction or operation. Therefore, *no impact* would occur.

#### **13.d-f) Solid Waste Generation/ Disposal**

Removal of the underpass would result in temporary short term need for solid waste disposal, but not in excess of any State or local standards (Tajiguas capacity of 1,500 tons of trash per day). The largest elements of the bridge, the multi-beam girders, are anticipated to be diverted to a recycling center or preserved as an architectural feature. The sandstone is also anticipated to be preserved for mitigation purposes, leaving minimal solid waste to be disposed of. This waste would be taken to the Tajiguas Landfill owned and operated by the County of Santa Barbara. It can process up to 1,500 tons of trash per day. The Project is not estimated to create more than 350 tons of construction and demolition debris, therefore the impact on solid waste generation and disposal would be *less than significant*.

Long-Term (Operational). The Project would not result in additional solid waste generation or disposal in the long-term. There would be *no impact* to long-term solid waste.

#### **13.g) Police, Fire, Schools, and Public Facilities**

The project site is located in an urban area where all public services are available. The project is would not create any new or substantial demand on fire or police protection services, library services, or need for new City buildings and facilities. The Project would not need to be served by existing public services for gas, electricity, cable, and/or telephone services.

Typical land uses that are associated with increased use of police, fire, school and public facility services are housing, commercial and industrial developments. None of those land uses are proposed for this Project, therefore *no impact* would occur to schools or other public facilities or services.

### **Public Services and Utilities – Mitigation**

No mitigation is required.

### **Public Services and Utilities – Residual Impacts**

*Less than Significant.*

14. RECREATION Would the project:	Level of Significance
a) 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?	No Impact
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No Impact
c) Result in substantial loss or interference with existing park space or other public recreational facilities (such as hiking, cycling or horse trails)?	No Impact

**Recreation – Discussion**

**Issues:** Recreational issues are associated with increased demand for recreational facilities, or, loss of or impacts to existing recreational facilities or parks.

**Impact Evaluation Guidelines:** Recreation impacts may be significant if the project would result in:

1. Substantial increase in demand for park and recreation facilities in an area under-served by existing public park and recreation facilities.
2. Substantial loss or interference with existing park space or other public recreational facilities such as hiking, cycling, or horse trails.

**Recreation – Existing Conditions and Project Impacts**

**Environmental Setting:** The City of Santa Barbara’s Parks and Recreation Department manages the public urban forest, including public street trees, and the City creek restoration, water quality, and storm water management programs. The Project area is directly adjacent to the Andree Clark Bird Refuge.

**14.a-b) Recreational Demand**

The City of Santa Barbara’s Parks and Recreation Department maintains the parks and recreation areas within the City. Responsibilities of this department are to provide clean and safe parks, beaches, and recreation facilities; promote stewardship of City resources; and provide quality recreation, cultural, and community services to residents and visitors of the City (Santa Barbara 2010). This Project would not increase demand for recreational facilities. The Project would not result in blocking access to the Andree Clark Bird Refuge. The closure of the Los Patos Way offramp is part of the Highway 101 HOV Project to be replaced with an offramp at Cabrillo Boulevard providing similar access to the refuge for highway travelers. Therefore, there would be *no impact*.

**14.c) Existing Recreational Facilities**

No housing is proposed for this Project and no impacts would occur to the existing recreational area or recreational facilities. Staging for the Project would occur on the portion of Los Patos Way no longer being used as an off-ramp after closure of the off-ramp providing direct access to US 101 from the site. Access to the Andree Clark Bird Refuge will be maintained with the new interchange at Cabrillo as part of the U.S. 101 HOV Project. Visitors to the bird refuge would be able to access the site via the new off-ramp at Cabrillo. Therefore, there would be *no impact*.

**Recreation – Mitigation**

No mitigation is required.

**Recreation – Residual Impacts**

*No impact.*



15. TRANSPORTATION AND CIRCULATION	Level of Significance
Would the project:	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	No Impact
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3 (Determining the Significance of Transportation Impacts)?	No Impact
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant Impact
d) Result in inadequate emergency access?	No Impact

**Transportation and Circulation – Discussion**

**Issues:** Transportation issues include traffic, access, circulation and safety. Vehicle, bicycle and pedestrian, and mass transit modes of transportation are all considered, as well as emergency vehicle access.

The City General Plan Circulation Element contains policies addressing circulation, vehicle traffic, and alternative mode travel in the City. Vehicle traffic and alternative mode policies are also contained in other adopted City planning documents, including the Nonresidential Growth Management Ordinance, Pedestrian Master Plan, Bicycle Master Plan, Upper State Street Plan, etc., as well as regional transportation plans.

**Impact Evaluation Guidelines:** State legislation Senate Bill (SB) 743 revises the approach for analyzing transportation impacts of projects under CEQA. The legislation identifies the use of vehicle miles traveled (VMT) or similar approaches as the most appropriate measure for determining transportation impacts as alternative metrics for assessing the environmental impact of vehicle transportation (as an air quality and GHG impact) transportation impacts in CEQA reviews. The change to VMT is meant to focus development in urban centers and to encourage land use and transportation planning decisions that reduce and minimize VMT, which is GHG emissions generator.

The State provides screening criteria to quickly identify projects not expected to result in transportation impacts under the VMT methodology. Consistent with State CEQA Guidelines §15064.3, projects in areas that are already well served by a major transit stop are presumed to have less than significant transportation impacts. A major transit stop is defined in the State CEQA Guidelines as a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with frequencies of service intervals of 15 minutes or less during the morning and afternoon peak commute periods. Projects located within a high quality transit corridor as identified by SBCAG are presumed to have less than significant VMT impacts. Projects that would generate less than 110 vehicle trips per day are presumed to be less than significant, as well as infill development projects with 100 percent affordable units. Transit and active transportation projects are also presumed to have a less than significant impact on VMT.

In accordance with the Office of Planning and Research Technical Advisory on Evaluating Transportation Impacts in CEQA (2019), a proposed project may have a significant impact on transportation if it would:

Vehicle Miles Traveled:

1. For Residential and Office Uses: Exceeds a level of 15 percent below existing regional or Citywide VMT per capita. A 15 percent reduction is consistent with SB 743’s direction to achieve State goals for GHG reduction.

2. For Retail Uses: Result in a net increase in VMT.
3. For Transportation Roadway Projects: Increases roadway capacity in congested areas and/or increases vehicle lane miles.

Circulation and Traffic Safety:

1. Create potential hazards due to addition of traffic to a roadway that has design features (e.g., narrow width, roadside ditches, sharp curves, poor sight distance, inadequate pavement structure) or that supports uses that would be incompatible with substantial increases in traffic.
2. Diminish or reduce effectiveness, adequacy, or safety of pedestrian, bicycle, or public transit circulation.
3. Result in inadequate emergency access on-site or to nearby uses.
4. Conflict with regional and local plans, policies, or ordinances regarding the circulation system, including pedestrian, bicycle, and public transportation.

**Transportation and Circulation – Existing Conditions and Project Impacts**

**Environmental Setting:** Santa Barbara’s transportation system consists of roads, public transportation, bike and pedestrian facilities, parking, and City and regional programs that support and guide the use and development of these facilities, including programs to manage transportation demand. Regional access to the project site is via the U.S. 101 via Exit 95 onto Los Patos Way or via Cabrillo Boulevard.

**15.a) Bicycle/Pedestrian/Public Transit**

The Project would not affect transit, bike, or pedestrian facilities or plans, or create a need for such because the project would not increase population needing these additional services or facilities and the project would not impact or alter any transit, bike, or pedestrian facilities or plans, therefore, there would be *no impact*.

**15.b) Vehicle Miles Traveled**

The Project would remove an undercrossing which is currently in use by UPRR to grade separate their tracks from the U.S. 101 Los Patos offramp. A replacement offramp will be constructed as part of the U.S. 101 HOV project (redesign of the U.S. 101\Cabrillo interchange) and it is to be in operation prior to closing Los Patos Way as an offramp. This offramp would be closed regardless of this project with the new offramp taking its place exiting onto Cabrillo Boulevard just north of the current Los Patos/Cabrillo intersection. The Project therefore would not increase roadway capacity or result in an increase in vehicle lane miles as there would be no change in the existing traffic pattern or capacity; therefore, impacts would be *less than significant*.

**15.c-d) Access/ Circulation**

Short-Term Construction Access and Circulation:

Removal of the Los Patos Underpass would address and improve the existing safety hazard concerns from UPRR. Currently, the height clearance of the underpass is classified as a low-clearance structure and is often hit by larger trucks which then shuts down on-going railroad operations. Removal of the structure would generate temporary construction-related traffic that would occur over a maximum of a one-month construction period and would vary depending on the stage of construction. Standard conditions of approval would be applied, including restrictions on the hours permitted for construction trips outside of peak traffic hours, approval of routes for construction traffic, and designation of specific construction staging and parking areas. In addition, the Caltrans (101 High Occupancy Vehicle (HOV) Lane Project) would remove the Los Patos Way off-ramp which closes off access to the project site from US 101. This closure was planned and not part of the proposed Project. This impact is less than significant as there will be no reduction in access.

Operational Access and Circulation:

Removal of the underpass would not affect circulation during the operational phase, as the Los Patos Way off-ramp will be abandoned by Caltrans upon completion and start of operation of the 101 HOV Lane Project, replaced with a full interchange at Cabrillo Boulevard. The Underpass would not be replaced with another structure. Los Patos Way would be reconfigured as a cul-de-sac similar to its current operating condition in providing an area to turn around in. The cul-de-sac would be formed by continuing the existing curb line and centerline radius across the existing off-ramp roadway thereby eliminating access to that stretch of roadway. The Project would not create additional parking as the cul-de-sac would have red curb and be used for a turnaround area only, consistent with the current use of Los Patos Way near the off-ramp. The roadway from the new curb line to the Caltrans right of way beyond the underpass would be removed. A new narrow maintenance access path would be provided from the newly formed cul-de-sac to the south side of the existing underpass. This path would provide access for UPRR to remove nuisance activities associated with the rail line. A portion of the new curb in the cul-de-sac would be a rolled curb to accommodate City maintenance vehicles. There would be *no impact*.

**Transportation and Circulation – Mitigation**

No mitigation is required.

**Transportation and Circulation – Residual Impact**

*Less than significant.*

<b>16. WATER QUALITY AND HYDROLOGY</b> Would the project:	<b>Level of Significance</b>
a) Groundwater: <ul style="list-style-type: none"> <li>i. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</li> <li>ii. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade groundwater quality?</li> </ul>	Less than Significant Impact
b) Surface Water: <ul style="list-style-type: none"> <li>i. Substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner which would result in substantial erosion, siltation, or flooding on- or offsite?</li> <li>ii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?</li> <li>iii. Substantially affect water quality within a creek?</li> <li>iv. Conflict with or obstruct implementation of a water quality control plan?</li> </ul>	Less than Significant Impact
c) Flood Risk: In flood hazard zones: <ul style="list-style-type: none"> <li>i. Substantially exacerbate existing hazard conditions to persons or property?</li> <li>ii. Risk release of pollutants due to project inundation?</li> <li>iii. Conflict with floodway or floodplain regulations?</li> </ul>	Less than Significant Impact

**Water Quality and Hydrology – Discussion**

**Issues:** Water resources issues include changes in surface drainage, creeks, surface water quality, groundwater quantity and quality, flooding, and inundation.

**Impact Evaluation Guidelines:** A significant impact would result from:

**Water Resources and Drainage:**

1. Substantially changing the amount of surface water in any water body or the quantity of groundwater recharge.
2. Substantially changing the drainage pattern or creating a substantially increased amount or rate of surface water runoff that would exceed the capacity of existing or planned drainage and storm water systems.
3. Altering drainage patterns or affecting creeks in a way that would cause substantial erosion, siltation, on- or off-site flooding, or impacts to sensitive biological resources. See also Section 4, Biological Resources.

### Water Quality:

1. Substantial discharge of sediment or pollutants into surface water or groundwater, or otherwise degrading water quality, including temperature, dissolved oxygen, or turbidity.

The City of Santa Barbara updated the Storm Water Management Program (SWMP) in 2020, and the Plan is implemented through City ordinance provisions. The purpose of the SWMP is to implement and enforce a program designed to reduce the discharge of pollutants to the “maximum extent practicable” to protect water quality. The SWMP addresses discharge of pollutants both during construction and after construction. The water quality treatment requirement is to retain and treat the 1-inch, 24-hour storm event. The peak runoff discharge rate requirement is that the peak runoff discharge rate shall not exceed the pre-development rate up to the 25 year storm. The volume reduction requirement is to retain on site the volume difference between pre- and post-conditions for the 25-year, 24-hour storm or the 1-inch storm (whichever is larger).

### Flooding and Inundation Hazards:

1. Locating development within floodway or 100-year flood hazard area; substantially altering the course or flow of flood waters or otherwise exacerbating flood hazard to persons or property.
2. Exposing people or structures to substantial unmitigated risk involving inundation.

## **Water Quality and Hydrology – Existing Conditions and Project Impacts**

### **16.a) Groundwater Quantity and Quality**

During construction, the Project would not require use of groundwater as the underpass removal would use trucked in water for dust mitigation and other construction uses on site. However, due to the proximity to the Andree Clark Bird Refuge, as mentioned in Section 8 Hazards and Hazardous Materials, the Project would ensure no construction materials contaminate the groundwater through standard best management practices and preparing and following a SWPPP. Therefore, impacts during construction would be *less than significant*. In addition, *no impacts* would occur after completion of the Project.

### **16.b-c) Drainage, Stormwater Runoff, Water Quality, Creeks and Flooding**

The Project is located adjacent to the Andree Clark Bird Refuge and is approximately 0.6 mile east of Sycamore Creek. A Sycamore Creek Evaluation study for the Project was conducted by Stantec on August 8, 2016 to determine the hydraulic impacts to flooding along U.S. 101 due to the removal of the underpass and closure of the Los Patos Way offramp. The evaluation found that overflow during flood conditions would be directed entirely into the Andree Clark Bird Refuge with little to no flow returning to the Sycamore Creek Channel. As such, discharge directed to the Los Patos off ramp is very minor (less than one cubic foot per second) and would not significantly contribute to a rise in the Base Flood Elevation once the off ramp is closed.

The City and State require onsite capture, retention, and treatment of storm water to be incorporated into the design of the Project. Pursuant to the City’s SWMP and the NPDES General Permit for Storm Water Discharges, the City requires that any increase in stormwater runoff (based on a 25-year storm event) be retained onsite and that Projects be designed to capture and treat the calculated amount of runoff from the project site for a one-inch storm event, over a 24-hour period. The Sycamore Creek Evaluation study indicates that the peak runoff flow rate has been accounted for in the design of the Project. The proposed storm water management plan complies with the City’s SWMP requirements. Additionally, the Project is subject to standard conditions of approval, building codes, and federal and state regulatory programs that have been established to minimize impacts to water quality resulting from construction operations. Compliance with City and State stormwater capture, retention, and treatment requirements would ensure that impacts associated with drainage, stormwater, and surface water quality would be *less than significant*.

The project site west of Los Patos Way is located in Flood Zone AE and 0.2% Annual Chance Flood Hazard zone at Los Patos Way. The tracks east of the 2% zone is not in a Special Flood Hazard Area zone (FEMA.gov 2024). However, the

Sycamore Creek Evaluation found that the flood mapping identified in the Flood Insurance Map are just in the vicinity of the U.S. 101 and downstream of it. The vast majority of discharge from the combined Sycamore Creek overflow and Andree Clark Bird Refuge watershed would be released to the bird refuge crossing over the UPRR just east of the Santa Barbara Zoological Gardens. The flooding potential would not affect construction. There currently exist minor flows of surface water on Los Patos Way. There is no drainage from the project site to the bird refuge so the project would not affect water quality in the bird refuge. The fill design will include installation of drainage through the fill area in line with current drainage patterns to carry the 100-year storm in order to accommodate the flow of surface water and not impact the 100-year flood zone. Therefore, impacts related to flooding would be *less than significant*.

**Water Quality and Hydrology – Mitigation**

No mitigation required.

**Water Quality and Hydrology – Residual Impact**

*Less than significant.*

17. WILDFIRE	Level of Significance
If the project is located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No Impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, or thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel break, emergency water sources, power lines, or other utilities) that may exacerbate fire risks or that may result in temporary or ongoing impacts to the environment?	No Impact
d) Expose people or structures to significant risks, including downslope or downstream flooding, landslides, or mud flows, as a result of runoff, post-fire slope instability, or drainage changes?	Less than Significant Impact

**Wildfire – Discussion**

**Issues:** Wildfire issues include exposure of persons and structures to wildfire, air pollutants, and post-wildfire slope instability. Structural losses or damage from wildfires often result from inappropriate siting of development within or adjacent high fire hazard areas, the use of inappropriate construction materials or landscaping, and presence of biofuel mass. Recent wildfire events in California indicate that wildfire behavior is changing, and the duration and frequency of wildfire events are increasing. The 2017 Thomas Fire in Santa Barbara and Ventura Counties was the largest wildfire in California history and burned over 250,000 acres. This ultimately led to the subsequent debris flow event in January 2018, which gravely impacted the Montecito community.

The California Department of Forestry and Fire Protection (CALFIRE) defines fire hazard severity zones based on the presence of biofuel mass, climate, topography, assets at risk (high population centers), and an agency’s ability to provide fire protection services to an area. The City contains state responsibility lands within the Very High Fire Hazard Severity Zone (VHFHSZ) within the Santa Barbara foothills. In addition, the City has also designated areas within the City as high fire hazard severity zones within the Community Wildfire Protection Plan (CWPP).

**Impact Evaluation Guidelines:** A significant impact would result from:

1. Siting of development in a very high fire hazard severity zone or beyond adequate emergency response time, with inadequate access, infrastructure, or water pressure, or otherwise in a manner that creates a fire hazard.
2. Impairment or conflict with the Community Wildfire Protection Plan or other emergency response plan.
3. Exposing people or structures to post-fire slope instability, mud or debris flows.

**Wildfire – Existing Conditions and Project Impacts**

**17.a-c) Wildfire Risk and Consistency with Existing Emergency and Wildfire Plans and Regulations**

The Project is not located within a Very High Fire Hazard Severity Zone (VHFHSZ) according to CALFIRE. However, the majority of the northern areas of Santa Barbara are within a VHFHSZ, located approximately 2 miles from the project site. The 2020 Santa Barbara Community Wildfire Protection Plan indicates that the Project is not within the extreme foothill, foothill, coastal or coastal interior zone where topography and response times would be higher than average response times

in the event of a fire. The response time for the Project area would be within the 4-minute range and would not be affected by the Project. In addition, the Project would not increase potential wildfires as no structures are proposed to replace the underpass and would not conflict with existing emergency services or evacuation plans. Therefore, the Project would result in *no impact* due to wildfire.

#### **17.d) Post-wildfire Flooding or Mud Slides**

The Project would eliminate an underpass on an off-ramp scheduled to be abandoned. This would not result in exposing people or structures to significant risks, including downslope or downstream flooding, landslides, or mud flows, as a result of runoff, post-fire slope instability, or drainage changes. However, as mentioned in Water Quality and Hydrology, the Project is located within flood zone AE (100-year) and 0.2% Annual Chance flood Hazard zone with the area prone to regular flooding. There currently exist minor flows of surface water on Los Patos Way. The fill design will include installation of drainage through the fill area in line with current drainage patterns to carry the 100 year storm in order to accommodate the flow of surface water and not impact the 100-year flood zone. Therefore, impacts would be *less than significant*.

#### **Wildfire – Mitigation**

No mitigation required.

#### **Wildfire – Residual Impacts**

*Less than significant.*



18. MANDATORY FINDINGS OF SIGNIFICANCE.	YES	NO
a) Does the project have the potential to substantially 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?	X	
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)		X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X

### 18.a) Biological and Cultural Resources

As discussed in Section 4, Biological Resources, the Project would not 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, or reduce the number or restrict the range of a rare or endangered plant or animal. The Project would require implementation of mitigation measures BIO-1 (Nesting Bird Surveys), BIO-2 (Best Management Practices), and BIO-3 (Pre-construction Wildlife Surveys), which would reduce potential impacts to nesting birds and raptors, the adjacent Andree Clark Bird Refuge, and wildlife due to temporary construction activities to a less than significant level.

In regard to Cultural Resources, as discussed in Section 5, the Project would have a potentially significant impact on the Los Patos Off-Ramp Underpass, a historic resource. This potentially significant impact to the historic will be further evaluated in the EIR.

### 18.b) Cumulative Impacts

Sections 1 through 17 of this Initial Study consider potential cumulative impacts to environmental resources. As discussed in these sections, the Project would have potentially significant impacts related to aesthetics and visual resources, cultural resources, hazardous materials, and land use planning. Only these impacts have been identified as possibly contributing to cumulative impacts, and result in significant, cumulative impacts on the environment. For all other issue areas, the proposed Project would have either direct or indirect impacts that have been determined to be less than significant, with mitigation measures or standard conditions of approval. The assessment of these impacts did not identify residual impacts or identified a contribution to a cumulative impact.

The Project consists of the removal of the undercrossing and replacing it with fill within the footprint of Los Patos Way and the UPRR right-of-way. Thus, impacts of the Project are generally restricted to that area and would not adversely affect biological or other physical resources outside of the footprint. Other impacts in regard to noise and dust from construction are short-term just during the one-month demolition and reconstruction window. Thus, the effects of the Project would not combine with impacts from other projects and would not result in new or substantially more severe impacts beyond those identified in this Project. Therefore, the potential for cumulative impacts related to aesthetics and visual resources, cultural resources, hazardous materials, and land use planning would be further analyzed in the EIR.

### 18.c) Other Environmental Effects

The project has the potential to result in environmental effects related to hazardous materials; as a result, this topic will be further evaluated in the EIR. No other environmental effects have been identified that would cause substantial adverse effects on human beings, either directly or indirectly.

## **MITIGATION MONITORING AND REPORTING PROGRAM (MMRP)**

An MMRP will be prepared for the EIR.

### **ATTACHMENTS:**

A. Conceptual Project Plans

B. Standard Conditions of Approval Applicable to Project

C. Draft Potential Preservation Alternatives and Mitigation Options for the Los Patos Underpass Removal Project, City and County of Santa Barbara, California, Letter Report dated July 9, 2020; Rincon Consultants

### **REFERENCES**

The following sources used in the preparation of this Initial Study are located at the Community Development Department, Planning Division, 630 Garden Street, Santa Barbara and are available for review upon request.

#### **Project-Specific Sources**

Rincon 2021. *Los Patos Underpass Removal Project: Phase I Archaeological Resources Report*. Rincon Consultants, Inc., Project No. 18-06252. Report on file at the Central Coast Information Center, University of California, Santa Barbara. (confidential)

#### **General Sources**

California Building Code as adopted by City

California Emissions Estimator Model (CalEEMod)

California Environmental Quality Act (CEQA) Statute & Guidelines

City of Santa Barbara Climate Action Plan and Initial Study-Negative Declaration (2024)

City of Santa Barbara Coastal Land Use Plan, Cultural Resources Element (2019)

City of Santa Barbara Designated Landmarks List (October 8, 2019)

City of Santa Barbara Designated Structures of Merit List (March 4, 2020)

City of Santa Barbara Highway 101 Coastal Parkway Design Guidelines (April 10, 1996)

City of Santa Barbara Historic Resources Element (2012)

City of Santa Barbara Historic WebMap (January 2020)

City of Santa Barbara Potential Historic Resources List (March 4, 2020)

EnviroStor web site, State Department of Toxic Substances Control

Erosion/Sediment Control Program, City of Santa Barbara (2012)

Farmland of Statewide Importance Map, California Resources Agency

General Plan, City of Santa Barbara, and General Plan Map

General Plan Certified Final Environmental Impact Report (2011) and Addenda

Geology Assessment for the City of Santa Barbara

Geotracker website, State Water Resources Control Board

Institute of Traffic Engineers Trip Generation Manual

Long Term Water Supply Plan (2011)

Local Coastal Plan (*Main or Airport*)

Master Environmental Assessment, MEA Guidelines, and MEA Maps

Regional Growth Impacts Study (1980)

Santa Barbara County APCD Scope and Content of Air Quality Sections in Environmental Documents (2017)

Santa Barbara Municipal Code & City Charter

Special District Map

Water Demand Factors Update Report (2009)

Zoning Ordinance & Zoning Map

**Attachment A – Conceptual Project Plans**



# CITY OF SANTA BARBARA

## LOS PATOS UNDERPASS REMOVAL PROJECT

Project Site Address: Public Right of Way and Union Pacific Right of Way on Loa Patos Way

LOS PATOS WAY OFF RAMP

APNs: 017-010-079, ROW-001-628

Zoning: P-R/S-D-3

Applicant: City of Santa Barbara, Public Works Department  
 Designer: Eric Goodall, 805-897-2664  
 Owner: Union Pacific Railroad and City of Santa Barbara, Public Works Department

All construction shall comply with ACI 318-19, ASCE 7-16, and all City of Santa Barbara Amendments included in Ordinance No.5780.

The Project will remove the Los Patos Way Off Ramp Underpass (Los Patos Underpass) adjacent to the U.S. Highway 101 Freeway (U.S. 101). The U.S. 101 off-ramp at Los Patos Way will be vacated upon completion of the U.S. 101 HOV Project (HOV Project). The Los Patos off-ramp will be removed by Caltrans up to the Union Pacific Railroad (UPRR) right of way, rendering the underpass unusable. It is anticipated that the underpass may become an attractive nuisance if left in place, once the off-ramp is removed, thereby providing an increased security risk for the UPRR.

The Los Patos Underpass will be removed down to the abutments, which will be partially removed, including removal of girders and decking, and replaced with solid fill and a small culvert or drainpipe through the fill to convey minor flows. The off-ramp roadway will be removed to the point it becomes Los Patos Way, forming a cul-de-sac by continuing the existing curb line and centerline radius across the existing off-ramp roadway. A narrow maintenance access path would be provided from the cul-de-sac to the underpass. The fill under the railroad tracks is estimated to be 3,100 cubic yards of imported material.

While this Project has independent utility without the HOV Project, UPRR has indicated the necessity of the removal of the underpass and closure of the Los Patos Way off ramp as a safety measure and a contingency in order to reconstruct the UPRR bridge over Cabrillo Boulevard as is necessary to complete construction of the East Cabrillo Boulevard Pedestrian and Bicycle Improvements and Replacement of the Union Pacific Railroad Bridge Project.

The Project primarily contains three main features:

- Removal of the existing Los Patos Underpass including girders and partial abutment removal;
- Fill the Underpass with compacted soil and reinstall the UPRR track on top of the fill; and
- Demolish the roadway and landscape the area

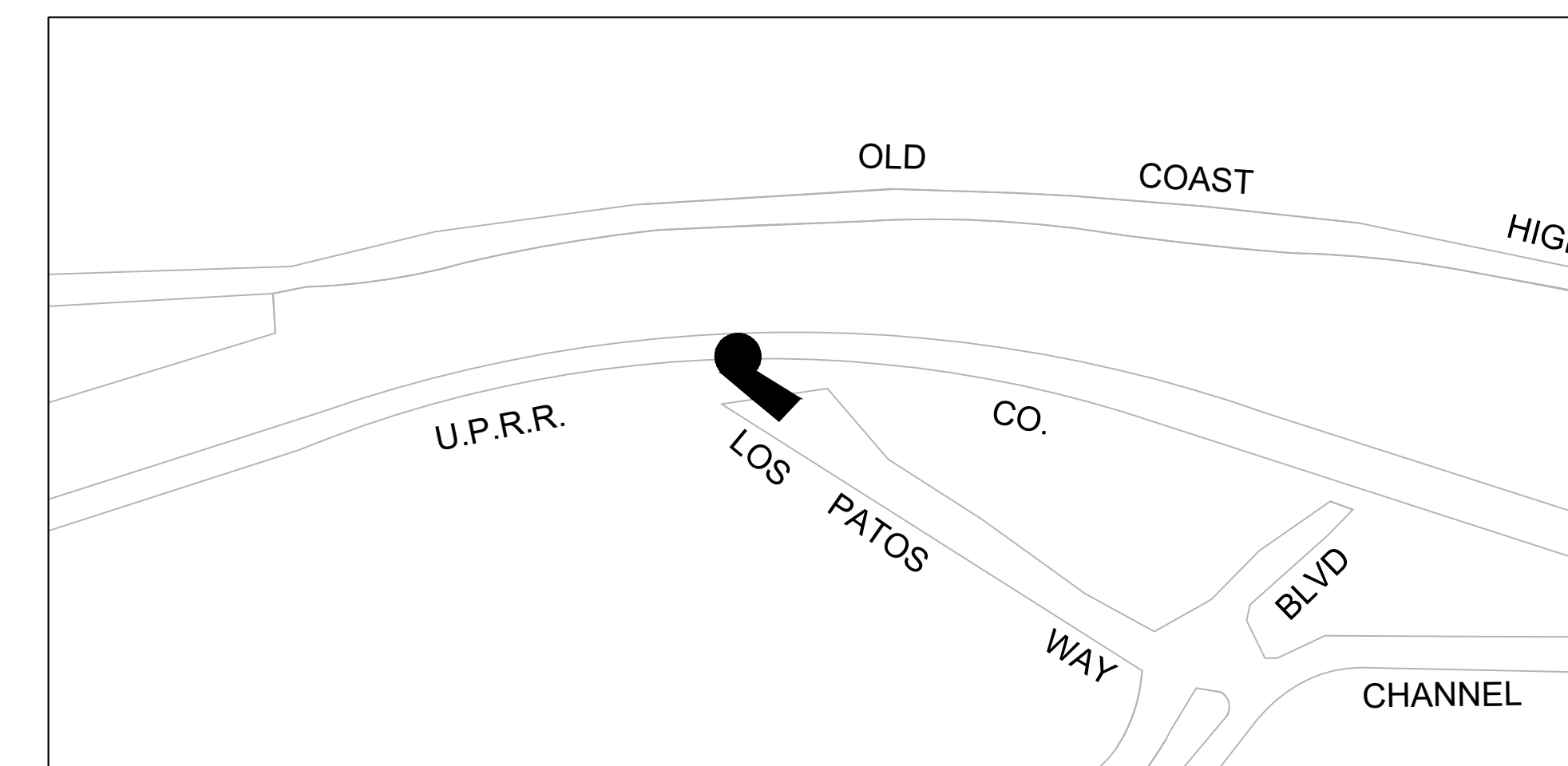
The Project will meet the goals of the City's Local Coastal Plan and aid in completion of Projects that will meet the goals of the Bicycle Master Plan and Pedestrian Master Plan for ensuring safety for all road users.

The Project requires the following discretionary approvals:

- A Coastal Development Permit (DCP2020-00025) to allow the proposed development in the nonappealable Jurisdiction of the City's Coastal Zone (SBMC 28.44.060)
- Project Design and Final Approvals by the Historic Landmarks Commission (SBMC 22.22)



**VICINITY MAP**  
N.T.S.



- LEGEND:**
- STRUCTURE REMOVAL
  - ROADWAY REPLACEMENT

**PROJECT LOCATION MAP**  
N.T.S.

BASIS OF BEARINGS:  
 R/S BOOK 147,  
 PAGES 70-74  
 DATUM: NAVD 88



### SYMBOL LEGEND

—W— EXISTING WATER MAIN	—CTV— EXISTING CABLE TV	⊗ WM EXISTING WATER METER
—G— EXISTING GAS MAIN	— EXISTING EDGE OF PAVEMENT	⊙ TMH EXISTING TELEPHONE MANHOLE
—S— EXISTING SEWER MAIN	— EXISTING FLOWLINE	□ E EXISTING ELECTRIC PULL BOX
—E— EXISTING SCE MAIN	⊙ FH EXISTING FIRE HYDRANT	● EXISTING POWER POLE
—T— EXISTING TELEPHONE MAIN	○ WV EXISTING WATER VALVE	— EXISTING STREET SIGN
—SD— EXISTING STORM DRAIN MAIN	○ GV EXISTING GAS VALVE	☀ EXISTING STREET LIGHT
—O— EXISTING FENCE	⊗ GM EXISTING GAS METER	⊙ EXISTING CITY MONUMENT
R/W— RIGHT OF WAY LINE		⊙ EXISTING IP SURVEY MARKER

### ABBREVIATION LEGEND

BM BENCHMARK	MH MANHOLE
BOW BACK OF WALK	NTS NOT TO SCALE
CTV CABLE TELEVISION	R/W RIGHT OF WAY
E ELECTRICAL	S SEWER
ECONC EDGE OF CONCRETE	SD STORM DRAIN
FH FIRE HYDRANT	T TELEPHONE
FL FLOW LINE	TC TOP OF CURB
FWO FRONT OF WALK	TMH TELEPHONE MANHOLE
G GAS	P PAVEMENT
	W WATER

PUBLIC WORKS  
DEPARTMENT  
ENGINEERING DIVISION

APPROVED: \_\_\_\_\_ DATE \_\_\_\_\_  
 CITY ENGINEER ORIGINAL SIGNED DATE

DESIGN \_\_\_\_\_  
 DRAWN \_\_\_\_\_  
 CHECKED \_\_\_\_\_

NO.	DATE	APPROVED	REVISIONS

WEST CARRILLO LIGHTING AND SIGNAL IMPROVEMENT PROJECT  
**TITLE SHEET**

XX  
PBW. NO.

xx G1  
BID NO. SHT. DES.

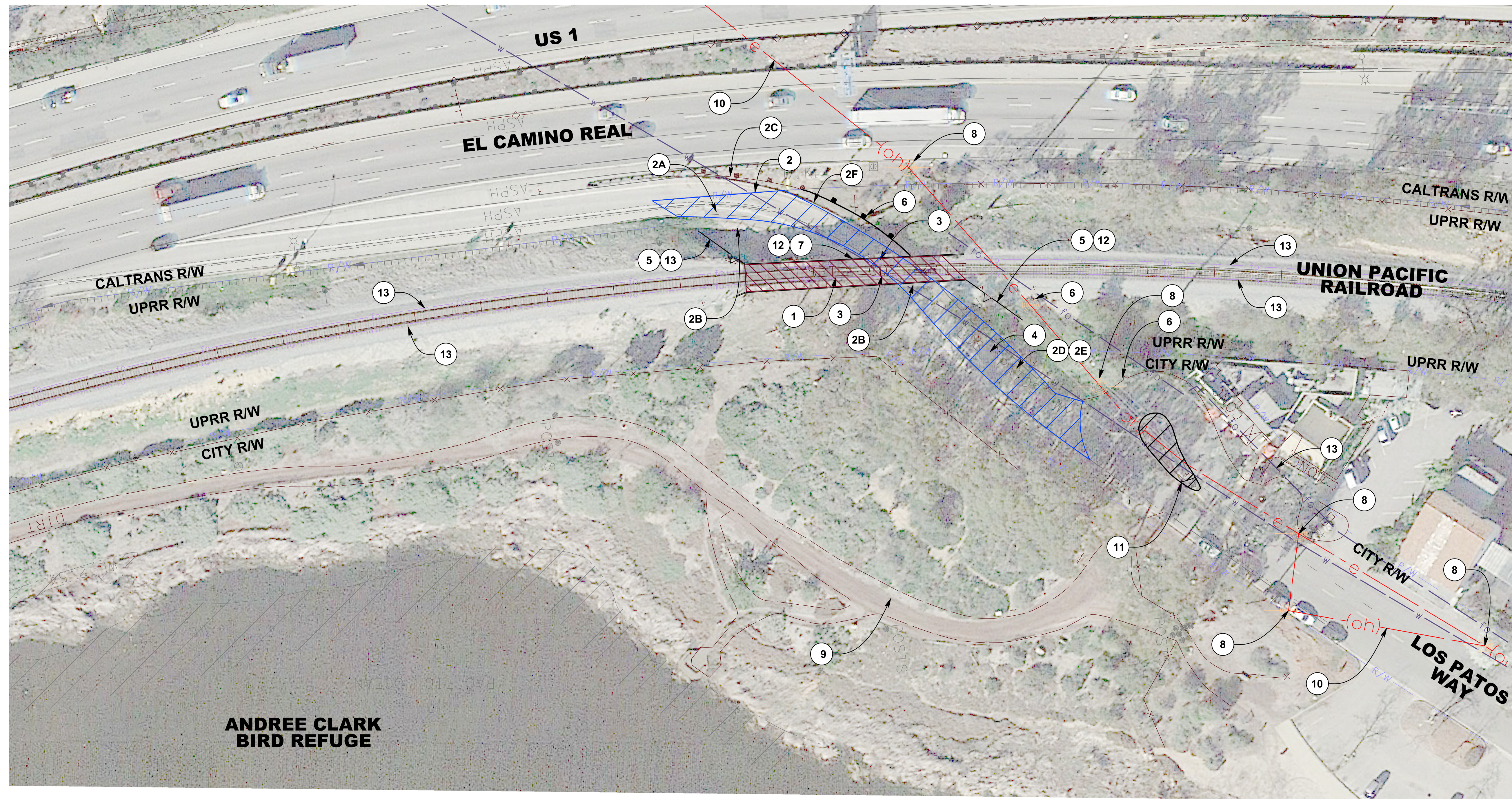
XX  
DWG. NO.

SHT. 1 OF 4




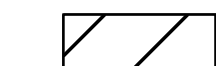

PROJECT ENGINEER \_\_\_\_\_ DATE \_\_\_\_\_

\\cip@SSL\Dev\WWW\Root\Active\STREETS\Cabrillo\UPRR\Boards\_Commissions\Planning\_Commission\Los Patos Undercrossing\G1.dwg, 3/17/2021 1:36 PM, Eric Goodall























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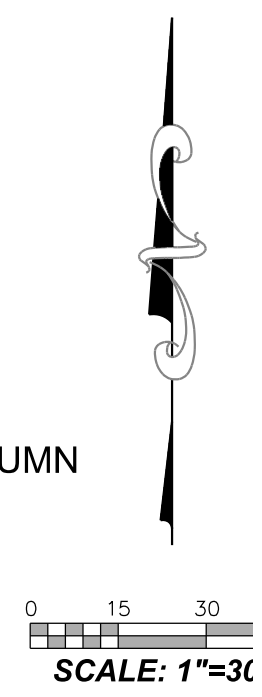
-  R/W EXISTING R/W
-  POWER POLE
-  # PROJECT FEATURE
-  MEDIAN
-  DEMOLISH UPRR BRIDGE

**REMOVE:**

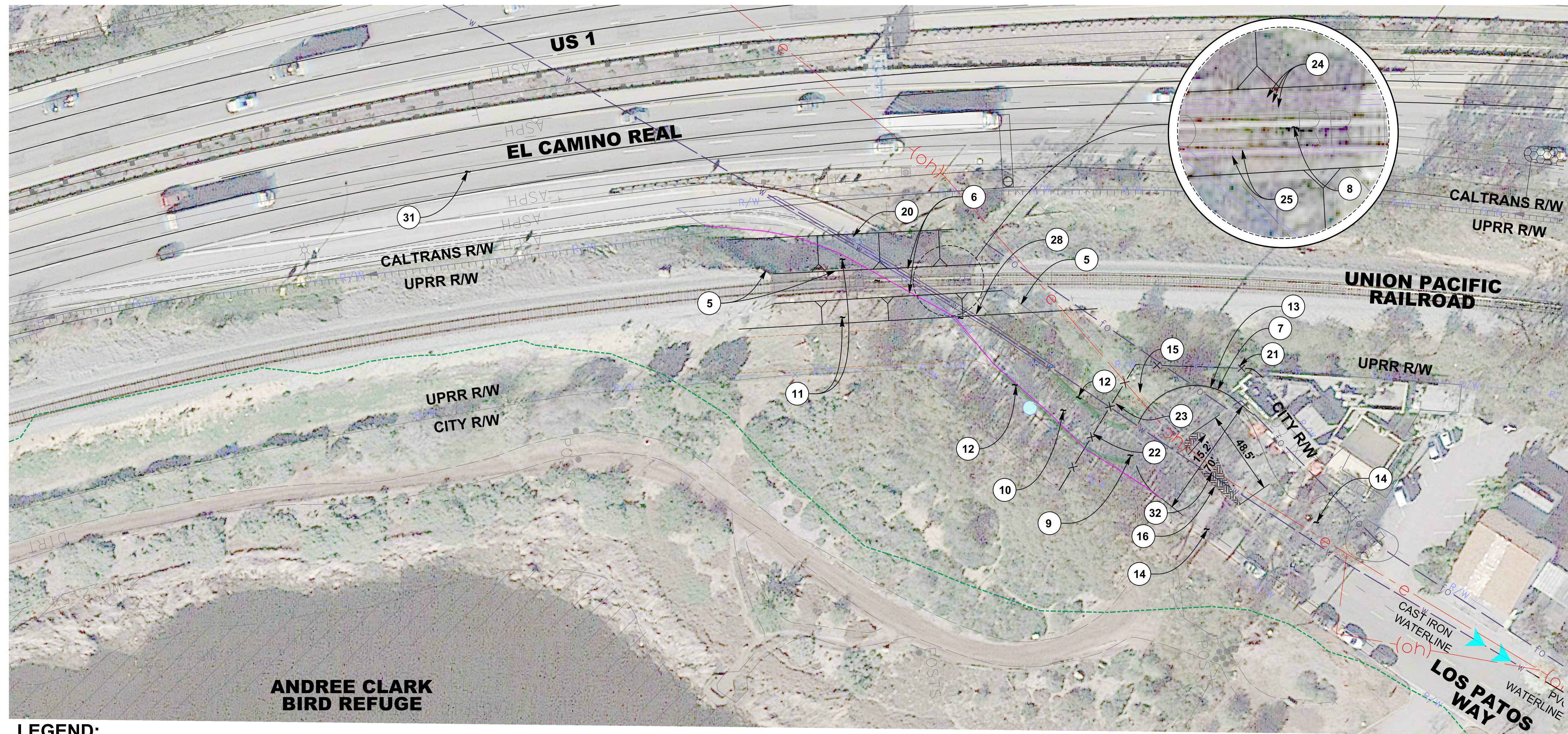
-  1 EXISTING UPRR RAILROAD BRIDGE AND WINGWALLS
-  2 SB US 101 LOS PATOS WAY OFF-RAMP
-  2A REMOVE ASPHALT CONCRETE WITHIN UPRR R/W (67 CY).
-  2B REMOVE CONCRETE DIKE WITHIN UPRR R/W (310 LF).
-  2C REMOVE GUARDRAIL (215 LF).
-  2D REMOVE ASPHALT CONCRETE WITHIN PUBLIC R/W (34 CY).
-  2E REMOVE AGGREGATE BASE MATERIAL WITHIN PUBLIC R/W (50 CY).
-  3 EXISTING CONDUITS ON BRIDGE
-  4 DEMOLISH ROADWAY
-  5 DEMOLISH WING WALLS
-  6 RAILING
-  7 EXISTING SANDSTONE BENT

**PROTECT:**









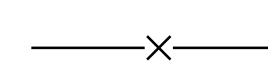
























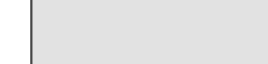

-  8 EXISTING POWER POLE
-  9 EXISTING PATH TO ANDREE CLARK BIRD REFUGE
-  10 EXISTING OVERHEAD POWER LINES
-  11 EXISTING MEDIAN
-  12 SALVAGE SANDSTONE BLOCKS FROM WINGWALLS, ABUTMENT, AND COLUMN
-  13 EXISTING FIBER OPTIC CONDUITS

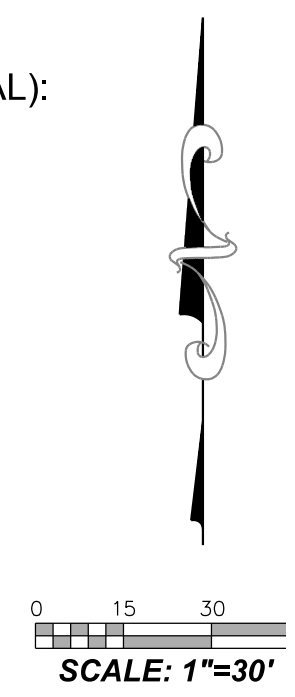




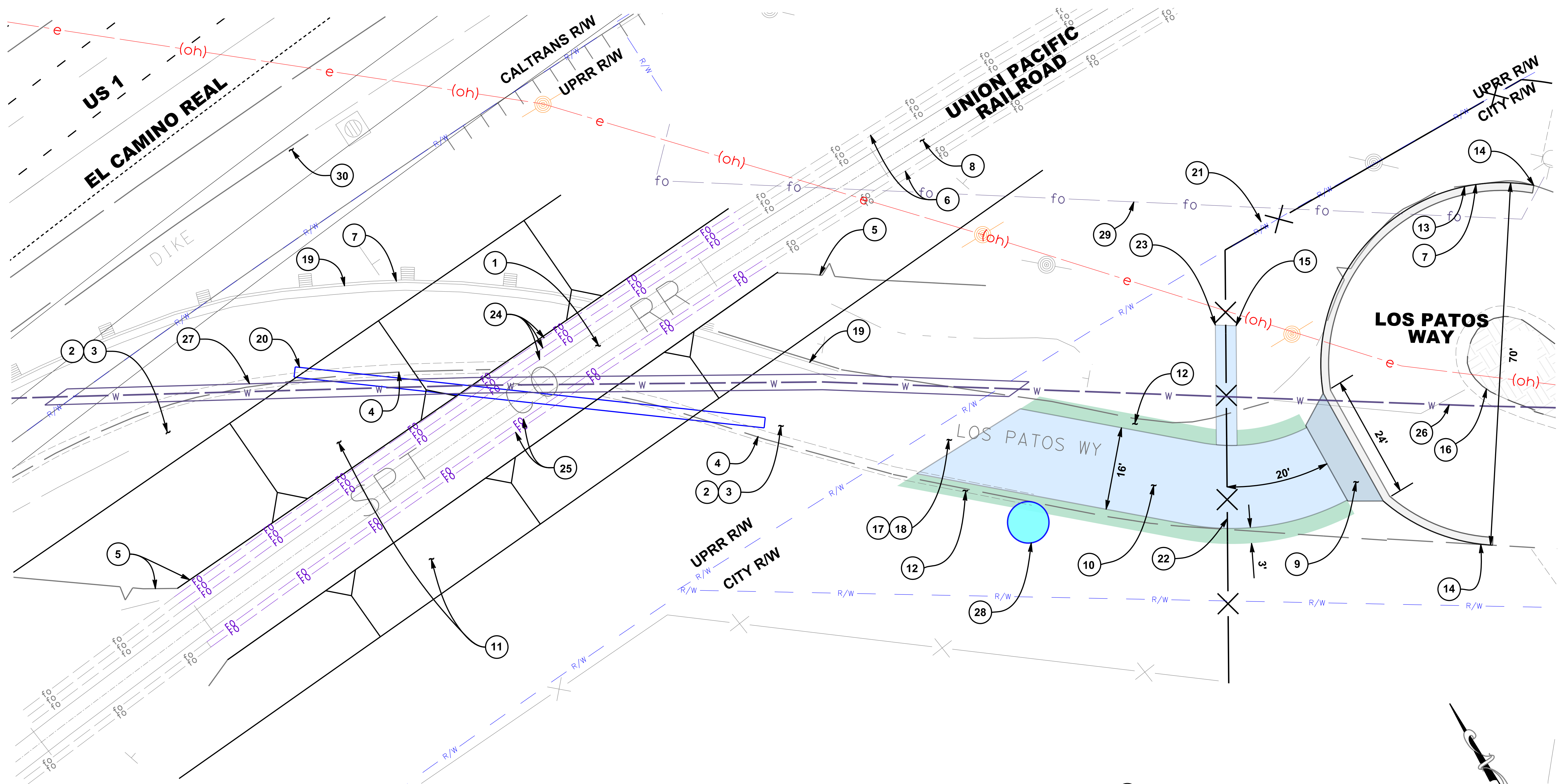


**LEGEND:**

- |   |     |                                 |   |    |   |   |    |   |   |    |   |
|---|-----|---------------------------------|---|----|---|---|----|---|---|----|---|
|  | R/W | EXISTING R/W                    |    | 5  | SALVAGE SANDSTONE BLOCKS  |  | 11 | CONSTRUCT EMBANKMENT                                  |  | 21 | INSTALL 6' CHAINLINK FENCE  |
|  |     | ANDREE CLARK BIRD REFUGE BUFFER |    | 6  | RELOCATE/UNDERGROUND FIBEROPTIC CONDUITS                                    |  | 12 | LANDSCAPING: 3' BAND OF MULCH ADJACENT TO ACCESS ROAD |  | 22 | INSTALL 6' HIGH SLIDING GATE  |
|  |     | PROPOSED CHAINLINK FENCE        |    | 8  | UNION PACIFIC RAILROAD TRACK  |  | 13 | CONSTRUCT CONCRETE CURB & GUTTER (114 LF)             |  | 23 | ASPHALT PAD FOR SLIDING GATE  |
|  |     | EXISTING OVERHEAD ELECTRIC      |    | 9  | CONSTRUCT MAINTENANCE ROAD DRIVEWAY ACCESS                                  |  | 14 | PROTECT DRIVEWAY ACCESS                               |  | 24 | EXISTING FIBER OPTIC CONDUIT RELOCATION (TO BE BURIED WITHIN FILL MATERIAL AFTER BRIDGE REMOVAL): AT&T; CENTURY LINK; & UNION PACIFIC |
|  |     | EXISTING CAST IRON WATERLINE    |    | 10 | CONSTRUCT GRAVEL MAINTENANCE ROAD (RIVER ROCK OR EQUIVALENT) (APPROX 73 LF) |  | 15 | PROTECT POWER POLE                                    |  | 25 | EXISTING FIBER OPTIC CONDUIT RELOCATION (TO BE BURIED WITHIN FILL MATERIAL AFTER BRIDGE REMOVAL): SPRINT; VERIZON                     |
|  |     | PROPOSED FIBEROPTIC RELOCATION  |  | 20 | CONSTRUCT REINFORCED CONCRETE PIPE (58 LF)                                  |  | 16 | PROTECT EXISTING RAISED MEDIAN ISLAND                 |  | 28 | ENCASE EXISTING WATER LINE THROUGH UNION PACIFIC RAILROAD RIGHT OF WAY  |
|  |     | POWER POLE                      |  | 21 | INSTALL 6' CHAINLINK FENCE  |  | 17 | PROTECT EXISTING RAISED MEDIAN ISLAND                 |  | 31 | PROPOSED ROADWAY/STRIPING IMPROVEMENTS ON US 1 (BY OTHERS)  |
|  | #   | PROJECT FEATURE                 |  | 22 | INSTALL 6' HIGH SLIDING GATE  |  | 18 | PROTECT EXISTING RAISED MEDIAN ISLAND                 |  | 32 | PROPOSED PERVIOUS PLANTING  |
|  |     | MAINTENANCE ROAD                |   |    |   |   |    |   |   |    |   |
|  |     | PROPOSED CURB AND GUTTER        |   |    |   |   |    |   |   |    |   |
|  |     | PROPOSED LANDSCAPING            |   |    |   |   |    |   |   |    |   |







**LEGEND:**

- R/W --- EXISTING R/W
- X— PROPOSED CHAINLINK FENCE
- e- EXISTING OVERHEAD ELECTRIC
- W— EXISTING CAST IRON WATERLINE
- fo- EXISTING FIBER OPTIC LINE
- fo- PROPOSED FIBEROPTIC RELOCATION
- POWER POLE
- # PROJECT FEATURE
- MAINTENANCE ROAD
- PROPOSED CURB AND GUTTER
- PROPOSED LANDSCAPING

- |  |   |  |
|--|---|--|
| <ul style="list-style-type: none"> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">1</span> REMOVE UPRR RAILROAD BRIDGE</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">2</span> REMOVE ASPHALT CONCRETE WITHIN UPRR R/W (67 CY)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">3</span> REMOVE AGGREGATE BASE WITHIN UPRR R/W (100 CY)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">4</span> REMOVE CONCRETE DIKE WITHIN UPRR R/W (310 LF)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">5</span> SALVAGE SANDSTONE BLOCKS</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">6</span> UNDERGROUND FIBEROPTIC CONDUITS</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">7</span> REMOVE GUARDRAIL (APPROX 215 LF)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">8</span> UNION PACIFIC RAILROAD TRACK</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">9</span> CONSTRUCT MAINTENENCE ROAD DRIVEWAY ACCESS</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">10</span> CONSTRUCT GRAVEL MAINTENENCE ROAD (RIVER ROCK OR EQUIVALENT) (APPROX 73 LF)</li> </ul> | <ul style="list-style-type: none"> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">11</span> CONSTRUCT EMBANKMENT</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">12</span> LANDSCAPING: 3' BAND OF MULCH ADJACENT TO ACCESS ROAD</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">13</span> CONSTRUCT CONCRETE CURB &amp; GUTTER (114 LF)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">14</span> MATCH EXISTING CURB</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">15</span> PROTECT POWER POLE</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">16</span> PROTECT EXISTING RAISED MEDIAN ISLAND</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">17</span> REMOVE ASPHALT CONCRETE WITHIN PUBLIC R/W (34 CY)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">18</span> REMOVE AGGREGATE BASE WITHIN PUBLIC R/W (50 CY)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">19</span> REMOVE CURB AND GUTTER (110 LF)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">20</span> CONSTRUCT REINFORCED CONCRETE PIPE (58 LF)</li> </ul> | <ul style="list-style-type: none"> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">21</span> INSTALL 6' CHAINLINK FENCE</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">22</span> INSTALL 6' HIGH SLIDING GATE</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">23</span> ASPHALT PAD FOR SLIDING GATE</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">24</span> EXISTING FIBER OPTIC CONDUIT RELOCATION (TO BE BURIED WITHIN FILL MATERIAL AFTER BRIDGE REMOVAL): AT&amp;T; CENTURY LINK; &amp; UNION PACIFIC</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">25</span> EXISTING FIBER OPTIC CONDUIT RELOCATION (TO BE BURIED WITHIN FILL MATERIAL AFTER BRIDGE REMOVAL): SPRINT; VERIZON</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">26</span> EXISTING CAST IRON WATER LINE</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">27</span> ENCASE EXISTING WATER LINE THROUGH UNION PACIFIC RAILROAD RIGHT OF WAY</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">28</span> EXISTING DRAINAGE INLET DI-L08-05</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">29</span> EXISTING UNDERGROUND FIBER OPTIC LINE (FRONTIER)</li> <li><span style="border: 1px solid black; border-radius: 50%; padding: 2px;">30</span> PROPOSED ROADWAY/STRIPING IMPROVEMENTS ON US 1 (BY OTHERS)</li> </ul> |
|--|---|--|

LOS PATOS UNDERCROSSING REMOVAL  
PROPOSED LAYOUT DETAIL SHEET

NO.	DATE	APPROVED	DESIGN	DRAWN	CHECKED	CITY ENGINEER	DATE

PUBLIC WORKS DEPARTMENT  
ENGINEERING DIVISION

ORIGINAL SIGNED DATE: \_\_\_\_\_

2021-02-18













**Attachment B – Standard Conditions of Approval**

## Standard Conditions of Approval Applicable to Project

### **Air Quality-Related**

**AQ-1 Air Quality and Dust Control.** The following measures shall be shown on grading and building plans and shall be adhered to throughout grading, hauling, and construction activities:

- a. During construction, use water trucks or sprinkler systems to keep all areas of vehicle movement damp enough to prevent dust from leaving the site. At a minimum, this should include wetting down such areas in the late morning and after work is completed for the day. Increased watering frequency should be required whenever the wind speed exceeds 15 mph. Reclaimed water should be used whenever possible. However, reclaimed water should not be used in or around crops for human consumption.
- b. Minimize amount of disturbed area and reduce on site vehicle speeds to 15 miles per hour or less.
- c. If importation, exportation and stockpiling of fill material is involved, soil stockpiled for more than two days shall be covered, kept moist, or treated with soil binders to prevent dust generation. Trucks transporting fill material to and from the site shall be tarped from the point of origin.
- d. Gravel pads shall be installed at all access points to prevent tracking of mud onto public roads.
- e. After clearing, grading, earth moving or excavation is completed, treat the disturbed area by watering, or revegetating, or by spreading soil binders until the area is paved or otherwise developed so that dust generation will not occur.
- f. 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 the Air Pollution Control District prior to land use clearance for map recordation and land use clearance for finish grading of the structure.
- g. All portable diesel-powered construction equipment shall be registered with the state's portable equipment registration program OR shall obtain an APCD permit.
- h. Fleet owners of mobile construction equipment are subject to the California Air Resource Board (CARB) Regulation for In-use Off-road Diesel Vehicles (Title 13 California Code of Regulations, Chapter 9, § 2449), the purpose of which is to reduce diesel particulate matter (PM) and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles. For more information, please refer to the CARB website at [www.arb.ca.gov/msprog/ordiesel/ordiesel.htm](http://www.arb.ca.gov/msprog/ordiesel/ordiesel.htm).
- i. All commercial diesel vehicles are subject to Title 13, § 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.
- j. Diesel construction equipment meeting the California Air Resources Board (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.
- k. Diesel powered equipment should be replaced by electric equipment whenever feasible.
- l. If feasible, diesel construction equipment shall be equipped with selective catalytic reduction systems, diesel oxidation catalysts and diesel particulate filters as certified and/or verified by EPA or California.
- m. Catalytic converters shall be installed on gasoline-powered equipment, if feasible.
- n. All construction equipment shall be maintained in tune per the manufacturer's specifications.



- o. The engine size of construction equipment shall be the minimum practical size.
- p. 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. Construction worker trips should be minimized by requiring carpooling and by providing for lunch onsite.

**AQ-2 Asbestos & Lead-Containing Materials.** Pursuant to APCD Rule 1001, the applicant is required to complete and submit an Asbestos Demolition / Renovation Notification form for each regulated structure to be demolished or renovated. The completed notification shall be provided to the Santa Barbara County APCD with a minimum of 10 working days advance notice prior to disturbing asbestos in a renovation or starting work on a demolition. Any abatement or removal of asbestos and lead-containing materials must be performed in accordance with applicable federal, State, and local regulations. Permits shall be obtained from the Air Pollution Control District prior to commencement of demolition of the structures containing asbestos and/or lead. Disposal of material containing asbestos and/or lead shall be in sent to appropriate landfills that are certified to accept this material.

### **Biological Resource-Related**

- a. **Tree Protection.** All trees not indicated for removal on the approved landscape plan shall be preserved, protected, and maintained, in accordance with the Tree Protection Plan, if required, and/or any related Conditions of Approval.
- b. **Landscaping Under Trees.** Landscaping under the tree(s) shall be compatible with the preservation of the tree(s), as determined by the ABR.
- c. **Oak Trees.** The following additional provisions shall apply to existing oak trees on site:
  - i. No irrigation system shall be installed within three feet of the dripline of any oak tree.
  - ii. Oak trees greater than four inches (4”) in diameter at four feet (4’) above grade removed as a result of the project shall be replaced at a ten to one (10:1) ratio, at a minimum five (5) gallon size, from South Coastal Santa Barbara County Stock.
  - iii. The use of herbicides or fertilizer shall be prohibited within the drip line of any oak tree.
  - iv. No storage of heavy equipment or materials, or parking shall take place within five (5) feet of the dripline of any oak tree.
- d. **During Construction.**
  - i. All trees within 25 feet of proposed construction activity shall be fenced three feet outside the dripline for protection.
  - ii. A qualified Arborist shall be present during any excavation beneath the dripline(s) of the tree(s) which are required to be protected. All excavation within the dripline(s) of the tree(s) shall be minimized and shall be done with hand tools.
  - iii. Any roots encountered shall be cleanly cut and sealed with a tree-seal compound.
  - iv. Any root pruning and trimming shall be done under the direction of a qualified Arborist.
  - v. No heavy equipment, storage of materials or parking shall take place under the dripline of any tree(s), or within five (5) feet of the dripline of any oak tree.
  - vi. Oak seedlings and saplings less than four inches (4”) at four feet (4’) above the ground that are removed during construction shall be transplanted where feasible. If transplantation is not feasible,

replacement trees shall be planted at a minimum one to one (1:1) ratio. Replacement trees shall be a minimum of one (1) gallon size derived from South Coastal Santa Barbara County stock.

### **Cultural Resource-Related**

**Unanticipated Archaeological Resources Contractor Notification.** Standard discovery measures shall be implemented per the City master Environmental Assessment throughout grading and construction: 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. If such archaeological resources are encountered or suspected, work shall be halted immediately, the City Environmental Analyst shall be notified and the Owner shall retain an archaeologist from the most current City Qualified Archaeologists List. The latter shall be employed to assess the nature, extent and significance of any discoveries and to develop appropriate management recommendations for archaeological resource treatment, which may potentially include, but are not limited to, redirection of grading and/or excavation activities, consultation and/or monitoring with a Barbareño Chumash representative from the most current City qualified Barbareño Chumash Site Monitors List, testing, documentation, collection, and curation of resources, etc. Measures will be implemented to ensure no significant impact involving important resources will result.

If the discovery consists of possible human remains, the Santa Barbara County Coroner shall be contacted immediately. If the Coroner determines that the remains are Native American, the Coroner shall contact the California Native American Heritage Commission. A Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

If the discovery consists of possible prehistoric or Native American artifacts or materials, a Barbareño Chumash representative from the most current City Qualified Barbareño Chumash Site Monitors List shall be retained to monitor all further subsurface disturbance in the area of the find. Work in the area may only proceed after the Environmental Analyst grants authorization.

A final report on the results of the archaeological monitoring shall be submitted by the City-approved archaeologist to the Environmental Analyst within 180 days of completion of the monitoring and prior to any certificate of occupancy for the project.

### **Construction Traffic-Related**

**CON-1 Haul Routes Require Separate Permit.** Apply for a Public Works Permit to establish the haul route(s) for all construction-related trucks with a gross vehicle weight rating of three tons or more, entering or exiting the site. The Haul Routes shall be approved by the Transportation Engineer.

**CON-2 Construction-Related Truck Trips.** Construction-related truck trips for trucks with a gross vehicle weight rating of three tons or more shall not be scheduled during peak hours (7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m.) in order to help reduce truck traffic on adjacent streets and roadways.

**CON-3 Construction Parking.** During construction, free parking spaces for construction workers shall be provided on-site or off-site in a location subject to the approval of the Transportation Manager.

**CON-4 Construction Storage/Staging.** Construction vehicle/ equipment/ materials storage and staging shall be done on-site. No parking or storage shall be permitted within the public right-of-way, unless specifically permitted by the Transportation Manager with a Public Works permit.

### **Noise-Related**

**N-1 Neighborhood Notification Prior to Construction.** At least twenty (20) days prior to commencement of construction, the contractor shall provide written notice to all property owners, businesses, and residents within 300 feet of the project area. The notice shall contain a description of the project, the construction schedule, including days and hours of construction, the name and phone number of the (Project Environmental Coordinator and) Contractor(s), site rules and Conditions of Approval pertaining to construction activities, and any additional information that will assist the Building Inspectors, Police Officers and the public in addressing problems that may arise during construction.

**N-2 Construction Hours.** Construction (including preparation for construction work) shall only be permitted Monday through Friday between the hours of 7:00 a.m. and 5:00 p.m., and Saturdays between the hours of 9:00 a.m. and 4:00 p.m., excluding the following holidays: New Year's Day (January 1st); Martin Luther King Jr Day (3rd Monday in January); President's Day (3rd Monday in February); Memorial Day (Last Monday in May); Independence Day (July 4th); Labor Day (1st Monday in September); Thanksgiving Day (4th Thursday in November); Day Following Thanksgiving Day (Friday following Thanksgiving); Christmas Day (December 25th). \*When a holiday falls on a Saturday or Sunday, the preceding Friday or following Monday respectively shall be observed as a legal holiday.

When, based on required construction type or other appropriate reasons, it is necessary to do work outside the allowed construction hours, contractor shall contact the City to request a waiver from the above construction hours, using the procedure outlined in Santa Barbara Municipal Code §9.16.015 Construction Work at Night. Contractor shall notify all residents within 300 feet of the parcel of intent to carry out said construction a minimum of 48 hours prior to said construction. Said notification shall include what the work includes, the reason for the work, the duration of the proposed work and a contact number.

**N-3 Construction Equipment Sound Control.** All construction equipment, including trucks, shall be professionally maintained and fitted with standard manufacturers' muffler and silencing devices.



**Attachment C – Potential Preservation Alternatives and Mitigation Options for the Los Patos Underpass Removal Project**



**Rincon Consultants, Inc.**

209 East Victoria Street  
Santa Barbara, California 93101

805 319 4092 OFFICE AND FAX

info@rinconconsultants.com  
www.rinconconsultants.com

July 23, 2020

Project No. 18-06252

James Faber  
Project Manager  
Ty Lin International  
707 Wilshire Boulevard, Suite 4900  
Los Angeles, CA 90017  
Via email: [james.faber@tylin.com](mailto:james.faber@tylin.com)

**Subject: Potential Preservation Alternatives and Mitigation Options for the Los Patos Underpass Removal Project, City and County of Santa Barbara, California**

Dear Mr. Faber:

Rincon Consultants, Inc. (Rincon) was retained to address potential preservation alternatives and mitigation options for the Los Patos Underpass Removal Project. The proposed project would remove the Los Patos Underpass (Bridge No. 51-0235; subject structure), located above the US 101 Southbound Los Patos in the City and County of Santa Barbara, California. Constructed in 1901, the Los Patos Underpass is a utilitarian railroad underpass that features support abutments and a pier constructed of local sandstone. The City of Santa Barbara (City) is seeking to remove the Los Patos Underpass, which is owned and operated by the Union Pacific Railroad (UPRR). UPRR has determined that the underpass will need to be retired because the U.S. Route 101 off-ramp at Los Patos Way is being vacated and will no longer be needed.

The Los Patos Underpass was previously evaluated by Rincon and found eligible for listing in the California Register of Historical Resources (CRHR) and as a City of Santa Barbara Landmark or Structure of Merit.<sup>1</sup> As a structure eligible for listing in the CRHR and for local designation, the underpass qualifies as a historical resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. In December 2019, the report findings were presented to the City Historic Landmarks Commission (HLC) where the conclusions were approved by the majority of the commissioners.

In April 2020, the historical resources assessment was updated and presented to HLC for a revised review/approval. The purpose of the assessment revision was to address minor recommendations made by the HLC members and to clarify that the underpass retained one character-defining feature: the sandstone abutments and pier. The report also was modified to state that the non-character-defining features of the underpass include the wooden ties, rails, ballast, girders, wooden posts and cable railing. The HLC motioned to continue a vote on approving the report, due to the majority belief that the steel

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<sup>1</sup> Carmack, Shannon and Susan Zamudio-Gurrola. 2019. *Historic Structure/Site Report for Los Patos Way Off-Ramp Underpass, City and County of Santa Barbara, California*. Prepared for T.Y. Lin International by Rincon Consultants, Inc.

girders should be included as a character-defining feature of the underpass. As a result of the HLC's findings that the steel girders should be included as a character-defining feature of the underpass, it is anticipated that the project will result in the demolition of the underpass and that an Environmental Impact Report (EIR) is required to avoid and address significant adverse impacts to the historical resource.

This memorandum was prepared at the request of the City Public Works Department to assess potential preservation alternatives and mitigation measure options as part of the project's ongoing environmental review process. The effort was overseen by Shannon Carmack, Rincon Principal and Architectural History Program Manager, with assistance from Architectural Historians Steven Treffers, M.H.P. and Susan Zamudio-Gurrola, MHP. Ms. Carmack, Mr. Treffers and Ms. Zamudio-Gurrola exceed the Secretary of the Interior's *Professional Qualification Standards* (PQS) for architectural history and history.

## Preservation Alternatives

The Los Patos Underpass would be demolished as part of the proposed project. As a property which has been found eligible for local and state designation, the underpass is considered a historical resource and its demolition would result in a significant impact as defined by Section 15064.5 of the CEQA Guidelines. When significant impacts are identified during the CEQA review process, Section 15126.6 of the CEQA Guidelines requires the project EIR explore a range of reasonable alternatives which would feasibly attain most of the basic project objectives, but would avoid or substantially lessen any of its significant effects. Every conceivable alternative to a project need not be considered, rather a reasonable range of potentially feasible alternatives should be assessed to inform decision making and assist in public participation. The City as the lead agency is responsible for selecting a range of project alternatives and is required to publicly disclose its reasoning for selecting those alternatives. The following discussion presents four potential alternatives to provide the City with preliminary information regarding the development of alternatives to support the EIR and compliance with Section 15126.6 of the CEQA Guidelines.

### *Alternative 1. Preservation in Place*

This alternative would entail the retention and preservation of the Los Patos Underpass in-situ. The structure would be retained in its current location and would continue to carry rail but would no longer operate as an active underpass due to the closure of the Los Patos offramp from U.S.-101. The structure would be kept in its current location and with the retention and preservation of the sandstone abutments and pier, and steel girders. Although the structural feasibility of this approach is currently unknown, this alternative assumes these physical features would be able to be preserved in a manner consistent with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* (SOI Standards).

**Impacts:** Because the subject structure would be preserved in place in compliance with the SOI Standards, it would retain the physical characteristics which convey its significance. It would therefore avoid impacts to a historical resource per Section 15064.5(b) of the CEQA Guidelines.

**Ability to Meet Project Objectives:** The UPRR has determined the existing underpass will need to be removed due to increased maintenance and structural concerns; therefore this alternative would not meet the objectives of the project.

### *Alternative 1a. Partial Preservation*

This alternative would entail the partial preservation of the Los Patos Underpass. The steel girders would be removed and replaced with a modern superstructure and the sandstone abutments and pier would



be retained and preserved to the greatest extent feasible. It is assumed that some degree of alteration to the sandstone abutments and pier would be necessary to accommodate the removal and replacement of the rail superstructure.

**Impacts:** The steel girders have been found to be a character-defining feature of the Los Patos Underpass. They, in conjunction with the sandstone abutments and pier, convey the historical significance of the underpass. Therefore, the removal of the steel girders and replacement with a modern superstructure, would negatively alter the physical characteristics that justify the state and local eligibility of the structure. As a result, this alternative would result in a significant and unavoidable impact under CEQA.

**Ability to Meet Project Objectives:** Although this alternative would potentially reduce the impact to the historic structure by retaining a portion of it, this alternative would still result in a significant and unavoidable impact to a historical resource. Further, this alternative would not meet the project objective of removing the underpass.

### *Alternative 2. Full Relocation*

Under this alternative, the Los Patos Underpass, including the steel girders and sandstone abutments and pier, would be relocated to a yet-to-be determined receiver site. It is presumed the underpass could not be relocated to another crossing within the existing rail line as it may not be permitted by UPRR due to logistical and safety concerns. A site would therefore need to be selected which could include a pedestrian crossing or distinct location within a park. It is presumed a technical study would be prepared which would confirm relocation was feasible and the underpass and its components would be transported whole or disassembled and assembled on site. Once relocated, the underpass would be rehabilitated, and interpretive signage would be installed to present historic information about the underpass.

**Impacts:** In accordance with CEQA, relocation of an historical resource may avoid an adverse impact to a resource provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register (14 CCR Section 4852(d)(1)). The underpass serves a very specific function as a railroad underpass, so there are no feasible options for “adaptive reuse” and identifying a compatible site with similar conditions is not likely. If the underpass was to be reused as a pedestrian crossing, it would lack the association of rail line from which it derives much of its significance; a consideration that would be further amplified by its placement within an incompatible location such as a park. Its integrity of setting, location, feeling and association would be diminished as a result of the relocation, leaving it without sufficient historic integrity to convey its significance as a historical resource. The underpass would therefore be materially impaired, and the project would still result in a significant and unavoidable impact under CEQA.

**Ability to Meet Project Objectives:** Although this alternative has the potential to meet the project objectives, it would still result in a significant and unavoidable impact to a historical resource.

### *Alternative 2a. Partial Relocation*

Under this alternative, the sandstone abutments and pier would be relocated to a receiver site. Given that the underpass would not move without its superstructure, it is presumed the new location would be a park or similar site. It is further presumed a technical study would be prepared which would confirm relocation was feasible and the stone abutments and pier components would be transported whole or disassembled and assembled on site. Once relocated, the underpass components would be rehabilitated, and interpretive signage would be installed to present historic information about the underpass.



**Impacts:** As discussed above, relocation of an historical resource may avoid an adverse impact to a resource provided that the new location is compatible with the original character and use of the historical resource and the resource retains its eligibility for listing on the California Register (14 CCR Section 4852(d)(1)). The partial relocation of the underpass to a park would change its use and setting. This alternative would not result in any real use of the underpass; rather it would be presented as a relic, which would work to tell the history of its design and associations with the history of Santa Barbara. Nonetheless, it would no longer retain integrity or the physical characteristics that justify its eligibility for state and local designation. This alternative therefore would result in a significant and unavoidable impact under CEQA.

**Ability to Meet Project Objectives:** Although this alternative has the potential to meet the project objectives, it would still result in a significant and unavoidable impact to a historical resource.

## Mitigation Measure Options

The following options were explored as potential measures to mitigate impacts resulting from the demolition of the Los Patos Underpass. Although none of these mitigation measures would be capable of mitigating impacts to a level of less than significant, they would mitigate impacts to the greatest extent feasible.

### *Historic American Engineering Record (HAER) Documentation*

Impacts resulting from the demolition of the subject structure could be minimized through archival documentation of the structure in as-built and as-found condition. The City would ensure that documentation of the structure would be completed prior to its demolition in the form of Historic American Engineering Record (HAER) documentation. This would include a historical report consistent with the requirements outlined in the *Secretary of the Interior's Standards and Guidelines for Architectural and Engineering Documentation: HAER Guidelines for Historical Reports*. The written narrative would include: a historical context covering the history of sandstone construction and the development of the railroad in Santa Barbara; a physical description of the underpass; and available information on the underpass' design and history. The documentation would include large-format, black-and-white photographs including elevations and significant details such as the sandstone block post and abutments and steel-riveted girders. Information in the existing historic structure/site report may be utilized and supplemented by additional historic research utilizing primary and secondary source information, as needed. UPRR should be consulted for any available information, drawings or images. The documentation should be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualifications Standards (PQS) for History and/or Architectural History.<sup>2</sup> The documentation package should be submitted to the Library of Congress (LOC) in accordance with National Park Service and LOC guidelines. An archival-quality copy of the documentation should be submitted to the City of Santa Barbara Planning Department/Urban Historian, the Santa Barbara Historical Museum Gledhill Library, and the Santa Barbara Public Library main branch, where it would be available to local researchers. Completion of this mitigation measure would be monitored and enforced by the City of Santa Barbara.

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<sup>2</sup> National Park Service, *Archaeology and Historic Preservation; Secretary of the Interior's Standards and Guidelines: Professional Qualifications Standards*, electronic document available at [http://www.cr.nps.gov/local-law/arch\\_stnds\\_9.htm](http://www.cr.nps.gov/local-law/arch_stnds_9.htm) (accessed April 4, 2017).



### *Reconstruction/Replication*

Reconstruction/replication of the underpass as near as possible to its original location could be considered as a potential mitigation option. Reconstruction is defined as “the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location.”<sup>3</sup> *The Secretary of the Interior’s Standards for the Treatment of Historic Properties* states when a contemporary depiction is required to understand and interpret a property’s historic value; when no other property with the same associative value has survived; and when sufficient historical documentation exists to ensure an accurate reproduction, reconstruction may be considered as a treatment. However, because of the potential for historical error in the absence of sound physical evidence, this treatment can be justified only rarely and thus, is the least frequently undertaken of the four treatments of historical properties.<sup>4</sup> Thus, if undertaken, reconstruction of the Los Patos Underpass should rely on detailed physical and documentary evidence such as HAER documentation to ensure the reconstruction is as accurate as possible. Work should follow the *Secretary of the Interior’s Standards for the Treatment of Historic Properties*. The cost and availability of materials to authentically replicate the structure may create an obstacle. Because of the large-scale nature of an overpass structure, a reconstruction effort may be constrained by modern code and safety requirements.

### *Development of Interpretive Plan*

An interpretive plan could be developed focusing on the significant historic themes associated with the Los Patos Underpass, particularly its design and construction, and the history of the railroad and sandstone construction in the City of Santa Barbara. The plan should include an interpretive display or other suitable interpretive approaches developed by a PQS-qualified historic preservation professional in coordination with a graphic designer and approved by the City of Santa Barbara. The interpretive display should be installed at an appropriate site such as the City-owned Andree Clark Bird Refuge, the open space park adjacent to the UPRR alignment. The interpretive plan should be completed and approved by the City prior to demolition of the underpass, and the display should be installed on-site within one year of the completion of the proposed project. The interpretive display should remain in public view for a minimum of ten years, and if removed, appropriately archived.

### *Interpretive Video*

An interpretive video could be created by a qualified videographer providing a visual overview of the Los Patos Underpass with a focus on its design, construction, materials, setting and history. The video shall include an overview of the history of the railroad and sandstone construction in the City of Santa Barbara. A copy of the video should be distributed to the City of Santa Barbara Planning Department/Urban Historian, the Santa Barbara Historical Museum Gledhill Library, and the Santa Barbara Public Library main branch.

### *Interpretive Website*

A dedicated website could be created to provide public access to the documentary material produced such as the HAER documentation report and archival photographs, the interpretive video, and/or

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<sup>3</sup> Grimmer, Anne E. 2017. *The Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings*. National Park Service 2017. Washington, D.C.

<sup>4</sup> Ibid.



information from the interpretive display. The website should remain active for a minimum of 5 years and be hosted by the City of Santa Barbara.

### *Salvaging of Materials for Reuse*

The Los Patos Underpass's ashlar square-cut sandstone, a significant material and character-defining-feature of the structure, could be salvaged for re-use, such as: in the interpretive display; relocation to the new bridge at Cabrillo Boulevard as an aesthetic feature; as facing on abutments or center pier for a different undercrossing in a more prominent location; or another appropriate use such as a work of public art. The removal work should be completed by a professional with experience removing historic stone to ensure that the sandstone can be reused.

### Conclusion

As discussed above, the Los Patos Underpass was previously recommended eligible for listing in the CRHR and as a City of Santa Barbara Landmark or Structure of Merit and is considered a historical resource as defined by CEQA. Demolition of the structure would constitute a significant adverse impact to cultural resources because it would materially impair the significance of an historical resource. One of the preliminary alternatives would have the potential to avoid significant impacts but would not meet the project objectives as currently defined. Proposed measures would help to mitigate impacts to the greatest extent feasible however impacts would remain significant and unavoidable.

Should you have any questions or comments regarding this report, please do not hesitate to contact me at 501-239-5860 ext. 102, or [scarmack@rinconconsultants.com](mailto:scarmack@rinconconsultants.com)

Sincerely,

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