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

F9a

DATE: December 19, 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) 1-12** for the Ocean Road Tree Removal and Pruning Project, for Public Hearing and Commission Action at the January 9, 2014, Commission Meeting in San Diego, CA.

SUMMARY OF STAFF RECOMMENDATION

The impending development involves the pruning of 102 trees and the removal of seventeen (17) non-native mature eucalyptus trees, one (1) mature coast live oak and one (1) Monterey cypress tree that are all part of a long eucalyptus windrow (consisting of primarily eucalyptus trees) located along Ocean Road on the west side of Main Campus of University of California, Santa Barbara. Proposed grading is limited to the backfilling of the stump locations, with the vacated stump and surrounding area mulched for erosion control purposes. The University proposes to conduct all tree pruning and removal activities outside of the bird breeding and nesting season (February 15 to September 1).

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 three (3) special conditions. The motions and resolution for Commission action can be found starting on **page 5**.

The half mile long eucalyptus tree windrow is located on the west side of Main Campus, adjacent to the property line between Isla Vista (County of Santa Barbara) and University of California, Santa Barbara (Exhibit 1). The north/south-oriented windrow runs from El Colegio down to Del Playa Drive and mostly follows Ocean Road to the east. The tree windrow is surrounded by existing development: apartment buildings to the west; a north-south bicycle and pedestrian pathway, and existing landscaping to the east. A north-south bicycle and pedestrian pathway and an existing dirt berm are located directly under the tree windrow dripline. Additionally, the project site is relatively flat except for the above mentioned existing dirt berm that run adjacent to the property line between Isla Vista and the University and ranges from approximately 41 to 63 feet above mean sea level. The certified UCSB Long Range Development Plan (LRDP) currently designates this area as Open Space.

The subject tree windrow pre-dates the establishment of the University, and is comprised of trees that are approximately 87 to 97 years old with many of them exceeding 100 feet in height.

Additionally, some of these trees are approaching the end of their lifespan and some of which have been determined to be unhealthy and unsafe to person and property in the vicinity of the eucalyptus windrow.

The arborist report recommends removal of the 19 subject trees due to disease, poor structure, crowding, and tree and site conditions that lend themselves to long-term instability. Specifically, the oak tree proposed for removal was determined to be in poor condition with large scaffold branches full of decay and at risk of falling which could be a danger to pedestrians, bicyclist and/or vehicular traffic. The arborist report further indicates that the Monterey cypress is a suppressed understory tree and recommends that it be removed due to poor structure, crowding, and significant trunk decay.

The trees on the project site do not constitute environmentally sensitive habitat area (ESHA). The project site is located along the western edge of Main Campus; the eucalyptus windrow is not designated ESHA on Figure 28, Environmentally Sensitive Habitat, of the certified LRDP; and the biological surveys for this project indicate that the trees on the site proposed for removal do not support nesting raptors or other sensitive species. The University has submitted two raptor surveys, completed within the last year, to evaluate and document foraging and nesting activity of the surrounding eucalyptus windrow located along Ocean Road and conclusions of those reports are discussed in detail further below. The raptor surveys did not identify any raptor nesting activity within the trees proposed for removal; however one Cooper Hawk's nest was found on a tree within the eucalyptus tree windrow that is located directly in-between two trees (Trees B and C, as shown on Exhibit 3) that are proposed for removal. Additionally, one Red-tailed Hawk was found perching on a tree within the eucalyptus tree windrow.

However, due to the fact that the nineteen trees proposed for removal still have the potential to provide habitat for sensitive bird species, it is necessary to ensure that potential impacts to nesting bird species are avoided. Thus in order to avoid any potential adverse impacts to raptor or sensitive bird species, **Special Condition One (1)** prohibits all pruning and removal activities during the bird breeding and nesting season, consistent with the University's proposal, and requires a qualified environmental resource specialist to conduct pre-construction bird surveys to confirm that nesting or breeding behavior is not occurring prior to initiation of such activities.

Although the trees proposed for removal are not ESHA, they still have the potential to provide habitat for sensitive bird species. Therefore the removal of these mature trees must be mitigated to ensure that there are no adverse impacts or permanent loss of potential raptor nesting habitat. The University is proposing to mitigate the loss of the trees at a mitigation ratio of 1:3 for non-native trees removed and 1:10 for the removal of the oak tree, consistent with LRDP policies. To ensure adequate implementation of the University's proposal, **Special Condition Three (3)** requires that a tree replacement planting plan be submitted which reflects the University's mitigation proposal. Special Condition 3 requires that one replacement tree be planted on-site in the immediate vicinity of the removed tree for all non-native trees. The other 2 replacement trees may be planted off-site an approved location on neighboring Campus lands, subject to review and approval of the Executive Director.

Specifically, Special Condition Three (3) requires the University to submit a final native tree replacement planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, tree or seedling size planting specifications, and a five-year monitoring program with specific performance standards to ensure that the replacement planting program is successful.

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. In this case, the University is proposing to add mulch over the disturbed/exposed soil areas. Given that the site is relatively flat, and not located in or adjacent to ESHA, the mulch is a sufficient measure to reduce erosion and ensure protection of coastal resources. **Special Condition Two** (Removal of Tree Material) is necessary to ensure that disposal of the tree material from the pruning and removal occurs in a manner that will not have adverse impacts to the adjacent eucalyptus windrow or other coastal resources.

Only as conditioned will the proposed impending development minimize adverse impacts to coastal resources to the maximum extent possible.

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 1-12 is available for review at the Ventura Office of the Coastal Commission.

TABLE OF CONTENTS

SUBSTANTIVE FILE DOCUMENTS

University of California, Santa Barbara, 1990 Long Range Development Plan; "Ocean Road, Goleta Arborist Report" dated December 18, 2012, prepared by Deborah Ellis, MS. Consulting Arborist & Horticulturist; "Wintering Raptor Report for Former Devereux School and Ocean Road Project Sites" dated February 13, 2013, prepared by Dudek; "Breeding Season Raptor Report for Main Campus sties and West Campus Sites" dated June 24, 2013, prepared by Dudek; "Monarch Butterfly Observations, Ocean Road Project Site" dated March 14, 2013, prepared by Dudek.

EXHIBITS

Exhibit 1. Vicinity Map
Exhibit 2. Aerial Map
Exhibit 3. Proposed Tree Removal and Pruning Project Plans
Exhibit 4. Site Photos

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 late November,

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

Commission staff reviewed them within 10 days of receiving them, and the notice was filed as complete on December 2, 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.

The notice of impending development at issue in this case was filed complete on December 2, 2013, the Executive Director would normally need to report the pendency of the proposed development to the Commission by January 1, 2014. The University has submitted a letter dated December 9, 2013, waiving the 30 day right to a Commission determination pursuant to Section 13550 (b) of the regulations to allow for additional time for staff review. Thus this notice of impending development is being reported at the first available meeting following January 1, 2014.

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 1-12 (Ocean Road Tree Removal and Pruning Project), as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan.*

Staff recommends a **YES** vote. Passage of this motion will result in a determination that the development described in the Notice of Impending Development 1-12 as conditioned, is consistent with the certified University of California at Santa Barbara Long Range Development Plan, and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

> *The Commission hereby determines that the development described in the Notice of Impending Development 1-12, 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. Timing of Construction – Breeding Birds

A. In order to prevent disturbance to breeding and nesting birds, no work shall occur February 15 to September 1.

B. A breeding and nesting bird survey shall be conducted prior to tree removal and tree pruning activities that occur during the non-breeding and non-nesting season (September 1 to February 15). One week prior to tree pruning or removal, a qualified biologist or ornithologist shall survey the trees to be removed or trimmed to detect breeding behavior and/or nests. If an active nest is located, all work within 500 feet of the nest shall be postponed until such nest is vacated and juveniles have fledged and when there is no attempt of a second nesting.

2. Removal of Tree 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 tree debris and pruning 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.

3. Tree Replacement Planting Program

Prior to commencement of construction activities, the University shall submit for the review and approval by the Executive Director, a native tree replacement planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, tree or seedling size planting specifications, and a five-year monitoring program with specific performance standards to ensure that the replacement planting program is successful. At least 10 replacement seedlings, less than one year old, grown from acorns collected in the area, shall be planted off-site at approved location on neighboring Campus lands, subject to review and approval of the Executive Director, as mitigation for the removal of the mature Coast Live Oak tree as shown on Exhibit 3 (labeled as tree A) of this staff report. At least 3 replacement native trees shall be planted as mitigation for the removal of each Eucalyptus and Monterey Cypress tree as shown on Exhibit 3 of this staff report. Replacement native trees shall include a range of container-size plantings consisting of an approximately equal ratio of 36” sized containers, 24” sized containers, and 1-5 gallon sized containers. The removal of the 17 Eucalyptus and 1 Monterey Cypress trees shall require the planting of 54 native trees. Since all required mitigation trees could not feasibly be planted on site, 18 shall be planted in the immediate vicinity of the removed tree and 36 shall be planted off-site at approved location on neighboring Campus lands, subject to review and approval of the Executive Director, in order to fulfill the remainder of the tree mitigation requirement.

The University shall commence implementation of the approved tree replacement planting program concurrently with the commencement of construction on the project site. An annual monitoring report on the replacement trees shall be submitted for the review and approval of the Executive Director for each of the 5 years. If monitoring indicates the replacement trees are not in conformance with or has failed to meet the performance standards specified in the monitoring program approved pursuant to this notice of impending development, the University shall submit a revised or supplemental planting plan for the review and approval of the Executive Director. The revised planting plan shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

IV. FINDINGS FOR APPROVAL OF THE NOTICE OF IMPENDING DEVELOPMENT

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The University proposes to prune 102 trees and remove seventeen (17) non-native mature eucalyptus trees, one (1) mature coast live oak and one (1) Monterey cypress tree that are all part of a long eucalyptus windrow (consisting of primarily eucalyptus trees) located along Ocean Road on the west side of Main Campus. Proposed grading is limited to the backfilling of the stump locations, with the vacated stump and surrounding area mulched for erosion control purposes. The University proposes to conduct all tree pruning and removal activities outside of the bird breeding and nesting season (February 15 to September 1).

These trees pre-date the establishment of the University, are approximately 87 to 97 years old and many of them exceed 100 feet in height. Additionally, some of these trees are approaching the end of their lifespan and some of which have been determined to be unhealthy and unsafe to person and property in the vicinity of the eucalyptus windrow. According to the submitted Arborist Report dated December 18, 2012 and prepared by Deborah Ellis, several of the trees have fallen or lost major limbs and overall they are reported to be in poor condition and considered a safety hazard. Additionally, the oak tree proposed for removal was determined to be in poor condition with large scaffold branches full of decay and at risk of falling which could be a danger to pedestrians, bicyclist and/or vehicular traffic. The arborist report further indicates that the Monterey cypress is a suppressed understory tree and recommends that it be removed due to poor structure, crowding, and significant trunk decay.

The half mile long eucalyptus tree windrow is located on the west side of Main Campus, adjacent to the property line between Isla Vista (County of Santa Barbara) and University of California, Santa Barbara (Exhibit 1). The north/south-oriented windrow runs from El Colegio down to Del Playa Drive and mostly follows Ocean Road to the east. The windrow is surrounded by existing development: apartment buildings to the west; a north-south bicycle and pedestrian pathway, and existing landscaping to the east. A north-south bicycle and pedestrian pathway and an existing dirt berm are located directly under the tree windrow dripline. Additionally, the project site is relatively flat except for the above mentioned existing dirt berm that run adjacent

to the property line between Isla Vista and the University and ranges from approximately 41 to 63 feet above mean sea level. The certified UCSB Long Range Development Plan (LRDP) currently designates this area as Open Space.

The trees on the project site do not constitute environmentally sensitive habitat area (ESHA). The project site is located along the western edge of Main Campus; the eucalyptus windrow is not designated ESHA on Figure 28, Environmentally Sensitive Habitat, of the certified LRDP; and the biological surveys for this project indicate that the trees on the site do not support nesting raptors or other sensitive species.

The University has submitted two raptor surveys, completed within the last year, to evaluate and document foraging and nesting activity of the surrounding eucalyptus windrow located along Ocean Road and conclusions of those reports are discussed in detail further below. The raptor surveys did not identify any raptor nesting activity within the trees proposed for removal; however one Cooper Hawk's nest was found on a tree within the eucalyptus tree windrow that is located directly in-between two trees (Trees B and C, as shown on Exhibit 3) that are proposed for removal. Additionally, one Red-tailed Hawk was found perching on a tree within the eucalyptus tree windrow.

Proposed Method of Tree Removal

The University intends to implement the following, or similar, method of tree removal is as follows: 1) the area surrounding the tree will be cleared and ropes will be attached to large branches before they are removed, 2) a wedge will be placed into the branch from the underside and once the wedge is cut another cut will be made through the top of the branch above the wedge which will then cause the weight of the branch to close the wedge and aim the branch straight down and the ropes will slow the fall/descent of the branch with guidance from the workers, 3) upon removal of all branches, a chain saw will be used to cut the tree down to 4 to 5 feet above the ground, 4) a "cherry picker" will be used to elevate the tree worker up the tree and ropes will be used at the high parts of the tree to slow and guide the portions of the tree down to the ground, 5) the roots will be dug up and the stumps will be grounded with a stump grinder and 6) the remaining hole will be filled with dirt and mulch will be placed on top. Moreover, 40-100-ton crane trucks, brush/wood chippers, front end loaders, backhoes and roll off dump trucks are some of the equipment necessary for the tree removals.

Tree Pruning

According to the University, proposed pruning would be very specific for each tree and is primarily for "tree cleaning" pruning type. Pruning activities will include removing branches that extend down to 2 inches in diameter, removing no more than 20 percent of live branches per tree, and following standard pruning methods as described in American National Standard Institute (ANSI) A300 Pruning Standards. ANSI A300 pruning standards that will be followed include establishing a minimum branch size to be removed (e.g. branches that extend down to two inches in diameter), prioritize hazard reduction pruning (e.g. remove dead limbs over populated areas), and perform maintenance pruning to improve the health and structure of the tree. Additionally, specific types of pruning include cleaning pruning, end weight reduction pruning, length reduction pruning, structural pruning, and subordination pruning.

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.

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

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.

Sensitive Bird Species & Tree Removal

The impending development involves the pruning of 102 trees and the removal of seventeen (17) non-native mature eucalyptus trees, one (1) mature coast live oak and one (1) Monterey cypress tree that are all part of a long eucalyptus windrow located along Ocean Road on the west side of Main Campus. The majority of the trees proposed for removal are not native trees, except for the one Monterey cypress and one oak tree. The University proposes to conduct all tree removal and pruning outside of the bird breeding and nesting season (February 15 to September 1). These trees pre-date the establishment of the University are approximately 87 to 97 years old and many of them exceed 100 feet in height.

Additionally, some of these trees are approaching the end of their lifespan and some of which have been determined to be unhealthy and unsafe to person and property in the vicinity of the eucalyptus windrow. According to the submitted Arborist Report dated December 18, 2012 and prepared by Deborah Ellis, several of the trees have fallen or lost major limbs and overall they are reported to be in poor condition and considered a safety hazard and therefore recommends the removal of nineteen trees. Specifically, the report indicates that some of the trees proposed for removal were found to be infected with sulfur fungus (*Laetiporus gilbertsonii, Syn. L. sulphureus*), usually emerging from the root collar makes the tree much less structurally stable and have poor chances of surviving. Furthermore, some trees in crowded grove situations have poor structure and are at risk of failing if surrounding sheltering trees are removed.

The oak tree proposed for removal was determined to be in poor condition with large scaffold branches full of decay and at risk of falling which could be a danger to pedestrians, bicyclist and/or vehicular traffic. The arborist report further indicates that the Monterey cypress is a suppressed understory tree and recommends that it be removed due to poor structure, crowding, and significant trunk decay.

The University has submitted two raptor surveys (noted above) completed within the last year to evaluate and document foraging and nesting activity of the surrounding eucalyptus windrow located along Ocean Road. The first raptor survey submitted "Wintering Raptor Report for Former Devereux School and Ocean Road Project Sites" dated February 13, 2013, prepared by Dudek reported one Red-tailed Hawk was found perching on a tree located within the eucalyptus windrow. The second raptor survey submitted "Breeding Season Raptor Report for Main Campus sties and West Campus Sites" dated June 24, 2013, prepared by Dudek did not find any raptor nesting activity within the trees proposed for removal however, one Cooper Hawk's nest was found on a tree within the eucalyptus tree windrow that is located directly in-between two trees (Trees B and C, as shown on Exhibit 3) that are proposed for removal.

However, the nineteen trees proposed for removal still have the potential to provide habitat for sensitive bird and raptor species, and therefore it is necessary to time tree removal and pruning to avoid potential impacts to nesting bird species. In order to avoid any potential adverse impacts to raptor or sensitive bird species, the Commission finds that **Special Condition One (1)** is necessary to prohibit all pruning and removal activities during the bird breeding and nesting season, consistent with the University's proposal. Further, prior to initiation of tree removal and pruning activities, Special Condition 1 requires a qualified environmental resource specialist to conduct pre-construction bird surveys to confirm that nesting or breeding behavior is not occurring.

Additionally, because the nineteen trees proposed for removal have the potential to provide habitat for sensitive bird species, the Commission requires the University to plant replacement trees at a ratio of 3:1 for each eucalyptus and Monterey cypress tree removed. In order to ensure that removal of the nineteen trees are sufficiently mitigated consistent with the policies of the LRDP, **Special Condition Three (3)** has been included to require the University to submit a final native tree replacement planting program, prepared by a qualified biologist, arborist, or

other resource specialist, which specifies replacement tree locations, both on- and off-site of the project site, tree or seedling size planting specifications, and a five-year monitoring program with specific performance standards to ensure that the replacement planting program is successful. Since all required mitigation trees could not feasibly be planted on site, 18 shall be planted in the immediate vicinity of the removed tree and 36 shall be planted off-site at approved location on neighboring Campus lands, subject to review and approval of the Executive Director, in order to fulfill the remainder of the tree mitigation requirement. The planting of some replacement trees on site will allow for the retention of the tree windrow.

The oak tree is not part of a larger stand of oak woodland and is located in close proximity to El Colegio Road, with a bicycle pathway running along its eastern side and an apartment building complex parking lot to the west. The Arborist report indicates that the oak tree proposed for removal is in poor condition with large scaffold branches full of decay and is at risk of falling which could be a danger to pedestrians, bicyclist and vehicular traffic. Although the oak tree is in poor condition and is not part of a larger stand of oak woodland, individual oak trees do provide some habitat for a wide variety of wildlife species. Obviously, the removal of an oak tree results in the total loss of the habitat values of the tree. Given the importance of oak woodlands and individual oak trees, even those that have been disturbed or fragmented by development, the Commission has consistently required, through past permit actions, that new development avoid the removal of oak trees, unless there is no feasible alternative for siting or designing the project. In this case, the arborist indicated that in most cases this present of decay is likely to be fatal. Therefore, the approval of the removal of coast live oak tree is only approvable because it was affected by a fatal condition.

Nonetheless, the removal of this coast live oak will resulted in the total loss of the habitat values of the oak. This is an unavoidable, significant adverse impact that the Commission requires the University to mitigate in the form of planting ten replacement trees for every oak tree removed and/or impacted. Resource specialists studying oak restoration have found that oak trees are most successfully established when planted as acorns collected in the local area or seedlings grown from such acorns. The Commission has found, through permit actions, that it is important to require that replacement trees be seedlings or acorns. Many factors, over the life of the restoration, can result in the death of the replacement trees. In order to ensure that adequate replacement is eventually reached, it is necessary to provide a replacement ratio of ten replacement trees for every tree removed or impacted to account for the mortality of some of the replacement trees. The applicant is required to monitor the replacement trees for no less than five years and provide a supplemental planting plan if the initial tree planting is not successful. In order to ensure that removal of the coast live oak is sufficiently mitigated consistent with Policy 30251.7 of the LRDP, **Special Condition Three (3)** has been included to require that the applicant plant at least 10 replacement seedlings, less than one year old, grown from acorns collected in the area, within the immediate vicinity of the project site.

The University has submitted a preliminary tree replacement plan that provides the mitigation ratio for the proposed trees to be removed with potential replacement locations, however this plan does not include final proposed locations nor tree or seedling size planting specifications and therefore the Commission is requiring Special Condition Three to find the notice of

impending development consistent with the applicable LRDP policies with regards to environmentally sensitive habitat areas.

Erosion and Water Quality

The proposed notice of impending development will not result in the creation of any new impervious surfaces since the trees will be removed completely (including the stumps) 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 stromwater runoff and sediment load that can be expected to leave the site and eventually be discharged into coastal waters. The site is relatively flat, with slopes on site descending approximately 3-7 ft. in elevation from the existing dirt berm to the flat portion of the site.

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. In this case, the University is proposing to add mulch over the disturbed/exposed soil areas. Given that the site is relatively flat, and not located in or adjacent to ESHA, the mulch is a sufficient measure to reduce erosion and ensure protection of coastal resources.

However, 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 or tree mulch on campus where such material will be subject to stormwater runoff in order to minimize soil erosion and sedimentation and impacts to the adjacent eucalyptus windrow or other coastal resources. Therefore, consistent with Policy 30231.1 of the LRDP in order to ensure that tree debris material will not be stockpiled on site and that landform alteration and site erosion is minimized, **Special Condition Two (2)** requires the University to remove all tree-related materials 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, water quality and coastal resources.

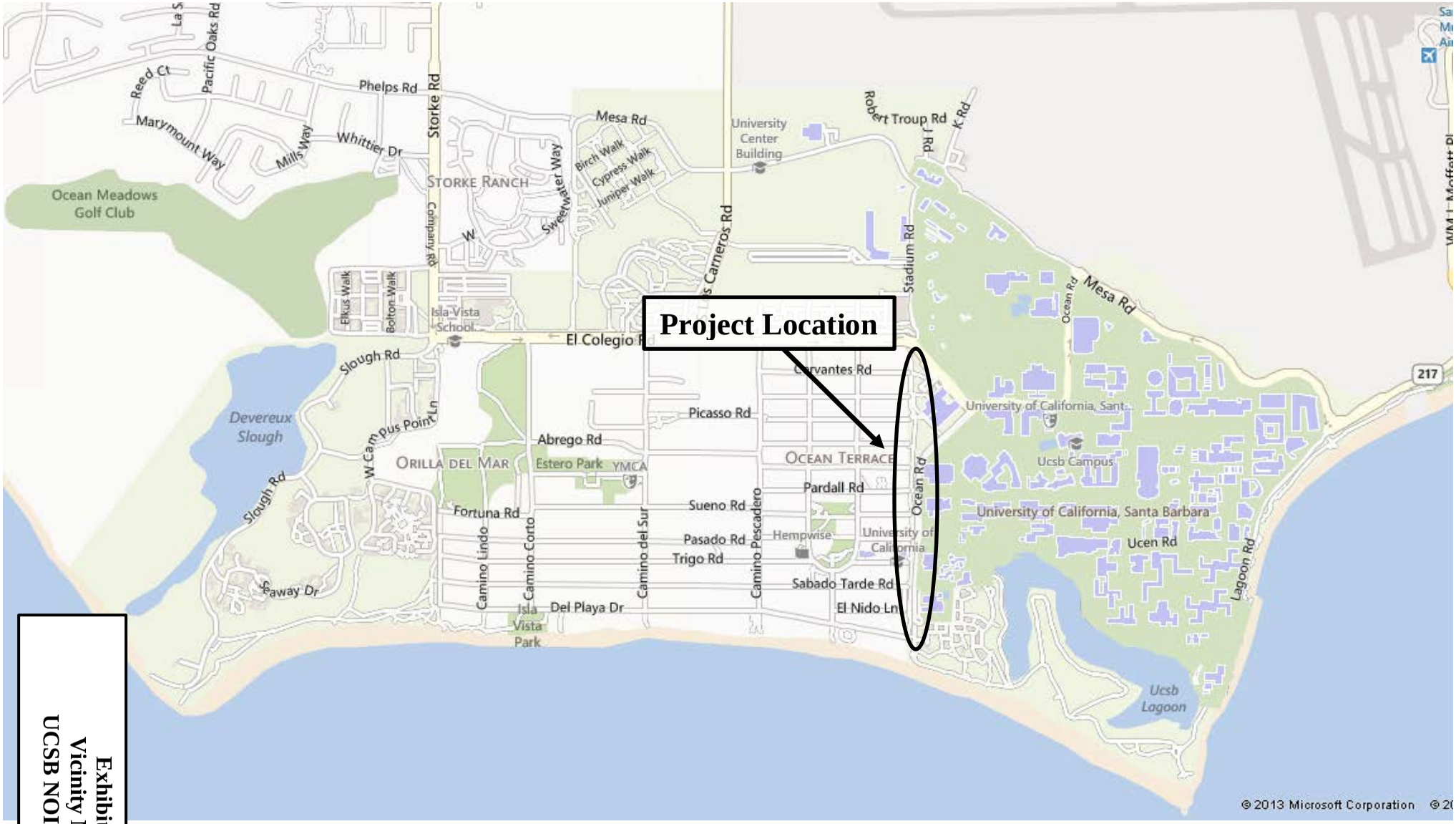
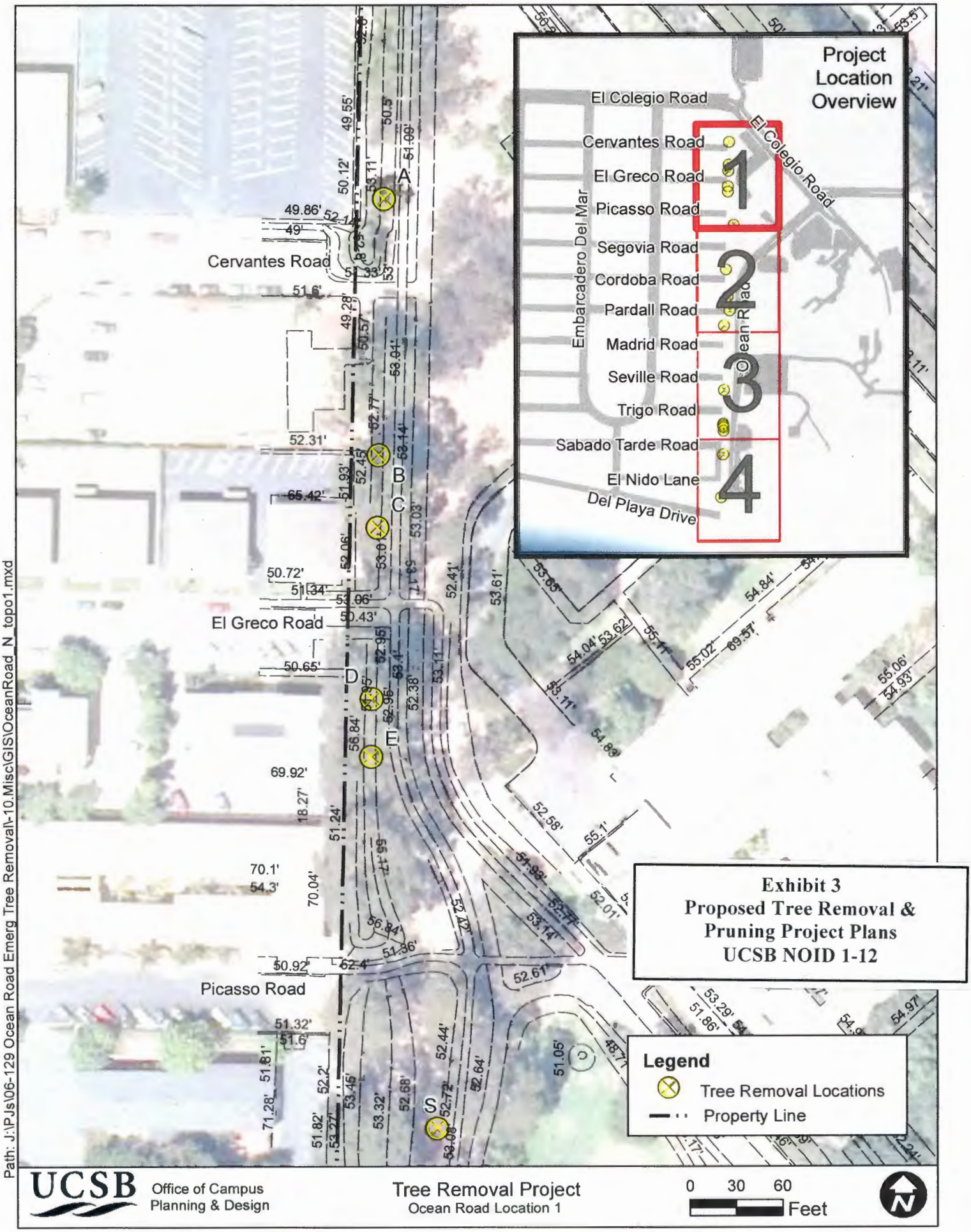


Exhibit 1
Vicinity Map
UCSB NOID 1-12

Exhibit 2
Aerial Photograph
UCSB NOID 1-12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Cervantes Road
El Greco Road
Picasso Road
Segovia Road
Cordoba Road
Pardall Road
Madrid Road
Seville Road
Trigo Road
Sabado Tarde Road
El Nido Lane
Del Playa Drive
Embarcadero Del Mar
Ocean Road
1
2
3
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Cervantes Road
El Greco Road
Picasso Road
A
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Exhibit 3
Proposed Tree Removal & Pruning Project Plans
UCSB NOID 1-12
Legend
Tree Removal Locations
Property Line
UCSB
Office of Campus Planning & Design
Tree Removal Project
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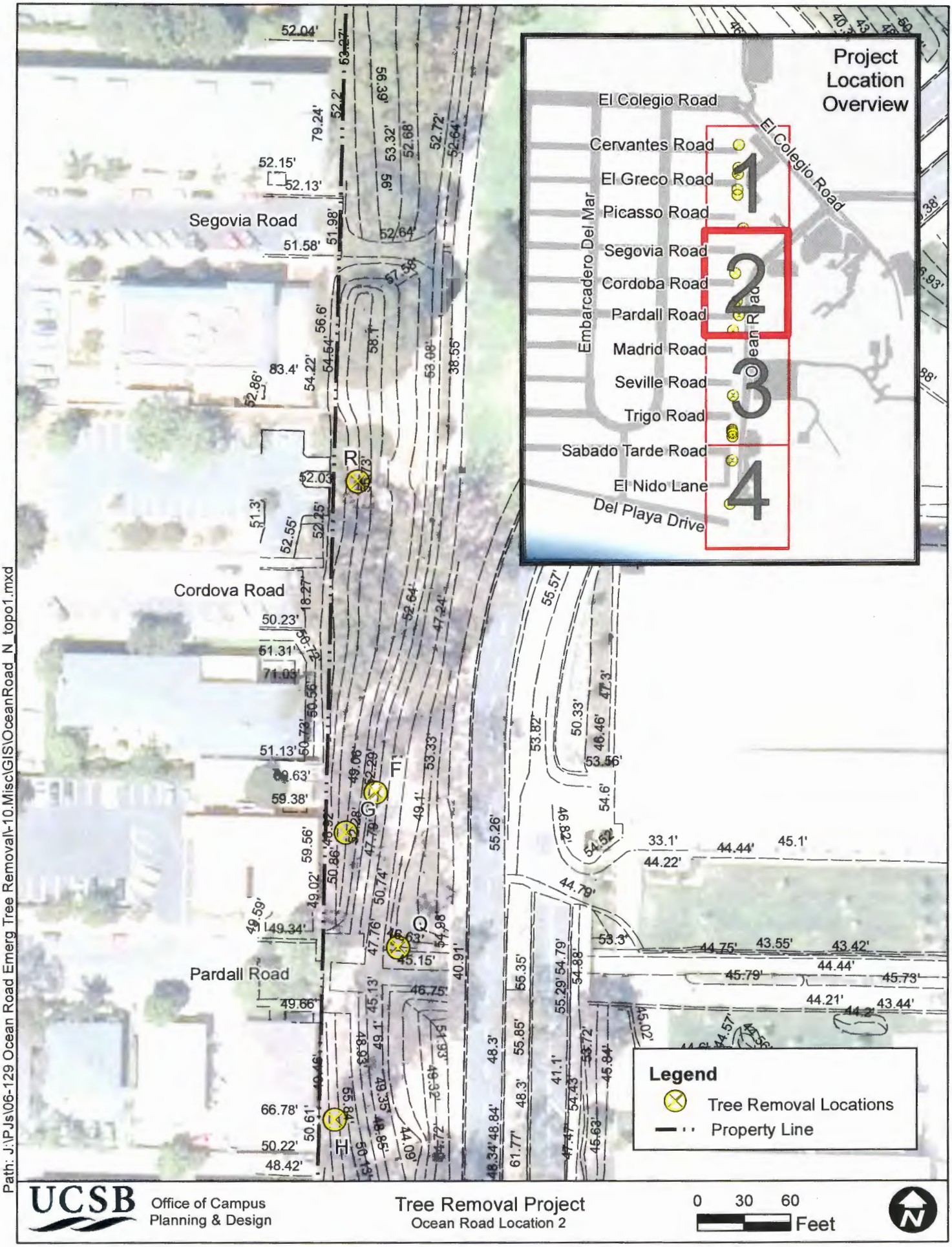
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Office of Campus Planning & Design
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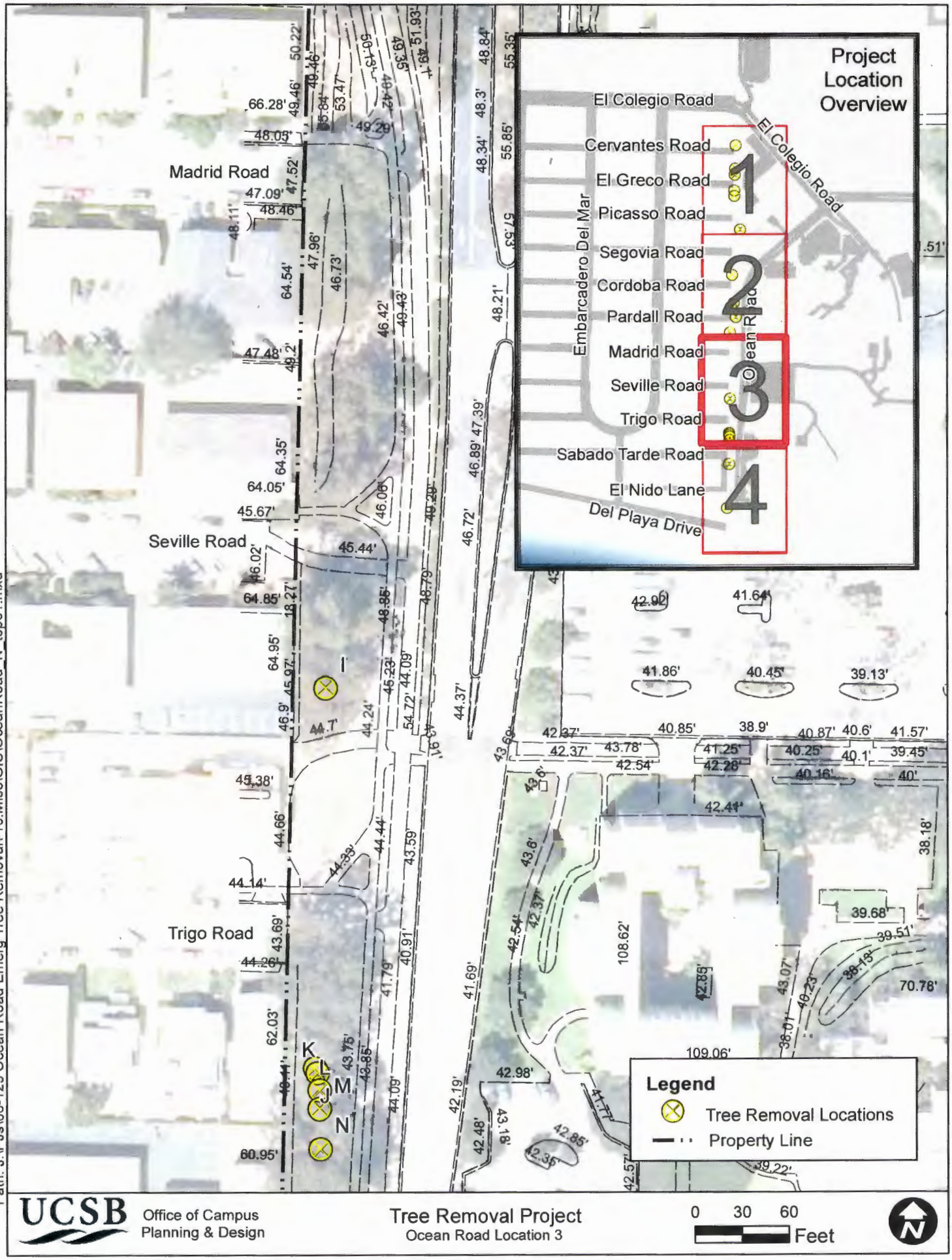
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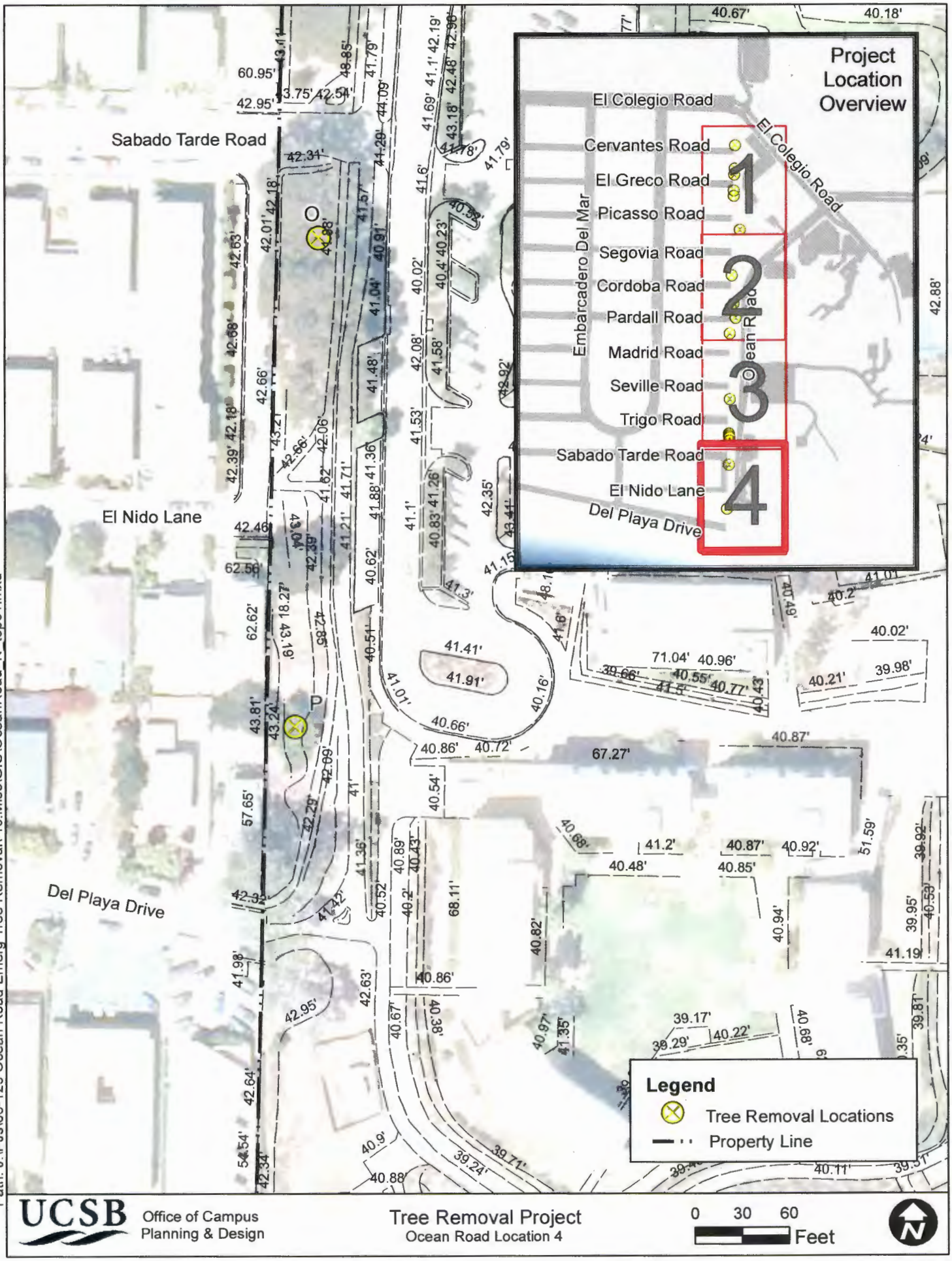
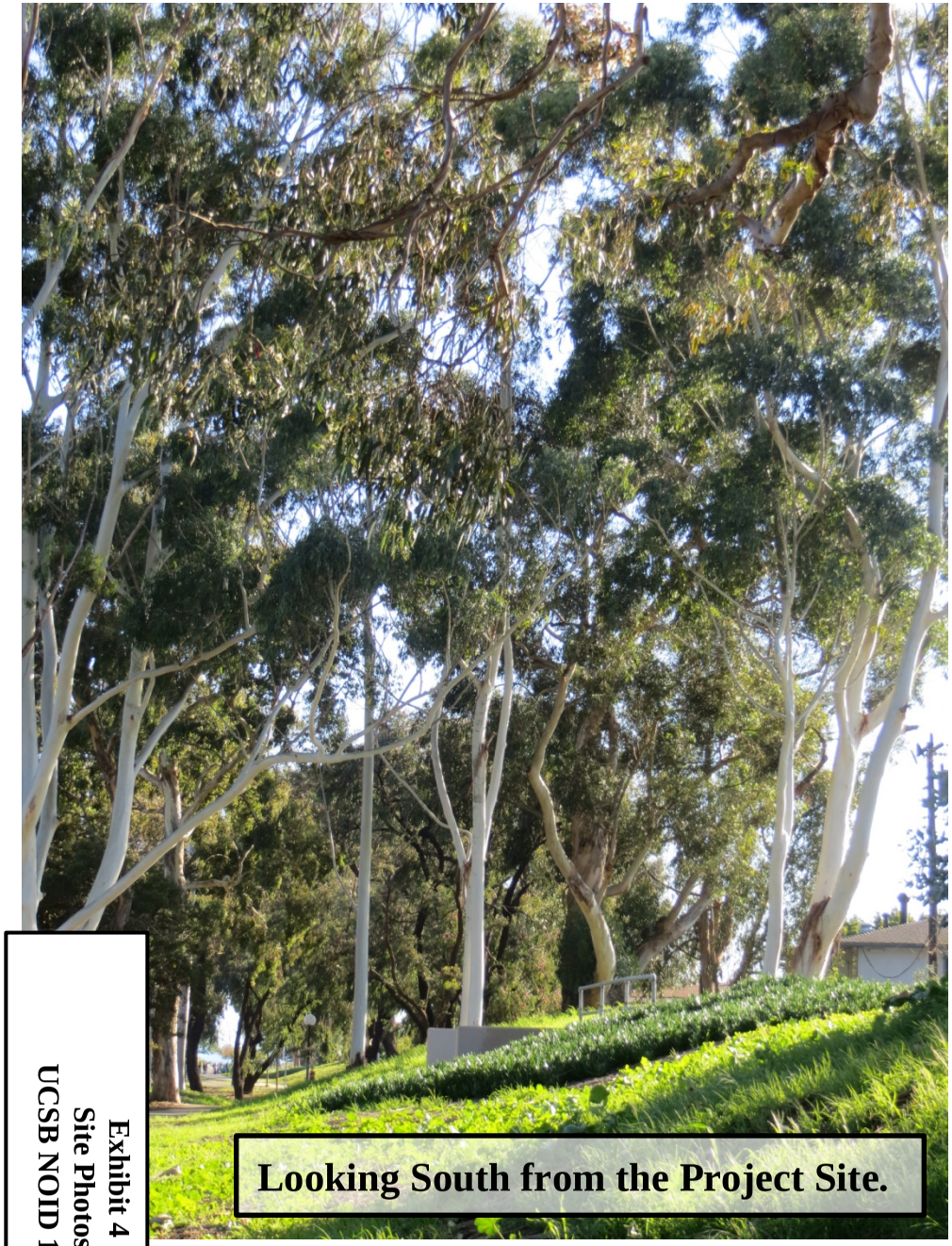
Cordoba Road
Pardall Road
Madrid Road
Seville Road
Trigo Road
Sabado Tarde Road
El Nido Lane
Del Playa Drive
Embarcadero Del Mar
Ocean Road
1
2
3
4
Madrid Road
Seville Road
Trigo Road
I
K
L
M
N
Legend
Tree Removal Locations
Property Line
UCSB
Office of Campus Planning & Design
Tree Removal Project
Ocean Road Location 3
0 30 60
Feet
N
Path: J:\PJs\06-129 Ocean Road Emerg Tree Removal\-10.Misc\GIS\OceanRoad_N_topo1.mxd


Project Location Overview
El Colegio Road
Cervantes Road
El Greco Road
Picasso Road
Segovia Road
Cordoba Road
Pardall Road
Madrid Road
Seville Road
Trigo Road
Sabado Tarde Road
El Nido Lane
Del Playa Drive
Embarcadero Del Mar
Ocean Road
1
2
3
4
Sabado Tarde Road
El Nido Lane
Del Playa Drive
Legend
Tree Removal Locations
Property Line
UCSB
Office of Campus Planning & Design
Tree Removal Project
Ocean Road Location 4
0 30 60
Feet
Path: J:\PJs\06-129 Ocean Road Emerg Tree Removal\-10.Misc\GIS\OceanRoad_N_topo1.mxd



Looking South from the Project Site.

Looking North from the Project Site.

Exhibit 4
Site Photos
UCSB NOID 1-12