

CALIFORNIA COASTAL COMMISSION

SOUTH CENTRAL COAST DISTRICT OFFICE
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F13a

ADDENDUM

September 8, 2022

TO: Coastal Commissioners and Interested Parties

FROM: South Central Coast District Staff

SUBJECT: **Addendum to Item F13a, University of California Santa Barbara Notice of Impending Development (NOID) No. UCS-NOID-0004-22 (Hazardous Tree Replacement) for the Commission Meeting of Friday, September 9, 2022**

I. CHANGES TO STAFF REPORT

Commission staff recommends changes to the staff report dated August 18, 2022, to include prior-to-construction surveys for monarch butterflies and other sensitive species in Special Condition 1. Language related to this special condition throughout the staff report is also updated to reflect the modifications. Language to be added to the staff report is shown in underlined text, and language to be deleted is identified by ~~strike-out~~.

a) **On page 5 of the staff report, Special Condition 1 shall be modified as follows:**

1. Timing of Construction – Breeding Birds and Other Sensitive Species.

In order to prevent disturbance to sensitive species, including breeding and nesting birds and monarch butterflies, no work shall occur between February 15 to September 1. A sensitive species survey, including for breeding and nesting birds and monarch butterfly roosting or overwintering ~~survey~~ shall be conducted prior to tree removal activities that occur during the ~~non-breeding and non-nesting season~~ allowable tree removal time frame (September 1 to February 15). One week prior to tree removal, a qualified biologist or ornithologist shall survey the trees to be removed to detect breeding behavior and/or nests, monarch butterfly roosting or overwintering sites, or the presence of other sensitive species. If an active nest or site is located, all work within 500 feet of the nest or site shall be postponed until such nest or site is vacated and or juveniles have fledged and when there is no attempt of a second nesting.

In the event that any other sensitive species are present in or adjacent to the tree removal areas, the applicant shall cease work, and shall immediately notify the Executive Director and federal, state, and local resource agencies. Project activities shall resume only upon written approval of the Executive Director. For the purpose of this special condition, “other sensitive species” shall be taken to mean any special-status wildlife species. Special-Status Species are species listed as Endangered, Threatened, or Rare under the federal or state Endangered Species Acts, Candidate Species, California Fully Protected Species, and, pursuant to CEQA Guidelines Section 15380(d), all other species tracked by the California Natural Diversity Database (CNDDDB), which are considered by the California Department of Fish and Wildlife to be those species of greatest conservation concern, and locally important species.

- b) **The third paragraph on pages 1 and 2 of the staff report shall be modified as follows:**

The subject trees were planted as agricultural windbreaks between 1915 and 1927 and are approximately 100-years old. In July 2019 an arborist survey was completed and indicates that the subject mature eucalyptus trees are nearing the end of their lifespan, are diseased, or have poor structure due to poor growing conditions and advanced age. The subject trees are non-native and located in a highly developed area. The University has submitted breeding season raptor surveys and a raptor habitat assessment, completed within the last year, to observe raptor use of these areas for nesting, perching, and roosting and to assess the raptor habitat values for these areas. The raptor surveys did not identify any raptor nesting activity within the trees proposed for removal. Additionally, the trees proposed for removal are not located within any known monarch butterfly roosting or overwintering sites, or within any such sites designated within the LRDP. However, due to the fact that the thirty-six trees proposed for removal still have the potential to provide habitat for sensitive ~~bird~~ species including birds and monarch butterflies, it is necessary to ensure that potential impacts ~~to nesting bird species~~ are avoided. Thus, in order to avoid any potential adverse impacts to ~~raptor or~~ sensitive ~~bird~~ species, **Special Condition One (1)** prohibits all pruning and removal activities during the bird breeding and nesting season, consistent with the University’s proposal, and requires a qualified environmental resource specialist to conduct pre-construction ~~bird~~ sensitive species surveys to confirm that monarch butterfly roosting or overwintering sites, or bird nesting, or breeding behavior, is not occurring prior to initiation of such activities.

- c) **The heading on page 11 of the staff report shall be modified as follows:**

Sensitive ~~Bird~~ Species & Tree Removal

- d) **The third and fourth paragraphs on page 12 of the staff report shall be modified as follows:**

The University has submitted a raptor survey, completed within the last year, to evaluate and document foraging and nesting activity of the subject eucalyptus located on Main Campus. The submitted raptor survey, “Coastal Breeding Season Raptor Surveys and Raptor Habitat Assessment for University of California, Santa Barbara, Tree Removal, Main Campus, Phase 3” dated June 27, 2022, prepared by Dudek, did not find any raptor nesting or roosting activity within the trees proposed for removal. Additionally, the trees

proposed for removal are not located within any known monarch butterfly roosting or overwintering sites, or within any such sites designated within the LRDP.

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