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STATE OF CALIFORNIA - THE RESOURCES AGENCY

## CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA

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RECORD PACKET COPY

**DATE:** April 24, 2003

**TO:** Commissioners and Interested Persons

**FROM:** South Central Coast District Staff

**SUBJECT:** Proposed Major Amendment (4-02) to the University of California Santa Barbara Certified Long Range Development Plan, and associated Notices of Impending Development 1-03, 2-03, and 3-03, for Public Hearing and Commission Action at the May 9, 2003, Commission Meeting in Monterey.

### SUMMARY AND STAFF RECOMMENDATION

The University of California at Santa Barbara (UCSB or University) is requesting an amendment to its certified Long Range Development Plan (LRDP) to clarify individual development envelopes and assignments of development potential within the LRDP to: (1) Construct a 9,327 gross sq. ft. addition to the existing Kohn Hall facility within existing developed area of campus; (2) Construct a 116,380 gross sq. ft., three-story, 45 ft. high California NanoSystems Institute (CNSI) research facility on 4.86-acre infill site on campus, including a 4-level, 605-vehicle parking structure and café; and (3) Renovate existing Arbor food service facility within existing developed area of campus.

All proposed development is located within the area designated for development within the main campus. Specific "bubbles" set aside for development in the LRDP must be modified, however, to provide for the specific proposals. These modifications of the LRDP maps and exhibits would not result in a net increase in campus development. While consistent with the LRDB generally, the environmental impact analyses submitted by UCSB as well as the review by Commission staff have identified specific issues that staff recommends be addressed through conditions imposed on the Notices of Impending Development. These include replacement of mature trees & protection of any nesting species, public coastal access parking, construction within an identified archaeology site, and water quality impacts.

For these reasons, staff recommends that the LRDP amendment be approved as submitted, and that the Commission condition the respective NOIDs as described within the staff report, to address project-specific impacts on coastal resources.

**Motions and Resolutions: Pages 3 & 4.**

## **SUBSTANTIVE FILE DOCUMENTS**

University of California, Santa Barbara, 1990 Long Range Development Plan and Environmental Impact Report.

## **STANDARD OF REVIEW/PROCEDURES**

### **LRDP Amendment:**

The standard of review for the proposed amendment to the certified LRDP, pursuant to Sections 30605, 30512(c), and 30514(b) of the Coastal Act, is that the proposed amendment meets the requirements of and is in conformance with the Chapter 3 policies of the Coastal Act.

### **Notices of Impending Development:**

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.

## **PUBLIC PARTICIPATION**

Section 30503 of the Coastal Act requires public input in preparation, approval, certification and amendment of any LRDP. The University held public hearings and received written comments regarding the projects from public agencies, organizations and individuals. The hearings were duly noticed to the public consistent with Sections 13552 and 13551 of the California Code of Regulations which require that notice of availability of the draft LRDP amendment (LRDPA) be made available six (6) weeks prior to the Regents approval of the LRDP amendment and Final EIR. Notice of the subject amendment has been distributed to all known interested parties.

## **CAMPUS DEVELOPMENT/PAST COMMISSION ACTIONS**

On March 17, 1981, the Commission effectively certified the University's Long Range Development Plan (LRDP). The LRDP has been subject to twelve 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 Main Campus for buildings other than parking garages and student housing. The proposed amendment will be consistent with the new development policy of the LRDP.

## **I. STAFF RECOMMENDATION: MOTIONS AND RESOLUTIONS**

### **LRDP Amendment: Approval as Submitted**

**MOTION 1:**        *I move that the Commission certify the University of California at Santa Barbara Long Range Development Plan Amendment 4-02 as submitted.*

### **STAFF RECOMMENDATION FOR APPROVAL OF LRDP/LRDP AMENDMENT:**

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Long Range Development Plan Amendment 4-02 and the adoption of the following resolution and findings. The motion to certify passes only by an affirmative vote of a majority of the appointed Commissioners.

### **RESOLUTION I:**

The Commission hereby approves certification of the University of California at Santa Barbara Long Range Development Plan Amendment 4-02 and adopts the findings stated below on the grounds that the amendment is consistent with Chapter 3 of the Coastal Act. Certification of the amendment complies with the California Environmental Quality Act because there are no feasible mitigation measures or alternatives that would substantially lessen the significant adverse effects that the approval of the amendment would have on the environment.

**MOTION 2:**        *I move that the Commission determine that the development described in the Notices of Impending Development 1-03 (Kohn Hall Addition), 2-03 (NanoSystems Institute, Parking Structure/Café); and 3-03 (Arbor food service facility), 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 Notices of Impending Development 1-03, 2-03, and 3-03, as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan as amended pursuant to LRDP Amendment 4-02, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

### **RESOLUTION 2: TO DETERMINE DEVELOPMENT IS CONSISTENT WITH LRDP:**

The Commission hereby determines that the development described in the Notices of Impending Development 1-03, 2-03, and 3-03, as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan, as amended pursuant to LRDP Amendment 4-02 (Kohn Hall, NanoSystems Institute, and Arbor facility) for the reasons discussed in the findings herein.

## **II. SPECIAL CONDITIONS**

### **Notices of Impending Development 1-03, 2-03, and 3-03:**

#### **1. Mitigation Measures identified during Environmental Review**

In accordance with the University's commitment to implement all mitigation measures identified in the Final Environmental Review documents prepared by the University for the respective projects identified in the Notices of Impending Development 1-03, 2-03, and 3-03, all mitigation measures identified within the subject final environmental documents for the respective projects are hereby incorporated by reference as conditions of the respective Notices of Impending Development unless specifically modified by one or more of the special conditions set forth herein. In addition, within sixty (60) days of Commission action on these items, the University shall submit for the review and approval of the Executive Director, a comprehensive mitigation compliance and monitoring plan for all mitigation measures and special conditions identified in the subject EIRs or within these special conditions. The plan shall identify detailed performance standards, parties responsible for implementation and contact information, compliance milestones, written and photographic reporting requirements, and all applicable timelines.

#### **2. Plans Conforming to Geologic Recommendation**

All recommendations contained in the applicable geotechnical reports submitted for Notices of Impending Development 1-03, 2-03, and 3-03 shall be incorporated into all final design and construction plans, including foundation, grading and drainage. All final plans must be reviewed and approved by the geologic and geotechnical consultants and verified as incorporating the applicable recommendations of the

consultants. 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 final project plans.

### **3. Removal of Excess Materials**

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.

### **4. Landscape and Erosion Control Plans**

Prior to the commencement of development, the University shall submit for the review and approval of the Executive Director, landscape and interim erosion control plans designed by a licensed landscape architect, licensed engineer, or other qualified specialist. The plans shall include the following requirements:

#### **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 adjacent to open space or Environmentally Sensitive Habitat Areas or the identified buffer areas thereof, shall consist primarily of locally native plant materials. Non-native species shall be selected in consultation with the California Department of Fish and Game and priority shall be given for species that provide food or shelter for local or migrating wildlife, consistent with the aesthetic goals of the campus landscape plan. Invasive, non-indigenous plant 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 if a notice of impending development or amendment to the Long Range Development is required to authorize such work.

#### **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.

#### **5. 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 by 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.

## **6. Tree Replacement and Enhancement Plan**

A. In accordance with the University's proposal, contained in addendum Exhibit 5,<sup>1</sup> prior to the commencement of construction of any component of the development authorized under Notices of Impending Development 1-03, 2-03, or 3-03, the University shall submit, for the review and approval of the Executive Director, a final Tree Replacement and Enhancement Plan, prepared by a qualified biologist or environmental resource specialist. The plan shall provide for the planting of fifty (50) locally native oak and twenty-five (25) locally native sycamore trees in the locations identified in addendum Exhibit 5, or other locations on the general campus area that may be authorized by the Executive Director, in addition to the approximately 80 landscape trees that will be planted in accordance with the University's proposal and subject to the requirements of Special Condition 4. The plan shall additionally require performance standards and replanting requirements as necessary to ensure that the proposed tree plantings are successfully established and maintained for a minimum of five (5) years after planting. The plan shall include annual monitoring reports to be submitted to the Executive Director along with photographs taken from pre-designated sites showing the areas selected for plantings. If the total number of required trees have not been successfully established (each tree shall have reached a minimum age of 5 years, and be deemed by a qualified biologist or resource specialist to be in good health and completely established) at the end of the fifth year post-planting, the University shall submit a plan for further equivalent native tree planting, and additional monitoring for another five (5) year term for the review and approval of the Executive Director.

B. 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 any of the three Notices of Impending Development authorized herein, and shall complete the implementation of the plan within two (2) calendar years following its implementation (thus allowing for propagule collection and establishment). This timeline may be extended by the Executive Director for good cause, but the five (5) year monitoring requirement shall extend for five (5) years after final transplant of propagules into the designated sites.

## **7. Pre-construction Nesting Surveys; Timing of Construction.**

Prior to commencement of construction, a qualified biologist shall survey all trees and habitat areas located within the construction area or within 500 feet from the

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<sup>1</sup> Exhibit 5 was still in final preparation by the University at the time of publication and will be submitted via addendum prior to the hearing.

outermost perimeter of the construction area. No trees shall be removed or other construction disturbance initiated within 500 feet of any active nest until the fledglings of the subject nest have permanently abandoned the nest. In accordance with the University's proposal, no construction activities shall commence prior to August 31, 2003, in any case, and shall be completed prior to March 1, 2004. The Executive Director may extend the season of allowable construction after March 1, 2004 provided that the University addresses all potential impacts to avian species that may be caused by continued construction during the 2004, or subsequent, nesting season, to the Executive Director's satisfaction.

#### **8. Archaeological Resources**

Prior to construction, the University shall retain the services of an independent qualified archaeologist(s) and appropriate Native American consultant(s) with appropriate qualifications acceptable to the Executive Director. The independent qualified archaeologist(s) and appropriate Native American consultant(s) shall be present on-site during all grading, excavation and site preparation that involve earth-moving operations for the NanoSystems Institute and Parking facility project areas. The number of monitors shall be adequate to observe the earth moving activities of each piece of active earth moving equipment. Specifically, the earth moving operations on the project site shall be controlled and monitored by the archaeologist(s) with the purpose of locating, recording and collecting any archaeological materials. In the event that any significant archaeological resources are discovered during operations, grading work in this area shall be halted and an appropriate data recovery strategy shall be developed, subject to review and approval of the Executive Director, by the applicant's archaeologist and the Native American consultant consistent with CEQA guidelines.

#### **9. Visitor Parking Spaces Available for Public Coastal Access.**

A minimum of 40 visitor spaces shall be made available within the new parking structures adjacent to the NanoSystems Institute, with as many of the spaces as feasible on the ground floor level, and short term or daily permits shall be made available for coastal visitors. In addition, prior to occupancy of the proposed Kohn Hall addition, the University shall submit for the Executive Director's approval a plan to construct a pedestrian crossing and sidewalk north of Lagoon Road to facilitate safe coastal pedestrian access, particularly between the new parking structure, Kohn Hall, and Goleta Beach. Upon the Executive Director's approval of the plan, the University shall complete construction of the required improvements for coastal pedestrian access prior to occupancy of the Kohn Hall addition.

### **III. FINDINGS FOR THE APPROVAL OF THE LONG RANGE DEVELOPMENT AMENDMENT AS SUBMITTED AND THE RESPECTIVE NOTICES OF IMPENDING DEVELOPMENT, AS CONDITIONED**

The following findings support the Commission's approval of the LRDP amendment as submitted, and approval of the respective Notices of Impending Development, as conditioned by Special Conditions 1 – 9 set forth in Section II above. The Commission hereby finds and declares as follows:

#### **A. Project Description**

The University of California at Santa Barbara (UCSB or University) is requesting an amendment to its Long Range Development Plan (LRDP) to clarify the relationship of the identified potential building areas in the certified LRDP for authorized, infill main campus development. The changes requested will not result in any net increase in development buildout on the main campus, or in the loss of any previously identified open space, coastal access, view corridor, or ESHA. All areas that are subject to this amendment either have existing development that will be replaced with the new development, or have been previously identified in the certified LRDP for future campus development. Thus, the amendment only represents a rearrangement of approved development envelopes. The University will publish revised "Tables 12 and 13" in the certified LRDP to reflect these revisions, immediately subsequent to Commission action on LRDA Amendment 02-2.

As stated previously, LRDP Amendment 4-02, upon certification, will update the main campus land use plan to allow the University to: (1) Construct a 9,327 gross sq. ft. addition to the existing Kohn Hall facility within existing developed area of campus; (2) Construct a 116,380 gross sq. ft., three-story, 45 ft. high California NanoSystems Institute (CNSI) research facility on 4.86-acre infill site on campus (a site previously authorized for additional campus development in the certified LRDP), including a 4-story, 5-level, 45 ft. high above existing grade, 615-vehicle parking structure (with approximately 20 additional outdoor spaces) and café (this facility is proposed as a "sister" research center to the larger NanoSystems Institute at UCLA); and (3) Renovate existing Arbor food service facility within existing developed area of campus (this facility is an existing coffee and snack bar in the center of campus, adjacent to the library). Exhibits 1-3 contain proposed project plans and a campus land use map showing the development locations affected by the LRDP-A and NOIDs, including the compensatory reductions in development potential elsewhere on the main campus.

Because the proposed LRDP Amendment only revises previously approved campus development patterns to shift authorized development envelopes within the main campus area, the amendment does not raise any new policy issues, and is consistent with the policies of the certified LRDP. The project-specific impacts on coastal resources are fully mitigated through the special conditions outlined in Section II and as discussed in the sections below. Therefore, the Commission finds that the LRDP

Amendment 4-02 is consistent with the applicable policies of the Coastal Act, as submitted.

## **B. New Development and Public Access**

The University's certified LRDP incorporates by reference the following Coastal Act policies concerning 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 Section 30210 states:

***In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.***

Coastal Act Section 30211 states:

***Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.***

Coastal Act Section 30213 states (in part):

***Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.***

Coastal Act Section 30220 states:

***Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.***

In addition, Section 30252 of the Coastal Act states:

***The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing non-automobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development.***

One of the basic mandates of the Coastal Act is to maximize public access and recreational opportunities along the coast. In addition, 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. Coastal Act Sections 30210 and 30211 mandate that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. In addition, Section 30213 requires that lower cost visitor and recreational opportunities be protected, encouraged and, where feasible provided. Finally, Section 30220 of the Coastal Act requires coastal areas suited for coastal recreational activities that cannot be provided at inland water areas be protected.

### **Cumulative Development Potential**

The proposed NanoSystems Institute and the associated 635 total new parking spaces adjacent to the Institute that include a 4-story, 5-level parking structure and café, proposed by the University are designed to accommodate lost parking due to recent construction of nearby facilities (with attendant displacement of former parking areas), accommodate 26 faculty and staff and 100 students that will be associated with the Institute or nearby facilities, and to provide dining services in this area of the campus. The NanoSystems Institute and Kohn Hall addition (Institute of Theoretical Physics) will concentrate a significant campus population within the area of the campus closest to Goleta Beach and the scenic coastal bluffs adjacent to Lagoon Road.

The associated increase in demand for access to the nearby Goleta Beach generated by these campus improvements will add visitor populations at Goleta Beach. The beach is less than 1200 feet from the new facility and offers a pleasant outdoor recreation area for short walks, meal breaks, etc. There are not presently safe pedestrian crossings of the Highway 217 entrance to campus that separates the NanoSystems Institute and Parking from the Goleta Beach side, nor are there adequate pedestrian links to these areas, or to the coastal accessways on the seaward side of Lagoon Road, adjacent to the Kohn Hall addition area. To remedy these deficiencies in safe coastal accessways, and to thereby both mitigate impacts to coastal access and recreation, and to offer coastal access benefits, particularly low cost coastal access and recreation opportunities, consistent with the increased demand generated by these projects and with the requirements of the applicable Coastal Act policies, the Commission finds that the imposition of Special Condition 9 is necessary. Fully implemented, Special Condition 9 will ensure that adequate visitor parking (a minimum of 40 spaces available for coastal visitor parking) is offered within the new parking structure and adjacent open area parking, and that pedestrian links necessary for safe roadway crossings and sidewalks in the project area are constructed. The University staff has indicated that sufficient parking capacity is available to accommodate this requirement, and that the other pedestrian amenities required by Special Condition 9 are acceptable to the University. The Commission finds therefore that as conditioned by Special Condition 9, the proposed projects will be consistent with the Coastal Act policies incorporated by the University within the certified LRDP, and thus with the LRDP.

### **C. Environmentally Sensitive Habitat & Water Quality**

Section 30230 of the Coastal Act states:

***Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.***

Section 30231 of the Coastal Act states:

***The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of 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, and minimizing alteration of natural streams.***

Section 30240 of the Coastal Acts states:

***(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.***

***(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.***

Sections 30230 and 30231 of the Coastal Act mandate that marine resources and coastal water quality shall be maintained and where feasible restored, protection shall be given to areas and species of special significance, and that uses of the marine environment shall be carried out in a manner that will sustain biological productivity of coastal waters. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas shall be protected and that development within or adjacent to such areas must be designed to prevent impacts which could degrade those resources.

The sites that are subject to new development proposed in LRDP Amendment 4-02 and the associated NOIDS are not identified as Environmentally Sensitive Habitat Area in the University's certified LRDP. The results of the University's biological analysis did not indicate the presence of any sensitive species. However, the University will remove

approximately 100 mature trees (mostly non-native trees), primarily to construct the NanoSystems Institute and new parking structure.

The staff of the California Department of Fish and Game has expressed concern that the loss of mature trees, albeit landscape trees, on campus represents a cumulative loss of potential habitat for local and migrating avian species. While non-native landscape trees within the developed areas of the main campus are not designated as ESHA (an exception would be if sensitive species were nesting or roosting in such trees), the University proposes to replant 80 trees within the project area and to additionally plant 50 native oak trees and 25 native sycamore trees on campus lands best suited to long-term habitat enhancement. While this re-planting does not meet the overall 5:1 ratio proposed by CDFG for all trees, the University has provided evidence that 1,500 locally gathered native oak acorns and seedling trees have been planted on campus within the past two years by University staff and that further plantings continue, in an effort to enhance campus habitat and to improve restoration techniques. The University Reserve Manager and the staff of the University's Museum of Systematics and Ecology have undertaken these plantings. The new seedlings are located primarily on the North Bluff area. These plantings were not required as mitigation for any project. Further plantings of native trees on other areas of campus are also planned by the campus, both as required mitigation for projects such as the 2002 Recreation Center expansion, and for general improvement of the campus habitat and appearance, as a continuing effort on the part of the University's Reserve Manager, the Museum of Systematics and Ecology, and the planning staff (at least one planner is a landscape architect and certified arborist). Special Condition 4 additionally requires that the 80 landscape trees proposed for replanting on the proposed development site be selected in consultation with CDFG to ensure that optimal species are selected for benefits to wildlife, while consistent with the aesthetic requirements of the campus landscape plan.

In addition, Special Condition 6 implements the University's proposal to additionally plant 75 locally native trees (50 oaks, 25 sycamores) in accordance with a final Tree Replanting and Enhancement Plan. Only approximately two of the overall 102 trees to be removed for the construction of the NanoSystems Institute and parking facility are locally native species. Thus, although the replanting proposal does not meet a 5:1 ratio for all removed trees, the ratio is substantially exceeded for the replacement of native trees, and taken together with the 80 additional trees that will be planted in the construction area, and the overall campus tree enhancement activities that are in progress via the University's campus tree enhancement initiatives, the requirements of Special Conditions 4 and 6 will ensure adequate replacement of the affected trees.

Special Condition 7 (Pre-construction Nesting Surveys) also incorporates the CDFG comment that setbacks from any nesting trees that may be identified in surveys required immediately prior to construction must be a minimum of 500 feet, to avoid disturbance of nests. This is an increase from the 200-ft. setback required as a mitigation measure in the EIR for the NanoSystems Institute. CDFG biologists have confirmed upon request that the 200-ft. setback is insufficient to ensure that nesting raptors, for example, would not abandon their nests due to construction-related disturbance. Special Condition 7 also incorporates the University's proposal that

NanoSystems Institute construction not commence before the end of August 2003, to avoid the majority of nesting season, in addition to the requirement that construction be completed before the onset of the Spring 2004 nesting season.

Special Conditions 2 (Geologic), 3 (Removal of Excess Graded Material), and 5 (Drainage and Erosion Control), fully implemented, will ensure that site grading and construction, erosion control, and drainage management (including Best Management Practices) are undertaken to achieve optimal control of erosion, protect long-term site stability, and to protect water quality that would otherwise be impaired by uncontrolled urban runoff, including runoff from the proposed parking facility. The NanoSystems Institute and other proposed development potentially drain toward the Goleta Slough or the Campus Lagoon, both identified as ESHA in the certified LRDP. Without the protective requirements of these special conditions, uncontrolled construction practices (particularly grading) could increase short and long term erosion rates and sediment pollution of coastal waters, and unmitigated increases in hardscape could add volume and velocity of urban runoff, as well as the collection of oil and grease from automobiles utilizing the new parking structure. In addition, the landscape requirements of special Condition 4, fully implemented, will control erosion through temporary measures, timely replanting, and mulching or other means of protecting disturbed areas.

For all of these reasons, the Commission finds that as conditioned by Special Conditions 2, 3, 4, 5, 6, and 7 the proposed project will be consistent with the Coastal Act policies protective of ESHA and coastal waters incorporated into the certified LRDP.

### **C. Archaeological Resources**

Archaeological resources are significant to an understanding of cultural, environmental, biological, and geological history. Degradation of archaeological resources can occur if a project is not properly monitored and managed during earth moving activities and construction. Site preparation can disturb and/or obliterate archaeological materials to such an extent that the information that could have been derived would be permanently lost. In the past, numerous archaeological sites have been destroyed or damaged as a result of development. As a result, the remaining sites, even though often less rich in materials, have become increasingly valuable as a resource. Further, because archaeological sites, if studied collectively, may provide information on subsistence and settlement patterns, the loss of individual sites can reduce the scientific value of the sites which remain intact.

The LRDP contains several policies to ensure that adverse effects to archaeological and paleontological resources from new development are reasonably mitigated consistent with Section 30244 of the Coastal Act which has been included in the certified LRDP. For instance, Policy 30244.4 of the LRDP requires that during any grading activities that may result in ground disturbance of archaeological sites, a non-University of California affiliated archaeologist and a Native American representative shall be present. Policy 30244.5 requires that should any archaeological or

paleontological resources be found on site during construction, all activity which could damage such resources shall be suspended until appropriate mitigation measures have been implemented.

The LRDP indicates that 10 significant archaeological sites have been previously identified on campus. The Phase I study performed for the NanoSystems Institute project indicates that there is a known archaeological site within the boundaries of the construction envelope. The University study concluded that the site is likely a midden, or debris, mound, thus it is likely that buried cultural resources may be encountered during construction. Due to the proximity of a known cultural site in relation to the planned trenching and other earth moving construction activities, the Commission recognizes that the impending development at the site has the potential to impact archaeological resources.

The policies of the LRDP require that an independent archaeologist and Native American representative be present during any construction activity which has the potential to result in adverse effects to archaeological resources. To ensure that potential adverse effects to archaeological resources are adequately mitigated during the construction of the proposed development, consistent with the policies contained in the certified LRDP, Special Condition 8 requires that the applicant have a qualified independent archaeologist(s) and appropriate Native American consultant(s) present on-site during all grading, excavation and site preparation in order to monitor all earth moving operations. In addition, if any significant archaeological resources are discovered during construction, work shall be stopped and an appropriate data recovery strategy shall be developed by the University's archaeologist and the Native American consultant consistent with California Environmental Quality Act (CEQA) guidelines.

Therefore, the Commission finds that the notices of impending development, as conditioned, are consistent with the applicable policies of the Coastal Act as incorporated into the LRDP with regards to archaeological resources.

#### **D. California Environmental Quality Act**

Pursuant to Section 21080.9 of the California Environmental Quality Act ("CEQA"), the Coastal Commission is the lead agency responsible for reviewing Long Range Development Plans for compliance with CEQA. The Secretary of Resources Agency has determined that the Commission's program of reviewing and certifying LRDPs qualifies for certification under Section 21080.5 of CEQA. In addition to making the finding that the LRDP amendment is in full compliance with CEQA, the Commission must make a finding that no less environmentally damaging feasible alternative exists. Section 21080.5(d)(I) of CEQA and Section 13540(f) of the California Code of Regulations require that the Commission not approve or adopt a LRDP, "...if there are feasible alternative or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment."

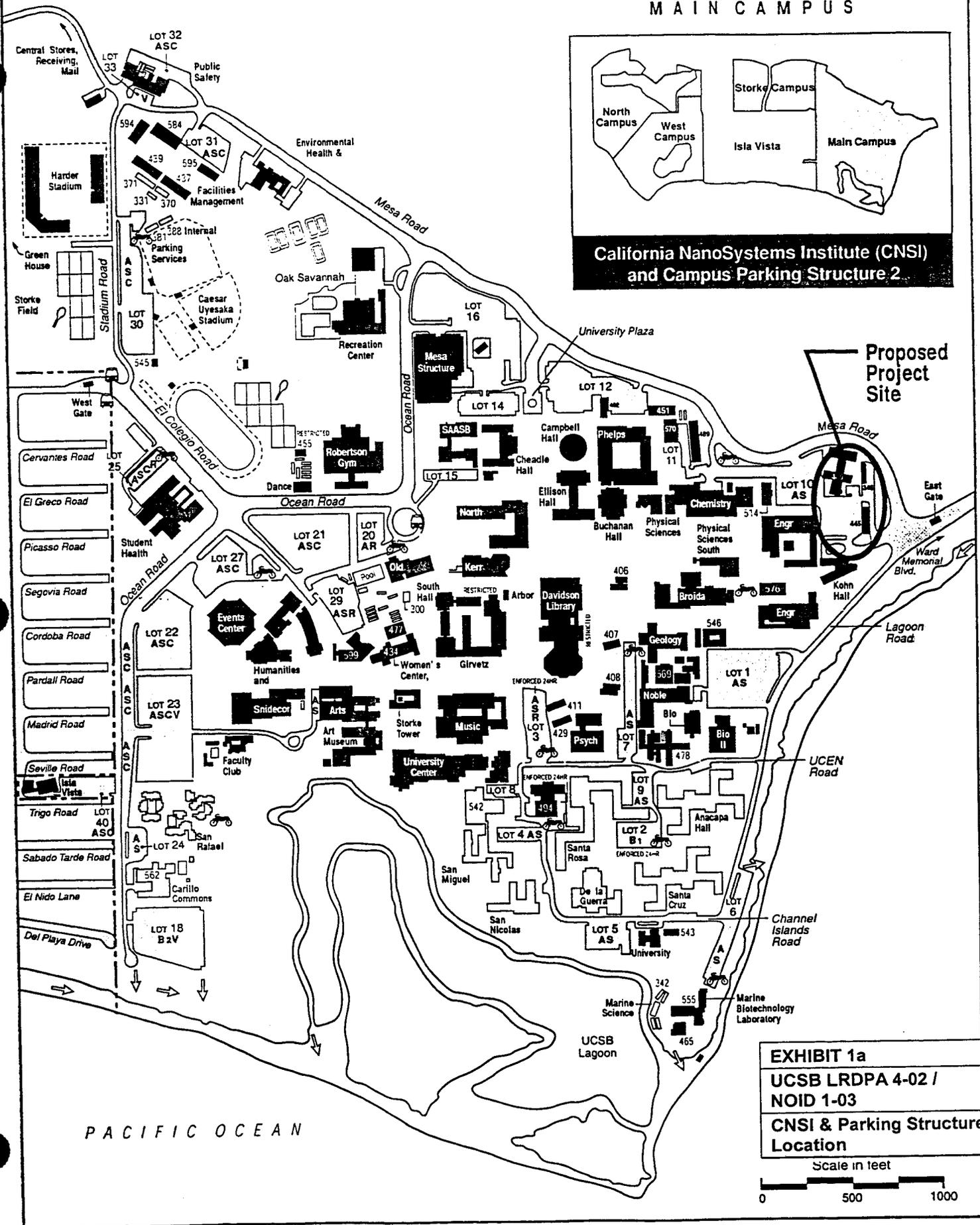
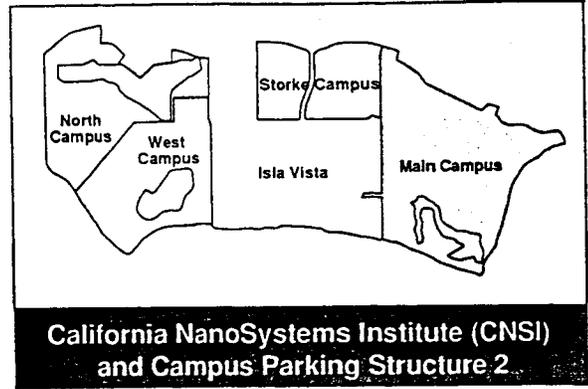
The environmental analysis for the proposed amendment is tiered from the University of California, Santa Barbara, Long Range Development Plan (LRDP) 1990 Environmental

Impact Report (EIR). The 1990 LRDP EIR is a Program EIR, pursuant to Section 15168 of the California Environmental Quality Act (CEQA) Guidelines. The 1990 LRDP is a long-range plan that guides development by UCSB necessary for the University to meet its broad mission of instruction, research, and public service for the period 1990-2005/2006.

The CEQA concept of "tiering" refers to the coverage of general environmental matters in broad program level EIRs, with subsequent focused environmental documents for individual projects that implement the program. In accordance with CEQA Sections 15152 and 15168(C), this project is tiered to the 1990 LRDP EIR (SCH# 87022516) which is incorporated into the Initial Study by reference and which is available for review during normal operating hours at the UCSB Office of Budget and Planning at 1325 Cheadle Hall and at the California Coastal Commission's Ventura office.

For the reasons discussed in this report, the LRDP amendment, as submitted is consistent with the Chapter 3 policies of the Coastal Act. In addition, the mitigation measures identified in the Individual Project Environmental Analyses have been incorporated by reference into the special conditions identified herein, in addition to other special conditions which will lessen any significant adverse effect of the specific project components associated with the LRDP Amendment 4-02 and Notices of Impending Development 1-03, 2-03, and 3-03. There are no other feasible alternatives or mitigation measures available which would further lessen any significant adverse effect which the approval would have on the environment. The Commission has imposed conditions upon the respective Notices of Impending Development to include such feasible measures as will reduce environmental impacts of new development. As discussed in the preceding section, the Commission's special conditions bring the University's proposed projects into conformity with the applicable Coastal Act policies incorporated by the University into the certified LRDP. Therefore, the Commission finds that the LRDP amendment, and associated Notices of Impending Development as conditioned herein, are consistent with CEQA and the applicable Chapter 3 policies of the Coastal Act.

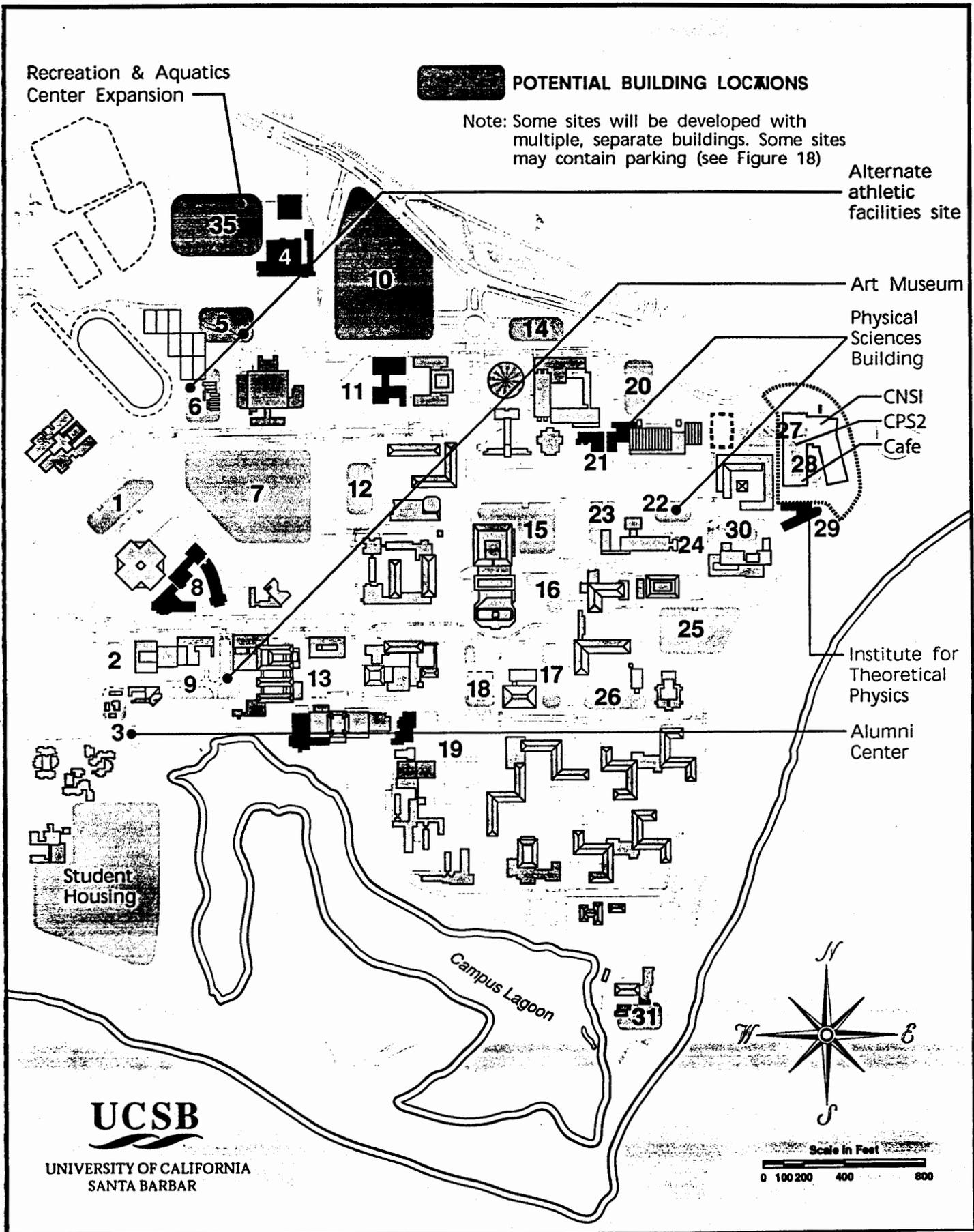
University of California, Santa Barbara  
MAIN CAMPUS



**EXHIBIT 1a**  
**UCSB LRDP 4-02 /**  
**NOID 1-03**  
**CNSI & Parking Structure**  
**Location**

Scale in feet  
 0 500 1000

PACIFIC OCEAN



**FIGURE 12 Amended Potential Building**

EXHIBIT 1b  
UCSB LRDP 4-02 /  
NOID 1-03  
Figure 12 of the LRDP  
(Proposed)

Table 13

Potential Non-Residential Building Development Intensity & Type

Site Number	Site Area (000 GSF)	Building Area (000 ASF)	Potential Site Uses
[14]	31	28	Project: No major capital project currently planned at this location. Range of Uses: <ul style="list-style-type: none"> <li>• Campus-community serving function</li> <li>• Visitor center</li> <li>• Mixed use academic and administrative functions</li> </ul>
15	69	126	Project: Potential library expansion Range of Uses: <ul style="list-style-type: none"> <li>• Library stacks, special collections, study carrels, open study space, small meeting rooms, administrative offices</li> </ul>
[16]	28	41	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Library expansion space</li> <li>• Instruction and research building for the sciences including: departmental administrative offices, class and research laboratories, small-mid range classrooms, conference rooms, support space</li> <li>• Instructional development functions</li> </ul>
[17]	25	39	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Instruction and research building for physical, natural, and/or behavioral sciences including administrative and faculty offices, class and research laboratories, conference/seminar rooms, and support space</li> <li>• Expansion of psychology building</li> </ul>
[18] <sup>(2)</sup>	44	51	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Parking structure</li> <li>• Student services</li> <li>• Campus-community related services</li> </ul>
19	32	33	Project: Potential expansion of Ortega (Dining) Commons Range of Uses: <ul style="list-style-type: none"> <li>• Student dining facilities, administrative operations, student activity rooms</li> </ul>
[20] <sup>(2)</sup>	48	<del>44</del> 15.5	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Instruction and research building for the sciences and engineering, and/or education</li> <li>• Campus-community related services</li> </ul>

(2) Parking also permitted

Table 13

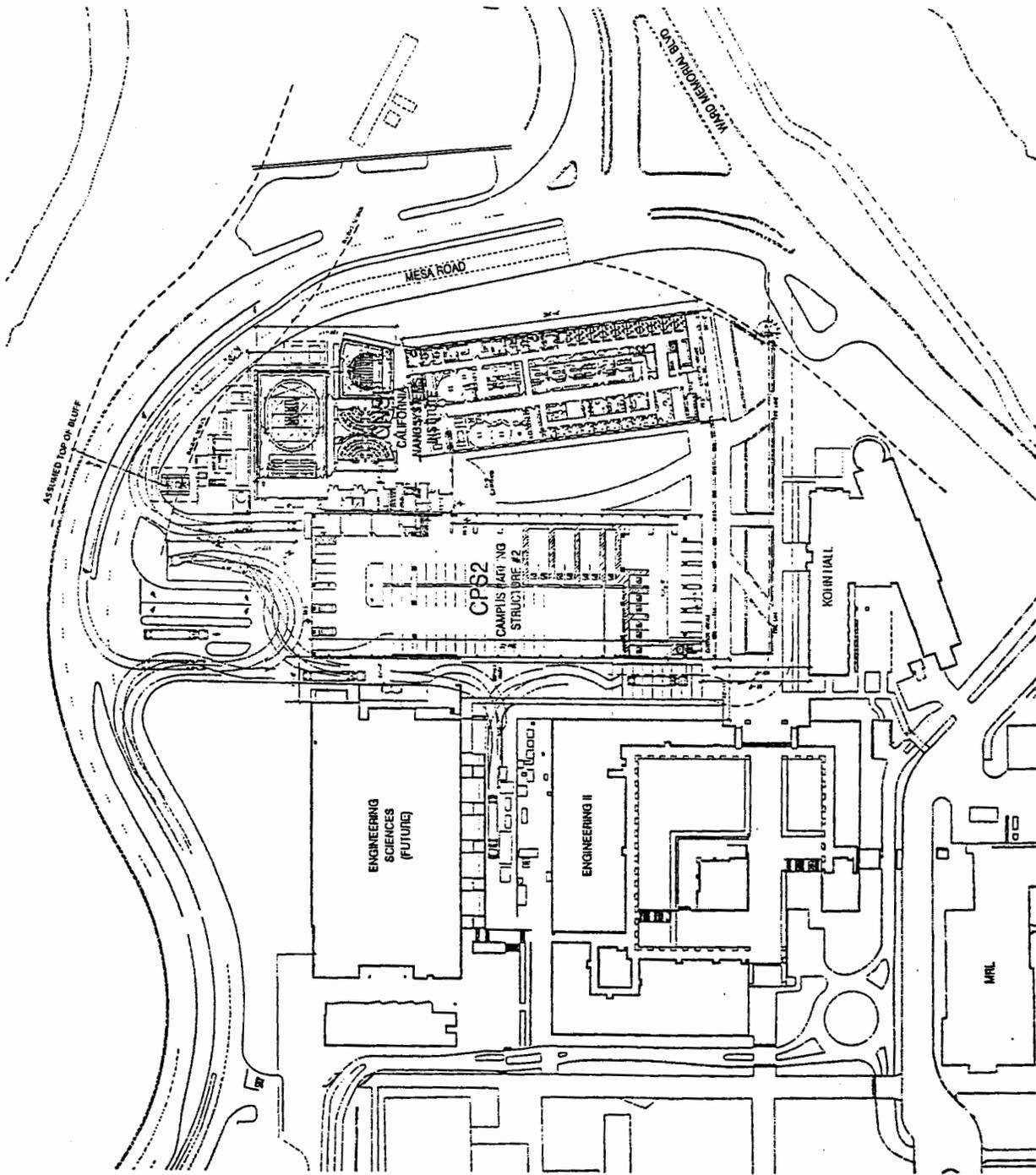
Potential Non-Residential Building Development Intensity & Type

Site Number	Site Area (000 GSF)	Building Area (000 ASF)	Potential Site Uses
26	33	69	Project: <del>Alternative site for Potential Environmental Sciences and Management (ESM) building.</del> Life Sciences Building Range of Uses: <ul style="list-style-type: none"> <li>▪ Academic offices and support space for natural sciences disciplines</li> <li>▪ Marine Sciences Institute functions including: academic and administrative offices, conference rooms, research laboratories, research storage, and support space</li> <li>▪ ESM class and research laboratories, academic and administrative offices and space, and support space for ancillary functions (e.g., storage, instrument rooms, computer service, etc.)</li> <li>▪ Expansion of Noble Hall (biological sciences)</li> </ul>
[27] <sup>(2)</sup>	32	59.5	Project: <u>Engineering Science Building</u> Range of Uses: <ul style="list-style-type: none"> <li>▪ Parking structure</li> <li>▪ Expansion of engineering</li> <li>▪ Visitor center</li> </ul>
[28]	28	<del>25.5-71.8</del>	Project: <u>California Nanosystems Institute/Campus Parking Structure 2</u> Range of Uses: <ul style="list-style-type: none"> <li><del>• Parking Lot or Parking Structure (Lot/Structure shall provide no less than 200 parking spaces)</del></li> <li><del>• Expansion of Engineering/Parking Structure (Mixed Use Structure that shall provide no less than 200 parking spaces)</del></li> <li><del>• Visitor Center/Parking Structure (Mixed Use structure that shall provide no less than 200 parking spaces)</del></li> <li>• <u>Instruction and research building for the sciences and engineering</u></li> <li>• <u>Mixed Use Parking Structure (approximately 605 spaces) and Cafe</u></li> </ul>
29	15	29	Project: <del>Potential site for Institute for Theoretical Physics</del> Range of Uses: <ul style="list-style-type: none"> <li>• Academic offices</li> <li>• Conference, seminar, and meeting rooms</li> <li>• Support space for computing, library, and other ancillary functions</li> </ul>
[30]	9	14	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Class laboratories for sciences and engineering discipline area</li> <li>• Academic offices and support space</li> </ul>
[31]	27	28	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Expansion of functions located in Marine Biotechnology Laboratory</li> <li>• Class and research laboratories for biological sciences related to seawater system</li> <li>• Aquaria for research and visitor serving functions</li> <li>• Support space for equipment related to seawater systems (e.g., filter, pumps, tanks)</li> </ul>

(2) Parking also permitted



Not to Scale

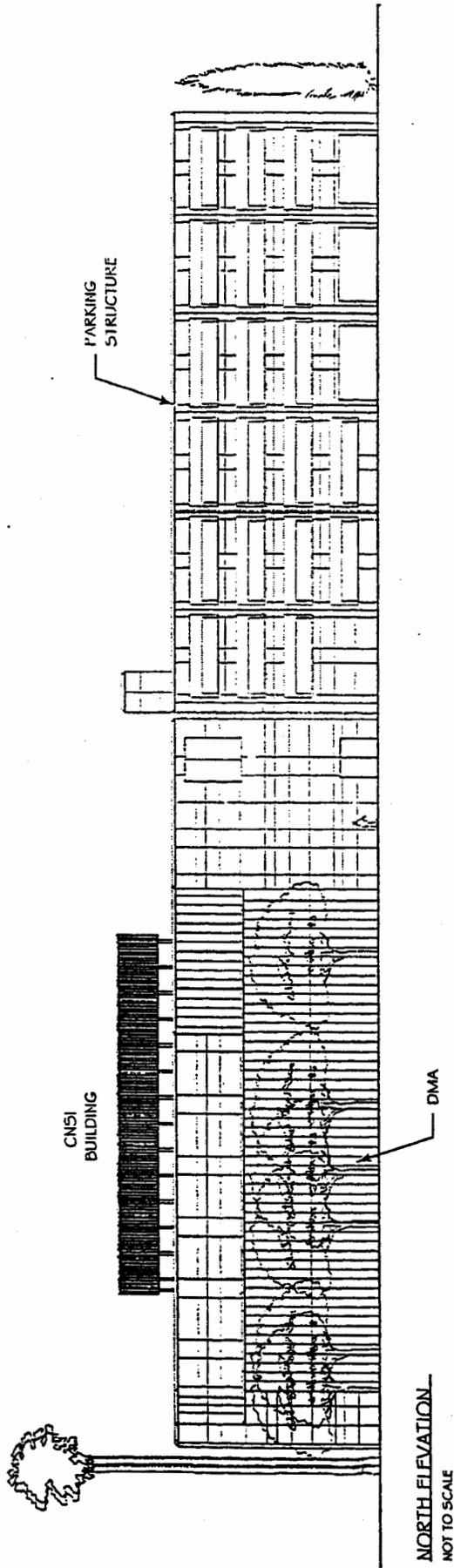


Site Plan

Don & Porter Architects, June 2002

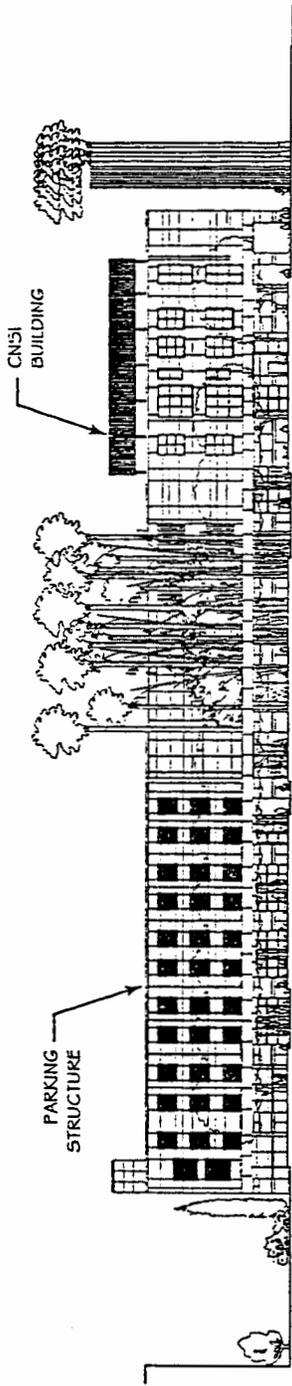
University of California, Santa Barbara

EXHIBIT 1d
UCSB LRDP 4-02 /
NOID 1-03
CNSI & Parking Structure
Site Plan

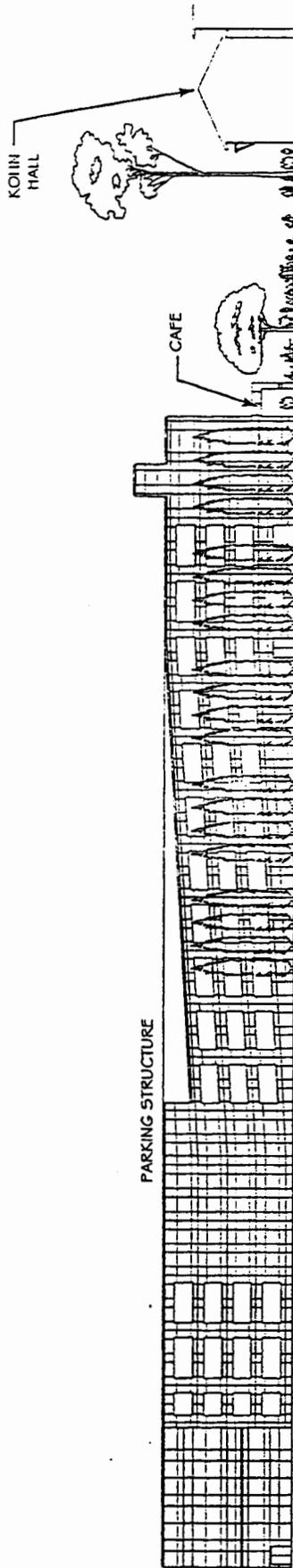


Elevations

EXHIBIT 1e  
UCSB LRDPA 4-02 /  
NOID 1-03  
CNSI & Parking Structure  
Elevations



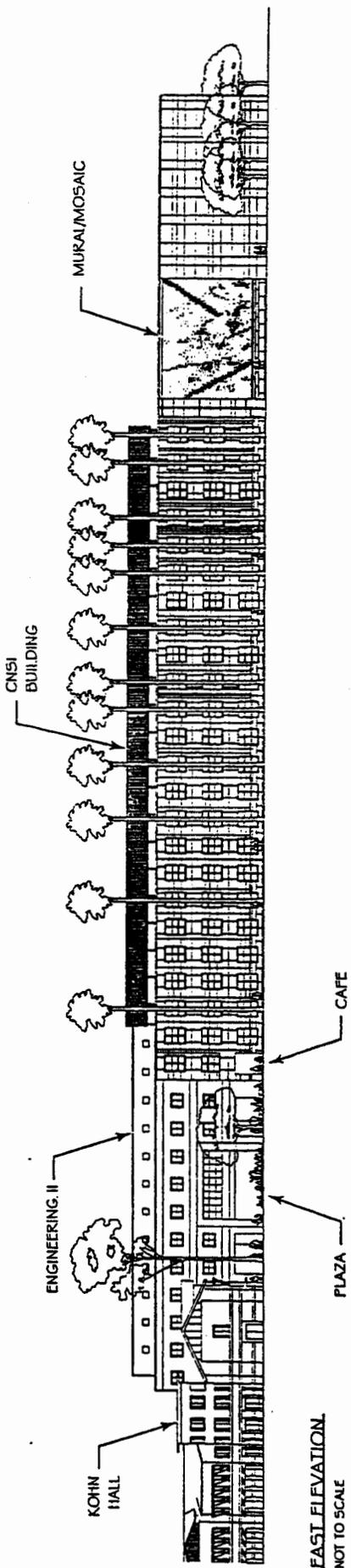
SOUTH ELEVATION  
NOT TO SCALE



WEST ELEVATION  
NOT TO SCALE

### Elevations

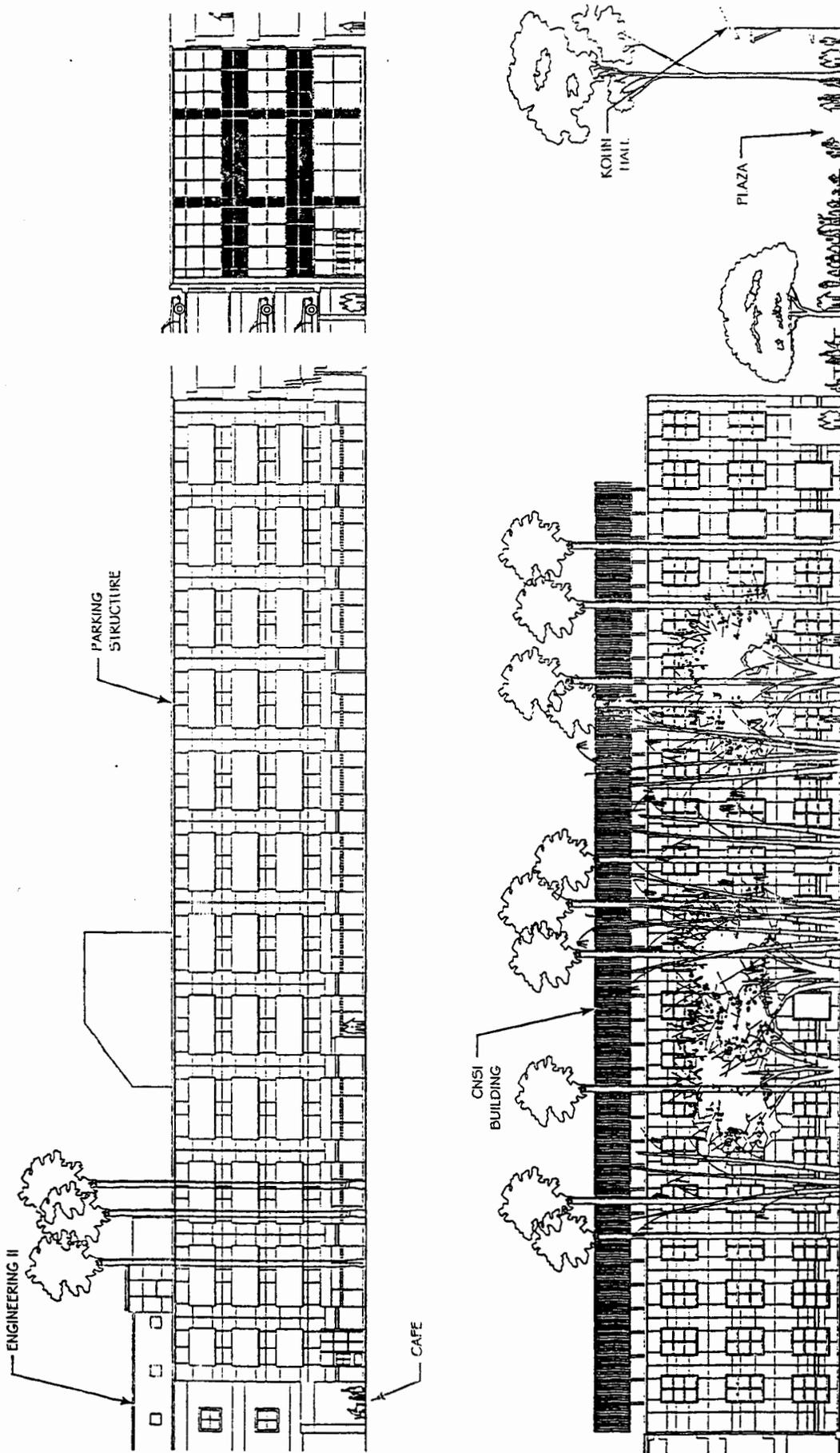
EXHIBIT 1f
UCSB LRDP 4-02 / NOID 1-03
CNSI & Parking Structure Elevations



EAST ELEVATION  
NOT TO SCALE

Elevations

EXHIBIT 1g  
UCSB LRDP 4-02 /  
NOID 1-03  
CNSI & Parking Structure  
Elevations

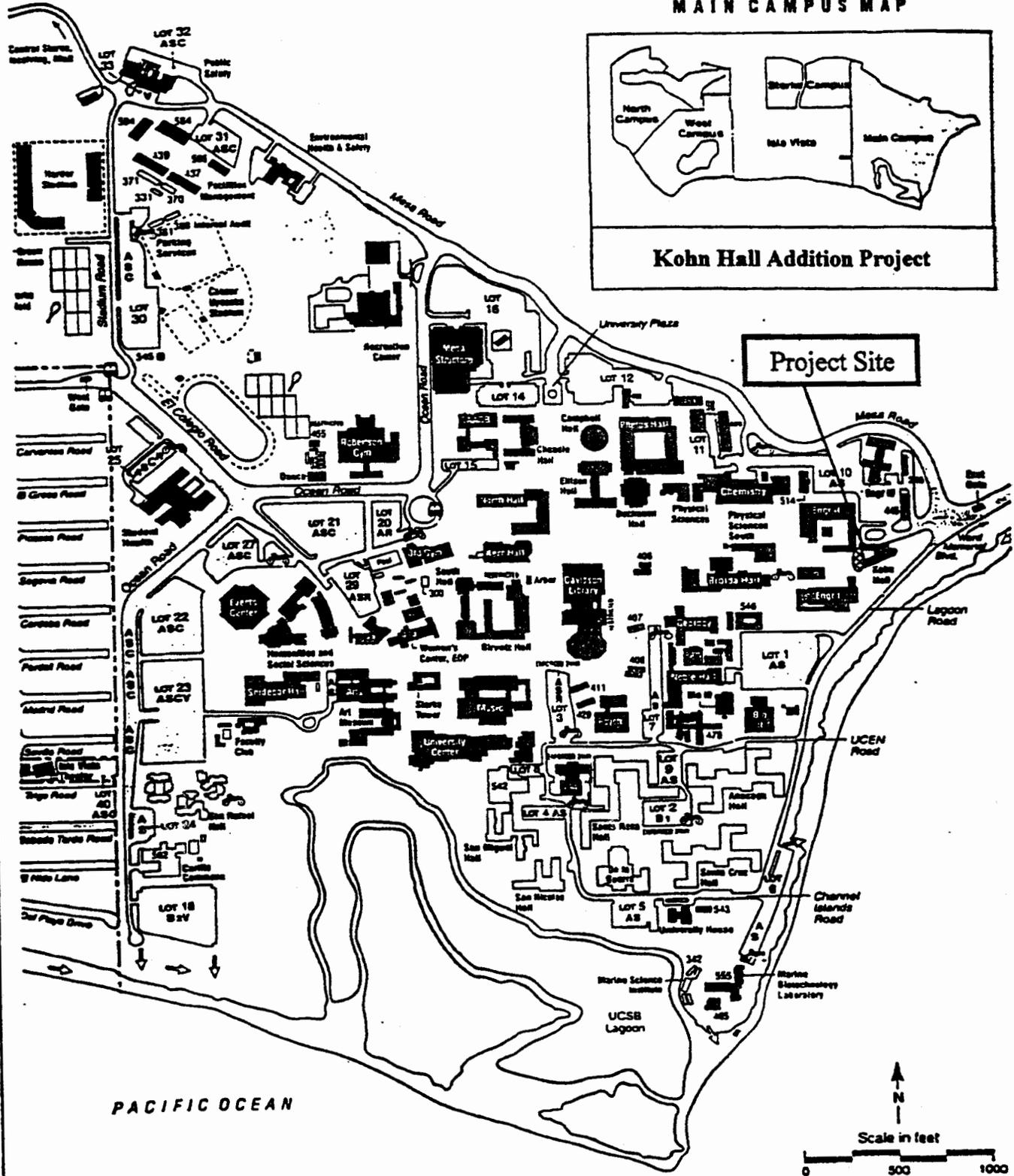
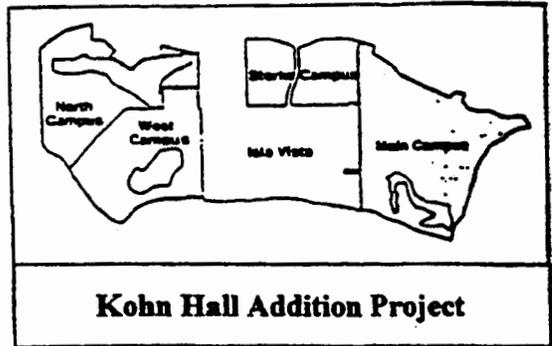


YARD ELEVATIONS  
SCALE

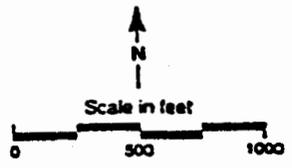
### Elevations

EXHIBIT 1h  
UCSB LRDP 4-02 /  
NOID 1-03  
CNSI & Parking Structure  
Elevations

University of California, Santa Barbara  
**MAIN CAMPUS MAP**



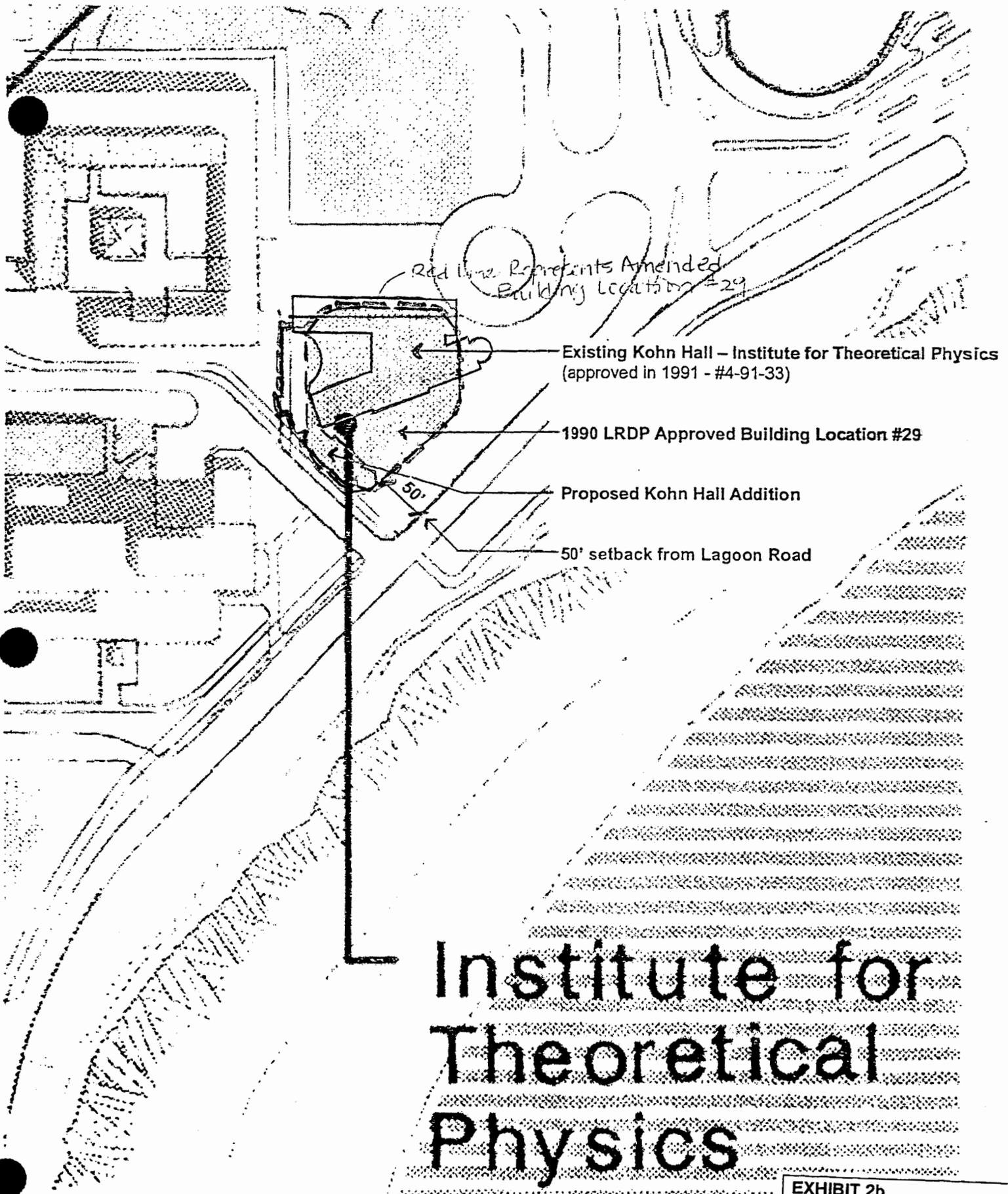
PACIFIC OCEAN



University of California, Santa Barbara  
 Kohn Hall Addition LRDP Amendment

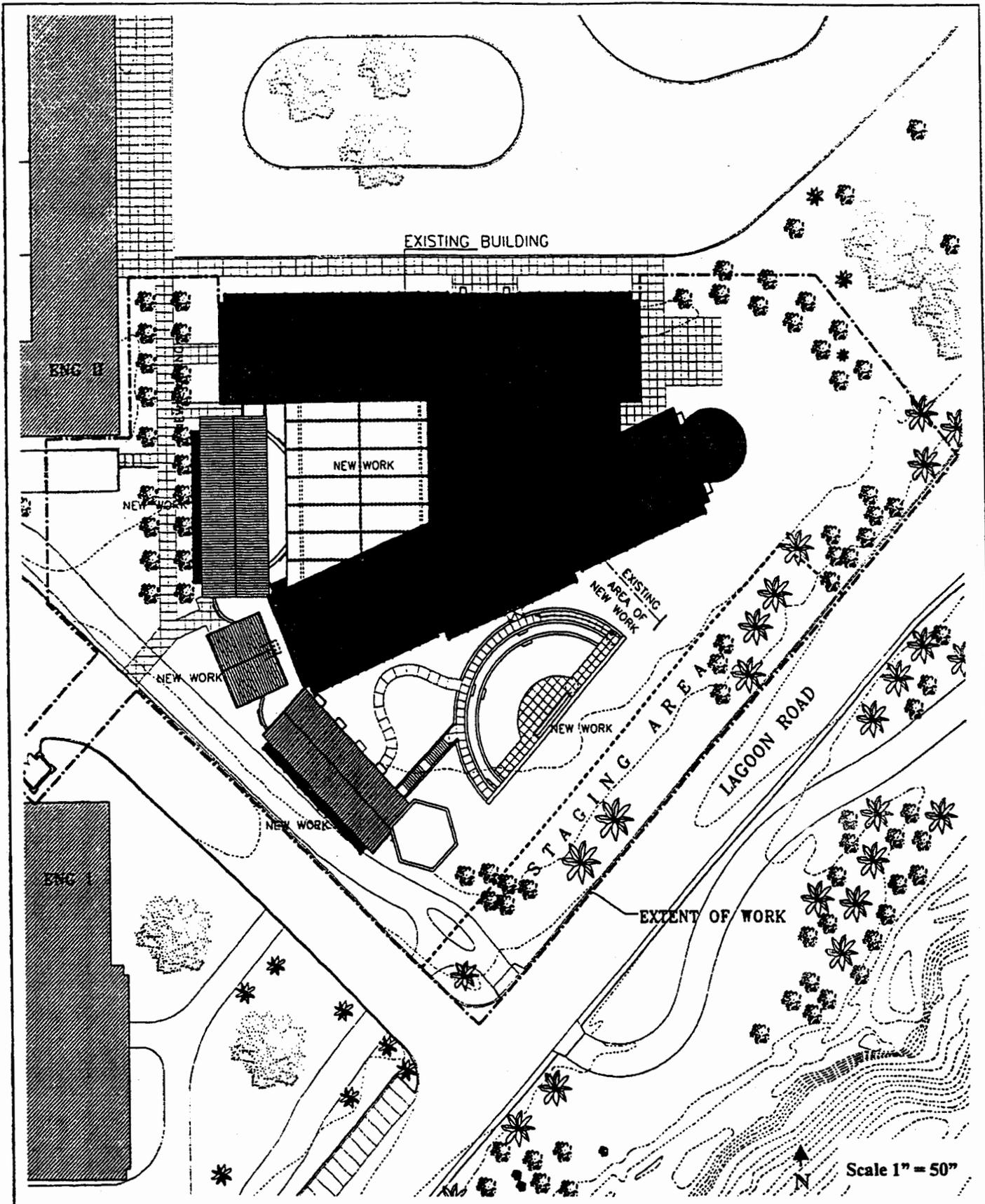
Figure 1  
 Kohn Hall Addition - Project

**EXHIBIT 2a**  
 UCSB LRDP 4-02 /  
 NOID 2-03  
 Kohn Hall Location



**FIGURE 12 Amended Potential Building**

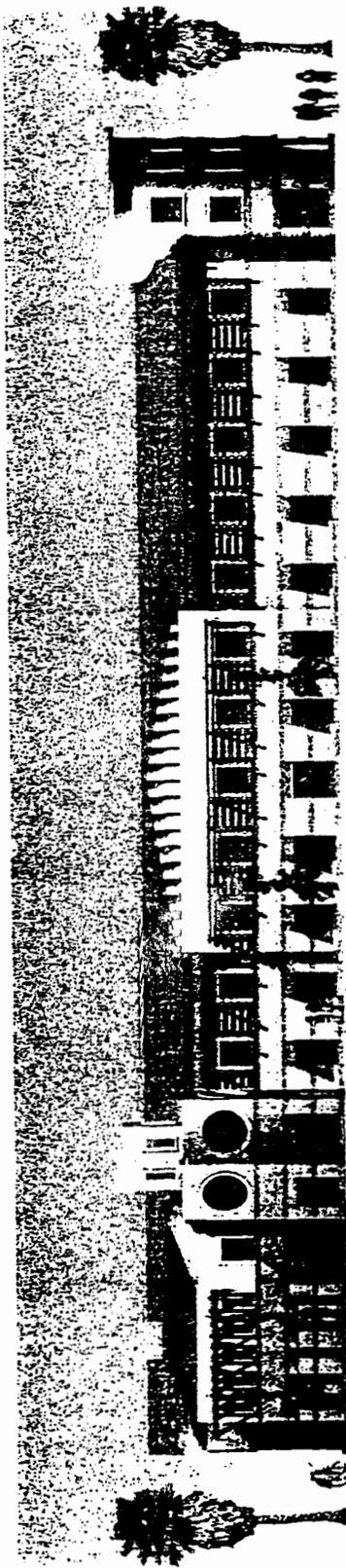
EXHIBIT 2b
UCSB LRDP 4-02 / NOID 2-03
Figure 12 of the LRDP (Proposed)



University of California, Santa Barbara  
 Kohn Hall Addition LRDP Amendment

Figure 3  
 Kohn Hall Addition - Site Plan

EXHIBIT 2c  
 UCSB LRDP 4-02 /  
 NOID 2-03  
 Kohn Hall Site Plan



South Elevation



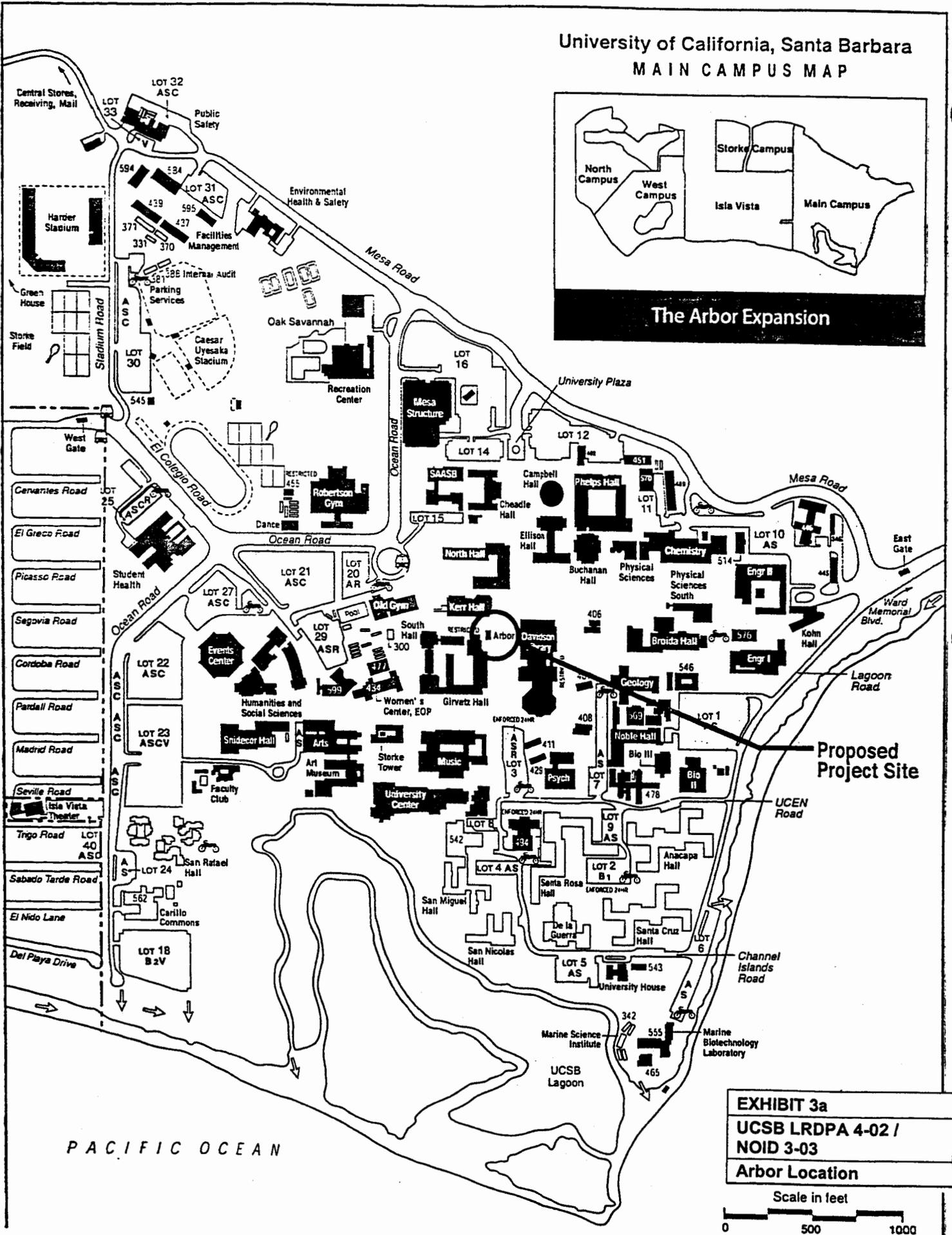
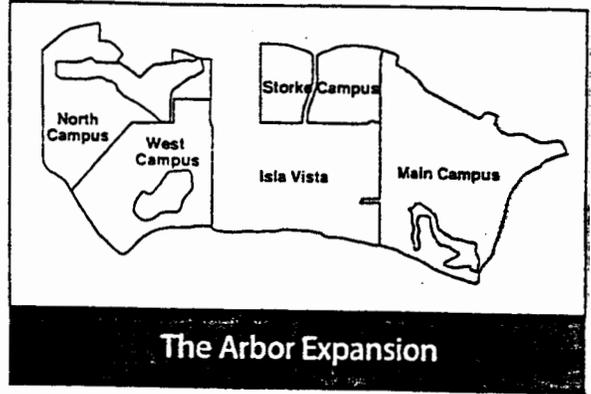
West Elevation

University of California, Santa Barbara  
*in Hall Addition Project*

Kohn Hall Addition Project - South and West Elevations

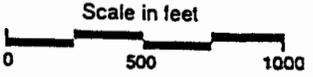
EXHIBIT 2d  
UCSB LRDPA 4-02 /  
NOID 2-03  
Kohn Hall Elevations

University of California, Santa Barbara  
**MAIN CAMPUS MAP**

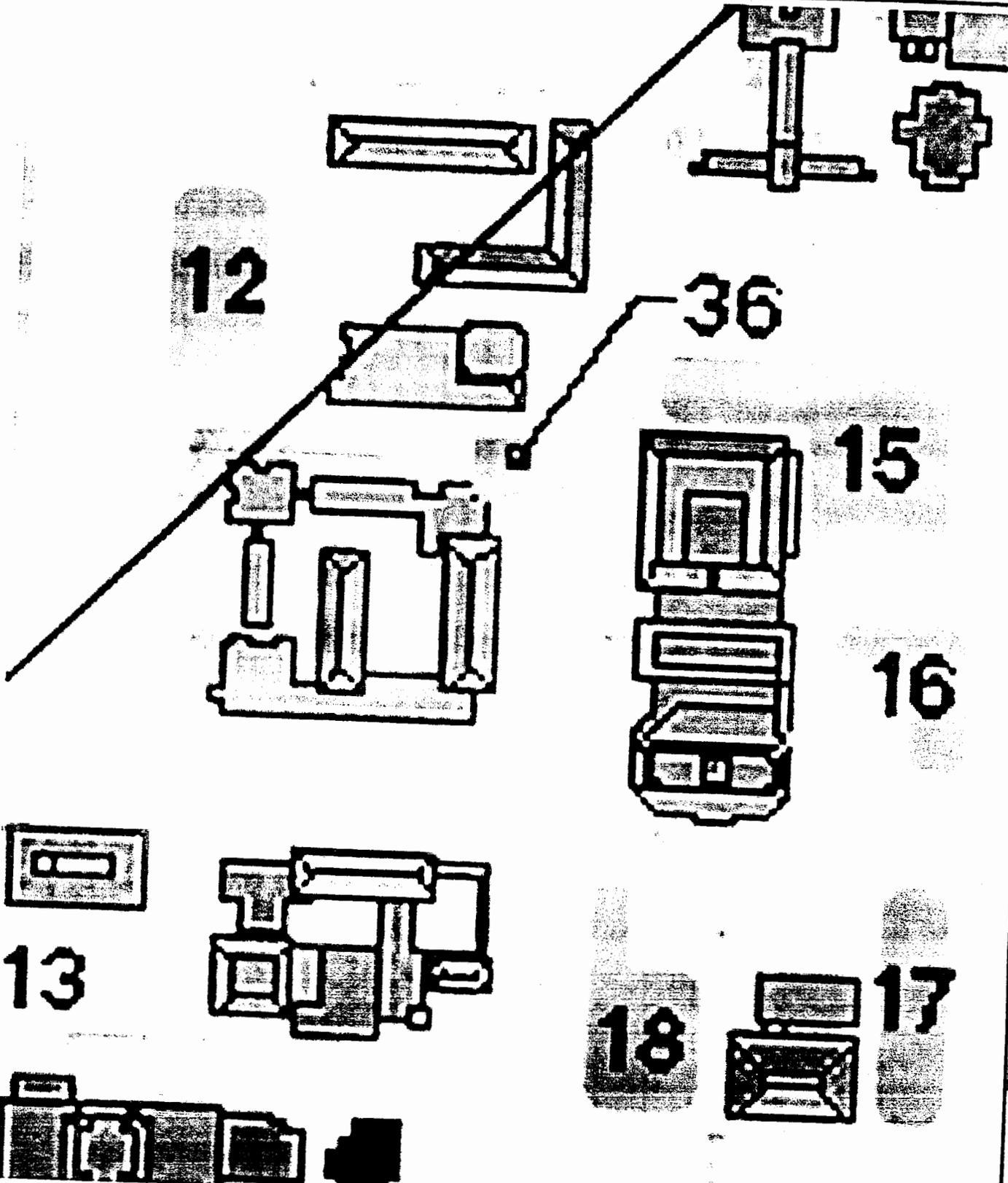


**Proposed Project Site**

**EXHIBIT 3a**  
**UCSB LRDPA 4-02 /**  
**NOID 3-03**  
**Arbor Location**



PACIFIC OCEAN



Source: UCSB, Office of Budget & Planning, 2003.



The Arbor Expansion  
 Potential Building Location #36  
 1990 LRDP Figure 12 Enlargement

EXHIBIT 3b  
 UCSB LRDP 4-02 /  
 NOID 3-03  
 Figure 12 of the LRDP  
 (Proposed)

Figure 6: Changes to LRDP Table 13

Potential Non-Residential Building Development  
Intensity & Type  
Page 1.III.6

Site Number	Site Area (000 GSF)	Building Area (000 ASF)	Potential Site Uses
[7]	269	385	Project: No current major capital projects planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Social and Behavioral Sciences and/or Arts and Humanities discipline functions consisting of offices, classrooms, class and research laboratories, and support functions;</li> <li>• Multiple instruction and research buildings arranged around a large, central quad linked to pedestrian and bicycle circulation corridors;</li> <li>• Multidisciplinary undergraduate programs;</li> <li>• Student and administrative service functions; and</li> <li>• Computer and/or instructional development facilities.</li> </ul>
8	58	113	Project: Potential Humanities and Social Sciences Building Range of Uses: <ul style="list-style-type: none"> <li>• Humanities and Social Sciences discipline area; and</li> <li>• Offices, classrooms, class and research laboratories, and academic support functions.</li> </ul>
9	62	64	Project: Alternative Site for Potential Art Museum Range of Uses: <ul style="list-style-type: none"> <li>• Art gallery and support functions;</li> <li>• Expansion of Snidecor Hall (speech, hearing, drama, and dance) and/or arts building functions;</li> <li>• Expansion of Faculty Club</li> </ul>
[10] <sup>(2)</sup>	310	60	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Relocation of University Road</li> <li>• Parking structure &amp; surface parking</li> <li>• Administrative &amp; student support functions</li> </ul>
[11]	67	87	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Administrative &amp; student support functions</li> </ul>
[12]	35	82	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Computer laboratories and/or instructional development</li> <li>• Instructional and research facilities for behavioral and social sciences, arts and/or humanities</li> </ul>
13	46	72	Project: Potential University Center Expansion Range of Uses: <ul style="list-style-type: none"> <li>• Student and UCen administrative offices, food services, retail, mid-range to large meeting rooms, lounges.</li> </ul>

(2) Parking also permitted.

EXHIBIT 3c
UCSB LRDP 4-02 / NOID 3-03
Table 13 of the LRDP (Proposed)

Figure 6: Changes to LRDP Table 13 (continued)

Potential Non-Residential Building Development  
Intensity & Type  
Page 1.III.10

Site Number	Site Area (000 GSF)	Building Area (000 ASF)	Potential Site Uses
32 <sup>ii</sup>	0	0	Project: Potential location for Administrative Services functions Range of Uses: <ul style="list-style-type: none"> <li>• Administrative offices, meeting rooms and conference space</li> <li>• Housing and residential services support functions</li> <li>• Offices, meeting rooms, and conference space</li> <li>• Warehouse and storage space</li> <li>• Service and loading docks</li> </ul>
[33]	318	25	Project: No major capital project currently planned at this location Range of Uses: <ul style="list-style-type: none"> <li>• Expansion of existing functions in public safety building</li> <li>• Housing and residential services support functions</li> <li>• Offices, meeting rooms, and conference space</li> <li>• Warehouse and storage space</li> <li>• Service loading docks</li> </ul>
34 <sup>i</sup>	20	3.1	Project: Harder Stadium Offices Range of Uses: <ul style="list-style-type: none"> <li>• Surge space including academic and administrative offices, dry teaching/research space, and storage space.</li> </ul>
35 <sup>ii</sup>	189.3	37.6	Project: Recreation Center Addition Range of Uses: <ul style="list-style-type: none"> <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>
36 <sup>iii</sup>	4.3 <sup>ii</sup>	3.8 <sup>iii</sup>	Project: The Arbor Expansion Range of Uses: <ul style="list-style-type: none"> <li>• Convenience store, sandwich vendor, pizza vendor, ATMs, and utility room.</li> </ul>

[ ] No major capital projects currently planned at this location

<sup>i</sup> Amended by Harder Stadium Offices LRDP Amendment, April 2002

<sup>ii</sup> Amended by Recreation and Aquatics Center Expansion LRDP Amendment, November 2002

<sup>iii</sup> The existing Arbor prior to the 1990 LRDP as amended from 1980, consists of an approximately 1,220 gsf and 800 asf building. The new reconstructed Arbor, as amended, would consist of a total of approximately 4,230 gsf and 3,770 asf. As shown, 3,000 asf were transferred from Potential Building Location #2 to expand the Arbor. The Arbor Expansion project did not need a transfer of gsf because the site was previously developed.

PROPOSED BUILDING

ATM Node

69'-9"

Bistro Node

4,230 gsf  
service alley (keyway)

food stand

new seating

reconfigured  
trellises

scope of work

Academic Node

Kiosk / Info Node

↳ 22,198 gsf

[proposed  
development envelope]

EXHIBIT 3d  
UCSB LRDP 4-02 /  
NOID 3-03  
Arbor Site Plan

