

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
 SOUTH CALIFORNIA ST., SUITE 200
 VENTURA, CA 93001
 (805) 641-0142



Tu4f

49th Day: 10/28/99
 180th Day: 2/23/2000
 270th Day: 3/7/2000
 Staff: MHC
 Hearing Date: October 12-15, 1999

STAFF REPORT: CONSENT CALENDAR

APPLICATION NO: 4-99-178

APPLICANT: Santa Barbara Audubon Society. AGENT: Darlene Chirman

PROJECT LOCATION: 1171 More Ranch Road, Santa Barbara County

PROJECT DESCRIPTION: Removal of approximately 6,800 square feet of non-native Pampas grass from portions of the Goleta Slough.

LOCAL APPROVALS RECEIVED: None

SUBSTANTIAL FILE DOCUMENTS: Application 4-99-178

SUMMARY OF STAFF RECOMMENDATION: Staff recommends that the Commission find that the proposed project is consistent with the requirements of the Coastal Act with the addition of special conditions regarding agency review by the State Lands Commission.

STAFF RECOMMENDATION

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development, as conditioned, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, is located between the sea and the first public road nearest the shoreline, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its developments, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all the terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions

1. **State Lands Commission Review:** Prior to the issuance of the Coastal Development Permit, the applicant shall provide the Executive Director with a written determination from the State Lands Commission that: (a) no state lands are involved in the development; or (b) state lands are involved in the development, and all permits required by the State Lands Commission have been obtained; or (c) pending a final determination of state lands involvement, an agreement has been made by the applicant with the State Lands Commission for the project to proceed without prejudice to the determination that state lands may be involved in the development.

IV. Findings and Declarations

The Commission hereby finds and declares:

1. Project Location and Description

The proposed project is located near the mouth of the Goleta Slough, east of the unincorporated community of Goleta. Portion of the project site are located in an area of state historic tidelands where the Commission has retained original coastal permitting authority. The proposed project consists of removing individual clumps of Pampas grass (*Cortaderia atacensis*), a non-native invasive plant species that has colonized portions of the Goleta Slough. The project will involve removing a total of 6,800 square feet of plant material scattered throughout approximately 240 acres of property owned by the Southern California Gas Company. The project is part of a larger exotic plant removal program funded by the California Exotic Pest Plant Council and encompassing 2,250 acres of the the Goleta Slough and surrounding area. (The first phase of this effort was undertaken by the applicant as part of special condition to mitigate the impacts of the removal and replacement of a Southern California Gas Company pipeline bridge destroyed during the 1995 floods (Coastal Development Permit 4-97-145). (See Exhibits 1 through 7.)

The individual Pampas grass will be removed by hand tools, except where large larger plants are situated adjacent to existing Flood control access road; in these cases, a small backhoe will be used to remove the plant material. (These areas are identified in Exhibits 4, 5, and 6.) The areas which will be cleared of Pampas grass are level and not subject to erosion, landsliding, gullyng. After removal of the non-native plant material the sites will be allowed to revegetate naturally.

2. Coastal Issues

a. Dredging/Filling Coastal Wetlands

Coastal Act Section 30233(a) provides, in part, that:

(a) The diking, filling, or dredging of wetlands, estuaries. . . shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where mitigation measures have been provided to minimize environmental effects, and shall be limited [in part] to the following:

(7) Restoration purposes.

The project will involve removing a total of 6,800 square feet of non-native plant material scattered throughout approximately 240 acres in the vicinity of the mouth of the Goleta Slough. (See Exhibits 1 through 8.)

The individual Pampas grass will be removed by hand tools, except where larger plants are situated adjacent to existing Flood Control access roads; in these cases, a small backhoe will be used to remove the plant material. These areas are identified in Exhibits 4, 5, and 6.) The areas which will be cleared of Pampas grass are level and not subject to erosion, landsliding, or

gullyng. Because of the large bank of native seed material and other reproductive plant parts in the native soil, the sites will be allowed to revegetate naturally.

Special Condition # 1 requires that the applicant obtain a written determination from the State Lands Commission that (a) no state lands are involved in the development; or (b) if state lands are involved, all permits required by the State Lands Commission have been obtained; or (c) pending a final determination of state lands involvement, an agreement has been made by the applicant with the State Lands Commission for the project to proceed without prejudice to the determination whether state land may be involved.

The proposed project therefore involves only dredging and filling for the purposes of accommodating one of the permitted uses (i.e., restoration) enumerated in Coastal Act Section 30233((a)(7), and only in a manner which is the least environmentally damaging. (See additional findings below regarding environmentally sensitive marine habitats.)

The Commission therefore finds that the proposed development, as conditioned, is consistent with the requirements of Coastal Act Section 30233(a)(b).

b. Environmentally Sensitive Habitats

Section 30240 of the Coastal Act provides, in part, that:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

The proposed project is located in the vicinity of the Goleta Slough which contains a variety of environmentally sensitive habitats, including salt marsh, and transition and upland habitats. Vegetation in the project area includes remnant stands of Southern Coastal Salt Marsh and Central Coastal Scrub. Vegetation typical of the Southern Coastal Salt Marsh community includes saltgrass (*Distichils spicata*), Alkali heath (*Frankenia salina*), Jaumea (*Jaumea carnosa*), and Pickelweed (*Salicornia spp.*), and Sea blite (*Suaeda spp.*). Characteristic species of the Central Coastal Scrub plant community include Coyote bush (*Baccharis pilularlis*), Golden yarrow (*Erophylum confertiflorum*), and California coffeberry (*Rhamun sp.*). Significant portions of this habitat have been disturbed by the invasion of a variety of non-native species, including Pampas grass (*Cortaderia atacemsis*).

The project will involve removing a total of 6,800 square feet of non-native plant material scattered throughout approximately 240 acres of property in the vicinity of the mouth of the Goleta Slough. (See Exhibits 1 through 7.)

The individual Pampas grass will be removed by hand tools, except where larger plants are situated adjacent to existing Flood control access road; in these cases, a small backhoe will be used to remove the plant material. (These areas are identified in Exhibits 4, 5, and 6.) The areas

which will be cleared of Pampas grass are level and not subject to erosion, landsliding, or gullyng. Because of the large back of native seed material and other reproductive plant parts in the native soil, the sites will be allowed to revegetate naturally.

The proposed project therefore involves only activities for the purposes accommodating one of the allowable uses (e.g., restoration activities) provided in Section 30240, and only in a manner which is the least environmentally damaging.

The Commission therefore finds that the proposed development, as conditioned, is consistent with the requirements of Coastal Act Section 30240.

c. Public Access

Sections 30210 and 30212 of the Coastal Act provides that development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, and that maximum access shall be provided for all people consistent with public safety needs, the need to protect public rights, the rights of private property owners, and the need to protect natural resource areas from overuse.

The proposed project is on the ocean side of U.S. Highway 101, which is the first road, paralleling the ocean in this area, and encompasses state historic tidelands. The area is traversed by the Goleta bicycle trail which connects to the nearby Goleta Beach County Park. The proposed project is located on land privately held by the Southern California Gas Company and will not interfere or alter existing public access opportunities in the vicinity.

The Commission therefore finds that the project as proposed and conditioned is consistent with Sections 30210 through 30212 of the Coastal Act.

3. LCP/CEQA

The proposed site lies within the County of Santa Barbara, but falls within the Commission's area of retained original permit jurisdiction because it is located on potential state tidelands or is below the mean high-tide. The Commission has certified the Local Coastal Program for the County of Santa Barbara (Land Use Plan and Implementation Ordinances) which contains policies for regulating development and protection of coastal resources, including the protection of environmentally sensitive habitats.

Section 13096 of the Commission's Code of Regulations requires the Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(a) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effects, which the activity may have on the environment.

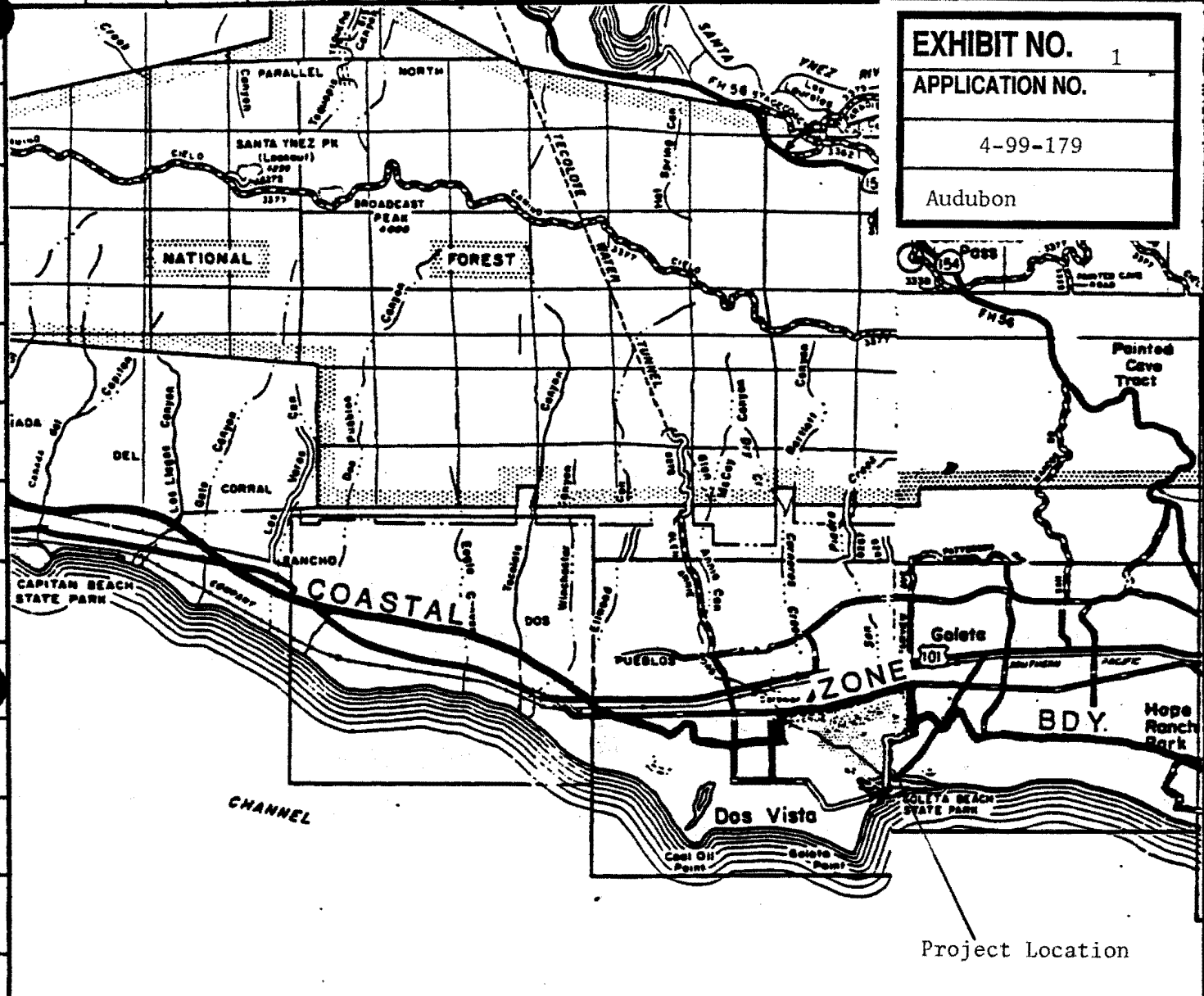
The proposed project has been conditioned in order to be found consistent with the resource protection policies of the Coastal Act. The mitigation measures, which are part of the project description, as well as those contained in the special conditions, will minimize any adverse environmental effects. As conditioned, there are no feasible alternatives or measures available which would substantially lessen any significant adverse effects, which the activity may have on the environment.

Therefore, the Commission finds that the proposed project, as conditioned, to mitigate any identified effects, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act and conform to CEQA.

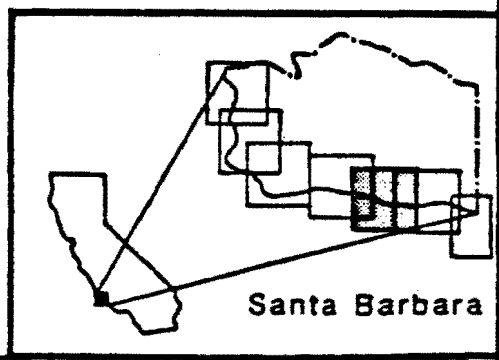
MHC

A B C D E F G H I J K L M N O

EXHIBIT NO.	1
APPLICATION NO.	4-99-179
Audubon	

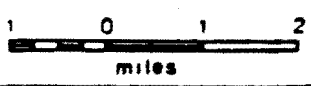


Project Location



California Coastal Commission




LOCATION MAP



County of Santa Barbara

Sheet 5 c.

**Goleta Old Town Area
Flood Hazard Overlay and
Environmentally Sensitive
Habitat Overlay**

-  100 Year Flood Plain
-  E.S.H. Overlay Area
-  Project Area

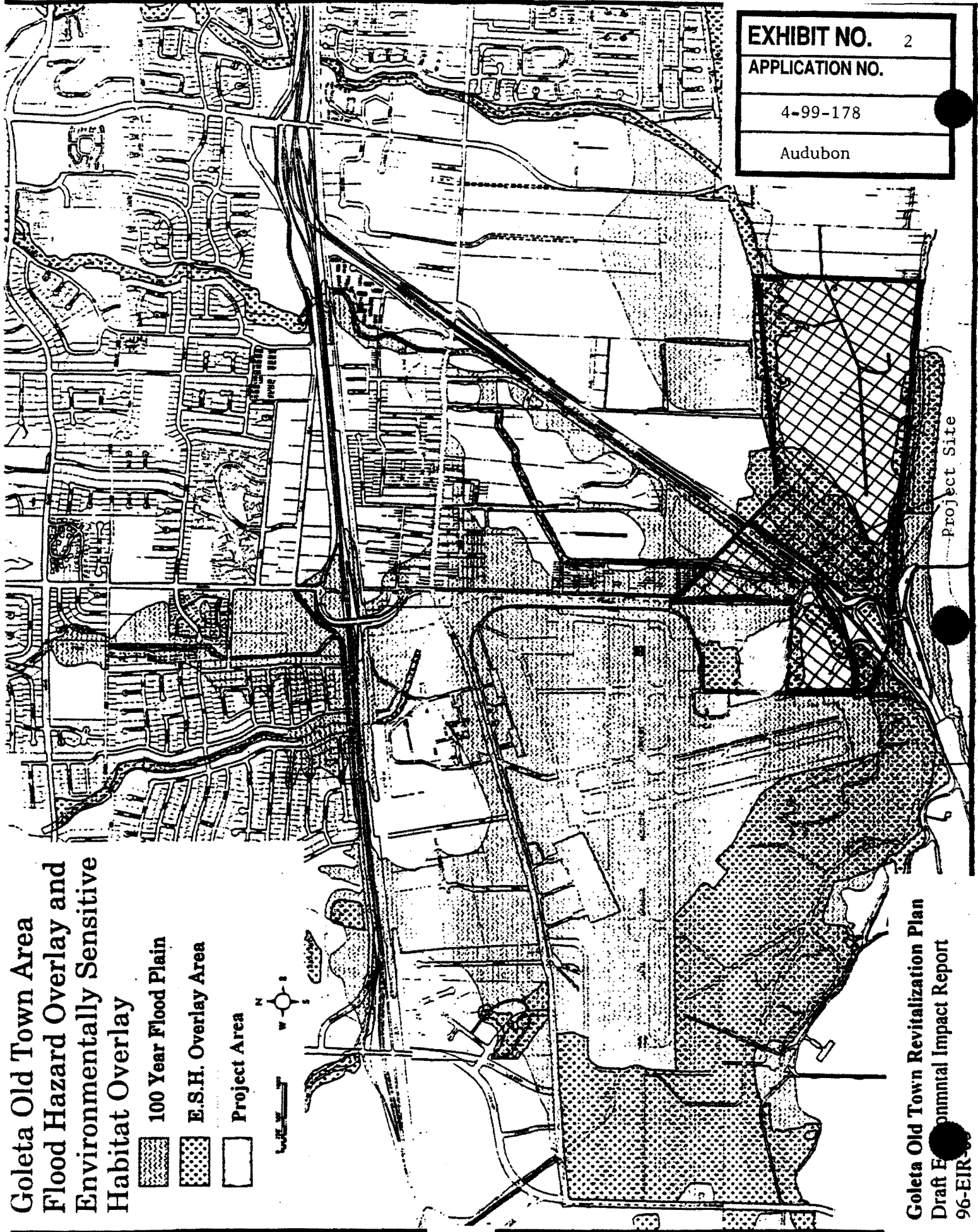
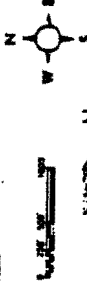
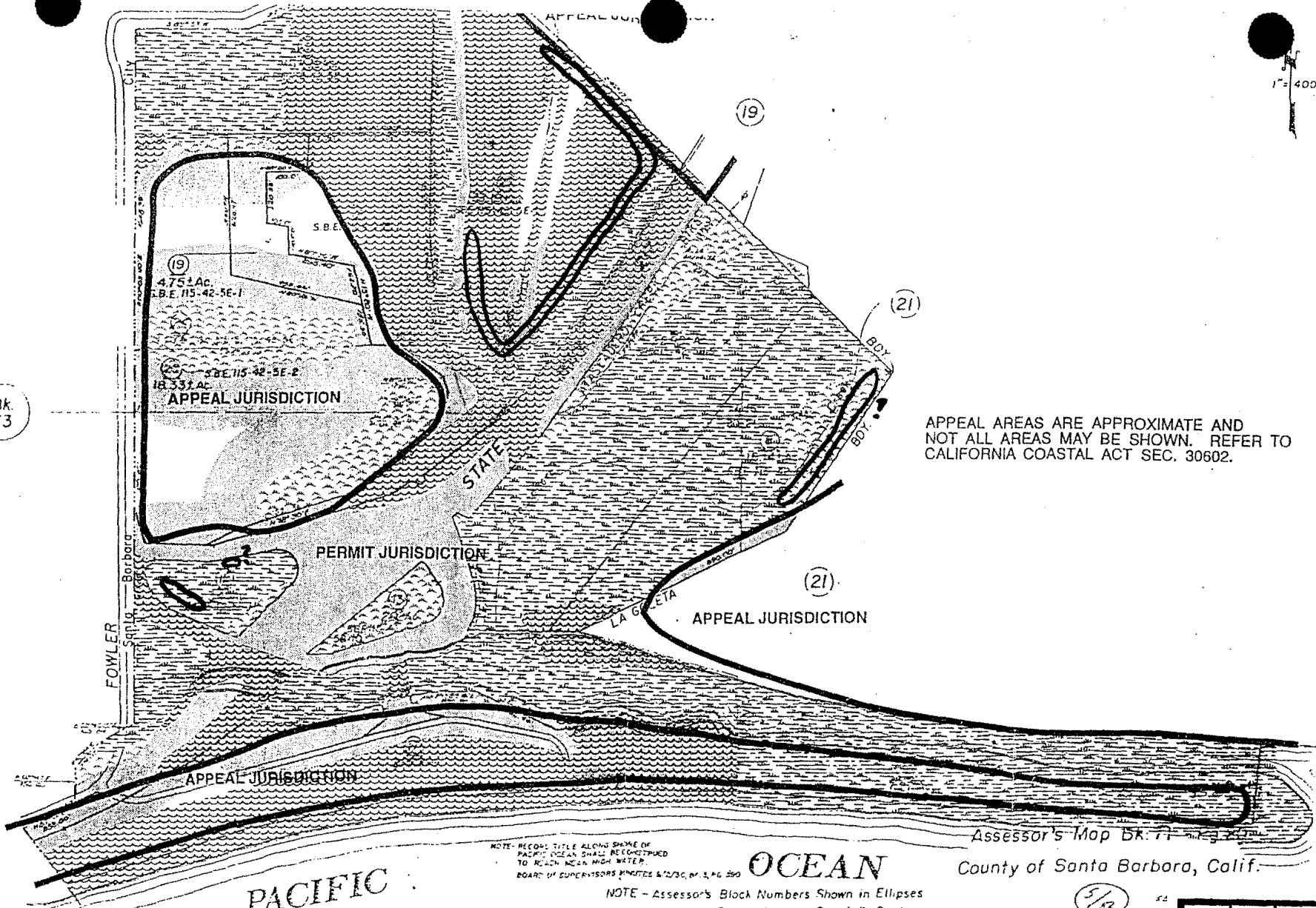


EXHIBIT NO.	2
APPLICATION NO.	
	4-99-178
	Audubon

1" = 400'

Bk. 73



APPEAL AREAS ARE APPROXIMATE AND NOT ALL AREAS MAY BE SHOWN. REFER TO CALIFORNIA COASTAL ACT SEC. 30602.

Assessor's Map Bk. 73
County of Santa Barbara, Calif.

PACIFIC

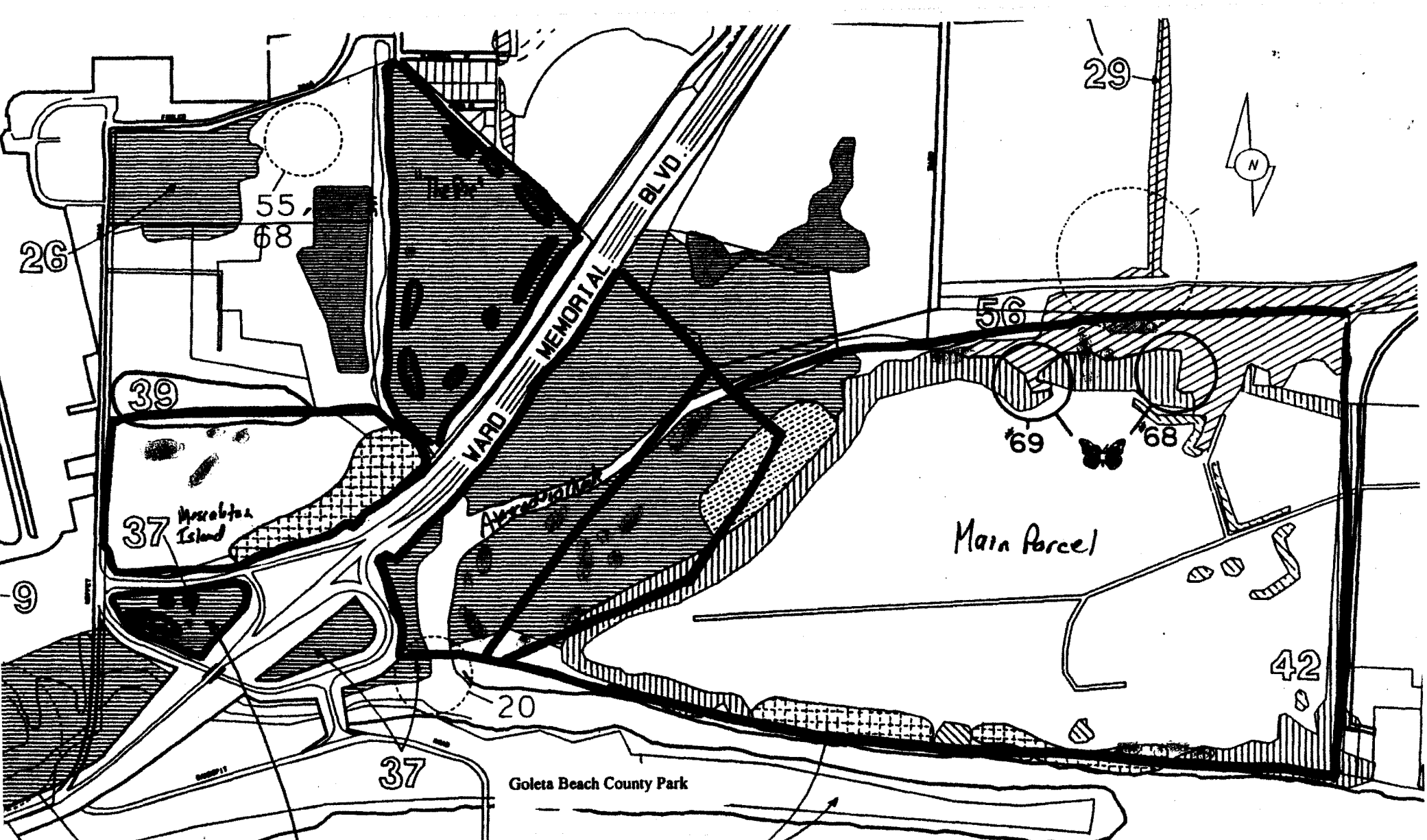
OCEAN

NOTE - Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

5/52

JURISDICTIONAL BOUNDARIES ON PROJECT SITE

EXHIBIT NO.	3
APPLICATION NO.	4-99-178
Audubon	



Northern 'Jughandle'

**Goleta Slough Pampas Grass Removal Project
Southern California Gas Company**

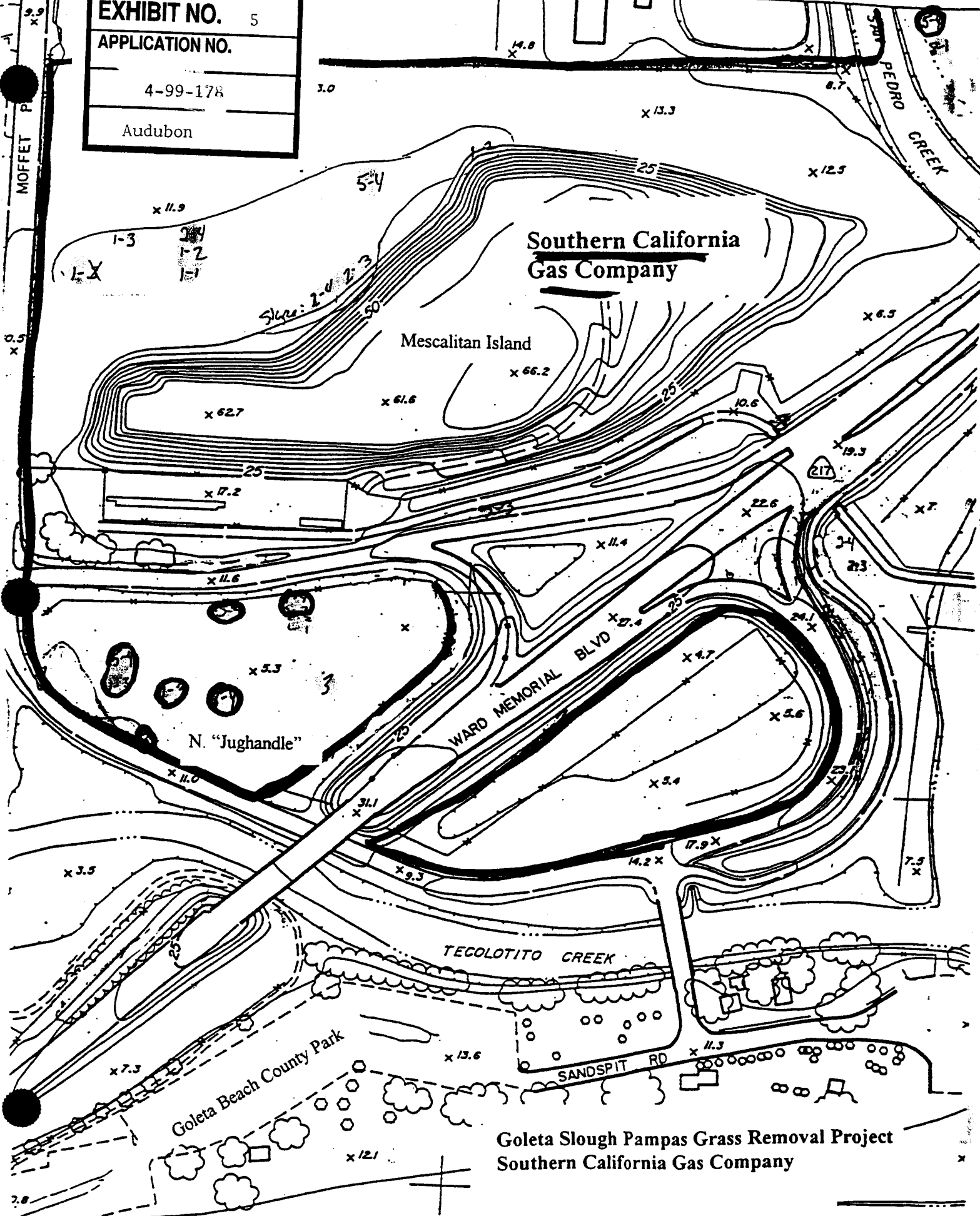
- Project parcels
- Pampas grass areas
- Area proposed for backhoe removal

EXHIBIT NO.	4
APPLICATION NO.	4-99-178
Audubon	

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- COASTAL SAGE SCRUB
- COYOTE SCRUB
- COASTAL BLUFF SCRUB
- RIPARIAN WOODLAND
- OAK WOODLAND
- MIXED WOODLAND
- WETLAND
- FORESTED WETLAND
- 10 SITE SPECIFIC RESOURCE
REFER TO GOLETA M.E.A. MAP SITE SPECIFIC RESOURCES LIST
- 10 SENSITIVE PLANT
REFER TO SENSITIVE PLANTS OF SANTA BARBARA COUNTY, WISKOWSKI, 1988.
- MONARCH BUTTERFLY SITE
REFER TO MONARCH BUTTERFLY LIFE LOCATIONS IN SANTA BARBARA COUNTY, CA. EVERT, 1991.

EXHIBIT NO.	5
APPLICATION NO.	
	4-99-178
	Audubon



Southern California Gas Company

Mescalitan Island

N. "Jughandle"

WARD MEMORIAL BLVD

TECOLOTITO CREEK

Goleta Beach County Park

SANDSPIT RD

**Goleta Slough Pampas Grass Removal Project
Southern California Gas Company**

- ✱ Pampas grass areas
- Area proposed for backhoe removal

**Map Southern California Gas Comp
Goleta Slough Pampas Grass**

Pampas Grass Mapping

- 1 = small seedling
 - 2 = immature plant
 - 3 = medium plant
 - 4 = large, established plant
- Notation example:
4-2 means 4 plants
of Size class #2
4 Senescent with sc
Regrowth

GSMA = Boundaries of Goleta Slough
Management Area
- Boundary SoCalGas

☉ Pampas grass areas
⊙ Area proposed for backhoe removal

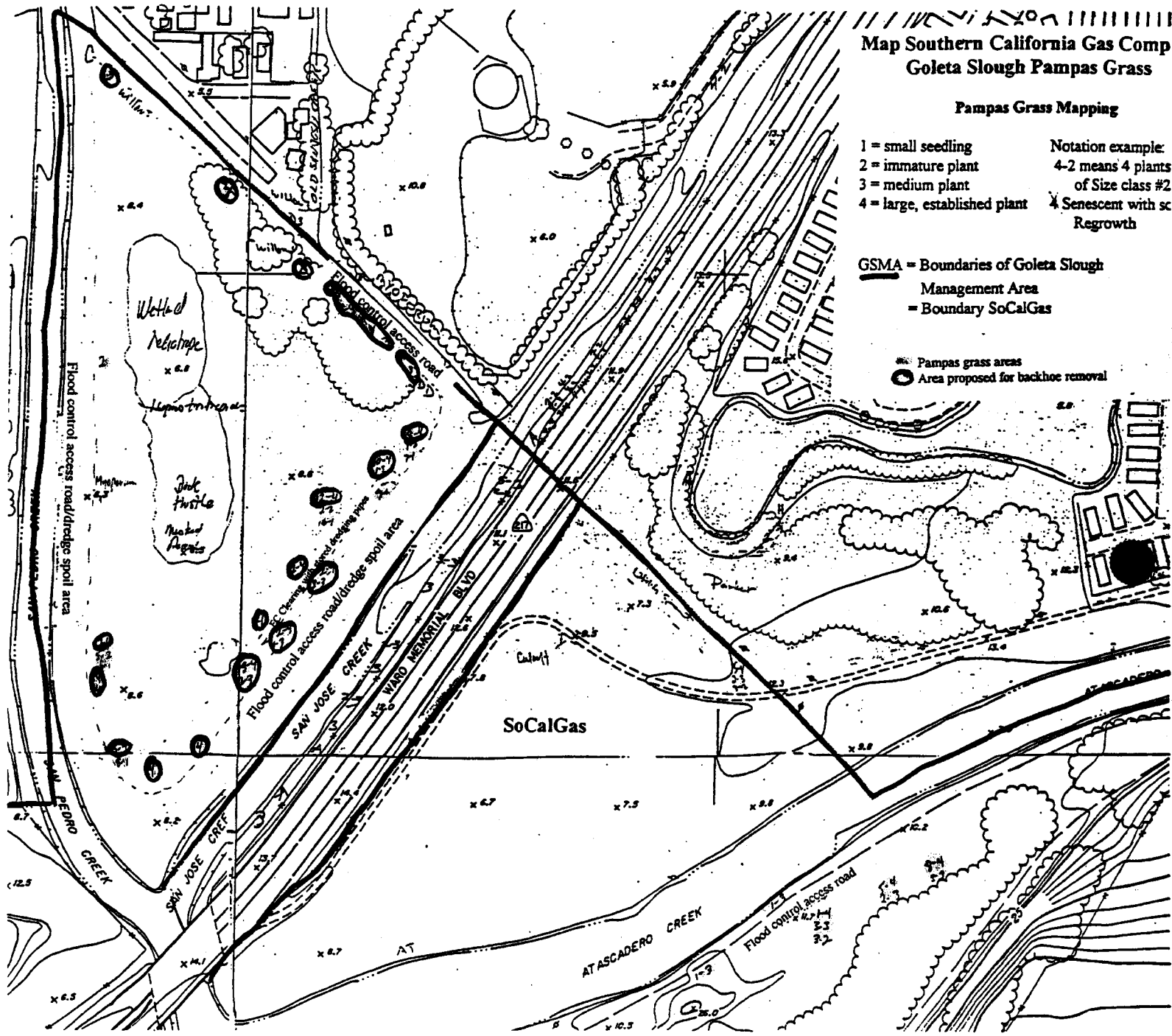


EXHIBIT NO. 6
APPLICATION NO.
4-99-178
Audubon

**Proposed Pampas Grass Removal--Santa Barbara Audubon
Goleta Slough Management Area
Southern California Gas Company Properties**

Project area	Parcel #	Parcel size (acres)	Habitat type	Approx area of PG plant removal	Approx area of PG infestation on parcel	Approximate density of PG infested area	Removal techniques proposed
"The Pie"	071-200-023	33.10	Coastal sage/riparian	2335 sq. ft./ 0.05 acre	0.5 acre	~10% cover PG	Backhoe; dig out by hand; cut and spray
N. "Jughandle"	071-200-012	3.40	Salt marsh/salt flat/ coyote brush scrub	735 sq. ft./ <0.02 acre	2000 sq. ft. (2 clusters)	~37% cover PG	Backhoe; dig out by hand; cut and spray
South of Atascadero Creek	071-200-011	22.90	Coastal sage/salt marsh	430 sq. ft.	4500 sq. ft.	~10% cover PG	Dig out by hand--small plants; Cut and spray--large plants
"	071-200-008	18.14	Coastal sage/riparian	1415 sq. ft.	11,000 sq. ft./ 0.25 acre	~13% cover PG	Dig out by hand; cut and spray
" Main parcel	071-210-001	147.40	Willow riparian/ riparian forest (affected portion) Coastal bluff scrub	695 sq. ft. 840 s. ft.	1.2 acres (two riparian buffer areas) 7500 sq. ft.	~1.4% cover PG ~11% cover PG	Dig out by hand; cut and spray Herbicide; solarization
North of Mescalitan Island	071-200-025	18.35	Wetland	382 sq. ft.	0.75 acre 2 areas/scattered	~1.3% cover PG	Dig out by hand; cut and spray

Audubon	4-99-178	EXHIBIT NO. 8 APPLICATION NO.
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