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

W17c

ADDENDUM

DATE: May 5, 2008

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: Agenda Item W17c, Notice of Impending Development NOID 1-08 (El Colegio Road Widening), University of California, Santa Barbara, Santa Barbara County Wednesday, May 7, 2008

The purpose of this addendum is to revise Special Condition 1 regarding construction timing and sensitive bird species surveys to clarify that if raptors or other sensitive bird species are observed to be exhibiting reproductive behavior, construction activities shall cease until a qualified biologist or resource specialist has determined that all chicks have fledged and left the project area.

Note: ~~Strikethrough~~ indicates text to be deleted from the April 18, 2008 staff report and underline indicates text to be added to the April 18, 2008 staff report.

1. **The following changes shall be made to Special Condition 1 on page 4 of the April 18, 2008 staff report:**

   For any construction or tree removal activities between March 1 and August 15, the University shall retain the services of a qualified biologist(s) or environmental resource specialist(s) to conduct raptor and other sensitive bird species surveys and monitor project operations. 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 all project construction and operations shall be carried out consistent with the following:

   A. The environmental resource specialist shall conduct a survey of the project site and a 500-foot area surrounding the project site, to determine presence and behavior of raptors and other sensitive bird species, prior to any construction or tree removal activities. The environmental resource specialist shall update surveys weekly within 500 feet of the proposed project activities.

   B. In the event that any raptors or other sensitive bird species exhibit reproductive or nesting behavior within 500 feet of proposed project activities, the environmental specialist shall require the University to cease work, and shall immediately notify the Executive Director and local, state, and federal

resource agencies. Project activities shall resume only ~~upon written approval of the Executive Director.~~ after an independent qualified biologist or environmental resource specialist determines that fledging has completed and the Executive Director of the Coastal Commission has re-authorized construction activities.

~~C. In the event that any raptors or other sensitive bird 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 relocation program prior to any excavation/maintenance activities to move sensitive species by hand to safe locations elsewhere in the project vicinity 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.~~

~~D.~~ C. The environmental resource specialist shall be present during all tree removal activities. The environmental resource specialist shall require the University to cease work should any breach in compliance occur, or if any unforeseen sensitive habitat issues arise. The environmental resource specialist(s) shall immediately notify the Executive Director if activities outside of the scope of Notice of Impending Development 1-08 occur. If significant impacts or damage occur to sensitive habitats or to wildlife species, the applicants shall be required to submit a revised or supplemental program to adequately mitigate such impacts. Any native vegetation which is inadvertently 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, program shall be processed as an amendment to this coastal development permit.

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W17c

ADDENDUM

DATE: April 25, 2008

TO: Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: Agenda Item W17c, Notice of Impending Development NOID 1-08 (El Colegio Road Widening), University of California, Santa Barbara, Santa Barbara County Wednesday, May 7, 2008

The purpose of this addendum is to add a condition requiring 3:1 mitigation for the removal of non-native trees along El Colegio Road.

Note: ~~Strikethrough~~ indicates text to be deleted from the April 18, 2008 staff report and underline indicates text to be added to the April 18, 2008 staff report.

1. **The following shall be added to the Summary and Staff Recommendation on Page 2 of the April 18, 2008 staff report:**

   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 **~~SIX (6)~~ SEVEN (7) Special Conditions** regarding: 1) construction timing and sensitive bird species surveys; 2) construction fencing; (3) bicycle access; (4) erosion control and best management practices; (5) removal of excess excavated material; ~~and~~ (6) oak tree mitigation; and (7) non-native tree mitigation. The project is consistent with all resource protection policies and provisions of the Long Range Development Plan. See associated Motion and Resolution below on page 3. The standard of review for the proposed NOID is consistency with the policies of the certified LRDP.

2. **The following shall be added as a Special Condition on page 8 of the April 18, 2008 staff report:**

   7. Non-Native Tree Mitigation

   (1) Prior to commencement of construction, the applicant shall submit, for the review and approval of the Executive Director, a tree replacement planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, tree or seedling size planting specifications, and a ten-year monitoring program with specific

performance standards to ensure that the replacement planting program is successful. Mature non-native trees, removed for implementation of the subject project pursuant to Notice of Impending Development 1-08 shall be replaced with locally native trees selected for maximizing benefits to local and migratory wildlife, in consultation with the California Department of Fish and Game at a ratio of three new trees planted for each mature tree removed. The new trees shall be planted within the vicinity of the project site, on Storke Campus, and/or Main Campus. The new plantings shall be in addition to any other plantings previously required for other approved projects, and shall be in addition to any other plantings UCSB has undertaken previously for any purpose. Priority shall be given to tree species that provide food or shelter for local or migrating wildlife. Invasive, non-indigenous plant species that tend to supplant native species shall not be used.

(2) The applicant shall commence implementation of the approved tree replacement planting program concurrently with the commencement of construction on the project site. An annual monitoring report on the tree replacement area shall be submitted for the review and approval of the Executive Director for each of the 10 years. If monitoring indicates the replacement trees are not in conformance with or has failed to meet the performance standards specified in the monitoring program approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental planting plan for the review and approval of the Executive Director. The revised planting plan shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

Reason for change:

Although the 30 trees proposed for removal along El Colegio Road are non-native, they still provide potential foraging, nesting, and roosting habitat for raptors and other sensitive bird species. In order to offset the impact of tree removal on wildlife, Special Condition Seven has been added to require the University to provide 3:1 mitigation for the loss of these trees by planting 3 native tree species within the vicinity of the project site for every 1 non-native tree removed. Furthermore, in order to minimize the temporal impacts associated with removing these trees, the replacement trees will be planted concurrently with construction activities.

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W17c

DATE: April 18, 2008

TO: Commissioners and Interested Persons

FROM: Jack Ainsworth, Deputy Director
Steve Hudson, South Central Coast District Manager
Jenn Feinberg, Coastal Program Analyst

SUBJECT: **Notice of Impending Development (NOID) 1-08,** for the El Colegio Road Widening Project, for Public Hearing and Commission Action at the May 7, 2008, Commission Meeting in Marina Del Rey.

SUMMARY AND STAFF RECOMMENDATION

The impending development involves widening a 2,980-foot-long section of El Colegio Road between Stadium Road and Camino del Sur and widening an 830-foot-long section of Los Carneros Road north of its intersection with El Colegio Road, on Storke Campus at the University of California, Santa Barbara (UCSB). The widening would include the creation of new vehicle travel lanes, concrete curbs, gutters, a Class II bike lane, and bus pullouts, requiring 6,500 cubic yards of cut grading, 1,500 cubic yards of fill, and the export of 5,000 cubic yards of material. The proposed project would also involve the installation of a 136-foot-long, 18-inch-in-diameter stormwater drain line to direct stormwater runoff from the widened portion of El Colegio Road to the existing San Clemente Stormwater Management System (SMS) near the intersection of El Colegio and Los Carneros Roads. The project would result in the removal of 30 non-native trees and one native Coast live oak tree that is in poor condition and is a safety hazard to pedestrians and bicyclists. The purpose of the project is to address existing deficiencies in the operation of the roadway, to accommodate vehicle traffic generated by the San Clemente Housing project, and to accommodate traffic resulting from future development at UCSB and in the Isla Vista and Goleta areas.

Special conditions have been included herein to minimize impacts from the proposed project on biological resources and water quality, including requiring the applicant to: avoid construction and tree removal activities during bird breeding season; conduct pre-construction bird surveys should construction activities be necessary during bird breeding season; install fencing around sensitive habitat areas; implement erosion control measures and best management practices; install a stormwater cleaning device to treat roadway runoff; and provide oak tree removal mitigation.

As conditioned, the proposed impending development would not have an adverse impact on sensitive habitats, water quality, or public access during or after construction and is therefore consistent with the certified UCSB Long Range Development Plan and Chapter 3 of the Coastal Act.

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 April 10, 2008.

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 **SIX (6) Special Conditions** regarding: 1) construction timing and sensitive bird species surveys; 2) construction fencing; (3) bicycle access; (4) erosion control and best management practices; (5) removal of excess excavated material; and (6) oak tree mitigation. The project is consistent with all resource protection policies and provisions of the Long Range Development Plan. See associated Motion and Resolution below on page 3. The standard of review for the proposed NOID is consistency with the policies of the certified LRDP.

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EXHIBITS

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 about the nature 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 1-08: APPROVAL AS CONDITIONED

MOTION I: ***I move that the Commission determine that the development described in the Notice of Impending Development 1-08 (El Colegio Road Widening Project), as conditioned, 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 1-08 as conditioned, 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 1-08, as conditioned, 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. Construction Timing and Sensitive Bird Species Surveys.

For any construction or tree removal activities between March 1 and August 15, the University shall retain the services of a qualified biologist(s) or environmental resource specialist(s) to conduct raptor and other sensitive bird species surveys and monitor project operations. 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 all project construction and operations shall be carried out consistent with the following:

A. The environmental resource specialist shall conduct a survey of the project site and a 500-foot area surrounding the project site, to determine presence and behavior of raptors and other sensitive bird species, prior to any construction or tree removal activities. The environmental resource specialist shall update surveys weekly within 500 feet of the proposed project activities.

B. In the event that any raptors or other sensitive bird 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 raptors or other sensitive bird 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 relocation program prior to any excavation/maintenance activities to move sensitive species by hand to safe locations elsewhere in the project vicinity 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.

D. The environmental resource specialist shall be present during all tree removal activities. The environmental resource specialist shall require the University to cease work should any breach in compliance occur, or if any unforeseen sensitive habitat issues arise. The environmental resource specialist(s) shall immediately notify the Executive Director if activities outside of the scope of Notice of Impending Development 1-08 occur. If significant impacts or damage occur to sensitive habitats or to wildlife species, the applicants shall be required to submit

a revised, or supplemental program to adequately mitigate such impacts. Any native vegetation which is inadvertently 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, program shall be processed as an amendment to this coastal development permit.

2. Construction Fencing.

Prior to the commencement of construction activities on Los Carneros Road, the applicant shall install highly visible temporary construction fencing and signage around the mapped Southern tarplant areas east of Los Carneros Road.

3. Bicycle and Pedestrian Access.

Bicycle and pedestrian access within the project site shall remain open and accessible during all phases of project implementation.

4. Erosion Control and Best Management Practices.

A. Erosion Control Measures

Prior to the commencement of any construction activities, the applicant shall implement erosion control measures and best management practices generally in conformance with the erosion control plans on Sheets C801 through C811 of the plans entitled, "Construction Plans for El Colegio Road Improvement Project," dated March 5, 2008, in order to protect water quality of adjacent wetlands, Goleta Slough, and coastal waters.

The applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps), temporary drains and 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 measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained through out 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.

The applicant shall also implement temporary erosion control measures should grading or site preparation cease for a period of 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. All disturbed areas shall be seeded with native grass species and include the technical specifications for

seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.

B. Best Management Practices

The University shall comply with the following demolition/construction-related requirements:

(1) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.

(2) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, wetlands or their buffers.

(3) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.

(4) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

(5) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.

(6) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.

(7) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility.

(8) All stock piles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.

(9) Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.

(10) The discharge of any hazardous materials into any receiving waters shall be prohibited.

(11) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.

(12) Best Management Practices (BMPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity.

(13) All BMPs shall be maintained in a functional condition throughout the duration of the project.

C. Stormwater Cleaning Device

The applicant shall install a mechanical stormwater cleaning device (consistent with the CDS system proposed in the NOID application) within the drain line that diverts runoff from El Colegio Road to the San Clemente stormwater basins that includes technology to capture total suspended solids, sediments, oils, greases, trash, and debris under high flow rate conditions.

5. Removal of Excess Material.

Prior to commencement of construction activities, the applicant shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated material from the site. If the disposal site is located in the Coastal Zone, the disposal site must have a valid NOID for the disposal of fill material. If the disposal site does not have a NOID, such a NOID will be required prior to the disposal of material.

6. Oak Tree Mitigation

Prior to commencement of construction, the applicant shall submit, for the review and approval of the Executive Director, an oak tree replacement planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, tree or seedling size planting specifications, and a ten-year monitoring program with specific performance standards to ensure that the replacement planting program is successful. At least 10 replacement seedlings, less than one year old, grown from acorns collected in the area, shall be planted within the immediate vicinity of the project site (e.g., East Storke Wetlands, San Clemente Housing restoration area), as mitigation for the removal of the large Coast live oak tree adjacent to the intersection of El Colegio and Stadium Roads.

The applicant shall commence implementation of the approved oak tree replacement planting program concurrently with the commencement of construction on the project site. An annual monitoring report on the oak tree replacement area shall be submitted for the review and approval of the Executive Director for each of the 10 years. If monitoring indicates the oak trees are not in conformance with or has failed to meet the performance standards specified in the monitoring program approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental planting plan for the review and approval of the Executive Director. The revised planting plan shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

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 & BACKGROUND

El Colegio Road is an east-west two and four-lane arterial roadway that provides access to the community of Isla Vista and UCSB Main Campus **(Exhibit 1**). The project area is surrounded by development including the Main Campus of UCSB to the east, Isla Vista to the south, and Santa Ynez Apartments to the west.

The impending development involves widening portions of El Colegio and Los Carneros Road and includes: (1) widening a 2,200-foot-long section of the northern portion of El Colegio Road, from Stadium Road to Los Carneros Road to create a new concrete curb and gutter, a new 8-foot-wide Class II bike lane, two new 3-foot-wide, 50-foot-long bus pullouts, and two 12-foot-wide, west-bound travel lanes; (2) construction of a 13-foot-wide, 380-foot-long, right turn lane (in addition to the two new travel lanes) on El Colegio at its intersection with Los Carneros Road and reduction of the 8-foot-wide Class II bike lane to a 4-foot-wide intersection crossing lane; (3) widening 830 feet of the eastern portion of Los Carneros Road from its intersection with El Colegio Road to create a 5-foot-wide parkway, concrete curb and gutter, a new 6-foot-wide, Class II bike lane, a new 12-foot-wide northbound travel lane and a portion of a new southbound travel lane (a portion of the existing 10-foot-wide Class I bike path would be reconfigured in this location to accommodate new lane construction); and (4) widening of a 760-foot-long section of El Colegio Road, west of Los Carneros Road, to create a new concrete curb and gutter, transition the 4-foot-wide Class II bike path back to 8 feet wide, construct one 3-foot-wide, 50-foot-long bus pullout, and two new 12-foot-wide west-bound travel lanes that taper to one lane to match the existing conditions. Road widening activities would result in 6,500 cubic yards of cut grading, 1,500 cubic yards of fill, and the export of 5,000 cubic yards of material (**Exhibit 2**).

The proposed project would also involve the installation of a 136-foot-long, 18-inch-in-diameter storm water drain line to direct stormwater runoff from El Colegio Road to the existing San Clemente Stormwater Management System (SMS) near the intersection of El Colegio and Los Carneros Roads. The drain line would be installed beneath the existing bicycle and pedestrian pathways and would not impact any sensitive habitat areas. In order for the SMS to accommodate the additional runoff, 13 cubic yards of gravel would be removed from the berm of the most upstream basin. Gravel on this berm is held in a gabion cage and would be removed by hand and disposed of within a construction waste recycling center. No vegetation would be removed as a result of this project component.

Ruderal habitat is present along the northern side of El Colegio Road within the project area and consists of unimproved dirt areas, landscaped areas, mowed grass, and a

Class I bicycle path. Wetland habitat, Southern tarplant areas, and the San Clemente Housing Development and associated stormwater basins are located to the north of El Colegio Road and to the east of Los Carneros Road. A Class I bicycle path also lies on the eastern side of Los Carneros Road. 30 non-native trees and 1 diseased oak tree lie within the project area and are proposed to be removed as part of the project. Construction associated with the proposed project would not impact the wetlands or Southern tarplant areas adjacent to the project site.

The primary purpose of the project is to improve circulation and accommodate traffic generated by the San Clemente Graduate Student Housing project, which is currently under construction and is expected to be completed by September 2008. The proposed road widening would also accommodate traffic that would result from future development on the UCSB campus and within the Isla Vista and Goleta communities. As a result of the proposed project, El Colegio Road would transition from a two-lane road with center turn pockets to a four-lane road with planted medians, traffic signals, and left turn lanes. The current level of service (LOS) along this stretch of El Colegio Road ranges from "E" to "F" during peak hours. Road widening improvements are anticipated to bring the LOS to "C".

Overall Project

The proposed development is part of a larger project to improve El Colegio Road, involving a joint effort between UCSB and Santa Barbara County. Phase I of the larger project involves roadway improvements from Stadium Road west to Camino Del Sur and includes the work proposed as part of this NOID. Phase II of the larger project involves roadway improvements along the 0.25-mile stretch of El Colegio Road west of Camino Del Sur, which would be the subject of a future NOID.

The portions of El Colegio Road that would be improved through Phase I of the project, including the subject development, are bisected by the jurisdictions of both UCSB and Santa Barbara County. The northern portion of the roadway is within the jurisdiction of UCSB, while the southern portion of the roadway is within the County's jurisdiction. The Commission received a Notice of Final Action from Santa Barbara County on April 18, 2008 for those portions of the proposed roadway improvements that would be implemented within the County's jurisdiction. NOID 1-08 would address the remaining portions of the roadway improvements that lie within UCSB's jurisdiction.

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, water quality, and public access.

Environmentally Sensitive Habitat Areas and Water Quality

Section 30240 of the Coastal Act, which has been included as part of the University's certified LRDP, states that environmentally sensitive habitat areas (ESHAs) shall be protected and requires that development in areas adjacent to ESHA be sited and designed to prevent impacts that would significantly degrade such areas. ESHA are defined as areas in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. Additionally, the LRDP contains several polices that address sensitive resources. Policy 30240(a).4 states that special consideration and care shall be given prior to the removal or trimming of any significant native and non-native trees in order to protect nesting, roosting, or foraging habitat for raptors and sensitive bird species. Policy 30251.7 of the LRDP requires trees to be retained to the maximum extent feasible to preserve existing native and significant stands of trees. Policy 30240(b).24 of the LRDP states that ESHA on campus shall be protected and that all new development shall be set back a sufficient distance from ESHA to ensure protection of sensitive biological resources.

Sections 30230 and 30231 of the Coastal Act, which have also been included as part of the University's LRDP, mandate that marine resources and coastal water quality be maintained and where feasible restored and that uses of the marine environment be carried out in a manner that will sustain biological productivity and quality of coastal waters. Furthermore, the LRDP contains several additional policies that require the protection of water quality. Policy 30231.1 of the LRDP requires that wetlands and coastal waters be protected from increased sedimentation or contamination associated with new development. Policy 30231.2 of the LRDP states that projects shall be designed to minimize soil erosion and, where possible, to direct surface runoff away from coastal waters, ESHA, and wetlands. Policy 30231.3 of the LRDP states that drainage and runoff shall not adversely affect the Campus wetlands and that pollutants shall not be allowed to enter wetlands through drainage systems.

Sensitive Bird Species & Tree Removal

The impending development involves the widening of a 2,980-foot-long section of El Colegio Road and an 830-foot-long section of Los Carneros Road. In order to widen these roadways, it would be necessary to remove 30 non-native trees (acacias, casuarinas, and eucalyptus) and one native Coast live oak tree **(Exhibit 3**). The majority of the trees proposed for removal are not native trees or significant stands of trees that pre-date the establishment of the University, with the exception of the Coast live oak. The oak tree is not part of a larger stand of oak woodland and is located in close proximity to the intersection of El Colegio and Stadium Roads, with a bicycle pathway running along its northern side and a pedestrian foot path to the south. An arborist report prepared for the project indicates that the oak tree proposed for removal is in poor condition and cannot be improved through arboricultural practices. The report further states that this tree presents a significant and eminent danger to pedestrians, bicyclist and vehicular traffic and recommends immediate removal.

Although the oak tree is in poor condition and is not part of a larger stand of oak woodland, individual oak trees do provide some habitat for a wide variety of wildlife species. Given the importance of oak woodlands and individual oak trees, even those that have been disturbed or fragmented by development, the Commission has consistently required, through past permit actions, that new development avoid the removal of oak trees, unless there is no feasible alternative for siting or designing the project. If it is determined that the proposed development cannot feasibly avoid the removal of oak trees, the Commission has required mitigation to offset this impact. The oak tree mitigation that the Commission has required is the planting of replacement trees, at a ratio of at least ten seedlings for every tree impacted.

The Commission has found, through permit actions, that replacement trees, particularly oak trees, are most successfully established when the trees are seedlings or acorns. Many factors over the life of the restoration can result in the death of the replacement trees. In order to ensure that adequate replacement is eventually reached, it is necessary to provide a replacement ratio of at least ten replacement trees for every tree removed or impacted to account for the mortality of some of the replacement trees.

44 new Southern live oak canopy trees are proposed to be planted within the roadway median. This component of the project falls within the jurisdiction of Santa Barbara County and would be implemented after the UCSB portion of the project, which is the subject of this NOID, has been completed. Although these trees would provide additional oak tree habitat and would adequately meet the Commission's 10:1 oak tree replacement mitigation ratio, they would be planted as mature trees and not as seedlings and would be planted within the median of a frequently traveled roadway. Based on these factors, there is a potential that these trees would not survive or thrive in this location.

Generally, the Commission requires that mitigation for oak trees be implemented within the project site where the removal has occurred. However, given that the project site is a roadway within a highly urbanized area, planting oak seedlings within a less developed area would provide increased habitat values over trees planted with the median or along the road shoulders. There are several areas within the immediate vicinity of the project site where oak tree mitigation would be more appropriate, including the East Storke Wetlands or the San Clemente Housing restoration area.

In order to ensure that removal of the Coast live oak is sufficiently mitigated consistent with Policy 30251.7 of the LRDP, **Special Condition Six (6)** has been included to require that the applicant plant at least 10 replacement seedlings, less than one year old, grown from acorns collected in the area, within the immediate vicinity of the project site.

In addition to the removal of one oak tree, 30 non-native trees along the roadway are proposed to be removed. There are no identified active nesting areas for raptors or other sensitive bird species in these trees. However, trees in urban areas have the potential to provide habitat for nesting, roosting, and foraging for raptors and other sensitive bird species.

Due to the fact that all of the trees proposed for removal have the potential to provide habitat for sensitive bird species, it is necessary to ensure that nesting bird species are protected during construction activities. **Special Condition One (1)** has been included to require that should construction activities be scheduled between March 1 and August 15 (bird breeding season), a qualified biologist shall conduct pre-construction bird surveys to determine whether nesting or breeding behavior is occurring and prohibit any construction activities within 500 feet of any nesting or breeding birds.

Environmentally Sensitive Habitat Areas

The 1990 LRDP does not designate any ESHA within or adjacent to the project site. However, surveys conducted for the San Clemente Housing Project (NOID 2-04, LRDPA 1-04) identified both wetlands and Southern tarplant areas in locations east of Los Carneros Road and north of El Colegio Road, just west of San Clemente Housing **(Exhibit 4).** The wetland areas were identified as three depressional freshwater marsh areas that collect runoff and irrigation from the adjacent mowed grassland areas and Storke Field. These areas are separate from the area known as "Storke Wetlands" located to the north and qualify as ESHA.

Southern tarplant is a special-status plant species listed by the California Native Plant Society as rare, threatened, or endangered in California and elsewhere. It is often found in disturbed sites near the coast and alkaline soils and typically blooms from May through November. Due to the rare and sensitive nature of this species, in combination with the density and distribution of the population, the contiguous areas of Southern tarplant adjacent to the San Clemente Housing Project were determined to be ESHA by the Commission's biologist.

The proposed impending development would occur more than 100 feet away from the ESHAs of Southern tarplant and wetlands adjacent to the project site. Although construction activities are not proposed to occur within 100 feet of the Southern tarplant ESHA, the roadway improvements on the eastern side of Los Carneros Road would be conducted in close proximity to this sensitive plant species, thus creating the potential for unexpected disturbance. To minimize impacts associated with grading and other construction activities on the Southern tarplant areas, **Special Condition Two (2)** has been included to require the applicant to install highly visible temporary construction fencing and signage around the mapped Southern tarplant areas east of Los Carneros Road prior to construction in this area.

Water Quality

Construction of the roadway improvements on El Colego and Los Carneros Roads would involve 6,500 cubic yards of cut grading and 1,500 cubic yards of fill. Activities during construction have the potential to adversely impact coastal water quality. In order to minimize impacts to coastal water quality during construction activities, **Special Condition Four (4)** requires the applicant to implement erosion control measures and best management practices prior to construction, such as sediment traps, barriers,

covers, or other methods that will reduce erosion and sedimentation due to stormwater runoff, consistent with the plans submitted as part of the NOID application.

Grading associated with road widening would result in the need to export 5,000 cubic yards of fill material. In order to ensure that the excess cut material does not have direct or indirect impacts on water quality or adjacent ESHA, either through direct placement or through erosion of excess material from the project site, **Special Condition Five (5)** has been included to require that the applicant provide evidence of the location of the disposal site of all excess excavated material from the site.

In addition to grading, the proposed development would involve the installation of a drain line to divert runoff from El Colegio Road to the existing San Clemente Stormwater Management System (SMS). The SMS was approved by the Commission in 2005, through LRDP Amendment LRDPA 1-04 and Notice of Impending Development 2-04, as part of the San Clemente Housing Project on Storke Campus. The purpose of the SMS was to infiltrate stormwater associated with the San Clemente residences. The SMS was designed to collect runoff from the housing site through a system of catch basins and underground pipes and then convey it to a series of four infiltration basins or bioswales. After runoff water reached the final basin, it would be conveyed by an underground pipe to a drainage channel located east of Los Carneros Road and would ultimately be discharged to Goleta Slough and then to the Pacific Ocean.

As mentioned above, the San Clemente SMS was designed to receive runoff from the associated housing development. It was anticipated that runoff from that development would generally be limited to water flowing from parking lots and building structures such as rooftops. Diverting runoff from El Colegio Road into these stormwater basins has the potential to adversely impact coastal water quality due to increased runoff levels associated with an increase in impervious surfaces (as a result of the placement of approximately 83,400 square feet of new asphalt concrete pavement) and the introduction of additional pollutants associated with vehicles including petroleum, oil, and greases. These pollutants, together with sediment, trash, and other debris, all have the potential to significantly degrade the quality and biological productivity of Goleta Slough and coastal waters when roadway runoff is diverted into the basins of the SMS.

Although the purpose and function of the SMS is to remove sediment and contaminants from runoff prior to it being discharged to coastal waters, it is possible that runoff from El Colegio Road, which may have higher levels of pollutants and contaminants as a result of vehicular activity, could adversely impact coastal waters adjacent to the project site. In order to ensure that runoff from El Colegio Road is treated prior to being discharged into the basins and subsequently into Goleta Slough, **Special Condition Four (4)** has been included to require the applicant to install a mechanical stormwater cleaning device within the drain line prior to its discharge into the stormwater basin, that includes technology to capture total suspended solids, sediments, oils, greases, trash, and debris under high flow rate conditions.

It is anticipated that the proposed project would increase runoff by approximately 10 cfs during a 25-year storm. In order to accommodate the additional drainage runoff within

the basins, 13 cubic yards of gravel would be removed the existing gabion cage that forms the berm of the most upstream basin. This gravel material would be removed by hand and disposed of at a construction waste recycling center. Water quality within the basins would not be impacted by reducing the berm height through gravel removal.

For the reasons described above, the Commission finds that the Notice of Impending Development, as conditioned, is consistent with the applicable LRDP policies with regards to environmentally sensitive habitat areas, wetland areas, other sensitive resources, and water quality.

Public Access

Sections 30210, 30211, and 30212 of the Coastal Act, which have been included as part of the certified LRDP, require protection of public access in coastal areas. Additionally, the LRDP contains several polices that address public access on the UCSB campus. Policy 30210.15 requires the maintenance and improvement of bicycle and pedestrian access-ways to the beach. Policy 30211.1 states that motor vehicle traffic generated by new development shall not restrict or impede public access to or along the coast by exceeding the roadway capacity of existing coastal access routes.

El Colegio Road is one of the primary vehicular routes to access the coastal areas along UCSB Campus and Isla Vista. Currently, traffic volumes on the two-lane segments of El Colegio Road east and west of Los Carneros Road exceed Santa Barbara County's roadway design capacity standards. The intersections of El Colegio Raod with Los Carneros Road, Camino Pescadero, and Embarcadero Del Norte operate at level of service "F," "F," and "E" respectively, during the P.M. peak hour period.

The new residences constructed as part of the San Clemente Housing Project would result in the generation of additional vehicle trips through Campus and the community of Isla Vista. Widening El Colegio Road would address existing deficiencies in the operation of the roadway, accommodate vehicle traffic generated by the San Clemente Housing project, and accommodate traffic resulting from future development at UCSB and in the Isla Vista and Goleta areas. The proposed impending development would improve vehicle traffic on an important coastal route that currently exceeds capacity. Improving traffic and circulation conditions on El Colegio Road would improve the public's ability to access the coast using this roadway.

Class I bicycle path currently exists on the northern side of El Colegio Road, extending from Storke Road east to Main Campus. Additionally, a Class I bicycle path currently exists along the entire east side and portion of the west side of Los Carneros Road. These paths are part of the extensive bicycle network for the UCSB Campus that is designated in the 1990 LRDP. Improvements to the Class I bicycle path along El Colegio Road adjacent to San Clemente housing will be conducted as part of the San Clemente Housing Project (NOID 2-04) and will be completed prior to any construction activities associated with the impending development in NOID 1-08. The El Colegio

Road widening project would not have any adverse impacts on this pathway and bicycle access would be maintained throughout the duration of the proposed project.

In order to accommodate road widening, the Class I bicycle pathway along the eastern side of Los Carneros Road would be relocated between 10 to 14 feet to the east for approximately 540 feet where it would then reconnect with the existing bike path. The relocated bike path would be constructed prior to any road widening activities and once the new path is constructed, the old path would be removed. By constructing the new bike pathway prior to initiating road widening, bicycle access through this location would be available at all times.

In addition to maintaining the existing bike paths through the project site, the proposed impending development would result in the installation of a new Class II bike lane along the northern side of El Colegio Road. This lane would be striped on the existing roadway and would provide additional bike access within this highly traveled location.

Pedestrian sidewalks exist on both sides of El Colegio and Los Carneros Roads. These sidewalks would remain available at all times during construction.

Although the applicant has indicated that there would be no impact to any bicycle or pedestrian pathways within the project site, **Special Condition Three (3)** has been included to ensure that bike and pedestrian access within the project site remain open and accessible during all phases of project implementation.

For the reasons discussed above, the Commission finds that the impending development, as proposed, is consistent with the policies of the certified LRDP regarding public access.

EXHIBIT 1

NOID 1-08

Vicinity Map

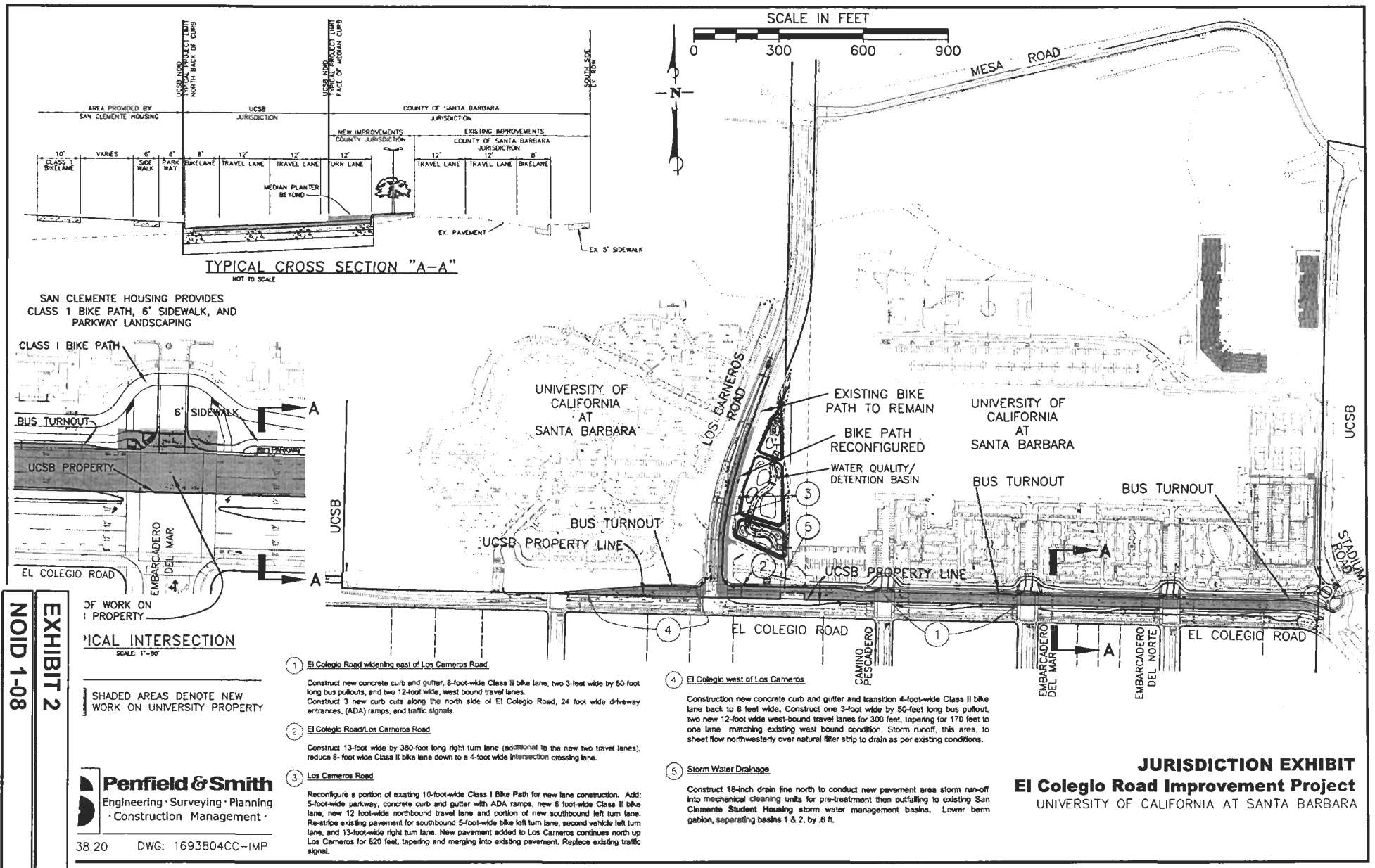
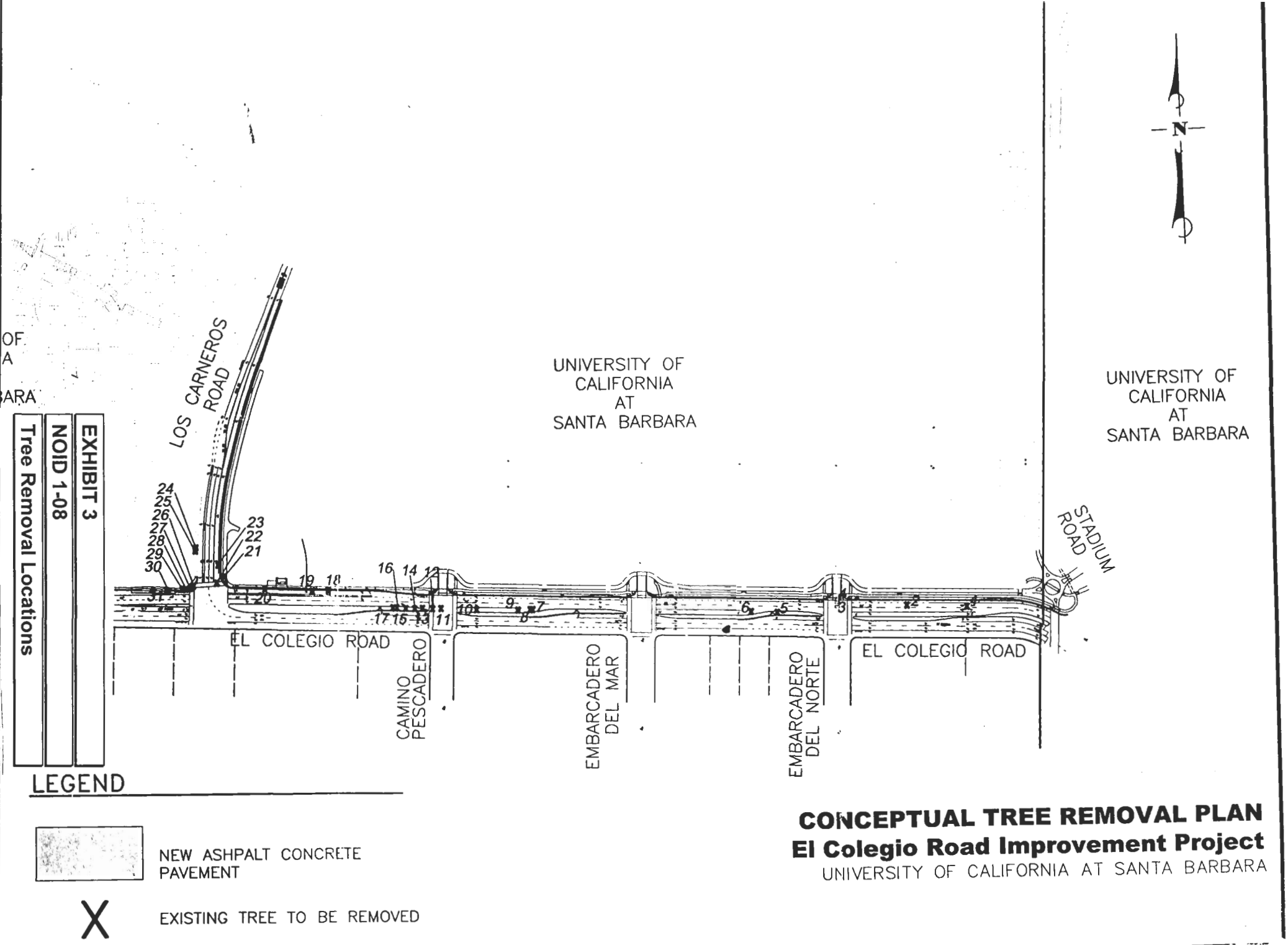


EXHIBIT 2

NOID 1-08

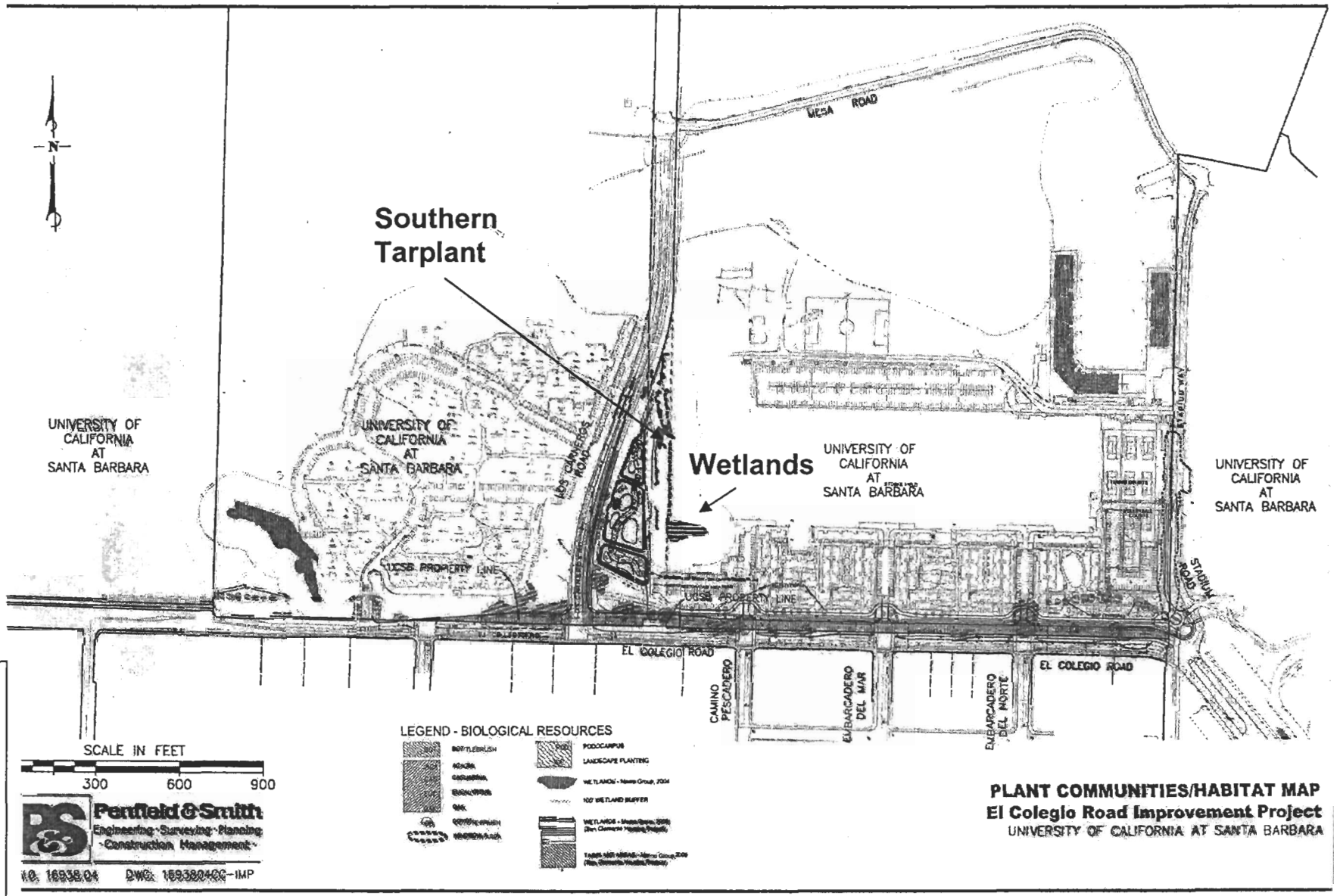
Site Plan



CONCEPTUAL TREE REMOVAL PLAN

El Colegio Road Improvement Project

UNIVERSITY OF CALIFORNIA AT SANTA BARBARA



PLANT COMMUNITIES/HABITAT MAP
El Colegio Road Improvement Project
UNIVERSITY OF CALIFORNIA AT SANTA BARBARA

EXHIBIT 4
NOID 1-08
Habitat Map