

16210
1 May 1978

San Pedro Creek; determination of navigability

*Santa Barbara
County*

d1


Via: oan
o

Ref: (a) Your memo 16594 of 27 March 1978
(b) Meeting between LT PERRONE of (d1) and Mr. Denny of (oan) on 14 April 1978

1. Based on the information provided in references (a) and (b), it is my opinion that there is clearly an insufficient factual basis to find that the San Pedro Creek at the proposed bridge site is a navigable water of the United States.

2. Accordingly, you should decline to exercise jurisdiction for the purposes of the Bridge Administration Program.

K. W. MIRMAK


MJPERRONE:val:78APR28

Memorandum

16594/PF

Ser: oan 118-78

DATE: 27 March 1978

SUBJECT: San Pedro Creek; determination of navigability

FROM : Chief, Aids to Navigation Branch

TO : District Legal Officer

Via: Chief, Operations Division

1. Enclosure (1) informed us of the City of Santa Barbara's intentions to reconstruct William Moffett Place and James Fowler Road in Santa Barbara, CA. The proposed reconstruction will include the demolition and reconstruction of a highway bridge across San Pedro Creek at the Fowler Street crossing. We do not have a Bridge Permit for this bridge on file. Enclosure (1) also requested that a determination be made of the navigability of San Pedro Creek.

2. A site inspection of the proposed bridge site was made by LT ADIE, Group Commander, Santa Barbara and LTJG SHARPE, Aids to Navigation Branch, on two separate occasions. The area was in flood stage during these inspections. There was some murky water under the bridge, however, a few feet downstream the stream bed narrows to a meandering ribbon with only a trickle of water.

3. Mr. Puddicombe's reference to "very high tides" was explained by his staff to mean there is water in the creek after heavy rain and when flood conditions exist.

4. I am of the opinion that the waters of San Pedro Creek at the site of the proposed bridge are not navigable waters of the United States for purposes of bridge administration. Your concurrence is requested. Please return enclosure (1) as it is our only copy.



B. F. THOMSON III

Encl: (1) City of Santa Barbara ltr dtd 10 January 1978 and attachments.



CITY OF SANTA BARBARA PUBLIC WORKS DEPARTMENT

650 GARDEN STREET • P.O. BOX 33, 93102 • (805) 963-0611
R.W. PUDDICOMBE, P.E., DIRECTOR

January 10, 1978

Commander
11th Coast Guard District
Heartwell Building
19 Pine Avenue
Long Beach, CA 90802

[Faint, illegible text and a signature]

PERMIT FOR BRIDGE CONSTRUCTION OVER SAN PEDRO CREEK

The Federal Highway Work Administration has approved the reconstruction of William Moffett Place and James Fowler Road as part of the City's requested FAU construction program.

The project will include demolition of a substandard bridge and construction of a wider structure on timber pilings over San Pedro Creek. The stream is dry most of the year and has water only during very high tides or after a rainstorm.

We would appreciate a determination from your office as to the navigability of the stream as this is a requirement for approval of the project Environmental Evaluation Form.

The proposed bridge height and distance between pilings, although not presently designed, will be very similar to the enclosed plan of the existing bridge.

If you have any questions, please contact Robert Karman of this office, (805)963-0611, Ext. 311.

[Handwritten signature of R. W. Puddicombe]
R. W. Puddicombe

RMK:jms

Att.

[Handwritten note:]
Requested info...
bridge site in...
San Pedro Creek...
1-20-78