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Filed: 4/13/2023
270th Day: 1/8/2024
Staff: J. Hasbun-V
Staff Report: 11/30/2023
Hearing Date: 12/13/2023

STAFF REPORT: REGULAR CALENDAR

Application No.: 4-23-0215

Applicants: City of Goleta

Project Location: Ellwood Mesa Open Space, City of Goleta, Santa Barbara County

Project Description: Across 78 acres of open space, for a period of five years, hazardous fuel reduction, including the removal of dead/dying trees, fallen debris, and non-native vegetation, as well as mowing and trimming to reduce fuel ladders, in order to periodically maintain and manage fuel load. The proposed project also includes implementation of a biological resource monitoring program.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends **approval** of the proposed development with four (4) special conditions regarding: (1) Term of Permit Approval, (2) Final Implementation Plan, (3) Public Access Plan, and (4) Implementation Responsibilities – Best Management Practices. The Commission has not yet certified a Local Coastal Program (LCP) for the City of Goleta. Thus the proposed project is subject to the Commission's coastal development permit jurisdiction, and the standard of review for this project is the Chapter Three policies of the Coastal Act.

The City of Goleta is proposing to perform hazardous fuel reduction activities at Ellwood Mesa/Sperling Preserve Open Space Area (“Ellwood Mesa”). The proposed project includes the removal of fallen debris, dead/downed vegetation and trees, mowing, and reducing fuel ladders across 78 acres. The primary purpose of the project is to maintain a defensible space buffer of approximately 100 feet in order to avoid the potential spread of a wildfire towards structures/development from the parkland and vice versa. Fuel reduction activities and forest health maintenance and enhancement activities are also proposed within the eucalyptus groves found at Ellwood Mesa and will require work crews to enter sensitive monarch butterfly habitats. Safety measures, biological monitoring, and annual reporting have been proposed along with prescriptive treatments and a matrix of pre-determined work activity zones (see **Exhibits 4 and 5**). The City will conduct pre-work surveys to avoid sensitive species before entering any work activity zones, and the City has submitted Nesting Bird Management Plan and Wildlife Species Protection Plan.

Ellwood Mesa provides one of the largest contiguous open space areas along the South Coast of Santa Barbara County and is characterized by coastal mesas and steep coastal bluffs bisected by Devereux Creek. Within Ellwood Mesa, the aggregation sites that are utilized by the monarch butterfly are dominated by eucalyptus. There are five distinct monarch butterfly aggregation sites in the project area and these groves can support thousands of monarch butterflies during their overwintering aggregation behavior every year. However, due to disease, pests, and the recent drought, many of the eucalyptus trees at Ellwood Mesa have died, thus endangering the continued survival of the sensitive species that utilize the site. In order to preserve these important biological resources, the City of Goleta is proposing to enhance and maintain several of the woodland portions at Ellwood Mesa.

Habitats on Ellwood Mesa, including the subject aggregation sites, meet the definition of ESHA. As such, the proposed project would occur within and adjacent to ESHA. The subject fuel management activities have been designed to avoid adverse impacts to ESHA and completion of project activities will enhance habitat within the project area. Additionally, the City has proposed sensitive species and biological monitoring both before and during project activities to ensure that adverse impacts to ESHA and sensitive species are avoided. However, detailed monitoring, including the preparation of annual reports regarding the progress of vegetation management activities has not been proposed. As such, **Special Condition Two (2)** requires the applicant to submit a Final Implementation Plan, for review and approval by the Executive Director, that includes information on the types of species encountered during surveys, avoidance measures implemented, and requires photographs to be taken before and after vegetation management activities. The proposed staging and access routes are all existing and graded dirt trails, and no impacts are anticipated from these staging locations.

Coastal waters could also be temporarily impacted as a result of the implementation of project activities by unintentionally introducing sediment, debris, or chemicals with

hazardous properties during implementation activities. To ensure that debris, trash, or other waste associated with project activities does not enter the environment, the Commission finds **Special Condition Four (4)** is necessary to define the applicant's responsibility to ensure proper disposal of solid debris and material unsuitable for placement into the environment.

Ellwood Mesa is frequently used for coastal access to the nearby Ellwood Beach and for public recreation, including both local residents and visitors. The public parking lot and trails located adjacent to the project site would remain open during implementation of the project activities; however, these areas could be temporarily impacted. Certain areas of the open space and trails would need to be temporarily closed. In order to ensure the safety of recreational users of the site, to ensure that the interruption to public access is minimized, and to implement the applicant's proposed measures, **Special Condition Three (3)** requires the applicant to submit to the Executive Director for review and approval, a final public access plan that includes a description of the methods (including signs, fencing, posting of signs, etc.) by which safe public access to and around the project area shall be maintained during all project operations. Further, Special Condition Three (3) requires the applicant to post the site with a notice indicating the expected dates of construction and/or temporary closures.

As conditioned, the proposed project is consistent with all applicable Chapter Three policies of the Coastal Act. Therefore, Staff recommends that the Commission approve Coastal Development Permit No. 4-23-0215. The motion and resolution to adopt the staff recommendation of approval of the permit can be found on **page 5**.

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EXHIBITS

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Exhibit 2. Project Area

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I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 4-23-0215 pursuant to the staff recommendation.

Staff Recommendation of Approval:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

Resolution to Approve the Permit:

The Commission hereby approves the Coastal Development Permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. Term of Permit Approval

This coastal development permit authorizes implementation of the approved project on a temporary basis for a period of five (5) years from the date that CDP 4-23-0215 is approved by the Commission, after which time all project activities shall cease unless either a new coastal development permit, or an amendment to this permit is approved and issued by the California Coastal Commission.

2. Final Implementation Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, a Final Implementation Plan for the proposed project. In addition to the information contained within the Community Wildfire Protection Plan Fuel Reduction/Treatment Types Zones Matrix and Figures 2a – 2d (Exhibits 4 and 5), the final plan shall contain the following:

- A. Updated Figures.
 - a. Figures 2a – 2d (Exhibit 5) shall be modified to update all treatment areas to reflect the designation contained within the Community Wildfire Protection Plan Fuel Reduction/Treatment Types Zones Matrix (Exhibit 4).
 - b. Figures 2a – 2d (Exhibit 5) shall be modified to reduce the size of the vegetation management polygons to only depict vegetation management activities within 100 feet of aggregation sites and within 100 feet of existing development.
- B. Species Monitoring and Avoidance. Species protection measures shall be implemented pursuant to the Nesting Bird Management Plan and Wildlife Species Protection Plan prepared by Storrer Environmental Services, LLC, dated October 4, 2023 and October 5, 2023, and both plans shall be incorporated into the Final Implementation Plan.
- C. Monitoring. The applicant shall submit, for the review and approval of the Executive Director, on an annual basis, a written monitoring report prepared by a resource specialist, indicating the progress of the vegetation management activities on the site. This report shall include information on the types of species

encountered during surveys, avoidance measures implemented, as well as photographs taken before and after vegetation management activities from pre-designated sites. Each report shall be cumulative and shall summarize all previous results. At the end of the five-year permit term, a final detailed report on the vegetation management activities shall be submitted.

The applicant shall undertake development in accordance with the final approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plan shall occur without a Coastal Commission approved amendment to this coastal development permit or a new coastal development permit, unless the Executive Director determines that no new amendment or permit is legally required.

3. Public Access Plan

PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a public access plan that describes the methods (including signs, fencing, etc.) by which safe public access around approved work and staging areas shall be maintained during all project operations. Where public paths will be closed during active operations, adequate fencing and signage shall be used and the applicant shall post the site with a notice indicating the expected dates of construction and/or temporary closures. The applicant shall maintain public access pursuant to the approved final plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No change to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

4. Implementation Responsibilities – Best Management Practices

- A. Prior to the commencement of any project activities, the limits of the work areas and staging areas shall be delineated in cooperation with a qualified biologist, limiting the potential area affected by project activities. All vehicles and equipment shall be restricted to pre-established work areas and haul routes and to established or designated staging areas.
- B. During project activities, all trash and debris shall be properly contained, removed from the worksite, and disposed of on a daily basis, and no tools or other materials shall be stored at the work site overnight. No 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, rain, or erosion and dispersion. Any debris inadvertently discharged into coastal waters shall be recovered immediately and disposed of consistent with the requirements of this coastal development permit.
- C. Temporarily stockpiles of excavated sediment/vegetation should be protected with geofabric or other appropriate cover. Permanent stockpiling of excavated material on

site shall not be allowed. Vegetation and sediment shall be removed from the site on a regular basis during enhancement activities to prevent the accumulation of sediment and debris on the worksite.

- D. Any fueling and maintenance of construction equipment shall occur within upland areas outside of environmentally sensitive habitat areas or within designated staging areas. Mechanized heavy equipment and other vehicles used during the project activities shall not be refueled or washed within 100 feet of coastal waters. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- E. The discharge of any hazardous materials into any receiving waters shall be prohibited.
- F. Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of sediment, non-native invasive vegetation or weeds, trash or contaminants associated with project activity, shall be implemented prior to the on-set of such activity.
- G. All BMPs shall be maintained in a functional condition throughout the duration of enhancement activities.

IV. FINDINGS AND DECLARATIONS

The Commission hereby finds and declares:

A. Project Description and Background

Project Description

The City of Goleta (City) is proposing to perform a hazardous fuel reduction program at the Ellwood Mesa/Sperling Preserve Open Space (Ellwood Mesa). The proposed project includes removing dead/downed eucalyptus trees and non-native vegetation, mowing grasses, trimming and thinning of vegetation in order to reduce fuel ladders, and clearing flammable debris that has accumulated on the ground. Ellwood Mesa is an approximately 136-acre public open space area located on the western edge of the City that features an extensive system of public trails and diverse coastal habitats, including five monarch butterfly (*Danaus plexippus*) aggregation sites. Specifically, the proposed project would be implemented on a 78-acre portion of the open space area that is located closest to surrounding residential and commercial development and monarch butterfly aggregation sites, as depicted on **Exhibit 1**.

Extended drought conditions and a lack of continued maintenance have created hazardous fire conditions at Ellwood Mesa. In order to address the identified fire risk, the City proposes to manage vegetation that is located within 100' of structures adjacent to the open space and within 100' of monarch butterfly aggregation sites. Managing the

vegetation in these areas would provide for defensible space between the surrounding development and aggregation sites and the larger open space area, which can help to slow the spread of fire. As depicted on **Exhibit 5**, the City has created a zone for each vegetation management area where specific vegetation treatment measures would be allowed based on the types of biological resources present within that particular area. There are four types of vegetation management areas: “Unmodified Standard”, “Modified Standard”, “Unmodified Aggregation”, and “Modified Aggregation”. “Unmodified Standard” has a specific list of allowable vegetation treatment types, including mowing, trimming, and clearing debris, and applies to areas that are within 100’ of structures. “Modified Standard” also applies to areas that are located within 100’ of structures; however, because of the biological resources present in those areas, not all of the standard vegetation treatment types apply, and less vegetation removal would be allowed. Similarly, vegetation management activities including mowing, trimming, and clearing debris would be allowed within the “Unmodified Aggregation” zones that are located within 100’ of monarch butterfly aggregation sites, and within “Modified Aggregation”, the treatment types would be specifically adjusted to ensure protection of the aggregation site.

Proposed vegetation management treatments were strategically created based upon site specific habitat mapping and surveys in order to avoid adverse impacts to biological resources, including native plants and trees, aggregation sites, and active bird nests. The City has also proposed to conduct biological surveys prior to the start of vegetation removal activities, and biological monitors would be present while work is completed. The proposed program would only remove dead eucalyptus trees and vegetation that creates fire risk, while retaining dead wood that could provide wildlife habitat such as snags or standing dead trees with cavities, large trunks in contact with the ground and in decomposition, and twigs gathered into a brush pile. In addition to reducing fire risk, selectively removing dead and diseased trees would contribute to overall health of the trees within the aggregation sites and would improve public access throughout the project area. Branches and cut wood will be chipped in place where feasible, and trunks or large branches too large to chip will be laid on the forest floor or cut to appropriate length and used as trail barriers. Additionally, shrubs and plants would be trimmed in order to reduce fuel ladders.

The applicant has proposed a permit term of five years due to the large amount of vegetation and debris that must be removed. The proposed work generally falls into two categories; heavy fuels, which consists of dead trees and woody debris, and fine fuels, which is comprised of grasses, shrubs, and smaller trees. The applicant anticipates that it will take 3-5 years for vegetation management activities relating to heavy fuels to be completed in all areas of the 78-acre project site, with the focus being on removal of standing and fallen dead eucalyptus trees. This work would typically occur from March to October, and after it is initially complete, annual inspections and maintenance work would occur. Initial vegetation management activities relating to fine fuels would take approximately 6 months to complete and would be followed by annual mowing and brushing. Maintenance of fine fuels would typically occur from April to June. All work would occur outside of monarch butterfly overwintering season. Access to the

vegetation management areas would be on existing pathways, and staging would be located outside of habitat areas, as depicted on **Exhibit 2**. Vehicles such as rubber-tired flatbed trucks, pickup trucks, cranes, and other heavy machinery would be utilized to complete the proposed work.

Background

As described above, extended drought conditions and a lack of continued vegetation maintenance have created hazardous fire conditions at Ellwood Mesa. In order to address this, the City, in coordination with the Santa Barbara County Fire Department, neighborhood associations, non-profit organizations, environmental groups, and resources specialists, have proposed the subject project, which will provide defensible space around surrounding development and monarch aggregation sites.

Ellwood Mesa has long been a location where monarch butterflies overwinter. The Ellwood Main aggregation site, which is one of six aggregation sites located at Ellwood Mesa, was identified by the Xerces Society as fourth out of the 50 of the most important monarch overwintering sites in California. However, both the monarch butterfly and eucalyptus tree populations at Ellwood have declined drastically in recent years. On March 19, 2019, the City adopted the Monarch Butterfly Habitat Management Plan (MBHMP). This plan was created by the City to provide an approach to management of monarch butterfly seasonal aggregation habitat, additional species habitats, and public access and recreation on Ellwood Mesa. Within the subject MBHMP, 22 programs are identified to guide the overall management approach, and within each program a goal and several policies and objectives for implementation are outlined. This plan includes directives to restore aggregation sites, enhance biodiversity, maintain public access, and protect against wildfire. The City also adopted a Community Wildfire Protection Plan (CWPP) in March 2012, which identifies wildfire treatments to guide site-specific fuel reduction strategies, including those which are compatible with the protection and enhancement of sensitive resources like the aggregation sites and habitat areas located within the project area. The proposed project integrates recommendations from both the MBHMP and the CWPP.

Several Coastal Development Permits (CDP) and Emergency Coastal Development Permits have been authorized to address aggregation site enhancement, removal of dead and dying eucalyptus trees, and fuel reduction. On October 12, 2017, the Commission authorized Emergency CDP No. G-4-17-0048 for the one-time removal of 29 eucalyptus trees that were dead and/or at high risk of failure and located adjacent to four essential public trails, in order to protect life and property from imminent danger. Additionally, on October 17, 2019, the Commission authorized CDP No. 4-18-1223 for the enhancement of monarch butterfly habitat in Ellwood North, including removal of fallen debris and dead trees, planting of native species and approximately 63 eucalyptus trees, installing educational and safety signs, and monitoring the monarch population at Ellwood Mesa. This permit included six special conditions to ensure public access, perform species surveys, install informational signage, and submit final implementation plans. Lastly, in 2021, the Commission approved a CDP De Minimis

Waiver which allows Southern California Edison to prune trees to maintain a 12 ft. clearance distance from the electrical lines in order to reduce flammable material around the electrical lines and poles.

On March 15, 2023, the City submitted the subject CDP application, and the permit application was deemed complete for filing on April 13, 2023. Consistent with the Commission's Tribal Consultation Policy, during the process of reviewing the subject application and developing this recommendation, Commission staff sent letters to all representatives from Native American Tribes understood to have current and/or historic connections to the project area. As of publication of this staff report, staff has not been contacted for further information or consultation.

B. Environmentally Sensitive Habitat Areas and Water Quality

Section 30107.5 of the Coastal Act, defines an environmentally sensitive area as:

"Environmentally sensitive area" means any area 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.

Section 30231 of the Coastal Act states:

The biological productivity and quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges- and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 of the Coastal Act States:

(a) Environmentally sensitive habitat areas shall be protected against a significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Section 30231 of the Coastal Act requires that the biological productivity and quality of coastal waters be maintained and protected through measures such as controlling

runoff, preventing depletion of groundwater supplies, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing the alteration of natural streams. Section 30240 of the Coastal Act requires that environmentally sensitive habitat areas (ESHA) must be protected against disruption of habitat values and that only resource dependent uses may be allowed within ESHA. Additionally, development adjacent to ESHA must be sited and designed to prevent impacts that would significantly degrade ESHA.

Ellwood Mesa provides one of the largest contiguous open space areas along the South Coast of Santa Barbara County. This area contains an abundant mix of non-native and native plant species. Due to historic land uses, Ellwood Mesa is dominated primarily by non-native annual grassland, although native vegetation, including coastal scrub, coyote brush scrub, California sagebrush, and quail bush scrub are also present. Additionally, there are southern vernal pools, southern riparian scrub, and eucalyptus woodland that support monarch butterflies. Non-native ornamental and invasive plants are also present.

Ellwood Mesa has long been a location where monarch butterflies overwinter. Monarchs typically arrive in October and depart between late February and April, depending on conditions. There are five monarch aggregation sites at Ellwood Mesa, including Ellwood North, Ellwood West, Ellwood Main, Sandpiper, and Ocean Meadows. Specifically, monarch butterflies aggregate in the on-site eucalyptus groves, which are comprised predominately of blue gum and red ironbark eucalyptus, but also interspersed with some native trees such as coast live oak. A few native shrub and woody vine species are also present in these groves, including poison oak and toyon. Many of the eucalyptus groves contain a substantial amount of invasive vines, including Algerian ivy, cape ivy, garden nasturtium, and firethorn. In addition to the monarch aggregation sites, numerous raptor roosts and nests also occur within the eucalyptus woodlands.

In recent years, the ongoing drought and pest infestations have resulted in the degradation and death of eucalyptus trees. According to a field study performed by Althouse and Meade, Inc. as of July 2017, over 1,200 trees in the eucalyptus forest were dead, with hundreds more that are highly degraded and dying. Historically these aggregation sites hosted tens of thousands of monarch butterflies during some years, making Ellwood Mesa one of the most important sites for monarch butterflies in California.

The City has proposed implementation of the subject project to reduce hazardous fuel loads and to establish defensible space between existing development and the larger open space area. Additionally, the project is proposed to reduce the risks of wildfire on the rare habitat within the monarch aggregation sites. Proposed vegetation management treatments were strategically created based upon site specific habitat mapping and surveys in order to avoid adverse impacts to biological resources, including native plants and trees, aggregation sites, and active bird nests. The proposed project provides a programmatic approach to fuels reduction that also complies with the

Monarch Butterfly Habitat Management Plan (MBHMP). The monarch habitat areas have been studied using LIDAR imaging, and contracted biologists and arborists have mapped and delineated areas of concern containing dead and downed trees, which will be the focus of the vegetation management within these areas. Some species of eucalyptus trees found on Ellwood Mesa, including blue gum, have deciduous bark, which is shed annually and presents a fire hazard. The bark catches fire readily and streamers from the loose bark tend to carry fire into the canopy and cast firebrands ahead of the main fire front. The leaf litter, which is the accumulation of dead, dry, and oily leaves, is also a fire hazard as it is extremely flammable. Due to the risk involved with dead vegetation surrounding these important aggregation sites, the project includes clearing dead and downed material. The vegetation treatment will improve the ecological condition of the eucalyptus groves and enhance the habitat for the monarch butterfly. The City, in collaboration with monarch butterfly experts, will ensure that the microclimate of the eucalyptus groves necessary to support the monarch butterfly will be maintained.

Native and special status vegetation throughout the project area will be protected during project activities, although certain native species would be trimmed in order to reduce the size of fuel ladders. Vegetation maintenance will be overseen by certified biologists, fire marshals, arborists, and the open space park manager, and all project personnel will be made aware of sensitive biological resources through daily pre-work informational meetings. The purpose of the proposed project is to provide a programmatic approach to the management of fuel in and adjacent to habitats at Ellwood Mesa. The MBHMP calls for resource preservation measures involving the removal of dead and diseased trees that pose risk to life, prevent trail access, and contribute fuel to potentially catastrophic wildfire. Additionally, the CWPP includes policies intended to minimize adverse effects on butterfly habitat while reducing fire hazards from fuel loads in these areas.

Habitats on Ellwood Mesa, including the subject aggregation sites, meet the definition of ESHA. As such, the proposed project would occur within and adjacent to ESHA. The subject fuel management activities have been designed to avoid adverse impacts to ESHA and completion of project activities will enhance habitat within the project area. Throughout the fuel management area, clearing of dead and downed trees and hazardous fuel will create higher fire resiliency. The proposed project will also improve habitat quality (e.g., removal of dead, diseased, and overgrown non-native vegetation, removal of non-native invasive plant species, etc.). Additionally, the project is intended to reduce the intensity, rate of spread, and extent of catastrophic wildfire on adjacent habitats and development.

The proposed fuel management activities cover an area that is the minimum necessary to abate the identified fire risk. Additionally, as described above, the City has proposed sensitive species and biological monitoring both before and during project activities to ensure that adverse impacts to ESHA and sensitive species are avoided. However, detailed monitoring, including the preparation of annual reports regarding the progress of vegetation management activities has not been proposed. As such, **Special**

Condition Two (2) requires the applicant to submit a Final Implementation Plan, for review and approval by the Executive Director, that includes information on the types of species encountered during surveys, avoidance measures implemented, and requires photographs to be taken before and after vegetation management activities. Additionally, Special Condition Two (2) requires minor revisions to the plan submitted by the applicant in order to accurately reflect the proposed project and requires incorporation of proposed monitoring into the Final Plan. Furthermore, **Special Condition One (1)** limits the term of the permit to five years so that the Commission will be able to assess the success of the project prior to further continuation of the program.

Coastal waters and habitats could also be temporarily impacted as a result of the implementation of project activities by unintentionally introducing sediment, debris, or chemicals with hazardous properties during implementation activities. To ensure that debris, trash, or other waste associated with project activities does not enter the environment, the Commission finds **Special Condition Four (4)** is necessary to ensure proper disposal of solid debris and material unsuitable for placement into the environment. As provided under Special Condition Four, it is the applicant's responsibility to ensure that no material, debris or other waste is placed or stored where it could be subject to dispersion. Furthermore, the special condition assigns responsibility to the applicant that any and all debris and trash shall be properly contained and removed from construction areas within 24 hours, and specifies that construction equipment shall not be cleaned within ESHA or wetlands. Finally, required best management practices include the removal and proper disposal of non-native invasive plants and weeds so they are not spread through the project area.

For the reasons set forth above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30231 and 30240 of the Coastal Act.

C. Public Access and Recreation

Coastal Act Section 30210 states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30213 states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Coastal Act Section 30221 states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Coastal Act Section 30223 states:

Upland areas necessary to support coastal recreational uses shall be reserved for such uses, where feasible.

Coastal Act Section 30210 mandates that maximum public access and recreational opportunities be provided and that development not interfere with the public's right to access the coast. Additionally, Coastal Act Section 30213 mandates that lower cost visitor and recreational facilities, such as public hiking and biking trails, shall be protected, encouraged, and provided where feasible. Additionally, the Coastal Act protects oceanfront and upland land for recreational uses.

Ellwood Mesa is frequently used for coastal access and recreation by the public, including both local residents and visitors. Ellwood Mesa features a series of public hiking trails, and functions alongside Santa Barbara Shores County Park to provide access to nearby Ellwood Beach. Members of the public visit Ellwood Mesa specifically to learn about the monarch butterfly and view monarch butterfly aggregations, which are rare biological phenomena.

As described above, the proposed habitat management and fuel reduction project includes removal of dead trees and debris, and trimming vegetation. To complete this work, vehicles such as rubber-tired flatbed trucks, pickup trucks, cranes, and other heavy machinery would be utilized. Vehicles would access the project areas using the existing parking lots, trails, and roads, and staging areas will be located on these developed areas throughout the open space area. During vegetation management activities trails will be closed within at least 100 feet of work for public safety, but would be reopened every day after activities conclude. As proposed, signage which indicates where the daily work will occur will be posted and a safety foreman will also be on site during project activities to reroute pedestrians away from active work sites. Signs will be posted at all 13 entrances to the open space, and the City will post the weekly schedule on their website. Public access throughout Ellwood where work is not occurring will be maintained at all times.

The proposed project would be implemented in phases, which would avoid impacts for recreational users. However, as described above, certain areas of the open space and trails would need to be temporarily closed. In order to ensure the safety of recreational users of the project site, to ensure that the interruption to public access at the project site is minimized, and to implement the applicant's proposed measures, **Special Condition Three (3)**, requires the applicant to submit to the Executive Director for review and approval, a final public access plan that includes a description of the

methods (including signs, fencing, posting of signs, etc.) by which safe public access to and around the project area shall be maintained during all project operations. Further, Special Condition Three (3) requires the applicant to post the site with a notice indicating the expected dates of construction and/or temporary closures.

For the reasons discussed above, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30210, 30213, 30221 and 30223 of the Coastal Act related to public access and recreation.

D. Hazards

Coastal Act Section 30253 states:

New development shall do all of the following:

- (a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.
- (c) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Board as to each particular development.
- (d) Minimize energy consumption and vehicle miles traveled.
- (e) Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.

Coastal Act Section 30253 mandates that all new development minimize risks to life and property in areas of high geologic, flood, and fire hazard.

High winds and heavy rains in 2022 and 2023 have caused dozens of eucalyptus trees to fall or be at imminent likelihood of failure. Recent fire events in the immediate region include the Alisal and Hollister fires that have burned approximately 17,500 acres immediately north of the City boundary (in November 2021 and March 2022, respectively). The vegetation at Ellwood Mesa poses a severe fire risk, with the hazardous fuel load growing each year that maintenance and vegetation management does not occur. A threat of a fire imposes a direct hazard to the open space, sensitive aggregation sites, and adjacent homes.

The proposed approach to reduce the fuel load between structures and the open space area as well as between aggregation sites and the open space area is necessary to maintain a defensible space and reduce the potential spread of a fire. Proactively managing vegetation and reducing the total mass of fuel will protect the sensitive coastal resources and surrounding existing development. The proposed project activities are designed to avoid impacts to native species and sensitive coastal resources, while maintaining a more fire resilient habitat. As discussed above, the subject vegetation management activities have been proposed in order to minimize risks of hazards to life and property.

For the reasons set forth above, the Commission finds that, as conditioned, the proposed project is consistent with Section 30253 of the Coastal Act.

E. California Environmental Quality Act

Section 13096(a) of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit application to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect that the activity may have on the environment.

The Commission incorporates its findings on Coastal Act consistency at this point as if set forth in full. These findings address and respond to all public comments regarding potential significant adverse environmental effects of the project that were received prior to preparation of the staff report. As discussed in detail above, the proposed project, as conditioned, is consistent with the policies of the Coastal Act. Feasible mitigation measures which will minimize all adverse environmental impacts have been required as special conditions. As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact that the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, can be found to be consistent with the requirements of the Coastal Act to conform to CEQA.

4-23-0215 (City of Goleta)

Appendix A - Substantive File Documents

CDP Application File No. 4-23-0215.

Ellwood Mesa Neighborhoods Hazardous Fuel Reduction Package dated March 10, 2023.

Wildlife Species Protection Plan for the Ellwood Mesa/Sperling Preserve Open Space Goleta, California dated October 5, 2023.

Nesting Bird Management Plan for the Ellwood Mesa/Sperling Preserve Open Space Goleta, California dated October 4, 2023.

Executive Summary of Ellwood Mesa Neighborhoods Hazardous Fuel Reduction dated October 2023.

Revised Ellwood Mesa Neighborhoods Fuel Reduction Prescriptions received on November 14, 2023.

CDP Time Extension Waiver signed and dated September 13, 2023.