CALIFORNIA COASTAL COMMISSION
SOUTH CENTRAL COAST DISTRICT
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W23a

DATE: November 21, 2019

TO: Commissioners and Interested Persons

FROM: South Central Coast District Staff

SUBJECT: Notice of Impending Development No. UCS-NOID-0003-19 (Classroom Building Project), Wednesday, December 11, 2019

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending that the Commission, after public hearing, approve the Notice of Impending Development (NOID) UCS-NOID-0003-19, as conditioned. Staff is recommending six special conditions for the subject NOID to assure consistency with the policies and provisions of the LRDP. The standard of review for the proposed NOID is consistency with the policies of the certified University of California Santa Barbara (UCSB) Long Range Development Plan (LRDP).

The impending development involves the construction of a new four-story, 71 feet high, three-wing, 95,250 sq. ft. (53,700 assignable sq. ft.) classroom building to be used for instruction. The building will provide lecture halls and classrooms of various sizes, and associated support and accessory uses to meet existing demands for additional on-campus classroom facilities, and will not result in any additional students, faculty or staff. The proposed project also includes the removal of Building No. 408, removal of one parking space from Parking Lot 3, relocation of Building 383, relocation of existing bicycle paths, construction of new bicycle parking areas, sidewalks, hardscape, landscaping, removal of 12 trees (8 native and 4 non-native), transplanting of 6 native trees, and 33,500 cu. yds. of associated grading for classroom's building foundation excavation and soil remediation (16,750 cu. yds. of cut, 16,750 cu. yds. of fill, including 14,250 cu. yds. of export of unsuitable material, and 14,250 cu. yds. of import of clean fil) (Exhibits 1-2).

The project site is approximately 2.4 acres and is located in the central, highly developed portion of Main Campus. The project site is currently developed with a two-story, 7,180 sq. ft. wood-frame World War II-era barracks building (Building 408) and a bicycle path that extends diagonally across the site. The project site is designated for potential development for Academic and Support uses in the University's certified LRDP, and the building's purpose would be consistent with the site's land use designation.

The LRDP also contains provisions regarding new development's impact on public access and transportation on campus. The LRDP requires motor vehicle traffic generated by new development to not exceed the roadway capacity of existing coastal access routes on Campus so

as not to restrict or impede public access to or along the coast. The proposed project would not expand existing UCSB academic programs or result in any additional students, faculty, or staff on the UCSB campus. As a result, the project would not substantially increase the demand for transit service to and from the UCSB campus, would not result in an impact to campus roadways, and would not impede public access to or along the coast.

Since the subject site is already developed, the proposed project site does not contain any ESHA. However, the project site is located approximately 900 feet north of the north banks of Campus Lagoon, which is designated as ESHA pursuant to the certified 2010 LRDP. Therefore, although proposed development activities are not proposed to occur in ESHA, the demolition and construction of new development has the potential to adversely impact nearby ESHA, coastal waters, and sensitive species through disturbance from noise and light pollution, sedimentation due to erosion during construction, and polluted runoff once the project is complete. Additionally, the proposed project has the potential to directly impact sensitive bird species through the removal of trees with the potential to provide habitat for nesting and/or roosting, or bird strikes on the building itself once construction is complete.

The University proposes to keep construction noise below the state standard and to minimize structural lighting to avoid glare and light pollution that would otherwise potentially impact surrounding ESHA or sensitive bird species. The LRDP requires all new development to be designed and constructed according to the bird-safe building design guidelines. Those guidelines include requiring glazing treatments on windows so that they are visible to birds and reduce reflectivity. The University is not proposing any bird-safe glazing treatments on the building's windows, therefore Special Condition Four (4) requires the University to submit revised project plans which provide for bird-safe building treatments for the building's windows to be consistent with the certified LRDP.

Additionally, the proposed project also includes the removal of 8 native trees and 4 non-native trees. The University is proposing to mitigate the loss of the trees at a mitigation ratio of 1:3 for removal of native trees and a ratio of 1:1 for removal of non-native trees. To ensure adequate implementation of the University's proposal, Special Condition Five (5) requires the submittal of a tree replacement and transplant planting plan that reflects the University's mitigation proposal. Furthermore, due to the fact that the 12 trees proposed for removal have the potential to provide habitat for sensitive bird species, it is necessary to ensure that potential impacts to nesting bird species are avoided during tree removal activities. Therefore, Special Condition Two (2) requires that should construction activities, including tree removal, occur between February 15 and September 1 (bird breeding season), a qualified environmental resources specialist shall conduct pre-construction bird surveys to determine whether nesting or breeding behavior is occurring within 500 feet of the project site and adjust activities accordingly.

The LRDP requires that new outdoor lighting must avoid or minimize light pollution and that existing lighting will be retrofitted or replaced in phases. Each NOID submitted with an outdoor lighting component must include the replacement or retrofit of outdated lights within the vicinity of the project site. These outdated lights are identified on the certified Outdoor Lighting Replacement and Retrofit Program, and in the vicinity of the subject project site there are five

outdated lights that are not proposed to be replaced as part of the subject NOID. Therefore, in order for the project to be consistent with the certified LRDP, Special Condition Six (6) requires the University to replace or retrofit the remaining outdated lights in the vicinity of the project, which includes those adjacent to the Davidson Library and Bio Engineering Building.

The proposed project includes grading for the building's foundation and soil remediation, and grading activities have the potential to adversely impact the nearby Campus Lagoon through sedimentation due to erosion of bare soils during construction. To mitigate this potential impact, the University has proposed an interim erosion control plan. Special Condition Three (3) requires the proposed interim erosion control plan as well as construction best management practices to be implemented in order to protect the quality of the adjacent coastal waters as well as the long-term stability of the site. The design and siting of new development must also assure stability and structural integrity and not create or contribute to erosion, instability, or destruction of the site or surrounding areas. The University has submitted a geotechnical engineering report conducted for the proposed project, which contains several recommendations to be incorporated into project construction, design, drainage, and foundations to ensure the stability and geologic safety for the proposed project site. Therefore, to ensure that the recommendations are incorporated into all proposed development and all final project plans, Special Condition One (1) requires the University to comply with and incorporate the recommendations contained in the submitted geologic reports into all final design and construction, and to obtain approval from the geotechnical consultants prior to commencement of construction.

Staff recommends that the Commission determine that the Notice of Impending Development is consistent with the certified LRDP only as conditioned with six special conditions. The motion and resolution for Commission action can be found starting on **page 5**.

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 No. UCS-NOID-0003-19 is available for review at the Ventura Office of the Coastal Commission.

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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 Long Range Development Plan (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 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 on October 1, 2019, Commission staff reviewed them within 10 days of receiving them, and the notice was filed as complete on October 11, 2019.

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 condition(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 October 11, 2019. The Executive Director would normally need to report the pendency of the proposed development to the Commission by November 10, 2019. The University has submitted a letter dated October 14, 2019, 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 November 10, 2019.

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-0003-19 (Classroom Building 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-0003-19 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-0003-19, 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. Plans Conforming to Geotechnical Engineer's Recommendations

The University agrees to comply with the recommendations contained in all of the geology, geotechnical, and/or soils reports referenced as Substantive File Documents. These recommendations, including recommendations concerning foundations, sewage disposal, and drainage, shall be incorporated into all final design and construction plans, which must be reviewed and approved by the consultant prior to commencement of development. The final plans approved by the consultant shall be in substantial conformance with the plans approved by the Commission relative to construction, grading, and drainage.

2. Construction Timing and Sensitive Bird Species Surveys

For any construction activities, including tree removal, between February 15th and September 1st, the University shall retain the services of a qualified biologist or environmental resources 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 resources 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 resources specialist with experience in conducting bird surveys shall conduct bird surveys 30 calendar days prior to the construction activities, including any tree removal, to detect any active bird nests in all trees within 500 feet of the project. 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 song bird species is found within 300 ft. of the project, or an active nest for any species of raptor is found within 500 ft. of the project, the University shall

retain the services of an environmental resources specialist with experience conducting bird and noise surveys to monitor bird behavior and construction noise levels. The nest shall not be removed or disturbed. The environmental resources specialist 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 environmental resources specialist 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 shall cease and shall not recommence until either new sound mitigation can be employed or the birds have fledged.

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 during the bird surveys, the University shall notify the appropriate State and Federal Agencies within 24 hours, and shall develop an appropriate action specific to each incident. The University shall notify the California Coastal Commission in writing by facsimile or e-mail within 24 hours and consult with the Commission regarding determinations of State and Federal agencies.

D. The environmental resources specialist shall be present during all tree removal activities and shall be present during all subsequent construction activities during the bird nesting/breeding season if an active nest is identified, until the birds have fledged.

E. The environmental resources specialist shall require the University to cease work should any breach in compliance occur, or if any unforeseen sensitive habitat issues arise. The environmental resources specialist shall immediately notify the Executive Director if activities outside of the scope of the subject Notice of Impending Development 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 Notice of Impending Development.

3. Final Interim Erosion Control Plans and Construction Responsibilities

Prior to commencement of construction activities, the University shall submit to the Executive Director two (2) sets of the Final Interim Erosion Control and Construction Best Management Practices Plan that is prepared by a qualified, licensed professional, and is in substantial conformance with the Preliminary Erosion Control Plan submitted on August 8, 2019, and the requirements below:

A. Erosion Control Plan

1. 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.
2. The plan shall include a narrative report describing all temporary run-off and erosion control measures to be used during construction.
3. The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.
4. 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, and 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.
5. 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.
6. 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, swales and sediment basins. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume. The plans shall also specify that all disturbed areas shall be planted and maintained for erosion control purposes within (60) days after construction is completed.
7. 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.

B. Construction Best Management Practices

1. 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 wind or rain erosion and dispersion.

2. 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.
3. 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.
4. 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.
5. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
6. The University shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
7. Debris shall be disposed of at a permitted disposal site or recycled at a permitted recycling facility authorized to receive the debris materials. If the disposal site is located in the coastal zone, the disposal site must have a valid coastal development permit, or Notice of Impending Development as applicable, for the disposal of fill material. If the proposed disposal site is not authorized to receive fill, a coastal development permit or Notice of Impending Development, as applicable, will be required prior to the disposal of material.
8. 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.
9. 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.
10. The discharge of any hazardous materials into any receiving waters shall be prohibited.
11. 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.
12. 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.
13. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

14. To ensure that all trees proposed to be retained on site are protected during construction activities, temporary protective barrier fencing shall be installed around the protected zones (5 feet beyond dripline or 15 feet from the trunk, whichever is greater) of all trees retained during all construction operations. If required construction operations cannot feasibly be carried out in any location with the protective barrier fencing in place, then flagging shall be installed on trees to be protected.

C. 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 a new notice of impending development is not legally required.

4. Bird-Safe Building Standards

Prior to commencement of construction, the University shall submit two (2) sets of Final Revised Project Plans for review and approval of the Executive Director. The Final Revised Project Plans shall depict bird-safe building treatments for the building's façade, landscaping, and lighting, consistent with the guidelines provided below:

Glazing Treatments:

1. Fritting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids placed on the exterior of glazing, or UV patterns visible to birds shall be used to reduce the amount of untreated glass or glazing to less than thirty-five percent (35 %) of the building façade.
2. Where applicable vertical elements within the treatment pattern should be at least one-quarter inch (1/4") wide at a maximum of spacing of four inches (4") and horizontal elements should be at least one-eighth inch (1/8") wide at a maximum spacing of two inches (2").
3. No glazing shall have a "Reflectivity Out" coefficient exceeding thirty percent (30%). That is, the fraction of radiant energy that is reflected from glass or glazed surfaces shall not exceed thirty percent (30%).
4. Equivalent treatments recommended by a qualified biologist may be used if approved by the Coastal Commission.

Lighting Design:

5. Outdoor nighttime lighting shall be minimized to the extent feasible consistent with the continued provision of public safety.
6. Buildings shall be designed to minimize light spillage and maximize light shielding to the maximum feasible extent.
7. Building lighting shall be shielded and directed downward. Use of "event" searchlights or spotlights shall be prohibited.

8. Landscaping lighting shall be limited to low-intensity and low-wattage lights.
9. Red lights shall be limited to only that necessary for security and safety warning purposes.

Landscaping:

10. Trees and other vegetation shall be sited so that the plants are not reflected on buildings surfaces.
11. In order to obscure reflections, trees and other vegetation planted adjacent to a reflective wall or window shall be planted close to (no further than three feet from) the reflective surface.
12. For exterior courtyards and recessed areas, building edges shall be clearly defined by using opaque materials or non-reflective glass.
13. Walkways constructed of clear glass shall be avoided.

Buildings Interiors:

14. Light pollution from interior lighting shall be minimized through the utilization of automated on/off systems and motion detectors.

Lights Out for Birds:

1. The University shall encourage students, faculty and staff to participate in "Lights Out for Birds" programs or similar initiatives by turning off lighting at night, particularly during bird migration periods.

5. Tree Replacement and Transplant Planting Program

A. The removal of any tree shall require mitigation in the form or replacement planting at the mitigation ratios as follows: (1) the removal of any native tree or breeding/nesting tree requires 3:1 replacement with native trees; and (2) the removal of any ornamental tree requires 1:1 replacement with a native or ornamental tree; and (3) the removal of any oak tree requires at least 10 replacement oak seedlings, less than one year old, grown from acorns collected in the area, and shall be planted on-site, or if not feasible due to site constraints, shall be planted in ESHA or Open Spaces areas. Oak tree planting shall be supplemented with a mycorrhizal inoculant, preferable oak leaf mulch or from clippings of locally-indigenous species lawfully removed from the site or from sites within the vicinity of the planting site, at the time of planting to help establish plants.

B. Prior to commencement of construction activities, the University shall submit for the review and approval by the Executive Director, a tree replacement and transplant planting plan prepared by a qualified biologist, arborist, or other resource specialist. The tree replacement and transplant planting plan shall include the following: (1) replacement tree locations, (2) tree or seedlings size planting specifications, (3) transplant tree locations; and (4) a five-year monitoring program with specific performance standards to commence implementation of the approved tree replacement and tree transplant planting program concurrently with the commencement of construction on the project site. An annual monitoring report on the replacement trees and transplant trees shall be submitted for the review and approval of the

Executive Director for each of the five years. If monitoring indicates the replacement and/or transplant tress 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. Additionally, should any of the transplant trees be lost or suffer worsened health or vigor as a result of this project, the applicant shall plant replacement trees on the site subject to the ratio described above, in subpart A of this condition.

6. Final Lighting Plan

Prior to commencement of construction, the University shall submit two (2) sets of Final Lighting Plans for review and approval by the Executive Director. The Final Lighting Plan shall be in substantial conformance with the Lighting Plan submitted on August 8, 2019, and the requirements below:

A. The lighting plan shall identify the locations of all proposed exterior lighting fixtures on the project site as well as the locations of all exterior lighting fixtures adjacent to Davidson Library and Bio Engineering Building that do not meet the design and efficiency standards of the University's certified Outdoor Lighting Replacement and Retrofit Program. The three outdated lighting fixtures adjacent to Davidson Library and the two outdated lighting fixtures adjacent to Bio Engineering Building depicted on Figures 6 and 7 of Appendix 4 of the 2010 LRDP that are not proposed to be directly removed by the project shall be replaced or retrofitted to meet the design and efficiency standards of the Outdoor Lighting Replacement and Retrofit Program.

B. The lighting plan shall use arrows to show the direction of light being cast by each fixture, the lighting specifications, and the height of the fixtures.

C. The lighting plan shall be undertaken concurrent with project construction and fully implemented by such time as the Classroom Building is occupied.

IV. FINDINGS FOR APPROVAL OF THE NOTICE OF IMPENDING DEVELOPMENT

The Commission hereby finds and declares:

A. PROJECT DESCRIPTION AND BACKGROUND

The University of California, Santa Barbara (UCSB) proposes to construct a new four-story, 71 feet high, three-wing, 95,250 sq. ft. (53,700 assignable sq. ft.) classroom building to be used for instruction. The building would provide lecture halls and classrooms of various sizes, and associated support and accessory uses to meet existing demands for additional on-campus classroom facilities, and will not result in any additional students, faculty or staff. The proposed project also includes the removal of Building No. 408, removal of one parking space from

Parking Lot 3, relocation of Building 383, relocation of existing bicycle paths, construction of new bicycle parking areas, sidewalks, hardscape, landscaping, removal of 12 trees (8 native and 4 non-native), transplanting of 6 native trees, and 33,500 cu. yds. of associated grading for classroom building foundation excavation and soil remediation (16,750 cu. yds. of cut, 16,750 cu. yds. of fill, including 14,250 cu. yds. of export of unsuitable material, and 14,250 cu. yds. of import of clean fill) (Exhibits 1).

The project site is approximately 2.4 acres and is located in the central highly developed portion of Main Campus (Exhibit 2). The project site is developed with a two-story, 7,180 sq. ft. wood-frame World War II-era barracks building (Building 408) and a bicycle path that extends diagonally across the site. The site is south of and adjacent to the Davidson Library and the Bio Engineering Building, and north of and adjacent to the Psychology Building, Building 383, and Building 387. A bicycle path that extends northward from UCen Road is adjacent to the protect site's eastern perimeter. East of and adjacent to the bicycle path is a service vehicle driveway that was formerly Parking Lot No. 7. Furthermore, the site is west of and adjacent to Parking Lot No. 3, which provides 107 faculty and staff parking spaces.

Existing landscaping on the project site consists of ornamental ground cover, shrubs and trees. Construction of the proposed project would remove 4 non-native trees and 8 native trees. The non-native trees will be replaced at a 1 to 1 ratio and native trees will be replaced at a 3 to 1 ratio and planted onsite. The proposed landscaping would include a variety of drought-tolerant trees (56 trees), shrubs and ground cover, and efficient irrigation systems and recycled water would be used. Hardscape areas include various plazas, walkways, and seating areas (Exhibit 3). Exterior lighting would consist primarily of safety and security lighting that would be located adjacent to the proposed building, along the new bicycle paths, and in pedestrian areas. Outdated lighting within the project site would be replaced with standard campus lighting in accordance with the 2010 LRDP Outdoor Lighting Replacement and Retrofit Project.

Building 408 (Ergonomics Lab) is located on the northeastern corner of the project site and was constructed when the UCSB Main Campus site was used as a Marine Corps base. Construction of the proposed classroom building would require the demolition and removal of Building 408. Additionally, construction of the proposed project would require relocation of Building 383, which is located on the south side of the project site, adjacent to Parking Lot 3 and perpendicular to Building 387. Building 383 is a 1,440 sq. ft. modular building that was approved pursuant to UCSB Notice of Impending Development No. UCS-NOID-0005-15 on April 15, 2016. Building 383 will be relocated 34 feet south of its current location. Site preparation on the relocation site includes the removal of two mature trees (one ficus and one prunus ilicifolia) and the placement of gravel. Site preparation does not involve any excavation, removal, or re-compaction of soils.

Proposed grading would be primarily for the excavation of unsuitable soils to prepare for the classroom building's foundation and for minor utility trenching (13,900 cu. yds. of cut, 13,900 cu. yds. of fill, including 13,900 cu. yds. of export of unsuitable material, and 13,900 cu. yds. of import of clean fill). The use of a slab on grade foundation would require the excavation of soils beneath the proposed building site to a depth of approximately 15 feet and the removal of approximately 13,900 cubic yards of soil. The excavated soils would be replaced with suitable

imported soils. Grading is also proposed for remediation of contaminated soil associated with Building 408 (2,850 cu. yds. of cut, 2,850 cu. yds. of fill, including 350 cu. yds. of export of contaminated material, and 350 cu. yds. of import of clean fill). This contamination resulted from the use of an underground heating oil storage tank that was associated with Building 408. This tank was removed in 1989 and on February 3, 2016, the contamination site was granted closure by the Central Coast Regional Water Quality Control Board. It is estimated that approximately 350 cu. yds. of contaminated soil is located on the site, and that approximately 2,500 cu. yds. of soil overlay the impacted soil. Unwanted materials will be disposed of at the Tajiguas Landfill (located outside of the Coastal Zone) and contaminated soils will be disposed of at a licensed soil treatment facility.

The project site is at an elevation of approximately 48 ft. to 51 ft. above sea level. The University has submitted a geotechnical report for the proposed project, "Preliminary Geotechnical Engineering Report for Proposed Classroom Building", prepared by Fugro Consultants, Inc. in November 2018. The report addresses the geologic conditions on the site, including drainage, subsurface conditions, groundwater, faulting, and seismicity. The geologic consultants have found the geology of the proposed project site to be suitable for the construction of the proposed building. The report, however, contains several recommendations to be incorporated into the project construction, design, drainage, and foundations to ensure the stability and geologic safety for the proposed project site and adjacent areas. The University agrees to comply with the recommendations in the report, and therefore, to ensure that the recommendations of the consultant have been incorporated into all proposed development, the Commission, as specified in **Special Condition One (1)**, requires the University to comply with and incorporate the recommendations contained in the submitted geologic report into all final design and construction, and to obtain the approval from the geotechnical consultants prior to commencement of construction.

The University had a Phase 1 and Extended Phase 1 Archaeological Study conducted by Applied EarthWorks, Inc. for the project site in March 2019. Background research conducted for the study found evidence of a prehistoric archaeological site on Main Campus, located northeast of the project site. However, five trench excavations within the project site boundaries did not uncover any evidence of archaeological deposits. Additionally, the report characterized the excavated soil as surface and near-surface anthropogenic deposits, soil used for landscaping, and marine terrace deposits that are too ancient to contain archaeological deposits. The report concluded that the lack of archaeological material observed during testing and the depositional context of the excavated material indicates a low potential for soils in the project area to contain archaeological deposits. Although the proposed project is unlikely to impact any cultural resources, the University has proposed to retain an archaeologist and Native American monitor during removal of existing paving, initial grading activities, and removal of the on-site trees.

The new building would incorporate a variety of sustainable design features to reduce the building's water and energy use and associated direct and indirect air emissions. Along with an efficient irrigation system and the use of recycled water for landscaping, design elements to minimize energy and water use within the building include such features as passive solar shading, low flow plumbing fixtures, and natural daylight and dimming systems among other

sustainable design features. The University is seeking to obtain a LEED Gold Certification for the building while striving to achieve a LEED Platinum Certification.

Building Design
The proposed Classroom Building would be located on the western portion of the project site, and new bicycle parking areas would be located along the eastern and northern portions of the site. The existing bicycle path that crosses diagonally across the project site would be removed and relocated to the eastern and northern perimeters of the site. The building's first level would contain three lecture halls, and the second level would have two lecture halls, one large classroom and two medium-sized classrooms. Smaller classrooms would be located on the building's third and fourth levels. The building's primary teaching facilities would be arranged around a central linear space, or "street corridor" that connects major building access points (Exhibit 6). The open-air "street" space would be mostly exposed to the sun and daylight throughout the day. The Classroom Building would have a maximum height of 71 feet above grade measured at the building roof line, and would include three 15-foot tall roof-top "penthouses" that would screen roof-mounted equipment such as building heat pumps and air handling units for building ventilation.

Bicycle Path Relocation & Parking
The existing on-site bicycle path would be removed and replaced with new pathways located along both the eastern and northern perimeters of the project site. The new path along the site's eastern perimeter would connect to an existing path located east of the Psychology Building, and would extend northward approximately 150 feet to a new bicycle circulation roundabout in the northeastern corner of the project site. The roundabout would connect to an existing path that extends northward from the project site, and would also provide a connection to the relocated path along the northern perimeter of the project site. The new path on the northern portion of the project site would intersect with an existing bicycle roundabout located near the northwestern corner of the site.

The proposed project would remove approximately 986 bicycle parking spaces located adjacent to the Library and Psychology Building. Approximately 2,106 new bicycle parking spaces would be provided on the project site to replace the removed spaces and to accommodate the additional demand created by the proposed classroom building.

Pedestrian Circulation
A new pedestrian walkway would be located along the northwestern perimeter of the project site. The western end of the new path would connect to the Davidson Library Mall, and would also serve as an extension of the Pardall Mall, which is located west of the project site. The Pardall Mall is the main east-west thoroughfare across the Main Campus. The eastern end of the new pedestrian walkway would connect to the existing walkway that is south of and adjacent to the Bio Engineering Building.

Pedestrian access to the Davidson Library and Library Mall from Parking Lot 3 would continue to be provided by a new at grade crossing across the proposed new bicycle path located along the northern perimeter of the project site. The proposed pedestrian crossing would be located in the

northwestern corner of the project site and would replace an existing crossing that connects Parking Lot 3 with the bicycle parking area that is adjacent to the Davidson Library. The project would also relocate an existing pedestrian path that crosses Parking Lot 3 by shifting the path northward approximately 100 feet.

Staging Areas
A fenced temporary construction material storage and staging area would be located on the eastern portion of the project site during the project's construction period. An additional material storage area would be located on Storke Campus near the northwest corner of the Los Carneros Road/Mesa Road intersection. The site is approximately one acre in size, does not contain any sensitive habitat area, and is currently being used by the University for material storage for the Goleta West Sanitary District Sewer Truck Line Project that was approved pursuant to UCSB Notice of Impending Development No. UCS-NOID-0002-18 on August 10, 2018. The site is at least 200 feet north of the UCSB Storke Wetlands, at least 200 feet from the western extent of the Goleta Slough, and approximately 230 feet from the nearest residences in Storke Family Housing Apartments. No lighting would be provided in the off-site staging area. Upon the completion of construction activities, construction materials and equipment would be removed from the project site and off-site staging area, and all areas disturbed by staging activities would be restored to existing conditions or restored consistent with approved building and landscape plants.

B. CONSISTENCY ANALYSIS

The standard of review for a Notice of Impending Development (NOID) is consistency with the University's certified 2010 Long Range Development Plan (LRDP). The 2010 LRDP was certified by the Commission in 2014 and contains policies and provisions that identify areas for campus development while protecting coastal resources including environmentally sensitive habitat areas, water quality, scenic and visual resources, and public access.

1. New Development, Transportation, Parking, and Water Use

The 2010 LRDP provides the basis for the physical and capital development needed to achieve UCSB's academic goals and stewardship of the campus environment through 2025. The LRDP describes the University's strategy for managed growth of the student population from the current cap of 20,000 to 25,000 in the 2024/2025 academic year. To accommodate the growth of the student population, new development of no more than 3.6 million square feet of new structural improvements throughout the University's campuses is also planned for in the LRDP.

Section 30250(a) of the Coastal Act, incorporated by reference into the certified LRDP, states that the construction of new residential, commercial, or industrial development shall be located in close proximity to existing development areas able to accommodate it and where the developments will not have a significant adverse impact, either individually or cumulatively, on coastal resources including public access. Additionally, the LRDP contains several policies to prevent cumulative and direct impacts of new development.

Policy LU-01, in relevant part, states:

> *A maximum of 3.6 million gross square feet (GSF) of additional academic and support uses may be developed on the UCSB campus where designated on Figure D.3, Potential Development Areas, and provided that it is consistent with all other policies and provisions of the LRDP. The University shall maintain a running account of the changes to Academic and Support (A&S) development on campus. The A&S build-out documentation shall summarize the total A&S build-out in gross square feet and account for new A&S structural area, additions to existing A&S structures, demolition of existing A&S structural area, and any other changes that affect the GSF of A&S development. The A&S build-out documentation shall include a running annual total and shall provide the current build-out in relation to the Academic and Support "baseline." The baseline shall be the total build-out of A&S campus-wide as of the date of the certification of the 2010 LRDP. The A&S build-out documentation shall be submitted with each NOID or Exemption Request that adds or removes A&S build-out…*

Policy LU-04, in relevant part, states:

> *The individual development site build-out parameters as identified in the policies…and provisions of this LRDP represent the maximum build-out potential. Prior to site design, the University shall confirm the environmental conditions through updated environmental resource surveys, including biological resources (e.g., wetlands, ESHAs, Monarch Butterflies, etc.) completed within 1 year prior to submitting the Notice of Impending Development; traffic, parking, and coastal access constraints analyses; and archaeological resource evaluations, as applicable, to establish up-to-date resource constraints for preparation of the Notice of Impending Development. The updated constraints may further limit the development footprint and/or the maximum build-out potential or design parameters to ensure consistency with the LRDP.*

Policy LU-05 states:

> *Development shall be planned to fit the topography, soils, geology, hydrology, and other conditions existing on the site so that grading is kept to a minimum. Campus development shall protect, and where feasible restore, natural hydrologic features such as natural stream corridors, groundwater recharge areas, floodplains, vernal pools, and wetlands.*

Policy LU-06 states:

> *New campus development shall be located within, contiguous with, or in close proximity to existing development areas able to accommodate it and where it will not have significant adverse effects either individually or cumulatively, on coastal resources.*

Policy LU-17 states:

> *Development within the Main Campus Academic and Support site shall be located within the approximately 143-acre potential development envelope(s) designated as Academic*

and Support on Figure D.3 and shall be consistent with the following build-out provisions:

a. Within the 85 foot height area as shown on Figure D.4, a maximum of 810,000 GSF of net new building area may be constructed. Within the 65-foot height area, a maximum of 1.75 million GSF may be constructed. New academic and support build-out on this site shall be counted toward the 3.6 million GSF campus-wide Academic and Support development cap consistent with Policy LU-01.

b. Development that removes, relocates, or otherwise modifies a parking lot containing designated coastal access parking spaces requires further review as an LRDP amendment as outlined in Policy TRANS-14.

Policy PA-12 states:

Motor vehicle traffic generated by new development shall not restrict or impede public access to or along the coast by exceeding the roadway capacity of existing coastal access routes on Campus. Should any proposed development significantly impact the roadway capacity of existing coastal access routes on Campus, the University shall implement or pay its fair share of costs to the City of Goleta and/or County of Santa Barbara to implement improvements to roadways and intersections or other traffic control measures necessary to mitigate the impacts.

Policy TRANS-06 states:

The University shall provide additional bicycle parking facilities as part of all campus building projects. The University shall periodically survey campus bicyclists (at a minimum before undertaking the environmental review of significant projects) to determine the kinds and locations of bicycle facilities and other bicycle support features (such as bus access for bicyclists, securable bicycle lockers, etc.) that are most needed. The University shall incorporate the requested features in new campus development projects to the maximum extent feasible. The University shall additionally provide bicycle parking facilities near public coastal accessways and trails, where appropriate, to support public access opportunities while ensuring adequate protection of sensitive resources. The bicycle features shall be indicated on the campus visitor's map upon construction. The University shall identify the requisite bicycle parking facilities as part of the Notice of Impending Development submittal for all significant new campus development proposals.

Policy TRANS-16, in relevant part, states:

Where new development would remove existing commuter or residential parking, the NOID for the project must account for the removed spaces and identify where the removed spaces can either be accommodated in existing campus parking facilities or where new spaces will be built to replace the lost spaces…

Policy PS-01, in relevant part, states:

> *In recognition of the need to conserve and manage its water resources to achieve the LRDP land use planning objectives, the University shall implement a water conservation program as follows:*
>
> *A. Water consumption in existing and new development shall be minimized by using the best available water-conserving plumbing fixtures.*
>
> *B. Landscaping practices shall minimize potable water use by: planting locally native plant species and/ or non-invasive, drought tolerant species; using reclaimed water for landscaping to the maximum extent feasible; designing efficient irrigation systems that use the minimum amount of water necessary for the applicable landscaping; and maintaining and managing irrigation systems to ensure continued water efficiency.…*

Policy PS-03, in relevant part, states:

> *For development that requires a water supply, at the time of NOID submittal the University shall provide sufficient water conservation, efficiency, and supply management strategies to factually support a projection of adequate permanent future supplies for the life of the entire development. To minimize impacts to the long-term water supply, each new development shall offset the development's anticipated potable water use in accordance with the following hierarchy. Notwithstanding the availability of GWD water supplies, the following water conservation measures shall be implemented to the maximum extent feasible… prior to reliance on GWD's potable water supply:*
>
> *A. Maximum feasible incorporation into the proposed project plans of water conservation and efficiency measures, and reclaimed water use measures.*
>
> *B. Increased campus water conservation and efficiency measures, and increased campus reclaimed water use to reduce campus potable consumption, such as for irrigation, use in toilets, and in industrial applications.*
>
> *C. Further development enhanced reclaimed water systems on campus to utilize reclaimed water for industrial applications such as cooling towers to reduce potable consumption.*
>
> *D. New uses of reclaimed water on campus as technology as systems become available.*

Policy PS-04 states:

> *A project-specific water availability analysis shall be provided for each proposed development that requires water input and shall be submitted with the Notice of Impending Development. At the time a new campus building is proposed, and before*

environmental review is complete, the University shall meet with GWD and ascertain that permanent potable water supplies of the quantity needed to serve the proposed development are available from the District as part of the water availability analysis. The water availability analysis shall include but not be limited to the following information:

(1) a description of cumulative campus development (existing and approved);

(2) cumulative water use (for existing and approved development), including use by University-owned facilities occupied or operated by third parties (such as food service or other vendors, affiliated or independent research programs and institutes, summer programs and camps using University-owned facilities, etc.) and outdoor recreational facilities, landscaping, habitat restoration sites (such as Ocean Meadows), open space and habitat management, and the Coal Oil Point Reserve;

(3) an estimate of the remaining quantity of water supply available to the University within the University's 945 AFY planning threshold (which, depending on development location, would be served by a portion of one of the University's three existing allotments from Goleta Water District, including the 945 AFY available campus-wide, the 200 AFY available at North Campus, and the 66 AFY available at Devereux School) establishing the maximum amount of potable water needed to fully serve the 2010 LRDP build-out;

(4) the estimated quantity of potable water necessary to serve the proposed development;

(5) an analysis of year-to-year compliance with campus conservation goals articulated in the 2013 Campus Water Action Plan approved by the Regents of the University of California, and as updated by the Regents from time to time;

(6) a cumulative regional assessment of water supply and demand within the Goleta Water District's (GWD) boundaries. This assessment shall include a narrative of any changes to GWD's cumulative water supply and demand setting.

UCSB shall install additional water meters at existing development where feasible and necessary to generate sufficient data to prepare the annual report and to document compliance with conservation goals. All new development shall include water meters and sub-meters where practicable.

New Development

The project site is located within a potential development area designated for academic and support uses, as shown on Figure D.3 of the LRDP. The project site is also located within an area with a building height restriction of 85 feet, as shown on Figure D.4. Policy LU-17 states that a maximum of 810,000 gross square feet (GSF) may be constructed within the 85-foot height area on the Main Campus, and all new academic and support build-out shall be counted toward the 3.6 million GSF campus-wide Academic and Support development cap consistent with Policy LU-01. In conformance with Policy LU-01, the University submitted a running account of the existing and proposed campus-wide GSF with the subject NOID. The running account of GSF

shows that there has been an increase of 37,114 GSF of total development since the certification of the 2010 LRDP in November 2014. If the Classroom Building Project is built, the new total GSF in the 85-foot height area since certification of the LRDP in 2014, would be 95,250 while the total academic and support development build-out over the entire campus would be 132,364 GSF. This would leave 3,467,636 GSF remaining academic and support GSF.

In addition to limiting the total GSF developed on campus, Policy LU-06 requires new development to be located within, contiguous with, or in close proximity to existing development and where it would not have significant adverse effects, either individually or cumulatively, on coastal resources. The proposed project would be located on an existing developed area, and would be directly adjacent or in close proximity to other buildings on campus. Land uses in the vicinity of the project site are generally academic and support uses, such as classrooms, lecture halls, laboratories, and offices. Moreover, the proposed development will be consistent with the density and character of the surrounding area on campus, which is developed with multiple, large-scale academic buildings.

Transportation

The LRDP also contains provisions regarding new development's impact on public access and transportation on campus. Policy PA-12 requires motor vehicle traffic generated by new development to not exceed the roadway capacity of existing coastal access routes on Campus so as not to restrict or impede public access to or along the coast. The proposed project would not expand existing UCSB academic programs or result in any additional students, faculty, or staff on the UCSB campus. As a result, the project would not substantially increase the demand for transit service to and from the UCSB campus, would not result in an impact to campus roadways and would not impede public access to or along the coast. Further, in order to make alternative modes of transportation accessible for students and faculty, Policy TRANS-06 requires the University to provide bicycle parking in all new campus development. The proposed project would replace 986 existing spaces that are proposed for removal and would provide 2,106 new bicycle parking spaces on the project site. This will result in a net increase of 1,120 bicycle parking spaces to serve the proposed classroom building.

Parking

Additionally, Policy TRANS-16 addresses commuter parking on campus and requires the University to identify where removed parking would be accommodated. Parking Lot 3 has a total of 107 parking spaces designated for use by faculty and staff. Parking Lot 3 does not contain any Coastal Access Parking. The proposed project would remove one parking space from Lot 3 to facilitate fire department access on the south side of the proposed building. It is anticipated that the vehicle displaced from Parking Lot 3 would park in other Main Campus parking lots, such as Lot 1, which is located to the east of the project site. Lot 1 is a surface parking lot with 99 faculty and staff parking spaces. Parking occupancy surveys conducted in the Spring of 2019 showed that Lot 1 had an average 82% capacity rate. Therefore, the Spring 2019 survey results demonstrate that there would be adequate capacity in Lot 1 to accommodate the one vehicle that will be displaced from Lot 3. Therefore, the proposed project is consistent with TRANS-16.

Water Use

In addition to the land use, public access, and transportation policies for new development, the LRDP requires the University to manage and conserve its water resources throughout all development on campus. Policies PS-01 and PS-03 require water consumption to be minimized through the use of the best available water-conserving plumbing fixtures, efficient irrigation systems, the use of native and/or non-native, drought-tolerant plant species, and the use of reclaimed water for landscaping. Low-flow plumbing fixtures, the use of recycled water for irrigation and toilet flushing, a native and non-native, drought-tolerant planting palette, and a water conserving irrigation system have all been incorporated into the proposed project in order to reduce water consumption.

Additionally, UCSB submitted a project-specific water availability analysis in compliance with LRDP Policy PS-04. Using data from the Goleta Water District (GWD), the University estimated the project's potable water demand would be approximately 9.9 acre feet per year (AFY). UCSB currently holds a permit with GWD for use of 953 AFY of water on the Main Campus and West Campus Family Housing. In the 2018/2019 fiscal year, UCSB used a total of 546 acre feet of potable water on Main Campus and West Campus Family Housing. UCSB also estimates that an additional 113.9 AFY of water demand would result from reasonably foreseeable development projects at the University. After deducting the cumulative proposed project and foreseeable development water demand and the 2018/2019 water usage from the GWD permitted amount, approximately 283 AFY would remain available to UCSB under the requirements of the GWD permit. Furthermore, under normal conditions, GWD has an average water supply of 16,472 AFY. However, actual water availability varies from year to year based on weather and a number of other factors, as does water demand. GWD anticipates the potable water supply for the 2019/2020 fiscal year to be 10,833 AFY. Given the general surplus between GWD's current supply and demand data, the quantity of UCSB's unused water right allocation, and the project's projected water demand of 9.9 AFY, the Commission finds that there is an adequate potable water supply to serve the proposed project consistent with the water supply policies of the LRDP.

For the above reasons, the Commission finds the subject NOID is consistent with the land use, public access, transportation, parking, and water resources policies of the LRDP.

2. Environmentally Sensitive Habitat Area and Coastal Waters

The LRDP contains several policies regarding the protection of sensitive habitat areas and coastal waters. Section 30240 of the Coastal Act, which is incorporated into the University's certified LRDP, states that environmentally sensitive habitat areas (ESHA) shall be protected against any significant disruption of habitat values and that development in areas adjacent to ESHA shall 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. Coastal Act Sections 30230 and 30231 of the Coastal Act, incorporated in the LRDP as well, mandates that the biological productivity and quality of coastal waters be maintained and, where feasible, restored through measures, such as controlling runoff, preventing depletion of groundwater supplies and

substantial interference with surface water flow, encouraging wastewater reclamation, and maintaining natural vegetation buffer areas that protect riparian habitats. Coastal Act Section 30253, also incorporated into the certified LRDP, requires among other things that erosion be minimized and site stability ensured. Additionally, the LRDP contains several polices that address sensitive habitat areas and the water quality of coastal waters.

Policy ESH-07 states:

> *Construction noise levels shall not exceed state standards of 65dB(A) at property lines except at Coal Oil Point Reserve where the maximum allowable construction sound levels shall be more restrictive and shall not exceed 60 decibels on the A-weighted scale.*

Policy ESH-11 states:

> *The use of any noxious and/or invasive plant species listed as problematic, a 'noxious weed' and/or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, the State of California or the U.S. Federal Government shall be prohibited in all campus landscaping.*

Policy ESH-15, in relevant part, states:

> *The University shall replace and/or retrofit all outdoor lighting within ten (10) years following the date of effective certification of the 2010 LRDP to minimize the campus lighting footprint/ envelope consistent with the following:…*
>
> *C. All outdoor lighting shall be designed to avoid, or minimize to the maximum extent feasible, all forms of light pollution, including light trespass, glare, and sky glow, and shall at a minimum incorporate the following:*
> *1. Best available visor technology to minimize light spill and direct/focalize lighting downward, toward the targeted area(s) only;*
> *2. The minimum standard (pole) height and height of the light mounting necessary to achieve the identified lighting design objective;*
> *3. The best available technology and a lighting spectrum designed to minimize lighting impacts on sensitive species and habitat; and*
> *4. Measures to minimize light trespass onto ESHA and open space areas.…*
>
> *F. Development with an outdoor lighting component shall comply with the standards set forth in Subparagraph C of this policy. In addition, the NOID for each development with an outdoor lighting component shall implement a portion of the Outdoor Lighting Replacement and Retrofit Program consistent with the provisions of Subparagraph B above. Prior to the approval of the Outdoor Lighting Replacement and Retrofit Program, each NOID with an outdoor lighting component shall include outdoor lighting retrofits/replacements in the nearest feasible location(s) to the proposed development. The NOID shall include a lighting plan and lighting specifications that identify the location of lights, the light fixture type, the light spectrum/bulb, the direction of light, and*

> *any special measures or treatments to control light spill for all on-site and off-site replaced/retrofitted outdoor lighting. The replacement schedule/map shall be updated and submitted in support of each NOID to track the progress of the Program implementation.*

Policy ESH-21, in relevant part, states:

> *Biological resources surveys shall be performed for all new development that is proposed where there is a potential for sensitive species, ESHA, or wetlands to be present; within or adjacent to ESHA (where the proposed development is within 200 feet of ESHA); within or adjacent (within 200 feet) to wetlands; within or adjacent (within 200 feet) to designated Open Space or other natural open space areas; or within 500 feet of trees suitable for nesting or roosting or significant foraging habitat is present. The results shall be presented in a biological report that shall include an analysis of the potential impacts of the proposed development on any identified habitat or species and recommendations for siting and design of the development to ensure protection of sensitive biological resources and habitat values…*

Policy ESH-27 states:

> *Raptor habitat, including nesting trees, roosting trees, perching locations, and foraging habitat, shall be protected and preserved.*

Policy ESH-28, in relevant part, states:

> *…B. All tree trimming and tree removal activities, including trimming or removal that is exempt from the requirement to obtain a Notice of Impending Development, shall be prohibited during the breeding and nesting season (February 15 to September 1) unless the University, in consultation with a qualified arborist, determines that:*
> *1. Immediate tree trimming or tree removal action by the University is required to protect life and property of the University from imminent danger, authorization is required where such activity would occur in ESHA or Open Space through an emergency permit,*
> *2. Trimming or removal of trees located outside of ESHA or Open Space areas during June 15 to September 1, provided where a qualified biologist has found that there are no active raptor nests or colonial birds roosts within 500 feet of the trees to be trimmed or removed, or*
> *3. Is part of a development or redevelopment approved pursuant to a Notice of Impending Development.…*

Policy ESH-40, in relevant part, states:

> *…Campus landscaping shall also allow a diverse assemblage of plant species as part of the outdoor botanical classroom…*

Implementation 1.10.1 Bird-Safe Buildings, in relevant part, states:

Bird-Safe Buildings Design Standards. All new buildings, and major renovations of existing buildings, shall be required to provide bird-safe building treatments for the façade, landscaping, and lighting consistent with the guidelines provided below:

Glazing Treatments:

- *Fritting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids, placed on the exterior of glazing, or UV patterns visible to birds shall be used to reduce the amount of untreated glass or glazing to less than thirty-five percent (35%) of the building façade.*

  …

Environmentally Sensitive Habitat Area

As previously stated, the project site is located within an existing developed area in the center of Main Campus, and there is no environmentally sensitive habitat area within or immediately adjacent to the site. The site is primarily vacant and only developed with an existing two-story, building (Building 408), bicycle path, and existing landscaping. However, the campus lands that surround the project site, are surrounded by the ocean, lagoon, marshes, wetlands, pockets of native vegetation, and expanses of upland and riparian habitat and naturalized open spaces. Additionally, the project site is located approximately 900 feet north of the north banks of Campus Lagoon, which is designated as ESHA pursuant to the certified 2010 LRDP (Exhibit 1). Although the subject development activities are not proposed to occur in ESHA, the demolition and construction of new development has the potential to adversely impact nearby ESHA, coastal waters, and sensitive species through disturbance from noise and light pollution, sedimentation due to erosion during construction, and polluted runoff once the project is complete. Additionally, the proposed project has the potential to directly impact sensitive bird species through the removal of trees that have the potential to provide habitat for nesting and/or roosting, or bird strikes on the building itself once the project is complete.

The proposed project includes the removal of 12 trees (four non-native trees and eight native trees), and the transplanting of 6 existing native trees. Due to the fact that the trees proposed for removal have the potential to provide habitat for sensitive bird species, it is necessary to ensure that potential impacts to nesting bird species are avoided during tree removal/transplanting activities. Additionally, given the project site's proximity to the Campus Lagoon, there is further potential for breeding birds to be impacted as a result of construction. Thus in order to avoid any potential adverse impacts to raptor or sensitive bird species, **Special Condition Two (2)** requires that a qualified environmental resource specialist conduct pre-construction bird surveys to determine whether nesting or breeding behavior is occurring within 500 feet of the project site should tree removal activities occur during the bird breeding season between February 15 and September 1, as consistent with Policy ESH-28. Further, Special Condition Two (2) requires that a qualified environmental resources specialist be present during all tree removal activities and shall require the University to cease work should any breach in compliance occur, or if any unforeseen sensitive habitat issues arise. If significant impacts or damage occurs to sensitive

habitats or to wildlife species, UCSB shall be required to submit a revised or supplemental program to adequately mitigate such impacts.

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 removal of native trees and a ratio of 1:1 for removal of non-native trees, consistent with the Campus Tree Trimming and Removal Program of the certified LRDP. To ensure adequate implementation of the University's proposal, **Special Condition Five (5)** requires the submittal of a tree replacement and transplant planting plan that reflects the University's mitigation proposal. Specifically, Special Condition Five (5) requires the University to submit a final tree replacement and transplant planting program, prepared by a qualified biologist, arborist, or other resource specialist, which specifies replacement tree locations, transplant tree locations, tree or seedling size planting specifications, and a five-year monitoring program with specific performance standards to ensure that the replacement and transplant planting program is successful. Additionally, since the University is proposing to transplant six native trees, these trees will be temporary disturbed and may suffer worsened health or loss as a result of the relocation impacts, therefore Special Condition Five (5) also requires that should any of the transplant trees be lost, the applicant shall plant replacement trees in accordance with the mitigation ratios consistent with the Campus Tree Trimming and Removal Program of the certified LRDP.

In addition to the potential impacts to sensitive habitats and coastal waters, new buildings also have the potential to impact birds through bird strikes. The University's campus is a hotspot for avian fauna, both resident and migratory. Campus wetlands and uplands provide stopover habitat of critical importance for migratory birds using the Pacific Flyway. Bird mortality due to collision with glass windows, especially the windows of tall structures, is a significant and well-documented problem. LRDP Implementation Section 1.10.1 Bird-Safe Buildings requires all new development to be designed and constructed according to the bird-safe building design guidelines. Among a host of requirements, the LRDP requires glazing treatments on windows so that they are visible to birds and reduce reflectivity, minimization of outdoor lighting, and siting of trees and landscape so that the plants are not reflected on the building's surface. Specifically, the guidelines state that bird-safe glazing treatments "shall be used to reduce the amount of untreated glass or glazing to less than 35% of the building façade". In other words, at least 65% of all windows on the building façade should be treated with bird-safe glazing treatments and no more than 35% of those windows can remain untreated. The proposed building façade contains approximately 20% window area, and as proposed, none of those windows would be treated with bird-safe glazing treatments. The University has asserted that no bird-safe glazing treatments are necessary because the building façade contains less than 35% of window area. However, as described above, staff does not agree with the University's interpretation of LRDP Implementation Section 1.10.1 Bird-Safe Buildings. Therefore, in order for the project to be consistent with the bird-safe building design standards, the Commission finds it necessary to require Special Condition Four (4) to require the University to submit revised project plans

which provide for bird-safe building treatments on at least 65% of the building's windows located on the building façade.

Lighting

The proposed exterior lighting for the subject building would consist primarily of safety and security lighting adjacent to the building and along pedestrian paths. All proposed outdoor lighting would be shielded and directed downward and would provide the minimum amount of light necessary for adequate safety and security. Additionally, three outdated lights identified for replacement or retrofit in UCSB's certified Outdoor Lighting Replacement and Retrofit Program currently exist on the project site. These lights would be removed through the project; however, three other outdated lights adjacent to the Davidson Library and two other outdated lights adjacent to the Bio Engineering Building would remain, as the University had not proposed to have them replaced or retrofitted since they are not directly within the project site. Policy ESH-15, however, requires all NOIDs with an outdoor lighting component to include replacement or retrofit of outdated lights within the project vicinity. Therefore, in order for the project to be consistent with Policy ESH-15, **Special Condition Six (6)** requires the University to replace or retrofit the remaining five lights identified in the Outdoor Lighting Replacement and Retrofit Program that are within the project's vicinity.

Water Quality

LRDP Policy ESH-25 requires the biological productivity and water quality of campus wetlands to be maintained and, where feasible, restored. The Commission recognizes that new development has the potential to adversely impact coastal water quality through the removal of vegetation, increase of impervious surfaces, increase of runoff, erosion, and sedimentation, introduction of pollutant such as chemicals, petroleum, cleaning products, pesticides, and other pollutant sources. The project site is a mostly vacant area that is currently developed with a two-story, wood frame building (Building 408), bicycle path, and existing landscaping. Therefore, the proposed project would result in an increase in impervious surfaces, which in turn decreases the infiltrative function and capacity of existing permeable land on site. The reduction in permeable space therefore leads to an increase in the volume and velocity of stormwater runoff that can be expected to leave the site. Further, pollutants commonly found in runoff associated with the proposed use include petroleum hydrocarbons including oil and grease from vehicles; heavy metals; synthetic organic chemicals; dirt and vegetation; litter; fertilizers, herbicides, and pesticides. The discharge of these pollutants to coastal waters can cause cumulative impacts such as: eutrophication and anoxic conditions resulting in fish kills and diseases and the alteration of aquatic habitat, including adverse changes to species composition and size; excess nutrients causing algae blooms and sedimentation increasing turbidity which both reduce the penetration of sunlight needed by aquatic vegetation which provide food and cover for aquatic species; disruptions to the reproductive cycle of aquatic species; and acute and sublethal toxicity in marine organisms leading to adverse changes in reproduction and feeding behavior. These impacts reduce the biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes and reduce optimum populations of marine organisms and have adverse impacts on human health.

Currently, storm water runoff from the project site is directed to the Main Campus storm drain system and is discharged to the Campus Lagoon. After the proposed project is constructed, the westerly portion of the project site will receive stormwater through catch basins and transport runoff toward the west via storm drains. This water will then flow into a pretreatment device and enter an underground storm water infiltration device located on the northerly side of Parking Lot 3. The underground storm water infiltration device will retain, detain, and clean storm water, and allow equal or less amount of the storm water to outflow towards the west and connect into an existing 36-inch diameter storm drain. The underground water infiltration device would be approximately 60 feet long, 50 feet wide, and seven feet deep and would contain rocks and water storage chambers. The underground infiltration device will retain up to 95th percentile 24-hour design storm runoff volume, will effectively treat runoff from the project site, and will ensure that the biological productivity and water quality of Campus Lagoon is maintained.

Grading activities during construction also have the potential to adversely impact the quality of coastal waters. Specifically, disturbed areas on the project site could lead to a potential increase in the volume and velocity of storm water runoff, which could cause erosion of bare soils and lead to sedimentation of the Campus Lagoon. Although the University has proposed an interim erosion control plan, the Commission finds it necessary to require **Special Condition Three (3)** to ensure that construction best management practices and the proposed interim erosion control plan are implemented in order to protect long-term site stability and water quality that would otherwise be impaired by uncontrolled runoff. Further, the University proposes to restore all areas that are disturbed by construction-related operations prior to the conclusion of construction activities.

In addition to the potential impacts to sensitive habitats and coastal waters, new buildings also have the potential to impact birds through bird strikes. The University's campus is a hotspot for avian fauna, both resident and migratory. Campus wetlands and uplands provide stopover habitat of critical importance for migratory birds using the Pacific Flyway. Bird mortality due to collision with glass windows, especially the windows of tall structures, is a significant and well-documented problem. LRDP Implementation Section 1.10.1 Bird-Safe Buildings requires all new development to be designed and constructed according to the bird-safe building design guidelines. Among a host of requirements, the guidelines include requiring glazing treatments on windows to that they are visible to birds and reduce reflectivity, minimizing outdoor lighting, and siting trees and landscape so that the plants are not reflected on the building's surface. The proposed project does not include any bird-safe glazing treatments, and therefore the Commission requires Special Condition Four (4) to require the University to submit revised project plans which provide for bird-safe building treatments.

Therefore, for the above reasons, the Commission finds the subject NOID, as conditioned, is consistent with the ESHA and water quality policies of the LRDP.

3. Scenic and Visual Resources

Section 30251 of the Coastal Act, incorporated by reference into the LRDP, protects visual and scenic coastal resources from cumulative impacts by providing that new development be in

general conformance with the scale and character of surrounding development. The LRDP also contains several policies to protect scenic and visual resources.

Policy SCEN-01 states:

> *New structures on the campus shall be in general conformance with the scale and character of surrounding development. Clustered developments and innovative designs are encouraged.*

Policy SCEN-03 states:

> *New development shall be sited and designed to minimize adverse impacts to the greatest extent feasible on scenic resources, including places on, along, within, or visible from public viewing areas such as public parklands, public trails, beaches, and state waters that offer scenic vistas of mountains, coastline, beaches, and other unique natural features, as identified as viewpoints, scenic routes, and trails on Figure F.4. The University shall seek to enhance primary and secondary view corridors where feasible, to the ocean and scenic coastal areas shown in Figure F.4, such as by the removal of temporary buildings.*

Policy SCEN-04 states:

> *Development shall not exceed the height limits established in Figure D.4. Height shall be measured as the vertical distance at any one point from the existing grade to the highest point of the top of the roof of the structure. The highest point shall be the coping of a flat roof, or peak of the ridge for a pitch or hip roof. Mechanical and electrical equipment and solar energy systems on the roof shall not be included in the height measurement. However, mechanical equipment shall be setback as far as feasible from public roads and other viewing areas and screened by architectural features.*

Policy SCEN-06 states:

> *All new development shall include landscaping which mitigates the development's visual impacts. A landscape plan representing these landscape elements shall be submitted in support of the Notice of Impending Development.*

The proposed project would be constructed within an existing developed area of Main Campus. The project site is also within the 85-foot height area as shown on Figure D.4 in the certified 2010 LRDP. The proposed building height would be approximately 71 feet from existing grade to the roofline. Per Policy SCEN-04, mechanical and electrical equipment on the roof shall not be included in the height measurement, but the equipment shall be set back as far as feasible from public roads and other viewing areas and screened by architectural features. Three 11 ft. tall roof-top penthouses are proposed for the top of the buildings, which would screen roof-mounted equipment located near the center of the roof areas. Additionally, the proposed building is consistent with heights of other nearby buildings. Davidson Library to the north of the project site is approximately 92 ft. tall, and the Bio Engineering Building to the north is three stories and approximately 59 ft. tall. Therefore, the proposed building would be consistent with the LRDP's

height limits for the site, Policy SCEN-04, and would be compatible with the surrounding development.

Policy SCEN-03 states that new development shall be sited and designed to minimize adverse impacts to the greatest extent feasible on scenic resources, including places on, along, within, or visible from public viewing areas. Much of the Main Campus can be accessed by the general public, including parking areas, trails, pedestrian and bicycle paths, and outdoor spaces throughout the campus. Main Campus is also intended to accommodate the majority of the University's academic and support functions, including a total development cap of 2.56 million GSF. In order to serve the educational mission while protecting the campus' visual resources, the LRDP provides a land use buildout for Main Campus that allows for taller and denser development to be located at the core of the campus, while transitioning to shorter and less dense development along the perimeter. The outermost perimeter generally provides another layer of transition with lower-stature developments such as roadways, surface parking, campus landscape, buffers, and trails. In addition, Figure F.4 of the LRDP identifies significant public view points, scenic routes, and trails on Main Campus to be protected.

The proposed project is located within a designated development area of Main Campus. The potential development areas on Main Campus were sited and configured to ensure that views from specific view points and public spaces were maintained. Specifically, the Main Campus is surrounded by a number of natural and visual resources, allowing for public views of the ocean, bluffs, Goleta Slough, coastal mountains, and other natural open spaces. These views are primarily obtained from public areas on and along the perimeter of Main Campus. In addition, the LRDP designates north-south and east-west view corridors which transect the entire campus, including the dense campus core. The LRDP indicates that these corridors should be enhanced where feasible.

The project site is located within a primary view corridor identified in Figure F.4. In this case, there is very little potential for the corridor to be enhanced due to the presence of significant existing campus development, such as the Davidson Library and Bio Engineering Building, which are 92 and 59 ft. tall and within the view corridor. The proposed project is clustered adjacent to the Davidson Library and Bio Engineering Building, and the project location and building design are consistent with the educational institution character of Main Campus and do not significantly modify views of the campus from off-site areas. Furthermore, the siting and design of the proposed project does not adversely impact the protected views of coastal resource areas and natural landscapes that surround the campus on the campus' perimeter.

Therefore, for the reasons above, the Commission finds the subject NOID is consistent with the scenic and visual resources policies of the LRDP.

C. CALIFORNIA ENVIRONMENTAL QUALITY ACT

Section 13096 of the Commission's administrative regulations requires Commission approval of Notices of Impending Development (NOID) to be supported by a finding showing that the application, as modified by any conditions of approval, is consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Pursuant to CEQA, the

University of California is responsible for preparing any necessary environmental documents for its project (Pub. Res. Code § 21080.09). When carrying out its review as a responsible agency, the Commission has a certified regulatory program that it generally uses in lieu of preparing environmental impact reports and negative declarations under CEQA.

Section 21080.5(d)(2)(A) of CEQA prohibits the Commission from approving a proposed development if there are feasible alternatives or feasible mitigation measures available that would substantially lessen any significant adverse effect which the activity may have on the environment. For the reasons discussed in this report, the project, as conditioned, is consistent with the governing LRDP and its coastal zone protection policies, so long as bird-safe building treatments are provided, the outdated lighting adjacent to the Davidson Library and Bio Engineering is replaced/retrofitted, and the tree mitigation and monitoring plan is implemented. The Commission has, therefore, conditioned the proposed NOID to require implementation of the project within a feasible timeframe to ensure that all significant environmental impacts of the proposed development are avoided or mitigated to the extent feasible. As conditioned, the proposed project does not have any remaining significant effects within the meaning of CEQA.

The Commission incorporates its findings on LRDP consistency at this point as if set forth in full. As discussed in the preceding sections, the proposed development approved by this NOID, as conditioned, is consistent with both the policies and provisions of the certified 2010 LRDP. Feasible mitigation measures that will minimize all significant adverse environmental impacts have been required as special conditions. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, that would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the Notice of Impending Development, as conditioned herein, is consistent with the applicable policies and provisions of the certified Long Range Development Plan, the Coastal Act, and CEQA.

Appendix A

SUBSTANTIVE FILE DOCUMENTS

1. University of California, Santa Barbara, 2010 Long Range Development Plan

2. Final Initial Study/Mitigated Negative Declaration for Classroom Building Project dated April 2019, prepared by Rodriguez Consulting, Inc.

3. Preliminary Geotechnical Engineering Report Proposed Classroom Building dated November 2018, prepared by Fugro Consultants, Inc.

4. Phase 1 and Extended Phase 1 Archaeological Study for the University of California, Santa Barbara Institute for Classroom Building Project dated 2019, prepared by Applied EarthWorks, Inc.

5. Shallow Environmental Soil Assessment Report Proposed New Classroom Building dated November 2018, prepared by JHA Environmental.

6. University of California, Santa Barbara Water Consumption Report Fiscal Year 2018 – 2019

7. Environmental Stormwater Analysis for UCSB Classroom Building dated March 2019, prepared by Stantec Consulting Services, Inc.