

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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W11e



Prepared December 18, 2008 (for January 7, 2009 hearing)

To: Coastal Commissioners and Interested Persons

From: Dan Carl, District Manager
Susan Craig, Coastal Planner

Subject: Final Coastal Commission Certification Review for the UCSC Marine Science Campus Coastal Long Range Development Plan (CLRDP)

On December 13, 2007 the Coastal Commission approved, with suggested modifications, the University of California at Santa Cruz (UCSC) Coastal Long Range Development Plan (CLRDP) for an expanded Marine Science Campus at Terrace Point in the City of Santa Cruz. Subsequently, on April 11, 2008 the Commission adopted revised findings in support of its December 2007 action, and on May 9, 2008 the Commission extended the deadline for the University to accept the Commission's suggested modifications until June 13, 2009.

The University has recently completed its efforts to modify the CLRDP as approved by the Commission, and has transmitted its final CLRDP to the Commission for certification (see Exhibits A and B). The completed final CLRDP is the culmination of a rigorous University planning process that has unfolded over the past decade; a planning process characterized by close coordination between University and Commission staff that bodes well for the success of CLRDP implementation in the future.

The Executive Director has determined that the actions taken by the University are legally adequate and that the CLRDP should be certified. The Executive Director recommends that the Commission concur with this determination. If the Commission concurs, the CLRDP will be certified as of today's date (i.e., January 7, 2009), and notification of this certification and Commission concurrence will be forwarded to the University.

Motion. I move that the Commission concur with the Executive Director's determination that the actions taken by the University of California to accept the Commission's suggested modifications for the UCSC CLRDP are legally adequate.

Executive Director's Recommendation. The Executive Director recommends a **YES** vote on the motion. Passage of this motion will result in certification of UCSC CLRDP as directed by the Commission's approval with suggested modifications; the UCSC CLRDP will be certified as of today's date (i.e., January 7, 2009). The motion passes only by affirmative vote of a majority of the Commissioners present.

Exhibits

Exhibit A: UC's December 17, 2008 acceptance of the Coastal Commission's suggested modifications for the UCSC CLRDP

Exhibit B: Final UCSC CLRDP (on disc – hard copies are available for public review at the Coastal Commission's Central Coast District



Office, and will be available for review at the January 7, 2009 hearing)





RECEIVED

DEC 18 2008

OFFICE OF THE EXECUTIVE VICE PRESIDENT —
BUSINESS OPERATIONS

CALIFORNIA
COASTAL COMMISSION
CENTRAL COAST AREA

OFFICE OF THE PRESIDENT
1111 Franklin Street
Oakland, California 94607-5200
510/987-9029

December 17, 2008

EXECUTIVE VICE PRESIDENT LAPP

**ACTION UNDER EXECUTIVE VICE PRESIDENTIAL AUTHORITY - ACCEPT
MODIFICATIONS REQUIRED BY THE CALIFORNIA COASTAL COMMISSION AS A
CONDITION OF APPROVAL OF THE UC SANTA CRUZ MARINE SCIENCE CAMPUS
COASTAL LONG RANGE DEVELOPMENT PLAN**

Dear Katie:

It is recommended that, the suggested modifications adopted by the California Coastal Commission (Commission) in connection with its approval of the UC Santa Cruz Marine Science Campus Coastal Long Range Development Plan (CLRDP), be accepted by you on behalf of the Regents.

The Commission's modifications represent refinements to the CLRDP as approved by The Regents on September 24, 2004 (Attachment 1), and as later revised by the Vice President for Budget on November 29, 2006 (Attachment 2), pursuant to The Regents' September 24, 2004 delegation of authority, which authorized "the President or designee to modify the CLRDP, if required, in response to comments received from the California Coastal Commission, provided that any substantial changes in principles or policies of the CLRDP would be brought to The Regents for approval" (Attachment 1: Committee on Grounds and Buildings, Action Item 108, Item for Action 6).

Subsequent to the November 29, 2006 revisions, the Commission formally approved the CLRDP as consistent with the policies of the California Coastal Act on the condition that specified "suggested modifications" be incorporated. The Commission's suggested modifications – as described below – do not substantially change the principals or policies of the CLRDP as approved by The Regents in September 2004, as modified by the Vice President for Budget on November 24, 2008. The Commission requires a formal acceptance by the University of the suggested modifications for the CLRDP to become effective. The campus therefore requests the Executive Vice President on behalf of The Regents, to accept the suggested modifications.

Background

In the spring of 1999, UC Santa Cruz acquired 57 acres of coastal terrace lands adjacent to the existing 16-acre UCSC Long Marine Laboratory and 25-acre NRS Younger Lagoon Reserve. The existing Long Marine Laboratory property, the NRS Younger Lagoon Reserve and the newly-acquired 57 acres are located wholly within the designated Coastal Zone and therefore all development on the property is subject to the approval of the California Coastal Commission. To

CCC Exhibit A
(page 1 of 6 pages)

facilitate land use planning and development to meet the academic and research objectives of the UCSC Long Marine Laboratory (to which the newly acquired lands were added and thereafter collectively referred to as the Marine Science Campus) UCSC initiated the planning process for a Coastal Long Range Development Plan (CLRDP) in Fall 1999.

In September 2004, The Regents certified an EIR (SCH# 2001112014) and approved the CLRDP. The CLRDP was formally presented to the Commission for review and approval in February 2006. The Commission deferred its decision on the CLRDP until the May 2006 hearing, at which time the campus withdrew its application for CLRDP approval when it became evident that it would not be approved due to, among other things, wetland-related issues.

Following the completion of additional wetland studies requested by the Commission, the CLRDP was revised and approved on November 29, 2006 by the University's Vice President for Budget pursuant to The Regents' delegation of authority. An Addendum #1 to the EIR certified by The Regents in September 2004 was prepared to evaluate the environmental impacts of the draft CLRDP revisions. As compared to the CLRDP approved by The Regents in September 2004, the revised CLRDP proposed 322,825 gross square feet (gsf) of allowable building development (a 55,000 gsf reduction), 152,000 square feet of outdoor development space (same), and provided 604 additional parking spaces (same total spaces). In December 2006 the revised CLRDP was resubmitted to the Commission for approval consideration.

Following submission of the revised CLRDP, Commission staff requested a wetland peer review by the Army Corps of Engineers and Environmental Protection Agency, which was released in April 2007. In December 2007, the Commission approved the CLRDP with the inclusion of additional "suggested modifications" – the acceptance of which by the University is a condition of the Commission's approval. In April 2008, the Commission adopted revised findings supporting its approval of the CLRDP. A copy of the Commission staff report and revised findings for the April 2008 hearing is attached hereto (Attachment 4). The Commission's suggested modifications proposed for University acceptance are summarized below.

CLRDP Suggested Modifications Required by the Commission as a Condition of Approval

The below minor modifications to the CLRDP, as revised and approved by the University in November 2006, have been adopted as conditions of approval by the Commission through its staff report and hearing process:

- i) The total area of the development zones was reduced by 1.1 acres to 28.66 acres. The text and figures were revised to conform to the April 2007 wetland peer review report.
- ii) A new Policy (3.14) was added that protects in perpetuity all natural areas outside of the development zones.
- iii) A new Implementation Measure (3.14.1) was added that requires the campus to incorporate the natural areas into the UC Natural Reserve System as part of Younger Lagoon Reserve. (UCNRS has incorporated the natural areas into the UCNRS thereby satisfying this condition.)
- iv) Modifications to text and figures were added to include additional "Controlled Access Trails" to Younger Lagoon beach, along with the requirement to provide regular supervised access.

- v) A requirement was added for a monitoring program and assessment every five years of the effects of supervised access, research and unauthorized activities on Younger Lagoon beach area resources.
- vi) Implementation Measure 5.5.6 was added to increase parking restrictions seaward of the Younger Building to enhance the public access experience to Overlook B.
- vii) Modifications were made to Implementation Measure 3.1.1 to reduce impacts of entrainment and impingement of marine organisms when operating the seawater system and a requirement to perform a comprehensive impact study in the event the seawater system flow production exceeds 2,000 gallons per minute. This included minor modifications to the description of storm water treatment train systems.
- viii) In Section 8.4.1 of Chapter 8, the process for filing a Notice of Impending Development (NOID) was modified to clarify the steps in the event of a disagreement between the Commission and University staff regarding the need for additional information or the adequacy of the NOID submittal.
- ix) Additional edits were incorporated to the text and figures related to the "Controlled Access Trails" to Younger Lagoon beach.
- x) Minor revisions were made to the wetland boundaries based on mapping corrections.
- xi) A new Policy (2.5) was added that restricts uses to marine/coastal research and education, resource protection and public access. This new policy repeats in one location policies and requirements that appear elsewhere in the CLRDP.
- xii) The text was modified to refine the use of the word "feasible" (and its variants) to make the intent more directive and mandatory where appropriate.

As approved by the Commission with the above-described modifications, the allowable building square footage, parking allotment and outdoor facilities are unchanged from the revised CLRDP approved by the University on November 29, 2006. In addition, the overall programmatic elements of the revised CLRDP remains in tact and the Commission's suggested modifications do not constitute a substantial change in CLRDP principles or policies.

Environmental Impact Summary

In compliance with the California Environmental Quality Act (CEQA) and as discussed above, the University prepared an EIR and an Addendum, which concluded that full implementation of the CLRDP, as approved by the University in November 2007, would, after incorporation of identified mitigation measures, result in significant and unavoidable impacts in the following resource categories: Transportation/Traffic and Utilities, Services Systems and Energy. For all other resource categories, the CLRDP was determined to have no impact or a less than significant impact with the incorporation of identified mitigation measures. A copy of the September 2004 Findings (Attachment 1) approving the CLRDP and November 2006 Findings (Attachment 2) approving revisions to the draft CLRDP are attached hereto and incorporated by reference.

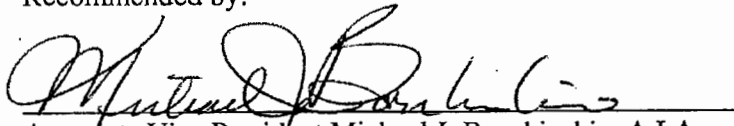
Pursuant to Section 21080.5 of CEQA, the Secretary of Resources has certified the Coastal Commission's review and approval process for long range development plans as being the functional equivalent of the environmental review required by CEQA. Accordingly, the impacts of the suggested modifications to the CLRDP, adopted by the Commission as a condition of its approval of the CLRDP, were analyzed in the Commission's November 21, 2007 staff report, a copy of which is attached hereto and incorporated by reference (Attachment 3).

At a subsequent hearing in April 2008, the Commission adopted revised findings and suggested modifications. A copy of the Commission staff report and revised findings for the April 2008 hearing is attached hereto and incorporated by reference (Attachment 4).

The Commission's staff report concluded that the suggested modifications to the CLRDP would not result in any significant impacts not previously identified in the CLRDP EIR or Addendum, or increase the severity of any previously identified impact. With the inclusion of the suggested modifications, the Commission determined that the CLRDP is consistent with the policies of the California Coastal Act and approved the CLRDP.

In addition, this proposed action has been coordinated with and reviewed by the Office of General Counsel and the Acting Director, Physical and Environmental Planning.

Recommended by:

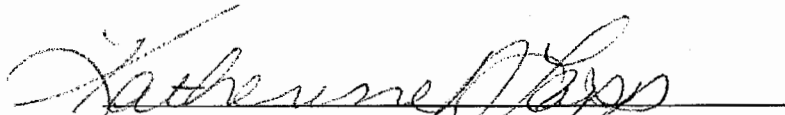

Associate Vice President Michael J. Bocchicchio, A.I.A.

12/17/08
Date

APPROVALS

On behalf of the University and pursuant to The Regents' delegation of authority, I hereby take the following actions:

- A. Having reviewed and considered the University's September 24, 2004 and November 29, 2006 Findings, and the Coastal Commission's November 21, 2007 Staff Report and subsequent revised findings as described in the Commission March 21, 2008 staff report adopted by the Commission on April 11, 2008, affirm all findings made therein.
- B. Accept the suggested modifications to the UCSC Marine Science Campus Coastal Long Range Development Plan adopted as a condition of approval by the California Coastal Commission on December 13, 2007 and April 11, 2008 and as reflected in the attached December 2008 document (Attachment 6).


Executive Vice President Katherine N. Lapp

12/17/08
Date

Attachments *

- Attachment 1: September 2004 Committee on Grounds and Buildings Action Item 108 and Findings approving the draft UCSC Marine Science Campus Coastal Long Range Development Plan
- Attachment 2: November 2006 Vice President's Action Item (as allowed by Action Item 108) and Findings approving revisions to the draft UCSC Marine Science Campus Coastal Long Range Development Plan
- Attachment 3: Coastal Commission Staff Report
(prepared November 21, 2007 for December 13, 2007 hearing)
UCSC Marine Science Campus Coastal Long Range Development Plan (CLRDP) Proposed CLRDP for the University of California at Santa Cruz's Terrace Point property located in the City of Santa Cruz to be presented for public hearing and action at the California Coastal Commission's December 13, 2007 meeting to take place at San Francisco City Hall, Legislative Chamber Room 250, located at 1 Dr. Carlton Goodlett Place in San Francisco.

* ATTACHMENTS 1-5 ARE AVAILABLE FOR PUBLIC REVIEW AT THE COASTAL COMMISSION'S CENTRAL COAST DISTRICT OFFICE, AND ARE NOT REPRODUCED HERE. ATTACHMENT 6 IS INCLUDED AS EXHIBIT B TO FINAL CERTIFICATION REPORT (ON DISC).

CCC Exhibit A
(page 5 of 6 pages)

- Attachment 4: Coastal Commission Staff Report
(prepared March 21, 2008 for April 11, 2008 hearing)
UCSC Marine Science Campus Coastal Long Range Development Plan
(CLRDP) Revised findings in support of the Commission's December 13, 2007
certification of the CLRDP with suggested modifications
- Attachment 5: Exhibits A – L for both Attachment 3 and 4
*(identical exhibits were published for both the December 2007 and April 2008
hearings)*
- Attachment 6: UCSC Marine Science Campus Coastal Long Range Development Plan
December 2008

cc: (with Attachments):

Vice President Lenz

cc: (without Attachments):

Chancellor Blumenthal

Executive Vice Chancellor Kliger

Assistant Campus Provost Moreno

General Counsel Robinson

University Counsel Drumm

Vice Chancellor Vani

Vice Chancellor Michaels

Dean Thorsett

Campus Architect, Associate Vice Chancellor Zwart

Director Barnes

Director Dayton

Interim Director Strem

Senior Planner O'Keefe

Santa Cruz City Planning and Community Development Director Rebagliati

County of Santa Cruz Planning Director Burns

AMBAG Executive Director Doughty