

UNITED STATES DEPARTMENT OF THE INTERIOR  
BUREAU OF RECLAMATION

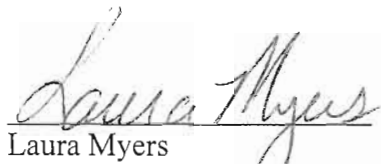
MID-PACIFIC REGION

SOUTH-CENTRAL CALIFORNIA AREA OFFICE  
FRESNO, CALIFORNIA

FINDING OF NO SIGNIFICANT IMPACT

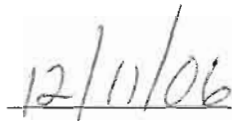
TITLE TRANSFER OF A FEDERALLY-OWNED  
WATER DISTRIBUTION SYSTEM TO THE  
GOLETA WATER DISTRICT  
FONSI-06-22

Recommended by:

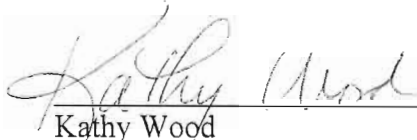


Laura Myers  
Natural Resource Specialist  
South Central California Area Office

Date:

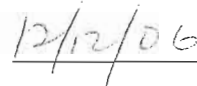


Concurred by:

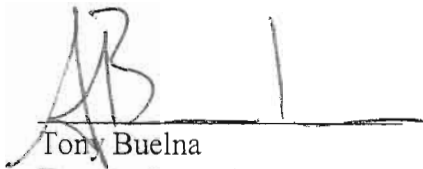


Kathy Wood  
Resource Management Division Chief  
South Central California Area Office

Date:

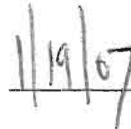


Approved by:



Tony Buelna  
Deputy Area Manager  
South Central California Area Office

Date:



**FINDING OF NO SIGNIFICANT IMPACT  
TITLE TRANSFER OF A FEDERALLY-OWNED  
WATER DISTRIBUTION SYSTEM TO THE  
GOLETA WATER DISTRICT**

**BACKGROUND**

The Goleta Water District (GWD) was formed by a vote of the people within the District's service area on December 17, 1944. The GWD was established as a legal entity to represent the interests of persons within the Goleta Valley. GWD receives Cachuma Project Water pursuant to a contract executed between the United States Bureau of Reclamation (Reclamation) and the Santa Barbara County Water Agency Contract No. 175r-1802R.

Reclamation proposes to transfer ownership of a federally-owned water distribution system (DS) from the United States Department of the Interior, Bureau of Reclamation to the GWD. The existing DS infrastructure is located within the GWD boundaries and has been operated and maintained by the GWD since 1956. The federally-owned DS consists of 2-inch to 25-inch diameter pipelines, end drains, pressure relief valves, air and vacuum valves, regulators, division gates, and pump stations located throughout the GWD's current service area boundaries. The GWD's service area encompasses approximately 32,000 acres and provides water to approximately 80,000 customers. The DS totals approximately 59 miles in length. The proposed project includes all existing modifications to the federal DS, lands and properties, including rights-of-way, easements and fences appurtenant to the DS. This will not involve the construction of new facilities, alterations to any existing facilities, or alterations to maintenance schedules and operational procedures. The GWD maintains eight reservoirs ranging in individual storage capacity from 0.3 million gallons to over 6 million gallons, with a total combined storage capacity of approximately 20.2 million gallons.

**FINDINGS**

In accordance with section 102(2)(c) of the National Environmental Policy Act (NEPA) of 1969, as amended, the South-Central California Area Office of the U.S. Bureau of Reclamation (Reclamation), has determined that the approval of a transfer of title from the United States to Goleta Water District is not a major federal action that would significantly affect the quality of the human environment and an environmental impact statement is not required. This Finding of No Significant Impact is supported by Reclamation's Draft Environmental Assessment (EA) Number EA-06-22, *Title Transfer of a Federally-Owned Distribution System to the Goleta Water District*, and is hereby incorporated by reference. This determination is supported by the following factors:

**Surface Resources:** Under the Proposed Action, GWD will continue to operate and maintain project features to deliver water to the City of Goleta and outlying unincorporated areas within their service area. No new facilities will be constructed, nor will the existing facilities be modified. No changes to surface water resources will occur. The Proposed Action will not alter any CVP or State Water Project (SWP) entitlement or impede any obligations to deliver water to other CVP or SWP contractors, fish or wildlife purposes. The proposed action is strictly administrative in nature. Therefore, the Title Transfer will not result in substantial effects to surface water resources.

**Groundwater Resources:** The Proposed Action involves a transfer of ownership of the DS from Reclamation to the GWD, and does not involve new construction to, or modification of, existing infrastructure. The proposed action is strictly administrative in nature. Therefore no impacts to groundwater resources will occur. All operations and maintenance activities will continue under existing conditions.

**Land Use:** Under the Proposed Action, GWD will own the title to the DS and continue to operate and manage the facilities as they have historically in the past. No new facilities will be constructed, nor will the existing facilities be modified. The Proposed Action will not result in increased or decreased water supplies to GWD that will induce growth or land use changes. No changes to land use will occur. The proposed action is strictly administrative in nature. Therefore, the Title Transfer will not result in any effects to land resources or use in the GWD.

**Biological Resources:** The Proposed Action involves a transfer of ownership of the DS from Reclamation to the GWD. The proposed project does not involve new construction to, or modification of, existing infrastructure, therefore, no adverse impacts to biological resources will occur. All operations and maintenance activities will continue under existing conditions. Contra Costa Goldfields is a federally listed plant, and was included in the CNDDDB list for the project area. However, the occurrence of Contra Costa Goldfields listed in the CNDDDB no longer exists. Additionally, federally listed species that are not state listed include the Tidewater Goby (*Eucyclogobius newberryi*), Arroyo Toad (*Bufo californicus*), Southern Steelhead (*Oncorhynchus mykiss irideus*), California Red-legged Frog (*Rana aurora draytonii*), and the Western Snowy Plover (*Charadrius alexandrinus nivosus*). These species will be protected under the federal Endangered Species Act (ESA), regardless of any potential federal nexus with ACOE. The ESA prohibits take of the species by any entity. The USFWS and NMFS will be consulted when projects are proposed that might affect the species. As a result of the above factors, Reclamation has made a determination of no effect for the Title Transfer under the Endangered Species Act for all species expected to be within the action area.

**Recreational Resources:** The Title Transfer is an administrative action and, as such, there will be no changes or impacts to recreation or recreational resources resulting from the transfer of the DS to GWD.

**Aesthetics:** The Proposed Action involves a transfer of ownership of the DS from Reclamation to the GWD. The proposed project does not involve new construction to, or modification of, existing infrastructure, therefore, no adverse impacts to aesthetics will occur. All operations and maintenance activities will continue under existing conditions.

**Soils and Geology:** The Proposed Action involves a transfer of ownership of the DS from Reclamation to the GWD. The proposed project does not involve new construction to, or modification of, existing infrastructure, therefore, no adverse impacts to soils will occur. All operations and maintenance activities will continue under existing conditions. In addition, because no new facilities will be constructed with this project, no discussion of seismic hazards or Alquist-Priolo Act compliance is warranted.

**Cultural Resources:** The proposed Title Transfer had the potential to affect historic properties. This resulted in a consultation package for the California State Historic Preservation Officer (SHPO). No historic properties will be affected as a result of the Title Transfer pursuant to 36 CFR Part 800.5(b). The property being transferred out of

federal ownership, though eligible for consideration for listing in the National Register of Historic Places, did not meet any of the Criteria for inclusion outlined in 36 CFR 60.4. Reclamation received concurrence on the determination of eligibility and affect from the SHPO on April 10, 2006. The receipt of concurrence on this project from the SHPO concludes the National Historic Preservation Act Section 106 process for this undertaking.

**Indian Trust Assets:** The nearest Indian trust assets to this action are located on the Santa Ynez Indian Reservation, about 17 miles northwest of this action, therefore the proposed action will cause no impacts to Indian Trust Assets.

**Socioeconomic Resources:** The Proposed Action involves a transfer of ownership of the DS from Reclamation to the GWD. The proposed project does not involve new construction to, or modification of, existing infrastructure, therefore, no adverse impacts to socioeconomic resources will occur. All operations and maintenance activities will continue under existing conditions.

**Environmental Justice:** The Proposed Action involves a transfer of ownership of the DS from Reclamation to the GWD. The proposed project does not involve new construction to, or modification of, existing infrastructure, therefore, no adverse impacts to minority or disadvantaged populations will occur. All operations and maintenance activities will continue under existing conditions.

**Cumulative Effects:** The proposed Title Transfer of the DS from Reclamation to GWD has no known adverse cumulative impacts on the environment when considered with other past, present, or reasonably foreseeable future actions. However, all future actions will not be subject to Section 7 of ESA or Section 106 of the NHPA as there will be no federal nexus once the Title Transfer is complete. GWD will still be subject to State environmental compliance for all future action.

# RECLAMATION

*Managing Water in the West*

## **Title Transfer of a Federally-Owned Water Distribution System to the Goleta Water District**

EA-06-22



U.S Department of the Interior  
Bureau of Reclamation  
South Central California Area Office  
Fresno, California

December, 2006

This Page Intentionally Left Blank.

FINAL ENVIRONMENTAL ASSESSMENT  
Title Transfer of a Federally-Owned  
Water Distribution System to the  
Goleta Water District

Prepared by:

Goleta Water District

On behalf of:

UNITED STATES DEPARTMENT OF THE INTERIOR  
Bureau of Reclamation  
South-Central California Area Office  
1243 N Street  
Fresno, California 93721

December 2006

This Page Intentionally Left Blank.



**TABLE OF CONTENTS**

Section 1 Purpose and Need .....1  
 1.1 Background.....1  
 1.2 Purpose and Need .....1  
 1.3 Scope and Potential Issues of this Environmental Assessment.....2  
 Section 2 Alternatives Including the Proposed Action.....5  
 2.1 Alternative A: Continue with Present Actions – No Action .....5  
 2.2 Alternative B: Proposed Action.....5  
 Section 3 Affected Environment.....6  
 3.1 Surface Water Resources.....6  
 3.2 Groundwater Resources .....6  
 3.3 Land Use.....7  
 3.4 Biological Resources.....7  
 3.5 Recreational Resources.....11  
 3.6 Aesthetics.....11  
 3.7 Soils and Geology.....11  
 3.8 Cultural Resources.....12  
 3.9 Indian Trusts Assets.....13  
 3.10 Socioeconomic Resources.....13  
 3.11 Environmental Justice.....13  
 Section 4 Environmental Consequences .....16  
 4.1 Surface Water Resources.....16  
 4.2 Groundwater Resources .....16  
 4.3 Land Use.....16  
 4.4 Biological Resources.....17  
 4.5 Recreational Resources.....17  
 4.6 Aesthetics.....17  
 4.7 Soils and Geology.....18  
 4.8 Cultural Resources.....18  
 4.9 Indian Trusts Assets.....18  
 4.10 Socioeconomic Resources..... 19  
 4.11 Environmental Justice.....19  
 4.12 Cumulative Effects .....19  
 Section 5 Consultation and Coordination.....20  
 5.1 Fish and Wildlife Coordination Act (16 USC. 651 ET SEQ.).....20  
 5.2 Endangered Species Act (16 USC. 1521 ET SEQ.).....20  
 5.3 National Historic Preservation Act (15 USC 470 ET SEQ.).....20

Section 6 List of Prepareres and Reviewers .....21  
 Section 7 References.....21

**LIST OF TABLES**

Table 3.2-1. Useable Storage in the Goleta Groundwater Basin.....7  
 Table 3.2-2. Production Capacities of District Wells.....7  
 Table 3.4-1. USFWS Special Status Species List.....10  
 Table 3.4-2. CNDDDB Database Results .....10  
 Table 3.11-1. Census Information for Santa Barbara County.....14  
 Table 3.11-2. Census Information for the City of Goleta .....15

**LIST OF FIGURES**

Figure 1. USBR Water Distribution System.....3

**LIST OF APPENDICES**

- Appendix A-CNNDB Search Results
- Appendix B- SHPO Concurrence Letter
- Appendix C- ISFWS Species List Letter

**LIST OF ACRONYMS, ABBREVIATIONS AND DEFINITION OF TERMS**

- AF (acre-foot)** – The volume of water required to cover 1 acre of land (43,560 square feet) to a depth of 1 foot. One acre-foot is equal to 325,851 gallons, which is enough water for a family of four for an entire year.
- GWD** – Goleta Water District
- DS** – Distribution System
- USBR** – U.S. Bureau of Reclamation
- CEQA** – California Environmental Quality Act
- NEPA** – National Environmental Protection Act
- SWP** – State Water Project
- SHPO** – State Historic Preservation Office

## **SECTION 1 PURPOSE AND NEED**

### **1.1 BACKGROUND**

#### **1.1.1 Goleta Water District (GWD)**

The Goleta Water District (GWD) was formed by a vote of the people within the District's service area on December 17, 1944. The GWD was established as a legal entity to represent the interests of persons within the Goleta Valley. GWD receives Cachuma Project Water pursuant to a contract executed between the United States Bureau of Reclamation (USBR) and the Santa Barbara County Water Agency Contract No. 175r-1802R.

The Cachuma Project was authorized by the Secretary of the Interior in 1948, pursuant to Section 9(a) of the USBR Project Act of 1939. The Project was designed to provide a supplemental water supply for irrigation and municipal and industrial purposes. USBR began construction of the Cachuma Project in 1950 and was completed in 1956. The authorization also approved the construction and repayment of a lateral distribution system (DS) solely utilized by the GWD under a separate contract between USBR and GWD (Contract No. 175r4561). In 2002, GWD satisfied its repayment obligation to the United States for the federally constructed DS. Furthermore, article 17 of the subject contract states that "title to the distribution system constructed by the United States shall be and remain in the name of the United States until otherwise provided for by the Congress...". GWD is working closely with local congressional representatives to initiate legislation that provides for the transfer of title from the United States to the GWD (Title Transfer).

The GWD is located in the South Coastal portion of Santa Barbara County with its western border adjacent to the El Capitan State Park, its northern border along the foothills of the Santa Ynez Mountains and the Los Padres National Forest, the City of Santa Barbara to the east, and the Pacific Ocean to the south. The GWD's service area encompasses approximately 32,000 acres and provides water to approximately 80,000 customers.

The GWD's federally owned DS includes 59 miles of pipelines ranging from 2 inches to 25 inches in diameter. The GWD's water supply from the Cachuma Project and the State Water Project (SWP) is treated by the GWD's Corona Del Mar Water Treatment Plant. This plant provides coagulation and flocculation, filtration, and disinfection treatment and has a nominal treatment capacity of 24 million gallons per day. The GWD maintains eight reservoirs ranging in individual storage capacity from 0.3 million gallons to over 6 million gallons, with a total combined storage capacity of approximately 20.2 million gallons.

#### **1.1.2 Previous Environmental Documentation**

The proposed project qualifies for a Categorical Exemption under the California Environmental Quality Act (CEQA), pursuant to §15062 and § 15301 of the CEQA Guidelines. A Notice of Exemption has been prepared and is on file at the GWD office, located at 4699 Hollister Avenue, Goleta, CA 93110-1999. The Notice was filed with the County Clerk of Santa Barbara and the State Clearinghouse.

### **1.2 PURPOSE AND NEED**

The primary purpose of the proposed project is to simplify the administrative requirements of the federal DS. The Title Transfer of the federal DS from USBR to GWD will not change the current operation and maintenance of the subject facilities, other than reducing procedural activities among the agencies.

The primary beneficiaries of the proposed project are GWD and USBR. The GWD will benefit from the proposed project by reducing costs, time, and paperwork associated with operating

Transfer of Distribution System to GWD Final Environmental Assessment  
and maintaining the federal DS. USBR will also benefit by minimizing activities associated with overseeing the operation and maintenance of the federal DS, including the requirement of inspecting the federal DS every three years.

The National Environmental Policy Act (NEPA) requires the full disclosure of the environmental impacts, alternatives, potential mitigation, and environmental compliance procedures of federal actions. This Environmental Assessment has been prepared to provide NEPA compliance.

### **1.3 SCOPE AND POTENTIAL ISSUES OF THIS ENVIRONMENTAL ASSESSMENT**

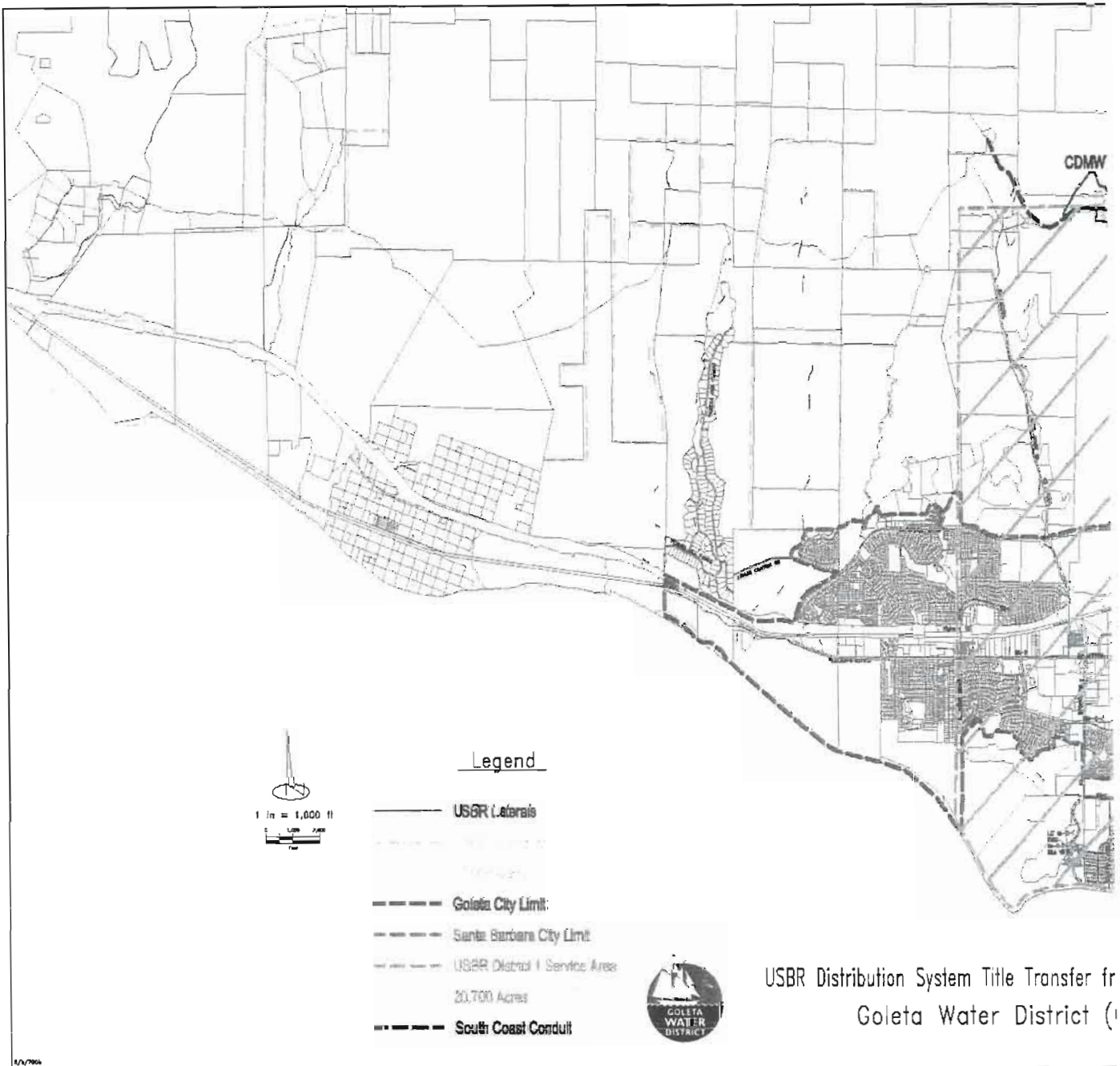
#### **1.3.1 Scope**

The proposed project is a transfer of ownership of a federally owned DS, including certain lands and properties, such as rights-of-way, easements and fences. The proposed project does not involve any physical modification to the existing DS or associated facilities. In addition, the Title Transfer would not change the current operation and maintenance of the facilities, other than streamlining administrative procedural activities amongst the agencies.

#### **1.3.2 Potential Issues**

The potentially affected resources in the project vicinity include:

- Surface Water Resources
- Groundwater Resources
- Land Use
- Biological Resources
- Recreation
- Aesthetics
- Soils
- Cultural Resources
- Indian Trust Assets
- Socioeconomic Resources
- Environmental Justice





### **SECTION 3 AFFECTED ENVIRONMENT**

The potentially affected environment includes the area occupied by the GWD and the USBR DS, as well as federally owned facilities, lands and properties that would be involved in the proposed Title Transfer.

#### **3.1 SURFACE WATER RESOURCES**

The project site is within the jurisdiction of the Central Coast Regional Water Quality Control Board. Surface waters in the area include the Goleta Slough, Lake Cachuma, Lake Los Carneros (a man-made lake), and several creeks. The City of Goleta and outlying unincorporated areas obtain water from the GWD.

Although Lake Cachuma is not within the GWD's boundaries, the majority of the GWD's water supply is from the Cachuma Project which the Federal Government, through USBR, constructed on the Santa Ynez River in the early 1950s. The Cachuma Project consists of Bradbury Dam, Tecolote Tunnel, South Coast Conduit, and various water conveyance facilities. Under Contract No. 175r-1802R between the United States and the Santa Barbara County Water Agency, the GWD receives an allocation of approximately 9,322 acre-feet per year (AFY) from the Cachuma Project, although this amount can vary depending on winter runoff, lake storage, water demand, downstream releases for fish, and water right holders.

The GWD also receives SWP water through a Water Supply Agreement with the Central Coast Water Authority (CCWA). The GWD's annual project allotment is 4,500 AFY with an additional allocation of 450 AFY during drought years.

GWD's entire service area covers approximately 32,000 acres; approximately 5,075 of which are occupied by the City of Goleta. Currently, GWD's service area includes a population of approximately 80,000 persons and agricultural operations use about 18% of the water supplied by GWD. GWD water demand is created by residential, commercial, industrial, and irrigation uses.

The service area for the proposed project includes USBR Improvement District 1, which lies within GWD boundaries and covers approximately 20,700 acres. The City of Goleta is located within the USBR Improvement District 1 (see Figure 1).

#### **3.2 GROUNDWATER RESOURCES**

The Goleta Groundwater Basin (GGWB) underlies the Goleta Coastal Plain. The basin is bounded on the north by bedrock of the Santa Ynez Mountains, and to the south by uplifted bedrock along the More Ranch Fault. Tertiary-age rock forms the western boundary, and the eastern boundary consists of bedrock uplifted along the Modoc Fault. The basin is approximately 8 miles long and 3 miles wide.

The GGWB is drained by the Cieneguitas, Atascadero, San Antonio, Maria Ygnacio, San Jose, Las Vegas, San Pedro, Carneros, and Tecolotito creeks. The lower reaches of these creeks are intermittent where they flow across permeable sediments of the North Subbasin, which provides an active area of groundwater recharge for the basin.

The storage capacity of a groundwater basin is calculated by estimating the total volume of drainable pore space between specified horizons. Drainable pore space (Specific Yield) is typically on the order of 10 to 30 percent, with 10 to 20 percent being values commonly used.

Storage capacity projections are made using estimates of specific yield and the volume of alluvial sediments available for saturation and desaturation. When historical high and low water levels are used, these calculations result in what is typically referred to as "useable storage." Using this approach, and based on the volumetric difference between 2004 and 1990 water

levels and estimates of specific yield of 10 to 20 percent, results in an estimate of approximately 35,000 to 70,000 acre-feet between these years (Table 3.2-1). Table 3.2-1. Useable Storage in the Goleta Groundwater Basin (Goleta Water District 2005)

Subbasin	Specific Yield (acre-feet) of Useable Storage Between 1990 and 1994		
	10%	20%	30%
North	5,000	9,000	14,000
Central	24,000	48,000	73,000
West	7,000	15,000	22,000
Total	36,000	72,000	109,000

The GWD has nine major production wells, all of which are located in the Central Subbasin (Table 3.2-2). Production capacities of GWD's wells have historically ranged from approximately 200 gallons per minute (gpm) to 750 gpm, with a combined total instantaneous pumping capacity of approximately 3,260 gpm (Goleta Water District 2005).

Table 3.2-2. Production Capacities of District Wells (Goleta Water District 2005)

Well Name	Approximate Average Historic Capacity (gpm)	Estimated Current Maximum Capacity (gpm)	Estimated Future Maximum Capacity (gpm)	Depth to Lowermost Well Screen (ft bgs)
Airport	750	900	900	440
Anita #2	440	400	400	680
Berkeley #2	180	0	300	285
El Camino	180	400	400	792
San Antonio	230	750	750	696
San Marcos	500	530	530	1,064
San Ricardo	340	0	400	1,270
Shirrell	180	0	180	220
University	460	500	500	450
Total	3,260 gpm	3,480 gpm	4,360 gpm	-
50% of total	2,600 AFY	2,800 AFY	3,500 AFY	-
80% of total	4,207 AFY	4,500 AFY	5,600 AFY	-

### 3.3 LAND USE

Land use designations within the project area consist of residential, general commercial, general industrial, coastal dependent industrial, research/development industrial, public facility, open space/recreation, and agriculture.

### 3.4 BIOLOGICAL RESOURCES

The foothills of the Santa Ynez Mountains are largely undeveloped within and adjoining the Forest Service domain. The steep, south-facing slopes of the Santa Ynez range are covered with chaparral scrub and are incised by a number of perennial, intermittent, and ephemeral streams that comprise a portion of the coastal watershed. The area is comprised of a diverse array of distinct, yet inter-related habitats. Examples include the offshore marine environment, coastal strand, coastal dune, coastal estuaries, various kinds of scrub and woodland habitats, and freshwater streams. A large complex of vernal pools is also present in the area, known locally as the coastal southern Santa Barbara County complex.

Freshwater Marsh. Freshwater marsh habitat usually occurs in nutrient-rich mineral soils that are saturated on a seasonal basis. These communities can occur in areas of slow-moving or stagnant shallow water along streams, or in areas where the low permeability of existing soils results in the prolonged presence of surface water or saturated soils. These habitat types occur along the persistent, moist areas of existing drainages, around the perimeters of ponds, and in low topographic areas that contain standing water or moist soils due to retention of rainfall/runoff. Freshwater marsh is typically dominated by perennial, emergent monocots such as cattail (*Typha* spp.) and bulrush (*Scirpus* spp.).

Southern Coastal Salt Marsh. Estuarine habitat areas are supported by seasonal, surface water flow and occasional input of tidal waters from the Pacific Ocean. Salt tolerant grasses and herbaceous plants typically dominate this habitat type. Typical plant species often include pickleweed (*Salicornia virginica*), saltbrush (*Atriplex watsonii*), and alkali heath (*Frankenia* spp.). Estuarine habitat is particularly important as rearing grounds for marine fishes including special status species such as the tidewater goby (*Eucyclogobius newberryi*) and southern steelhead (*Oncorhynchus mykiss*).

Riparian Scrub. Riparian scrub occurs in scattered locations adjacent to existing flowing stream channels or along seasonally flooded arroyos, or in topographic depressions located close to ground water. These communities consist of scrubby streamside thickets, varying from open to closed canopies (Holland 1986). The overstory of riparian scrub is typically dominated by a variety of willows (*Salix* spp.). Vegetation associated with riparian scrub communities also provide important nesting, roosting, and foraging habitat for a variety of migratory songbirds, as well as various raptors. Many wildlife species utilize riparian corridors as a protective corridor for movement allowing animals to move through their natural range.

Coastal Sage Scrub. Coastal sage scrub is a common habitat type characterized by plants such as California Sagebrush (*Artemisia californica*), coyote brush (*Baccharis pilularis*), morning-glory (*Calystegia macrostegia*), poison oak (*Toxicodendron diversilobum*), and bush monkey-flower (*Mimulus* spp.). This habitat type provides important nesting and foraging habitat for a wide variety of migratory songbirds, in addition to protective cover and foraging habitat for small mammals.

Annual Grassland. Annual grassland habitat occurs intermingled with various other habitat types including coastal sage scrub, eucalyptus woodland and disturbed habitats throughout the project area. Cattle grazing and other agriculturally based land use practices contribute to the presence of annual grassland. Non-native grasses and weedy annual forbs primarily dominate this plant community. A variety of common plant species that characterize annual grasslands include wild oat (*Avena* spp.), brome (*Bromus* spp.), filaree (*Erodium* spp.), plantain (*Plantago* spp.), barley (*Hordeum* spp.), mustard (*Brassica* spp.), and vetch (*Vicia* spp.). Grasslands often provide important habitat features for a variety of wildlife species that commonly use open grassland areas for foraging and nesting purposes.



Eucalyptus Woodland. Eucalyptus woodland, consisting of stands of eucalyptus (*Eucalyptus* spp.), occurs in scattered locations throughout the county, often forming a mosaic with annual grassland and coastal sage scrub habitats. In areas where eucalyptus forms dense stands, growth of native plants within the immediate vicinity is inhibited. Stands of eucalyptus provide

over-wintering habitat for monarch butterflies (*Danaus plexippus*) throughout Santa Barbara County. Riparian Forest. Riparian forest communities are characterized as tall, open, broad-leaved, winter-deciduous riparian forests that occur along frequently inundated lands located along rivers and streams, or in areas where the water table is at or near the ground surface. The dominant species within these communities require moist, bare mineral soil for germination and establishment (Holland 1986). The structure and composition of riparian forest can vary substantially throughout the length of a given drainage. Riparian forests are typically dominated by California Sycamore (*Platanus racemosa*) and cottonwood (*Populus* spp.) with a variety of willows (*Salix* spp.) comprising the primary vegetative cover in the understory. However, the structure and density of the understory can be highly variable and may include blue elderberry (*Sambucus mexicana*), California blackberry (*Rubus ursinus*), goldenrod (*Solidago* spp.), and nettle (*Urtica* spp.). These riparian habitats provide important nesting, roosting, and foraging habitat for a variety of migratory songbirds, as well as various raptors.

Oak Woodland. Oak woodland habitat varies substantially in structure and composition, and is dependent on local environmental conditions such as slope, aspect, soils, moisture conditions, and microclimate features (Holland 1986). Understory of oak woodland can be highly variable. Characteristic species that may occur as part of the shrub layer include scrub oak (*Quercus dumosa*), coffeeberry (*Rhamnus californica*), poison oak (*Toxicodendron diversilobum*), and elderberry (*Sambucus mexicana*). Oak woodland vegetation is important for animal cover, providing nesting sites for birds, and shelter for numerous mammals. Woodland areas also support numerous insects and small mammals that are important food sources for other vertebrates in the area. Snags provide excellent roosts for raptors and nesting cavities for a variety of birds.

Ruderal. Disturbed habitats occur in various locations throughout the study sites, particularly along roadsides and around the perimeters of developed areas. Characteristic species observed within disturbed habitats include mustards, sweet fennel (*Foeniculum vulgare*), milk thistle (*Silybum marianum*), castor bean (*Ricinus communis*), and various species of grass.

Vernal pools are a type of wetland that occurs where naturally occurring basins are underlain by impermeable substrates. Wetlands require adequate vegetative buffers to maintain their biotic integrity.

Vernal Pools. Vernal pools are a unique kind of wetland ecosystem. Central to their distinctive ecology is the fact that they are vernal or ephemeral, occurring only temporarily (typically during the spring) and then disappearing until the next year. They are wet long enough to be different in character and species composition from the surrounding upland habitats, and yet their prolonged annual dry phase prevents the establishment of species typical of more permanent wetlands. In California, where extensive areas of vernal pool habitat developed over long periods of time, unique suites of species specially adapted to the unusual conditions of vernal pools have evolved (SB County 2003).

Ferren and Pritchett (1988) have described southern Santa Barbara County vernal pools as “an isolated group that occur on flat-topped mesas situated immediately south of the More Ranch fault” (Goleta Water District 2003). Individual pools or groups of pools occur from the Ellwood Mesa area east to More Mesa. These pools vary widely in terms of size, depth, species composition, and level of disturbance. Ferren and Pritchett also state, that “most of the original pools of the region have been destroyed during the past three decades of urbanization, particularly by the spread of residential development in Isla Vista and the growth of UC Santa Barbara on to West and Storke campuses” (Goleta Water District 2003)

Statewide, vernal pools are becoming increasingly recognized as one of the most unique habitats occurring in California. Many of the plant species found in these habitats are endemic to California. The U.S. Fish and Wildlife Service (USFWS) recently proposed to designate certain vernal pool areas statewide as critical habitat for eleven plant species and four crustaceans (SB County 2003), stating in part:

Santa Barbara County's Local Coastal Plan (LCP) designates certain biotic communities as "Environmentally Sensitive Habitat" (ESH). ESH-designated areas are afforded specific protections. Among the communities designated as ESH are coastal dunes, wetlands, native grasslands, vernal pools, butterfly trees, marine mammal hauling grounds, white-tailed kite habitat, subtidal reefs, rocky points and intertidal areas, kelp beds, seabird roosting areas, native plants, and streams (SB County 1982). Examples of the onshore habitats are found within the GWD service area.

Table 3.4-1 shows the special status species list provided by the USFWS via their letter dated July 18, 2006, sent by Mr. Carl T. Benz, Assistant Field Supervisor.

Table 3.4-1. USFWS Special Status Species List

Type	Common Name	Scientific Name	Status
Amphibian	California Red-Legged Frog	<i>Rana aurora draytonii</i>	Endangered
Bird	Brown Pelican	<i>Pelicanus occidentalis</i>	Endangered
Bird	California Least Tern	<i>Sterna antillarum browni</i>	Endangered
Bird	Light-Footed Clapper Rail	<i>Rallus longirostris levipes</i>	Endangered
Bird	Western Snowy Plover	<i>Charadrius alexandrinus nivosus</i>	Threatened
Fish	Southern California Steelhead	<i>Oncorhynchus mykiss</i>	Endangered
Fish	Tidewater Goby	<i>Eucyclogobius newberryi</i>	Endangered
Invertebrate	Vernal Pool Fairy Shrimp	<i>Branchinecta lynchi</i>	Threatened
Plant	California Orcutt Grass	<i>Orcuttia californica</i>	Endangered
Plant	Gambel's Watercress	<i>Rorippa gambellii</i>	Endangered
Plant	Gaviota Tarplant	<i>Hemizonia increscens</i> ssp. <i>Villosa</i>	Endangered

A CNDDDB data base search was performed for this project in June 2006 to determine sensitive wildlife species present in the project area (Table 3.4-2). Quads included in the search included those in which the project is located (Goleta and Dos Pueblos), and those surrounding them (Santa Barbara, Little Pine Mountain, San Marcos Pass, Lake Cachuma, Santa Ynez, and Tajiguas).

Table 3.4-2. CNDDDB Database Results

Type	Common Name	Scientific Name	Federal Status	State Status
Amphibian	Arroyo Toad	Bufo californicus	Endangered	N/A
Amphibian	California Red-legged Frog	Rana aurora draytonii	Threatened	N/A
Bird	Western Snowy Plover	Charadrius alexandrinus nivosus	Threatened	N/A
Bird	Southwestern Willow Fly Catcher	Empidonax traillii extimus	Endangered	Endangered

Type	Common Name	Scientific Name	Federal Status	State Status
Bird	California Condor	Gymnogyps californianus	Endangered	Endangered
Bird	Bald Eagle	Haliaeetus leucocephalus	Threatened	Endangered
Bird	Belding's Savanna Sparrow	Passerculus sandwichensis beldingi	N/A	Endangered
Bird	Light-footed Clapper Rail	Rallus longirostris levipes	Endangered	Endangered
Bird	Bank Swallow	Riparia riparia	N/A	Threatened
Bird	Least Bell's Vireo	Vireo bellii pusillus	Endangered	Endangered
Fish	Tidewater Goby	Eucyclogobius newberryi	Endangered	N/A
Fish	Southern Steelhead	Oncorhynchus mykiss irideus	Endangered	N/A
Plant	Contra Costa Goldfields	Lasthenia conjugens	Endangered	N/A
Plant	Santa Ynez False Lupine	Thermopsis Macrophylla	N/A	Rare

### 3.5 RECREATIONAL RESOURCES

Recreational areas within Goleta's City limits include a total of 390 acres of parks, 256 acres of two regional open space preserves (Santa Barbara Shores and Lake Los Carneros), and an additional 38 acres in small undeveloped open space areas in various neighborhoods.

Recreational areas outside Goleta's City limits include many County parks and designated open spaces. In addition, both County and State beaches, such as Goleta Beach, Isla Vista Beach and Sands Beach, provide recreational areas.



### 3.6 AESTHETICS

The Santa Ynez Mountains rise steeply and provide a dramatic vertical backdrop for northerly views from the local area. Coastal foothills are viewed against the base of the mountains and provide an open, rural feel to local views. The foothills have been largely developed with agriculture and scattered residences, intervened by local creeks and natural areas. Agricultural areas, stands of tall trees, coastal bluffs, beaches, and the ocean are important visual features to the south. Pleasing views of these important visual resources are available from many vantage points throughout the area, including public parks, roadways, the Union Pacific Railroad line, open space areas, residences, offices, commercial areas, and industrial areas.

### 3.7 SOILS AND GEOLOGY

The project area is located in the foothills north and west of Goleta. The topography of the general project area is gently undulating foothills with existing agricultural land. General geology of the region is dominated by Sespe and Rincon Formation shales, with Quaternary alluvium unconsolidated flood deposits of silt, sand and gravels within the canyons. Many earthquake faults are located within or near the project area.

The Goleta Coastal Plain is located along the south coast of Santa Barbara County and is underlain by the Goleta Groundwater Basin. Water bearing deposits in the basin consist of young alluvium of Quaternary and Holocene age, terrace deposits, older alluvium, and the Santa Barbara Formation of the Pleistocene age. The valley is bounded on the north by bedrock of the Santa Ynez Mountains, and on the south by uplifted bedrock along the More Ranch Fault. Tertiary-age bedrock forms the western boundary, and the eastern boundary consists of bedrock uplifted along the Modoc Fault.

### 3.8 CULTURAL RESOURCES

The project area lies within the historic territory of groups belonging to the Chumashan language family. The Chumash occupied the region from San Luis Obispo to Malibu Canyon on the coast, inland as far as the western edge of the San Joaquin Valley, and the northern Channel Islands. The Chumash are subdivided into six distinct dialect groups: Barbareño, Ventureño, Purisimeño, Ynezeño, Obispeño and Cruzeño (or Island). The project area is located within the historic Barbareño territory. The Barbareño occupied the narrow coastal plain from Point Conception to Punta Gorda in Ventura County. At the time of contact, the Barbareño were organized into large towns along the coast and were involved in extensive trade networks (Johnson 1988).

The Mission at Santa Barbara was officially established in December 1786. Although the Mission grounds are not within the boundaries of the GWD, many historic structures dating from the mission era through the 1950s are located within the project area. In addition to these structures, historic dump sites and old stagecoach roads exist within the GWD boundaries.

A records search was conducted by Padre Associates, Inc. during the week of January 20, 2006, at the Central Coastal Information Center at the University of California, Santa Barbara. This search included a review of all recorded archaeological sites within the boundaries of the GWD as well as a review of cultural resource reports on file. In addition, the California Points of Historical Interest, the California Historical Landmarks, the California Register of Historic Places, the National Register of Historic Places, and the California State Historic Resources Inventory were reviewed for the project area. A total of 224 archaeological sites and historic sites have been recorded in the project area. Phase I surveys have been conducted throughout the GWD; however, they do not provide complete coverage and many are outdated. In addition, due to the alluvial nature of the soils in the project area, there is a high potential for buried archaeological resources.

The National Historic Preservation Act requires that the heads of all Federal agencies shall assume responsibility for the preservation of historic properties which are owned or controlled by their agency. Historic properties are considered to include all properties listed in the National Register and to properties meeting eligibility criteria specified in 36 CFR Section 60.4. Because the transfer of federally owned historic properties to a non-federal entity is considered an adverse effect, it is important to acknowledge the presence of such historic properties on federally owned lands.

The Central Coastal Information Center records search mapped results were compared to the DS map. Based on this comparison, no known historic properties are present on the lands owned or controlled by USBR. Historic properties are present on easement lands. These historic properties present on easement lands may be on or eligible for listing on the National Register of Historic Places. However, USBR's easements possess only the right of use of the land. That right of the use of the land extends only to the extent necessary to provide the actual benefit intended by the easement. The lands underlying the DS easements are not under the direct or indirect jurisdiction of USBR and are not under USBR's ownership or control. The DS does not meet any of the criteria for listing on the National Register of Historic Places (criterion A,B,C,orD).

### **3.9 INDIAN TRUSTS ASSETS**

Indian trust assets are legal interests in assets that are held in trust by the U.S. Government for federally recognized Indian tribes or individuals. The trust relationship usually stems from a treaty, executive order, or act of Congress. The Secretary of the interior is the trustee for the United States on behalf of federally recognized Indian tribes. Indian trust assets cannot be sold, leased or otherwise alienated without United States' approval. Trust assets may include lands, minerals and natural resources, as well as hunting, fishing and water rights. Indian reservations, rancherias and public domain allotments are examples of lands that are often considered trust assets. In some cases, Indian trust assets may be located off trust land. USBR shares the Indian trust responsibility with all other agencies of the Executive Branch to protect and maintain Indian trust assets reserved by or granted to Indian tribes, or Indian individuals by treaty, statute or Executive order.

### **3.10 SOCIOECONOMIC RESOURCES**

According to the City of Goleta (City) General Plan Report, Housing Element (2004), the City had 10,781 housing units in 2000. The City's housing is roughly divided equally between multiple family and single family structures. Many of the single family units are owner-occupied homes, occupied by people who have lived here for many years. The neighborhoods in the northern half of the city are predominantly single family neighborhoods. Approximately 35% or 3,806 of the 10,781 units in the City are multiple family units largely located in the southern part of the City. The majority of residential units experience no overcrowding, with only about 11% (or 1,159) of the units potentially overcrowded. Of these, 6% (or 672 units) are severely crowded as defined by state standards. These ratios of overcrowding are below county (13%) and state (15%) averages.

### **3.11 ENVIRONMENTAL JUSTICE**

Environmental justice refers to the fair treatment of peoples of all races, income levels, and cultures with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment implies that no person or group of people should shoulder a disproportionate share of negative impacts resulting from the execution of federal programs. Executive Order 12898, dated February 11, 1994, establishes the achievement of environmental justice as a federal agency priority. The memorandum accompanying the order directs heads of departments and agencies to analyze the environmental effects of federal actions, including human health, economic, and social effects when required by NEPA, and to address significant and adverse effects on minority and low-income communities.

The project area is located within Santa Barbara County, and includes the City as well as outlying unincorporated areas. Demographic data is presented for both Santa Barbara County and the City. Census data is unavailable for the unincorporated area surrounding the City.

**3.11.1 County of Santa Barbara** General population demographic characteristics of the area based on US Census (2000) data (Table 3.11-1) indicate that the County of Santa Barbara has a population of approximately 399,347 persons, with a total of 142,900 housing units. The average household size is approximately 2.80 persons. Of this population, approximately 72.7% are of Caucasian origin (290,418 persons). Additionally, as shown Table 3.11-1, the minority race with the highest concentration in the area is Hispanic or Latino of any race, which constitutes approximately 34.2% (136,668 persons). The population numbers and percentages for race do not necessarily add up to the total population numbers recorded by the US Census Bureau. This is due to the fact that beginning with the 2000 census, the Census Bureau allowed respondents to mark more than one race.

In terms of economic characteristics, the population of Santa Barbara County earns a median household income of \$46,677, which is higher than the national average of \$41,994. 14.3% of the County’s population is considered living below the established poverty level.

Table 3.11-1. Census Information for Santa Barbara County

	Number	Percent
Total Population:	399,347	100.0
Race:		
Caucasian	290,418	72.7
African American	9,195	2.3
American Indian or Alaska Native	4,784	1.2
Asian	16,344	4.1
Pacific Islander	700	0.2
Some Other Race	60,683	15.2
Two or More Races	17,223	4.3
Hispanic or Latino of Any Race (dominant minority)	136,668	34.2
Total Housing Units:	142,901	100.0
Number of Persons Below Established Poverty Level:	55,086	14.3
Median Household Income:	\$46,677	

**3.11.2 City of Goleta**

General population demographic characteristics of the area based on US Census data (Table 3.11-2) indicate that the City has a population of approximately 55,204 persons, with a total of 20,442 housing units (US Census 2000). The average household size is approximately 2.72 persons. Of this population, approximately 78.6% are of Caucasian origin (43,397 persons). Additionally, as shown in the table, the minority race with the highest concentration in the area is Hispanic or Latino of any race, which constitutes approximately 22.3% (12,326 persons). In terms of economic characteristics, the population of the City earns a median household income of \$60,314, which is higher than the national average of \$41,994. 6.7% of the City’s population is considered living below the established poverty level.



Table 3.11-2. Census Information for the City of Goleta (US Census 2000).

	Number	Percent
Total Population:	55,204	100.0
Race:		
Caucasian	43,397	78.6
African American	703	1.3
American Indian or Alaska Native	451	0.8
Asian	3,548	6.4
Pacific Islander	60	0.1
Some Other Race	5,098	9.2
Two or More Races	1,947	3.5
Hispanic or Latino of Any Race (dominant minority)	12,326	22.3
Total Housing Units:	20,442	100.0
Number of Persons Below Established Poverty Level:	3,672	6.7
Median Household Income:	\$60,314	

## SECTION 4 ENVIRONMENTAL CONSEQUENCES

### 4.1 SURFACE WATER RESOURCES

#### 4.1.1 Alternative A - No Action

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to surface water resources would occur with this alternative.

#### 4.1.2 Alternative B - Proposed Action

Under the Proposed Action, GWD would continue to operate and maintain project features to deliver water to the City of Goleta and outlying unincorporated areas within their service area. No new facilities would be constructed, nor would existing facilities be modified. No changes to surface water resources would occur. The Proposed Action would not alter any CVP or State Water Project (SWP) entitlement or impede any obligations to deliver water to other CVP or SWP contractors, fish or wildlife purposes. The proposed action is strictly administrative in nature. Therefore, the Title Transfer would not result in substantial effects to surface water resources.

### 4.2 GROUNDWATER RESOURCES

#### 4.2.1 Alternative A - No Action

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to groundwater resources would occur with this alternative.

#### 4.2.2 Alternative B - Proposed Action

The Proposed Action involves a transfer of ownership of the DS from USBR to the GWD, and does not involve the construction of new, or modification of existing infrastructure. The proposed action is strictly administrative in nature. Therefore no impacts to groundwater resources would occur. All operations and maintenance activities would continue under existing conditions.

### 4.3 LAND USE

#### 4.3.1 Alternative A: No- Action

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to land use would occur with this alternative.

#### 4.3.2 Alternative B – Proposed Action

Under the Proposed Action, GWD would own the title to the DS and continue to operate and manage the facilities as they have historically in the past. No new facilities would be constructed, nor would existing facilities be modified. The Proposed Action would not result in increased or decreased water supplies to GWD that would induce growth or land use changes. No changes to land use would occur. The proposed action is strictly administrative in nature. Therefore, the Title Transfer would not result in substantial effects to land resources or use in the GWD.

### 4.4 BIOLOGICAL RESOURCES

#### 4.4.1 Alternative A – No Action

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to biological resources would occur with this alternative.

#### 4.4.2 Alternative B – Proposed Action

Closely associated with vernal pools, are Contra Costa Goldfields (*Lasthenia conjugens*) which are listed as a federally Endangered species. The CNDDDB database search identified Contra Costa Goldfields as occurring within the project site. However, the specific location given for this occurrence is the “Isla Vista Tract, West of Goleta” (Appendix A). This information was first recorded in 1973. Since that time, a note has been incorporated into the record for Contra Costa Goldfields which states that “In 1973 only two remnants of vernal flat remained; plants now thought to be extirpated due to urbanization of the area.” The Proposed Action involves a transfer of ownership of the DS from USBR to the GWD. Because the proposed project does not involve the construction of new, or modification of existing, infrastructure, no adverse impacts to biological resources would occur. All operations and maintenance activities would continue under existing conditions. Contra Costa Goldfields is a federally listed plant, and was included in the CNDDDB list for the project area. However, the occurrence of Contra Costa Goldfields listed in the CNDDDB database no longer exist (Appendix A). In addition, other species that are federally listed, but not state listed, include the Tidewater Goby (*Eucyclogobius newberryi*), Arroyo Toad (*Bufo californicus*), Southern Steelhead (*Oncorhynchus mykiss irideus*), California Red-legged Frog (*Rana aurora draytonii*), and the Western Snowy Plover (*Charadrius alexandrinus nivosus*). These species would be protected under the federal ESA, regardless of any potential federal nexus with ACOE. The ESA prohibits take of the species by any entity. The USFWS and NMFS would be consulted when projects are proposed that might affect the species.

### 4.5 RECREATIONAL RESOURCES

#### 4.5.1 Alternative A – No Action

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to recreation would occur with this alternative.



**4.5.2 Alternative B - Proposed Action**

The Title Transfer is an administrative action and, as such, there would be no changes or impacts to recreation or recreational resources resulting from the transfer of the DS to GWD.

**4.6 AESTHETICS****4.6.1 Alternative A - No Action**

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to aesthetics would occur with this alternative.

**4.6.2 Alternative B - Proposed Action**

The Proposed Action involves a transfer of ownership of the DS from USBR to the GWD. Because the proposed project does not involve the construction of new, or modification of existing infrastructure, no adverse impacts to aesthetics would occur. All operations and maintenance activities would continue under existing conditions.

**4.7 SOILS AND GEOLOGY****4.7.1 Alternative A - No Action**

Under the Proposed Action, only the title to the facilities would transfer to GWD. The Title Transfer in and of itself would not affect soils or geological resources on underlying lands. Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to soils would occur with this alternative.

**4.7.2 Alternative B - Proposed Action**

The Proposed Action involves a transfer of ownership of the DS from USBR to the GWD. Because the proposed project does not involve the construction of new or modification of existing infrastructure, no adverse impacts to soils would occur. All operations and maintenance activities would continue under existing conditions. In addition, because no new facilities will be constructed with this project, no discussion of seismic hazards or Alquist-Priolo Act compliance is warranted.

**4.8 CULTURAL RESOURCES****4.8.1 Alternative A - No Action**

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to cultural resources would occur with this alternative.

**4.8.2 Alternative B - Proposed Action**

The proposed project to transfer title of federally owned property, easements and rights-of-way to the Goleta Water District (GWD), Santa Barbara County had the potential to affect historic properties. This resulted in a consultation package for the California State Historic Preservation Officer (SHPO). In the consultation package, USBR argued that no historic properties would be affected as a result of the Title Transfer pursuant to 36 CFR Part 800.5(b).

The property being transferred out of Federal ownership, though eligible for consideration for listing in the National Register of Historic Places, did not meet any of the Criteria for inclusion outlined in 36 CFR 60.4. USBR received concurrence on the determination of eligibility and affect from the SHPO on April 10, 2006. A copy of this concurrence letter can be found in Appendix B The receipt of concurrence on this project from the SHPO concludes the National Historic Preservation Act (NHPA) Section 106 process for this undertaking.

#### **4.9 INDIAN TRUSTS ASSETS**

##### **4.9.1 Alternative A - No Action**

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to Indian trust assets would occur with this alternative.

##### **4.9.2 Alternative B - Proposed Action**

The nearest Indian trust assets to this action are located on the Santa Ynez Indian Reservation, about 17 miles northwest of this action, therefore the proposed action will cause no impacts to Indian Trust Assets.

#### **4.10 SOCIOECONOMIC RESOURCES**

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to socioeconomic resources would occur with this alternative.

##### **4.10.1 Alternative B - Proposed Action**

The Proposed Action involves a transfer of ownership of the DS from USBR to the GWD. Because the proposed project does not involve the construction of new, or modification of existing infrastructure, no adverse impacts to socioeconomic resources would occur. All operations and maintenance activities would continue under existing conditions.

#### **4.11 ENVIRONMENTAL JUSTICE**

##### **4.11.1 Alternative A - No Action**

Under the No Action Alternative, the GWD would continue normal operation and maintenance activities, while ownership of the DS would remain with USBR. Because no changes to current operations would occur, no adverse impacts to minority or disadvantaged populations would occur with this alternative. In the event of DS failures which may release water and damage public and private properties, there may be liability impacts resulting in claims against the USBR.

##### **4.11.2 Alternative B - Proposed Action**

The Proposed Action involves a transfer of ownership of the DS from USBR to the GWD. Because the proposed project does not involve the construction of new, or modification of existing infrastructure, no adverse impacts to minority or disadvantaged populations would occur. All operations and maintenance activities would continue under existing conditions. In the event of DS failures which may release water and damage public and private properties, there may be liability impacts resulting in claims against GWD, but probably not against the USBR.

#### **4.12 CUMULATIVE EFFECTS**

A cumulative impact is an impact that results from the incremental impact of an action when added to other past, present, and reasonably foreseeable future actions regardless of what agency (federal or non-federal) or person undertakes with such actions. Cumulative impacts can result from individually minor, but collectively significant actions taking place over a period of time (40 CFR 1508.7).

The proposed action to transfer title of the DS from USBR to GWD has no known adverse cumulative impacts on the environment when considered with other past, present, or reasonably foreseeable future actions. However, all future actions will not be subject to Section 7 of ESA or Section 106 of the NHPA as there will be no federal nexus once the Title Transfer is complete. GWD will still be subject to State environmental compliance for all future action.

### **SECTION 5 CONSULTATION AND COORDINATION**

#### **5.1 FISH AND WILDLIFE COORDINATION ACT (16 USC. 651 ET SEQ.)**

This act requires federal agencies to consult with the USFWS and coordinate with the California Department of Fish and Game (CDFG) before undertaking projects or actions that control or modify surface water. This consultation and coordination is intended to promote the conservation of wildlife resources by preventing loss of or damage to fish and wildlife resources, and to provide for the development and improvement of fish and wildlife resources in connection with water projects. The USFWS and CDFG are authorized to conduct necessary surveys and investigations, to determine the possible damage to resources and to determine measures for preventing such losses. The reports and recommendations of the USFWS and CDFG may be integrated into any report that grants permission or authority to construct a project or modify or supplement plans for previously authorized projects.

#### **5.2 ENDANGERED SPECIES ACT (16 USC. 1521 ET SEQ.)**

The general purpose of this statute is to conserve and protect threatened and endangered species of fish, wildlife and plants. Section 7 of the ESA requires:

- federal agencies to utilize their authorities to conduct programs to conserve endangered and threatened species;
- consultation with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) when a federal action may affect a listed species to ensure that any action authorized, funded or carried out by a federal agency is not likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat;
- consultation with the USFWS and/or NMFS when a proposed federal action may affect but is Not Likely to Affect a federally listed species or critical habitat; and,
- conference with the USFWS when a federal action is likely to jeopardize the continued existence of listed species or result in the destruction or adverse modification of critical habitat.

The USFWS and the CDFG Natural Diversity Data Base was queried to determine the presence of sensitive, threatened and endangered species within the GWD service area. The results of the survey are provided as an attachment to this EA. The USFWS service list was requested on June 14, 2006, file number PAS 2878.4315.5708. The USFWS provided a species list on July 18, 2006 (Letter from Mr. Benz, dated July 18, 2006).

The project will not affect sensitive, threatened or endangered species.

### 5.3 NATIONAL HISTORIC PRESERVATION ACT (15 USC 470 ET SEQ.)

The purpose of this act is to protect, preserve, rehabilitate or restore significant historical and archaeological data, objects, or structures. The term “cultural resources” is a broad term that includes prehistoric, historic, architectural, and traditional cultural properties. Such resources are listed, or are eligible to be listed, in the National Register of Historic Places. The State Historic Preservation Office (SHPO) maintains a database of significant properties in California.

USBR consulted with the SHPO with respect to the project’s compliance with the National Historic Preservation Act. The property being transferred out of Federal ownership, though eligible for consideration for listing in the National Register of Historic Places, did not meet any of the Criteria for inclusion outlined in 36 CFR 60.4. USBR received concurrence on the determination of eligibility and affect from the SHPO on April 10, 2006. A copy of this concurrence letter can be found in Appendix B.

The receipt of concurrence on this project from the SHPO concludes the Section 106 process for this undertaking.

### SECTION 6 LIST OF PREPARERES AND REVIEWERS

David Iverson, Engineering Associate, Goleta Water District

Simon Poulter, Principal, Padre Associates, Inc.

Kris Vardas, Senior Environmental Planner, Padre Associates, Inc.

Kristina Gill, Environmental Analyst, Padre Associates, Inc.

Brian Dugas, Biologist, Padre Associates, Inc.

Laura Myers, Natural Resource Specialist, U.S. Department of the Interior, Bureau of

Reclamation

Sheryl Carter, Contract Repayment Specialist, U.S. Department of the Interior, Bureau of Reclamation

### SECTION 7 REFERENCES

Benz, Carl T. 2006 Species List for the Goleta Water District Title Transfer Project, Santa Babrara County, California. United States Fish and Wildlife Service. Goleta Water District 2003 Goleta West Conduit MND. Prepared for the Goleta Water District by SAIC. Goleta Water District 2005 Urban Water Management Plan, Prepared for the Goleta Water District by URS Corporation. Holland 1986 Holland, R.F. 1986. *Preliminary Descriptions of the Terrestrial Natural Communities of California*. California Department of Fish and Game, Non-Game Heritage Program. Sacramento, CA. Housing Element 2004 City of Goleta General Plan, Housing Element (2004). Johnson 1988 Johnson, J.R. 1988. *Chumash Social Organization: An Ethnohistoric Perspective*. Unpublished Ph.D. Dissertation, Department of Anthropology University of California Santa Barbara. SB County 2003 Santa Barbara County Planning Department (2003). Final EIR for the Chase Single-Family Dwellings. SB County 1982 Santa Barbara County Local Coastal Plan (1982). US Census 2000 U.S. Census Bureau (2000). Census information for Santa Barbara County and the City of Goleta.

## APPENDIX A

### CNDDDB Search Results

#### Natural Diversity Database California Department of Fish and Game Selected Elements by Scientific Name - Portrait

Scientific Name/Common Name	Element Code	Federal Status	State Status	GRank	SRank	CDFG or CNPS/R-E- D
1 <i>Bufo californicus</i> arroyo toad	AAABB01111	Endangered		G2G3	S2S3	SC
2 <i>Charadrius alexandrinus nivosus</i> western snowy plover	ABNNB03031	Threatened		G4T3	S2	SC
3 <i>Empidonax traillii extimus</i> southwestern willow flycatcher	ABPAE33043	Endangered	Endangered	G5T1T2	S1	
4 <i>Eucyclogobius newberryi</i> tidewater goby	AFCQN04010	Endangered		G3	S2S3	SC
5 <i>Gymnogyps californianus</i> California condor	ABNKA03010	Endangered	Endangered	G1	S1	
6 <i>Haliaeetus leucocephalus</i> bald eagle	ABNKC10010	Threatened	Endangered	G5	S2	
7 <i>Lasthenia conjugens</i> Contra Costa goldfields	PDAST5L040	Endangered		G1	S1.1	1B/3-3-3
8 <i>Oncorhynchus mykiss irideus</i> southern steelhead - southern California esu	AFCHA0209J	Endangered		G5T2Q	S2	SC
9 <i>Passerculus sandwichensis beldingi</i> Belding's savannah sparrow	ABPBX99015		Endangered	G5T3	S3	
10 <i>Rallus longirostris levipes</i> light-footed clapper rail	ABNME05014	Endangered	Endangered	G5T1T2	S1	
11 <i>Rana aurora draytonii</i> California red-legged frog	AAABH01022	Threatened		G4T2T3	S2S3	SC
12 <i>Riparia riparia</i> bank swallow	ABPAU08010		Threatened	G5	S2S3	
13 <i>Thermopsis macrophylla</i> Santa Ynez false lupine	PDFAB3Z0E0		Rare	G1	S1.3	1B/3-1-3
14 <i>Vireo bellii pusillus</i> least Bell's vireo	ABPBW01114	Endangered	Endangered	G5T2	S2	

## California Department of Fish and Game Natural Diversity Database Full Report for Selected Elements

### *Lasthenia conjugens*

Contra Costa goldfields

Element Code: PDAST5L040

Status		NDDB Element Ranks		Other Lists	
Federal:	Endangered	Global:	G1	CNPS List:	1B
State:	None	State:	S1.1	R-E-D Code:	3-3-3

**Habitat Associations General:** VALLEY AND FOOTHILL GRASSLAND, VERNAL POOLS, CISMONTANE WOODLAND. EXTIRPATED FROM MOST OF ITS RANGE; EXTREM. ENDANGERED.

**Micro:** VERNAL POOLS, SWALES, LOW DEPRESSIONS, IN OPEN GRASSY AREAS. 1-445M.

**Occurrence No. 18 Map Index:** 14511 **EO Index:** 16728 **Dates Last Seen**  
**Occ Rank:**None **Element:** 1973-XX-XX **Origin:** Natural/Native occurrence  
**Site:** 1973-XX-XX **Presence:** Extirpated **Trend:** Unknown **Record Last**  
**Updated:** 1993-01-20 **Main Source:** SMITH, C. 1976 (LIT)

**Quad Summary:** GOLETA (3411947/143A), DOS PUEBLOS CANYON (3411948/143B)  
**County Summary:** SANTA BARBARA

**Lat/Long:** 34.40998° / -119.86458° **Township:** 04N **UTM:** Zone-11 N3811336  
E236700 **Range:** 29W **Mapping Precision:** NON-SPECIFIC **Section:** XX **Qtr:** XX  
**Symbol Type:** POINT **Meridian:** S **Radius:** 1 mile **Elevation:** 40 ft

**Location:** ISLA VISTA TRACT, WEST OF GOLETA. **Location Detail:** **Ecological:** IN A VERNAL FLAT ABOVE THE OCEAN IN A CULTIVATED GRAIN FIELD. **Threat:** IN 1973, ONLY TWO REMNANTS OF VERNAL FLAT REMAINED. PLANTS NOW THOUGHT TO BE EXTIRPATED DUE TO URBANIZATION OF AREA. **General:** INCLUDES FORMER OCCURRENCE #17 WHICH SAID, "RINCON RANCH, GOLETA AREA". CAN'T FIND RINCON RANCH. **Owner/Manager:** PVT

## APPENDIX B

### SHPO Concurrence Letter

**From:** Adam Nickels **To:** Myers, Laura **Date:** Thu, Apr 20, 2006 9:37 AM **Subject:** GWD EA-06-022 Title Transfer/ArchTrack 06-SCAO-024

Dear Laura,

The proposed project to transfer title of Federally owned property, easements and rights-of-way to the Golleta Water District (GWD), Santa Barbara County had the potential to affect historic properties. This resulted in a consultation package for the California State Historic Preservation Officer (SHPO). In the consultation package, Reclamation argued that no historic properties would be affected as a result of the title transfer pursuant to 36CFR Part 800.5(b). The property being transferred out of Federal ownership, though eligible for consideration for listing in the National Register of Historic Places, did not meet any of the Criteria for inclusion outlined in 36CFR 60.4. Reclamation received concurrence on the determination of eligibility and affect from the SHPO on April 10, 2006. A copy of this concurrence letter will be forwarded to you for EA file shortly. The receipt of concurrence on this project from the SHPO concludes the Section 106 process for this undertaking. Please include a copy of this memo with the project folder. Thank you for the opportunity to comment and review.

Sincerely,

Adam Nickels

Adam M. Nickels  
Archaeologist  
U.S. Bureau of Reclamation Mid-  
Pacific Region 2800 Cottage Way,  
MP-153 Sacramento, CA 95825 916-  
978-5053 anickels@mp.usbr.gov

CC: Lawrence, Amy; Leigh, Anastasia; Welch, Patrick

STATE OF CALIFORNIA - THE RESOURCES AGENCY

**OFFICE OF HISTORIC PRESERVATION**  
**DEPARTMENT OF PARKS AND RECREATION**  
P.O. BOX 942896  
SACRAMENTO, CA 94296-0001  
(916) 653-6624 Fax: (916) 653-9824  
calshpo@ohp.parks.ca.gov  
www.ohp.parks.ca.gov

BUREAU OF RECLAMATION OFFICIAL FILE COPY		
RECEIVED ARNOLD SCHWARZENEGGER		
APR 18 2006		
CODE	ACTION	SUBMIT DATE
150	-	Nepstad 4/18/06

April 17, 2006

In reply refer to: BUR060330A

Michael Nepstad  
Deputy Regional Environmental Officer  
USDI Bureau of Reclamation  
Mid-Pacific Regional Office  
2800 Cottage Way  
Sacramento, CA 95825-1898

Re: Title Transfer of the Federally Owned Components of the Goleta Water District, Santa Barbara County, California

Dear Mr. Nepstad:

Thank you for your letter of 28 March 2006 requesting my comments with regard to the above referenced undertaking. You are consulting with me in order to comply with Section 106 of the National Historic Preservation Act of 1966 (16 U.S.C. 470f), as amended, and its implementing regulation at 36 CFR Part 800. The Bureau of Reclamation (Reclamation) is proposing to transfer ownership of a portion of the water distribution system within the Goleta Water District (GWD) to the GWD. You are requesting my concurrence with a determination that the portions of the water distribution system to be transferred are not eligible for listing in the National Register of Historic Places (NRHP) and that no historic properties will be affected as a result of the undertaking.

As proposed, the undertaking would transfer 59 miles of federally owned underground pipe including water distribution features such as end drains, pressure relief valves, air and vacuum valves, regulators, division gates, and pump stations. No federally owned lands would be transferred. The Area of Potential Effects (APE) for the undertaking includes the 59 miles of pipe and appurtenant features. I believe that the APE has been properly determined and documented as per 36 CFR § 800.4 (a)(1) and that the Efforts to Identify Historic Properties within the APE have been appropriate as per 36 CFR § 800.4. Reclamation has determined that the portions of the water distribution system to be transferred to GWD are not eligible for inclusion in the NRHP because they lack significant associations with important historical events or people and are not distinctive examples of a water conveyance system. As a result, Reclamation has determined that no historic properties would be affected by the undertaking, pursuant to 36 CFR § 800.4(d)(1). Based on my review of the materials submitted by Reclamation, I concur with these determinations.

Thank you for seeking my comments and considering historic properties as part of your project planning. If you have any questions or concerns, please contact David Byrd, Project Review Unit historian, at (916) 653-9019 or at [dbyrd@ca.parks.gov](mailto:dbyrd@ca.parks.gov).

Sincerely,

*Milford Wayne Donaldson*

Milford Wayne Donaldson, FAIA  
State Historic Preservation Officer

Classification	ENV 3.00
Project	CUP
File No.	WDC 314
Date	4/17/06



APPENDIX C  
USFWS Species List Letter



## United States Department of the Interior

FISH AND WILDLIFE SERVICE  
Ventura Fish and Wildlife Office  
2493 Portola Road, Suite B  
Ventura, California 93003



IN REPLY REFER TO:  
PAS 2878.4315.5708

July 18, 2006

Kristina M. Gill  
Padre Associates, Inc.  
811 El Capitan Way, Suite 130  
San Luis Obispo, California 93401

**Subject:** Species List for the Goleta Water District Title Transfer Project,  
Santa Barbara County, California

Dear Ms. Gill:

This letter is in response to your request, dated June 13, 2006, and received in our office on June 14, 2006, for a list of federally endangered or threatened species that may be present near the Goleta Water District Title Transfer Project. The proposed project involves the proposed transfer of ownership of a federally owned water distribution system from the Bureau of Reclamation (BOR) to the Goleta Water District. The parcel that may be transferred to the Goleta Water District occurs within the Dos Pueblos Canyon and Goleta U.S. Geological Survey 7.5-minute topographic quadrangles. We understand the Bureau of Reclamation is the lead Federal agency for the project. Please note that the BOR should be the entity that sends our office any future correspondence regarding the subject project, unless that federal agency wishes to designate, in writing, another entity as their agent.

The enclosed list of species fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act of 1973, as amended (Act). The BOR, as the lead Federal agency, for the project has the responsibility to review its proposed activities and determine whether any listed species may be affected. If the project is a construction project, which may require an environmental impact statement<sup>1/</sup>, the BOR has the responsibility to prepare a biological assessment to make a determination of the effects of the action on the listed species or critical habitat. If the BOR determines that a listed species or critical habitat is likely to be adversely affected, it should request, in writing, through our office, formal consultation pursuant to section 7 of the Act. Informal consultation may be used to

---

<sup>1/</sup> "Construction project" means any major Federal action which significantly affects the quality of the human environment designed primarily to result in the building of structures such as dams, buildings, roads, pipelines, and channels. This includes Federal actions such as permits, grants, licenses, or other forms of Federal authorizations or approval which may result in construction.



Kristina M. Gill

2

exchange information and resolve conflicts with respect to threatened or endangered species or their critical habitat prior to a written request for formal consultation. During this review process, the BOR may engage in planning efforts, but may not make any irreversible commitment of resources. Such a commitment could constitute a violation of section 7(d) of the Act.

Only listed species receive protection under the Act. However, sensitive species should be considered in the planning process in the event they become listed or proposed for listing prior to project completion. We recommend that you review information in the California Department of Fish and Game's Natural Diversity Data Base. You can contact the California Department of Fish and Game at (916) 324-3812 for information on other sensitive species that may occur in this area.

If you have any questions regarding this letter, please contact Chris Dellith of my staff at (805) 644-1766, extension 227.

Sincerely,



Carl T. Benz  
Assistant Field Supervisor  
Santa Barbara/Ventura/Los Angeles

Cc: Laura Myers, Bureau of Reclamation, Fresno, California

**LISTED SPECIES THAT MAY OCCUR IN THE VICINITY OF  
THE DOS PUEBLOS CANYON AND GOLETA  
U.S. GEOLOGICAL SURVEY 7.5-MINUTE TOPOGRAPHIC QUADRANGLES,  
SANTA BARBARA COUNTY, CALIFORNIA**

**Amphibians**

California red-legged frog	<i>Rana aurora draytonii</i>	T
----------------------------	------------------------------	---

**Birds**

brown pelican	<i>Pelecanus occidentalis</i>	E
western snowy plover	<i>Charadrius alexandrinus nivosus</i>	T, CH
California least tern	<i>Sterna antillarum browni</i>	E
light-footed clapper rail	<i>Rallus longirostris levipes</i>	E

**Fish**

tidewater goby	<i>Eucyclogobius newberryi</i>	E
steelhead trout	<i>Oncorhynchus mykiss</i>	*

**Invertebrates**

vernal pool fairy shrimp	<i>Branchinecta lynchi</i>	E
--------------------------	----------------------------	---

**Plants**

California orcutt grass	<i>Orcuttia californica</i>	E
Gambel's watercress	<i>Rorippa gambellii</i>	E
Gaviota tarplant	<i>Hemizonia increscens</i> ssp. <i>villosa</i>	E

**Key:**

E - endangered

T - threatened

CH - critical habitat

\*Species for which the National Marine Fisheries Service has responsibility. For more information, call the Santa Rosa Field Office at (707) 575-6050 or go to <http://swr.ucsd.edu/>



4699 HOLLISTER AVENUE  
 GOLETA, CALIFORNIA 93110-1999  
 TELEPHONE 805/964-6761  
 FAX 805/964-7002

2004 DEC -6 P 2:28

KEYWORD  
*Goleta W.*  
 FILE CODE  
*WTR-4-00*

OFFICIAL FILE COPY

CODE	ACTION	SURNAME & DATE
<i>414</i>		<i>[Signature]</i>
<i>411</i>		
<i>110</i>		

DIRECTORS  
 HARRY E. DE WITT  
 PRESIDENT  
 CAREY ROGERS  
 VICE-PRESIDENT  
 JOHN F. CUNNINGHAM  
 CHUCK EVANS  
 LARRY MILLS  
 ---  
 KEVIN D. WALSH  
 GENERAL MANAGER  
 and  
 CHIEF ENGINEER  
 RUSSELL R. RUIZ  
 GENERAL COUNSEL

December 3, 2004

Sheryl Carter, Contract Repayment Specialist  
 U.S. Dept. of the Interior, Bureau of Reclamation  
 South-Central California Office  
 1243 N Street  
 Fresno, CA 93721-1813

**Subject:** Transfer of Title from the United States to Goleta Water District (GWD) for USBR contract no. 175r-4561

- 1) 11/9/04 Letter of Agreement for Reimbursement of USBR Costs for proposed US/GWD Title Transfer-USBR Contract No. 05-WC-20-2905
- 2) Certified 23 Nov. 2004 GWD Resolution 2004-05 Authorizing Signature for above item 1
- 3) 2 Dec. 2004 GWD Check #17155 in the amount of \$10,000 for deposit w/ USBR for reimbursement of USBR costs per above item 1

We have executed subject Letter of Agreement (LOA) in triplicate which is enclosed along with Certified GWD Resolution 2004-05 authorizing signature. A check for the required \$10,000 initial deposit for USBR cost reimbursement is also enclosed. Please inform us of the next step we need to take in the process.

Please contact David Iverson at tel. 805-879-4627 or by e-mail at [diverson@goletawater.com](mailto:diverson@goletawater.com) for any questions.

Sincerely,  
 GOLETA WATER DISTRICT

*David D. Iverson*

DAVID D. IVERSON  
 ENGINEERING ASSOCIATE  
[diverson@goletawater.com](mailto:diverson@goletawater.com)

c. Kevin Walsh, GWD Gen. Mgr./Chief Engr.  
 encls. Items shown in Subject line

*5 #rec, [Signature]*  
*RUIZ [Signature]*

*AIR-1752-9652-220-01*

*(GWD) original (LOA) via blue env.  
 COPY OF Resolution  
 FAXED PACKAGE (CINDY W)*



# United States Department of the Interior



BUREAU OF RECLAMATION  
South-Central California Area Office  
1243 N Street  
Fresno, California 93721-1813

IN REPLY REFER TO:

SCC-414  
WTR-4.00

NOV 9 2004

Letter of Agreement  
Contract No. 05-WC-20-2905

Mr. David Iverson  
Goleta Water District  
4699 Hollister Avenue  
Goleta, California 93110-1999

Subject: Letter of Agreement for Reimbursement of Costs Associated with the Bureau of Reclamation Involvement with Title Transfer of Federally Owned Distribution System to the Goleta Valley Water District Contract 175r-4561

Dear Mr. Iverson:

This Letter of Agreement (Agreement) between the United States Bureau of Reclamation and Goleta Water District (District) describes the extent to which the District is to finance the costs Reclamation incurs to perform various tasks necessary in the preparation for the proposed title transfer to the District of the federally owned distribution system in the District.

The terms of this Agreement shall not interfere with the terms and conditions of Contract No. I75r-1802R, dated April 14, 1996, between the United States and Santa Barbara County Water Agency for water service from the Cachuma Project.

**Reclamation will be responsible for the following:**

1. Reclamation shall inspect all the distribution system facilities for which title is to be transferred and shall survey all lands on which those facilities are located to determine whether there are hazardous wastes on, in or under such lands.
2. Reclamation shall prepare, in consultation with the District, all appropriate title transfer documents.
3. The District shall prepare, for Reclamation's review and approval, all appropriate environmental documentation pursuant to the National Environmental Policy Act (NEPA), the National Historic Preservation Act (NHPA), the Endangered Species Act (ESA), the Fish and Wildlife Coordination Act, (FWCA), and Indian Trust Assets (ITA), if applicable. Reclamation shall participate in conferences, meetings, and consultation and coordination with other federal agencies, if necessary, during the environmental documentation process.

**The District will be responsible for advancing to Reclamation the estimated costs associated with the following items:**

1. The District shall be responsible for advancing to Reclamation the estimated costs and ultimately paying, in full, the actual costs incurred by Reclamation to review and approve the environmental documentation prepared by the District pursuant to NEPA, NHPA, ESA, FWCA, ITA, if applicable.
2. The District shall be responsible for advancing to Reclamation the estimated costs and ultimately paying, in full, the actual costs incurred by Reclamation to complete the hazardous waste survey, and inspect the lands (including rights of way and easements) and the distribution system facilities for which title is to be transferred to the District.
3. The estimated and actual Reclamation costs for which the District shall advance and fully pay shall include Reclamation's related administrative and general overhead costs, including travel and per diem costs, rental of facilities for public scoping and negotiations, if needed.
4. The District shall be responsible for advancing to Reclamation the estimated costs and ultimately paying, in full, the actual costs Reclamation incurs in determining any and all land documents transferring title and interest from the United States to the District.
5. The District shall be responsible for advancing to Reclamation the estimated costs and ultimately paying, in full, the actual costs incurred by Reclamation for retaining services from other Interior Agencies, if any.
6. The District, in consultation with Reclamation, shall jointly arrange and conduct public scoping to inform the public and request comments in an appropriate manner, as determined by both parties, including mailings and public notification.

**Based upon the foregoing, the PARTIES HEREBY AGREE:**

1. **ACTUAL COSTS:** Reclamation will provide the District with quarterly statements of costs incurred by Reclamation for processing the title transfer proposal. At the request of the District, Reclamation will provide detailed records of its actual costs, which shall be provided within (30 days) of such request.
2. **DEPOSIT AND MINIMUM BALANCE:** Reclamation estimates that the total amount of costs it will incur will be approximately \$25,000. The District will deposit in an account with Reclamation in advance the amount of \$10,000 which will be used to finance the costs Reclamation incurs to perform the activities described above. The District agrees to maintain a balance in the account of \$5,000 to cover anticipated Reclamation costs. As stated above, Reclamation will provide account statements which shows actual costs incurred and will require additional funds be deposited should the quarterly account statement show an ending balance of less than \$5,000.



3. **REFUND:** Any unexpended fund balance remaining on deposit in the account at the completion of the title transfer and activity associated with this Agreement will be refunded to the District.

4. **TERM:** This Agreement shall continue in effect until the completion of the Title Transfer Process, unless earlier terminated on thirty (30) days written notice by either party. Subject to the limitations in paragraph 2 above, the District shall be responsible for all expenses incurred by Reclamation prior to the termination, and the District recognizes that termination of this Agreement, prior to completion of the title transfer, may impact transferring title from the United States to the District.

Please be advised that payment in advance for the above services does not guarantee that Reclamation and/or the United States Congress will approve the title transfer.

If you agree with the above, please have the appropriate officials sign these triplicate Agreements. Please return all the signed Agreements to Sheryl Carter (SCC-414), Bureau of Reclamation, 1243 "N" Street, Fresno, California 93721-1813, along with an initial check for \$10,000 and a certified copy of a Board resolution authorizing the signature of the officials. Reclamation will provide you an original Agreement for your records after we execute.

Sincerely,

  
Sheryl Carter  
Contract Repayment Specialist

In Triplicate

Goleta Water District

By Kevin J. Walsh  
**GENERAL MANAGER & CHIEF ENGINEER**

Date 15 Nov 09

cc: Mr. Robert Wignot  
Cachuma Operation and Maintenance Board  
3301 Laurel Canyon Road  
Santa Barbara California 93105-2017

*GWD Project No. 04-3524*





4699 HOLLISTER AVENUE  
GOLETA, CALIFORNIA 93110-1999  
TELEPHONE 805/964-6761  
FAX 805/964-7002

DIRECTORS  
HARRY E. DE WITT  
PRESIDENT  
CAREY ROGERS  
VICE-PRESIDENT  
JOHN F. CUNNINGHAM  
CHUCK EVANS  
LARRY MILLS  
---  
KEVIN D. WALSH  
GENERAL MANAGER  
and  
CHIEF ENGINEER  
RUSSELL R. RUIZ  
GENERAL COUNSEL

STATE OF CALIFORNIA            )  
  )  
COUNTY OF SANTA BARBARA    )

CERTIFICATION

I, Marie E. Zeman, Secretary of the Goleta Water District, do hereby certify that the attached is a full, true and correct copy of Resolution 2004-05 Authorizing Signature for Transfer of title of USBR Facilities. Resolution 2004-05 was adopted by said District, at a special meeting of the Governing Board on the 23<sup>rd</sup> day of November 2004.

IN WITNESS WHEREOF, I have executed this certification on November 23, 2004.

  
MARIE E. ZEMAN  
DISTRICT SECRETARY

GOLETA WATER DISTRICT  
(SEAL)

RESOLUTION NO. 2004-05

A RESOLUTION OF THE GOLETA WATER DISTRICT  
BOARD OF DIRECTORS  
AUTHORIZING SIGNATURE FOR  
TRANSFER OF TITLE OF USBR FACILITIES

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE GOLETA WATER DISTRICT AS FOLLOWS:

1. On April 10, 1952 Goleta Water District executed USBR contract no. 175r-4561 between Goleta Water District and the USBR which provided a loan for the construction of a water distribution system.
2. The loan per said contract was paid off in June 2002.
3. Article 17 of said contract states that title remains with the United States unless otherwise provided for by Congress.
4. Goleta Water District desires that title be transferred from the United States to Goleta Water District.
5. A Letter of Agreement dated November 9, 2004, Contract No. 05-WC-20-2905 between the United States Dept. of the Interior, Bureau of Reclamation and the Goleta Water District for Reimbursement of Costs Associated with the Bureau of Reclamation Involvement with Title Transfer of Federally Owned Distribution System of the Goleta Valley Water District Contract 175r-4561 has been submitted to the District for approval and signature.
6. **BE IT RESOLVED** that, the Goleta Water District Board of Directors, hereby authorize the General Manager to sign and execute the Letter of Agreement.

**PASSED AND ADOPTED** by the Board of directors this 23<sup>rd</sup> day of November 2004, on the following roll call vote:

**AYE:** Directors Cunningham, De Witt, Evans, Mills, Rogers

**NAY:** None

**ABSTAIN:** None

**ABSENT:** None

ATTEST:

  
\_\_\_\_\_  
MARIE E. ZEMAN  
DISTRICT SECRETARY

  
\_\_\_\_\_  
HARRY DE WITT, PRESIDENT  
BOARD OF DIRECTORS