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Prepared July 19, 2012 (for August 10, 2012 hearing)

F16b

To: Coastal Commissioners and Interested Persons

From: Dan Carl, Deputy Director
Susan Craig, Supervising Coastal Planner

Subject: **UCSC Marine Science Campus Coastal Long Range Development Plan (CLRDP) Notice of Impending Development Number 5 (Overlook Improvements).** Coastal Commission consideration of UCSC's notice regarding its intent to construct improvements associated with five public access overlooks in the Lower Terrace and Middle Terrace areas of the Marine Science Campus, pursuant to the certified CLRDP.

SUMMARY OF STAFF RECOMMENDATION

The University of California at Santa Cruz's (UCSC's) Marine Science Campus Coastal Long Range Development Plan (CLRDP) was certified by the Coastal Commission on January 7, 2009. UCSC is now pursuing its fifth project pursuant to the CLRDP, and has submitted the above-referenced notice of impending development (NOID) to the Commission and is requesting that the Commission concur that the proposed project is consistent with the certified CLRDP.

The proposed project would make improvements to five public access overlook areas (Overlook Areas A, C, D, E, and F) of the Marine Science Campus. Proposed improvements include: 1) Overlook A – an ADA accessible permeable path to two earthen pads that will overlook a seasonal wetland; picnic tables, interpretive signs, native plantings; 2) Overlook C – new interpretive panels at an existing overlook that provides views of Long Marine Laboratories' mammal research pools, the Monterey Bay, and the Younger Lagoon Reserve; 3) Overlook D – an ADA-accessible permeable path to an observation blind overlooking Younger Lagoon; interpretive panels, native plantings; 4) Overlook E – a new overlook with a raised pad, interpretive panels, and a view of Younger Lagoon through a viewing opening to be installed in an existing fence; and 5) Overlook F – construction of a new permeable ADA-accessible path to a new blufftop overlook with ocean views; a bench, an interpretive panel, native plantings, and a bicycle rack and trash/recycling bins.

The CLRDP requires that these overlook sites be enhanced to become part of a continuous public access trail and overlook system within the Marine Science Campus site. The proposed improvements will help to maximize and enhance public access in this area to create user-friendly, attractive, and interactive overlooks that function as primary public access destinations and outdoor interpretation areas related to marine research activities and adjacent natural areas. The overlooks include the components required of them per the CLRDP, and Staff recommends

that the Commission determine that the overlook projects are consistent with the certified CLRDP. The necessary motion and resolution are found below.

Staff Note - NOID Action Deadline: This NOID was filed as complete on June 26, 2012. The 30-working-day hearing deadline is August 8, 2012. As provided for by the CLRDP, UCSC waived the University's right to a hearing by August 8, 2012 and agreed to extend the deadline (an extension of up to three months from the hearing deadline is allowed per the CLRDP) to the August 10, 2012 hearing in Santa Cruz. Thus, unless UCSC further extends the deadline (it can be extended to November 8, 2012), the Commission must take action on the NOID by the August 10, 2012 hearing or it will be deemed consistent with the CLRDP.

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EXHIBITS

Exhibit A: Location Map and Photos of the Overlook Sites
Exhibit B: Schematics of Proposed Overlook Improvements and Public Access Signage
Exhibit C: Applicable CLRDP Sections and Implementation Measures
Exhibit D: Public Correspondence

I. MOTION AND RESOLUTION

Motion:

I move that the Commission determine that the development described in UCSC Notice of Impending Development Number 5 ***is consistent*** *with the certified University of California at Santa Cruz Coastal Long Range Development Plan.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in a determination that the development described in the UCSC NOID 5 is consistent with the certified UCSC CLRDP, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby determines that the development described in UCSC Notice of Impending Development Number 5 is consistent with the certified University of California at Santa Cruz Coastal Long Range Development Plan for the reasons discussed in the findings herein.

II. FINDINGS AND DECLARATIONS

A. UCSC CLRDP

General CLRDP Background

As an alternative to project-by-project coastal permit review, Coastal Act Section 30605 allows for universities to develop long range development plans for Coastal Commission certification. Once certified, each university is the primary entity responsible for ensuring that future development on the site is consistent with the certified long range development plan, subject to ongoing Commission oversight. UCSC's Marine Science Campus CLRDP was certified by the Coastal Commission on January 7, 2009.

UCSC's Marine Science Campus

UCSC's Marine Science Campus (Campus) site is located directly adjacent to the Monterey Bay National Marine Sanctuary (Sanctuary) just within the western border of the City of Santa Cruz in Santa Cruz County (see page 1 of Exhibit A for a location map). The Campus site has been known locally for many years as Terrace Point. The main UCSC campus is located roughly two miles inland of the Campus in the rolling foothills northwest of downtown Santa Cruz. The Campus is located at the outskirts of the City, seaward of Highway One, at the transitional boundary between the urbanized City area to the east and the rural north coast of the unincorporated County to the west. The Santa Cruz County north coast area is well known to the Commission for its sweeping vistas of both coastal agricultural fields and natural landscapes framed by the undulating coastal range. Much of this area is in extensive State Park and other rural public land holdings, and all of it is traversed by a rural stretch of Highway One. Although

there are some limited residential enclaves (e.g., Davenport along the coast, and Bonny Doon in the mountains) in these mostly pastoral areas, this north coast area is part of the stretch of largely agricultural and undeveloped coastal lands extending nearly 50 miles to Half Moon Bay upcoast. The Campus site is located at the beginning of this stretch of coast as one heads upcoast out of the City of Santa Cruz and, by extension, out of the urbanized portion of northern Monterey Bay.[1]

The Campus site is primarily made up of a relatively flat terrace area (roughly 73 acres) sloping gently from north to south (to the ocean) with the remainder occupied by a large arroyo feature (roughly 25 acres) on the west of the site, at the base of which lies Younger Lagoon, an estuarine lagoon that connects (at times) to the ocean. A sandy beach area fronts Younger Lagoon below the terrace. The lagoon, the beach, the arroyo and a portion of the terrace[2] make up Younger Lagoon Reserve. The terrace portion of the site includes within it a 2.5 acre federally-owned parcel completely surrounded by UCSC property. Altogether, the Campus (including the federal in-holding and the Younger Lagoon Reserve) is about 100 acres.

In the general Campus vicinity, agricultural land extends to the west along the coast beyond the Younger Lagoon Reserve and the western Campus boundary. To the north are the Union Pacific Railroad tracks, the Raytek industrial facility, and Highway One. To the south lies the Sanctuary and the Pacific Ocean, and to the east is Antonelli Pond (north of Delaware Avenue) and the densely packed De Anza Mobile Home Park (south of Delaware Avenue) beyond which is Natural Bridges State Park and past that West Cliff Drive in the City of Santa Cruz.

UCSC'S Marine Science Campus CLRDP

UCSC's Marine Science Campus CLRDP was certified by the Coastal Commission on January 7, 2009. The CLRDP provides a blueprint for future development of the site including a maximum increase of about 600,000 square feet of new Campus facilities mostly within four distinct development zones (occupying about one-third of the terrace area) for an expanded Marine Science Campus. The CLRDP provides for roughly 340,000 gross square feet of potential new facilities within the four development zones in new one- and two-story buildings up to 36 feet tall, with the remainder in outdoor research and support areas. The CLRDP also accounts for additional areas of roads, and some natural drainage ponds, outside of the four development nodes. Overall, and at full buildout, the CLRDP allows for the Campus to grow by about three times its size at certification. In addition to the building program, the CLRDP also provides for an expanded public access trail system and natural habitat restoration in those wetland and open space areas on the terrace that are not part of the proposed development zones (roughly 47 acres) that, per the CLRDP, have been recently added to Younger Lagoon Reserve.

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[1] The City of Santa Cruz is located at the upcoast end of the larger urban portion of northern Monterey Bay that extends downcoast through unincorporated Live Oak, the City of Capitola, and the more urban portion of south Santa Cruz County (i.e., the Aptos-Rio del Mar-Seascape areas). Though defined by city limit boundaries, these more urban areas all blend somewhat together as a larger urban "zone."

[2] As required by the CLRDP, the terrace areas located outside of the allowed development footprint on the Marine Science Campus were added to Younger Lagoon Reserve in 2009. Thus, when added to the original 25-acre Reserve area, Younger Lagoon Reserve now occupies 72 acres of the Marine Science Campus.

B. UCSC NOID 5

Notices of Impending Development

Under a certified CLRDP, University development of specific projects contained in the CLRDP can proceed without a coastal permit, provided the University sends a Notice of Impending Development (or a "NOID") to the Commission prior to undertaking development, and either the Commission deems the identified development project consistent with the CLRDP (with or without conditions to make it so) or does not respond in a timely manner to the NOID.[3] Pursuant to Coastal Act Sections 30605 and 30606, the Commission may impose conditions on such development project proposals only if it finds them inconsistent with the certified CLRDP.

NOID 5 – Overlooks Improvements Project

The proposed Overlooks Improvements Project consists of construction of three new public access overlooks designated in the CLRDP as Overlooks A, E, and F, and improvements to two existing overlooks designated as Overlooks C and E.[4] All of these Overlooks, with the exception of Overlook E, are in the Lower Terrace development zone of the Campus. Overlook E is located in the Middle Terrace development zone. The Lower Terrace development zone nearest the ocean is home to the main Long Marine Laboratories' complex of facilities, including the Seymour Marine Discovery Center (Seymour Center) and the Center for Ocean Health building, and associated parking lots.[5] The Middle Terrace development zone is home to the National Oceanic and Atmospheric Administration (NOAA) Fisheries facility, a federal establishment on 2.5 acres of federal land near the center of the Marine Science Campus.[6]

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[3] Coastal Act Section 30606 requires that the University provide notice of an impending development at least 30 working days prior to pursuing it. CCR Section 13549 provides that a NOID is only filed following Executive Director review of the NOID and any supporting materials to ensure there is sufficient information for making the consistency determination. The filing review must be completed within five working days after receiving the NOID submittal. CCR Section 13548 requires that the Commission take action on the notice within 30 working days of filing of the NOID. In sum, if the Commission does not take action within 30 working days of filing of the NOID, the identified development project is deemed consistent and can proceed. In the case of the UCSC CLRDP, the action deadline may be extended by UCSC for up to 3 months.

[4] The CLRDP also describes required improvements to existing Overlook B, which were carried out in 2009 pursuant to NOID 1.

[5] The Seymour Center is a permanent marine education center at LML that is open to the public and is self-supporting. It occupies a 20,000 square foot one-story structure at the southernmost end of the LML complex. The Seymour Center features an open interpretive exhibit and aquarium area, a wet and dry lab for K-12 school programs, a University marine biology teaching lab, a meeting room for up to 100 people, and offices for staff. The Center for Ocean Health building is a 23,000 square foot two-story building located just inland and across McAllister Way from the Seymour Center. The Center for Ocean Health serves as a focal point for scientific research, education, and policy programs that address ocean conservation and management issues. By fostering interactions between university researchers, government agencies, and conservation organizations, the center encourages the integration of research and policy efforts to protect and manage marine ecosystems and biodiversity.

[6] The CLRDP does not directly govern the NOAA facility.

See pages 2-4 of Exhibit A for photographs of the locations of the Overlook sites. See Exhibit B for proposed site plans for each overlook[7] and proposed public access signage.

The proposed NOID would implement improvements to Overlooks A, C, D, E and F as follows:

Overlook A

Overlook A would be sited just north of the Seymour Center and at the edge of the buffer of the primary seasonal wetland on the site (identified as Wetland W5 in the CLRDP). Overlook A would provide for views of the seasonal wetland. The proposed Overlook would be located on the opposite side of an existing berm that screens the parking lot from the adjacent natural wetland area. Overlook A would be accessed from the southeast end of the Seymour Center's parking lot, from a point near the existing ADA parking spaces, via a permeable ADA-accessible path angled along the berm. This overlook will also be accessible from a future public access trail (which is currently an informal dirt path) that will circle the north and east sides of the parking lot. The overlook will serve as an observation point for pedestrians using the public pathway, and for school groups and other campus visitors.

Overlook A will consist of two separate "bump outs" along the ADA accessible path. Each "bump out" will include an earthen pad that will be elevated about 14 inches above existing grade, and each pad will be surrounded by a low railing on three sides. Picnic tables will be provided adjacent to each overlook "bump out" area. A six-foot-high vegetation screen consisting of local native shrubs will be planted along the north/northwest sides of the overlook area to define the overlook site and to discourage foot traffic off of the pad areas and into the wetland buffer. These plantings will provide wind screening and visual screening of human activity at the overlook area. The access route from the Seymour Center parking lot to the overlook will have a grade of less than 5%, will be ADA accessible, and will consist of decomposed granite. Each overlook pad will have an interpretive panel that will provide information regarding the natural aspects of the seasonal pond to the north and northeast, along with other visible features of the landscape, including coastal terrace and ocean views to the southeast.

A public access sign directing the public to the overlook will be placed in the vicinity of the Seymour Center.

Overlook C

Overlook C is an existing ADA-accessible overlook located on top of an existing earthen berm adjacent to Long Marine Laboratories' (LML) marine mammal pools. Overlook C provides views of the LML marine mammal research pools, the Monterey Bay, and Younger Lagoon. Public access to this overlook is by docent-guided tour only, via the Seymour Center. Improvements to this existing overlook will be limited to replacing the existing interpretive panels with new interpretive panels that will provide information on the Younger Lagoon Reserve and the Monterey Bay National Marine Sanctuary.

Overlook D

Overlook D is currently a rudimentary overlook located north of the Center for Ocean Health

[7] Overlook C improvements include only a change in interpretive signage, thus no project plans are included for this overlook.

building. This overlook provides views of Younger Lagoon, including adjacent back-dune and upland habitats, agricultural lands, and marine terrace. The overlook is at the margin of the development zone behind the fence line that protects the lagoon portion of Younger Lagoon Reserve. This overlook is only accessible through approved application or on a guided tour through the Seymour Center. The overlook is accessed through a locked gate via an unpaved pedestrian trail. The overlook is a nearly level, unimproved area about 250 square feet in size with a bench, and is surrounded by low-growing native vegetation.

Proposed improvements to Overlook D include construction of an ADA-accessible path from the Center for Ocean Health building's parking lot. In order to create a trail with accessible grade, the length of the trail would be increased with a switchback down the slope to the overlook, with two short sections of retaining wall. Minor cut and fill will be needed along the Overlook D access trail route. The trail would be surfaced with pervious FIBAR, which is a non-treated wood product often used in playgrounds.[8] The overlook pad would be cut slightly into the slope to minimize its visibility. To facilitate observation of the lagoon wildlife from the overlook, the project would include construction of a partially-enclosed observation blind at the overlook pad. The observation blind would be made of galvanized steel or wood frame construction with a shed roof in non-reflective, earth-tone colors, and would be set back against the slope to minimize the blind's visibility. The blind would be about 20 feet long by 16 feet wide by 9 feet tall. Interpretive signage would be installed inside the blind or on the overlook pad. The path and blind would be screened by native vegetation plantings; this vegetation would extend to the height of the 36- to 42-inch-high railing around the blind, to minimize the visibility of human activity from within the lagoon area. The existing path and existing overlook area, as well as the area disturbed by construction, will also be planted with native vegetation, except for a small trail used by Campus staff to access the adjacent bluff area for restoration purposes.

Overlook E

Overlook E will be a new overlook in the Middle Terrace area to be located across McAllister Way from the NOAA Fisheries building on a vegetated area at the existing fence line above the lagoon area. This overlook will be directly accessible as part of the envisioned future public access trail system and would provide pedestrians with a view into the lagoon and toward the ocean. The overlook would include an access route from McAllister Way to the overlook, a level raised pad, a viewing area through an opening in an existing fence, and an interpretive panel describing the ecological significance of the Younger Lagoon Reserve. The access route and the overlook pad will be surfaced with permeable decomposed granite and will be ADA-accessible. A barrier fence and a native plant screen will be installed in tiers on the lagoon side of the overlook. This would consist of low fencing, screened by plantings of native shrubs along the west side of the existing chain link fence to minimize human presence from the perspective of Younger Lagoon, with a break in the screening at the overlook to allow views into the lagoon area. A screen of native shrubs[9] between the overlook opening and the west side of McAllister

[8] UCSC is proposing this material instead of decomposed granite because of concerns regarding maintenance of decomposed granite in this area due to the surrounding slopes where runoff during rainstorms may result in serious erosion of a decomposed granite trail, which could also lead to problems within the lagoon area below.

[9] However, cypress trees would not be used as proposed in the CLRDP, because these trees are considered highly invasive at the site and are considered a Priority 1 species for removal under the approved CLRDP Specific Resource Plan, Phase 1 (NOID-3, determined by the Commission to be consistent with the CLRDP on September 15, 2010).

Way would also provide screening of human activity along McAllister Way as seen from inside Younger Lagoon Reserve. A public access sign directing the public to the overlook will be placed on McAllister Way (the main road through the Campus) in the vicinity of the overlook.

The existing chain link fence line at this overlook is required to be replaced by the CLRDP. Specifically, the CLRDP calls for installing new solid fencing and/or extending the earthen berm along the east side of the lagoon area in this location to better protect this habitat area from terrace activities.[10] The overlook is intended to be accommodated within a ten-foot wide and four-foot deep alcove on the Younger Lagoon side of the new fence line. Within the overlook alcove, the solid fencing and vegetation is to be limited to four feet in height to provide views over the top of the fencing/landscaping while minimizing the amount of people movement visible from the wildlife/lagoon perspective. UCSC indicates that the earthen berm/fence replacement project will follow at a future date. The required elements (i.e., alcove, new fencing, limited fence height, etc.) should be incorporated into the overlook at that time. The current design lends itself to such future changes, and will accommodate such modifications when such a future project occurs.

Overlook F

Overlook F will be a new blufftop overlook near the coastal bluff edge at the southeastern corner of the Campus. This overlook will be easily accessed from an existing blufftop trail.[11] The overlook access path and site will be surfaced with permeable decomposed granite and will be ADA-accessible. The overlook will include an interpretive panel and a bench. To minimize visual obstructions while also ensuring public safety, low vegetative barriers rather than fencing will be planted along the bluff edge.[12] Proposed improvements also include a bicycle rack and trash/recycling cans to be placed just east of the overlook where the existing blufftop trail connects to public access into and through De Anza Mobile Home Park. A public access sign directing the public to the overlook will be placed near Overlook B, at the trailhead leading to Overlook F.

C. CLRDP CONSISTENCY ANALYSIS

Applicable CLRDP Provisions

The CLRDP includes multiple provisions that require improvements to the above-mentioned overlooks with respect to the specific location and amenities required for each overlook, including interpretive information and access signage, permeable paving, native planting requirements, etc. Please see Exhibit C for the applicable CLRDP provisions. Thus the CLRDP envisions that these overlooks will serve as primary public access points for the Campus that will serve to inform the public about the major natural features that can be observed from each overlook.

[10] Per CLRDP Resource Management Plan Management Measure 30.

[11] Improvements to this trail are required under the CLRDP and will be included in a separate NOID document currently in preparation by UCSC.

[12] This blufftop area has been restored through the removal of ice plant and the planting of native species. Subsequent to construction of the overlook, additional native plantings of coastal blufftop species will be placed in any exposed areas.

CLRDP Overlook Timing Requirements

CLRDP Figure 9.3 (see page 5 of Exhibit C) specifies the required timing for improvements to existing overlooks and construction of new overlooks. This figure requires that all improvements to Overlooks A, C, D, and E be completed within 12 months of CLRDP certification, and requires that improvements to Overlooks B and F be completed concurrent with the development of any new building in the Lower or Middle Terrace areas of the Campus, or within two years of CLRDP certification, whichever comes first. The CLRDP was fully certified in January 2009. Thus, per Figure 9.3, the improvements to Overlooks A, C, D, and E should have been completed by January 2010, and the improvements to Overlook F should have been completed by January 2011. Except for Overlook B, none of the overlook improvements have been completed consistent with the timing requirements of Figure 9.3.

Like other state entities, the University of California has experienced unanticipated and unprecedented decline in revenue with impacts that would have been impossible to predict when the CLRDP was going through the certification process. As UCSC is one of the smaller UC campuses, it has been particularly affected by severe budget reductions, layoffs and mandatory furloughs. CLRDP Policy 1.2 contains a provision that allows for relief of CLRDP requirements and states:

> ***Policy 1.2 - University Commitments.*** *Development shall be authorized by the University and allowed to commence only if all University commitments identified in this CLRDP, including but not limited to the improvements identified in Chapter 9, have been undertaken as provided for in this CLRDP, unless circumstances beyond the University's control have prevented such implementation. Upon learning of any default on such a University commitment due to circumstances beyond the University's control, the Planning Director (UCSC) shall notify the Executive Director (CCC) of the manner in which the University proposes to remedy the default and a mutually acceptable schedule for monitoring and reporting progress on correcting the deficiency.*

UCSC initiated discussion with Commission staff and ultimately reached a mutually acceptable revised schedule pursuant to CLRDP Policy 1.2. In terms of Overlooks A, C, D, E, and F, the revised deadline for NOID submittal was adjusted to August 1, 2012. The NOID was actually submitted before the revised deadline on June 19, 2012.

Consistency Analysis

The CLRDP envisions an expanded network of public trails and controlled access trails on the Marine Science Campus that will allow visitors and other site users to walk to overlook points at the ocean and other natural resource areas on the site (see Exhibit C for the applicable CLRDP provisions). Specifically, Implementation Measure (IM) 6.2.5 requires access to the coastal blufftop edge (Overlook F); IM 6.2.6 requires access to research areas through supervised tours (Overlook C); IM 3.6.2 requires visual access to the Younger Lagoon Reserve (Overlooks A, D, and E); IM 6.2.4 allows for access to resource protection buffers, such as wetland buffers (Overlook A). Thus, the proposed project is consistent with the above-mentioned implementation measures regarding access (visual and physical) to these areas.

Section 7.2.4 of the CLRDP specifically provides for improvements that would protect and enhance existing and future access resources in the overlook areas. Other CLRDP implementation measures require native landscaping with appropriate native plants (IM 3.2.14), barrier fencing to protect natural resources (IM 3.5.8 and Section 6.8.3), permeable hardscape to protect water quality and maximize infiltration (IM 7.1.13), and interpretive information regarding the Campus' research activities and adjacent natural areas (IM 6.1.7). The proposed overlooks project includes public access improvements to existing overlooks (Overlooks C and D) and construction of new overlooks (Overlooks A, E, and F). The proposed improvements include overlook platforms and ADA-compliant access paths made of pervious materials, interpretive signage, fencing to protect natural resources, expanded landscaping areas with appropriate native plants, and amenities such as benches, bicycle racks, trash/recycling cans, etc., all consistent with the specific requirements of CLRDP Section 7.2.4 and the above-stated implementation measures regarding each overlook. In addition, Overlook location signs, containing the Commission's wave and footprint symbols, will be placed at appropriate points around the Campus to notify visitors of the location of Overlooks A, E, and F[13], consistent with the requirements of IM 6.2.10.

In terms of design, the CLRDP contains provisions requiring that all buildings on the Campus site be designed to emulate typical coastal rural and agricultural or farm buildings, including through the use of board and batten siding and sloping roofs. IM 4.2.7 requires that exterior construction materials used for buildings ensure design compatibility among all buildings on the Campus. To minimize the visibility of the observation blind proposed for Overlook D, the blind will be made of either galvanized steel or wood frame construction with a shed roof in non-reflective, earth tone colors, consistent with the requirements of the CLRDP.

In summary, the CLRDP envisions improvements to existing overlooks and development of new overlooks to provide visual and physical access to the natural areas of the Campus, including the 72-acre Younger Lagoon Reserve, as well as to the surrounding ocean views. The proposed project includes improvements to five overlooks, consistent with the specific requirements of the CLRDP with respect to each overlook, including interpretive signage, ADA-compliant permeable access paths, native landscaping, as well as structural improvements such as an observation blind, benches, and other amenities. To ensure that the overlooks are constructed per the parameters required in the CLRDP, UCSC has proposed to submit final plans for each of the overlooks to the Executive Director for review and approval prior to construction. The proposed project will greatly benefit the public by improving access opportunities at the Campus. Thus, as proposed by the University, implementation of the proposed overlook improvements is consistent with the certified CLRDP.

D. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 of the California Code of Regulations requires the Commission to make a specific finding that a permit application is consistent with any applicable requirements of CEQA. This requirement also applies to the Commission's review of NOIDs, based on Regulation Section 13550(d). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being

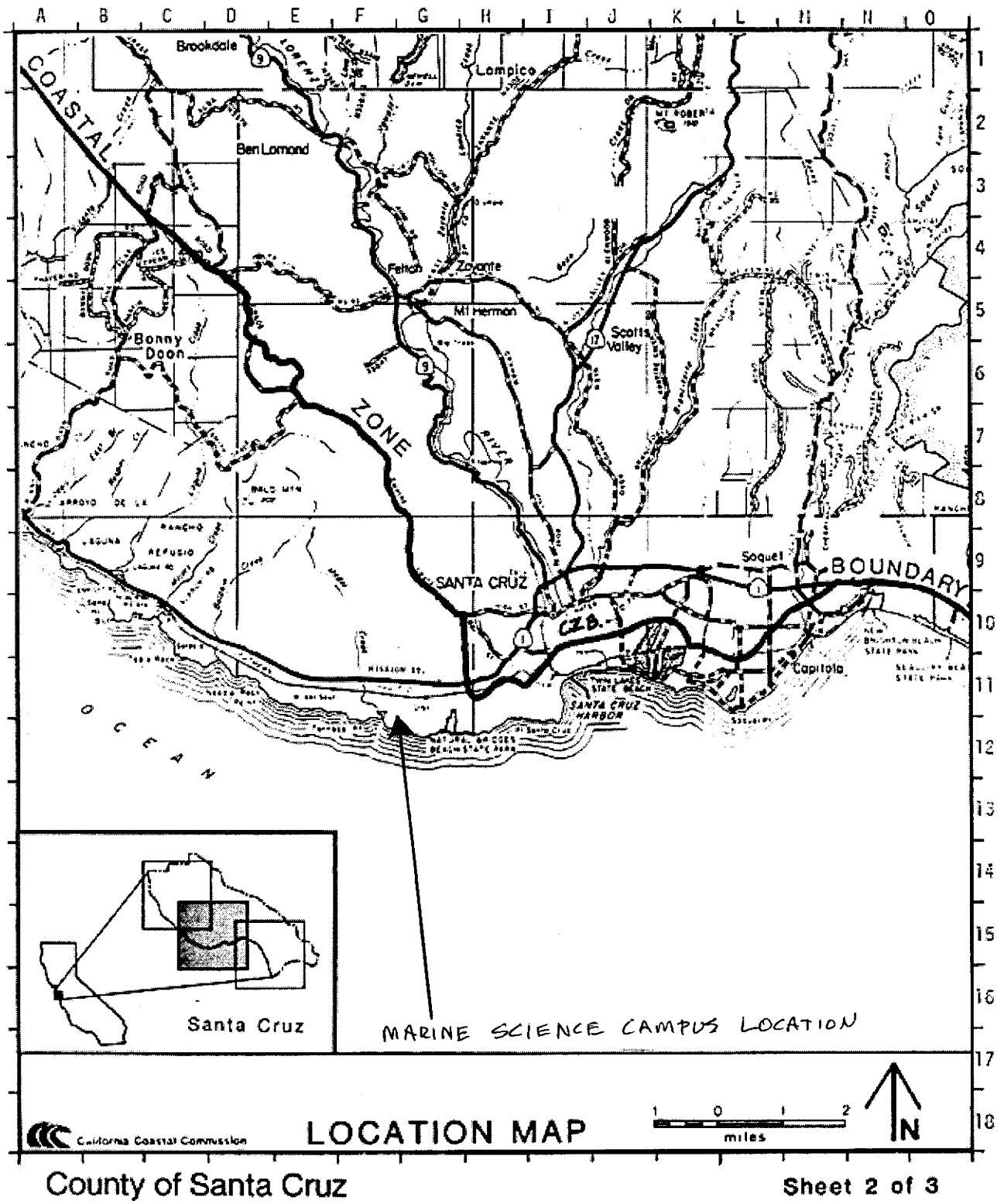
[13] Access to Overlooks C and D are through docent-led tours only, and no locational signs are planned for these overlooks at this time.

approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The University, as the lead agency under CEQA, certified a Final EIR (FEIR) for the CLRDP in September 2004. In November 2006, the University certified an addendum to the FEIR to respond to changes in the CLRDP in the time since the original FEIR certification, including changes stemming from Coastal Commission review of the CLRDP prior to certification. UCSC, again acting as lead agency, conducted an environmental review for the proposed project as required by CEQA and issued a Mitigated Negative Declaration on February 3, 2011.

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Natural Resources as being the functional equivalent of environmental review under CEQA. The Commission has reviewed the relevant coastal resource issues raised by the proposed project, and has determined that the proposed project will not have adverse impacts on coastal resources. All public comments received to date have been addressed in the findings above. All above findings are incorporated herein in their entirety by reference.

The Commission finds that the proposed project will avoid significant adverse effects on the environment, within the meaning of CEQA. As such, there are no additional feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse environmental effects that approval of the proposed project would have on the environment within the meaning of CEQA. The proposed project will not result in any significant environmental effects for which feasible mitigation measures have not been employed consistent with CEQA Section 21080.5(d)(2)(A).



County of Santa Cruz

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Figure 1. Marine Science Campus with Overlook Locations

Exhibit A
UCSC NOID-5
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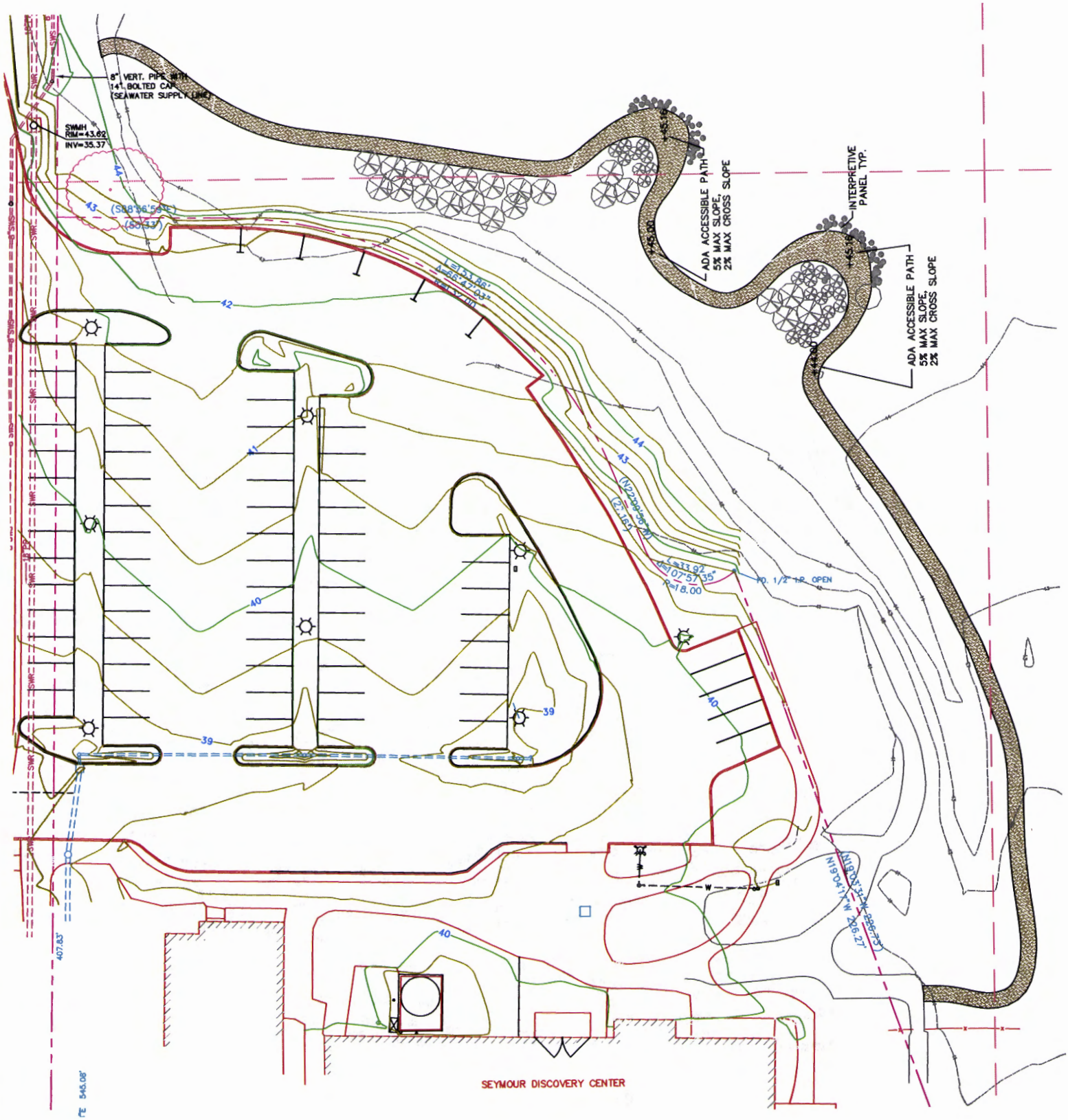

Exhibit B
UCSC NOID-5
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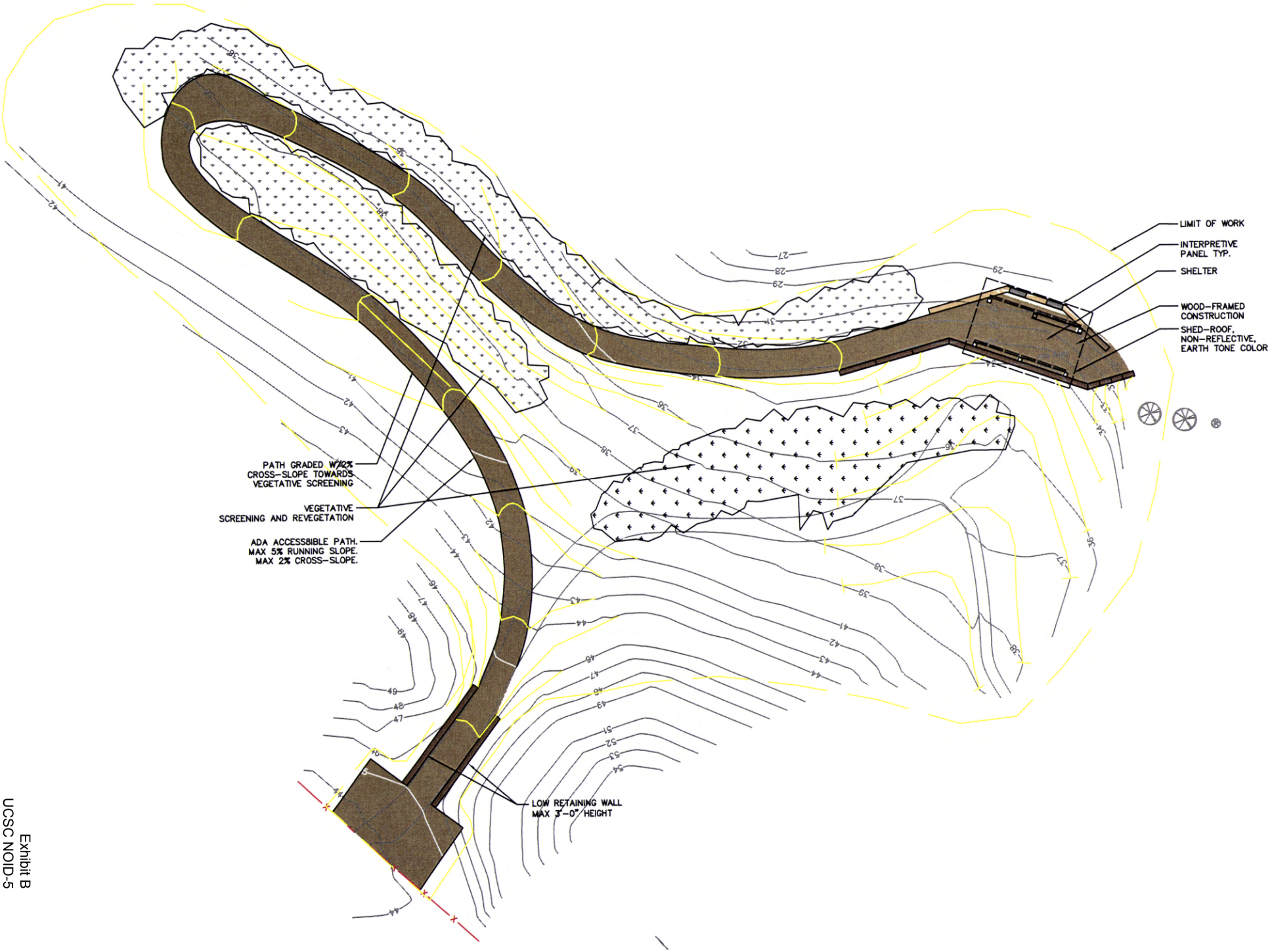

Exhibit B
UCSC NOID-5
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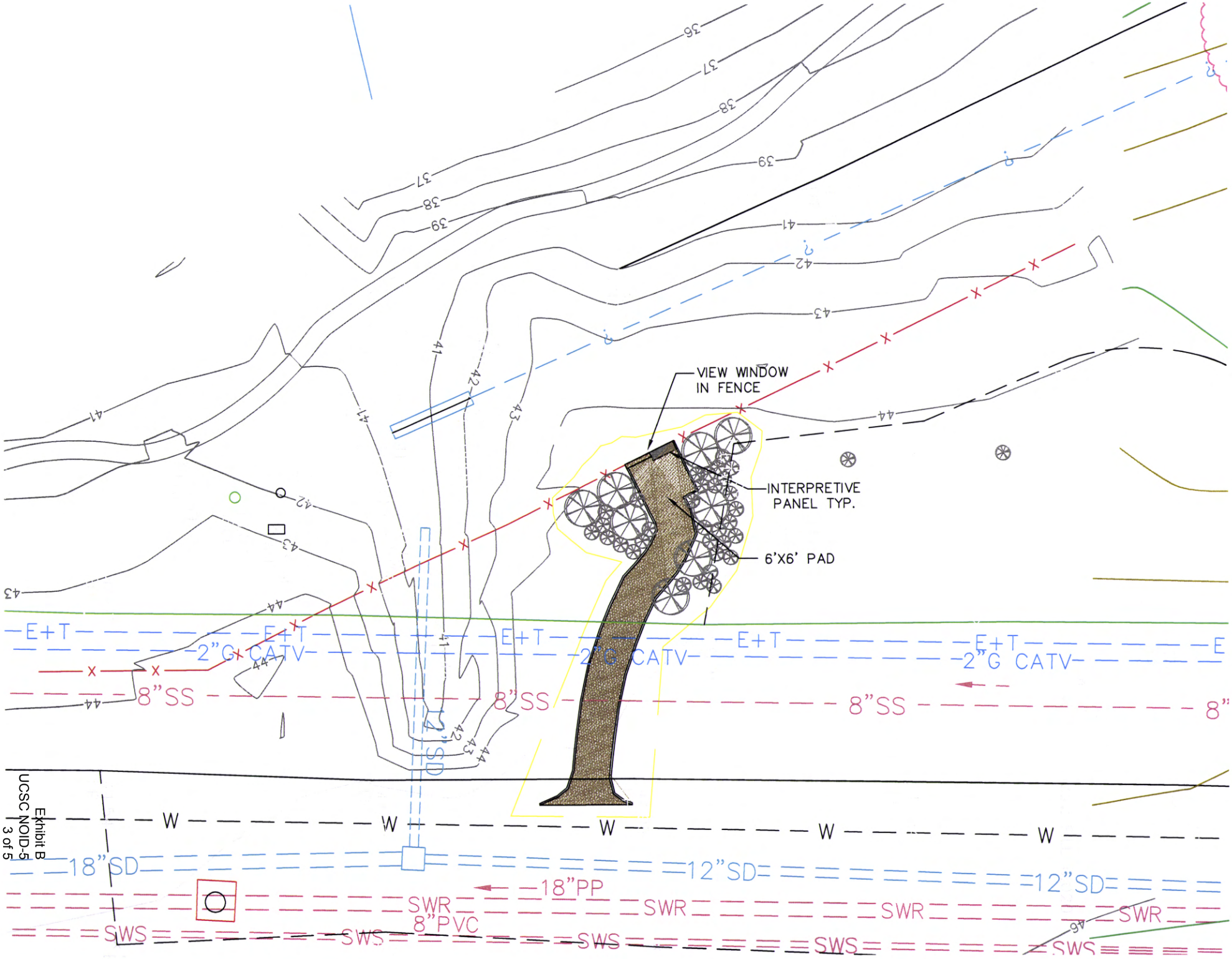
VIEW WINDOW
IN FENCE
INTERPRETIVE
PANEL TYP.
6'X6' PAD
E+T
2"G CATV
8"SS
W
18"SD
12"SD
18"PP
SWR
8"PVC
SWS
Exhibit B
UCSC NOID-5
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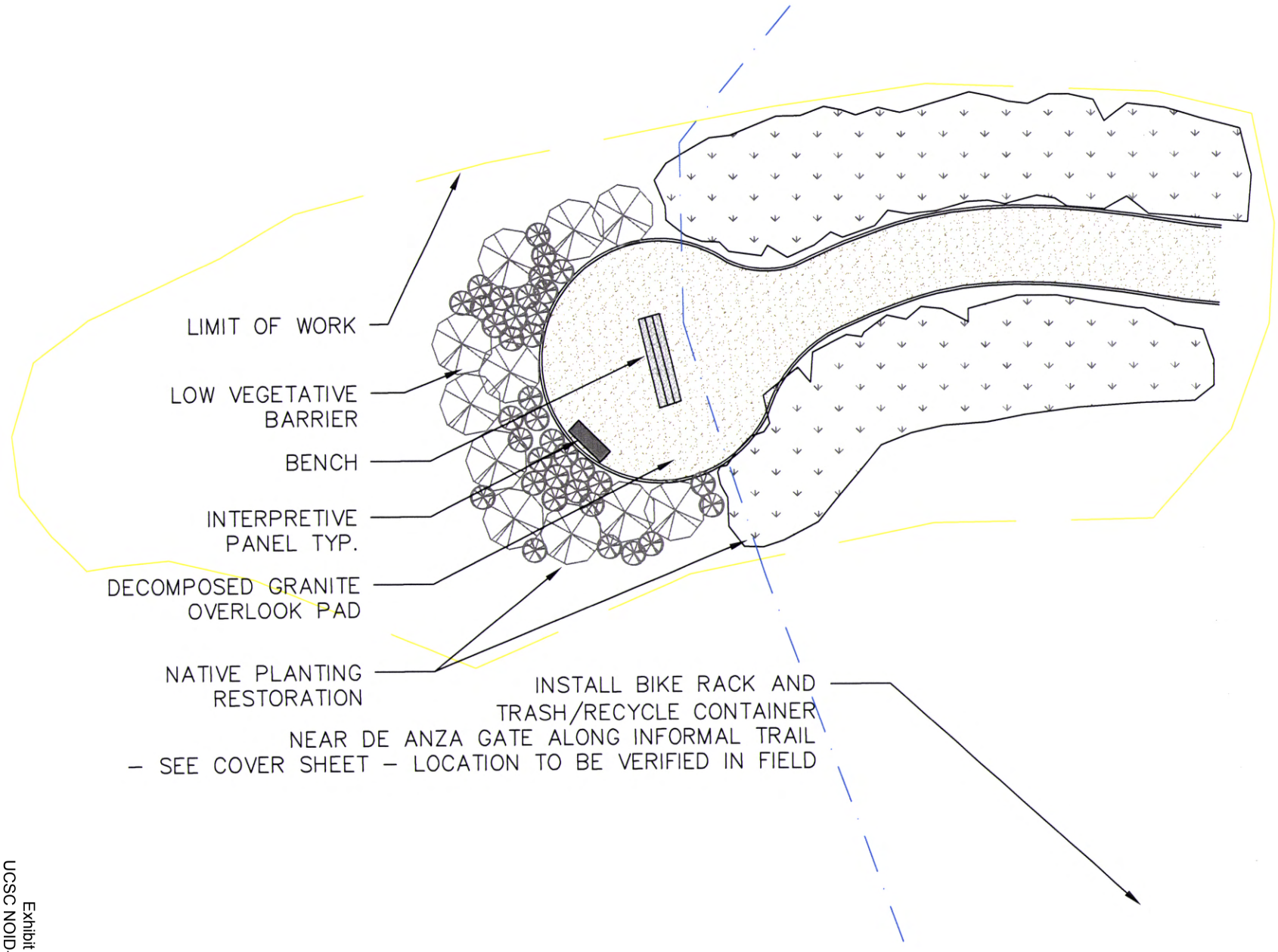

Exhibit B
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COASTAL ACCESS
OVERLOOK

Applicable CLRDP Sections and Implementation Measures
UCSC NOID-5

Implementation Measure 3.2.5 – Protect Habitat Areas From Human Intrusion. Habitat areas on the Marine Science Campus shall be protected against degradation from human intrusion by developing trails and interpretive signs, managing trail use, and implementing other enhancement measures in accordance with the provisions of this CLRDP.

Implementation Measure 3.2.14 – Non-Invasive Native Plant Species Required. All landscaping and vegetation on the Campus (including restoration and enhancement plantings, screening vegetation, stormwater system plantings, ornamental plantings, and all other plant material) shall be limited to non-invasive native plant species that are appropriate to the habitat and region and that are grown from seeds or vegetative materials obtained from local natural habitats so as to protect the genetic makeup of natural populations. Horticultural varieties shall not be used. Except for the planting of Monterey cypress, only locally collected seed, cuttings, and/or other propagules shall be used for landscaping. If feasible, materials should be collected from coastal habitats that are located within approximately one mile of the Campus and seaward of Highway 1.

Implementation Measure 3.4.4 -- Pre-development Evaluation of ESHA Conditions. An evaluation of the development area shall be conducted prior to each development project. The evaluation shall include changed site conditions that may affect ESHA values and new information that was not known at the time of the original ESHA determination. To the extent ESHA areas are identified during this process that are not already designated Resource Protection on Figure 5.2, the Resource Protection designation shall be applied to the newly identified ESHA and uses and development limited in accordance with that designation (see section 5.2.2, Resource Protection). For any newly identified ESHA area, an appropriate buffer shall be established, based on site-specific biological evaluation, and designated as Resource Protection Buffer.

Implementation Measure 3.5.8 – Protective Measures for YLR in Middle Terrace. In conjunction with building construction west of McAllister Way in the Middle Terrace development zone, the University shall construct and/or plant protective barriers along the eastern edge of YLR in Development Subarea #7 and, if appropriate, extending south to connect to the existing berm. Such barriers may include fencing, dense vegetation, and/or an earthen berm. If an earthen berm is developed, it shall be sized so that no soil importation is required from outside the Marine Science Campus (i.e., the soil required to construct it would be less than or equal to the amount of soil that becomes available within the campus as a result of grading to prepare development sites), unless importation of additional soil is necessary to ensure proper berm function/configuration; and such soil is demonstrably clean and free of contaminants (including foreign seed stock). Any such berm shall be planted with native grasses and herbaceous shrubs consistent with CLRDP Appendix B, Resource Management Plan.

Implementation Measure 3.6.2 –Visual Access to YLR. Visual access to YLR shall be provided for the general public through overlooks (see Figure 5.5), at least one of which shall be available for unescorted (i.e., non-docent) public use.

Implementation Measure 4.2.7 – Construction Materials. Stained vertical wood siding, roughcast concrete, high-quality shingle roofing, and other materials with compatible appearances (e.g., stone, wood, cor-ten steel, etc.) shall be used for the exterior of all buildings and other structures to ensure design compatibility among all buildings on the Marine Science Campus.

Implementation Measure 4.2.15 – Building Development West of McAllister Way in Middle Terrace. Development in Subarea #6 shall be limited to uses that would benefit from a more isolated location, and development in Subarea #7 shall be limited to extension of the pre-CLRDP certification earthen berm, overlook improvements, natural drainage system components, fencing, and/or landscaping.

Section 5.6.1 (in relevant part)… Public Overlooks - The primary purpose of this public access designation is to provide points of visual access to the ocean, Younger Lagoon Reserve, and the seasonal pond north of Seymour Marine Discovery Center. Some overlooks are located in controlled access areas, and the provisions of that designation also govern access to such overlooks. All overlooks except overlooks C and D are available for general public use during daylight hours. Overlooks shall include interpretive signs and related information. Illustrative plans for the design of new and improved overlooks on the Marine Science Campus are presented in Chapter 7.

Implementation Measure 6.1.3 – Public Access Trails. The University shall construct, provide, and maintain a public pedestrian and bicycle trail system to facilitate safe and passable public access within, along, and through the Marine Science Campus. The locations of these trails shall be substantially similar to those shown in Figure 5.6. All trails and associated facilities shall be clearly signed for public use."

Implementation Measure 6.1.4 – Public Access Overlooks. The University shall construct, provide, and maintain at least six overlooks to provide the public with visual access to natural resources on and adjacent to the Marine Science Campus such as Younger Lagoon Reserve and the ocean. The locations of these overlooks shall be substantially similar to those shown in Figure 5.6, and the University shall be guided by the illustrations contained in Chapter 7 of this CLRDP as it designs the overlooks.

Implementation Measure 6.1.5 – Docent-Led Tours and Education Programs for the Public. The University shall seek to support and enhance public appreciation of coastal resource values through educational programs and docent-led tours of the site. The Seymour Center shall continue as the site of educational programs on the marine environment for school groups and other members of the public. As resources are available, these programs shall continue to include docent-led tours of the coastal terrace and bluff, the Younger Lagoon Reserve overlooks, and the Younger Lagoon beach.

Implementation Measure 6.1.7 – Interpretive Information. Opportunities for interpretation of the activities occurring at the Campus shall be provided as appropriate. In addition to developed Campus programs, such opportunities shall include interpretive displays, signs, and facilities designed to be easily accessible at and adjacent to public use areas, such as accessways, trails, and overlooks.

Implementation Measure 6.2.2 – Public Trail Continuity. Public trails shall follow the alignments shown in Figure 5.6, with minor alignment adjustments as necessary to ensure trail continuity. Examples of situations where such minor adjustments may be necessary include: moving the trail inland if erosion of the coastal bluff threatens the trail; adjusting the trail alignment if the final location of campus buildings and/or facilities dictates adjustment to enhance trail connectivity and use values; adjusting the trail alignment to avoid significant disruption to the habitat values of resource protection areas; and temporary detours in response to construction, temporary special events, etc.

Implementation Measure 6.2.3 – Access to Resource Protection Areas. Public access to designated. Resource Protection areas shall be managed to protect against disruption of habitat values. The general public may use CLRDP-designated roads, trails, overlooks, and the Younger Lagoon beach area within Resource Protection areas consistent with the provisions of this CLRDP. Only authorized personnel shall be allowed outside of such areas, except that public access may be gained with the University's written authorization. Authorization shall be granted only on a temporary basis and only for personnel necessary for activities consistent with uses allowed by the CLRDP. The University may use a combination of devices to protect natural resources in designated Resource Protection areas (including fences, walls, berms, and vegetation) provided such devices are consistent with the provisions of the this CLRDP.

Implementation Measure 6.2.4 – Access to Resource Protection Buffer Areas. Public access to designated Resource Protection Buffer areas shall be managed to protect against significant degradation of Resource Protection areas. The general public may use CLRDP-designated roads, trails, overlooks, and the Younger Lagoon beach area within Resource Protection Buffer areas consistent with the provisions of this CLRDP. Only authorized personnel are allowed outside of such areas, except that public access may be gained with the University's written authorization. Authorization shall be granted only on a temporary basis and only for personnel necessary for activities consistent with uses allowed in the CLRDP. The University may use a combination of devices to protect designated Resource Protection Buffer areas (including fences, walls, berms, and vegetation) provided such devices are consistent with the provisions of the this CLRDP.

Implementation Measure 6.2.5 – Access to Coastal Bluffs. The University shall provide access to the coastal blufftop edge through existing, enhanced, and new trails and overlooks as shown in Figure 5.6. Except for trails identified in Figure 5.6, the University shall limit access down the face of the bluff to the rocky intertidal area to authorized personnel trained to use rope ladders. The University may install and maintain bluff-top signs in this area warning of the danger of traversing the bluff face and of occupying the rocky intertidal area or surf below. The University may use a combination of devices to

protect the coastal bluffs in this area from human intrusion (including fences, walls, berms, and vegetation), provided such devices are consistent with the provisions of this CLRDP.

Implementation Measure 6.2.6 – Access to Laboratories and Research Areas. The University shall provide public access to laboratories and research areas in the Upper, Middle, and Lower Terrace development zones through supervised tours only. Public access to these areas shall be limited as necessary to ensure that the research and marine facilities of the site remain secure. The University may use a combination of devices to protect such laboratories and research areas (including fences, walls, berms, and vegetation) provided such devices are consistent with the provisions of this CLRDP.

Implementation Measure 6.2.10 – Public Access Signage. Signage and other media shall be used to provide visitors with information about coastal resources, identify the location of public trails, overlooks, parking, and other Campus access and recreation amenities, and warn of dangers in the environment. Signage shall also be provided to identify Controlled Access Trails, with information about supervised tours. Signs shall be located, at a minimum: at each trailhead (i.e., where visitors enter the Marine Science Campus); at each trail intersection with another trail or an overlook; at each overlook; at each public coastal access parking area; and at intervals along trails no more than 200 feet apart. Trail signs specifically shall be placed so as to be visible to trail users coming from either direction (e.g., back-to-back signs). Brochures or other media describing Campus public access amenities shall be consistent with all CLRDP provisions and shall be made available at convenient locations for visitors to the Campus (i.e., Campus entrance at Delaware Avenue, Seymour Center, public coastal access parking areas, overlooks, etc.).

Section 6.8.3 - Specific Fencing/Barrier Design Guidelines…Fencing/Barriers for Resource Protection. The University may install low-key fencing and/or barriers along trails and other areas where people move and congregate to protect natural resources when there is evidence that human intrusion has caused significant damage to a natural resource. Such fencing/barriers shall not block off continued through access along trails and/or through access areas unless adequate replacement access is provided. Allowable fencing/barriers in this category are limited to wooden rough hewn split-rail fencing no taller than three (3) feet in height, or wood post-and-rope/cable barriers no taller than two (2) feet in height, both as measured from grade. All such fencing shall be designed to blend seamlessly into the site aesthetics. Figures 6.9 and 6.10 show illustrative examples of wooden roughhewn split-rail fencing and post-and-rope/cable barrier, respectively.

Implementation Measure 7.1.13 – Permeable Hardscape. Hardscape development (such as roads, parking areas, paths, patios, etc.), where appropriate for water quality protection purposes, shall include permeable materials (e.g., permeable pavement/concrete, turfblock, etc.) to maximize infiltration. At a minimum, all parking areas shall be surfaced with porous/permeable materials.

Fig. 9.2 Timing of Public Trail Improvements (see Figure 9.1)

Trail Group	*Timing of Improvement*
Group 1	Improvement of this group of trail segments shall be undertaken and completed concurrent with the development of any new building in the Lower or Middle Terrace development zones.
Group 2	Improvement of this group of trail segments shall be undertaken and completed concurrent with the development of the realigned "Major Campus Street."
Group 3	Improvement of this group of trail segments shall be undertaken and completed concurrent with any new development in the Upper Terrace development zone, or when the first 10% of the new building floor area (square footage) contained in the Campus building program set forth in subsection 5.2.1 is completed.

9.1.2 Overlooks

The University shall construct new overlooks and improve existing overlooks on the Marine Science Campus consistent with the parameters for such overlook improvements specified in this CLRDP, including Section 5.6 and Chapter 7. The improvements at Overlook B shall encompass the areas adjacent to the overlook as described in Chapter 7. These new and improved overlooks shall be completed as shown in Figure 9.3

Fig. 9.3 Timing of Overlook Improvements

Overlook	*Timing of Improvement*
All Overlooks (A – F)	Unless required to be completed earlier by the timing described in the remainder of this figure, at a minimum, all overlook improvements shall be completed when the first ten percent of new building floor area (square footage) contained in the Marine Science Campus Building Program set forth in Subsection 5.2.1 is completed.
Overlooks A, C, D, and E	All overlook improvements shall be completed within 12 months of CLRDP certification.
Overlooks B and F	All overlook improvements shall be completed concurrent with the development of any new building in the Lower or Middle Terrace development zones or within two years of CLRDP certification, whichever comes first.

7.2.4 Overlooks

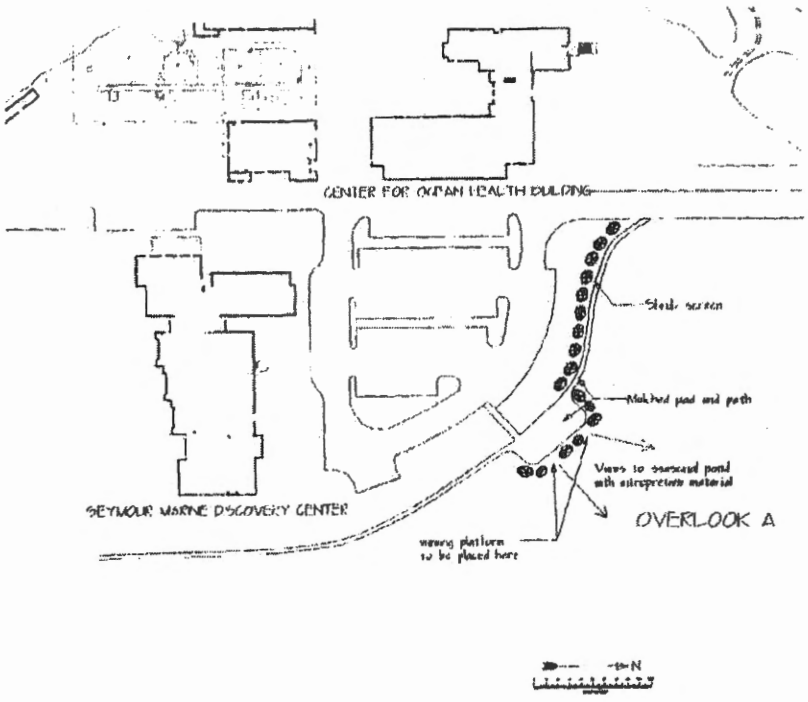
Overlook A

Overlook A is a new overlook to be developed adjacent to the Seymour Marine Discovery Center (see also Figure 9.1). This overlook will permit viewing of the seasonal wetland (Wetland W5) to the northeast.

This overlook area, just north of the parking lot of the Seymour Marine Discovery Center, would provide two slightly raised viewing platforms in a native shrub screen that would surround a level mulched pad with picnic tables. This area is connected to the public access pathway that leads around the outside of the parking lot and thus would serve as a stopping/observation point for pedestrians using the public pathway, as well as for school groups and other visitors to the Seymour Center. A panel at each of the two platforms would interpret the natural aspects of the seasonal pond to the north and northeast along with other visible features the landscape. Please refer to Figure 7.9.

The two wooden viewing platforms would be two steps above grade (approximately 14 inches) and would measure approximately eight by four feet surrounded by a railing on three sides. A 6-foot high vegetation screen of locally selected native shrubs would be planted to contain the area, discourage foot traffic off of the pad area, and to provide visual and wind screening. Overlook A will be directly accessible as part of the public access trail system.

Figure 7.9: Overlook "A" Illustrative Plan

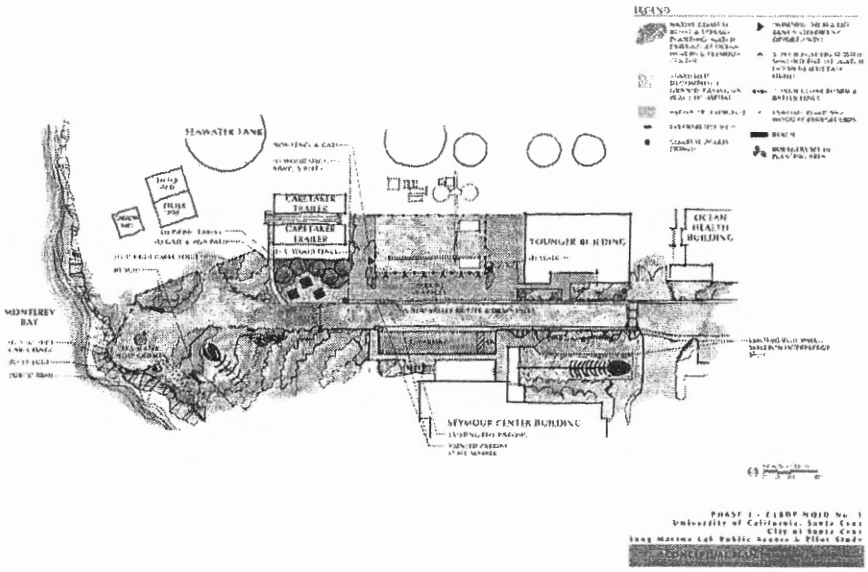


Overlook B

Overlook B is the existing ocean overlook located at the blufftop at the end of McAllister Way that allows exceptional views of the Monterey Bay National Marine Sanctuary and the shoreline both up and down coast (see also Figure 9.1). Many visitors use this site, and its proximity to the Seymour Discovery Center makes it an ideal overlook. It is fully handicapped accessible and open during daylight hours. This overlook shall be enhanced to become part of a continuous public access area extending seaward from the northern edge of the Younger Building and the northern edge of the whale skeleton at the northwest corner of the Marine Discovery Center (see Figure 7.10). Within this area, the existing roadway pavement shall be removed and converted to decomposed granite, or similar pathway material. Spaces along the pathway shall be redeveloped as a primary public access point with landscaping, benches, picnic tables, interpretive facilities (i.e., for the adjacent research areas, the seawater system, the ocean, etc.), and other amenities (i.e., telescopes, bike racks, and recycling, etc.). Limited vehicular access through this area may continue (i.e., parking for University-owned vehicles only, service access, emergencies, seawater system maintenance, etc.). The area is intended to look and function as a public access area through an active and working marine research facility with ample interpretation of various ongoing research activities. Toward this end, the northern entry (at the whale skeleton) shall include clear public access and service/campus vehicles only signage and either removable bollards or, if necessary for the vehicles allowed here, bollards designed to narrow the entry as much as possible while allowing a single lane for authorized vehicle ingress and egress. Further, removable bollards shall be placed at the southernmost extent of this parking area to prevent overflow parking and vehicle access. The public access area shall be decomposed granite, or similar material, to match the rest of the public trail system. The area shall include abundant landscaping to screen the access area from buildings and facilities, to define different activity areas within it (e.g., around interpretive displays, around picnic benches, etc.), to create meandering edges, and to keep users out of more sensitive areas as needed. The improvements shall be integrated with existing vegetation and trails fronting the Marine Discovery Center, including through the redesign of such landscaping and trails as necessary to maximize the value and function of the public access area overall including its relation to the blufftop trail extending to the east. The overall intent and objective is to create a user friendly, attractive, and interactive public access area that can function as a primary public access destination and outdoor interpretation area related to marine research activities. Figure 7.10 is a conceptual plan showing an example of how this area might be configured to accomplish the enhancements related to Overlook B and describes their conceptual framework. The above textual description provides the controlling parameter for design and implementation of the Overlook B extended public access area enhancements.

The University would phase the implementation of these improvements as specified in Chapter 9 of the CLRDP, while maintaining the current access to this area throughout the phased implementation period, except as precluded by construction activity during short periods of time. Overlook B is and will be directly accessible as part of the public access trail system.

Figure 7.10: Overlook "B" Illustrative Plan



Overlook C

Overlook C is an existing overlook located immediately west of the LML marine mammal pool on top of the berm (see also Figure 9.1). The California Conservation Corps originally built this overlook as a cooperative project between LML and YLR. It overlooks both LML and YLR and therefore affords opportunities for docent interpretation both of the marine mammal research on the LML side, and Monterey Bay, front and back beach, seacliff and lower lagoon portions of YLR on the other side. There are existing interpretive panels on LML dolphin research and improvements to this overlook will likely be limited to adding new YLR and Monterey Bay National Marine Sanctuary interpretive panels on the west side of the overlook. Access to this overlook is by docent-guided tour only through the center of the LML facilities. Public access to Overlook C has and will be carefully controlled to prevent adverse impacts to the marine mammals, marine mammal research efforts, and YLR wildlife.

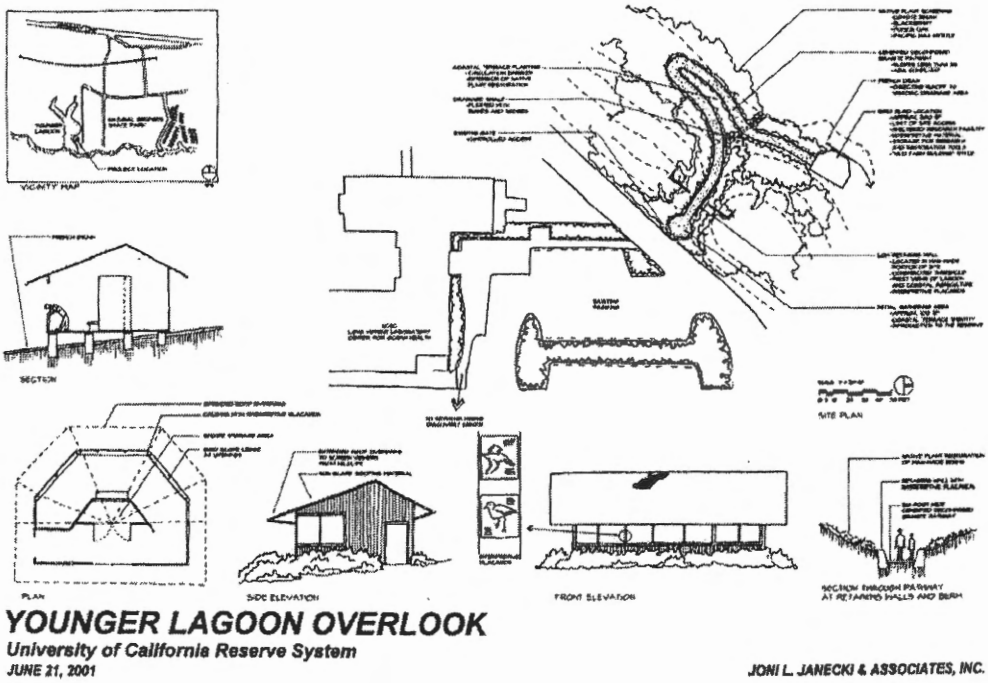
Overlook D

Overlook D is an existing rudimentary overlook located north of the Ocean Health building on the Younger Lagoon side of the earthen berm that provides a view of the lower part of YLR (see also Figure 9.1). Presently, the area is accessed by a temporary pedestrian path through a gap in the berm to the nearly level overlook area, which contains a bench. Improvements to this overlook shall include construction of an enclosed observation blind to allow observation of the lagoon wildlife without disturbance, a surfaced access path that meets ADA and drainage criteria for slope and surface, vegetation screening of the pathway from the lagoon, and interpretive materials at the blind. The University would phase the implementation of these improvements as specified in Chapter 9 of the CLRDP, while maintaining the current interpretive docent-guided access to this area throughout

the phased implementation period, except as precluded by construction activity during short periods of time. General public access to this overlook would continue via docent-guided tours from the Seymour Marine Discovery Center. Access for bird or other research observation would remain by arrangement with the Younger Lagoon Reserve manager. Please refer to Figure 7.11.

The pathway would require light grading to meet ADA slope standards and runoff/erosion control, and would include two short sections of low retaining wall where the path passes through the gap in the earthen berm. The path would be surfaced with cemented decomposed granite. The observation blind would be of wood-framed construction with shed roof in non-reflective, earth tone colors. The vegetation screening, some of which is already in place, would consist of native plant materials grown from on-site stock.

Figure 7.11: Overlook "D" Illustrative Plan

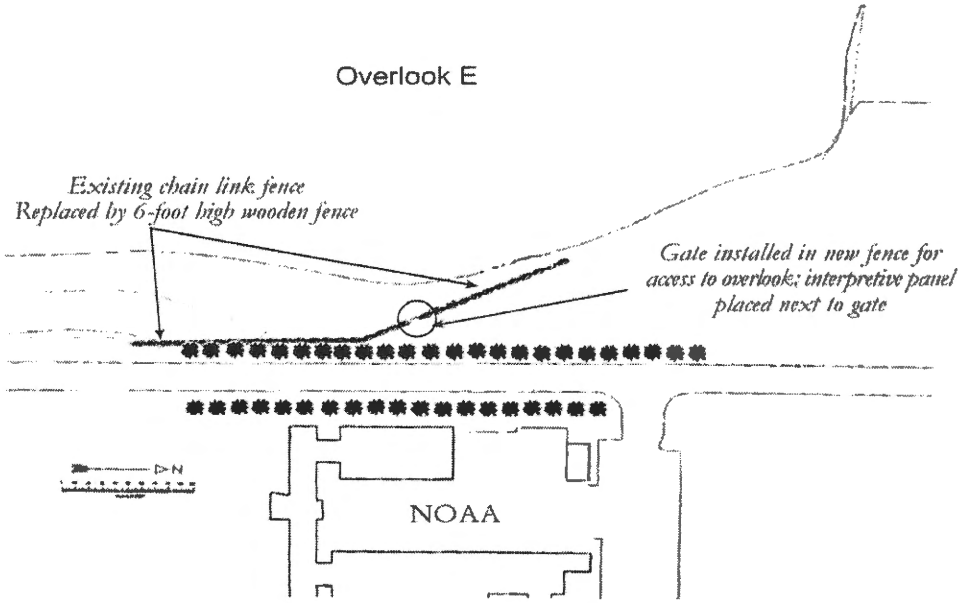


Overlook E

Overlook E is a new overlook to be located above the middle section of Younger Lagoon Reserve in an area near the NOAA Fisheries building and immediately adjacent to McAllister Way: it would be directly accessible as part of the public access trail system (see also Figure 9.1). This overlook will provide pedestrians that are walking along this public access route with a view into the lagoon, and an opportunity to step off the path and linger in the overlook area. An interpretive panel would introduce the visitor to the significance of protected areas such as Younger Lagoon to coastal ecology. A minor alteration to the fence line would provide an alcove from which views of the lagoon are possible to the south toward the beach, west toward the main section of the lagoon and agricultural fields beyond, and to the northwest up the lagoon's upper arms. Along the fence existing at the time of CLRDP certification, where neither earthen berm nor vegetation screening was in place, shade cloth originally acted as a visual screen. Replacement fencing and landscaping in this area are provided for by this CLRDP. This overlook would be improved by developing a solid fence and a native plant screen in two tiers: a six-foot high screen of native shrubs along the west side of the fence (with a break at the overlook to allow through views) to provide screening from McAllister Way, and a row of cypress trees, which when grown into full tree form would provide a larger scale screen of the NOAA building to the east (see also fencing and landscape design in Chapter 6). The location of the fence line in Figure 7.12 is illustrative only. Its actual location and siting is dependent upon, and must relate to, the location of CLRDP building program elements (including parking areas) and CLRDP applicable provisions (including protection of public views, protection of

Younger Lagoon Reserve, etc.). The overlook area would be accommodated within a ten-foot wide and four-foot deep alcove on the Younger Lagoon side of the fence line. Within this overlook alcove the solid fencing and vegetation would be limited to four feet in height to provide views over the top of the fencing/landscaping while minimizing the amount of people movement visual from the wildlife/lagoon perspective. A firm pedestrian surface (i.e., decomposed granite, tight gravel, wood platform, etc.) would be provided in the alcove and at its entrance. The interpretive panel would hang on the fence immediately adjacent to and/or within the alcove.

Figure 7.12: Overlook "E" Illustrative Plan



Overlook F

Overlook F is a new blufftop overlook to be established inland of the blufftop edge at the southeastern corner of the Campus (see also Figure 9.1). This overlook would be sited to be easily accessed by the public blufftop trail at the promontory in the bluff roughly 100 feet west of the De Anza Mobile Home Park. Benches and bicycle racks and trash/recycling cans shall be provided. The overlook shall be oriented so as to best provide panoramic ocean views with as little obstruction as possible. Low vegetative barriers rather than fencing shall be used to ensure public safety if feasible, and interpretive signs shall be low key and placed so as not to adversely impact ocean views. The overlook shall be developed with a decomposed granite main area of approximately 200 square feet and landscaped with native blufftop species, where the landscaping, decomposed granite, and amenities are sited and designed to appear as natural as possible (including avoidance of linear forms).

All Overlooks

All overlooks shall include CLRDP appropriate signage and interpretive panels that identify the major natural features that can be observed. All overlooks shall be designed to seamlessly integrate into the natural site aesthetic. Paths shall be marked appropriately and shall be fully handicap accessible according to ADA regulations.

Craig, Susan@Coastal

From: Dario Caloss [djcaloss@gmail.com]
Sent: Thursday, June 21, 2012 6:33 AM
To: Craig, Susan@Coastal
Cc: ppc@ucsc.edu
Subject: Public Access Overlook and Overlook Improvements Project

Ms. Craig:

I write in support of UCSC's "Overlooks Project." I urge the members of the Costal Commission to approve this beneficial and well designed project. Please include this email as public comment at the Commission's hearing to consider this project.

Best,
Dario

--
Dario Caloss
110 Ortalon Circle
Santa Cruz, California 95060
djcaloss@gmail.com