

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
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# Th 8g

**DATE:** March 1, 2007

**TO:** Commissioners and Interested Persons

**FROM:** Jack Ainsworth, Deputy Director  
Gary Timm, South Central Coast District Manager  
Steve Hudson, Supervisor, Planning and Regulation

**SUBJECT:** **Notice of Impending Development (NOID) 4-06**, for the East Entrance Gateway Project, for Public Hearing and Commission Action at the March 15, 2007, Commission Meeting in Monterey.

## **SUMMARY AND STAFF RECOMMENDATION**

The impending development consists of the construction of a new 200 ft. long, 22 ft. high gateway that would span Ward Memorial Boulevard (HWY 217) at the east entrance to the Main Campus of the University of California Santa Barbara. The gateway would be constructed of sandstone, steel, and bronze materials and will be visually compatible with the buildings and character of the development on campus. The gateway is intended to function as an architectural feature that will visually delineate the entrance to the University's property. The gateway will not include installation of an actual gate or any other type of barrier and will not result in any changes to existing vehicular, bicycle, or pedestrian access on or off campus.

The required items necessary to provide a complete notice of impending development were received in the South Central Coast Office and the notice was deemed filed on February 16, 2007.

Staff is recommending that the Commission determine that the impending development **is consistent** with the certified University of California at Santa Barbara Long Range Development Plan (LRDP) with **three (3) special condition** regarding: (1) sensitive species surveys, (2) lighting, and (3) landscaping with native vegetation. As conditioned, the project is consistent with all resource protection policies and provisions of the Long Range Development Plan. See associated Motion and Resolution beginning on **Page 2**. The standard of review for the proposed NOID is the policies of the certified LRDP.

## I. PROCEDURAL ISSUES

Section 30606 of the Coastal Act and Article 14, §13547 through §13550 of the California Code of Regulations govern the Coastal Commission's review of subsequent development where there is a certified LRDP. Section 13549(b) requires the Executive Director or his designee to review the notice of impending development (or development announcement) within ten days of receipt and determine whether it provides sufficient information to determine if the proposed development is consistent with the certified LRDP. The notice is deemed filed when all necessary supporting information has been received.

Within thirty days of filing the notice of impending development, the Executive Director shall report to the Commission the pendency of the development and make a recommendation regarding the consistency of the proposed development with the certified LRDP. After public hearing, by a majority of its members present, the Commission shall determine whether the development is consistent with the certified LRDP and whether conditions are required to bring the development into conformance with the LRDP. No construction shall commence until after the Commission votes to render the proposed development consistent with the certified LRDP.

## II. STAFF RECOMMENDATION:

**MOTION:**     *I move that the Commission determine that the development described in the Notice of Impending Development 4-06 (East Entrance Gateway), as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan.*

### **STAFF RECOMMENDATION:**

Staff recommends a **YES** vote. Passage of this motion will result in a determination that the development described in the Notice of Impending Development 4-06, as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **RESOLUTION TO DETERMINE DEVELOPMENT IS CONSISTENT WITH LRDP:**

The Commission hereby determines that the development described in the Notice of Impending Development 4-06, as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan for the reasons discussed in the findings herein.

### **III. SPECIAL CONDITIONS:**

#### **1. Sensitive Species Surveys and Construction Monitoring**

Prior to any construction activities during the nesting season for raptors and sensitive birds (February 15 through August 31) the University shall conduct a biological survey of all areas within 300 ft. of the subject site in order to prevent impacts to nesting raptors and sensitive bird species. The University shall retain the services of a qualified biologist(s) or environmental resource specialist(s) to conduct the raptors and sensitive species surveys at least two (2) weeks prior to commencement of any project operations. The applicants shall submit the name and qualifications of the biologist or specialist, for the review and approval of the Executive Director. The biologist or specialist shall ensure that the surveys are consistent with the following:

- A. The environmental resource specialist shall conduct a survey of the project site and areas within 300 ft. of the subject site, to determine presence and behavior of sensitive species and raptors, prior to any project operations including construction, grading, excavation, and removal, hauling, and maintenance activities.
- B. In the event that any raptors or sensitive bird species exhibit reproductive or nesting behavior, the environmental specialist shall require the University to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director.
- C. In the event that any raptors or sensitive bird species are present within or near the project area, which do not exhibit reproductive behavior and are not within the estimated breeding/reproductive cycle of the subject species, the environmental resource specialist shall either: (1) initiate a salvage and relocation program prior to any excavation/maintenance activities to move sensitive species by hand to safe locations elsewhere along the project reach or (2) as appropriate, implement a resource avoidance program with sufficient buffer areas to ensure adverse effects to such resources are avoided. The University shall also immediately notify the Executive Director of the presence of such species and which of the above actions are being taken. If the presence of any such sensitive species requires review by the United States Fish and Wildlife Service and/or the California Department of Fish and Game, then no development activities shall be allowed or continue until any such review and authorizations to proceed are received, subject to the approval of the Executive Director.

#### **2. Lighting Plan**

Prior to commencement of construction, the University shall submit two (2) sets of Final Lighting Plans for the development, for review and approval by the Executive Director. The Final lighting Plan shall incorporate the following requirements:

- (a) Any exterior night lighting installed on the project site shall be of low intensity, low glare design, and shall be shielded to direct light downward onto the subject site and gateway/walls and prevent spill-over onto adjacent parcels, including all

public open space areas. Furthermore, no skyward-casting lighting shall be used. The lowest intensity lighting shall be used that is appropriate to the intended use of the lighting.

- (b) The lighting plan shall show the locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture, the lighting specifications, and the height of the fixtures. The plan shall be designed in particular to avoid lighting impacts to the open spaces and wetland habitat. All outdoor lighting on the parcel(s) shall comply with the approved Lighting Plans.
- (c) The lighting plan to be submitted to the Executive Director shall be accompanied by an analysis of the lighting plan prepared by a qualified biologist which documents that the lighting plan is effective at preventing lighting impacts upon adjacent environmentally sensitive habitat.
- (d) The University shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a new notice of impending development, whichever is applicable, unless the Executive Director determines that no new notice is needed.

### **3. Revised Landscaping Plan**

Prior to the commencement of development, the University shall submit a revised landscaping plan, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The revised plan shall incorporate the criteria set forth below. All development shall conform to the final approved landscaping plans:

- (a) All disturbed areas on the project site shall be planted and maintained for erosion control purposes within (60) days after construction of the gateway is completed. To minimize the need for irrigation all landscaping shall consist primarily of native/drought resistant plants. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property.
- (b) Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape requirements.
- (c) Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

## IV. FINDINGS FOR APPROVAL OF THE NOTICE OF IMPENDING DEVELOPMENT, AS SUBMITTED

The following findings support the Commission's approval of the Notice of Impending Development, as submitted. The Commission hereby finds and declares as follows:

### A. PROJECT DESCRIPTION AND BACKGROUND:

The impending development consists of the construction of a new 200 ft. long, 22 ft. high gateway that would span the approximately 68 ft. wide, 4-lane, Ward Memorial Boulevard (HWY 217) at the east entrance to the Main Campus of the University of California Santa Barbara. The gateway is intended to function as an architectural feature that will visually delineate the entrance to the University's property and will be constructed of sandstone, steel, and bronze materials that will be visually compatible with the buildings and character of the development on campus. The gateway is designed as a free-standing monument and will not connect to either fencing or walls at either end of the 200 linear ft. long structure. In addition, the gateway will not include installation of an actual gate or any other type of barrier and will not result in any changes to existing vehicular, bicycle, or pedestrian access on or off campus.

The proposed development will be located within an area approximately  $\frac{1}{4}$  acre in size at the eastern perimeter of the University's property where Ward Memorial Boulevard (HWY 217) enters the campus. The project site is located on an existing flat pad area that has been previously developed with turf grass, landscaping, and roadway improvements for the highway/University entrance. The gateway will be located approximately 100 ft. to the south of the Goleta Slough wetland and approximately 100 ft. to the north of the adjacent ocean bluffs. An existing public pedestrian/bicycle path parallels the ocean bluff and is located immediately south of the proposed location for the gateway; however, the gateway will not encroach into or block the path. The project site is separated from the adjacent Goleta Slough wetlands by a slope which descends to the north from the existing flat pad area to the southern edge of the wetlands. This slope is vegetated with a dense wooded area that is comprised of a mix of both native and non-native tree species including several oak trees, non-native pine trees, and pepper trees. The wooded area adjacent to the project site is designated as ESHA by the certified LRDP. As proposed, this project will not result in the removal of any trees located on or adjacent to the project site.

The standard of review for a Notice of Impending Development is consistency with the certified Long Range Development Plan (LRDP). UCSB's LRDP was certified by the Commission in 1990 and contains policies and provisions that identify areas for campus development while protecting coastal resources including environmentally sensitive habitat areas, scenic and visual resources, and public access and recreation.

**B. ENVIRONMENTALLY SENSITIVE HABITAT AREA:**

The LRDP contains several policies regarding the protection and management of coastal waters and sensitive habitat areas. Sections 30230 and 30231 of the Coastal Act, which have been included in the certified LRDP, require that marine resources and the biological productivity of coastal waters, including wetlands, shall be maintained and, where feasible, enhanced. Section 30240 of the Coastal Act, which has been included in the certified LRDP, provides that environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and that development in areas adjacent to such areas shall be sited and designed to prevent impacts which would significantly degrade such areas.

In addition, the LRDP contains several other policies which also require the protection of sensitive habitat and wetland areas. For instance, Policy 30231.1 requires that wetlands and coastal waters be protected from increased sedimentation or contamination from new development. Policy 30231.2 requires that new development be designed to minimize soil erosion and to direct runoff away from coastal waters and wetlands. Subpart (I) of Policy 30231.2 of the LRDP also requires that development adjacent to the 100 ft. buffer surrounding campus wetlands shall not result in adverse effects to campus wetlands. Further, Policy 30231.3 of the LRDP requires that the area surrounding campus wetlands shall be reserved as open-space buffer.

The proposed development will be located within an area approximately  $\frac{1}{4}$  acre in size at the eastern perimeter of the University's property where Ward Memorial Boulevard (HWY 217) enters the campus. The project site is located on an existing flat pad area that has been previously developed with turf grass, landscaping, and roadway improvements for the highway/University entrance. The gateway will be located approximately 100 ft. to the south of the Goleta Slough wetland and approximately 100 ft. to the north of the adjacent ocean bluffs.

Although the Goleta Slough is located outside the jurisdiction of the certified LRDP, the LRDP recognizes the adjacent slough as both a significant wetland areas and an environmentally sensitive habitat area (ESHA) in the LRDP. The Goleta Slough provides a freshwater marsh environment in the rainy season and a brackish salt marsh environment during the dry season. The slough supports a diverse population of waterbirds, including some sensitive species. In addition, many of the mature trees located on the periphery of the slough (including the row of trees located between the slough and the project site) provide important potential nesting and roosting habitat for several raptor species and have been designated as ESHA in the LRDP. In this case, the closest point of the 200 linear ft. long gateway will be located approximately 100 ft. or more upslope and south of the Goleta Slough wetland and will provide for the 100 ft. buffer from the adjacent wetlands that is typically required for new development on campus consistent with Policy 30231.2(I).

The project site is separated from the adjacent Goleta Slough wetlands by a slope which descends to the north from the existing flat pad area to the southern edge of the

wetlands. This slope is vegetated with a dense wooded area that is comprised of a mix of both native and non-native tree species including several oak trees, non-native pine trees, and pepper trees. The wooded area adjacent to the project site is part of a woodland which extends several thousand feet along the entire eastern perimeter of the campus and the periphery of the slough. The certified LRDP designates the entire wooded area along the periphery of the slough, including the portion of the wooded area adjacent to the project site as ESHA. The proposed project will not encroach into the dripline of the wooded area or result in the removal of any trees located on or adjacent to the project site.

The Campus has not yet conducted any surveys of the wooded area adjacent to the project site to determine whether nesting or roosting by raptors or other sensitive bird species is occurring. The proposed project will not encroach into the adjacent wooded area and will not involve the removal of any trees; however, construction of the project during the breeding season may cause raptor and other sensitive bird species to abandon nests due to nearby construction activity, noise, and dust. To ensure that the impact to nesting or roosting raptors and other sensitive bird species is minimized and that no breeding/nesting activity is present in the vicinity, **Special Condition One (1)** requires that, prior to any construction activities during the nesting season for raptors and sensitive birds (February 15 through August 31), a qualified biologist or environmental resources specialist conduct a biological survey of all areas within 300 ft. of the subject site in order to prevent impacts to nesting and roosting sensitive bird species. These surveys must occur at least two (2) weeks prior to commencement of any project operations. **Special Condition One (1)** further requires that in the event that any sensitive wildlife species exhibit reproductive or nesting behavior, the environmental specialist shall require the University to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director. In the event that any raptors or sensitive wildlife species are present within or near the project area, which do not exhibit reproductive behavior and are not within the estimated breeding/reproductive cycle of the subject species, the environmental resource specialist shall either: (1) initiate a salvage and relocation program prior to any excavation/maintenance activities to move sensitive species by hand to safe locations elsewhere along the project reach or (2) as appropriate, implement a resource avoidance program with sufficient buffer areas to ensure adverse effects to such resources are avoided.

In past actions, the Commission has found that night lighting of open space areas creates a visual impact to nearby scenic roads and trails. In addition, night lighting may alter or disrupt feeding, nesting, and roosting activities of native wildlife species. In this case, the subject site is adjacent to wetlands and an identified environmentally sensitive habitat area. Specifically, the proposed gateway would introduce new artificial lighting to the project area. Currently, the wetlands and woodland area adjacent to the project site are already subject to adverse impacts from nightlighting associated with other existing development in the surrounding area (including headlights from the adjacent highway and lighting associated with the adjacent campus and nearby City of Santa Barbara Airport). However, the addition of new lighting may result in new additional

cumulative adverse impacts to these sensitive resource areas. This impact can be minimized by directing lighting away from sensitive habitat areas.

In this case, the University has submitted a preliminary lighting plan with the intent that night lighting be minimized; however, this plan is for preliminary design purposes only and should include additional details to ensure adverse impacts to adjacent habitat areas are minimized. Therefore, **Special Condition Two (2)** requires the University to submit final lighting plans prior to commencement of development to ensure that all night lighting installed on the project site shall be of low intensity, low glare design, and shall be shielded to direct light downward onto the subject site and gateway structure and prevent spill-over onto adjacent parcels, including the slough and wooded area. Furthermore, no skyward-casting lighting shall be used. The lowest intensity lighting shall be used that is appropriate to the intended use of the lighting. The lighting plan shall show the locations of all exterior lighting fixtures and an arrow showing the direction of light being cast by each fixture, the lighting specifications, and the height of the fixtures. The plan shall be designed in particular to avoid lighting impacts to the open spaces and wetland habitat. The restriction on night lighting is necessary to protect the nighttime rural character and open space of this portion of the bluffs/slough area consistent with the scenic and visual qualities of this coastal area.

The project gateway structure has been designed and located in a manner that it will be located more than 100 ft. from the adjacent wetlands and will not encroach into the adjacent woodland area. However, the proposed project may result in potential adverse effects to the existing wetland and woodland habitat located downslope and adjacent to the project site from increased erosion and sedimentation, if revegetation of disturbed areas is not successful. Erosion can best be minimized by landscaping all disturbed and graded areas of the site. In addition, the Commission also finds that the use of non-native and/or invasive plant species for landscaping results in both direct and indirect adverse effects to native plants species. Adverse effects from such landscaping result from the direct occupation or displacement of native plant communities by new development and associated non-native landscaping. Indirect adverse effects include offsite migration and colonization of native plant habitat by non-native/invasive plant species (which tend to outcompete native species) adjacent to new development. The Commission notes that the use of exotic plant species for landscaping has already resulted in significant adverse effects to native plant communities in the Goleta Slough area.

In the case of the proposed development, the University has submitted a preliminary landscaping plan for the project site, however, this plan proposes the use of primarily non-native and exotic plant species. Due to the proximity of the site to the adjacent highly-sensitive Goleta Slough wetland and an identified ESHA, and to ensure that all areas impacted by the impending development are landscaped in accordance with the LRDP provision to minimize erosion, the Commission finds it necessary to require **Special Condition Three (3)** to submit *final* landscape plans subject to approval by the Executive Director which will require the University to revegetate all disturbed areas on site with native plant species endemic to the surrounding area. Specifically, **Special Condition Three (3)** requires that all landscaping shall consist primarily of

native/drought resistant plants. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property.

The Commission, therefore, finds that the notice of impending development, as conditioned, is consistent with the applicable LRDP policies with regards to environmentally sensitive habitat areas.

### **C. PUBLIC ACCESS:**

Consistent with Section 30210 of the Coastal Act, the UCSB Long Range Development Plan (LRDP) provides for maximum public coastal access on campus. Public pedestrian access is available to and along the entire 2½ miles of coastline contiguous to the campus. The parking facilities on campus constitute the majority of publicly-available beach parking in the Goleta area. Most of the approximately 6,000+ parking spaces on campus may be used by the general public for a nominal charge. Campus parking facilities provide overflow parking for the County of Santa Barbara operated Goleta Beach Park located adjacent to the campus. Several parking lots on campus have been specifically identified in the LRDP to accommodate public parking demand during Goleta Beach peak use periods.

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities along the coast. The public possesses ownership interests in tidelands or those lands below the mean high tide line. These lands are held in the State's sovereign capacity and are subject to the common law public trust. The protection of these public areas and the assurance of access to them lies at the heart of Coastal Act policies requiring both the implementation of a public access program and the minimization of impacts to access and the provision of access, where applicable, through the regulation of development. New development raises issues as to whether the location and amount of new development maintains and enhances public access and recreational opportunities to and along the coast.

The University's certified LRDP incorporates by reference Coastal Act Sections 30210, 30211, 30212, 30213, 30214 and 30252 concerning the protection of coastal recreation and access. Therefore, it is necessary that the development proposed in all Notices of Impending Development be consistent with the requirements of these policies. Coastal Act Sections 30210 and 30211, as incorporated in the LRDP, mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Section 30212 of the Coastal Act, as incorporated in the LRDP, requires that public access from the nearest public roadway to the shoreline and along the coast be provided in new development projects with certain exceptions such as public safety, military security, resource protection, and where adequate access exists nearby. In addition, Section 30213, as incorporated in

the LRDP, requires that lower cost visitor and recreational opportunities be protected, encouraged and, where feasible provided. Section 30214 of the Coastal Act, as incorporated in the LRDP, provides that the implementation of the public access policies take into account the need to regulate the time, place, and manner of public access depending of such circumstances as topographic and geologic characteristics, the need to protect natural resources, proximity to adjacent residential uses etc.

In the case of the proposed project, the gateway is designed as a free-standing monument and will not connect to either fencing or walls at either end of the 200 linear ft. long structure. Further, the gateway will not include installation of an actual gate or any other type of barrier and will not result in any changes to existing vehicular, bicycle, or pedestrian access on or off campus. An existing public pedestrian/bicycle path parallels the ocean bluff and is located immediately south of the proposed location for the gateway; however, the gateway will not encroach into or block the path. Thus, as proposed, this project will not result in any adverse impacts to public access.

Therefore, the Commission finds that the notice of impending development, as conditioned, is consistent with the applicable policies of the LRDP with regards to public access.

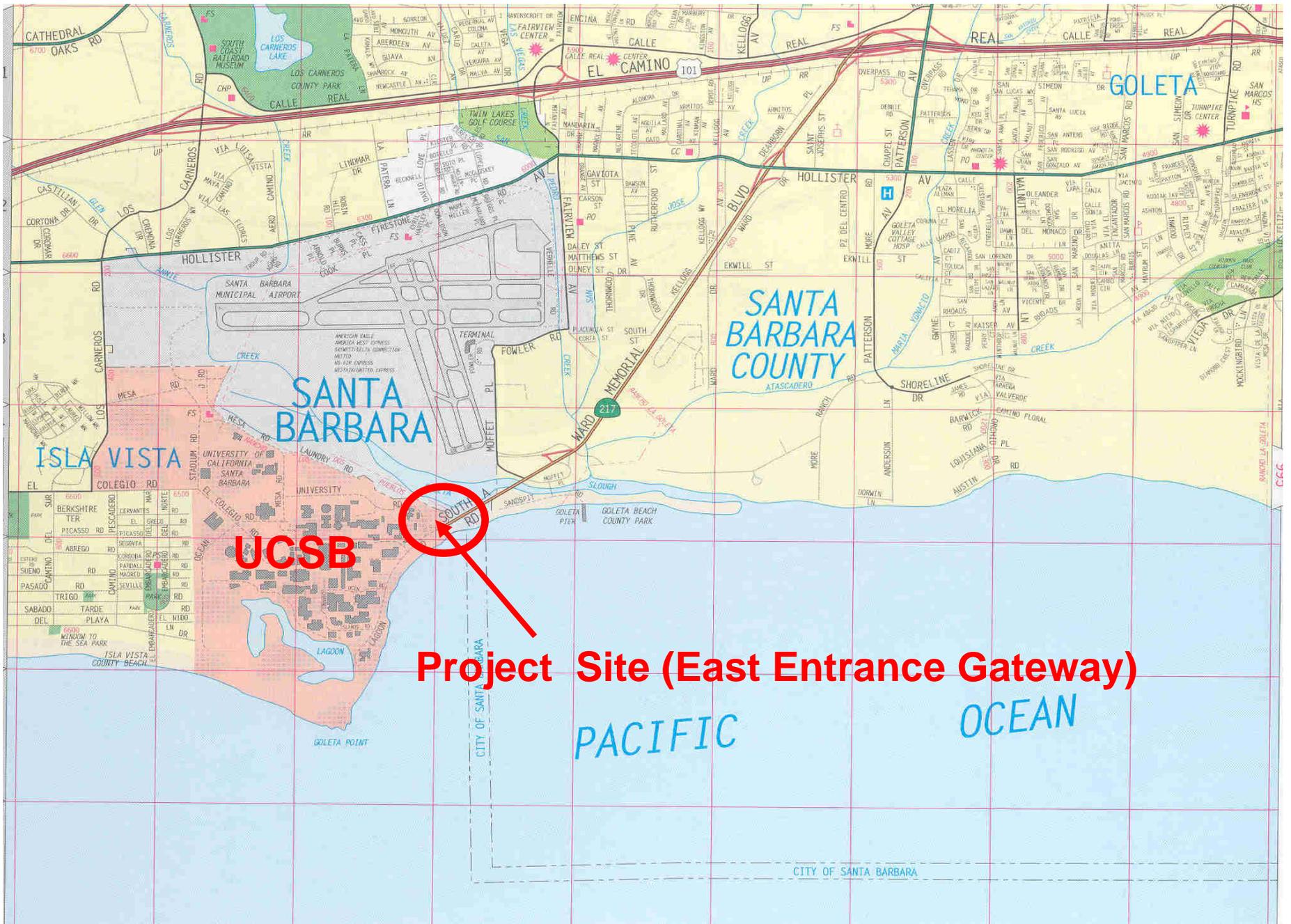
#### **D. VISUAL RESOURCES**

The LRDP contains policies to ensure that the scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance consistent with Section 30251 of the Coastal Act, including development setbacks, height restrictions, and landscaping requirements. LRDP Policy 30251.4 states that bluff top structures shall be set back from the bluff edge sufficiently far to ensure that such structures will not result in any new significant adverse impacts to public views. Coastal Act Section 30251, incorporated by reference into the LRDP, requires, in part, that development be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize alteration of landforms, and to be visually compatible with the character of the surrounding areas.

In this case, the proposed project consists of the construction of a new 200 ft. long, 22 ft. high gateway that would span the approximately 68 ft. wide, 4-lane, Ward Memorial Boulevard (HWY 217) at the east entrance to the Main Campus of the University of California Santa Barbara. The gateway is intended to function as an architectural feature that will visually delineate the entrance to the University's property. The gateway would be constructed of sandstone, steel, and bronze materials and will be visually compatible with the buildings and character of the development on campus. The gateway will be partially visible from the beach (as viewed by beachgoers looking northwest) and visible from the highway looking toward the Main Campus. However, existing views from both these areas looking toward the project site are currently of several existing buildings on campus. The gateway will block views of these existing structures on campus but will not result in any new significant impacts to public views. Views of the distant mountains located to the east of the campus will be partially

blocked by the gateway (as viewed from a short segment of the public bicycle/pedestrian path on Main Campus); however, this impact to views is not considered significant. Thus, the Commission finds that the proposed gateway will not result in any significant adverse impacts to public views.

Therefore, the Commission finds that the notice of impending development, as conditioned, is consistent with the applicable policies of the LRDP with regards to visual resources.



**UCSB**

**Project Site (East Entrance Gateway)**

**EXHIBIT 1**  
**UCSB NOID 4-06 (East Gateway)**  
**Vicinity Map**







Attachment E: East Gate Installation, Entering Campus - After

EXHIBIT 4
UCSB NOID 4-06(East Gateway)
Visual Simulation of Gateway

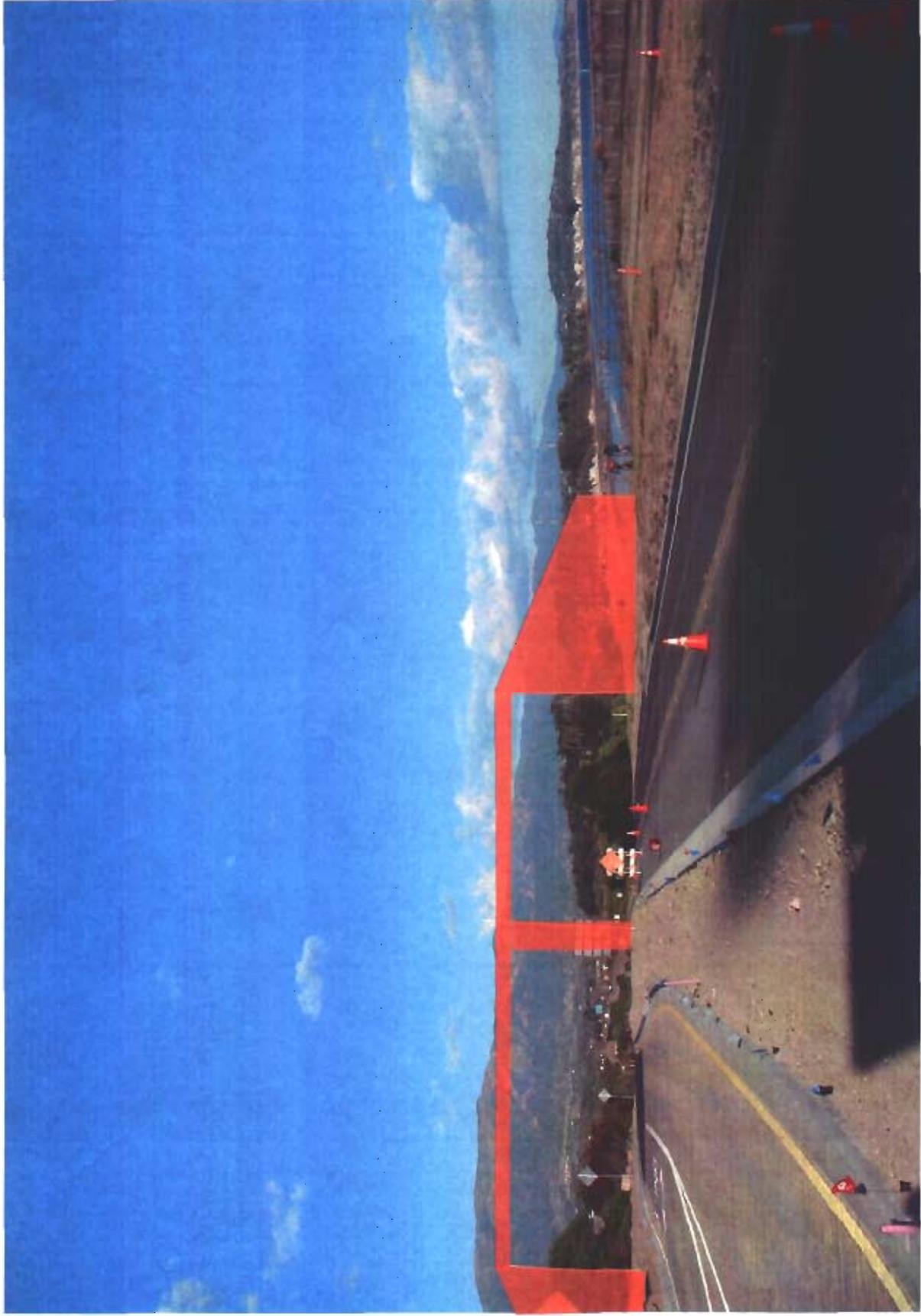


Photo 7. View from Ward Memorial Boulevard (looking southeast).  
(with approximate span and wall locations added for reference)

EXHIBIT 5
UCSB NOID 4-06(East Gate)
Visual Simulation of Gateway