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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: July 21, 2005

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Deputy Director
Gary Timm, South Central Coast District Manager
Steve Hudson, Supervisor, Planning and Regulation *SIA*
Shana Gray, Coastal Program Analyst

SUBJECT: Notice of Impending Development (NOID) 3-05, for the Lagoon Weir Repair, for Public Hearing and Commission Action at the August 10, 2005, Commission Meeting in Costa Mesa.

SUMMARY AND STAFF RECOMMENDATION

The impending development consists of the request for after-the-fact approval of the repair of a weir structure within the Campus Lagoon on the Main Campus, University of California at Santa Barbara. The repair consisted of a new weir grate and the replacement of 12 to 18 inches of concrete structure which had deteriorated away. The modifications restored the weir to its original height and function. The weir provides the main outflow of the Lagoon, directing water under the road, across the beach and into the surf. The University has stated that the project is necessary to maintain the Lagoon at a maximum level of seven feet, which prevents frequent algal blooms and resulting fish kills. The project was not exempt under the repair and maintenance guidelines because the Campus Lagoon is designated as an environmentally sensitive habitat area in the University's Long Range Development Plan.

The required items necessary to provide a complete notice of impending development were received in the South Central Coast Office and the notice was deemed filed on July 19, 2005.

Staff is recommending that the Commission determine that the impending development **is consistent** with the certified University of California at Santa Barbara Long Range Development Plan (LRDP) as submitted. The project consists of a minor repair of an existing structure built in 1956. Though the work took place within the Campus Lagoon ESHA, there were no adverse impacts to coastal resources, the project is specifically identified as an allowable use pursuant to the Long Range Development Plan, and the project is consistent with all resource protection policies and provisions of the Long Range Development Plan. See associated Motion and Resolution beginning on **Page 2**. The standard of review for the proposed NOID is the policies of the certified LRDP.

I. PROCEDURAL ISSUES

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

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

II. STAFF RECOMMENDATION: MOTIONS & RESOLUTIONS

A. NOID 3-05: APPROVAL AS SUBMITTED

MOTION I: *I move that the Commission determine that the development described in the Notice of Impending Development 3-05 (Lagoon Weir Repair), as submitted, is consistent with the certified University of California at Santa Barbara Long Range Development Plan.*

STAFF RECOMMENDS A YES VOTE: Passage of this motion will result in a determination that the development described in the Notice of Impending Development 3-05 as submitted, is consistent with the certified University of California at Santa Barbara Long Range Development Plan, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION I: TO DETERMINE DEVELOPMENT IS CONSISTENT WITH LRDP:

The Commission hereby determines that the development described in the Notice of Impending Development 3-05, as submitted, is consistent with the certified University of California at Santa Barbara Long Range Development Plan for the reasons discussed in the findings herein.

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

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

A. PROJECT DESCRIPTION & BACKGROUND

The impending development consists of the request for after-the-fact approval of the repair of a weir structure within the Campus Lagoon on the Main Campus, University of California at Santa Barbara. The repair consisted of a new weir grate and the replacement of 12 to 18 inches of concrete structure which had deteriorated away. The modifications restored the weir to its original height and function. The weir provides the main outflow of the Lagoon, directing water under the road, across the beach and into the surf. The University has stated that the project is necessary to maintain the Lagoon at a maximum level of seven feet which has prevented algal blooms and resulting fish kills. The project was not exempt under the repair and maintenance guidelines because the Campus Lagoon is designated as an environmentally sensitive habitat area in the University's Long Range Development Plan.

UCSB's Physical Facilities Maintenance Division discovered on Wednesday, October 13, 2004 that the weir at the Campus Lagoon was not functioning to manage the level of the water in the Lagoon. Upon exploration of the condition of the weir, it was determined that the concrete structure that supports a two-foot by three-foot grate of the weir had deteriorated. The campus estimated that 12 to 18 inches of concrete had deteriorated and collapsed. There was uncontrolled flow from the Lagoon south through the 24-inch pipe under the adjacent roadway to the outfall. The campus monitored the location on a daily basis until repairs were made.

The Lagoon has thirteen sources of manmade inflow and one main outflow. The water level is determined by the Lagoon's outflow weir, which directs water under the road, across the beach, and into the surf. The weir is designed to maintain a maximum level of seven feet. UCSB's Marine Science Laboratory controls the majority of daily inflow pumping an average of 400 to 500 gpm of seawater imported from about 1,500 feet offshore. According to the Museum of Systematics and Ecology, the inflow from the Marine Science lab and the maintenance of the Lagoon water level at higher levels in recent years has prevented the frequent and significant algae blooms and resulting fish kills for nearly a decade.

Located at the south end of the west finger of the Lagoon between Lagoon Island and Manzanita Village (Exhibit 1), the lagoon weir is 48 years old (plans for the weir are dated 1956, see Exhibit 2). The weir was constructed of reinforced concrete approximately seven feet high, six feet wide, and 13 feet deep (ten feet of this depth are two wing walls that project into the earth bank south of the Lagoon). When originally constructed a gate on the weir could be opened to control the Lagoon's water level. However, modifications were made on the weir to enclose the gate area in 1983. Since

that time water flow through the weir took place when the Lagoon's water level was higher than the two-foot by three-foot grate at the top of the weir.

Work to repair the weir was conducted in late October. Work included the following:

- The contractors placed a temporary three-sided steel box, approximately eight feet by eight feet in size, around the existing weir structure to temporarily divert water from the weir to allow access for needed repair work. The box remained in place for two days.
- With the temporary box in place, the contractors pumped the water out of the area and allowed the existing weir structure to dry out allowing access to the deteriorated weir area for the repair.
- After the area dried out, the contractors placed forms and installed 12 to 18 inches new concrete in deteriorated areas of the weir to restore it to its original height and allow the grate to be replaced. The weir was not enlarged and no construction was conducted beyond the existing footprint of the weir.
- After the concrete had dried the temporary box was removed and water returned to the area.
- Little vegetation exists adjacent to the weir and no disturbance to existing pickleweed (*Salicornia*) was necessary during the repair of the damaged weir.
- Equipment used included a forklift or crane to place and remove the temporary three-sided box. All other work was performed out of the back of a standard pick-up truck similar to campus maintenance vehicles.
- Repair of the lagoon weir took about one week.
- Access for construction vehicles conducting the repair work utilized the existing dirt roadway south of the weir.

The University submitted an emergency permit application for this project on October 29, 2004. The University asserted that the failed weir created hazardous conditions at the Lagoon edge because the weir is adjacent to a well-utilized coastal access route. However, the repair of the deteriorated weir did not constitute an emergency and an emergency permit was not issued for the repair.

B. CONSISTENCY ANALYSIS

The standard of review for a Notice of Impending Development is consistency with the policies and provisions of the certified LRDP.

The Long Range Development Plan contains policies and provisions that identify areas for campus development while protecting coastal resources including environmentally sensitive habitat areas, scenic and visual resources, and public access and recreation. Additionally, the Commission certified the Lagoon Management Plan as Long Range Development Plan Amendment 1-98 in June 1999. The Lagoon Management Plan included Management Action H-1.1, which states that "a new overflow weir and outflow structure should be constructed to replace the existing weir and outflow at the western terminus. The overflow weir should be the primary control mechanism for lagoon water

levels and would provide greatly improved outflow capacity and control." Additionally, the replacement of the weir was highlighted in the *Lagoon Management Plan* as a high priority project. It stated that replacement of "The weir is the first priority because of its poor condition, likelihood of failure, and the basic need to control inflow and outflow of Lagoon water to manage the area."

As stated above, the modifications are minor in nature and are intended to restore the weir to its original height and function. The proposed project is consistent with the requirements of the Lagoon Management Plan, which allow for construction of a new weir in this location, and would not adversely impact coastal resources, including ESHA, water quality, and/or public access. For these reasons, the proposed project does not raise new policy issues and is consistent with the policies of the LRDP and the Coastal Act as submitted.

University of California, Santa Barbara
MAIN CAMPUS MAP

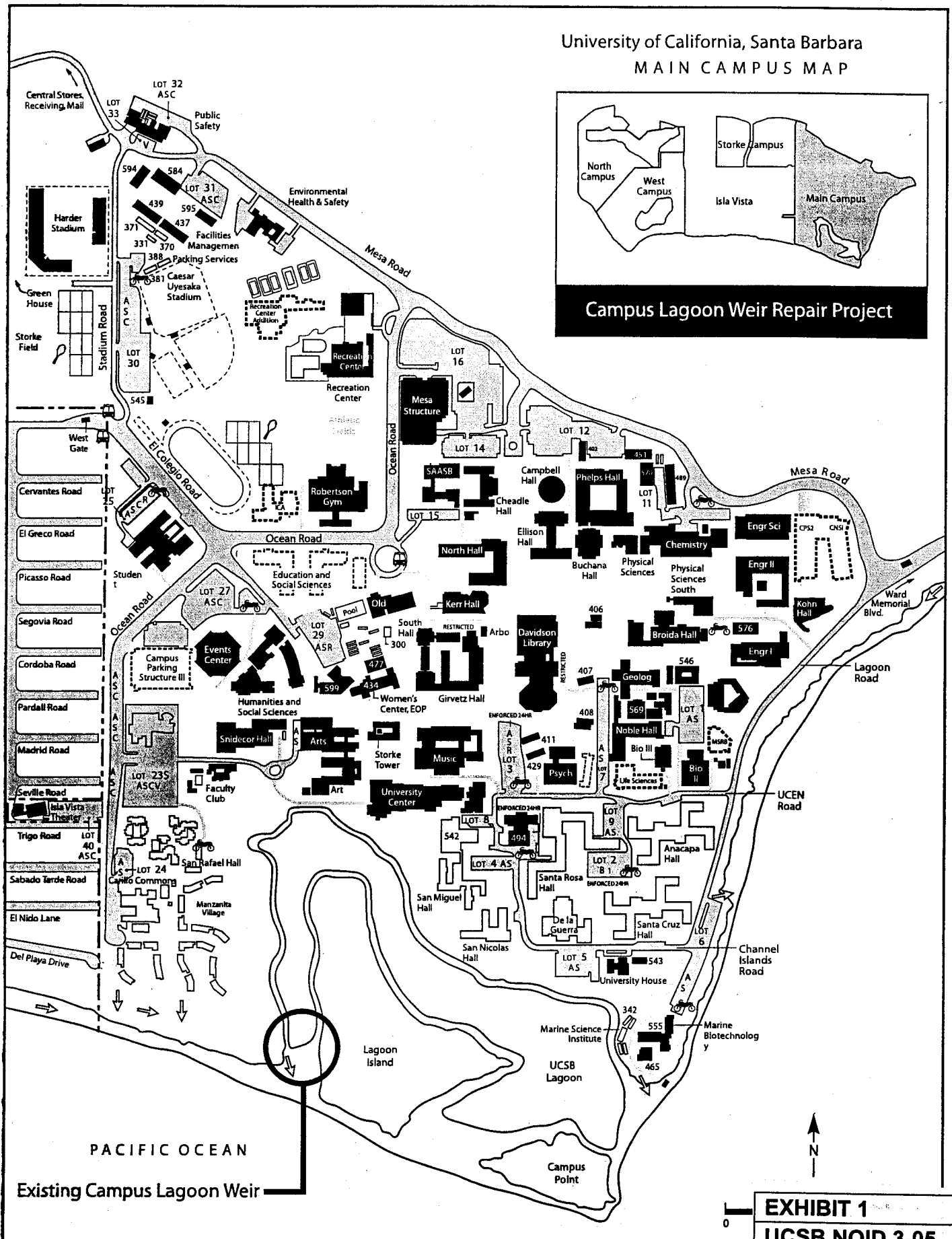
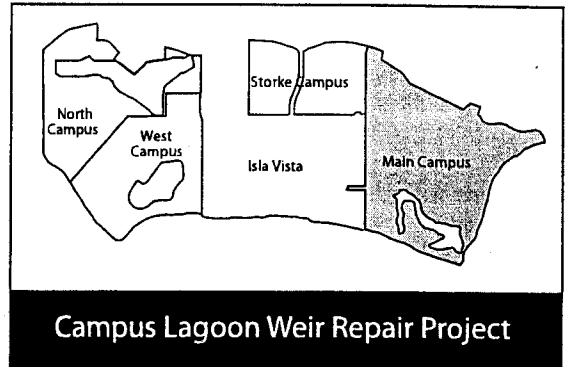


EXHIBIT 1
UCSB NOID 3-05
Project Location

Figure 2: 1956 Weir Plan

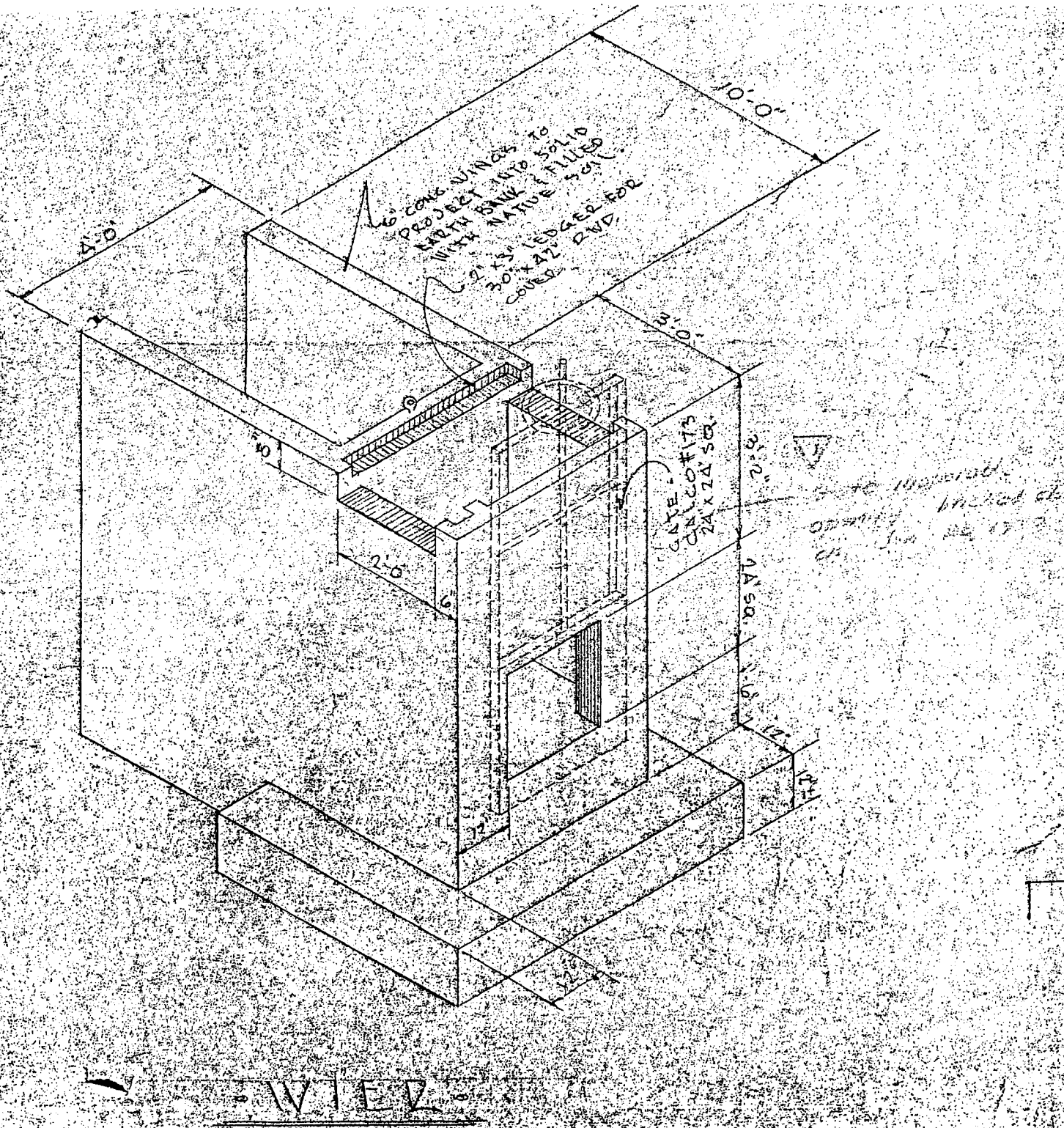




EXHIBIT 3
UCSB NOID 3-05
Post-Project Weir