

**CALIFORNIA COASTAL COMMISSION**

SOUTH CENTRAL COAST AREA  
89 SOUTH CALIFORNIA ST., SUITE 200  
VENTURA, CA 93001  
(805) 585-1800

**W 11.5a**



**DATE:** January 25, 2007

**TO:** Commissioners and Interested Persons

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

**SUBJECT:** **Notice of Impending Development (NOID) 1-07**, for the Baseball Batting Cage and Bullpen Facility Project, for Public Hearing and Commission Action at the February 14, 2007, Commission Meeting in San Diego.

**SUMMARY AND STAFF RECOMMENDATION**

The impending development consists of demolishing two existing batting cages and replacing them with a new 6,172 sq. ft. enclosed batting cage and bullpen facility and expansion of another existing batting cage by 1,019 sq. ft. batting cage. The project area is located in an area between the Caesar Uyeska baseball stadium and the softball/lacrosse field near the western edge of the main campus of the University of California Santa Barbara. The area is heavily developed with turf, bleachers, lighting, and ornamental vegetation. The project would include removal of myoporum and non-native vegetation in the vicinity of the ball fields and improvements to paved areas currently under the canopies of oak trees that were planted around the baseball stadium in the early 1990's.

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 January 23, 2007.

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) with **one (1) special condition** regarding: 1) sensitive species surveys. 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 1-07: APPROVAL AS SUBMITTED

**MOTION I:** *I move that the Commission determine that the development described in the Notice of Impending Development 1-07 (Baseball Batting Cage and Bullpen Facility Project), 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 1-07 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 1-07, 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. SPECIAL CONDITIONS**

#### **1. Sensitive Species Surveys and Construction Monitoring**

Prior to the removal of myoporum and other non-native shrubs during the nesting season for sensitive birds (February 15 through August 31) the University shall conduct a biological survey of the vegetation to prevent impacts to nesting sensitive bird species. The University shall retain the services of a qualified biologist(s) or environmental resource specialist(s) to conduct the sensitive species surveys. At least two (2) weeks prior to commencement of any project operations, the applicants shall submit the name and qualifications of the biologist or specialist, for the review and approval of the Executive Director. The biologist or specialist shall ensure that the surveys are consistent with the following:

- A. The environmental resource specialist shall conduct a survey of the project site, to determine presence and behavior of sensitive species, prior to any project operations including construction, grading, excavation, vegetation eradication and removal, hauling, and maintenance activities.
- B. In the event that any sensitive wildlife species exhibit reproductive or nesting behavior, the environmental specialist shall require the University to cease work, and shall immediately notify the Executive Director and local resource agencies. Project activities shall resume only upon written approval of the Executive Director.
- C. In the event that any sensitive wildlife species are present in the project area, which do not exhibit reproductive behavior and are not within the estimated breeding/reproductive cycle of the subject species, the environmental resource specialist shall either: (1) initiate a salvage and relocation program prior to any excavation/maintenance activities to move sensitive species by hand to safe locations elsewhere along the project reach or (2) as appropriate, implement a resource avoidance program with sufficient buffer areas to ensure adverse effects to such resources are avoided. The University shall also immediately notify the Executive Director of the presence of such species and which of the above actions are being taken. If the presence of any such sensitive species requires review by the United States Fish and Wildlife Service and/or the California Department of Fish and Game, then no development activities shall be allowed or continue until any such review and authorizations to proceed are received, subject to the approval of the Executive Director.

### **IV. 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 & CONSISTENCY ANALYSIS**

The impending development consists of demolishing two existing batting cages and replacing them with a new 6,172 sq. ft. enclosed batting cage and bullpen facility and expansion of another existing batting cage by 1,019 sq. ft. batting cage (Exhibits 1-3). The project area is located in an area between the Caesar Uyeska baseball stadium and the softball/lacrosse field near the western edge of the main campus of the University of California Santa Barbara.

The area where the new 6,172 sq. ft. batting cages and bullpen facility would be constructed is currently occupied by the existing batting cages, turf for the fields, and a small strip of area vegetated with non-native grasses, myoporum and other non-native shrubs, and five oak trees. All vegetation in the project area, including the five oak trees, were planted for purposes of landscaping around the baseball stadium when it was built in the early 1990's. The University is proposing to demolish the existing batting cages and construct a combination enclosed batting cage/bullpen facility for the university's baseball team. The new batting cage facility would be an open sided structure over a concrete slab enclosed in a 12-foot high chain link fence. The project will also involve electrical connections to new lighting, pitching machines, and other equipment. The project area is already heavily developed with lighting for the baseball fields. In addition to replacement of the batting cages, the University proposes to remove the non-native grasses and shrubs, including myporum, in the project area as part of the project. No oak trees would be removed. The only work proposed within the drip lines of the oak trees (which were previously planted by the University for the purpose of landscaping) onsite includes non-native shrub removal and replacement in place of an existing concrete slab associated with the existing batting cage with a concrete walkway connecting the new batting cages and the existing fields.

In addition to the work described above, the University is proposing to expand another existing batting cage by 1,019 sq. ft. east of the abovementioned facility. The expansion would occur on what is now field turf. The newly expanded batting cage will not have lights or power.

## **B. CONSISTENCY ANALYSIS**

The standard of review for a Notice of Impending Development is consistency with the certified Long Range Development Plan (LRDP). UCSB's LRDP was certified by the Commission in 1990 and 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. The project area is designated for "Recreation" land uses in the 1990 UCSB LRDP. The proposed project, therefore, is consistent with allowable uses under this land use designation, including outdoor playfields, sport facilities, and storage.

The approved LRDP contains several policies related to the protection of environmentally sensitive habitat areas and water quality including Section 30240,

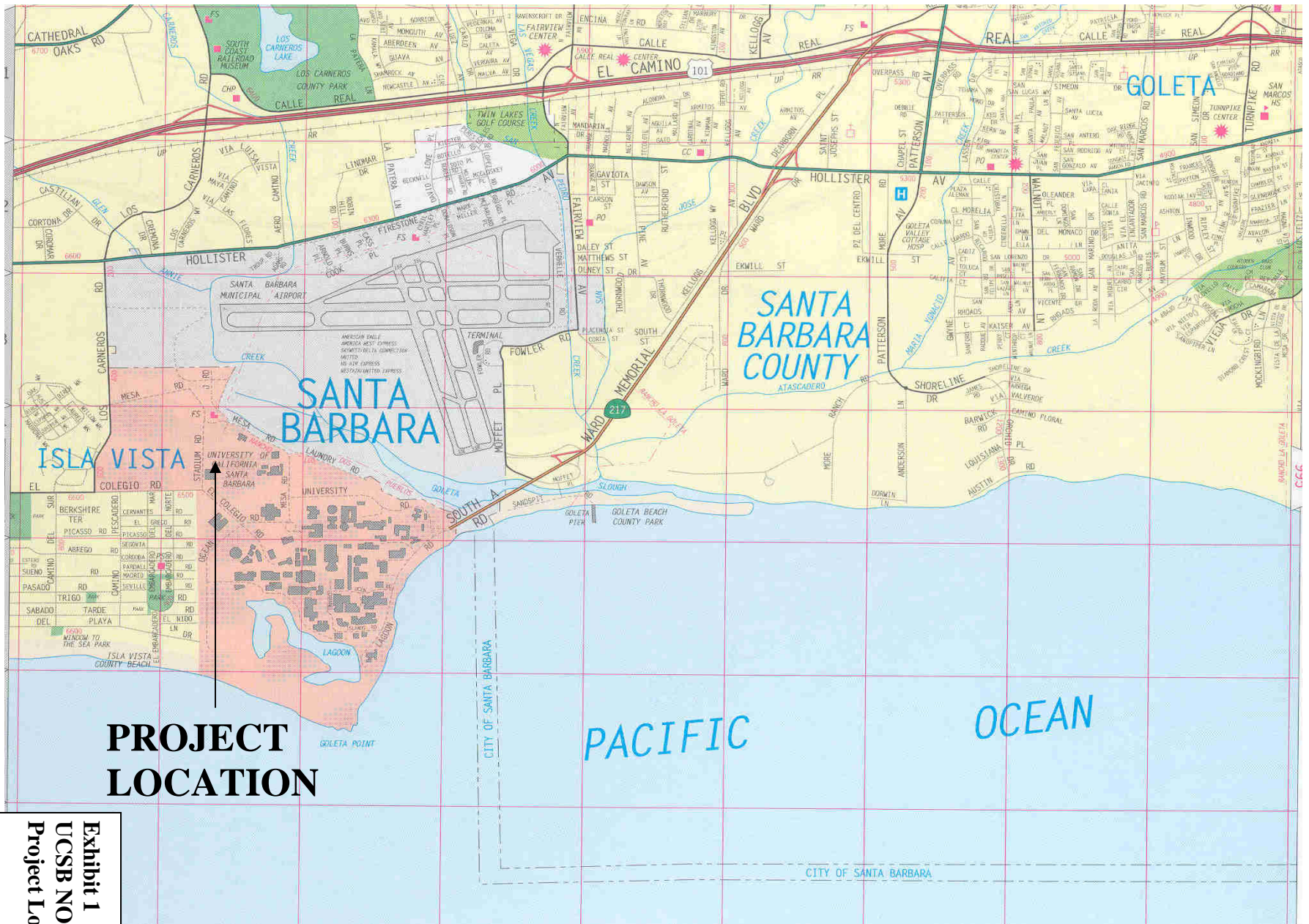
30230, and 30231 of the Coastal Act which have been incorporated into the LRDP by reference. The project area is heavily developed and does not include any previously mapped environmentally sensitive habitat areas. While the project area does contain several oak trees that were planted for the purpose of landscaping around the baseball stadium when it was built, the proposed project will not expand the footprint of any existing development under the canopies of these trees. The University also proposes to place temporary fencing and signs near the previously planted oak trees during construction to prevent unintended disruption of these trees from construction equipment. The project will, however, involve the removal of several invasive myoporum and other non-native species between the baseball stadium and playing fields. It is unlikely, however, that this invasive and non-native vegetation provides habitat for sensitive species, including nesting birds, due to the presence of strong lighting, noise, and commotion associated with the existing stadium and playing fields (which are located on either side of the vegetation). However, it is still possible for avian species to nest in these non-native shrubs. In November 2006, the Commission approved LRDP Amendment 1-06 that included changes and suggested modifications to Policy 30240(a).4 of the 1990 LRDP. The new policy, as amended, reads:

*30240(a).4*

*To preserve roosting habitat for bird species and monarch butterflies, special consideration and care shall be given prior to the removal or trimming of any significant native and non-native trees and shrubs such as eucalyptus, and some pine species that provide habitat for sensitive species. Non-native and native tree and brush species that provide habitat for sensitive species may only be removed or trimmed if their presence inhibits fulfillment of other LRDP objectives such as restoration of native habitat, construction of new structures and infrastructure, and protection of sensitive biological resources and no other less environmentally damaging alternative exists. Eucalyptus trees that are aggregation sites for monarch butterfly shall not be trimmed or removed, except when public health or safety is in jeopardy. Prior to the removal or trimming of any non-native and native tree species that provide habitat for sensitive species, the University shall conduct biological studies to show that the trees do not provide nesting, roosting, or foraging habitat for raptors and sensitive bird species, aggregation or significant foraging sites for monarch butterflies, or habitat for other sensitive biological resources. Prior to the removal of non-native shrubs during the nesting season for sensitive birds (February 15 through August 31) the University shall conduct a biological survey of the shrubs to prevent impacts to nesting sensitive bird species. (Amended 2006 to focus protection to significant habitat and add protection for Monarch butterflies.)*

Therefore, in order to ensure that the proposed project is consistent with Policy 30240(a).4 of the LRDP and that sensitive bird species are not impacted by the proposed project, the Commission requires **Special Condition One (1)** which states that prior to any shrub or tree removal conducted during the nesting season for sensitive birds (February 15-August 31), the University shall conduct biological surveys of the project area to ensure that no sensitive species are present.

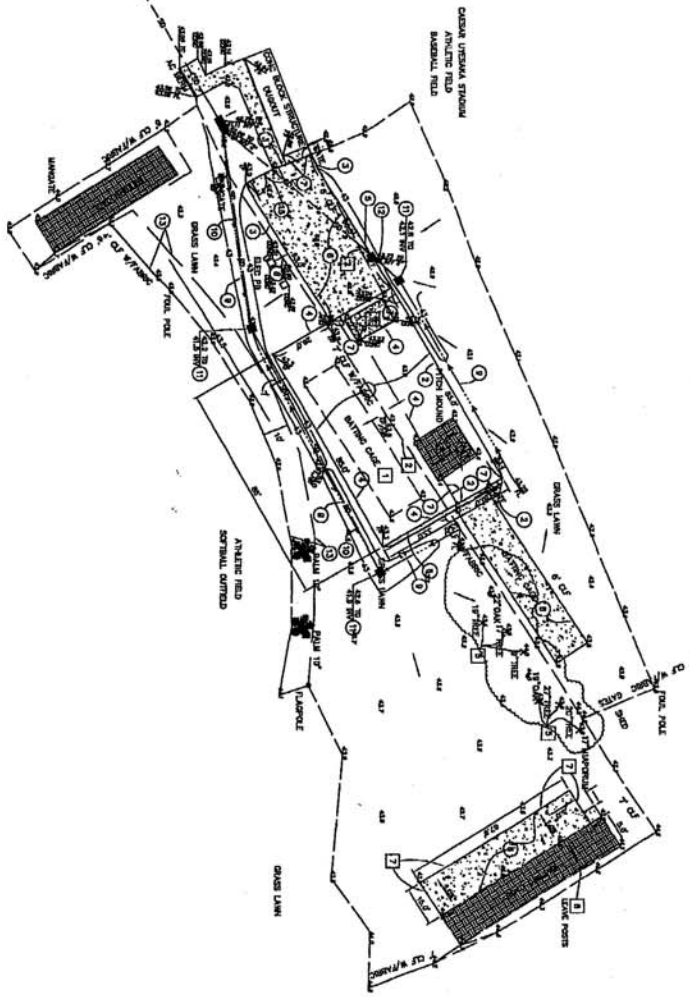
The proposed project, as conditioned, does not raise new policy issues and is consistent with the policies of the LRDP and the Coastal Act.



**PROJECT  
LOCATION**

**Exhibit 1  
UCSB NODD 1-07  
Project Location**

Source: Thomas Brothers Maps, 1998.



- REVISIONS**
- | NO. | DATE     | DESCRIPTION      |
|-----|----------|------------------|
| 1   | 01/23/07 | ISSUE FOR PERMIT |
| 2   | 01/23/07 | ISSUE FOR PERMIT |
| 3   | 01/23/07 | ISSUE FOR PERMIT |
- LEGEND**
- ABBREVIATIONS**
- | SYMBOL | DESCRIPTION        |
|--------|--------------------|
| ○      | AREA SHOWN         |
| ○      | CATCH BASIN/WEIR   |
| ○      | ELECTRIC METER     |
| ○      | POLE OR PILE       |
| ○      | SPRINKLER          |
| ○      | TREE SYMBOL        |
| ○      | NEW CONCRETE SLAB  |
| ○      | NEW CONCRETE FLOOR |
- LINE TYPES**
- | LINE TYPE | DESCRIPTION                     |
|-----------|---------------------------------|
| ---       | EXISTING FENCE                  |
| ---       | EXISTING RETAINING WALL         |
| ---       | EXISTING ROCK CONTAINMENT       |
| ---       | EXISTING IMPEDIMENT CONTAINMENT |
| ---       | NEW DRIVE LANE FENCE            |

- CONSTRUCTION NOTES**
1. CONSTRUCT CONCRETE SLAB AS SHOWN.
  2. CONSTRUCT 4" NEW DRIVE LANE FENCE WITH POSTS, 3" DIA. TYP.
  3. CONSTRUCT 4" NEW DRIVE LANE FENCE WITH POSTS AND CONCRETE WITH POSTS.
  4. CONSTRUCT 12" NEW DRIVE LANE FENCE WITH POSTS AND CONCRETE WITH POSTS.
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- DEMOLITION NOTES**
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  17. DEMOLISH EXISTING CONCRETE SLAB AS SHOWN.

**RECEIVE**

JAN 23 2007

CALIFORNIA  
STATE ARCHIVES  
SACRAMENTO COUNTY DISTRICT

UNIVERSITY OF CALIFORNIA, SANTA BARBARA

BRANNING AND  
DRAINAGE PLAN  
PROPOSED BAITING CAGE

SCALE: 1"=40'

SHEET 01 OF 02

DATE: 01/23/07

PROJECT NO. UCSB-07-001

PROJECT OWNER: UNIVERSITY OF CALIFORNIA, SANTA BARBARA

DESIGNER: PENFOLD & SMITH, INC.

PROJECT NO. UCSB-07-001

DATE: 01/23/07

SCALE: 1"=40'

SHEET 01 OF 02

DATE: 01/23/07

PROJECT NO. UCSB-07-001

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DESIGNER: PENFOLD & SMITH, INC.

PROJECT NO. UCSB-07-001

DATE: 01/23/07

**Exhibit 2**  
**UCSB NOID 1-07**  
**Project Plans**



**Batting cages to be replaced/expanded**

Exhibit 3  
UCSB NOID 1-07  
Aerial Photo