STATE OF CALIFORNIA - THE RESOURCES AGENCY

GRAY DAVIS, Governor

IFORNIA COASTAL COMMISSION

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November 20, 2002

TO: Commissioners and Interested Persons

- FROM: Charles Damm, Senior Deputy Director Gary Timm; South Central Coast District Manager Melanie Hale, Supervisor, Planning and Regulation Shana Gray, Coastal Program Analyst
- RE: Notice of Impending Development 2-02, Pursuant to the University of California Santa Barbara Certified Long Range Development Plan for Public Hearing and Commission Action at the December 10, 2002 Commission Meeting in San Francisco.

# SUMMARY AND STAFF RECOMMENDATION

The impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development also includes approximately 16,660 cubic yards of grading (16,210 cubic yards of cut, 450 cubic yards of fill), a tennis court, landscaping and pedestrian path improvements.

The University submitted the notice of impending development to the South Central Coast Office on July 3, 2002, and the notice was held incomplete pending Commission certification of the requisite Long Range Development Plan Amendment 2-02. The Commission approved LRDP Amendment 2-02 at the November 5, 2002 Commission Hearing in San Diego, subject to five suggested modifications.

Staff recommends that the Commission find that the impending development is **consistent** with the certified University of California at Santa Barbara Long Range Development Plan (LRDP) (as amended pursuant to proposed LRDP Amendment 2-02 to establish Potential Building Location No. 35 for development of the Recreation Center Expansion) with six special conditions regarding (1) plans conforming to geologic recommendations, (2) removal of excavated material, (3) landscape and erosion control plans, (4) a drainage and polluted runoff control plan, (5) a habitat restoration plan, and (6) consistency with the LRDP. This NOID will be consistent with the provisions of the LRDP only as amended by LRDP Amendment 2-02. The provisions of Section 13544 of the Commission's Administrative Regulations have not been fulfilled with regard to the University's acceptance of suggested modifications approved at the November 5, 2002 Commission Hearing, the Executive Director's



determination of adequacy, and the subsequent reporting to the Commission. Until the provisions of Section 13544, the amendment cannot be deemed effectively certified and deemed legally adequate.

**SUBSTANTIVE FILE DOCUMENTS:** 1990 Long Range Development Plan (UCSB, 1990, 1994 Update); Final Environmental Impact Report, Recreation and Aquatics Center Expansion and Intercollegiate Athletics Building, October 2001; Geotechnical Report (Fugro West, June 2001); and Geotechnical Consultation (Fugro West, March 13, 2002).

## I. PROCEDURE

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 AND RESOLUTION

MOTION: I move that the Commission determine that the development described in the Notice of Impending Development 2-02, 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 2-02, as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan as amended pursuant to LRDP Amendment 2-02 (Recreation Center Expansion) 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 2-02, as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan, as amended pursuant to LRDP Amendment 2-02 (Recreation Center Expansion) for the reasons discussed in the findings herein.

## III. SPECIAL CONDITIONS

## 1. Plans Conforming to Geologic Recommendation

All recommendations contained in the Geotechnical Consultation by Fugro West dated March 13, 2002, shall be incorporated into all final design and construction plans, including foundation, grading and drainage. All plans must be reviewed and approved buy the geologic and geotechnical consultant. Prior to the commencement of development the applicant shall submit, for review and approval by the Executive Director, evidence of the geologic and geotechnical consultant's review and approval of all project plans.

## 2. <u>Removal of Excess Materials</u>

Prior to the commencement of development, the University shall provide evidence to the Executive Director of the location of the disposal site for all debris and excavated material from the site. Should the disposal site be located in the Coastal Zone, a coastal development permit or notice of impending development shall be required.

## 3. Landscape and Erosion Control Plans

Prior to the commencement of development, the University shall submit for the review and approval of the Executive Director, two (2) sets of landscape and interim erosion control plans designed by a licensed landscape architect, licensed engineer, or other qualified specialist. The plans shall be reviewed and approved by the consulting engineering geologist as required pursuant to Special Condition Number One (1) to ensure that the plans are in conformance with the consultants' recommendations and shall provide the following:

## A) Landscaping Plan

(1) All disturbed areas on the subject sites shall be planted with and maintained for erosion control purposes within 60 days of completion of construction for each segment of the project. Such planting shall be adequate to provide 90 percent coverage within three years, and this requirement shall apply to all disturbed soils. Landscaping shall consist primarily of locally native plant materials, with the exception of interior courtyards which may include ornamental plant species and turf. Invasive, non-indigenous plan species which tend to supplant native species shall not be used.

- (2) All development noticed herein shall be undertaken in accordance with the final approved plans. Any proposed changes to the approved final landscape plans shall be reported to the Executive Director to determine of a notice of impending development or amendment to the Long Range Development is required to authorize such work.
- (3) Oak trees:
  - (a) All oak trees present on the subject site, with the exception of one partially fallen, unhealthy oak that must be removed for safety reasons, shall be preserved and incorporated into the final landscape plan.
  - (b) The plan shall include adequate measures to protect the long-term viability of the trees (including, but not limited to measures such as restricting the placement of structures or vegetation that requires irrigation within a circle measured at least five feet outward from the dripline of each preserved oak tree). These measures shall further include restrictive fencing around any individual oak tree that is of concern as a future hazard as the tree ages. Measures to retain the trees as they age, while minimizing hazards to humans and structures, shall include fencing off the area within the potential "fall" line of each tree if the tree is deemed a potential hazard by a certified arborist, and implementing supporting measures for individual limbs, such as cabling and props, in preference to limb removal.
  - (c) The trees shall additionally be protected from disturbance during site preparation and construction by placement of safety/exclosure fencing prior to commencement of development at the line measured five feet outward from the edge of the driplines of the protected trees. The plan shall further prohibit within the protected area of each oak tree: a) the of storage or operation of equipment or materials, b) the compaction, excavation, or trenching of soils, or c) the placement, including temporary placement, of graded material.
  - (d) The plan shall incorporate provisions for replacement plantings of any of the existing oak trees that may decline or die in the future. Replacement plantings shall be with coastal live oaks grown from locally collected acorns.
  - (e) The existing live oak tree that must be removed shall be replaced with ten (10) newly planted live oak trees; these shall be planted within the Site 35 project area to the extent feasible. Any remainder trees that cannot be so

located shall be planted within the Site 32 Environmentally Sensitive Habitat restoration, enhancement, and preservation area.

#### B) Interim Erosion Control Plan

(1) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas, and stockpile areas.

(2) The plans shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains or swales, sand bag barriers, silt fencing, stabilize any stockpiled fill with geofabric covers or other appropriate cover, install geotextiles or mats on all cut or fill slopes and close and stabilize open trenches as soon as possible. These erosion control measures shall be required on the open project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site unless removed to an appropriate approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive fill.

(3) The plan shall also include temporary erosion control measures should grading or site preparation cease for a period or more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

#### 4. Drainage and Polluted Runoff Control Program.

Prior to the commencement of development, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the developed site. The plan shall be reviewed and approved by the consulting engineering geologist to ensure the plan is in conformance with the geologist's recommendations. In addition to the specifications above, the plans shall be in substantial conformance with the following requirements

(a) Selected BMPs shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced buy all storms up to and including the 85<sup>th</sup> percentile, 24-hour runoff event for volume-based BMPs, and /or the 85<sup>th</sup> percentile, 1-hour event, with an appropriate safety factor (i.e., 2 or greater), for flow based BMPs.

- (b) Runoff shall be conveyed off site in a non-erosive manner.
- (c) Energy dissipating measures shall be installed at the terminus of outflow drains.
- (d) The plan shall include provisions to maintain the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30<sup>th</sup> each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor in interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new notice of impending development is required to authorize such work.

### 5. <u>Habitat Restoration Plan</u>

- A. Prior to the commencement of construction of any component of the Recreation Center Project, the University shall submit, for the review and approval of the Executive Director, a Habitat Restoration and Enhancement Plan, prepared by a qualified biologist or environmental resource specialist. The restoration shall be accomplished by establishing as Environmentally Sensitive Habitat Area the approximately 4.68-acre area that includes LRDP Site 32 (approximately 3 acres) and the contiguous additional acreage adjoining Site 32, bounded by Mesa Road, to achieve the total acreage of approximately 4.68 acres. The proposed ESHA mitigation site is shown on Exhibit 2 (indicated by "Habitat Restoration Boundary" of Figure 12, as revised by LRDP Amendment 2-02) and shall be shown on the relevant LRDP maps and figures as "ESHA".
- B. The plan shall include, but not be limited to, the following provisions:
  - (1) Propagules of the dwarf lupine identified on the proposed development site shall be successfully established in the restoration area in a similar-sized area as that impacted by or adjoining the proposed development (this requirement may be implemented gradually to ensure that reseeding in the donor population also continues without interference);
  - (2) The remainder of the mitigation site shall preserve the existing mature trees, shall provide for additional plantings of locally native trees where deemed important to the habitat functions of the

grasslands/wetlands complexes within and adjacent to the mitigation site, and to provide raptor nesting, perching, and roosting locations, and shall provide for native grassland and wetlands protection and restoration where applicable in accordance with baseline habitat resources existing within the proposed ESHA boundaries (the 4.68 acres);

- (3) The permanent management of the designated 4.68 acre mitigation site to ensure that it functions continuously as restored ESHA (including regular non-native species removal, native species replanting or enhanced plantings, etc.);
- (4) The removal of invasive exotic species (except designated specimen trees that may be recommended for preservation in the approved plan), disposal of trash and debris, and restoration and enhancement of existing habitats.
- (5) The Habitat Restoration Plan shall outline restoration methods and performance standards (including specific habitat enhancement and restoration activity milestones and timelines, and measurable performance standards to evaluate success) to ensure efforts at the 4.68-acre site north of Harder Stadium are successful. Successful restoration shall be determined if the performance standards are met by the end of the monitoring period. The monitoring program shall also include photographs taken from pre-designated sites (annotated to a copy of the site plans) showing the area(s) of the project site to be enhanced prior to the commencement of development.
- C. The University shall implement the Habitat Restoration and Enhancement Plan approved by the Executive Director within thirty (30) days of commencement of site preparation activities for the approved Recreation Center Expansion, and shall complete the implementation of the plan (except for long term requirements such as continuous management of non-native species, or re-planting of failed plantings) within one (1) calendar year following its implementation. This timeline may be extended by the Executive Director in consideration of potential seasonal sensitivities associated with existing habitat use– for example, nesting by raptors – but only upon a showing of good cause by a qualified biologist or environmental resource specialist.
- D. The University shall submit, on an annual basis for a period of five (5) years beginning after completion of the proposed activity (but no later than December 31 each year) a written report, for the review and approval of the Executive Director, prepared by a qualified biologist or environmental resource specialist, evaluating the extent of the success or failure of the

restoration project. This report shall include further recommendations and requirements for additional restoration activities in order for the project to meet the specified criteria and performance standards. These reports shall also include photographs taken from pre-designated site (annotated to a copy of the site plans) indicating the progress of recovery at each of the sites.

E. At the end of a five-year period following commencement of the Enhancement and Restoration Plan, a final detailed report shall be submitted for the review and approval of the Executive Director. If this report indicates that the implementation of the approved plan has in part, or in whole, been unsuccessful, based on the approved performance standards, the applicant shall be required to submit a revised or supplemental program to compensate for those portions of the original plan which were not successful. The revised or supplemental plan shall be processed as a Notice of Impending Development.

#### 6. <u>Consistency with LRDP</u>

Prior to the commencement of development, Long Range Development Plan Amendment 2-02 must be effectively certified and deemed legally adequate by the California Coastal Commission.

### IV. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

## A. Long Range Development Plan Background

On March 17, 1981, the University's Long Range Development Plan (LRDP) was effectively certified by the Commission. The LRDP has been subject to ten major amendments. Under LRDP Amendment 1-91, the Commission reviewed and approved the 1990 UCSB LRDP; a 15-year long range planning document, which substantially updated and revised the certified 1981 LRDP. The 1990 LRDP provides the basis for the physical and capital development of the campus to accommodate a student population in the academic year 2005/06 of 20,000 and for the new development of no more than 1.2 million sq. ft. of new structural improvements and 830,000 sq. ft. of site area on Campus for buildings other than parking garages and student housing.

## **B.** Description of Impending Development

The impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development includes approximately 16,660 cubic yards of grading (16,210 cubic yards of cut, 450 cubic yards of fill), one tennis court, landscaping and pedestrian path improvements. The

impending development also includes the creation of a 4.68-acre habitat restoration site north of Harder Stadium. There would be no net increase in development potential on the Campus from that identified in the certified LRDP.

The approximately four-acre project site is located on the west side of the Main Campus west of Ocean Road and south of Mesa Road adjacent to the existing Recreation and Aquatics Center and tennis courts (See Exhibit 1, including plans). Vehicular access to the site is via an extension of an existing access road that services the existing 66kv substation to the west of the project site and via a proposed access road off of Mesa Road. The area to be occupied by the proposed project is presently occupied by mowed and unmowed non-native grassland, six large coast live oak trees, three eucalyptus trees of 12-, 20 and 36-inches in diameter, an existing gravel access road, an earthen berm, a tennis court, ornamental landscaping, and hardscape features. A portion of the site (1.45 acres) was identified in the LRDP as a mitigation site to offset the loss of grasslands campus wide. The habitat at the 1.45-acre site is highly degraded, isolated, and had been encroached upon by surrounding development of the existing Recreation and Aquatics Center and adjacent tennis courts. The University's proposal to offset not only the 1.45-acre existing mitigation area, but to further mitigate the loss of open space and grasslands resulting from construction of the project, and to enhance and restore as Environmentally Sensitive Habitat Area (ESHA) the new mitigation area (Site 32 in the LRDP, plus adjoining acreage-Exhibit 2), is described further in Section H.

The proposed Recreation and Aquatics Center Expansion would result in the development of a single building on the project site. The western portion of the Recreation and Aquatics Center Expansion building would have a maximum height of 33 feet. This portion of the building would include the proposed multi-activity court, cardio/weight room, climbing wall and locker rooms. The eastern portion of the proposed building would provide space for multi-purpose rooms, offices and classrooms. This portion of the building would provide multiple rooflines that would range in height from approximately 15 to 33 feet.

Figure 10, Land Use and Circulation, of the certified UCSB LRDP identifies that the project site is generally suitable for "Recreation" uses – although the area was designated for open area recreation, typically for playing fields or courts, the proposed Recreation and Aquatics Center Expansion would include an indoor multi-activity court that would accommodate activities such as basketball, volleyball, indoor soccer and sports such as roller hockey. A new climbing wall would also be provided. According to the University, the facility would address existing overcrowded conditions at the existing Recreation Center and would include new locker rooms, weight and cardiovascular training equipment, multipurpose recreational activity areas, class and meeting rooms, and offices. The facility would not result in additional enrollment, thus analysis of the project in relation to the University's enrollment cap is not required.

The impending development does not include the removal or addition of any parking spaces on campus. In addition, the project would not result in a change in the

cumulative parking demand on the Main Campus since the project will serve existing students and faculty.

The site of the proposed development is not designated environmentally sensitive habitat area (ESHA) on the LRDP maps. The University conducted a biological resources assessment of the site in 2001, which additionally concluded that no ESHA exists "on the ground" at the subject site. The proposed project will, however, require the removal of one partially uprooted oak tree that is in very poor condition and three eucalyptus trees of 12-, 20 and 36-incles in diameter on the earthen berm along the western portion of the site. The University's biological investigation concluded that the eucalyptus windrow is not known to support monarch butterflies or nesting raptors. In addition no monarch butterfly aggregations have been identified in the vicinity of the project site.

The remaining live oaks would be preserved and incorporated into the landscape elements of the project, pursuant to the Landscape Plan required by Special Condition 3. To ensure that the oak trees on site are not adversely affected as a result of this project, the University has proposed as part of the NOID 2-02 proposal to incorporate Mitigation Measure BIO-3 of the EIR which includes 5-foot setbacks from oak trees, construction fencing, no ground disturbance within fenced areas, no artificial surfaces under the oak tree canopies, and drought tolerant landscaping under the oaks. In addition, irrigation of landscaping adjacent to oaks shall be designed to prevent ponding under oaks and minimize soil saturation during the dry season.

The creation of a 4.68-acre habitat restoration site north of Harder Stadium to mitigate the loss of the 1.45-acre site identified in the LRDP is proposed by the University to mitigate the adverse impacts to campus-wide grasslands and open spaces that will result from the construction of the project. The value of undertaking mitigation on the identified site (Site 32 in the certified LRDP plus adjoining 1.68 acres bounded partially by Mesa Road) reflects the site's position on the southern edge of Goleta Slough with remnant oak woodland on the north-facing slope and a mix of grassland, coastal scrub and vernal wetlands below. The location, adjacent to Storke Wetlands, provides a rare opportunity to preserve substantial areas of unfragmented open space, with complex habitat interrelationships, combined with minimal constraints from road edges, horticultural landscapes and structures. In accordance with the University's proposal, and as reflected in LRDP Amendment 2-02 (approved by the Commission 11/5/02 with five suggested modifications), Special Condition 5 reflects the Habitat Enhancement and Restoration Plan that will ensure the establishment of high-functioning ESHA within the mitigation area.

The University notes that minor use of the site by the Goleta Sanitary District (a pumping station near the site entrance) and occasional vehicle access to underground pipeline operating equipment (e.g., valves) would continue, with minimization of intrusive dirt roads consistent with existing easements held by the District.

Finally, the proposed Recreation and Aquatics Center Expansion is a maximum of 33 feet high and therefore does not exceed the 35-foot height requirement for that area of campus set forth in the certified LRDP.

# C. Campus Development Consistency

The certified LRDP provides the basis for the physical and capital development of the campus to accommodate a student population of 20,000 in the academic year 2005/06. Table 13 identifies the potential new facility uses, but Table 13 does not include development areas for potential residential uses. Since the certification of the 1990 LRDP by the Commission, less than 50 percent of the available identified potential areas for development on campus have been developed.

Potential new building locations, uses, and structural development guidelines have been designated in the certified LRDP. The proposed project site is located on a new building site, approved in LRDP Amendment 2-02 as Potential Building Site No. 35, adjacent to the existing Recreation Center facilities. The LRDP, as amended pursuant to LRDP Amendment 2-02, indicates that the project site may be developed for "Recreation, athletic functions, Gymnasiums, swimming pools, weight room, ball courts, fields, athletic faculty offices, small to mid range classrooms and related recreation and physical education facilities & functions." The proposed Recreation Center Expansion project is specifically designated to serve as recreation space as described. Therefore, the proposed project is consistent with the location and building uses designated in the amended LRDP.

Table 13 of the LRDP also designates that structures developed at this site have a maximum of 37,600 assignable square feet (assignable square feet is a standard measure of space used for state funding purposes by the University which measures useable area within a building available to occupants) for new development and utilize a maximum site area of 189,300 square feet (see Table 1, below). The Recreation Center Expansion is proposed to be 51,100 gross square feet with 37,600 square feet of that amount designated as assignable (usable) area. The total development envelope, including the pedestrian and landscape improvements, proposed by the University is 189,300 square feet. Table 13 identifies the building intensity and type for all locations designated for new development. The applicable portion of the proposed project is designated within the development guidelines for Potential Building Site No. 35, and therefore, the proposed Recreation Center Expansion Project would be consistent with the allowable site designated in the LRDP, pursuant to LRDP Amendment 2-02.

 Table 1. Proposed Recreation Center Expansion Project Site Development and Allowable Development

 Pursuant to the LRDP.

Site Number	Site Area (000 GSF)	Building Area (000 ASF)	Potential Site Uses
35	189.3	37.6	<ul> <li>Project: Recreation and Aquatics Center Expansion Range of Uses:</li> <li>Recreation, athletic functions</li> <li>Gymnasiums, swimming pools, weight room, ball courts, fields, athletic faculty offices, small to mid range classrooms and related recreation and physical education facilities &amp; functions</li> </ul>

The University's notice of impending development is subject to the Commission's review and certification of an amendment to the LRDP (LRDP Amendment 2-02). LRDP Amendment 2-02 creates Potential Building Location No. 35 and establishes the type, intensity and height zone of the proposed Recreation Center Expansion site. The Commission approved LRDP Amendment 2-02 at the November 5, 2002 Commission Hearing in San Diego, subject to five suggested modifications. However, the provisions of Section 13544 of the Commission's Administrative Regulations have not been fulfilled with regard to the University's acceptance of suggested modifications approved at the November 5, 2002 Commission Hearing, the Executive Director's determination of adequacy, and the subsequent reporting to the Commission. Until the provisions of Section 13544, the amendment cannot be deemed effectively certified and deemed legally adequate.

The subject Notice of Impending Development 2-02 can only be found consistent with the LRDP, if LRDP amendment 2-02 is effectively certified by the Commission. Therefore, in order to ensure that the university does not proceed with development prior to completing the amendment process, **Special Condition Six (6)** requires that Long Range development Plan Amendment 2-02 must be effectively certified and deemed legally adequate by the California Coastal Commission prior to the commencement of construction.

Therefore the Commission finds that the notice of impending development is consistent with the applicable LRDP policies with regards to building location, use and corresponding structural development guidelines.

## D. Visual Resources

The LRDP contains several 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 which has been included in the certified LRDP. For instance, Policy 30251.5 requires that new construction on campus shall be consistent with the scale and character of surrounding development and that

clustered developments and innovative designs are encouraged. In addition, Policy 30251.6 restricts new buildings to certain height limits specified in the LRDP.

The impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development also includes approximately 16,660 cubic yards of grading (16,210 cubic yards of cut, 450 cubic yards of fill), a tennis court, landscaping and pedestrian path improvements.

As described previously, the project site is located on the west side of the Main Campus west of Ocean Road and south of Mesa Road adjacent to the existing Recreation and Aquatics Center and tennis courts (Exhibit 1). Vehicular access to the site is via an extension of an access road that services the existing 66kv substation to the west of the project site and via a proposed access road off of Mesa Road. The project site is contiguous to existing recreational and athletic facilities.

The area to be occupied by the proposed project is presently occupied by mowed and unmowed non-native grassland, six large coast live oak trees, three eucalyptus trees of 12-, 20 and 36-inches in diameter, an existing gravel access road, an earthen berm, a tennis court, ornamental landscaping, and hardscape features. A portion of the site (1.45 acres) was identified in the LRDP as a mitigation site to offset the loss of grasslands campus wide. The habitat at the 1.45-acre site is highly degraded, isolated, and had been encroached upon by surrounding development of the existing Recreation and Aquatics Center and adjacent tennis courts.

The University has submitted a landscape plan with components designed to soften any adverse visual effects that result from the proposed development. In addition, the proposed landscaping will provide for landscape elements consistent with the character of other landscaping on campus. The Commission finds that **Special Condition Three** (3) which requires the applicant to submit final landscape plans subject to the approval of the Executive Director is necessary to ensure the proposed development will minimize visual impacts in accordance with the requirements of the certified LRDP. Special Condition 3 further requires all disturbed areas on the subject sites to be planted with and maintained for erosion control purposes within 60 days of completion of construction for each segment of the project. Landscaping shall consist primarily of locally native plant materials, with the exception of interior courtyards which may include ornamental plant species and turf.

The LRDP restricts the height of new buildings on the Main campus in concentric zones consistent with 35-foot, 45-foot and 65-foot maximum height profiles. Higher profile buildings are designated at the core of the Main Campus with lower height buildings maintained along the perimeter to allow views from inland buildings to the coast. Development at the project site is limited to a maximum of 35 feet. As proposed, the building would be a maximum of 33 feet in height. Therefore the proposed development is consistent with the building height restrictions required by the LRDP.

Therefore, the Commission finds that the proposed development (structure and landscaping) is consistent with the applicable visual resource policies of the LRDP.

## E. Circulation and Public Access

Consistent with Section 30210 of the Coastal Act, the LRDP provides for maximum coastal access on campus. Public pedestrian access is available to and along the entire 2 1/2 miles of coastline contiguous to the campus. The parking facilities on campus constitute the majority of public-available beach parking in the Goleta area. Most of the approximately 6,187 parking spaces on campus may be used by the general public for a nominal charge. In addition, there is no charge for parking on campus during evenings, weekends or holidays. 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. The impending development does not include the removal or addition of any parking spaces on campus, nor does the project require any changes to the public availability of the existing parking stock on campus.

The impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development also includes a tennis court, landscaping, pedestrian path improvements and approximately 16,660 cubic yards of grading (16,210 cubic yards of cut, 450 cubic yards of fill) primarily to remove the six-foot high earthen berm. The impending development does not include the removal or addition of any parking spaces on campus.

According to the Final EIR for the proposed project, the Recreation and Aquatics Center Expansion project will serve existing faculty, staff and students. The peak use of the Recreation Expansion facilities is estimated at a maximum of approximately 1,200 people each day (open up to 16-hours/day). To evaluate the parking spaces required to accommodate the increased use of the facilities, the University conducted a survey of Recreation and Aquatic Center users. Based on the survey results, the University estimates that "approximately six percent of the people using the Recreation and Aquatic Center drive to campus to use the facility. It is assumed that a similar percentage of people using the proposed facilities would drive to campus. The remainder of the facility users arrive by bicycle, foot, bus, or other means. It is also estimated that there is an average of 1.2 persons in each car. Therefore it is estimated that the Recreation and Aquatic Center Expansion Project would generate approximately 60 ADT [Average Daily Trips]."

It is expected that users of the Recreation Center Expansion Project would use Parking Lot 16 and the Mesa Parking Structure, east of Ocean Road. Parking Lot 16 and the Mesa Parking Structure are available to both students and faculty and have a joint capacity of 1,092 parking spaces. The University provided the quarterly parking inventory from Winter 2001-2002 which indicated that from 9 a.m. to 4 p.m., the combined occupancy rate for both parking facilities ranges from 44% to 92% capacity. The peak occupancy (92%) was recorded at noon and represents availability of 93 parking spaces. Based on the occupancy rates of the parking facilities in combination with the University's estimates of users that drive to the campus specifically to utilize the Recreation facilities, the proposed project would not result in inadequate parking capacity. Therefore the project would not result in a significant impact to local parking resources.

Additionally, a recent campus wide parking study indicated that some reserve parking is generally available on campus but with limited core area parking. The core parking area applicable to the new building, which represents a ten-minute walk from the project site, contains a total of 4,804 parking spaces. Occupancy surveys for this are indicated 75% to 78% occupancy during the a.m. and p.m. peak periods. The study anticipated future demands to reach the 80% occupied level, with 977 reserve spaces in the core parking area. Based on this data, the proposed project would not result in inadequate parking capacity, or any significant impact to campus wide parking resources.

The LRDP indicates that the primary mode of transportation for many UCSB students is the bicycle. The University has indicated that approximately 14,000 students at UCSB have bicycles and use them on a regular basis. The campus had more than seven miles of bikeways which provide access around the campus, as well as connect to bicycle routes leading to the surrounding urban areas including Isla Vista, Goleta, and Santa Barbara. Further, the UCSB bikeways constitute an important alternative to automobile transportation in providing for public access to the coast. Consistent with Section 30252 of the Coastal Act, which require that non-automobile circulation be provided for within new development, the LRDP provides that the Campus' existing network of bicycle routes should be expanded in conjunction with new development. In addition, Policy 30210.15 of the LRDP requires the university to maintain and improve bicycle and pedestrian accessways to the beach as necessary to protect sensitive habitat areas and public safety.

Existing and future bicycle alignments are adequately protected and the proposed Recreation and Aquatics Center Expansion project would not adversely affect circulation or public access as provided for by the policies of the LRDP. In addition, the proposed project would only serve the existing campus population and would not add new students or faculty that would otherwise require analysis of the project's consistency with the enrollment cap adopted by the University.

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

# F. <u>Geologic Stability</u>

Section 30253 of the Coastal Act, which has been included in the certified LRDP, requires that new development minimize risks to life and property and assure structural

stability and integrity. Consistent with Section 30253 of the Coastal Act, the LRDP contains many policies to ensure the stability of new development. In order to ensure that the development is not subject to geologic hazard Policy 30253.2 of the LRDP requires that subsurface and geotechnical studies be conducted to ensure structural and geologic stability.

The impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development also includes approximately 16,660 cubic yards of grading (16,210 cubic yards of cut—including the excavation and removal of approximately 200 linear feet of an artificial berm six feet in height that was constructed pursuant to military use of the campus in approximately 1941, and 450 cubic yards of fill), a tennis court, landscaping and pedestrian path improvements.

The University has submitted a Geotechnical Engineering Report, prepared by Fugro dated June 2001 and a Geotechnical Consultation by Fugro dated March 13, 2002 which indicates that the proposed project is feasible from a geologic standpoint. The evaluation states:

The site is flat and slope instability such as landsliding or surficial failure is not considered a hazard to the project. The liquefaction hazard at the site is low and, as discussed, the potential for faulting at the site is generally considered to be low. Therefore, based on the exploration and evaluations performed for this study and our reviews of previous data for the site vicinity, in our opinion the site should be safe from landslides, settlement and slippage provided the recommendations in our referenced geotechnical report are implemented. In addition, it is our opinion that the proposed development should not adversely affect adjacent sites provided the recommendations presented in our geotechnical engineering report are incorporated into the design of the project and implemented during construction.

The Commission notes that the geologic and engineering consultants have included a number of geotechnical recommendations which will increase the stability and geotechnical safety of the site. To ensure that the recommendations of the geotechnical consultants are incorporated into the project plans, the Commission finds it necessary to require the applicant, as required by Special Condition One (1), to submit project plans certified by the consulting geologic and geotechnical engineering consultant as conforming to their recommendations.

In addition, the Commission finds that minimization of site erosion will add to the stability of the site. Erosion can best be minimized by requiring the applicant to landscape all disturbed and graded areas of the site. In the case of the proposed development, the university has submitted a landscaping plan for the project site, consistent with the character of the surrounding campus which will be adequate to ensure that erosion on site will be minimized on the project site. To ensure that all areas impacted by the impending development are landscaped in accordance with the

LRDP policy 30231.1, which provides that new development on campus shall 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 illustrate that all disturbed areas on the subject sites shall be planted and maintained within 60 days of completion of construction and shall consist primarily of locally native plant materials, with the exception of interior courtyards which may include ornamental plant species and turf. Invasive, non-indigenous plan species which tend to supplant native species shall not be used.

Additionally, **Special Condition Three (3)** requires the University to submit interim erosion control plans which provide for the stabilization of all temporary stockpiled fill and disturbed areas on site and to utilize all best management practices including, but not limited to, the installation of temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and swales, sand bag barriers, silt fencing during construction activity to minimize erosion on the project site.

The Commission also notes that the amount of excavation proposed by the University is larger than the amount of backfill to be placed and will result in approximately 16,210 cubic yards of excess excavated material. Excavated materials that area placed in stockpiles are subject to increased erosion. The Commission also notes that additional landform alteration would result if the excavated material were to be retained on site. Section 30251 of the Coastal Act, which has been included in the certified LRDP, requires that landform alteration be minimized in relation to new development. In addition, Policy 30231.1 of the LRDP prohibits the storage of or deposition of excavated materials on campus where such material will be subject to storm runoff in order to minimize soil erosion and sedimentation of coastal waters. Therefore, consistent with Policy 30231.1 of the LRDP and Section 30251 of the Coastal Act, which has been included in the LRDP, in order to ensure that excavated material will not be stockpiled on site and that landform alteration and site erosion is minimized, Special Condition Two (2) requires the University to remove all excavated material from the site to an appropriate location and provide evidence to the Executive Director of the location of the disposal prior to the commencement of development. Should the disposal site be located in the Coastal Zone a separate coastal development permit or notice of impending development shall be required.

Therefore, the Commission finds that the notice of impending development, as conditioned is consistent with the applicable policies of the LRDP with regards to geologic stability and new development.

## G. <u>Water Quality</u>

The Commission recognizes that new development has the potential to adversely impact coastal water quality through the removal of native vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, introduction of pollutants such as chemicals, petroleum, cleaning products, pesticides, and other pollutant sources. Section 30231 of the Coastal Act, which has been included in the certified LRDP, states that:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations or marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, minimizing alteration of natural streams.

In addition, Policy 30231.2 of the LRDP states, in part, that:

Projects shall be designed to minimize soil erosion and, where possible, to direct surface runoff away from coastal waters and wetlands...

Further, Policy 30231.3 of the LRDP states, in part, that:

Drainage and runoff shall not adversely affect the Campus wetlands.

b. Pollutants shall not be allowed to enter the area through drainage systems.

As described above, the impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development includes approximately 16,660 cubic yards of grading (16,210 cubic yards of cut, 450 cubic yards of fill), one tennis court, landscaping and pedestrian path improvements. The impending development also includes the creation of a 4.68-acre habitat restoration site north of Harder Stadium.

Potential sources of pollutants such as chemicals, petroleum, cleaning agents and pesticides associated with new development, as well as other accumulated pollutants from rooftops and other impervious surfaces result in potential adverse effects to water quality to the Campus Lagoon and coastal waters. Such cumulative impacts can be minimized through the implementation of drainage and polluted runoff control measures. In addition to ensuring that runoff is conveyed from the site in a non-erosive manner, such measures should also include opportunities for runoff to infiltrate into the ground. Methods such as vegetated filter strips, gravel filters, and other media filter devices allow for infiltration.

To minimize adverse effects to coastal waters resulting from either contamination or increased sedimentation, the Commission finds it necessary to require the applicant, as required by **Special Condition Four (4)**, to submit a Drainage and Polluted Runoff Control Plan. The drainage plan shall be certified by the consulting geologic and geotechnical engineering consultant as conforming to their recommendations. In addition, to ensure that proposed drainage and stormwater quality improvements are

properly implemented, in order to ensure that adverse effects to coastal water quality do not result from the proposed project, **Special Condition Four (4)** also requires the University to monitor and maintain the drainage and polluted runoff control system to ensure that it continues to function as intended throughout the life of the development.

Furthermore, interim erosion control measures implemented during construction and post construction landscaping will serve to minimize the potential for adverse impacts to water quality resulting from drainage runoff during construction and in the post-development stage. Therefore, the Commission finds that Special Condition Three (3), which requires the applicant to submit landscape and erosion control plans for all components of the project, is necessary to ensure the proposed development will not adversely impact water quality or coastal resources.

Therefore, the Commission finds that the notice of impending development, as conditioned, is consistent with the applicable policies of the LRDP with regards to water quality and new development.

## H. Environmentally Sensitive Habitat

The LRDP contains several policies regarding the protection and management of sensitive habitat areas. 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 require the protection of ESHA and wetland areas.

As described above, the impending development consists of the demolition of one tennis court and the construction of a new 51,100 gross square foot (37,600 assignable square feet), 33 foot high Recreation and Aquatics Center Expansion. The impending development includes approximately 16,660 cubic yards of grading (16,210 cubic yards of cut, 450 cubic yards of fill), one tennis court, landscaping and pedestrian path improvements. The impending development also includes the creation of a 4.68-acre habitat restoration site north of Harder Stadium.

The area to be occupied by the proposed project is presently occupied by mowed and unmowed non-native grassland, six large coast live oak trees, three eucalyptus trees of 12-, 20 and 36-inches in diameter, an existing gravel access road, an earthen berm, a tennis court, ornamental landscaping, and hardscape features. A portion of the site (1.45 acres) was identified in the LRDP as a mitigation site to offset the loss of grasslands campus wide. The habitat at the 1.45-acre site is highly degraded, isolated, and had been encroached upon by surrounding development of the existing Recreation and Aquatics Center and adjacent tennis courts.

The proposed site is not designated environmentally sensitive habitat area (ESHA) on the LRDP maps; in addition, the University has performed biological assessments of the site (2001) that concluded that no ESHA in fact exists in the impact area. However,

the proposed development would require the removal of one partially uprooted oak tree that is in very poor condition and three eucalyptus trees of 12-, 20 and 36-inches in diameter on the earthen berm along the western portion of the site. The University's biological investigation of the project site in 2001 concluded that the eucalyptus windrow does not support monarch butterflies or nesting raptors. In addition, no monarch butterfly aggregations have been identified in the vicinity of the project site.

Nevertheless, the construction of the proposed project will adversely affect a net 4.68 acres of campus grasslands and open space. To mitigate these impacts, the University proposes to create a 4.68-acre habitat restoration and enhancement site north of Harder Stadium. The establishment of ESHA on the site proposed by the University will exceed the habitat value of the existing project site because the proposed mitigation area (3-acre Site 32 in the LRDP plus adjoining 1.68 acres) reflects the natural context of the southern edge of Goleta Slough with some of the site's original oak woodland remaining on the north-facing slope with a mix of grassland, coastal scrub and vernal wetlands below. The University asserts and the Commission finds that the proposed mitigation location, adjacent to Storke Wetlands, provides a significant opportunity to permanently preserve substantial areas of unfragmented sensitive habitat, including grasslands and open space areas of greater habitat and aesthetic value than those that would be lost to the proposed development, with minimal constraints from road edges, horticultural landscapes and structures (see Exhibit 3).

To ensure that the proposed mitigation is successful and that the subject area is adequately restored and enhanced to the standard necessary to constitute ESHA, Special Condition Five (5) requires that the University shall submit, on an annual basis for a period of five years, beginning after the proposed project is completed (but no later than December 31<sup>st</sup> each year), a written report prepared by a qualified biologist or resource specialist, for the review and approval of the Executive Director, evaluating the extent of the success or failure of the restoration project. This report shall include further recommendations and requirements for additional revegetation activities in order for the project to meet the specified criteria and performance standards set forth in the approved Habitat Restoration and Enhancement Plan (Special Condition 5). At the end of the five-year period, a final detailed report shall be submitted for the review and approval of the Executive director. If the final report indicates that the restoration program has in part, or in whole, been unsuccessful, based on the approved performance standards, the applicant shall be required to submit a revised or supplemental program to compensate for those portions of the original program which were not successful. The revised, or supplemental program shall be processed as a new notice of impending development.

In addition, an unnamed dwarf lupine has been noted within the area of the project, and while the University believes that avoiding direct impacts to the lupine may be possible, the increased intensity of site use increases the possibility of conflict and adverse impacts on the plant. The miniature lupine, currently recognized as a common species of lupine (*lupinus bicolor*), has a distinctive smaller form in the Goleta area. It is not presently recognized as a separate subspecies. In recognition of the potential effects to

this species as a result of the development and the intensified use of the site, the University has proposed to collect and plant the lupine seeds in the mitigation site as part of its restoration program. Each year the University will evaluate the success of the relocation of the lupine. If the relocation does not appear successful, the University will collect and plant additional seeds each year for up to five years. The ability to collect seed will be limited to the amount that will not adversely affect the sustainability of the existing populations. If after five years, the relocation of the lupine is not successful, the University will identify alternative sites for relocation, in particular the sites along the roadway nearby of the existing population. In addition, the University has indicated a willingness to collect and save seed for potential future study, allowing for the availability of seeds to plant in future mitigation areas. To ensure that this element of the restoration component is successfully implemented, Special Condition Five (5) requires the University to submit a habitat restoration plan, including detailed restoration methods and performance standards, that will specifically address establishment of miniature lupine restoration areas. Furthermore, to ensure that the existing miniature lupine populations on and around Potential Building Location Number 35 are protected consistent with the policies of the LRDP, Special Condition Three (3) requires the use of locally native plants for landscaping as it transitions into the surrounding natural, albeit disturbed, grassland areas.

The University is proposing to retain the six healthy oak trees in the project area. To ensure that the oak trees on site are not adversely affected as a result of this project, the University has proposed as part of the project description included in NOID 2-02 to incorporate Mitigation Measure BIO-3 of the EIR which includes 5-foot setbacks from oak trees, construction fencing, no ground disturbance within fenced areas, no artificial surfaces under the oak tree canopies, and drought tolerant landscaping under the oaks. In addition, irrigation of landscaping adjacent to oaks shall be designed to prevent ponding under oaks and minimize soil saturation during the dry season. In addition, the policies of the LRDP, as modified through Suggested Modification of LRDP Amendment 2-02, require that that the oak trees on-site be protected and replaced in kind if the trees die off or are otherwise removed as a result of disease. To ensure that the on-site oak trees are protected consistent with the University's proposed mitigation measures and the policies of the LRDP, Special Condition Three (3) specifies the provisions necessary to adequately protect the oak trees and ensure long-term viability.

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





















August 20, 2002

Jennifer Metz Budget and Planning University of California, Santa Barbara, CA 93106

Dear Jennifer,

I am writing to respond to your recent request for information and my professional opinion on the proposed habitat enhancement associated with the Recreation Center Expansion project. I am pleased to recommend the enhancement of the site north of Harder Stadium. The site has many existing assets and could be enhanced in several ways. The existing habitats reflect the natural context of the southern edge of Goleta Slough with some of the site's original oak woodland on the north-facing slope and a mix of grassland, coastal scrub and vernal wetlands below. The location, adjacent to Storke Wetlands, provides a rare opportunity to preserve substantial areas of un-fragmented open space with minimal constraints from road edges, horticultural landscapes and structures.

The site supports a mix of vegetation types including oak woodland, coastal sage scrub (Coyote brush, *Baccharis pilularis*, California sagebrush, *Artemisia californica*, Toyon, *Heteromeles arbutifolia*, and Santa Barbara honeysuckle *Lonicera subspicata*), freshwater wetlands (with *Distichlis spicata*, and spikerush, *Eleocharis macrostachya*) and grasslands dominated by non-native annuals.

The site has important functions for wildlife. Perhaps the most notable of these functions is regular nesting of White-tailed Kites in recent years. The surrounding area supports nesting Red-tailed Hawks and Redshouldered Hawks.

Enhancement of the site should include several components:

- 1) Removal of dense stands and outlying patches of invasive exotic species,
- 2) Disposal of trash and debris, and
- 3) Planting local genotype native plants.

Priorities for invasive exotic tree removal should include Acacia, Myoporum, tamarisk, palms and blue gum invading the oak woodland. To increase the function of the site several other invasive species should be controlled (Pampas grass, honeysuckle, Fennel, Harding grass, iceplant, Italian thistle).

I support the preservation and enhancement of this site for the long-term.

#### Sincerely,

David M. Hubbard Natural Areas Manager Museum of Systematics and Ecology Ecology, Evolution and Marine Biology University of California, Santa Barbara, CA 93106

EXHIBIT NO. 3			
APPLICATION NO.			
UCSB NOLD 2-02			
MSE Lefter			

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