

**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 9/27/90  
meeting.

**CALENDAR ITEM**

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S 18

**C 2 4**

09/27/90  
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. 034 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 :

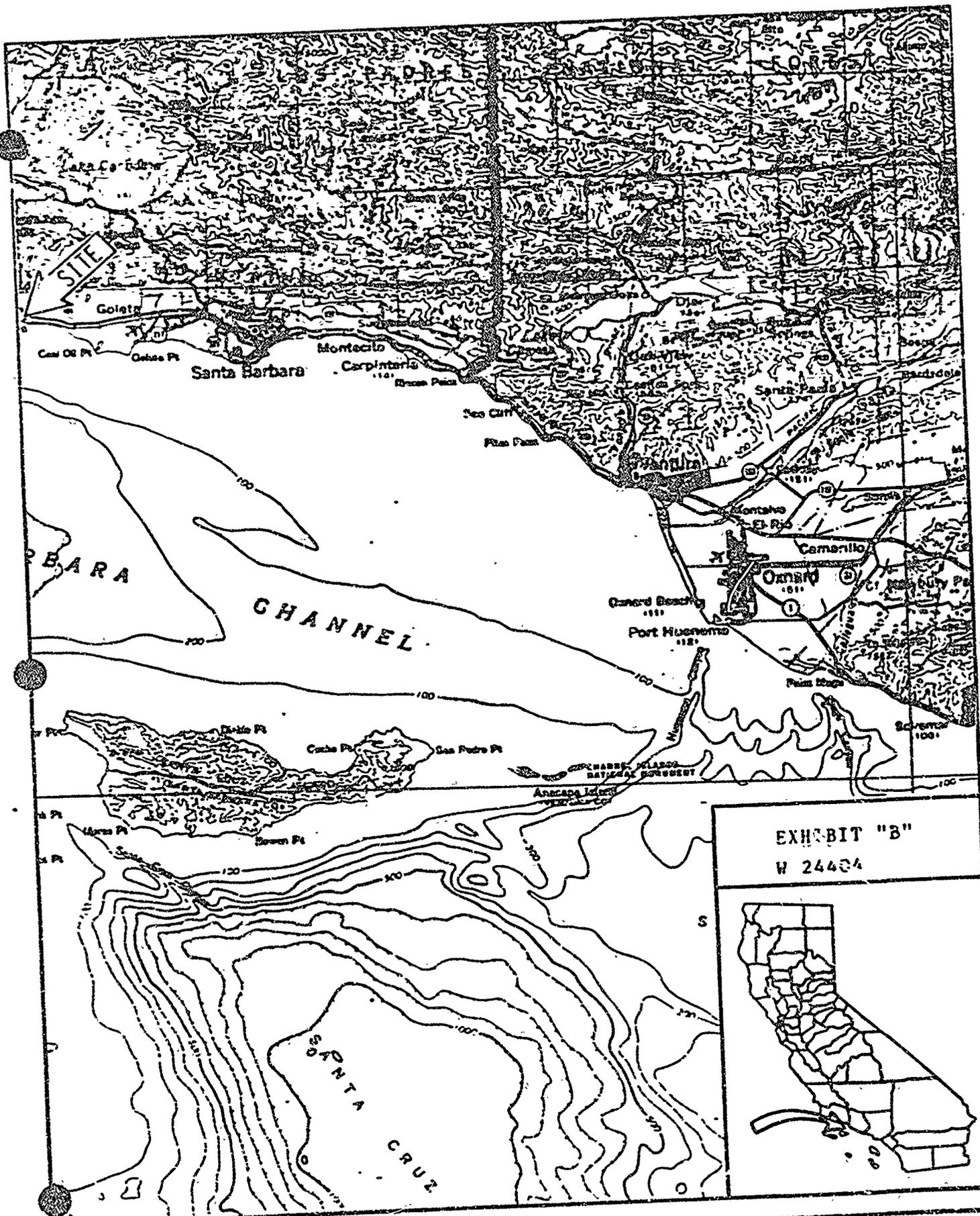
**BEGINNING** at a point on the southerly line of a 17.169 acre parcel of land as shown on the map recorded in Book 112, page 94 of Records of Survey of said County, said point being N 44° 44' 25" W, 380.40 feet from the most southeasterly corner of said parcel; thence S 45° 15' 35" W, 850 feet and the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

To:            Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814  
  
  X   County Clerk  
County of Santa Barbara

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

APR -6 11 01 35  
COUNTY OF SANTA BARBARA  
CLERK OF SUPERIOR COURT  
BOARD OF SUPERVISORS

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

89-CY-93(cz) The Cultured Abalone

89-HD-55/1180  
EIR or ND Number

State Clearinghouse Number  
(if submitted to Clearinghouse)

Albert J. McGurdy  
Lead Agency  
Contact Person

(805) 369-2000  
Area Code/Telephone/Extension

Project Location (include county):

APN 79-160-01, -14, -15, -28 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-CY-53(cz) 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 Farrell / Resource Management Dept.  
Signature (Public Agency)

Date

Supervising Planner  
Title

Date received for filing at OFR:

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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).

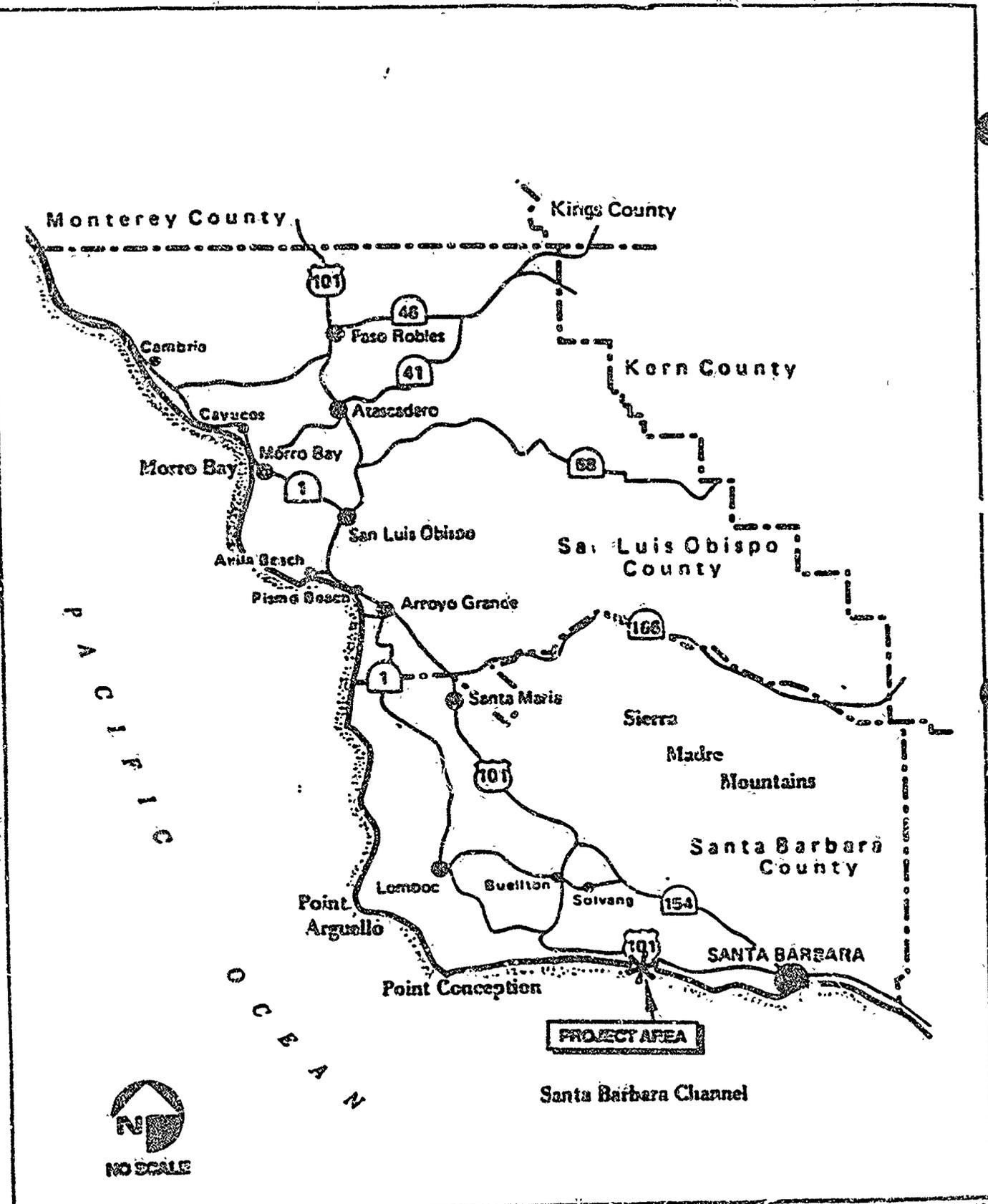
LEAD DEPARTMENT CASE NUMBER: 89-CP-53 (CZ)

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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Location of Project Area

FIGURE

1

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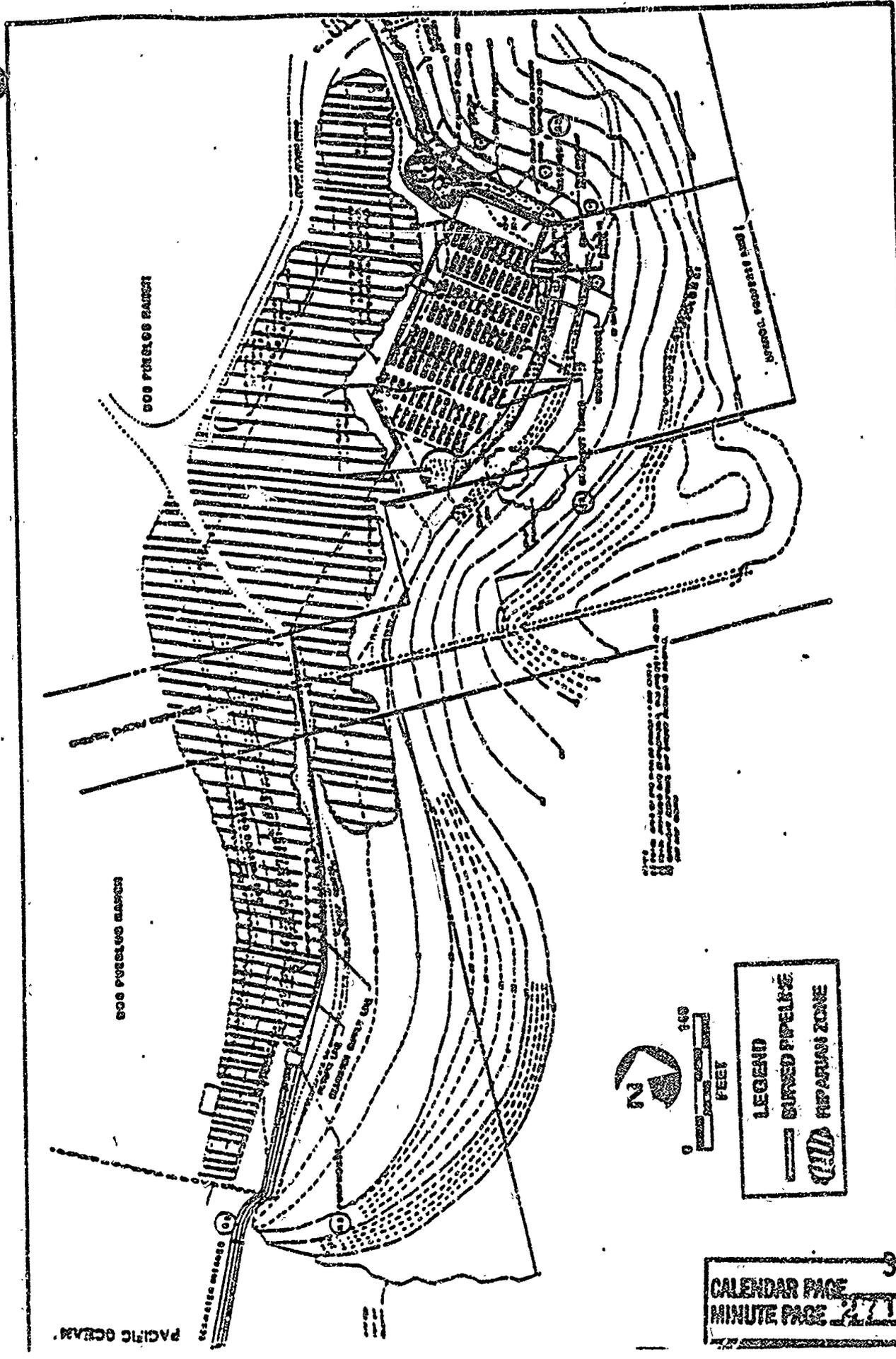


FIGURE 2

Development Area Silt/Grading Plan

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 Environmental

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.

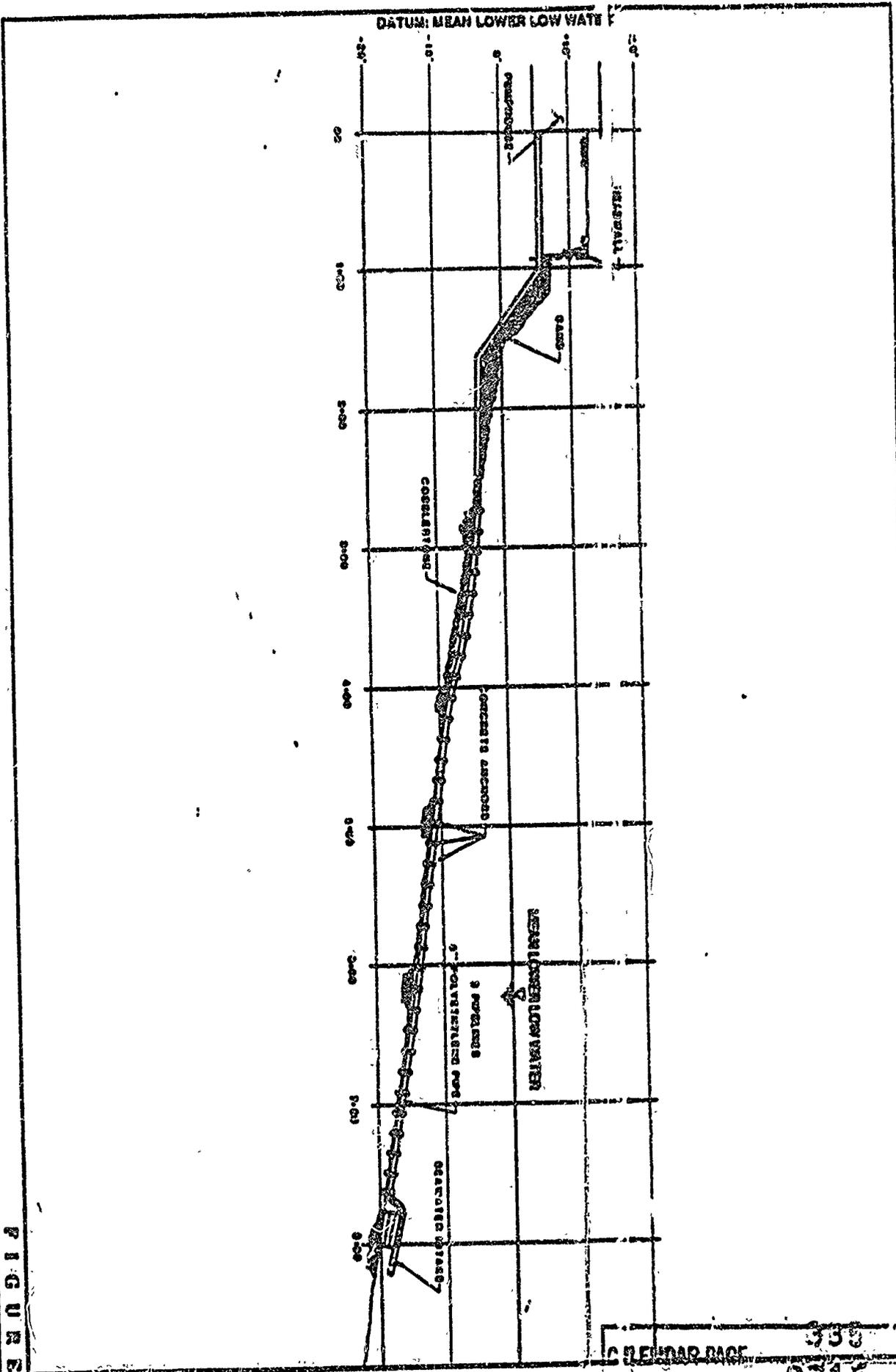
Two floodlights would be installed on the western side of the grow-out tanks to be used during facility emergencies. The hatchery would be 2550 square feet ~~100 feet long, 30 feet wide, and 12 feet tall and include 101 growout tanks.~~ The Hatchery floor plan is provided as Figure 5. Each grow-out tank 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.

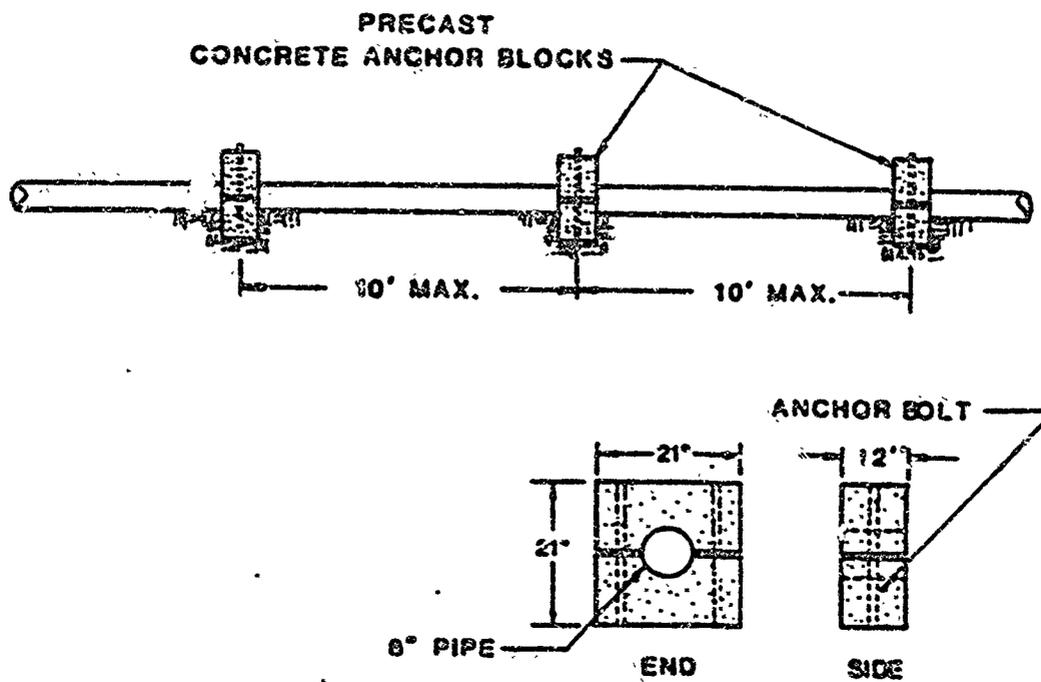
Seawater Intake Pipeline Profile

FIGURE

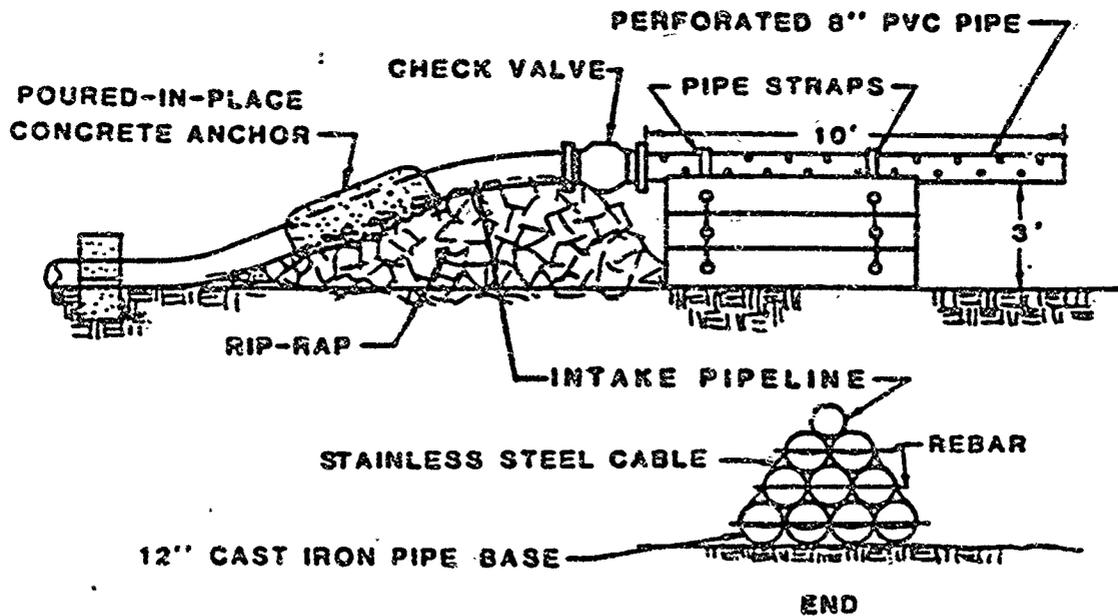
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**INTAKE PIPELINE ANCHOR SYSTEM**



**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 atrata*) 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 (m<sup>2</sup>). 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 m<sup>2</sup> were found in February of 1988 to contain less than 40 individuals per m<sup>2</sup> (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.

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 slope wash.

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*