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# W31a

**Prepared November 1, 2019 (for November 13, 2019 hearing)**

**To:** Coastal Commissioners and Interested Persons

**From:** Susan Craig, District Manager  
Ryan Moroney, District Supervisor

**Subject:** **UCSC Marine Science Campus Coastal Long Range Development Plan (CLRDP) Notice of Impending Development Number 11 (SCZ-NOID-0004-19) (McAllister Way and Overlook B Improvements).** Coastal Commission consideration of UCSC's notice regarding its intent to construct improvements at the end of McAllister Way and on "Overlook B" in the Terrace Point area of the Marine Science Campus, pursuant to the certified CLRDP.

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## 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 eleventh 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.

Overlook B is the existing ocean overlook located at the blufftop at the end of McAllister Way that allows exceptional and expansive views of the entire Monterey Bay National Marine Sanctuary and the shoreline both up and down coast. Many visitors use this site, and its proximity to the Seymour Discovery Center makes it an ideal public-access oriented overlook. The proposed project would make surface repair and replacement and drainage improvements to Overlook B and to the pathway that leads to it from McAllister Way. The proposed project is comprised of two components: improvements to Overlook B itself, including a new ADA ramp, a new public seating bench, and replacement of the existing decomposed granite overlook surface with GraniteCreek permeable paving (a type of permeable paving that has been used on other trails at the Campus); and improvements to a portion of McAllister Way, including replacing the existing decomposed granite surfacing with a True Grid Pro Plus permeable paving system (which is also used in the adjacent Seymour Center parking lot) and installation of a 60-foot-long and 6-inch-diameter perforated pipe for stormwater control purposes.

The proposed repairs are intended to provide ADA access, address the degraded surface condition of the pathway and overlook, and improve stormwater infiltration as the existing

UCSC NOID 11 (SCZ-NOID-0004-19) (“Overlook B” Improvements)

decomposed granite surface has experienced some ponding during heavy rains and created an uneven gravel surface.

The CLRDP identifies a series of overlooks for the public to take in scenic views and vistas, and includes multiple provisions that require improvements to these overlooks, including with respect to their specific location and amenities required. 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, as well as become critical links in a continuous public access trail and overlook system within the Marine Science Campus site. The proposed project is at its core a public access enhancement project, including because it provides new ADA facilities, improvements to the existing pathway and overlook surfaces, and more seamless connections to adjacent trails. And the new pathway and overlook surfacing, along with the new stormwater pipeline designed to catch stormwater during heavy flows and convey the runoff to the existing onsite engineered treatment system located underground, will improve water quality as well. The proposed improvements to McAllister Way and Overlook B will help to maximize and enhance public access in this area by creating a user-friendly, attractive, and interactive overlook that functions as a primary public access destination and outdoor interpretation area related to marine research activities and adjacent natural areas, as well as improving water quality through the proposed drainage improvements. The proposed improvements to Overlook B are required per the CLRDP, and Staff recommends that the Commission determine that the project as proposed is 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 October 31, 2019. The 30-working-day hearing deadline is November 30, 2019. Thus, unless UCSC extends the deadline (it can be extended to up to three months or to January 31, 2020 per the specific policies of the CLRDP), the Commission must take action on the NOID by the November 2019 hearing or it will be deemed consistent with the CLRDP.

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Exhibit 2: Public Access system and Photos of McAllister Way and Overlook B

Exhibit 3: Site Plan

Exhibit 4: Applicable CLRDP Policies and Provisions

## I. MOTION AND RESOLUTION

Staff recommends a **YES** vote on the motion below. Passage of this motion will result in a determination that the development described in the UCSC NOID 11 (SCZ-NOID-0004-19) 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.

**Motion:** *I move that the Commission determine that the development described in UCSC Notice of Impending Development Number 11 (SCZ-NOID-0004-19) is consistent with the certified University of California at Santa Cruz Coastal Long Range Development Plan, and I recommend a yes vote.*

**Resolution:** *The Commission hereby determines that the development described in UCSC Notice of Impending Development Number 11 (SCZ-NOID-0004-19) 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 (both public and private) to develop long range development plans (analogous to an LCP) 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 via requirements that the university provide a NOID prior to undertaking the proposed development. 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 **Exhibit 1** 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.<sup>1</sup>

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<sup>2</sup> 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 Regional Transportation Commission’s Railroad tracks, the Future Motion, Inc. 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 (to date, most of these facilities have been constructed). The CLRDP also accounts for additional areas of roads, and some natural drainage ponds, outside of the four development nodes. (See page 1 of **Exhibit 2**). 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, were previously added to Younger Lagoon Reserve.

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<sup>1</sup> 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.”

<sup>2</sup> 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 11**

### **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.<sup>3</sup> Pursuant to Coastal Act Sections 30605 and 30606, the Commission’s ability to impose conditions on a specific project is limited to ensuring consistency with the CLRDP.

### **NOID 11 – “Overlook B” Improvement Project**

The proposed project seeks to improve Overlook B, which is a primary public viewpoint atop the Campus’ coastal bluff that offers expansive views of the entire Monterey Bay, and to the associated pathway along McAllister Way<sup>4</sup> that leads to the overlook. The project is comprised of two components: improvements to Overlook B itself, including a new ADA ramp, a new public seating bench, and replacement of the existing decomposed granite overlook surface with GraniteCreek permeable paving (a type of permeable paving that has been used on other trails at the Campus); and improvements to McAllister Way, including replacing the existing decomposed granite surfacing with a True Grid Pro Plus permeable paving system (which is also used in the adjacent Seymour Center parking lot) and installation of a 60-foot-long and 6-inch-diameter perforated pipe for stormwater control purposes. The proposed repairs are intended to provide ADA access, address the degraded surface condition of the McAllister Way pathway and overlook, and improve stormwater infiltration. The existing permeable driving surface has experienced some ponding during heavy rains and created an uneven gravel surface.

More specifically, the proposed project would reconstruct McAllister Way from the paved crosswalk at the southern end of the existing asphalt section at the parking lot and extending past the removable bollards that separate service parking areas on McAllister Way and Overlook B, and end at the seawater intake caisson access hatch and service gate at Overlook B. The resurfacing limits are within the existing decomposed granite area, and no expansion of the existing pathway or overlook, or removal of any vegetation, is proposed.

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<sup>3</sup> Coastal Act Section 30606 requires that the University provide notice of an impending development at least 30 working days prior to pursuing it. 14 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 [14 CCR § 13549(b) says 10 days] after receiving the NOID submittal. 14 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 three months per the specific policies of the CLRDP.

<sup>4</sup> McAllister Way also functions as a service road south of the asphalt paved section of the street next to the Seymour Marine Discovery Center entrance driveway. The unpaved road provides service access to university parking areas, Long Marine Lab research areas, and seawater intake facilities.

The proposed drainage improvements include reconstruction of the McAllister Way gravel service road and installation of a 6-inch perforated pipe beneath the proposed True Grid permeable paving surface. The approximate 60-foot section of perforated pipe will connect to the existing storm drains and engineered treatment system that currently serve this area of the Campus. One existing storm drain inlet located next to the Long Marine Lab service driveway and gate will be replaced. This area currently experiences shallow ponding of stormwater during heavy rains due to poor surface drainage conditions. The reconstructed surface includes permeable pavers and permeable base rock both below the surface and above the drain pipe to improve percolation and infiltration of stormwater.

And in terms of proposed ADA access improvements, approximately 10 feet of existing sidewalk and curb at the south end of the Seymour Center paved service parking area will be replaced with an ADA ramp and tactile warning strip. This new ADA ramp will provide access to a new (GraniteCrete or approved equal) permeable paved path that will extend to Overlook B. All of the existing decomposed granite surface at Overlook B will be replaced with permeable paving, providing an ADA-enhanced surface and path extending from the Seymour Center out to Overlook B. GraniteCrete permeable paving has been successfully installed on other Campus access trails and the project will extend the use of this surface treatment from the recently expanded trail and path network to the Overlook B public viewing area. Finally, a new public seating bench will be installed in the bluff area overlooking the ocean as part of the project and permeable paving surface improvements are also proposed for an existing seating area with picnic tables adjacent to the overlook.

See pages **Exhibit 2** for photographs of the site, McAllister Way and Overlook B. See **Exhibit 3** for the proposed site plan for McAllister Way and Overlook B.

## **C. CLRDP CONSISTENCY ANALYSIS**

### **Applicable CLRDP Provisions**

The CLRDP identifies a series of overlooks for the public to take in scenic views and vistas, and includes multiple provisions that require improvements to these overlooks, including with respect to their specific location and amenities required, including interpretive information and access signage, permeable paving, native planting requirements, etc. Please see **Exhibit 4** for the applicable CLRDP policies and provisions. In summary, 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.

The CLRDP envisions an expanded network of public trails and controlled access trails on the 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. Specifically, Implementation Measure (IM) 6.2.5 requires access to the coastal blufftop edge. 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).

*Consistency Analysis*

In this case, the proposed project includes a series of improvements to Overlook B and the pathway that leads to it along McAllister Way. These improvements are all meant to improve ADA access and water quality by replacing the existing decomposed granite surfacing, which has suffered from poor drainage, with treatments used elsewhere on the Campus that have proven successful for treating and improving water quality. For example, the proposed True Grid Pro Plus permeable paving system, which is proposed to be installed on McAllister Way, is currently used in the adjacent Seymour Center parking lot and has been shown to increase stormwater infiltration and reduce runoff flow. This treatment, along with the new stormwater pipeline designed to catch stormwater during heavy flows and convey the runoff to the existing onsite engineered treatment system located underground, will improve water quality on this area of the Campus. And the new surfacing, along with new public seating bench, will also improve public access in this critically important area.

In summary, the CLRDP requires that all of the 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 to Overlook B and McAllister Way will help to maximize and enhance public access in this area to create user-friendly, attractive, and interactive overlook that function as primary public access destinations and outdoor interpretation areas related to marine research activities and adjacent natural areas, as well as improving water quality through the proposed drainage improvements. The proposed improvements to Overlook B are consistent with the requirements of the CLRDP. Thus, as proposed by UCSC, implementation of the proposed McAllister Way and overlook improvements is consistent with the above-cited provisions of 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 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.

UCSC, 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 determined the project was exempt as a Class 1 Existing Facility on October 30, 2019, as it consists of reconstruction of an existing driveway and drainage improvements in order to improve public safety and storm water infiltration.

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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 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).

UCSC NOID 11 (SCZ-NOID-0004-19) (“Overlook B” Improvements)

**APPENDIX A – SUBSTANTIVE FILE DOCUMENTS<sup>5</sup>**

- UCSC CLRDP
- NOID File SCZ-NOID-0002-19

**APPENDIX B – STAFF CONTACT WITH AGENCIES AND GROUPS**

- UCSC STAFF

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<sup>5</sup> These documents are available for review in the Commission’s Central Coast District office.