

MINUTE ITEM

This Calendar Item No. C24
was approved as Minute Item
No. 24 by the State Lands
Commission by a vote of 2
to 0 at its 9/27/96
meeting.

CALENDAR ITEM

A 35
S 18

C 2 4

09/27/96
W 24404 PRC 7456
Fong

GENERAL LEASE - RIGHT-OF-WAY USE

APPLICANT: The Cultured Abalone, Inc.
2927 De La Vina Street, Suite C
Santa Barbara, California 93105

AREA, TYPE LAND AND LOCATION:
A 0.975-acre parcel of tide and submerged land
in the Pacific Ocean near Goleta, Santa Barbara
County.

LAND USE: Three (3) eight-inch-diameter intake pipelines
and one (1) 12-inch-diameter discharge pipeline
for a mariculture facility.

TERMS OF PROPOSED LEASE:
Initial period: Thirty (30) years beginning
October 1, 1990.
Surety bond: \$2,000.
Public liability insurance: Combined single
limit coverage of \$500,000.
Consideration: \$873 per annum; five-year
rent review.

BASIS FOR CONSIDERATION:
Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:
Applicant is lessee of upland.

CALENDAR ITEM NO. 024 CONT'D.

PREREQUISITE CONDITIONS, FEES, AND EXPENSES:
Filing fee has been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3;
Title 14, Div. 6.

AB 884. 12/17/90

OTHER PERTINENT INFORMATION:

1. A Negative Declaration was prepared and adopted for this project by the County of Santa Barbara. The County concludes that "there are no significant, unmitigated, adverse impacts associated with the proposed project". The State Lands Commission's staff has reviewed such document.

APPROVALS OBTAINED:

State of California Aquaculture License Board,
State Water Quality Control Board, California
Coastal Commission Permit, and County of
San Luis Obispo Land Use Permit.

FURTHER APPROVALS REQUIRED:

United States Army, Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. Negative Declaration/Notice of
Determination.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE COUNTY OF SANTA BARBARA AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.

CALENDAR ITEM NO. 024 CONT'D

3. AUTHORIZE ISSUANCE TO THE CULTURED ABALONE, INC., OF A 30-YEAR GENERAL LEASE - RIGHT-OF-WAY USE, BEGINNING OCTOBER 1, 1990; IN CONSIDERATION OF ANNUAL RENT IN THE AMOUNT OF \$873, WITH THE STATE RESERVING THE RIGHT TO FIX A DIFFERENT RENTAL ON EACH FIFTH ANNIVERSARY OF THE LEASE; PROVISION OF A \$2,000 SURETY BOND; PROVISION OF PUBLIC LIABILITY INSURANCE FOR COMBINED SINGLE LIMIT COVERAGE OF \$500,000; FOR INTAKE AND DISCHARGE PIPELINES ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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EXHIBIT "A"
LAND DESCRIPTION

W 24404

A strip of State owned tide and submerged land 50 feet wide in the Pacific Ocean, Santa Barbara County, California, said strip lying 25 feet on each side of the following described centerline :

BEGINNING at a point on the southerly line of a 17.169 acre parcel of land as shown on the map recorded in Book 112, page 94 of Records of Survey of said County, said point being N 44° 44' 25" W, 380.40 feet from the most southeasterly corner of said parcel; thence S 45° 15' 35" W, 850 feet and the end of the herein described centerline;

EXCEPTING THEREFROM any portion lying landward of the ordinary high water mark of the Pacific Ocean.

END OF DESCRIPTION

PREPARED JUNE 4, 1990 BY LLB.

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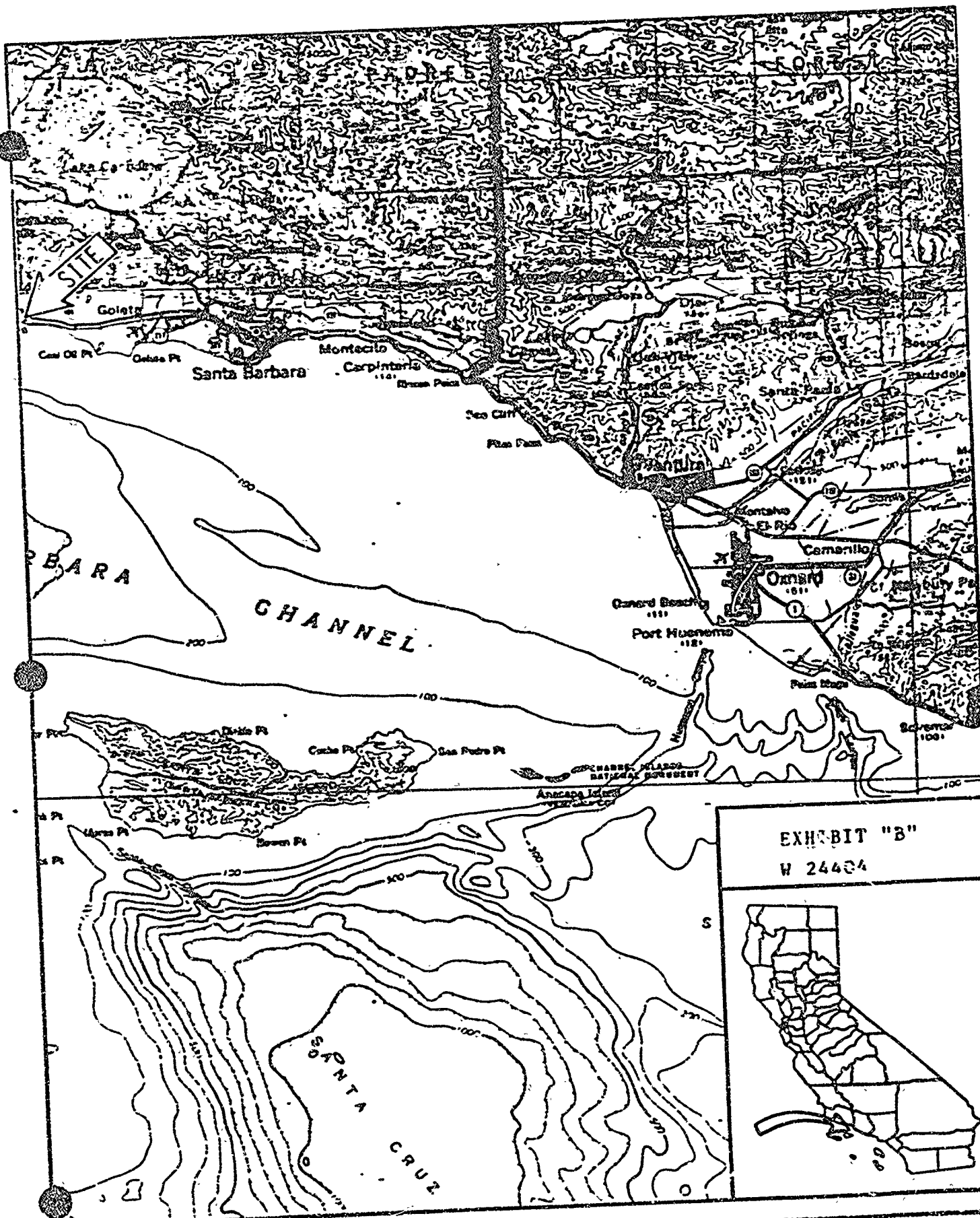


EXHIBIT "B"
 W 24424

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EXHIBIT "C"

To: Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency)
County of Santa Barbara
Resource Management Department
123 East Anapamu Street
Santa Barbara, CA 93101

X County Clerk
County of Santa Barbara

Subject:

Filing of Notice of Determination in compliance with Section 21100 or 21152 of the Public Resources Code.

89-CP-93(cx)
Project Title

The Cultured Abalone

89-HD-55/18702
EIR or ND Number

State Clearinghouse Number
(if submitted to Clearinghouse)

Albert J. McCurdy
Lead Agency
Contact Person

(805) 368-2000
Area Code/Telephone/Extension

Project Location (include county):

APH 79-160-01, -14, -15, -26 located in the southeast corner of Dos Pueblos Ranch, approximately 0.5 miles south of U.S. Highway 101 in the Western Goleta area, Third Supervisorial District.

Project Description:

To accept a ninety (90) day extension beyond the statutory deadline for processing case no. 89-CP-53(cx) under Section 65950 of the Government Code.

This is to advise that the Planning Commission has approved the above described project on March 28, 1990 and has made the following determinations regarding the above described project:

1. The project [will will not] have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the Provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [were were not] made a condition of the approval of the project.
4. A statement of Overriding Considerations [was was not] adopted for this project.
5. Findings [were were not] made pursuant to the provisions of CEQA.

This is to certify that the final EIR or ND with comments and responses and record of project approval is available to the General Public at:

Santa Barbara County Resource Management Department, 123 E. Anapamu St., Santa Barbara, CA 93101

Santa Barbara County Resource Management Department, 624 W. Foster Rd., Santa Maria, CA 93455

Rita Enall / Resource Management Dept.
Signature (Public Agency)

Date

Supervising Planner
Title

Date received for filing at OFR:

8/28/93

MINUTE PAGE 330
MINUTE PAGE 2710

COUNTY OF SANTA BARBARA
DEPARTMENT OF RESOURCE MANAGEMENT
PROPOSED NEGATIVE DECLARATION

REVISED FINAL

RECEIPT DATE: October 4, 1989
APPLICANT: The Cultured Abalone, Inc.
AREA: Goleta
PROJECT: 89-CP-53 (CZ)
PUBLIC HEARING: November 2, 1989

NEGATIVE DECLARATION: 89-ND-55 Revised Final

The Resource Management Department (RMD) has prepared this Negative Declaration (ND) pursuant to Sections 15070 and 15071 of the State Guidelines for the Implementation of the California Environmental Quality Act (CEQA) and the County of Santa Barbara Environmental Guidelines. The ND briefly describes the potential adverse impacts of the proposed project and provides the basis for determining that those impacts will not have a significant effect on the physical environment. The issuance of a ND indicates there are no significant, unmitigated, adverse impacts associated with the proposed project. Therefore the proposed project does not require the preparation of an Environmental Impact Report (EIR).

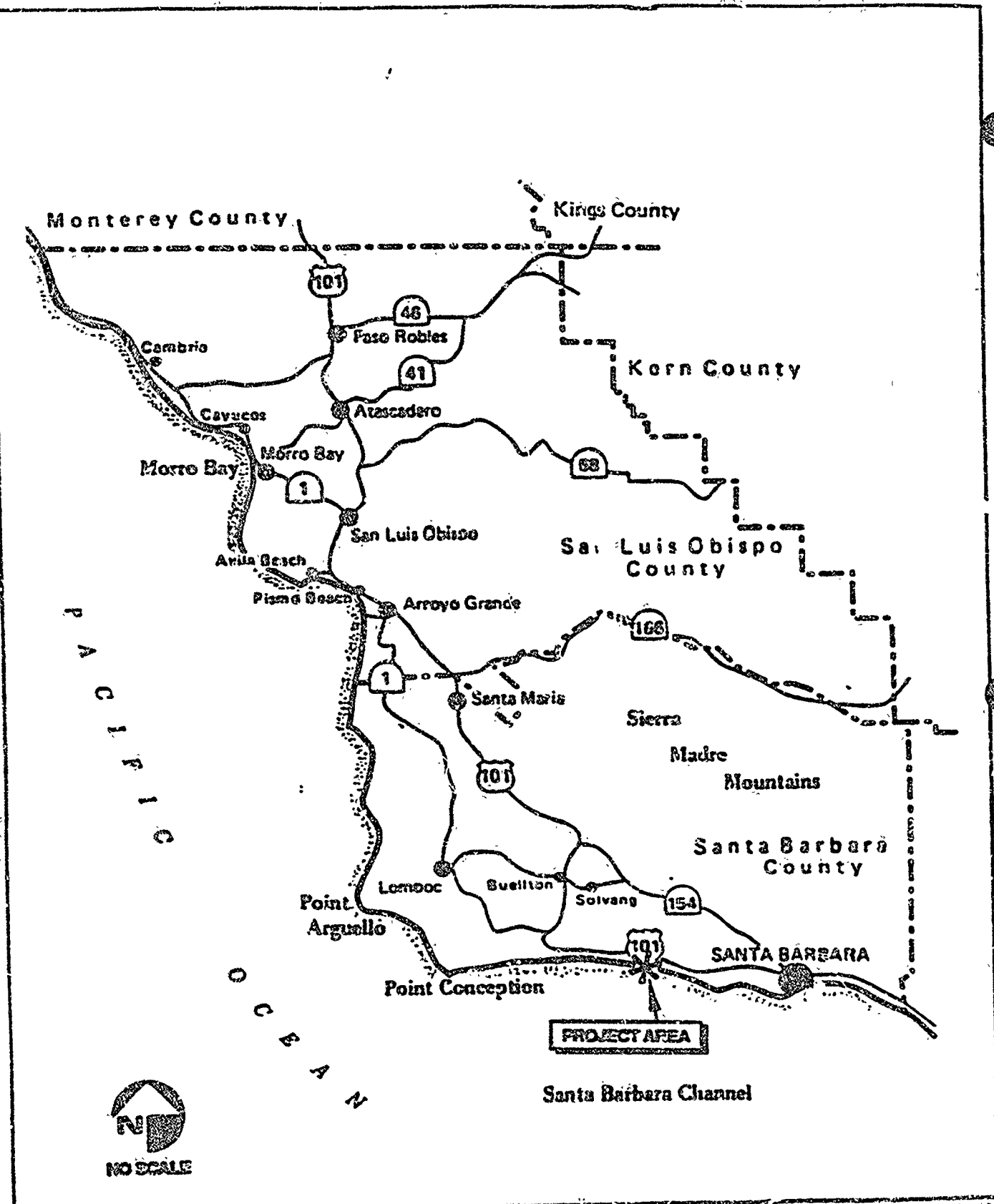
LEAD DEPARTMENT CASE NUMBER: 89-CP-53 (CZ)

PROJECT APPLICANT: The Cultured Abalone, Inc., Mr. Benjamin Beede and Mr. Richard Craig, 336 Coronado Drive, Goleta, CA 93117.

PROJECT LOCATION: The project site is located in Goleta in the southeastern corner of Dos Pueblos Ranch (see Figure 1), approximately 0.5 miles south of U.S. Highway 101. Access to the site is via U.S. Highway 101 to Dos Pueblos Canyon Road, then to a dirt road.

PROJECT DESCRIPTION: The applicant proposes to build an onshore aquaculture facility on 1.1 acres of land capable of producing 500,000 abalone per year (see Figure 2). Seawater would be pumped onshore through approximately 1700 linear feet of pipeline to the aquaculture facility where abalone would be fed with harvested kelp and grown in tanks until ready for market. A maximum of 6 employees would be hired. Potable water would be provided by an existing Rancho Dos Pueblos well, and sewage disposal would be by proposed septic system. Access would be by the Rancho Dos Pueblos road and a spur access road, 12 feet wide, extending from the existing access.


Intertidal and Offshore Construction: Three 8-inch diameter intake pipelines (one to be installed during the initial construction and two to be installed as needed) and one 12-inch diameter discharge pipeline would be buried in a 3-foot deep trench from an existing headwall 175 linear feet to a depth between -2 and -3 feet mean lower low water (MLLW) in the rocky intertidal zone. The trench would be dug using a CASE 580-K backhoe and take 1 day. Once the pipelines are installed the trench would be backfilled with the cobblestone that was removed.



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 **ERC**
Environmental
and Energy
Services Co.

Location of Project Area

FIGURE

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| DATE PAGE | 2/12 |

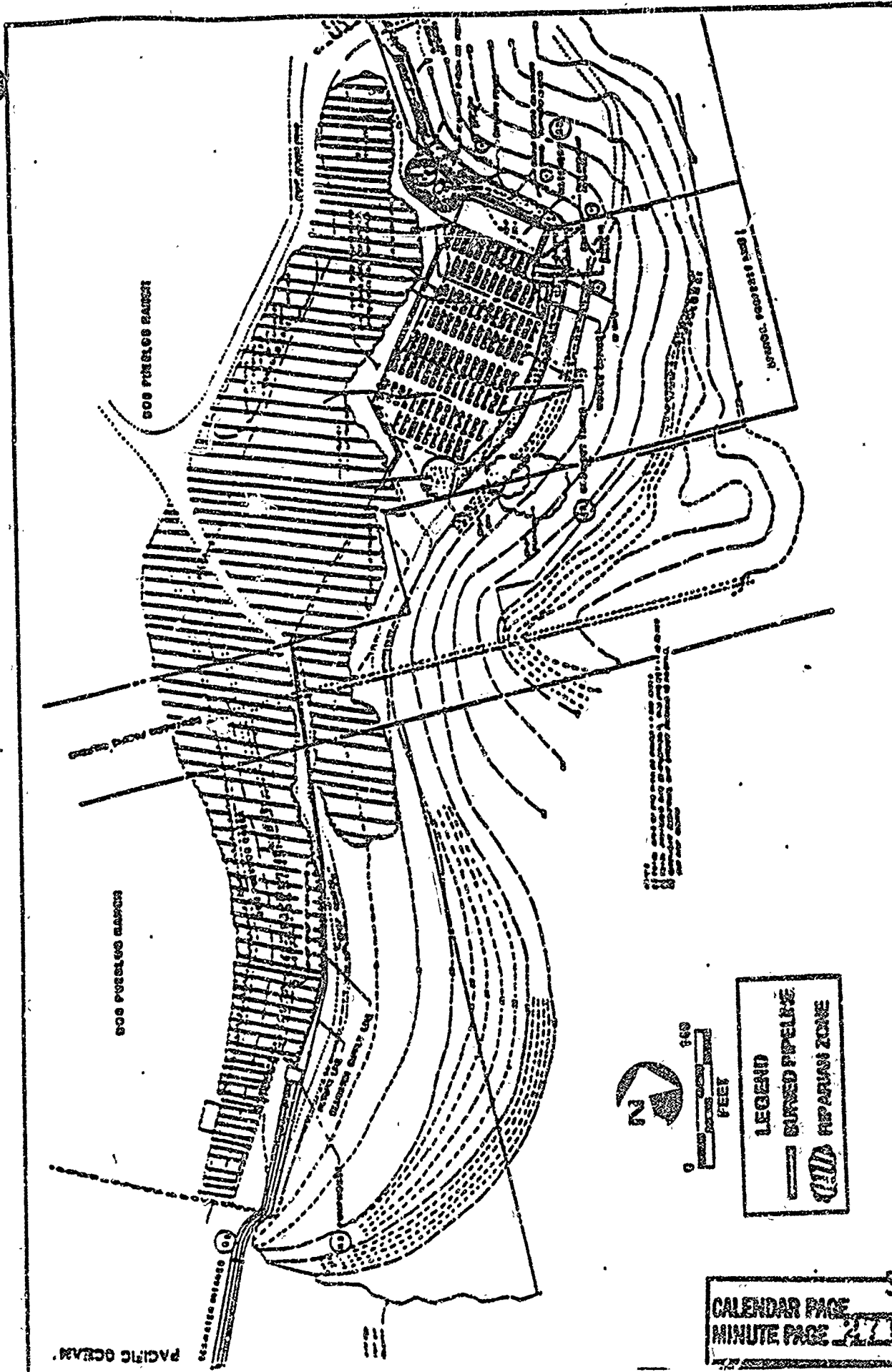


FIGURE 2

Development Area Site/Grading Plan

The pipeline would be welded onshore and cement anchor blocks would be attached. The pipe would be fitted with an endcap enabling it to float on the surface of the ocean where a boat(s) would pull the pipeline out as it is assembled. Once the pipeline is fully extended it would be flooded from the shore end allowing it to be placed in the desired location on the ocean floor. After the pipeline is in place the endcap would be removed. The pipeline would lie on the ocean floor from -2 feet to -3 feet MLLW to terminus (see Figures 3 and 4).

Each 8-inch polyethylene pipe would be held in place by pre-cast concrete anchor blocks (Figure 4). All materials for the collector assembly would be carried out by boat and dropped overboard. This includes the iron pipe and stainless steel cable. Assembly would be accomplished by divers using SCUBA. The perforated intake collector pipe would be bolted to the flanged end of the pipeline and secured atop a 3-foot high cast iron pyramid. The gap between the pyramid and where the pipeline lifts off the ocean floor would be filled with riprap for support of the pipeline. This riprap would be dropped from a boat. The final securing of the pipeline to the riprap would be with bags of cement that would be lowered overboard and opened underwater.

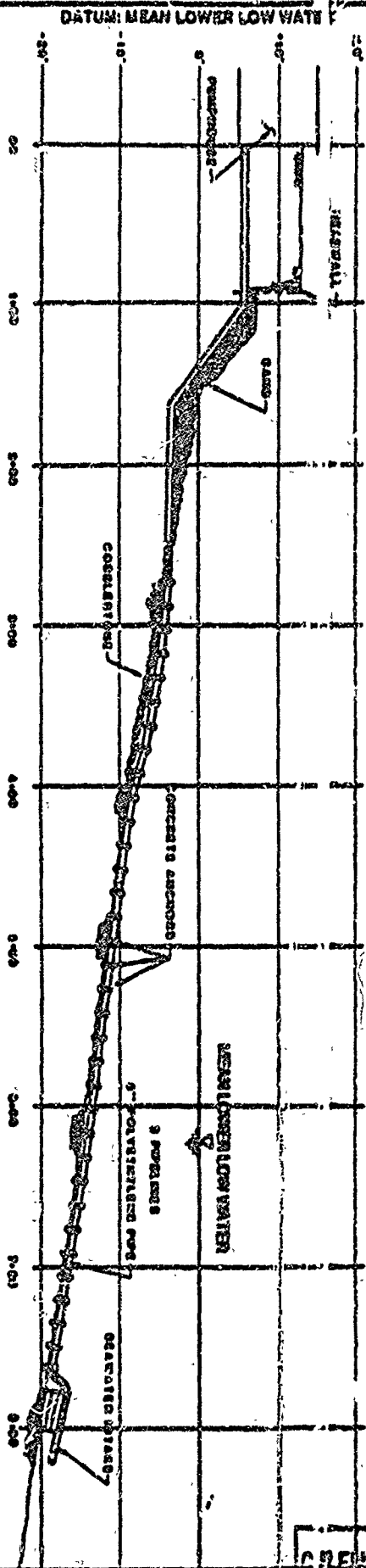
Onshore Construction and Facility Description: Two 12-inch PVC pipes (hereinafter referred to as "the pipeline") would be laid on the ground in between the willow trees and the west side of the road from the pumphouse 200 feet northward. The pipeline would be trenched 230 feet under the access road and the railroad trestle. The pipeline would be placed on the ground across a 190 foot riparian zone of the east fork of Dos Pueblos Creek. The pipeline would extend on the ground an additional 280 feet to ~~two~~ 12,000 gallon fiberglass reservoirs. The pipeline would be installed with a CASE 580-K tractor over a 4-day period.

The main aquaculture facility would be constructed on the moderately flat (2 percent slope) site. This site would be terraced an average of 1 foot every 40 feet (see Figure 2) to create 3 level pads for the hatchery and grow-out tanks. This would require 634 cubic yards of fill. The finished surfaces of the pads, a 6-space parking lot, and the existing dirt access road would be surfaced with all-weather gravel. A mobile office trailer with two bathrooms would be moved on the site. A septic tank and leach field would be established underneath the grow-out tank area with a CASE 580-K tractor and a Vermeer ditch-witch over a 7-day period. The project would utilize 0.26 acre-feet per year (AFY) of freshwater drawn from the Rancho Dos Pueblos Well No. 146, located approximately 1 mile north of the project site.

Two floodlights would be installed on the western side of the grow-out tanks to be used during facility emergencies. The hatchery would be 2550 square feet 100-feet long, 30-feet wide, and 12 feet tall and include 101 growout tanks. ~~The Hatchery floor plan is provided as Figure 5.~~ Each grow-out tank would consist of three wood stands supporting eight 20-inch PVC troughs. The facility in operation would require a maximum of 6 employees at any given time. Delivery of kelp and product export would generate additional traffic to and from the site.

During the initial phase of the operation, kelp would be harvested to feed the abalone by hand cutting the kelp with a knife at the surface of the water and bringing it on board a boat. The boat would be landed at the existing Dos Pueblos Ranch beach boat ramp. When in full production the estimated harvest of kelp is 6 tons (wet weight) per week and trucking from the harbor could be necessary.

Seawater Intake Pipeline Profile

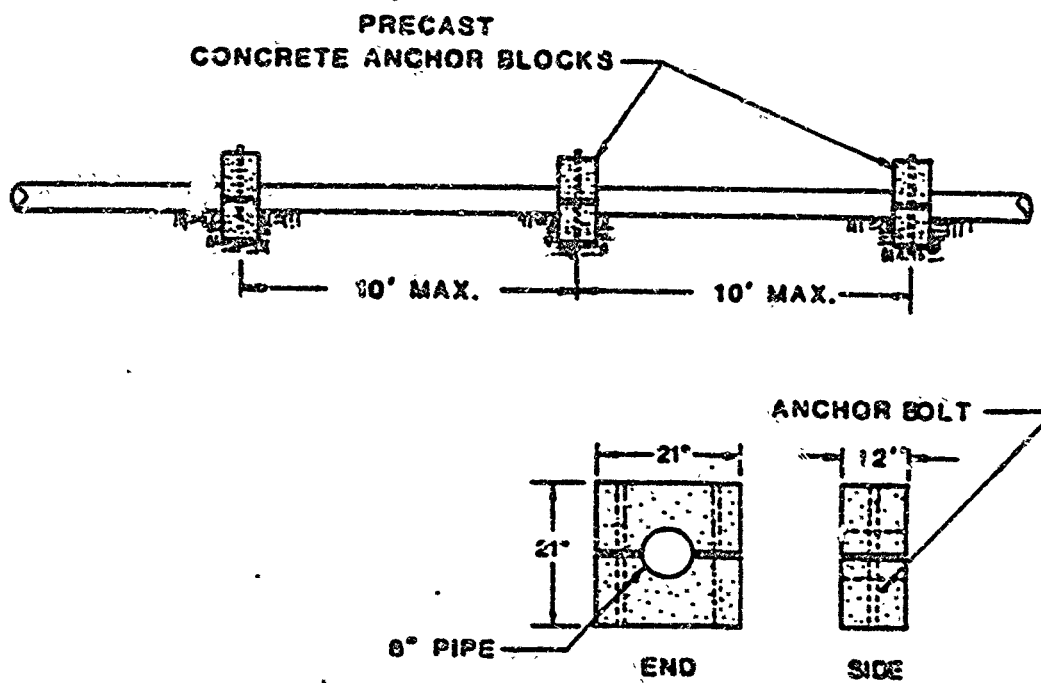


FIGURE

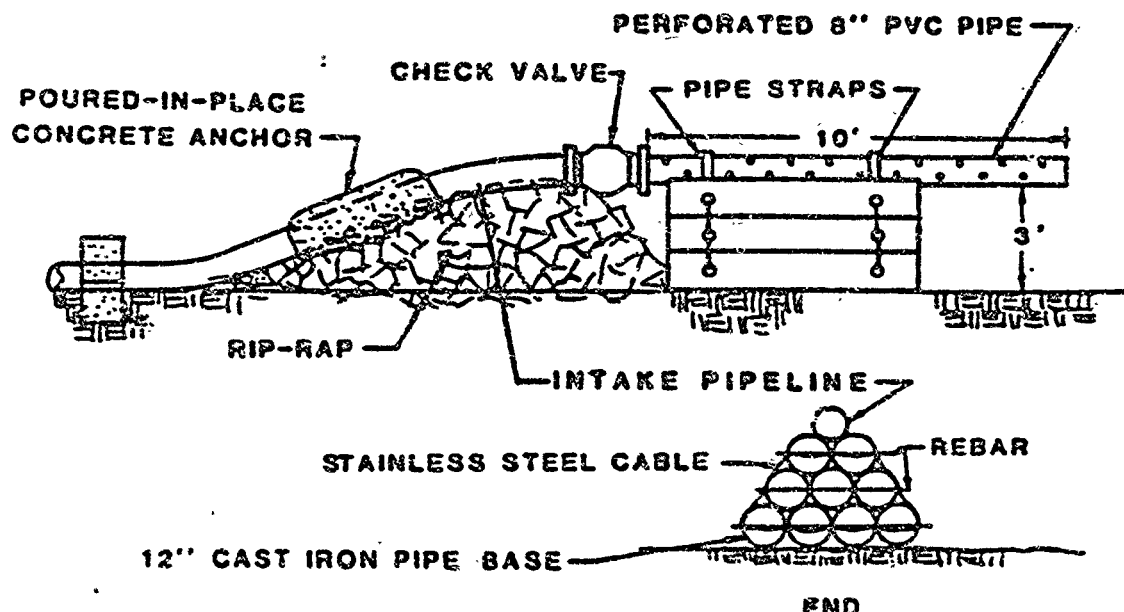
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INTAKE PIPELINE ANCHOR SYSTEM



SEAWATER INTAKE DETAIL



Access from the main ranch road would utilize an existing crossing over the east fork of Dos Pueblos Creek and parallel an existing dirt access road which is 16 feet wide along the southern project site boundary. The existing dirt road would be paved and used as a fire access. A chainlink fence landscaped with screening vegetation would separate the main access from the fire road access.

The Parks Department requires that the applicant dedicate a trail easement to the County along the Dos Pueblos Canyon frontage road for bicycle, equestrian and hiking trail purposes. It would serve as a segment of the Coastal Trail connecting Goleta to Gaviota State Park (Sema 1989).

ASSESSOR'S PARCEL NUMBER AND TOTAL ACREAGE:

Primary Site (Dos Pueblos Ranch): 79-160-28; 2,808 acres.
Aquaculture Facility and Pipeline: 79-160-01, -14, -15; 1.1 acres.

COMPREHENSIVE PLAN LAND USE AND CURRENT ZONING DESIGNATIONS:

The Comprehensive Plan Land Use designation is A-II-100 (Agricultural Land outside Urban Inner Rural and Rural Neighborhood areas; 100 acres minimum parcel size). The Zoning District is AG-II-100.

ENVIRONMENTAL SETTING: The project site is located on the narrow sloping coastal plain in the western portion of the Goleta Valley. Specifically, it is located on 1.1 acres in the southeastern corner of the coastal property known as Dos Pueblos Ranch. The main facility would be situated approximately 850 feet from the Pacific Ocean on a nearly flat (2 percent slope) site vegetated by non-native grasses and herbs. This site is bordered by a dense stand of riparian vegetation along the east fork of Dos Pueblos Creek to the west, a small oak woodland area to the south, and a 40 percent slope vegetated by non-native grasses and herbs to the north and east.

A portion of the site includes the area through which 1700 linear feet of pipeline would be laid. This portion is characterized by a densely vegetated riparian zone of the east and west forks of Dos Pueblos Creek, the toe of a steep slope which supports coastal scrub and coastal strand communities, the intertidal zone and the Pacific Ocean. Minor stands of kelp and surfgrass exist in the project vicinity offshore as well as numerous animal species.

Marine sediments dominate in those portions of the route on the sloping edge of the canyon and alluvial sediments occur in the canyon bottom. The soils in the canyon are dominated by the Agueda-Goleta complex which is about 40 percent Agueda silty clay loam. These Class II soils are very deep and well drained. The soils on the steep slopes to the east are Orthents which in most places are characterized by stony fine sandy loam. These soils are Class VII, and the hazard of erosion is very high.

The Southern Pacific Railroad runs parallel to the coastline elevated above the project site. Surrounding land uses include a 22-acre Christmas tree farm on the Dos Pueblos Ranch property to the north, and a cattle ranch on the adjacent parcel to the east. The portion of the ranch to the west of Dos Pueblos Creek is primarily undeveloped. Significant archaeological sites exist in the project vicinity. In addition, southern tarplant (*Hemizonia australis*) and black-flowered figwort (*Scrophularia aurata*) are rare and, although not observed onsite, could occur on the project site, but are not state or federally listed as endangered (California Native Plant Society 1988).

Black abalone, *Haliotis cracherodii*, is a commonly found species in the intertidal zones of all the Channels Islands. Densities of black abalone may exceed 100 individuals per square

meter (m²). However, populations at the Channel Islands have been drastically reduced in numbers and in individual size and health in recent years. Sites that in July 1983 had approximately 95 abalone per m² were found in February of 1988 to contain less than 40 individuals per m² (Dourois and Ambrose 1988). Research efforts are currently in progress to determine the cause of this decline. Possible explanations include: 1) starvation due to disappearance of the black abalone's primary food source, the giant kelp; 2) natural mortality of old, senescent adults; 3) a marine pathogen; and, 4) alteration of the chemical or physical environment.

In view of declining populations, the project may have some or all of the following beneficial impacts: 1) the project would provide an alternative source of abalone which may decrease the demand on ocean populations; 2) the project would have the potential to make young abalone available for controlled colonization of depopulated areas; and, 3) through aquaculture, there is the potential for the development of a resistant variety of black abalone.

INITIAL STUDY SUMMARY: The staff of the County Division of Environmental Review (DER) has determined, based on an Initial Study, that, although the proposed project could have a significant effect on the environment, this will not occur because the mitigation measures incorporated into the Revised Project Description have successfully mitigated the potentially significant impacts. The Initial Study and background information are kept on file in the DER office and are a part of these findings.

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|--------------------------|-------------------------------------|--------------------------------|-------------------------------------|------------------------------|-------------------------------------|
| Flooding | <input checked="" type="checkbox"/> | Risk of Upset | <input type="checkbox"/> | Geology/ Mineral/Soils | <input checked="" type="checkbox"/> |
| Air Quality | <input checked="" type="checkbox"/> | Land Use | <input checked="" type="checkbox"/> | Fire Hazards | <input type="checkbox"/> |
| Groundwater Resources | <input checked="" type="checkbox"/> | Public Services | <input type="checkbox"/> | Recreation | <input type="checkbox"/> |
| Flora | <input checked="" type="checkbox"/> | Utilities/ Private Systems | <input type="checkbox"/> | Housing | <input type="checkbox"/> |
| Fauna | <input checked="" type="checkbox"/> | Transportation/ Circulation | <input type="checkbox"/> | Economics | <input type="checkbox"/> |
| Noise | <input type="checkbox"/> | Aesthetics | <input checked="" type="checkbox"/> | Archaeological Resources | <input checked="" type="checkbox"/> |
| Polluting Sources | <input checked="" type="checkbox"/> | Energy | <input checked="" type="checkbox"/> | Cultural/Ethnic Resources | <input type="checkbox"/> |
| Schools | <input type="checkbox"/> | Agriculture | <input checked="" type="checkbox"/> | Hazardous Materials | <input checked="" type="checkbox"/> |

The checks indicate areas of potential impacts which were further investigated and are summarized in the following section or in the Environmental Assessment.

FINDING OF NO SIGNIFICANT IMPACT: It is the finding of the RMD that this project does not have the potential to cause significant adverse environmental impacts for the following reasons:

Aesthetics: U.S. Highway 101, a designated scenic highway 0.5 mile to the north, is minimally visible from the project site due to imposing topography of the coastal plain walls. The site is visible from passenger trains traveling on the Dos Pueblos Creek bridge. Passengers would view the site for approximately 10 seconds. Proposed structures would not exceed surrounding riparian vegetation and the height of coastal terrace slopes would be subordinate in character. Aesthetic impacts are considered insignificant.

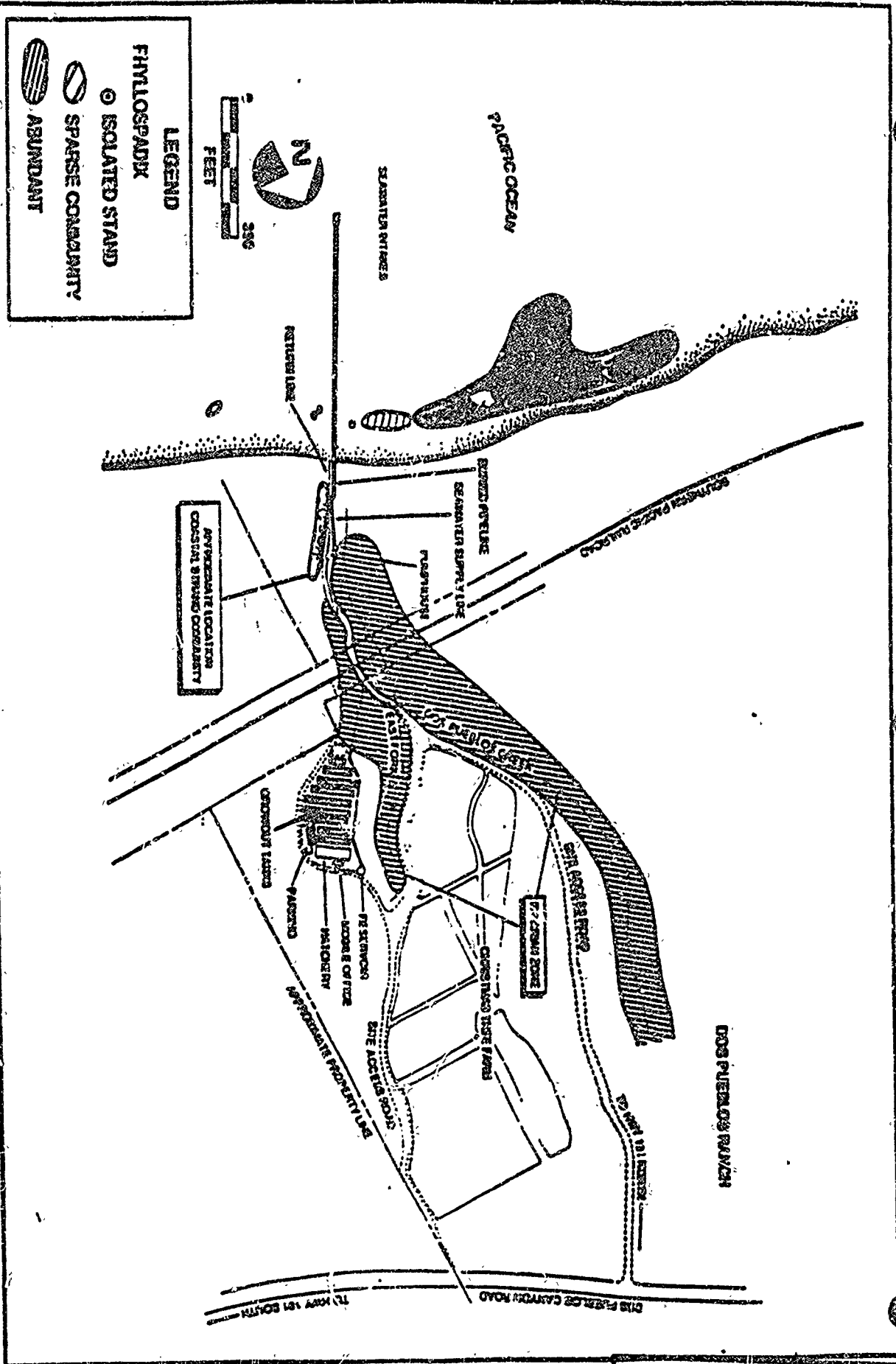
Archaeology: A cultural resources report was prepared for the applicant by SAIC Consultants in March of 1989. This report is on file at DER offices. Three archaeological sites have been documented in the vicinity of the project area. The first, SBa-78, a remnant of the village of *mikiw*, is located west of Dos Pueblos Canyon and would not be affected by the project. A small (0.4 acre) habitation site (SBa-144) is located northeast of the proposed aquaculture facility location. The eastern property line nearly bisects this site; however, it would not be impacted by the proposed facility. The eastern side of the canyon supports another recorded village, *kuyamu* (SBa-77). As originally proposed, the seawater supply and return lines as well as the pumphouse would have been located along the western border of this village site. It has been suggested that the archaeological remains on the potentially impacted western limit have been redeposited through colluviation and slopewash.

Twelve trenches were dug in the project-specific area in order to investigate subsurface conditions. Of these, four along the original pipeline route yielded cultural material. SAIC concluded that one trench (number 10) contains significant cultural resources and that these are clearly part of the village site recorded as SBa-77. SAIC recommended a redesign of the project which would avoid significant impacts to the identified, potentially important, cultural deposits. This redesign involved: 1) the relocation of the pumphouse, 2) the realignment of the pipelines to the west of the existing dirt road, and 3) the placement of the pipeline along the canyon bottom and west of the slope at the mouth of Dos Pueblos Canyon for the route segment between the beach and pumphouse. These changes have been made and are shown on the revised grading plan dated June 5, 1989 (Figure 2).

Due to general archaeological sensitivity of the Dos Pueblos Canyon area, and development within 100 feet of known resources, SAIC recommends archaeological monitoring of all excavation along the segment of the pipeline route extending from the beach to the railroad trestle to evaluate potentially significant, but unrecorded archaeological remains. For the remainder of the route, the pipeline route would be laid on the surface and monitoring is deemed unnecessary by SAIC. Unknown archaeological remains could be encountered during grading. This is considered a significant impact.

DER requires that a DER-approved archaeological monitor be onsite during excavation from the beach to the railroad trestle. If additional cultural deposits are found along the pipeline route, work shall be stopped and DER staff consulted to determine the extent of subsequent evaluation. Adherence to the revised grading plan in addition to excavation monitoring would address consistency with Historic and Archaeological Sites Policy 2 and would reduce archaeological impacts to a level of insignificance.

Terrestrial Biological Resources: Significant onsite biological resources which would be potentially impacted by the project include the riparian community of the east fork of Dos Pueblos Creek to the west of the proposed facility (see Figure 5). The creek is dominated by willows (*Salix* spp.) and associated species include California sycamore (*Platanus*



Biological Resources

FIGURE
5

racemosa) and giant creek nettle (*Urtica holosericea*). This riparian habitat could potentially be impacted by noise, light, or intrusion from proposed development within 100 feet of the creek.

Pipeline installation could potentially impact the willows alongside the road when some sections of the corridor are leveled for the pipelines to lie flat. Tractor maneuvering in this narrow corridor could also adversely impact the willows. The 2-foot wide pipeline corridor would cross the riparian zone (densely populated by willows) perpendicular to the direction of the flow. The applicant has submitted a revised grading plan indicating that the pipeline would traverse the riparian zone only once in order to minimize riparian impacts. In addition, the applicant has stated that vegetation clearing and pipeline installation across the riparian zone would be done by hand. It is estimated that only 400 square feet would be disturbed (2-foot pipeline across 200 feet of riparian zone).

The aquaculture facility was designed to provide a 25-foot buffer area between all improvements and the creek riparian dripline. Growout tanks and the hatchery achieve this distance. However, the unavailability of the existing dirt access road for use besides fire access due to the legal easement conflicts (Morchart 1989) has demanded the design of a 12-foot wide road directly adjacent to the existing access road. This design would also cause the two 12,000 gallon reservoirs to encroach between 12 and 19 feet of the dripline for a distance of 60 feet and grading for the access road between 15 and 25 feet for a distance of 65 feet. This is considered a significant impact, although limited in extent. The applicant has agreed to restore the western and eastern sides of Dos Pueblos Creek with native riparian species. This would mitigate encroachment within the riparian buffer of 25 feet to insignificant levels.

The California Department of Fish and Game (CDFG) objected to the planned release of used seawater into Dos Pueblos Creek near the project site because of the potentially adverse impacts that it could have on the freshwater wetland habitat resources of the creek. As required by CDFG, the grading plan has been revised to indicate that all of the used seawater from the facility would be released directly into the ocean as shown in Figure 2.

A coastal strand community exists immediately southeast of the Dos Pueblos Creek outlet and extends 25 feet northward alongside the road. Installation of the proposed pipelines would disturb approximately 50 square feet of this coastal strand community. This is considered an adverse but not significant impact. As designed, a 3-foot corridor would be trenched with a backhoe so that the pipes could be placed underground from the pump house seaward. Two additional trenchings would occur as installation of two 8-inch intake pipelines would be necessary. This impact would be adverse but not significant. DER therefore recommends that all pipelines be installed at one time to minimize adverse impacts to the coastal strand community and to help achieve consistency with the Local Coastal Plan. DER further recommends that all existing plants that would be potentially destroyed by grading shall be: 1) temporarily removed prior to grading, 2) kept moist during grading, and 3) transplanted in their original location immediately following completion of grading along that segment of the pipeline.

The applicant has proposed that all non-native plants along both sides of the site access road be removed and replanted with native vegetation to improve the general habitat quality of the site.

Fresh water would be transported by a 1.5-inch PVC pipeline from the Rancho Dos Pueblos Well No. 146 north of U.S. 101. It would extend through an avocado orchard south to the freeway crossing above Dos Pueblos Creek between the headwall of the ranch access road and freeway overpass pilings. Further south, the pipeline would cross the

creek again at the Old U.S. 101 bridge. It would then follow existing road shoulders and cut through the existing Christmas tree farm. All creek crossings would be elevated and attached to existing bridges. In areas of native ground vegetation, the pipeline would be placed on the ground surface. No adverse impacts are anticipated.

The following mitigations shall be recorded prior to issuance of the Coastal Development Permit to avoid significant impacts to the riparian community.

1. A riparian restoration and enhancement plan shall be prepared by a DER-qualified botanist and include the following: A 25-foot buffer on the eastern and western side of the riparian zone shall be recorded on the final grading plan to provide screening and to prevent intrusion. This buffer shall be planted with coffeeberry (*Rhamnus californica*), elderberry (*Sambucus mexicana*), California wild rose (*Rosa californica*), California blackberry (*Rubus ursinus*), and virgin's-bower (*Clematis ligusticifolia*). These plantings shall be weeded, watered, and maintained for a period of 3 years so that at least 90 percent survival is achieved. All planting and maintenance shall be directed by a DER-qualified native plant horticulturist.
2. A DER-qualified approved biologist funded by the applicant, shall survey existing riparian vegetation onsite and monitor pipeline installation and site grading in order to insure compliance with said mitigations. The biological monitor shall be funded by the applicant, but managed through a contract with RMD. The existing vegetation survey and monitoring contract between the biologist and applicant shall be reviewed and approved by DER prior to issuance of the Coastal Development Permit. A report summarizing the monitor's activities shall be provided to RMD.
3. All clearing in the riparian zone shall be accomplished with hand tools (applicant proposed).
4. All willows that are severely damaged or removed according to the biological monitor during pipeline installation shall be replaced at a ratio of 3 to 1.

Compliance with these mitigations would cause the project to be consistent with Streams and Creeks Policy 1 and Hillside and Watershed Policy 7.

Marine Biological Resources: The applicant has provided a written description of the intertidal zone at Dos Pueblos Ranch which states that it is characterized by a sandy beach in the summer which is scoured away exposing the underlying cobblestone in the winter. Although a few isolated boulders large enough to remain exposed throughout the year do occur intertidally, none are located in the proposed pipeline corridor.

The cobblestone exposed in the winter extends seaward from the headwall approximately 150 feet where the substrate changes to sand. The sand extends from the cobblestone out more than 550 feet. A narrow isolated rill supports a minor kelp community approximately 100 feet beyond the pipeline terminus.

Density and diversity of littoral species, in general, is greatest on reef structures. Pipeline installment is expected to take four days and be trenched and backfilled with cobblestone to a depth of -3 feet MLLW. The pipeline would cross loose cobblestone, but would not cross any stable rocky subtidal habitat and would terminate well away from any such reef structure. Further, the pipeline anchoring system would create a substrate (an artificial reef) upon which the density and diversity of flora and fauna would likely increase in comparison to the sandy bottom upon which it would lie.

Concern over the potential impacts of the proposed project to existing surfgrass (*Phyllospadix* sp.) has been addressed by CDFG. The CDFG has reviewed the surfgrass survey and map provided by the applicant (indicated on Figure 5), and has determined the project as proposed would not result in a loss of surfgrass due to the absence of significant populations of this species in the vicinity of the pipelines.

Concern has also been expressed by DER over the potential for the intake pipe to cause the entrainment of marine organisms. The applicant has stated that PVC intake would be perforated with holes no more than 1 inch in diameter to prevent entrainment. Additional screening may be placed over these holes if found to be necessary. The applicant's written description of the intake pipeline has been reviewed by CDFG.

Kelp harvesting for abalone food is not expected to have a significant impact on native kelp populations due to CDFG regulation of harvesting. The CDFG, based on its analysis of pipeline construction and installation, has determined that no significant impact would occur to marine biological resources as a result of the project as proposed.

Hazardous Materials: The only potential hazardous materials issue associated with the project is the storage of lubricants for the pumps. Given the small size of the pumps and the small quantity of oil needed to maintain them, significant hazardous materials are not expected to be stored on site. Therefore no significant impact associated with hazardous materials is expected to occur on the project site.

Polluting Sources

- **Noise:** The project would require three 10-horsepower (hp) pumps, each capable of pumping 400 gallons of water per minute, 1200 gpm total. Since the proposed facility would be surrounded by open space and the nearest residence is more than 0.5 miles away, no impact to human habitat would occur. Impact to native animal habitat would be minimized due to the placement of the pumps approximately 4 feet underground. Each module would include 1-hp blower/module. Water would be gravity fed from the main reservoir. Due to the small size, enclosure, and location of the pumps, noise impacts associated with this project are not significant. Each blower would be enclosed inside its module, or if necessary, inside a separate enclosure.
- **Light and Glare:** Operation of the facility would be primarily during daylight hours. Therefore, lighting requirements would be minimal. Two floodlights located on the western side of the grow-out tanks would be directed away from the riparian corridor and would be used only during facility emergencies. Therefore, impacts due to light and glare is not considered significant.
- **Vibration:** A high degree of pipe vibration from wave impact is not expected to occur given the 10-foot intervals between anchor blocks and the strength of the polyethylene pipes and welds to be used (Noel Higa, Engineering Development Associates, personal communication 1989). Therefore, the impact is not significant.
- **Returned Sea Water:** The return water from the hatchery and the grow-out area would be piped underground through a 12-inch diameter plastic pipe and empty into the ocean approximately 30 feet offshore. The discharged seawater would contain abalone excrement and small pieces of kelp not eaten by the abalone. The tanks would be periodically cleaned with a 5 percent solution of sodium hypochlorite. The anticipated quantity of this solution is 100 gallons per year. This solution would be neutralized with sodium thiosulfate, and diluted prior to discharge through the pipeline.

Additionally, several medicines may be necessary and would be applied in dilute concentrations in the water columns of the tanks (Table 1). The method of disposal of these medicines would be by dilution and release through the discharge pipeline. The Regional Water Quality Control Board has stated that there are no significant problems associated with the discharge from several similar facilities in the Central Coast Region. Therefore, this project's impact to ocean water in the vicinity of the return line terminus is not considered significant.

Table 1
Culture Water Medicines

| Substance | Concentration in Application | Estimated Annual Usage |
|-------------------------------------|---------------------------------|----------------------------|
| Benzocaine (Ethyl-p-amino benzoate) | 50 ppm | 200-500 g |
| GABA (Gamma amino-butyric acid) | 1 uM | 5-10 g |
| Hydrogen Peroxide | 5 mM | 100-500 ml 30% solution |
| Penicillin | 150 ppm | 500-1,000 g |
| Rifampicin | 2 ppm | 10-20 g |
| Streptomycin | 150 ppm | 500-1,000 g |
| Tris-Hydroxymethyl-aminomethane | 6 mM | 100-500 g |

Agricultural Resources/Land Use: The proposed project site is on Dos Pueblos Ranch, formally known as Rancho Los Dos Pueblos. The ranch extends from the foothills of the Santa Ynez Mountains to the Pacific Ocean. The 2808-acre ranch was used as a commercial cattle operation from the late 1800's until the 1920's. The 1.1-acre project site and surrounding areas supported 15 to 20 dairy cattle as late as 1968. No cattle ranching has taken place on the ranch since then.

Since 1980, 22 acres adjacent to the project site have been cultivated as a commercial Christmas tree farm. Although the proposed project would occupy significantly less land than the former cattle ranch operation or the ongoing Christmas tree farm, the aquaculture project would be considered a continuation of agricultural uses onsite. According to the California Public Resources Code, policy 30100.2 states that "Aquaculture means a form of agriculture. . . . Aquaculture products are agricultural products, and aquaculture facilities and land uses shall be treated as agricultural facilities and lands uses in all planning and permit issuing decisions governed by this division." Other Coastal Resources Planning Policies require the protection of ocean front land and priority of coastal-dependent aquaculture on these lands provided that environmentally sensitive habitat is not endangered.

The proposed aquaculture facility would be a commercial agricultural operation. Resources would be utilized and enhanced in order to obtain a controlled environment in which a marketable commodity would be produced. This does not differ substantially from a commercial cattle operation. Since the proposed project would convert highly disturbed land with Class II soil to a productive agricultural facility, and no agricultural land would

be converted to another use as a result of the facility, the project is considered to have a beneficial impact on agriculture.

Air Quality: The Santa Barbara County Air Pollution Control District (APCD) has reviewed the proposed project and has identified potentially adverse impacts as construction related dust generation. These include generation of dust during grading of the 1.1 acres. The project would generate approximately 0.6 tons of PM₁₀ during the construction period, which is considered insignificant. The APCD has required that the standard mitigation measures including wetting down soils, and use of soil binders be incorporated into the Land Use permit to limit dust generation. This would reduce PM₁₀ emissions further.

Long-term air quality impacts would come from employee traffic. At full production, the facility would have a maximum of six employees who would generate a total of 12 average daily trips to the site. Therefore, the long-term impact to air quality is considered insignificant. No long-term mitigations area required.

Groundwater Resources: The project would draw freshwater for employ use from a Dos Pueblos Ranch reservoir. The reservoir is supplied by a creek diversion and therefore has no threshold of significance associated with withdrawals from the body. Freshwater project demand is calculated at a maximum of 0.26 AFY, which includes 0.10 AFY for six employees and equipment cleaning. Additional irrigation of the riparian woodland enhancement would be required for a several year period until vegetation establishment. However, due to the nature of the water source, impacts are considered insignificant.

Flooding: The project site, although adjacent to the east fork of the Dos Pueblos Creek, is not within a 100-year flood plain. The project would incorporate all standard County Flood Control District requirements and has already been reviewed and approved (Paley 1988). Project impacts would be insignificant.

Energy: The project would use three 10-horsepower (hp) pumps capable of pumping 1200 gallons of water per minute through the intake pipelines. The nine grow-out areas each would have a 1-hp blower/module to run water from the main reservoir and an aeration system. Total peak energy demand would equal 1200 kilowatts/day totalling 438,000 kilowatts/year. This is sufficient energy to roughly serve 70 single-family residences. Southern California Edison (SCE) officials have stated that this energy could be supplied without difficulty (Lee Conley, SCE, personal communication 1989). Impacts are considered insignificant.

Geological Resources: The proposed seawater pipelines would cross the ocean surfzone and be subject to extensive wave action. If insufficiently buried, wave action could scour and erode the overlying sediment cover, exposing the pipelines to wave induced stresses (86-EIR-8, Guadalupe Abalone Culture Facility). If this occurs, additional scouring at the rupture would potentially occur until the damage was discovered and repaired. An oceanographic engineering study has been done to evaluate potential stresses and impacts in the surfzone to provide sufficient design features to mitigate these factors (Marine Research Specialists 1989). Project designs include burying the pipeline's first 150 feet of pipeline extending from the headwall within the surfzone. The pipeline trench would be excavated into the substrate below the sand and heavy cobble layer, which would prevent wave action from scouring (Doug Coates, Marine Research Specialists, personal communication 1989). Scouring of sand beneath individual pipeline anchors that would rest directly on the sea bottom from 150 to 700 feet from the headwall could occur, but would not result in pipeline rupture, as the anchors would be spaced sufficiently close to one another to provide free standing support. Until the loose anchor was discovered, only minimal scouring would occur. These impacts are considered adverse, but not significant.

MITIGATION MEASURES AND COMPLIANCE PLAN: The following mitigation measures would be required in order to address potentially significant impacts. As required by Assembly Bill 3180, all projects which have mitigation measures addressing potentially significant impacts must include a compliance plan (CP) to ensure effective implementation of mitigation measures. In some cases a mitigation monitoring coordinator (MMC) would oversee monitoring of the mitigation measures adopted as conditions of approval. The applicant would be responsible for payment of a compliance plan fee. Monitoring conditions would also occur as part of normal building plan check/inspection procedures and through photodocumentation.

1. A riparian vegetation enhancement and restoration plan shall be prepared by a DER-qualified botanist and include the following: A 25-foot buffer on the eastern side of the riparian zone shall be recorded on the final grading plan to provide screening and to prevent intrusion. This buffer shall be planted with coffee berry (*Rhamnus californica*), elderberry (*Sambucus mexicana*), California wild rose (*Rosa californica*), California blackberry (*Rubus ursinus*), and virgin's-bower (*Clematis ligusticifolia*). These plantings shall be weeded, watered, and maintained for a period of 3 years so that at least 90 percent survival is achieved. All planting and maintenance shall be directed by a DER approved native plant horticulturist. The restoration plan shall be reviewed and approved by RMD prior to Coastal Development Permit issuance.

Compliance: Compliance with this measure would occur through the review by RMD staff of the plan and photodocumentation. The note on the grading plan would require approval by RMD prior to issuance of the Coastal Development Permit. A bond for the planting and maintenance shall be filed with RMD to insure implementation.

2. A DER-qualified biologist shall survey the existing riparian vegetation on site and monitor pipeline installation and site grading in order to insure compliance with said mitigations. The biological monitor shall be funded by the applicant, but managed through a contract with RMD. The existing vegetation survey and monitoring contract shall be finalized prior to issuance of the Coastal Development Permit. A report summarizing the monitor's activities shall be provided to RMD.

Compliance: Compliance with this measure would occur through the RMD review of the biologist's survey and monitoring report and photodocumentation.

3. All clearing in the riparian zone shall be accomplished with hand tools (applicant proposed).

Compliance: Compliance with this measure would occur through the review by RMD of the biological monitor's report and photodocumentation.

4. All willows that are severely damaged or removed during pipeline installation shall be replaced at a ratio of 3 to 1. A contingency bond for replacing willows shall be included in the bond provided by the County prior to Coastal Development Permit issuance. The biological monitor shall prepare a report provided to RMD stating the number of willows required.

Compliance: Compliance with this measure would occur through the review by RMD of the biological monitor's report and photodocumentation.

5. All non-native plants along the east and west sides of the site access road shall be removed and replanted with native vegetation to improve the general habitat quality of the site (applicant proposed).

Compliance: This note shall be placed on the grading plan which would be reviewed by RMD staff prior to Coastal Development Permit issuance. The biological monitor would insure compliance with this condition.

6. A DER approved archaeological monitor shall be retained onsite during excavation from the beach to the railroad trestle. If additional cultural deposits are found along the pipeline route, work shall be stopped and DER staff consulted to determine the extent of subsequent evaluation.

Compliance: The agreement for the monitoring shall be reviewed and approved by RMD staff prior to Coastal Development Permit issuance.

RECOMMENDED MITIGATION MEASURES: In addition to the above required mitigation measures, the following measure is recommended to minimize adverse environmental effects:

1. All pipelines shall be installed at one time to minimize adverse impacts to the coastal strand community. In addition, all existing plants that would be potentially destroyed by grading shall be: 1) temporarily removed prior to grading, 2) kept moist during grading, and 3) transplanted in their original location immediately following completion of grading along that segment of the pipeline. This note shall be placed on the grading plan which would be reviewed by RMD staff prior to Coastal Development Permit issuance.

Compliance: The biological monitor would insure compliance with this condition.

DOCUMENT PREPARED BY: ERC Environmental and Energy Services Company (ERCE) for DER Environmental Planner, David Stone. Please contact Mr. Stone at 568-2012 if you have any questions.

CHANGES IN "PROJECT DESCRIPTION": Any element in the project description that is not met as described shall constitute an action not considered as part of the initial study for this ND. In these cases, the RMD requests a complete reevaluation in light of these element changes. This re-evaluation may be subject to all regular fees and conditions.

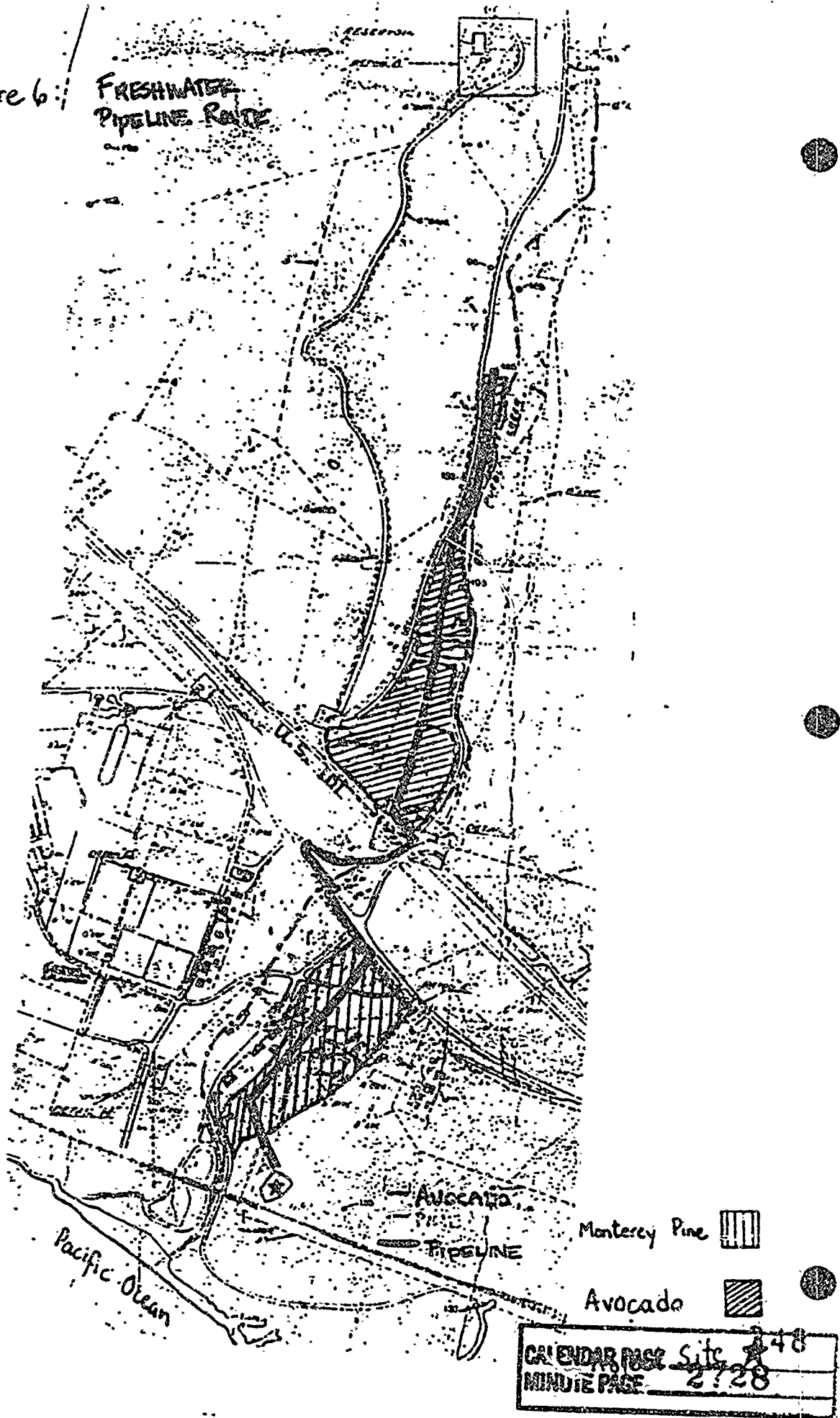
PUBLIC HEARING: The public hearing will be held at 9:30 a.m. on November 2, 1989 in the Planning Commission Hearing Room of the Santa Barbara County Administration Building, 123 East Anapamu Street, Santa Barbara, CA 93101. If you cannot attend this meeting, please make sure that written testimony also will be accepted. Copies of this ND may be obtained at our office. Anyone wishing to see the project file for this ND may do so by visiting our office.

Send comments to RMD, Division of Environmental Review, 105 East Anapamu Street, Room 103, Santa Barbara, CA 93101. All challenges to the Deputy Director's determination must be made in writing by the time stated if they are to be considered.

| | |
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Figure 6:

FRESHWATER
PIPELINE ROUTE



To Whom it May Concern:

Required Mitigation Measures Nos. 1-6 on pages 16 and 17 of the Revised Final 89-ND-55 have been incorporated in the 89-CP-53(CZ) project description to mitigate potentially significant impacts.

Signed:

William S. Rode
Applicant or Agent
Residents
cp\9cp535b.mnt

25 January 1990
Date

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|---------------|-------------|
| CALENDAR PAGE | <u>319</u> |
| MINUTE PAGE | <u>2729</u> |

STATE OF CALIFORNIA—OFFICE OF THE GOVERNOR

OFFICE OF PLANNING AND RESEARCH

1400 TENTH STREET
SACRAMENTO, CA 95814

GEORGE DEUKMEJIAN, Governor



November 6, 1989

Nov 6 1989

David Stone
Santa Barbara County DER/RMD
105 E. Anapamu Street
Santa Barbara, CA 93101

Subject: Cultured Abalone Facility/ SCH# 89010016

Dear Mr. Stone:

The State Clearinghouse submitted the above named environmental document to selected state agencies for review. The review period is closed and none of the state agencies have comments. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call Garrett Ashley at (916) 445-0613 if you have any questions regarding the environmental review process. When contacting the Clearinghouse in this matter, please use the eight-digit State Clearinghouse number so that we may respond promptly.

Sincerely,

David C. Munnkamp
Deputy Director, Permit Assistance

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Santa Barbara County Park Department

610 Mission Canyon Rd., Santa Barbara, Ca. 93105 (805) 568-2461

"At Rocky Nook Park"

MICHAEL E. PAHOS
Director of Parks

FRANK LAURAN
Deputy
Director of Parks

RECEIVED
OCT 24 1989

S.B. COUNTY
RESOURCE MGT. DEPT.

October 23, 1989

TO: David Stone, Division of Environmental Review, Resource Management Department

FROM: Cindy Serna, Park Department

SUBJECT: 89-ND-55, 89-CF-53 (cz), The Cultured Abalone, Inc.

The Park Department has the following comments to 89-ND-55:

As a condition of 89-CF-53, the Park Department is requiring the dedication or reservation of a trail easement to the County along the Dos Pueblos Canyon frontage road ("Naples Access Road") for bicycle, equestrian and hiking trail purposes. This multi-use trail represents a portion of the Coastal Trail (De Anza Trail) for Santa Barbara County which is planned to connect Goleta to Gaviota State Park, and is consistent with the trail route as designated by the State Department of Parks and Recreation (see attachment).

It is not anticipated that the provision of this trail will negatively impact the project or the environment; however, a brief discussion of potential "Recreation" impacts should be included in the environmental document for this project.

Thank you for the opportunity for comment. If you have any questions, please contact me at extension 2469.


CYNTHIA SERNA
Park Planner

attachment

CALENDAR PAGE 35
MINUTE PAGE 2731

COUNTY OF SANTA BARBARA

123 E. ANAPAMU ST.
SANTA BARBARA,
CALIFORNIA 93101
AREA CODE 805
569-3000
FAX 569-3019



F. G. (SANDY) SCOTT
Assistant Director

EDWARD J. MARINI
Deputy Director

DEPARTMENT OF PUBLIC WORKS

MARLENE F. DEMERY
Director

DATE: October 10, 1989

TO: David Stone, Environmental Planner

FROM: Barry Rolfe, Public Works Barry

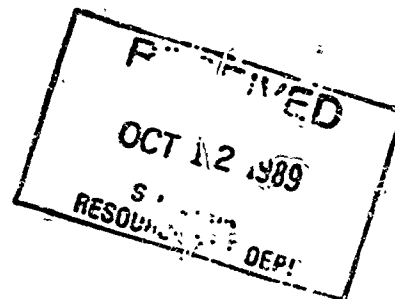
RE: 69-ND-55

I have reviewed the above referenced Negative Declaration and have no traffic related comments.

BR:cp

cc: David Stubchaer

BR06



CALENDAR PAGE 35
MINUTE PAGE 2732



THE CULTURED ABALONE

INCORPORATED

336 Coronado Dr., Goleta CA 93117

17 October 1989

David Stone
Environmental Review Division
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

RECEIVED
OCT 17 1989
S.B. COUNTY
RESOURCE MGT. DEPT.

Dear Mr. Stone,

The following is a list of corrections and clarifications for the Negative Declaration prepared by ERC Environmental and Energy Services Co.

1. Page 2, Figure 1: the project area is shown to be close to Tajiguas. It should be located eastward, approximately where the 101 sign is.
2. Page 4, paragraph 6: there will be a maximum of 634 cubic yards of fill needed. We will not be cutting from the project site due to the archaeological sensitivity of the area.
The two bathrooms will be located in the hatchery, not in the trailer.
3. Page 4, paragraph 5: the hatchery will be 12 feet tall.
There will be eight PVC troughs (grow-out tanks) supported by three wood stands.
4. Page 8, Paragraph 5: southern tarplant (Hemizonia australis) and black-flowered figwort (Scrophularia atrata) have not been observed on the project site. The mention that they could occur on the site seems inappropriate. It should be noted that the biologists from the County, UCSB, and California Fish and Game who have visited the site have not observed these species.

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5. Page 8, paragraph 6: Haliotis is spelled Haliotis.

mid-paragraph: Possible explanations include . . . 2) natural mortality of old . . .

6. Page 12, paragraph 2: The applicant has proposed that all non-native plants along both sides of the site access road be removed and the east side replanted with native vegetation . . .

Since there has been no previous plantings of non-native plants along the pipeline corridor there will be no unnecessary plant removal.

7. Page 12, last paragraph: Cobblestone exposed in winter extends seaward from the headwall. Figure 3 should have been drawn showing the cobblestone under the sand extending up to the headwall.

8. Page 13, Paragraph 6: the project would require three 10-HP pumps, capable of pumping 1200 GPM. Each pump will deliver 400 GPM.

Mid-paragraph: . . . placement of the pumps approximately 4 feet underground.

The removal of the upper and lower reservoir for each module was a part of the project redesign to gain the 25 foot buffer for the riparian. There will be no 2 HP pumps at each module, however there will still be a 1-HP blower/module. The water will gravity feed from the main reservoir.

9. Page 15, paragraph 5: Freshwater project demands . . . for six employees and cleaning.

The value of 0.26 AFY is the absolute maximum since our figures show 0.13 AFY for cleaning equipment and 0.10 AFY for employees. This was calculated using the U.P.C. for employee's sanitation requirements. We feel with water conservation techniques we will achieve half the usage of water (0.13 AFY) reported here.

10. Page 15, paragraph 7: refer to correction #8.

11. Page 17, paragraph 3 (item 2): refer to correction # 6.

Sincerely,
The Cultured Abalons, Inc.
Benjamin E. Beede
By Benjamin E. Beede, President

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MOREHART LAND CO.

3399 PADARO LANE
CARPINTERIA, CALIFORNIA 95013
(805) 656-4179

November 2, 1989

Mr. David Stone
Resource Management Department
Division of Environmental Review
105 E. Anapamu Street, Room 103
Santa Barbara, CA 93101

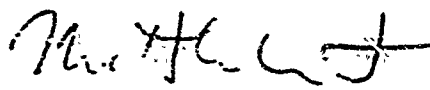
Subject: Case: 89-CP-53(CZ) Cultured Abalone
Proposed Negative Declaration

Dear Mr. Stone:

In comment to the above Proposed Negative Declaration, please be advised that the Site Access Road, as shown on Figure 2 is unavailable for use for this project at this time. This is due to a restriction placed on the underlying property through an easement held by us and other Naples property owners that will not allow the road to be used as primary access to this Project site or the land around it.

We are discussing this matter with Mr. Schulte's attorney and Mr. George Wilson, but as yet it is unresolved. We hope to resolve it but if we are unable to, an alternate access road would have to be created other than as illustrated in Figure 2.

Sincerely yours,



Matthew C. Morehart
President

MCM:cdv

cc. Emberton, State Beach

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CONTACT LOG

Project: 89-CP-53 (C2)

Staff Member: David Stone

Person/Title: Peggy O'Halloran EHS

Date: 11/1/89

Discussion: The water system is appropriately named
The Morehart Land Company Domestic Water
system. The owner, Matt Morehart, has not
been approached by the applicant. A
revision to the Morehart State Small Domestic
Water System permit would be required.

Project: 89-CP-53 (C2)

Staff Member: David Stone

Person/Title: Teresa Purdy, Comprehensive Planning

Date: 11/1/89

Discussion: Comprehensive Planning Division has
no comment.

2599A

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SANTA BARBARA COUNTY
RESOURCE MANAGEMENT DEPARTMENT
DIVISION OF ENVIRONMENTAL REVIEW
PUBLIC HEARING MINUTES

Santa Barbara County Administration Building
Board of Supervisors Hearing Room
105 E. Anapamu Street, 4th Floor
Santa Barbara, CA 93101
November 2, 1989 - 9:30 a.m.

89-ND-55

LEAD DEPARTMENT CASE NUMBER: 89-CP-53(cs)

PROJECT APPLICANT: The Cultured Abalone, Inc., Mr. Benjamin Beede and Mr. Richard Craig, 336 Coronado Drive, Goleta, CA 93117

PROJECT LOCATION: The project site is located in the western portion of the Goleta Valley in the southeastern corner of Dos Pueblos Ranch. Access to the site is via U.S. Hwy. 101 to Dos Pueblos Canyon Road, then to a dirt road.

PROJECT DESCRIPTION: The applicant proposes to build an onshore aquaculture facility on 1.1 acres of land capable of producing 500,000 abalone per year. Seawater would be pumped onshore through approximately 1700 linear feet of pipeline to the aquaculture facility where abalone would be fed with harvested kelp and grown in tanks until ready for market. A maximum of 6 employees would be hired at full capacity. Access would be by Dos Pueblos Ranch Road. Potable water would be provided from a Dos Pueblos Ranch reservoir and sewage disposal would be by septic system.

ASSESSOR'S PARCEL NUMBER AND TOTAL ACREAGE: 79-160-01,-14,-15,-28; 2,809.1 acres

ENVIRONMENTAL PLANNER: David Stone

Jeff Harris, Hearing Officer: Read project description into the record and introduced David Stone, planner on the project.

Mr. Stone: The environmental document was prepared by Elihu Givertz of ERCE Consulting Firm. Mr. Givertz will summarize briefly the issue areas in the document.

Mr. Givertz: Reviewed the aesthetics, archaeological resources near the site, terrestrial biological resources, marine biological resources, hazardous resources, polluting (noise, light and glare) air quality, ground water resources, etc.

Mr. Stone: Reviewed the letters of comment. Oct. 10th - Barry Rolle, Transportation Division, Public Works. Oct. 17th - Cultured Abalone, Oct. 23rd - Serna from the Park Dept. Nov. 1st - Peggy O'Halloran from Environmental Health Dept. Received message from her on the answering machine Nov. 1st. The water system that would provide domestic resources is appropriately named Morehart Land Company Domestic Water System. The owner, Matt Morehart, had not been approached by the applicant when Peggy O'Halloran spoke to him. A revision to the Morehart Estate Small Domestic Water System permit would be required for this project. Spoke to Teresa Purdy, Comprehensive Planning Div. on Nov. 1, no comment. Called State

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Clearinghouse in Sacramento. They received the document on October 6, 1989. Mr. Garrett Ashley said that as of today (Nov. 2) no comments had been received. The end of the Clearinghouse period is on November 6, 1989.

Mr. Harris: Any public comment?

Matt Morehart, Morehart Land Company: The easement as shown on Picture 2 of the draft ND is not appropriate at this time in terms of utilizing this primary access to the site because of an easement that exists precludes that road to be used as primary access. Not contacted by the applicant's attorney until recently. Trying to resolve it. Sure it can be done.

Mr. Stone: Mr. Morehart, that easement was for access to the proposed vicinity?

Mr. Morehart: Yes, it would require either an arrangement to be made with the beneficial users which are some of the neighbors, property owners and in that case they could waive that clause with the landowner or if an arrangement can't be made an alternate access road would have to be found.

Mr. Stone: What sort of agreement is in place for activities that use the recreational area right next to the beach

Mr. Morehart: Has nothing to do with easement. This easement would preclude that.

Mr. Stone: Does the Park Dept. requests for an easement for the bike trail on the northerly part of property also affect your easement?

Mr. Morehart: They couldn't use that in terms of the easement that's here now for access to anything.

Benjamin Beede, Cultured Abalone, Inc.: Reviewed clarifications to ND. Summarized letter sent to Mr. Stone on October 17, 1989 that included a list of 11 corrections to the document. Presently in discussion with the Morehart Land Company trying to settle the easement of road. We have no intention of using the Morehart clarification facility.

Mr. Givertz: Mr. Beede, you said that there would be no cut on site you would bring in fill. Is that a change in the project description?

Mr. Beede: It was in project description.

Ms. Serna: Does not understand the bike trail requirements in relationship to the Morehart Land Co.

Mr. Harris: Any comments?

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Mr. Stone: Was anticipating some input from the Coastal Commission. I would anticipate the State Clearinghouse will receive something from the Coastal Commission by Monday.

Mr. Harris: Considering the State Clearinghouse review period has not closed, we cannot certify this document as being complete and adequate today. We'll continue this hearing for one week until November 9, 1989 in the Planning Commission Hearing Room.

Hear_Min\9CP53_11.2

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SANTA BARBARA COUNTY
RESOURCE MANAGEMENT DEPARTMENT
DIVISION OF ENVIRONMENTAL REVIEW
PUBLIC HEARING MINUTES

Santa Barbara County Administration Building
Planning Commission Hearing Room
123 E. Anapamu Street, Room 17
Santa Barbara, CA 93101
December 7, 1989 - 9:30 a.m.

CONSENT AGENDA

Continued Items

89-ND-55

LEAD DEPARTMENT CASE NUMBER: 89-CP-53(cz)

PROJECT APPLICANT: The Cultured Abalone, Inc., Mr. Benjamin Beede and Mr. Richard Craig, 336 Coronado Drive, Goleta, CA 93117

PROJECT LOCATION: The project site is located in the western portion of the Goleta Valley in the southeastern corner of Dos Pueblos Ranch. Access to the site is via U.S. Hwy. 101 to Dos Pueblos Canyon Road, then to a dirt road.

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ASSESSOR'S PARCEL NUMBER AND TOTAL ACREAGE: 79-160-01,-14,-15,-28; 2,809.1 acres

ENVIRONMENTAL PLANNER: David Stone

Jeff Harris, Hearing Officer: Read the project description into the public record. He then introduced David Stone, planner on the project.

Mr. Stone: What we were trying to accomplish in the continuation of the environmental hearing was to resolve issues regarding potable water source and access to the site. The applicants have come up with some information regarding an alternative water source and it's location of water line which would lead from that water source to the site. Also some options regarding alternative access routes to the site since we've run into some legal issues regarding its successful location. There have been no further comments from the public.

Benjamin Beede, applicant: Provided maps while he described where the fresh water pipeline comes down. The freshwater from the aquaculture site will originate from the Rancho Dos Pueblos well #146 which is presently producing 30 gals per minute. This well is located approximately 1 mile up Dos Pueblos Canyon from the

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project site. A 1.5" PVC pipeline will extend from the well to the project site. The pipeline routing will be through avocado orchards from the well site to Hwy 101 where the pipeline will then turn east and parallel the highway along with existing agricultural pipes. The pipeline will cross under Fwy 101 at Dos Pueblos Creek where it will be placed well above the creek between the headwall of the ranch access road and the freeway overpass pilings. The pipe continues down canyon then crosses Dos Pueblos Creek at the old Hwy 101 bridge where it will be attached to the bottom of the bridge. After crossing another ranch road the pipeline will turn down canyon and reach the aquaculture site through the Christmas Tree farm. Through the avocado orchard and the Christmas Tree Farm the pipeline will be trenched. Where the pipeline crosses roadways it will pass through existing culverts designed for, and presently carrying water supply pipes. The pipeline will traverse the riparian community twice. In both places it will be placed in existing pipeline routes and be tied to the existing pipes. Trenching in these sensitive areas will be done using hand tools only. The second issue concerns the access road. Our initial proposal was to use an existing road on the ranch as our site access road. It was pointed out in the first environmental hearing that there were easement problems using this road with the neighboring ranch. Because of the possibility of legal problems what we're proposing now is a parallel access road that would be next to the existing road and extend another 16' beyond. We are essentially ending up with a 32' wide roadway. This would be the worse case, we're still trying to resolve the matter with the neighboring ranch and if it's at all possible utilize the same road. We also have to find out other details, whether this road needs to be a full 16' or if we can make it a 12' road and utilize the existing road as an emergency vehicle's route. The problems that have been pointed out are that we do encroach on the 25' buffer from the edge of the willows so we are looking at various alternatives of the main reservoir tank configuration as a possibility of reducing the impacts on the riparian and the two different widths.

Mr. Harris: Thanked Mr. Beade and asked Mr. Stone for his comments.

Mr. Stone: DER staff feels comfortable with the proposed pipeline route and the impacts associated with construction of that pipeline. We feel that any adverse impacts could be mitigated through the hand trenching proposed by the applicant and where necessary, revegetation in those areas. We're still a little unclear about the residual impacts associated with the revised access road and because of the potential for coming up with alternatives that might reduce the amount of encroachment within the riparian buffer I recommend that the applicant be given another week to try to resolve some issues with the Fire Dept. in ascertaining exactly the minimum amount required for the access road width minimizing consequently the amount of encroachment in the buffer.

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Mr. Harris: Asked Mr. Beede what he proposed to do in terms of coordinating with the Fire Dept.? Asked if he was working with Warren Dawson.

Mr. Beede: Indicated they were. Their prior communications with him we're stating that there was required a 16' roadway for emergency vehicle access. What we need to determine because of the statement in the covenants of the easement that emergency vehicular travel is allowed on this roadway. Can we make the improvements necessary for the Fire Dept. on that existing road without getting into any legal problems. If that is possible then we would probably only be required to have a 12' easement ourselves.

Mr. Harris: What we will do then in this case to allow additional coordination with the Fire Dept. if we'll continue the hearing until December 14th in the same room and the same time.

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SANTA BARBARA COUNTY
RESOURCE MANAGEMENT DEPARTMENT
DIVISION OF ENVIRONMENTAL REVIEW
PUBLIC HEARING MINUTES

Santa Barbara County Administration Building
Planning Commission Hearing Room
123 E. Anapamu Street, Room 17
Santa Barbara, CA 93101
December 14, 1989

CONSENT AGENDA

Continued Items

89-ND-55

LEAD DEPARTMENT CASE NUMBER: 89-CP-53

PROJECT APPLICANT: The Cultured Abalone, Inc., Mr. Benjamin Beede and Mr. Richard Craig, 336 Coronado Drive, Goleta, CA 93117

PROJECT LOCATION: The project site is located in the western portion of the Goleta Valley in the southeastern corner of Dos Pueblos Ranch. Access to the site is via U.S. Hwy. 101 to Dos Pueblos Canyon Road, then to a dirt road.

PROJECT DESCRIPTION: The applicant proposes to build an onshore aquaculture facility on 1.1 acres of land capable of producing 500,000 abalone per year. Seawater would be pumped onshore through approximately 1700 linear feet of pipeline to the aquaculture facility where abalone would be fed with harvested kelp and grown in tanks until ready for market. A maximum of 6 employees would be hired at full capacity. Access would be by Dos Pueblos Ranch Road. Potable water would be provided from a Dos Pueblos Ranch reservoir and sewage disposal would be by septic system.

ASSESSOR'S PARCEL NUMBER AND TOTAL AREA: 79-160-01,-14,-15,-28; 2,809.1 acres

ENVIRONMENTAL PLANNER: David Stone

Jeff Harris, Hearing Officer: Read the project description into the public record and then introduced David Stone, planner on the project.

Mr. Stone: Two items; the source of potable water and the location of an acceptable access to the project site. Indicated that he had been working with the applicants and had received some revised information regarding the water line which would extend from across U.S. 101 to the project site. The applicant has provided information indicating that the water line, which is a 1.5" water line would not require trenching within any sensitive biological habitat. It would avoid all riparian areas and in one location where it would be within 2 oak trees, it would be laid on the surface. It would be excavated to an 18" depth and avocado and Christmas tree orchards and within the project site. All of these areas are not considered biologically sensitive. The other aspect of the project site that has undergone some revision is the determination of the access road. In respect to an existing dirt access road which may be impossible to utilize due to legal

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difficulties the applicant has proposed a 16' wide access road directly adjacent to this existing dirt area and there are some encroachment in the 25' buffer from the riparian dripline for this access road as well as the water storage facility that is needed for this project. The applicant has proposed, instead of using one large tank to use two tanks directly adjacent to each other of 25' radii each. The impacts associated with this water tank facility would extend to within 20' of the riparian dripline for the tank itself and the grading for this tank to a 12' minimum distance to the dripline. This encroachment within the dripline would extend for about a 40' distance. The road itself is designed at this point for 16' width but may be able to be reduced to a 12' width. The applicant is discussing this issue with Warren Dawson of the Fire Dept. With a 16' design there would be a minimum distance to the dripline of 12' for an approximate 70' length of the buffer. If a 16' access width is required, the distance to the riparian buffer will increase and this encroachment will be minimized. The applicant has proposed to expand their riparian enhancement program to the westside of the unnamed extension of Dos Pueblos Creek to mitigate the increased encroachment of the access road within the riparian buffer. The proposal has been reviewed by DER biologists and found to be an adverse impact but one that could be mitigated to a level of insignificance by increased revegetation on the westside of this creek. We've received no other communications from the public or county departments.

Mr. Harris: Asked if there was anyone in the audience who would like to comment on the ND. Asked if the applicants would like to make a statement.

Mr. Benjamin Beede, president of The Cultured Abalone: When David was speaking he talked about a 20' radii, it's actually 20' diameter of the tanks. Also, in reviewing the roadway, the 16' width is the maximum width of the roadway. It could be reduced to 12' so that would lessen the encroachment into the riparian buffer.

Mr. Harris: Asked for Mr. Stone's recommendations.

Mr. Stone: Obviously we're trying to achieve the minimum amount of impact to the riparian corridor as possible and we do recognize the need for adequate setbacks from riparian vegetation due to the nature of the project, which after construction the water tanks would not require further disturbance in that riparian area, very minimal human presence in that area that encroachment into the riparian zone is mitigated due to this riparian enhancement program. With these project revisions I recommend that we deem this ND complete and adequate.

Mr. Harris: If there is no further comment, 89-ND-55 is deemed complete and adequate with the revisions as read into the public record this morning and at previous hearings. Good luck.

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County of Santa Barbara

RESOURCE MANAGEMENT DEPARTMENT

John Patton, Director

January 29, 1990

Ms. Lisa Stark
Development Review Div.
Resource Management Dept.
County of Santa Barbara

Dear Ms. Stark:

The attached Negative Declaration (ND) was determined to be "complete" in the Division of Environmental Review (DER) public hearing of December 14, 1989.

Attached is one copy of Negative Declaration 89-ND-55.

Please remember that meaningful changes in the project description will require further review by the Division of Environmental Review. Actions which might be taken that have not received proper environmental review are vulnerable to legal action.

Sincerely,

Jeffrey T. Harris, Deputy Director
Division of Environmental Review

JTH:jms:3006A

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County of Santa Barbara

RESOURCE MANAGEMENT DEPARTMENT

John Patton, Director

TO: Albert J. McCurdy, Deputy Director
Rita Bright, Supervising Planner
Development Review Division

FROM: Jeffrey T. Harris, Deputy Director
David Stone, Environmental Planner
Environmental Review Division *Jeffrey T. Harris*

DATE: January 31, 1990

RE: Finding that Section 15162 of the State CEQA Guidelines
Applied to 89-CP-53(CZ), Cultured Abalone Facility

BACKGROUND AND PREVIOUS REVIEW

The negative declaration evaluating this project, 89-ND-55, was transmitted to your division on 1/29/90. Subsequent to this action, the applicant has pointed out errors addressing the revised project description submitted during the ND public review period.

CHANGES IN PROJECT DESCRIPTION

The following revisions to the 89-ND-55 text are underlined. Only sentences with text changes are included. Other text remains unchanged.

Project Description:

Page 1, Paragraph 5: Potable water would be provided by an existing Rancho Dos Pueblos well 2240 feet north of U.S. 101 and 4000 feet north of the project site.

① → Page 4, Paragraph 5: The project would include 176 growout tanks, each supported by four wood stands.

Page 7, Paragraph 1: The existing dirt road would be improved with a gravel surface or the equivalent and used as a fire access.

Terrestrial Biological Resources:

Page 11, Paragraph 3: The ground disturbance related to grading for the two 12,000 gallon reservoirs would encroach between 12 and 19 feet of the dripline for a distance of 60 feet and grading for the access road would encroach between 15 and 25 feet of the dripline for a distance of 65 feet. The reservoirs themselves would be a minimum of 25 feet from the riparian dripline. The

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2 → applicant has agreed to restore equivalent portions of the western and eastern sides of the east fork of Dos Pueblos Creek with native riparian species.

Page 11, Paragraph 6: The applicant has proposed that all non-native plants along the both sides of the of site access road be removed and the east side only replanted with native vegetation to improve the general habitat quality of the site.

Page 12, Paragraph 3: A 25 feet buffer on the eastern side of the riparian zone shall be recorded on the final grading plan to provide screening and to minimize human intrusion. This buffer, together with a 125 feet long stretch along the western bank of the eastern fork of the Dos Pueblos Creek, shall be planted with coffeeberry, etc.

Groundwater Resources:

Page 15, Paragraph 4: The project would draw freshwater for employee use from a Rancho Dos Pueblos well 2240 feet north of U.S. 101 and 4000 feet north of the project site.

Energy:

3 → Page 15, Paragraph 5: The nine grow-out areas each would have a 1-hp blower/module to run water from the well and an aeration system.

Mitigation Measures and Compliance Plan:

Page 16, Paragraph 2: A 25 feet buffer on the eastern side of the riparian zone shall be recorded on the final grading plan to provide screening and to prevent intrusion. This buffer, together with a 125 feet long stretch along the western bank of the eastern fork of the Dos Pueblos Creek, shall be planted with coffeeberry, etc.

Page 17, Paragraph 1: All non-native plants along the east and west sides of the site access road be removed and the east side only replanted with native vegetation to improve the general habitat quality of the site.

89-CP-53(C2) Cultured Abalone CEQA 15162 Letter
January 31, 1990
Page 3

FINDINGS:

It is the finding of this Division that the previous environmental document 89-ND-55 may be used to fulfill the environmental review requirements of the current project. No impacts previously found to be insignificant are now significant. Taken together, the original environmental document and this letter fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15162, no EIR is necessary.

Discretionary processing of 89-CP-53(C2) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.

JTH:DS

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7 February 1990

David Stone
Environmental Review Division
County of Santa Barbara
123 East Anapamu Street
Santa Barbara, CA 93101

RE: 89-ND-55 for 89-CP-53(cz)

Dear Mr. Stone,

The following is a list of corrections and clarifications for the Negative Declaration prepared by ERC Environmental and Energy Services Co.

1. Page 4, Paragraph 4: the mobile office trailer will have no bathrooms in it. The bathrooms will be in the hatchery.
2. Page 4, paragraph 5: in the hatchery there will be 176 tanks. In the grow-out area there will be 1,064 grow-out tanks. Each set of eight grow-out tanks will be supported by four wooden posts.
3. Page 11, paragraph 3: . . . the applicant has agreed to restore an equivalent portion of the western side of the east fork of Dos Pueblos Creek with native riparian species (mitigation for the east side of the east fork of Dos Pueblos Creek has already been established).
4. Page 15, Paragraph 6: The nine grow-out areas each would have a 1-hp blower ~~module~~ to aerate water in grow-out tanks.

Sincerely,
The Cultured Abalone, Inc.

Benjamin E. Beede

By Benjamin E. Beede,
President

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