

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST AREA
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Commission Action:



STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 4-02-256

APPLICANTS: Land Trust for Santa Barbara County

PROJECT LOCATION: Carpinteria Salt Marsh, Santa Barbara County

PROJECT DESCRIPTION: Removal of 3.72 acres of invasive weeds, including ice plant, myoporum, castor bean, fennel and mustard using solarization and handtool methods. Herbicide will be applied directly to Myoporum and castor bean stumps. The project includes five years of annual maintenance to monitor and spot remove new weeds. No mechanized equipment shall enter the marsh during initial removal or any subsequent monitoring. The removal of these invasive species will enhance the function and habitat values at Carpinteria Salt Marsh by making areas presently occupied by invasive species available to native species.

SUBSTANTIVE FILE DOCUMENTS: Management Plan for Carpinteria Salt Marsh Reserve, A Southern California Estuary (Ferren, Page, Saley, April 1997).

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed project with three special conditions regarding: (1) Timing of Operations; (2) Project Monitoring and Responsibilities; and (3) Disposal of Waste Materials.

The subject sites are designated as an environmentally sensitive habitat area (ESHA) by the certified Santa Barbara County Local Coastal Program. The spread of non-native and invasive vegetation in the wetland and upland ESHA has resulted in the displacement of critical habitat for native vegetation and wildlife. The proposed project is for the eradication of ice plant, myoporum, castor bean, fennel, and mustard.

Special Condition One (1) has been required to ensure that the proposed activities avoid adverse impacts to the avian breeding population. Special Condition Two (2) requires that a qualified environmental monitor be on site during all eradication activities to ensure that any potential impacts to existing native vegetation are minimized. Special Condition Three (3) requires that all excess plant material be disposed at an approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive such material.

I. STAFF RECOMMENDATION

MOTION: *I move that the Commission approve Coastal Development Permit No. 4-02-256 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any term or condition will be resolved by the Executive Director or the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Timing of Operations

All project operations, including vegetation eradication and removal, hauling, annual maintenance and spot removal shall be prohibited within any portion of the project area from February 1 through August 30 to avoid impact to avian species during the breeding season.

2. Project Monitoring and Responsibilities

Prior to issuance of the coastal development permit, the applicant shall retain the services of a qualified biologist or environmental resource specialist with appropriate qualifications acceptable to the Executive Director. All project activities shall be carried out consistent with the following:

- (1) The resource specialist(s) shall be present on site during all vegetation removal and eradication activity.
- (2) The applicant shall remove invasive vegetation manually using hand tools.
- (3) No mechanized equipment shall enter the marsh during initial removal or any subsequent monitoring activities. All staging and hauling shall occur along existing roads.
- (4) Herbicide use shall be restricted to the use of Glyphosate *Rodeo*™ herbicide for the elimination of non-native and invasive vegetation located within upland areas of the project site for purposes of habitat restoration only. The applicant shall remove non-native or invasive vegetation by hand (myoporum and castor bean shall be cut and the stumps painted with Glyphosate *Rodeo*™ herbicide). No use of any herbicide shall occur during the rainy season (November 1 – March 31) unless otherwise allowed by the Executive Director for good cause. In no instance shall herbicide application occur if wind speeds on site are greater than 5 mph or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.
- (5) Concurrent with the implementation of the monitoring program, the applicant shall monitor the project site(s) for evidence of erosion. Subsequent to removal, should monitoring indicate that runoff/sedimentation exceeds pre-eradication levels, the applicant shall implement interim erosion control measures during the rainy season (November 1 – March 31) such as geotextiles or mats on subject areas to stabilize erosion. Should interim erosion control measures be necessary, the applicant shall immediately notify the Executive Director to determine if an amendment or new coastal development permit is necessary to authorize such work.

The resource specialist(s) shall immediately notify the Executive Director if unpermitted activities occur or if any native vegetation is removed or impacted during the performance of any project activities. The environmental resource specialist shall require the applicant to cease work should any breach in permit compliance occur or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occur to

any native wetland flora/fauna as a result of the performance of the project activities, the applicant shall be required to submit a revised, or supplemental, restoration program to adequately mitigate such impacts. Any native vegetation which is inadvertently contacted with herbicide or otherwise destroyed or damaged during implementation of the project shall be replaced in kind at a 3:1 or greater ratio. The revised, or supplemental, restoration program shall be processed as an amendment to this coastal development permit.

3. Disposal of Materials

Prior to the issuance of the coastal development permit, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all material removed from the project site. All materials and debris shall be deposited at an approved dumping location either outside the coastal zone or to a site within the coastal zone permitted to receive such material.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Background

The applicant proposes to conduct invasive weed removal in the upland and transitional areas of Basin I (Exhibit 2) and South Marsh (Exhibit 3) to remove myoporum, iceplant, fennel, and castor bean. Eradication methods will include manual pulling, use of chain and handsaws and other hand tools, application of herbicide and solarization as follows:

Iceplant – Solarize by placing black plastic sheeting over subject site for three to six weeks to kill ice plant; leave as mulch.

Myoporum and Castor Bean – Cut near ground level, strip bark and immediately paint cut stump with glyphosate (Roundup ® or Rodeo); bag and haul seeded tops to County transfer station; chip stems and branches without seed and spread as mulch over work site to minimize weed growth; roots will not be dug up to avoid soil disturbance.

Fennel and Mustard – Plants will be cut and roots hoed, and then bagged and hauled to disposal area; disturbed areas will be mulched to prevent weeds from returning.

The applicant asserts that a skip loader and dump truck will be used to haul material, which will remain on existing roads (Sandyland Cove Road, Del Mar Avenue, and Santa Barbara County Flood Control District access roads) and not enter the project area. Access to vegetation to be removed will remain in upland areas and on berms where no threatened, rare and/or endangered species exist. Downed material will be removed by

bagging and hauling offsite, or where feasible left in place as mulch (i.e., ice plant) and chipping.

To ensure that the restoration effort is successful, the applicant proposes to monitor the site and manually remove all new invasive seedlings during the following five years. No remedial grading will be required to restore the sites, and the removal areas shall be mulched to reduce erosive potential. The sites are anticipated to be revegetated with native plants in accordance with future proposals and funding.

The Carpinteria Salt Marsh covers approximately 230 acres located east of Santa Barbara and immediately west of the City of Carpinteria, along the South Coast of Santa Barbara County (Exhibit 1). The estuary is characterized by a series of natural and artificially enhanced channels and adjacent estuarine emergent wetlands that occur at the base of the watersheds of Franklin and Santa Monica Creeks. Carpinteria Marsh is fragmented into 35 parcels that are owned by approximately 17 different entities. To address the multiple ownership and stewardship issue, The *Management Plan for Carpinteria Salt Marsh Reserve* (Ferren, Page, Saley 1997) was developed "to provide a mechanism for the integration, under one management structure, of the protection, management, and use of Carpinteria Salt Marsh and its biological and physical resources at an ecosystem level rather than a parcel level." Under the management plan, the Marsh is described and managed as four distinct parts: Basin 1, Basin 2, Basin 3, and South Marsh. The management plan includes an invasive exotic plant removal program to "provide for the control or eradication of invasive exotic plants, particularly those that threaten sensitive habitats and endangered and special interest native species." The proposed project implements the invasive plant removal program to remove all invasive species in Basin 1 and South Marsh. Access to the project area is via Sandyland Cove Road.

The *Management Plan for Carpinteria Salt Marsh Reserve* reports that natural heritage and ecosystem functions of urban reserves, such as the Carpinteria Salt Marsh, are often affected and even threatened seriously by the growth of exotic plants species if there is no effort to control or eliminate these introduced plants. Disturbance corridors such as the right-of-way of Union Pacific Railroad provide for potential recurrence of undesirable species such as castor bean. Stream-flow debris are additional sources of exotic plant propagules. Some species also have "escaped" from nearby yard and garden plantings (e.g., ice plant), or were planted years ago on the margin of the estuary (e.g., myoporum).

The project site is designated as an environmentally sensitive habitat area (ESHA) by the certified Santa Barbara County Local Coastal Program. The spread of non-native and invasive vegetation in the wetland and upland ESHA has resulted in the displacement of critical habitat for native vegetation and wildlife. The proposed project is for the eradication of ice plant, myoporum, castor bean, fennel, and mustard in and along Basin 1 and South Marsh areas of the Carpinteria Salt Marsh.

B. Environmentally Sensitive Habitat Area and Water Quality

Section 30230 of the Coastal Act states that:

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 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 states:

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

Sections 30230 and 30231 of the Coastal Act require that the biological productivity and the quality of coastal waters and streams be maintained and, where feasible, restored through among other means, minimizing adverse effects of waste water discharge and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flows, maintaining natural buffer areas that protect riparian habitats, and minimizing alteration of natural streams. In addition, Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values. The project site is designated as an environmentally sensitive habitat area (ESHA) by the certified Santa Barbara County Local Coastal Program.

The proposed project consists of the enhancement of upland habitat through the removal of invasive species throughout Basin 1 and South Marsh areas. As described above, removal and eradication of invasive species at these sites will be achieved using hand tools, solarization, and by application of Glyphosate herbicide Rodeo™ applied

directly to myoporum and castor bean stumps. To ensure that the restoration effort is successful, the applicant proposes to monitor the site and manually remove all new invasive seedlings during the following five years. No remedial grading will be required to restore the sites, and the removal areas shall be mulched to reduce erosive potential. The sites are anticipated to be revegetated with native plants in accordance with future proposals and funding.

The proposed project is part of a planned habitat restoration and enhancement program at Carpinteria Salt Marsh. The proposed project is intended to eradicate present infestations of invasive species to prevent additional spread and loss of function in the ecosystem. The Commission finds that the proposed removal of invasive species will serve to restore and enhance existing degraded habitat resources.

The Commission finds that the proposed development will serve to restore and enhance degraded upland and transitional habitat at Carpinteria Salt Marsh. However, the proposed project may result in potential adverse effects to surrounding habitat due to unintentional disturbance from project activities. In order to ensure that any potential adverse effects to adjacent wetland and upland habitat from removal activities are minimized, **Special Condition Two (2)** requires the applicant to retain the services of a qualified biologist or environmental resource specialist to be present on site during all removal and eradication activities. The monitor shall immediately notify the Executive Director if unpermitted activities occur or if any native vegetation is removed or impacted during the performance of any project activities. The environmental resource specialist shall require the applicant to cease work should any breach in permit compliance occur or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occur to any native flora or fauna, the applicant shall be required to submit a revised, or supplemental, restoration program to adequately mitigate such impacts at a 3:1 replacement ratio.

The Commission further finds that use of herbicides may be necessary for successful implementation of the proposed habitat enhancement project. As a result, the proposed project may result in potential adverse effects to coastal water quality due to unintentional disturbance from project activities.

Herbicide application may be required for large invasive specimens, such as myoporum and castor bean, because the removal of roots may contribute to erosion, or because they cannot be physically removed utilizing hand tools. The applicant proposes to use Glyphosate herbicides Roundup® or Rodeo™ applied directly to the cut stumps. The Commission notes that the Glyphosate herbicide Rodeo™ is the only herbicide currently labeled by the United States Environmental Protection Agency (EPA) as suitable for use in wetland areas. Glyphosate is registered by the EPA as a non-selective herbicide of relatively low toxicity suitable for use in riparian areas where vegetation control is necessary. The Glyphosate Environmental Assessment Report by the EPA dated September 1993 states:

Based on current data, EPA has determined that the effects of glyphosate on birds, mammals, fish and invertebrates are minimal. Under certain use conditions,

glyphosate may cause adverse effects to nontarget aquatic plants....Glyphosate adsorbs strongly to soil and is readily degraded by soil microbes...to carbon dioxide.

However, the Commission also notes that Glyphosate herbicide *Rodeo*TM, although determined by the EPA to be low in toxicity, is still toxic and could result in some adverse effects to coastal waters when used in near coastal waters such as the subject site. Therefore, in order to minimize use of such herbicides in previous permit actions, the Commission has allowed for the use of Glyphosate herbicide *Rodeo*TM within sensitive wetland and riparian areas only when it was found that use of an herbicide was necessary for habitat restoration and enhancement and that there were no feasible alternatives that would result in fewer adverse effects to the habitat value of the site. For example, Coastal Development Permits 4-00-205 and 206 (Santa Barbara County Flood Control District) for silt/flood control projects within Goleta Slough were approved by the Commission on November 16, 2000, with special conditions specifically limiting the use of Glyphosate herbicide *Rodeo*TM to the elimination of non-native and invasive vegetation for habitat restoration activities only. In addition, Coastal Development Permit 4-00-232 (Audubon Society) was approved by the Commission on January 9, 2001 with special conditions specifically limiting the use of *Rodeo*TM for wetland habitat restoration and habitat enhancement in Goleta Slough. In the case of the proposed project, the use of Glyphosate herbicide is proposed for the removal of invasive vegetation as part of a comprehensive habitat restoration program. In addition, as discussed above, the applicant has indicated that use of Glyphosate herbicide will be directly applied, or "painted" on, to the stumps and will not be sprayed.

As such, the Commission notes that the proposed project is intended to improve and enhance habitat at Carpinteria Salt Marsh. However, the Commission also notes that the proposed use of herbicide may still result in some potential adverse effects to the environmentally sensitive riparian habitat area on site during the invasive vegetation removal and eradication phase of the program (resulting from unintentional misapplication of herbicide, unexpected disturbance to native wildlife or vegetation, etc.). Therefore, in order to ensure that any potential adverse effects to water quality and riparian habitat are minimized, **Special Condition Two (2)** limits the use of herbicide to the use of Glyphosate *Rodeo*TM herbicide for the elimination of non-native and invasive vegetation located within upland areas of the project site for purposes of habitat restoration only. The applicant shall remove non-native or invasive vegetation by hand (myoporum and castor bean shall be cut and the stumps painted with Glyphosate *Rodeo*TM herbicide). No use of any herbicide shall occur during the rainy season (November 1 – March 31) unless otherwise allowed by the Executive Director for good cause. In no instance shall herbicide application occur if wind speeds on site are greater than 5 mph or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.

To ensure that adverse effects to coastal water quality do not result from the proposed project activities, the Commission finds it necessary to require the applicant, pursuant to **Special Condition Two (2)**, to remove invasive vegetation manually (removal by using hand tools); prohibit mechanized equipment from entering the marsh during initial

removal or any subsequent monitoring activities; and stage and haul along existing roads.

Furthermore, **Special Condition Two (2)** requires the applicant to monitor for evidence of erosion of the subject sites concurrent with the implementation of the monitoring program. The applicant anticipates revegetating the subject sites pending future approval of funding and permits. The implementation of a revegetation program would be of great value in addressing potential erosion from the subject site. However, revegetation is not part of the current proposed project and the applicant asserts that the application of mulch will be sufficient in these areas to combat potential erosion from the site in the interim. Special Condition 2 requires the applicant to implement interim erosion control measures during the rainy season (November 1 – March 31) to stabilize erosion should post-eradication runoff/sedimentation exceed pre-eradication levels. If interim erosion control measures are necessary, the applicant shall immediately notify the Executive Director to determine if an amendment or new coastal development permit is necessary to authorize such work.

The proposed project has been designed in a manner to minimize adverse effects to the sensitive resources on the subject site. However, the proposed project may result in potential adverse effects to surrounding habitat due to unintentional disturbance as a result of the eradication activities. The Carpinteria Salt Marsh is dominated by emergent wetland habitat and a variety of wildlife species occur within the subject area. At least 190 bird species, 37 fish species, 11 mammal species, 5 herpetofauna species, and over 100 invertebrate species have been observed, collected, or reported from Carpinteria Salt Marsh (UCSB, April 1997). In addition, four sensitive bird species have been observed to utilize these portions of the Marsh: the Beldings savannah sparrow, light-footed clapper rail, California brown pelican, and American peregrine falcon.

The Commission finds that removal of vegetation in the upland and transitional areas of the marsh have the potential to indirectly impact avian breeding by creating human disturbance in and around potential foraging and roosting habitat, including areas utilized by the Beldings savannah sparrow and light-footed clapper rail. Therefore the Commission finds it necessary to require **Special Condition One (1)** such that all project operations, including follow-up maintenance and monitoring activities, in the project reach area shall be prohibited from February 1 through August 30 to avoid impact to avian species during breeding season.

Finally, the Commission notes that materials and debris that are placed in stockpiles are subject to increased erosion and that additional landform alteration would result if the excavated material were to be permanently retained on site. In order to ensure that removed material will be hauled off site and that landform alteration is minimized, **Special Condition Three (3)** requires the applicants to remove all excavated material to an approved disposal location either outside the coastal zone or to a site within the coastal zone permitted to receive such material.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30230, 30231, and 30240 of the Coastal Act with regard to environmentally sensitive habitat and the marine environment.

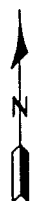
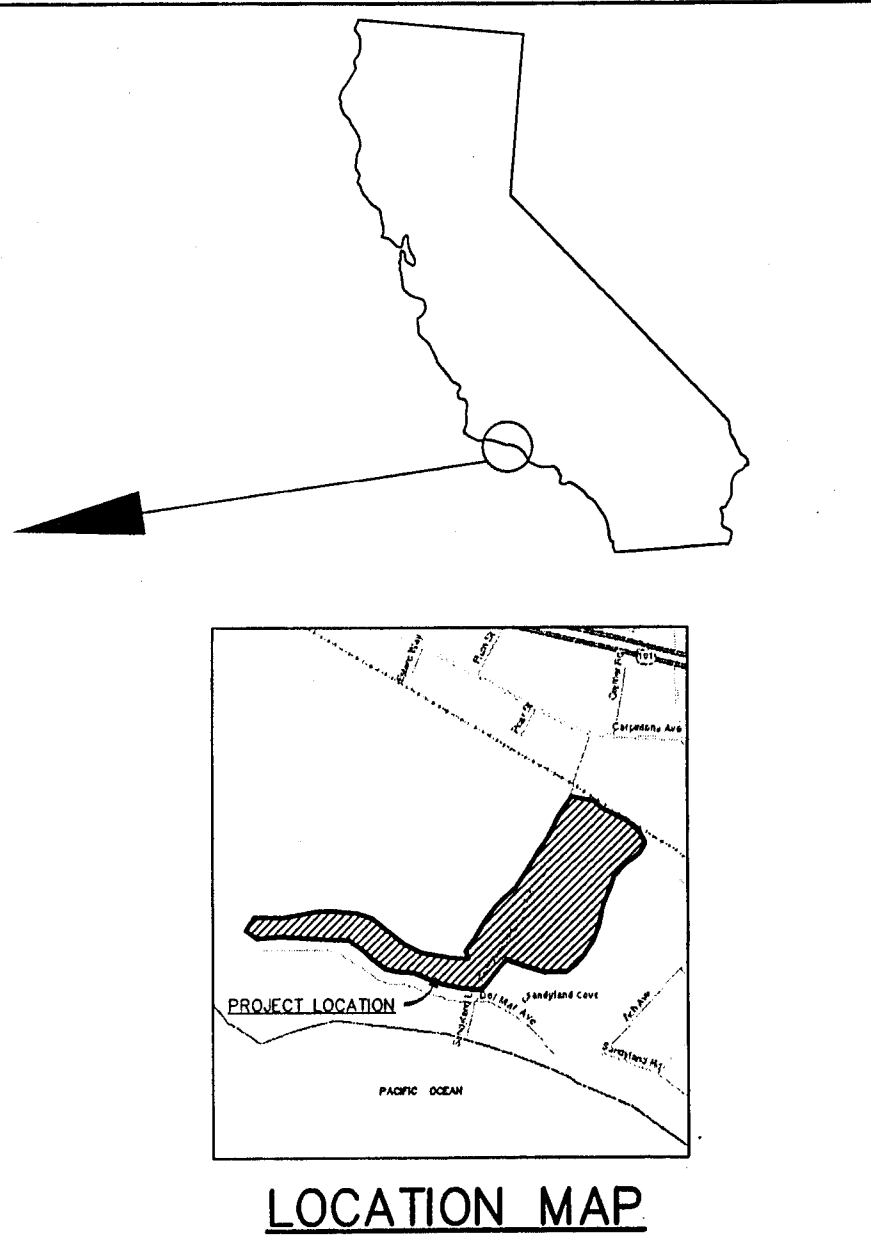
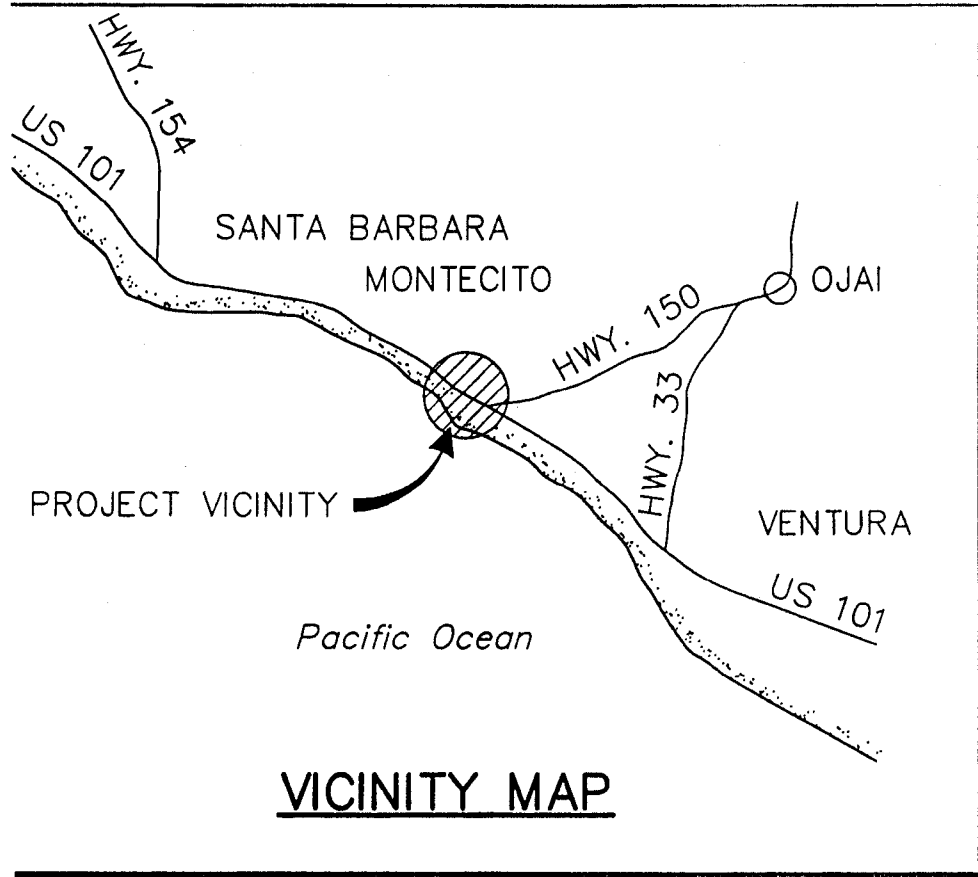
C. Local Coastal Program

The proposed project area lies within the unincorporated area of County of Santa Barbara, but falls within the Commission's area of retained original permit jurisdiction. The Commission has certified the Local Coastal Program for the County of Santa Barbara (Land Use Plan and Implementation Ordinances) which contains policies for regulating development and protection of coastal resources, including the protection of environmentally sensitive habitats, recreational and visitor serving facilities, coastal hazards, and public access.

D. CEQA

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

The Commission finds that, the proposed project, as conditioned will not have significant adverse effects on the environment, within the meaning of the California Environmental Quality Act of 1970. Therefore, the proposed project, as conditioned, has been adequately mitigated and is determined to be consistent with CEQA and the policies of the Coastal Act.



SCALE: VARIES

Carpinteria Salt Marsh
Wetland Enhancement Plan

PROJECT VICINITY AND LOCATION

Figure
1

EXHIBIT 1
CDP 4-02-256
Vicinity Map

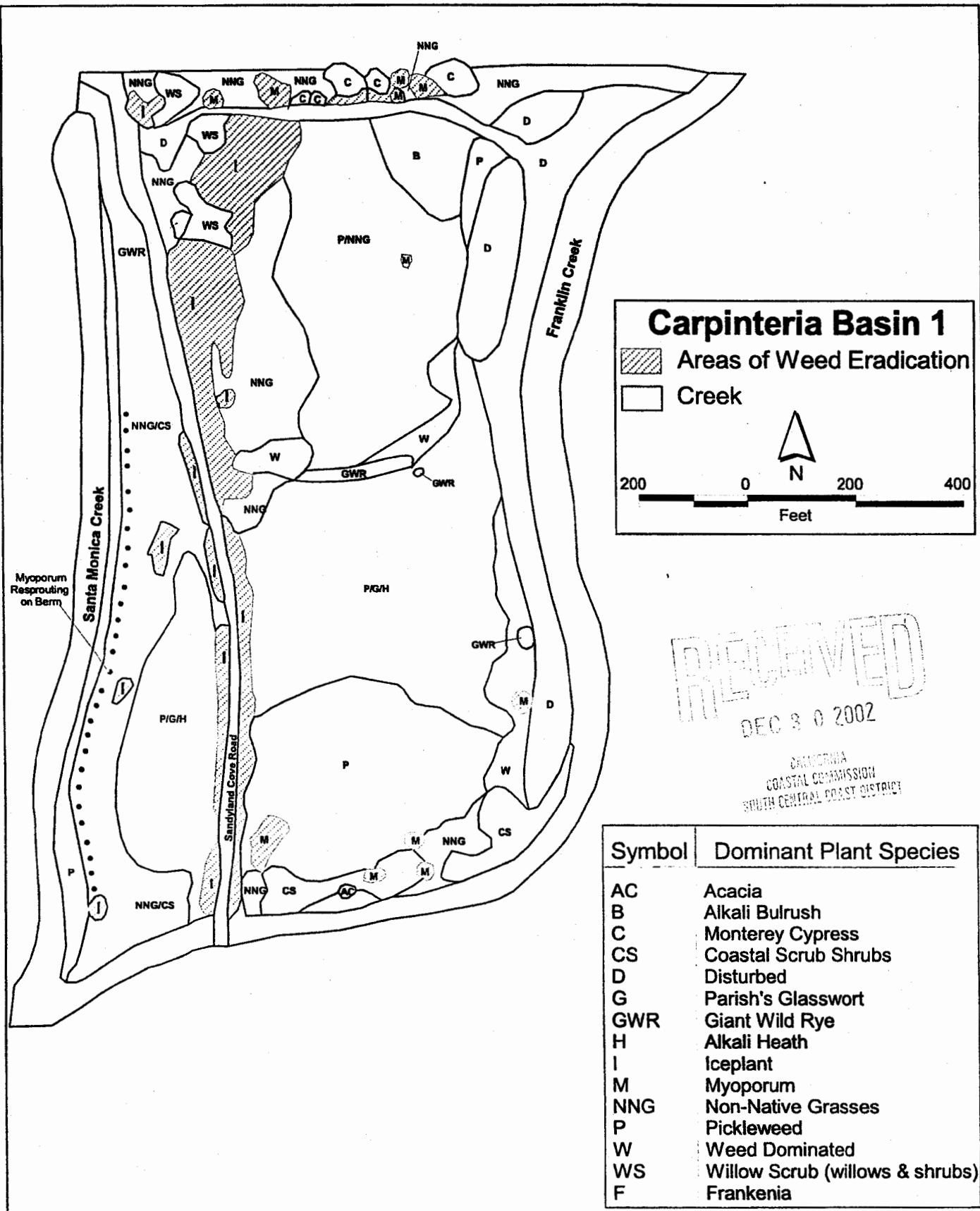


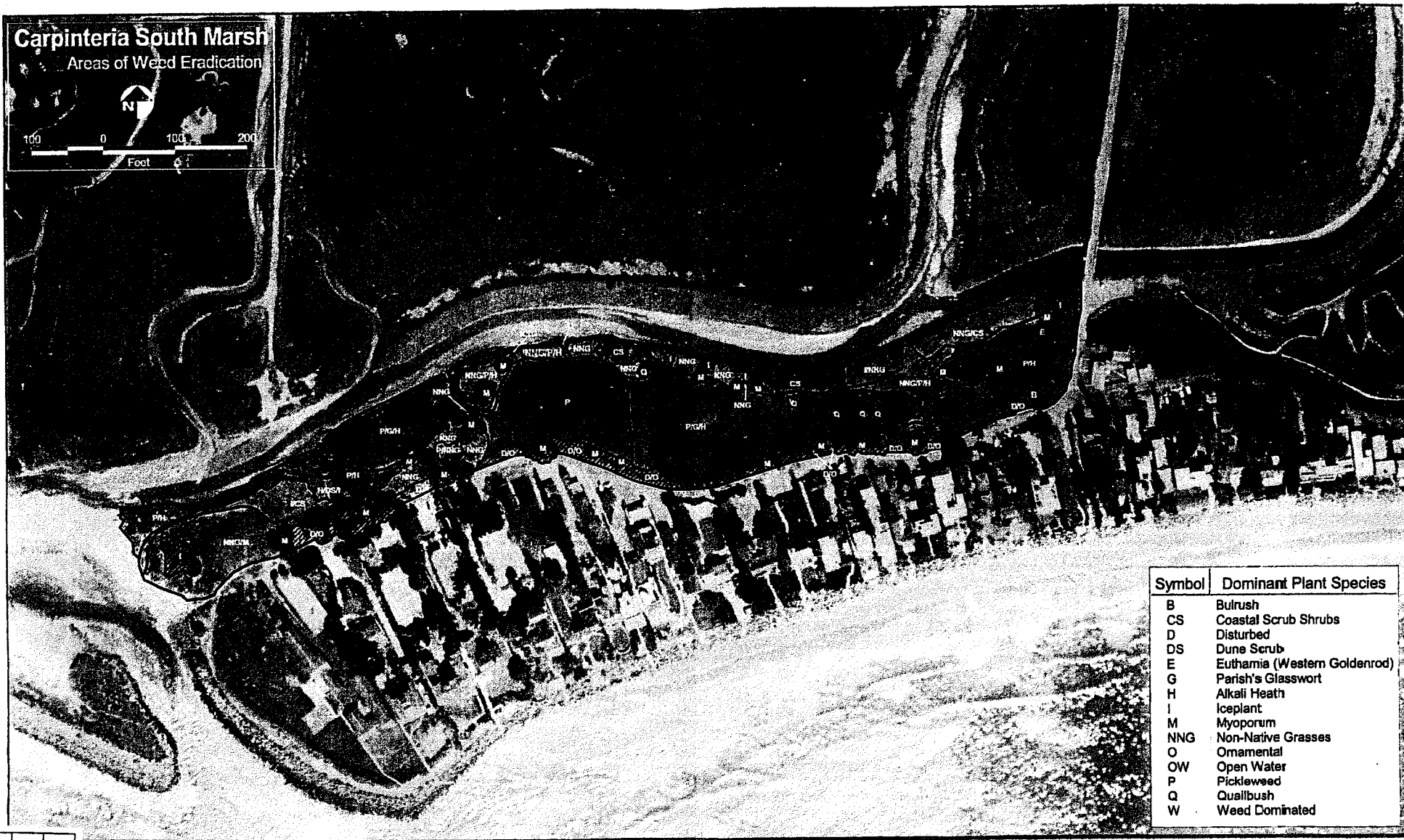
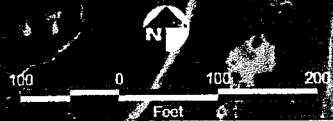
EXHIBIT 2

CDP 4-02-256

Site Plan Basin 1

Carpinteria South Marsh

Areas of Weed Eradication



Symbol	Dominant Plant Species
B	Bulrush
CS	Coastal Scrub Shrubs
D	Disturbed
DS	Dune Scrub
E	Euthamia (Western Goldenrod)
G	Parish's Glasswort
H	Alkali Heath
I	Iceplant
M	Myoporum
NNG	Non-Native Grasses
O	Ornamental
OW	Open Water
P	Pickleweed
Q	Quailbush
W	Weed Dominated

EXHIBIT 3

CDP 4-02-256

Site Plan South Marsh

