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

W14b

DATE: July 25, 2013

TO: Commissioners and Interested Persons

FROM: John Ainsworth, Senior Deputy Director
Steve Hudson, District Manager
Denise Venegas, Coastal Program Analyst

SUBJECT: **Notice of Impending Development (NOID) UCS-NOID-0202-13** for the Fenita House Demolition Project, for Public Hearing and Commission Action at the August 14, 2013, Commission Meeting in Santa Cruz, CA.

SUMMARY OF STAFF RECOMMENDATION

The impending development involves the demolition of an existing, abandoned 2,385 sq. ft., one-story structure (Building 365, the "Fenita House") on Slough Road. Demolition would include the removal of the structure's foundation, asphalt driveway, fence, associated utilities and the existing septic tank will be pumped out, decommissioned, and backfilled. No removal of any trees is proposed.

Staff recommends that the Commission determine that the Notice of Impending Development **is consistent** with the certified University of California Santa Barbara Long Range Development Plan (LRDP) with four (4) special conditions. The motions and resolution for Commission action can be found starting on **page 4**.

The residential structure to be demolished is located on West Campus Mesa of the University of California, Santa Barbara adjacent to Slough Road and the structure is approximately 175 ft. from the eastern bank of Devereux Slough. All demolition and staging activities will occur within the previously developed portion of the site and will not involve the removal of any native vegetation or impacts to environmentally sensitive habitat areas. Although the project site itself does not contain environmentally sensitive habitat area (ESHA), the project site is located in close proximity to environmentally sensitive habitat and wetland areas including, Coal Oil Point Reserve which is located approximate half a mile to the south and Devereux Slough, which is located less than 90 ft. to the west of the project site. Devereux Slough is designated as both a wetland and ESHA pursuant to the certified LRDP.

Although the proposed project will not result in impervious surfaces since all existing development will be demolished and removed from the project site, it will still result in bare soils and the disturbed areas could lead to an increase in the volume and velocity of stormwater runoff and sediment load that can be expected to leave the site and eventually be discharged into

Devereux Slough and coastal waters. Pollutants commonly found in runoff associated with dirt, vegetation and litter can have excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight need by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproduction cycle for aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behaviors. These impacts reduce the biological productivity and the quality of wetlands and coastal waters.

In past actions, the Commission has found that erosion on disturbed sites can be minimized by revegetating all disturbed areas with native plants compatible with the surrounding area. However, in this case, the University is not proposing to revegetate any of the disturbed areas on site after demolition is complete and has instead proposed to simply add mulch over the disturbed/exposed soil areas. Given the close proximity of the Devereux Slough wetland, which is located less than 90 ft. from the project site, and the potential for increase sedimentation of the slough which may occur if the disturbed project site is not adequately revegetated, **Special Condition Two (2)** has been required to ensure that all areas that are disturbed on site are revegetated in accordance with the LRDP provisions to minimize the potential for adverse impacts to water quality and aquatic resources resulting from potential increases in erosion and sedimentation. Specifically, **Special Condition Two (2)** requires the University to submit revegetation plans, for review and approval by the Executive Director, to revegetate all disturbed areas on site with native plant species endemic to the surround area to minimize the rate of soil erosion and reduce the runoff of pollutants. Only as conditioned will the proposed impending development minimize adverse impacts to water quality and coastal resources to the maximum extent possible. The Commission also finds that the presence of a qualified biologist is necessary during the demolition activities to ensure that there is no unintended disturbance and adverse impacts to adjacent sensitive resource areas are minimized. Therefore **Special Condition One (1)** has been required to ensure that an independent qualified biologist or environmental resource specialist shall be present on site during all demolition activities or during any activities involving the use of heavy machinery.

Furthermore, interim erosion control measures and best management practices implemented during demolition activities will serve to further minimize the potential for adverse impacts to water quality and downslope wetland areas resulting from drainage runoff during demolition. Therefore, the Commission finds that **Special Condition Three (3)** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources. Additionally, **Special Condition Four (4)** requires the University to remove all excavated materials, including debris resulting from the demolition of existing structures, from the site to an appropriate location permitted to receive such material.

The standard of review for the proposed NOID is the policies of the certified University of California Santa Barbara Long Range Development Plan.

Additional Information: For further information, please contact Denise Venegas at the South Central Coast District Office of the Coastal Commission at (805) 585-1800. The UCSB Notice of Impending Development UCS-NOID-0202-13 is available for review at the Ventra Office of the Coastal Commission.

TABLE OF CONTENTS

SUBSTANTIVE FILE DOCUMENTS

University of California, Santa Barbara, 1990 Long Range Development Plan; "Fenita House Bird Use Survey" dated May 14, 2013, prepared by Lisa Stratton.

EXHIBITS

Exhibit 1. Vicinity Map
Exhibit 2. Aerial Photograph
Exhibit 3. Site/Demolition Plan

I. PROCEDURAL ISSUES

Section 30606 of the Coastal Act and Title 14, sections 13547 through 13550 of the California Code of Regulations[1] govern the Coastal Commission's review of specific development projects proposed to be undertaken pursuant to 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. The remaining items necessary to provide a complete notice of impending development for the project at issue in this report were received in the South Central Coast Office in early July, Commission staff reviewed them within 10 days of receiving them, and the notice was filed as complete on July 12, 2013.

Pursuant to section 13550(b) of the regulations, within thirty days of filing the notice of impending development, the Executive Director is to report to the Commission on the nature of the development and make a recommendation regarding the consistency of the proposed development with the certified LRDP. After a public hearing, by a majority of its members present, the Commission determines 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 impose any conditions(s) necessary to render the proposed development consistent with the certified LRDP.

Because the notice of impending development at issue in this case was filed complete on July 12, 2013, pursuant to Section 13550 (b) of the regulations, the Executive Director would normally need to report the pendency of the proposed development to the Commission by August 11, 2013. However, as there was no Commission meeting available from July 12, 2013, to August 11, 2013, inclusive, that would not be possible. Instead the University has submitted a letter dated July 16, 2013, waiving the 30 day right to a Commission determination to allow for additional time for the Executive Director to report this notice of impending development to the Commission, and is being reported at the first available meeting following August 11.

II. MOTION & RESOLUTION

The staff recommends that the Commission adopt the following resolution:

Motion:

> *I move that the Commission determine that the development described in the Notice of Impending Development UCS-NOID-0202-13 (Fenita House Demolition 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 UCS-NOID-0202-13 as

[1] All further references to regulations are to Title 14 of the California Code of Regulations

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:

The Commission hereby determines that the development described in the Notice of Impending Development UCS-NOID-0202-13, 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 February 15th and September 1st, the University shall retain the services of a qualified biologist or environmental resource specialist (hereinafter, "environmental resources specialist") to conduct raptor and other sensitive bird species surveys and monitor project operations. At least 30 calendar days prior to commencement of any project operations, the University shall submit the name and qualifications of the environmental resource specialist, for the review and approval of the Executive Director. The environmental resources specialist shall ensure that all project construction and operations shall be carried out consistent with the following:

A. The University shall ensure that a qualified environmental resource specialist with experience in conducting bird surveys shall conduct bird surveys 30 calendar days prior to the construction and/or tree removal activities to detect any active bird nests in all trees within 500 feet of the project (including, but not limited to, eucalyptus trees). A follow-up survey must be conducted 3 calendar days prior to the initiation of clearance/construction and nest surveys must continue on a monthly basis throughout the nesting season or until the project is completed, whichever comes first.

B. If an active nest of any federally or state listed threatened or endangered species, species of special concern, or any species of raptor is found within 300 ft. of the project (500 ft. for raptors), the University shall retain the services of a qualified biologist with experience conducting bird and noise surveys, to monitor bird behavior and construction noise levels. The biological monitor shall be present at all relevant construction meetings and during all significant construction activities (those with potential noise impacts) to ensure that nesting birds are not disturbed by construction related noise. The biologist monitor shall monitor birds and noise every day at the beginning of the project and during all periods of significant construction activities. Construction activities may occur only if construction noise levels are at or below a peak of 65 dB at the nest(s) site. If construction noise exceeds a peak level of 65 dB at the nest(s) site, sound mitigation measures such as sound shields, blankets around smaller equipment, mixing concrete batches off-site, use of mufflers, and minimizing the use of back-up alarms shall be employed. If these sound mitigations measures do not reduce noise levels, construction

within 300 ft. (500 ft. for raptors) of the nesting trees shall cease and shall not recommence until either new sound mitigation can be employed or nesting is complete.

C. If an active nest of a federally or state-listed threatened or endangered species, bird species of special concern, or any species or raptor is found, UCSB will notify the appropriate State and Federal Agencies within 24 hours, and appropriate action specific to each incident will be developed. UCSB will notify the California Coastal Commission by e-mail within 24 hours and consult with the Commission regarding determinations of State and Federal agencies.

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 1-13 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 a new NOID.

2. <u>Revegetation Plan</u>

Prior to commencement of construction activities, the University shall submit a revegetation plan, prepared by a licensed landscape architect or a qualified resource specialist, for review and approval by the Executive Director. The plan shall incorporate the following criteria:

A. All disturbed areas on the project site shall be planted and maintained for erosion control purposes within (60) days after demolition is completed. All plantings shall consist of native plants/shrubs and trees. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property.

B. Plantings will be maintained in good growing condition throughout the life of the project and, whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable revegetation requirements.

C. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

D. The University shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without a new notice of impending development unless the Executive Director determines that a new notice of impending development is not legally required.

3. Interim Erosion Control Plans and Construction Responsibilities

A. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION ACTIVITIES, the University shall submit to the Executive Director an Interim Erosion Control and Construction Best Management Practices Plan, prepared by a qualified, licensed professional. The qualified, licensed professional shall certify in writing that the Interim Erosion Control and Construction Best Management Practices (BMPs) plan are in conformance with the following requirements:

1. Erosion Control Plan

(a) The plan shall delineate the areas to be disturbed by grading or construction activities and shall include any temporary access roads, staging areas and stockpile areas. The natural areas on the site shall be clearly delineated on the plan and on-site with fencing or survey flags.

(b) Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.

(c) The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.

(d) The plan shall specify that grading shall take place only during the dry season (April 1 – October 31). This period may be extended for a limited period of time if the situation warrants such a limited extension, if approved by the Executive Director. The University shall install or construct temporary sediment basins (including debris basins, desilting basins, or silt traps), temporary drains and swales, sand bag barriers, silt fencing, and shall 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. Basins shall be sized to handle not less than a 10 year, 6 hour duration rainfall intensity event.

(e) The erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout 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 of the coastal zone or within the coastal zone to a site permitted to receive fill.

(f) The plan shall also include 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. The plans shall also specify that 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.

(g) All temporary, construction related erosion control materials shall be comprised of bio-degradable materials (natural fiber, not photo-degradable plastics) and must be removed when permanent erosion control measures are in place. Bio-degradable erosion control materials may be left in place if they have been incorporated into the permanent landscaping design.

2. Construction Best Management Practices

(a) 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.

(b) 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, streams, wetlands or their buffers.

(c) 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.

(d) 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.

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

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

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

(h) 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.

(i) 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.

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

(k) 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.

(l) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) 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

(m) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

B. The final Interim Erosion Control and Construction Best Management Practices Plan shall be in conformance with the site/ development plans approved by the Coastal Commission. Any necessary changes to the Coastal Commission approved site/development plans required by a qualified, licensed professional shall be reported to the Executive Director. No changes to the approved final plans shall occur without a new notice of impending development unless the Executive Director determines that anew notice of impending development is not legally required.

4. Removal of Excess Material

Prior to commencement of construction activities, the University shall provide evidence to the Executive Director of the location of the disposal site for all excess excavated/demolition 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 NOID will be required prior to the disposal of material.

IV. FINDINGS FOR APPROVAL OF THE NOTICE OF IMPENDING DEVELOPMENT

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The University proposes to demolish the an existing, abandoned 2,385 sq. ft., one-story single family residence structure (aka., the "Fenita House", Building 365) on Slough Road. Demolition would include the removal of the structure's foundation, asphalt driveway, fence, associated utilities and the existing septic tank will be pumped out, decommissioned, and backfilled. No removal of any trees is proposed. The Fenita House was originally constructed in 1954 by the Devereux Foundation (previous owner) as a single-family residence. The University acquired the building and property in 1967. In recent history, the structure has been used as faculty/staff housing, but has remained unoccupied within the past five to ten years and the University has determined that structure has reached the end of its useful life.

The existing structure (the "Fenita House") to be demolished is located on the West Campus Mesa of the University of California, Santa Barbara adjacent to Slough Road. The site is immediately east of Devereux Slough, in a relatively undeveloped portion of West Campus and is not adjacent to any development in the immediate vicinity other than for Slough Road. The

project site is relatively flat with ground elevations at approximately 38 feet mean sea level with the exception of the slope on the western side which descend to Slough Rd. and the Devereux Slough with an approximately 25-30 feet drop in elevation from the project site to the slough. The project site is also surrounded by a grove of several mature Cypress and non-native Eucalyptus trees to the west and south (Exhibit 2). The certified UCSB Long Range Development Plan (LRDP) currently designates this area as Faculty Housing.

The project site has been previously developed with the existing single story structure, wooden fence; asphalt driveway, landscaping, and three non-native trees (Deodar (*Cedrus deodara*), Arbutus (*Arbutus* menziesii), and a Eugenia (*Eugenia sprengelii*) tree which are located approximately 10 - 25 ft. from the existing structure. The University has submitted a "Fenita House Bird Survey" prepared by Lisa Stratton, and dated May 5, 2013. This Bird Survey included observations of the three trees listed above and concluded that there were no confirmed sighting of active bird nest use on the three trees. The University does not propose to remove or trim these trees at this time. The existing landscaping and three trees on site are not considered to be environmentally sensitive habitat area (ESHA) however, a portion of the existing driveway is located less than 90 ft. from Devereux Slough, a tidal wetland/estuary that is designated ESHA pursuant to the certified LRDP. As a result of the close proximity of the project site to the slough, some portions of the demolition activities would encroach into the normally required 100 foot buffer from wetlands.

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 environmental 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. For instance, Policy 30240(b).24 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. In addition, Section 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 polices 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.

The 1990 LRDP does not designate the project site ESHA, however the project site is located immediately adjacent to ESHA and less than 90 feet from the east bank of Devereux Slough, which is designated as both a wetland and ESHA pursuant to the certified LRDP (Exhibit 3). In addition, the project site is located in a relatively undeveloped portion of the University property and approximately half a mile to the north of the Coal Oil Point Reserve. The proposed impending development for the demolition of the Fenita House and associated development would occur less than 100 feet away from Devereux Slough and within the normally required 100 foot buffer from the Devereux Slough wetland. Although demolition activities are not proposed to occur in ESHA, project staging, including the equipment access corridors, for the demolition of the Fenita House, structure's foundation, fence and driveway, has the potential to adversely impact adjacent ESHA. To ensure that project staging is minimized and resources issues are addressed, the University has submitted a construction staging and fencing plan indicating that the construction zone, construction staffing area(s) and construction corridor(s) shall avoid impacts to wetlands and other sensitive habitat.

The Commission also finds that the presence of a qualified biologist is necessary during the demolition activities to ensure that there is no unintended disturbance and adverse impacts to adjacent sensitive resource areas are minimized. Therefore **Special Condition One (1)** has been required to ensure that an independent qualified biologist or environmental resource specialist shall be present on site during all demolition activities or during any activities involving the use of heavy machinery. Specifically, Special Condition One (1) requires that should construction activities occur between February 15 and September 1 (bird breeding season), a qualified environmental resource specialist 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. Further, Special Condition One (1) requires that a qualified environmental resource specialist be present during all tree removal activities. 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 proposed project will not result in the creation of any new impervious surfaces since all existing development will be demolished and removed from the project site; however, it will result in bare soils and the disturbed areas that could lead to a potential increase in the volume and velocity of stormwater runoff and sediment load that can be expected to leave the site and eventually be discharged into Devereux Slough and coastal waters. Pollutants commonly found in runoff associated with dirt, vegetation and litter can have excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight

need by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproduction cycle for aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behaviors. These impacts reduce the biological productivity and the quality of wetlands and coastal waters and reduce optimum population of marine organisms and have adverse impacts on human health.

Although the existing graded pad where the residence is located is relatively flat, slopes on site descend approximately 25-30 ft. in elevation from the flat pad area to the eastern bank of Devereux Slough which is located approximately 90 ft. from the subject site. Although Slough Road is located between the subject site and Devereux Slough, if increased erosion on site from demolition activities occurs then increased sedimentation to downslope areas from uncontrolled stormwater runoff, including the adjacent Devereux Slough wetland would likely occur.

In past actions, the Commission has found that erosion on site can be best minimized by revegetating all disturbed areas with native plants compatible with the surrounding area. However, in this case, the University is not proposing to revegetate any of the disturbed areas on site after demolition is complete and has instead proposed to simply place mulch over the disturbed/exposed soil areas. Although use of mulch on disturbed areas provide some benefit in reducing surficial soil erosion, it does not provide the same level of erosion control as the use of revegetation, particularly on sites with sloped areas, such as the subject site, where mulch may be washed downslope by stormwater runoff. Therefore, given the close proximity of the Devereux Slough wetland, which is located downslope and less than 90 ft. from the project site, and the potential for increased sedimentation of the slough which may occur if the disturbed project site is not adequately revegetated, **Special Condition Two (2)** has been required to ensure that all areas that are disturbed on site are adequately revegetated to minimize the potential for adverse impacts to water quality and wetlands resulting from potential increases in erosion and sedimentation. Specifically, **Special Condition Two (2)** requires the University to submit revegetation plans, for review and approval by the Executive Director, to revegetate all disturbed areas on site with native plant species endemic to the surround area. All native plant species shall be of local genetic stock. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California invasive Plant Council, or by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as a 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized or maintained within the property.

Furthermore, interim erosion control measures and best management practices implemented during demolition activities will serve to further minimize the potential for adverse impacts to water quality and downslope wetland areas resulting from drainage runoff during demolition. Therefore, the Commission finds that **Special Condition Three (3)** is necessary to ensure the proposed development will not adversely impact water quality or coastal resources. Additionally, the Commission finds that stockpiled materials and debris have the potential to contribute to increased erosion, sedimentation, and pollution. Policy 30231.1 of the LRDP prohibits the storage or deposition of excavated materials on campus where such material will be subject to stormwater runoff in order to minimize soil erosion and sedimentation of coastal waters. Therefore, consistent with Policy 30231.1 of the LRDP in order to ensure that excavated and

debris material will not be stockpiled on site and that landform alteration and site erosion is minimized, **Special Condition Four (4)** requires the University to remove all excavated materials, including debris resulting from the demolition of existing structures, from the site to an appropriate location permitted to receive such material. Should the disposal site be located in the Coastal Zone a separate coastal development permit or notice of impending development may be required.

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, wetlands areas, other sensitive resources, and water quality.

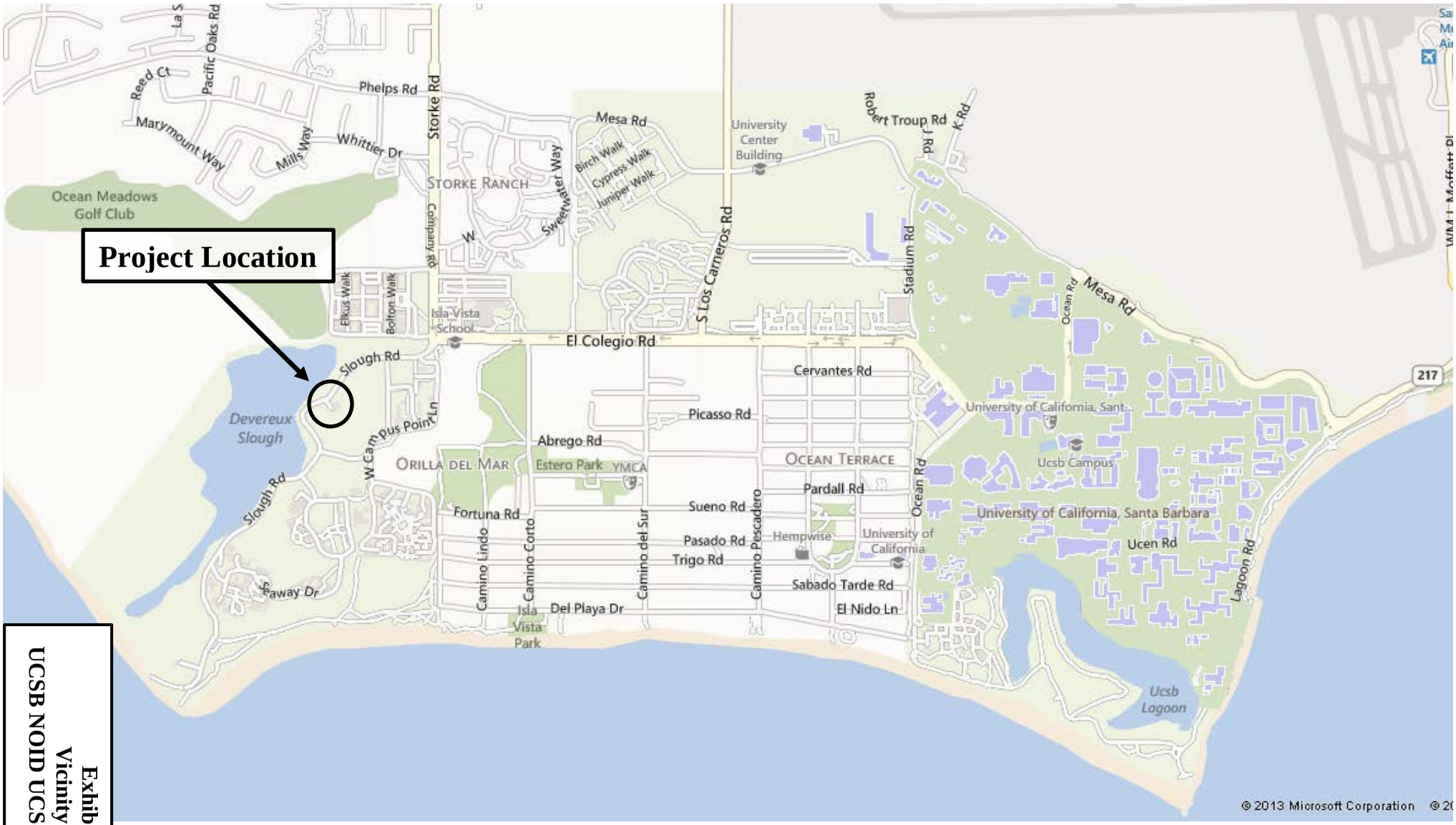

Exhibit 1
Vicinity Map
UCSB NOID UCS-NOID-0202-13

Exhibit 2
Aerial Photograph
UCSB NOID UCS-NOID-0202-13

Document Path: J:\PJs\06-131 Rudy Fenita House Demo\-10.Misc\GIS\SiteMapFenita.mxd Date: 7/1/2013

UCSB Office of Campus Planning & Design

Fenita House (Building 365)
Site Map

0 25 50 Feet

N

Exhibit 3
Site Map/Demolition Plan
UCSB NOID UCS-NOID-0202-13