Notice of Impending Development 5 (12-2)

Supporting Information
see CLRDP 8.2.5

Table of Contents

Section 1. Project Report
see CLRDP 8.1.4 (2)

1a Project Description
1b CLRDP Consistency Determination
1c Environmental Compliance Documentation
1d Technical Reports
1e Consultation Documentation with other Agencies
1f Implementing Mechanisms
1g Correspondence Received
1h Project Manager

Section 2. University Approval Documentation
see CLRDP 8.1.4 (5)

Section 3. Environmental Compliance Documentation
see CLRDP 8.1.4 (5)

Section 4. Plans, Specifications, etc.
(this section used if project documentation is large format or extensive)

Section 5. Technical Reports
see CLRDP 8.1.4 (2d)
(this section used if Technical Reports are extensive)
1. Project Report

1a. NOID 5 (12-2) Coastal Access Overlooks Project Description

Project Summary

The proposed Public Coastal Access Overlook and Overlook Improvements Project (“Overlooks Project”) consists of construction of three new public coastal access overlooks, and improvements to two existing overlooks at the University of California Santa Cruz (UCSC) Marine Science Campus. The campus is located on the shore of Monterey Bay, at the southwestern corner of the city of Santa Cruz. On the western edge of the campus is Younger Lagoon, part of a natural reserve in the University of California Natural Reserve System. The project would provide publicly-accessible overlooks from which to view the ocean coast, Younger Lagoon, a seasonal wetland, and campus marine mammal pools for which public access is otherwise limited due to safety hazards or for the protection of marine wildlife and habitats. The facilities would include interpretive signs and public amenities such as bicycle parking and benches to enhance public access to and enjoyment of these restricted and/or sensitive areas.

Project Location

The location of the proposed Overlooks Project is UCSC’s Marine Science Campus, which includes Younger Lagoon Reserve. All areas of the Marine Science Campus that lie outside of the CLRDP-designated development zones were added to the Younger Lagoon Reserve as a condition of Coastal Commission approval of the CLRDP. Several of the overlooks, which are sited at the margins of development zones, therefore are within what is now the Younger Lagoon Reserve: Overlooks C and A are within development zones at the margin of the YLR, while the sites of overlooks D, E and F are within areas incorporated into the YLR as a condition of approval of the CLRDP. The overlo

ks would be constructed and/or improved at four discrete sites that overlook the Pacific Coast and Younger Lagoon, and one site that overlooks a wetland on the campus, as shown on Figure 1. Figure 1 illustrates the locations of existing and proposed overlooks on an aerial photo of the site, and shows the potential extent of ground disturbance associated with construction and improvements at sites A, D, E and F. Note that Overlook C improvements would not involve any new ground disturbance. Figure 1 shows Overlook B, and existing overlook for which improvements were already completed under a separate approval.
Figure 1. Marine Science Campus with Overlook Locations
Detailed Project Description

The elements of the Overlooks Project are described and illustrated in detail below and general locations are shown on Figure 1 above. Details on overlook design, construction procedures and equipment, and proposed materials, are provided below. The proposed Overlooks Project consists of construction of three new public access overlooks, designated in UCSC’s Coastal Long Range Development Plan (CLRDP) as Overlooks A, E and F, and improvements to two existing overlooks, designated as Overlooks C and D. Site C is within a developed area of the Marine Science Campus and site A is within the margin of a development zone. The other sites are within the boundaries of the Younger Lagoon Reserve, as modified as a condition of Coastal Commission approval of the CLRDP. The CLRDP also describes improvements to existing Overlook B, which were carried out in 2009 as part of another project and are not part of the current project.

All overlooks would include signage and interpretive panels to identify the major natural features that can be observed. Amenities such as benches, trash cans or bicycle parking would be located near overlooks A, D and F. All new overlooks and overlook improvements have been sited and designed to integrate into the natural site aesthetic. Areas disturbed during construction would be replanted in native plants from locally-collected seeds and stock, as required by the CLRDP. The Overlook C path was upgraded for full ADA accessibility under a separate project in 2001. Overlook A, D, and E pads would be fully handicapped-accessible, in accordance with ADA regulations. Overlook F will also be accessible, although the main bluff top path that leads to this site is not currently accessible. Improvements to this path are included in another larger project currently under analysis, with construction anticipated in 2012-13. All new access routes and overlook platforms will be surfaced with materials (such as FIBAR1, gravel pavers2, grass pavers3, or stabilized decomposed granite) that are both fully ADA accessible and are either fully-permeable and/or will store storm water for infiltration, such that there is no increase in surface runoff.

The CLRDP, Chapter 7 and Chapter 9, includes schematic plans and describe siting and design parameters for the overlooks. Proposed refinements to the design and construction of the new overlooks and completed planning for improvements to the existing overlooks, which are consistent with the preliminary descriptions and aesthetic and design criteria presented in the CLRDP, are described and analyzed in the Initial Study.

Overlook A Design and Siting

Overlook A (Figure 2, below) would be developed adjacent to the Seymour Marine Discovery Center to provide viewing of seasonal wetland, W5, to the northeast. This overlook would be sited in an area presently equipped with picnic tables for public use, just north of the parking lot of the Seymour Marine Discovery Center at the edge of the Wetland W5 buffer. The Seymour Discovery parking lot is surrounded by a low earthen berm, which screens the lot from the adjacent natural areas. The proposed overlook site is on the opposite side of the berm from the parking lot. The berm is vegetated in a mix of non-native grasses and herbs and native shrubs, and several Monterey cypress trees stand between the overlook site and the parking lot4. The overlook would be accessed from the southeast end of the Seymour Discovery Center parking lot, from a point near the existing ADA parking spaces, via an accessible path angled along the berm. It also would be accessible from a future public access trail, currently an informal dirt path, that would circle the north and east sides of the parking lot. The overlook would serve as an observation point for pedestrians using the public pathway, and for school groups and other campus visitors.

1 For example, see: http://www.getplaygrounds.com/Manufacturers/fibar.htm
2 For example, see: http://www.terrafirmenterprises.com/?gclid=CKfU2Z26jKMCFQ4MbAod83tfZg
3 For example, see: http://www.invisiblestructures.com/gravelpave2.html
4 The cypresses were planted on the site in the past, but are highly invasive, and are designated as a priority one weed under the recently-approved Specific Resource Plan (SRP), Phase 1, which implements the previously-approved CLRDP Resource Management Plan. When these trees are removed in the future as part of SRP implementation, a new screen of native vegetation will be planted.
Overlook design includes two 8-ft X 4-ft earthen pads, elevated approximately 14 inches above existing grade and surrounded by a low railing on three sides. Picnic tables would be provided adjacent to the overlook. A 6-ft high vegetation screen of local native shrubs and grasses would be planted along the north/northwest sides of the overlook to define the overlook area, discourage foot traffic off of the pad area into the wetland buffer, and provide wind screening and visual screening of human activity at the overlook. The access route from the Discovery Center lot to the overlook would have a grade of less than 5%, for ADA accessibility, and would have a permeable but ADA-accessible surface. An interpretive panel at each of the two pads would provide information about the natural aspects of the seasonal pond to the north and northeast along with other visible features of the landscape, including coastal terrace and ocean views to the southeast. Figure 2, below (based on CLRDP Figure 7.9) presents a schematic diagram of the proposed overlook.

**Figure 2. Schematic Design of Overlook “A”**

**Overlook C Design and Siting**

Overlook C is an existing overlook located atop an existing earthen berm immediately west of the MSC Long Marine Lab’s (LML’s) marine mammal pools (CLRDP Figure 5.6). The California Conservation Corps originally built this overlook as a cooperative project between LML and the adjacent Younger Lagoon Reserve (YLR). Overlook C provides views of the LML marine mammal research pools, the Monterey Bay and YLR. Overlook C affords unique opportunities for docent interpretation, including marine mammal research, the Monterey Bay, the Younger Lagoon beach, dunes, coastal stack and western sea cliff, and Younger Lagoon itself. The existing overlook includes interpretive panels on LML dolphin
research and coastal geology. Improvements to this overlook would be limited to adding new interpretive panels on the west side of the overlook, to provide information on the YLR and Monterey Bay National Marine Sanctuary, and would not entail any new footprint of disturbance. Access to this overlook is by docent-guided tour only, via the center of the LML facilities. Public access to Overlook C has been and will continue to be controlled, consistent with CLRDP policy, to protect marine mammals, marine mammal research efforts, and YLR wildlife. Overlook C is fully ADA accessible.

**Overlook D Design and Siting**

Overlook D, an existing rudimentary overlook located north of the Center for Ocean Health building in a natural area on the Younger Lagoon side of the MSC’s earthen berm, provides views of the middle section of Younger Lagoon, adjacent back-dune and upland habitats, agricultural lands, and marine terraces. The overlook is at the margin of the development zone behind the fence line that protects YLR. Overlook D is accessible only through approved application or guided tour. The overlook currently is accessed from McAllister Way through a locked gate at a gap in the berm via a casual, lightly maintained, mulched pedestrian trail. The overlook itself is a mulched, nearly level, unimproved area about 250 sq. ft. in area, equipped with a bench and surrounded by low-growing natural vegetation.

Proposed improvements to the overlook include construction of an ADA-accessible path from the Center for Ocean Health parking lot via a fenced alcove at the current entry location that would provide a gathering area. In order to create a trail with accessible grade, the length of the trail would be increased with a switchback down the slope to the overlook. The trail would be surfaced with a pervious, but ADA-accessible material (as described above). The overlook pad itself would be cut slightly into the slope to minimize its visibility. To facilitate observation of the lagoon wildlife from the overlook, the project would include construction of a partially-enclosed observation blind at the overlook pad. The observation blind would be of galvanized steel or wood frame construction with shed roof in non-reflective, earth-tone colors, and would be set back against the slope, to minimize the blind’s visibility. The blind would be about 20 ft long by 16 ft wide by 9 ft tall. The area immediately north of the structure would provide views of the marine terraces, about which interpretive materials would be provided. Interpretive signage would be installed inside the blind or on the overlook pad. The path and blind would be screened by native vegetation plantings propagated from seeds collected within the reserve. The screen would extend to about the height of a 36-inch to 42-inch-high railing around the blind, to minimize the visibility of human activity from within the reserve, and also to discourage unauthorized human entry into YLR. The area disturbed during construction also would be planted with native vegetation at the completion of construction, with plants propagated from locally collected seeds and cuttings. Neither the trail nor the overlook would include any night lighting, and both would be available for day-time use only, consistent with the habitat protection requirements of the CLRDP.

Construction of the trail and overlook pad would require mechanical cut and fill to meet ADA slope standards and runoff/erosion control, and would include two short sections of low retaining wall where the path passes through the gap in the earthen berm and another at the back of the overlook pad, against the slope. The pad site and trail route would be graded with a bobcat (small grader) and the retaining walls and blind structure would be constructed and installed by hand without the use of heavy equipment. Concrete for the overlook retaining wall and posts would be pumped by hose from the access path entry gate. Cut and fill would be balanced, with a goal of avoiding fill import or export.
Figure 3. Overlook “D” Refined Plan

CLRDP Figure 7.11 shows preliminary design of Overlook D improvements as conceived in the CLRDP. The design of Overlook D and its access route have been refined through subsequent planning and engineering study. Figure 3, above, shows the design as refined to provide ADA accessibility and improved topographic screening of the observation shelter.

Trail surfacing material for the Overlook D access trail will be required to be both ADA-accessible and to provide storm water infiltration, as described above. The proposed observation blind at Overlook D does have the potential to concentrate runoff in a small area, since the approximately 320-sf area roof of the blind will be impervious. The roof will be slanted toward the down slope edge of the blind, such that storm water will run off its long northwest-facing edge. The project would include construction of a vegetated infiltration trench parallel with the northwest (down slope) edge of the blind, along the drip line of the roof, and cobbles will be placed on the slope above the infiltration trench for reinforcement. Rather than capturing rain water in gutters and down spouts, which would concentrate the flow in small areas, rain would be allowed to flow evenly off the slope of the roof and drain into the infiltration trench, where it will be infiltrated on site.

Overlook E Design and Siting

Overlook E would be a new overlook to be located adjacent to the west side of McAllister Way, opposite the NOAA Fisheries building, above the middle section of Younger Lagoon, on a vegetated area, at the YLR fence line. This overlook would be directly accessible as part of the envisioned future public access trail system (CLRDP Figure 9.1) and would provide pedestrians along this public access route with a view into the lagoon and invite closer observation. An interpretive panel would introduce visitors to the significance of protected areas, such as Younger Lagoon, and to coastal ecology. A minor alteration to the
existing fence would provide a viewing opening from which views of the lagoon are possible to the south toward the beach, west toward the main section of the lagoon and agricultural fields beyond, and to the northwest up the lagoon's upper arms (see Figure 5, below).

The existing fence along McAllister Way would be integrated into Overlook E, and no new fencing would be constructed with Overlook E. Its design will accommodate a new fence in the future that would tie into Overlook E and be constructed in a manner as to maintain the existing screen between Younger Lagoon and human activity and development along the road. A barrier fence and a native plant screen would be installed in tiers in the YLR side of the overlook as part of the Overlooks Project. This would consist of fencing, screened by plantings of native shrubs along the west side of the fence to minimize human presence from the perspective of the reserve, with a break in the screening at the overlook, to allow views into the lagoon area. A screen of native shrubs between the overlook opening and the west side of McAllister Way would also provide screening of human activity along McAllister Way from inside the reserve. Vegetation would be trimmed as needed, to provide views while still minimizing visibility of human observers and passers by from the wildlife/lagoon perspective. Dense native plantings of native species would be placed below and around the overlook, both to diminish human visibility at the overlook from inside the reserve, and also further to discourage unauthorized entry into the reserve from this location. All plants used for restoration and landscaping would be propagated from locally-collected native seeds.

Overlook construction would consist of minor grading to a level raised pad, fence viewing area, and interpretive signage. The access route and overlook pad would be surfaced with permeable, ADA-accessible material, as described above. The project would include plantings around the viewing area to maximize screening of the road from the reserve. However, cypress trees would not be used, as previously proposed in the CLRDP, as these are highly invasive and are considered Priority 1 species for removal under the recently-approved CLRDP Specific Resource Plan, Phase 1.

Figure 4. Overlook “E” Revised Plan
Overlook F Design and Siting

Overlook F would be a new bluff top overlook to be established near the coastal bluff edge at the southeastern corner of the Campus, at a slight promontory in the bluff roughly 100 feet west of the De Anza Mobile Home Park (see CLRDP Figure 91). This overlook would be sited to be easily accessed from the existing public bluff top trail, improvements to which are required under the CLRDP and are being considered as part of a larger development program, in a separate environmental document currently in preparation. Bicycle racks and trash/recycling cans would be provided along the eastern edge of the property adjacent to the existing cement wall, and a low-profile bench or benches would be placed at the overlook. The overlook would be oriented so as to best provide panoramic ocean views with as little obstruction as possible. To minimize visual obstructions in the views while also ensuring public safety, low vegetative barriers rather than fencing would be used along the bluff edge, if feasible. Interpretive signs also would be of low profile and placed so as not to adversely impact ocean views. The area around the overlook has recently been restored through removal of non-native ice plant and replanting in native species. The overlook access path and site, an area of approximately 200 square feet, would be surfaced with permeable, ADA-accessible material. Construction would require little or no grading. Subsequent to construction, additional native plantings of coastal bluff top species would be placed in any exposed areas.

Figure 5. Overlook “F” Revised Plan

Overlook Construction Activities

All staging activity for overlook construction will be carried out in existing paved or graveled parking lots and work areas. Because the project would require relatively small amounts of materials and little mechanical equipment, only a small area would be needed for staging, and this can be accommodated in existing paved areas of the campus. Two or more improvement projects could be underway simultaneously, with total work crew of up to 8 persons. Work would be accomplished over a 4 month period, beginning in
summer, 2012. Most work would be carried out by hand or with hand-held power tools; however, decking, railing and paving materials would be transported to each overlook site by truck, forklift or backhoe.

No grading would be required for Overlook C. Very minor leveling and surface compaction would be required for Overlook F. A small amount of earth moving, likely using a small backhoe, would be needed for construction of overviews A and E, and a larger amount of earth moving would be needed to create the viewing area and ADA-access route for Overlook D. For that overlook, about 20 cubic yards of soil would be cut from the viewing platform area and placed as fill on the small ridge behind the viewing platform, to allow the viewing platform to be “tucked” into the slope. Minor cut and fill also would be needed along the Overlook D access trail route, and some segments of the route could require construction of simple, low retaining or support walls, which likely would consist of wooden planks held upright with concrete stakes or a very low retaining structure of dry-stacked 6-inch- to 12-inch-diameter stones. It is anticipated that cut and fill would be balanced, such that only a minimum of fill import or off-haul would be needed. Any grading plan will be accompanied by a storm water control plan, which will be implemented if any grading is to be conducted during the rainy season or if rain threatens. It is not anticipated that the project would require any permanent storm water diversion features, as viewing platforms and path surfaces would be constructed of pervious or semi-pervious materials that would ensure that ground water is infiltrated on site.

Overlooks A, D and E would require some vegetation removal. The most extensive area of vegetation clearing would be for Overlook D, where the access route runs through coastal scrub that would have to be cleared. Both sides of the path and the areas graded to create the viewing platform would be replanted in native vegetation at the conclusion of construction. Minor clearing could be required at overviews A and E to make way for the viewing platforms; these areas also would be replanted in native vegetation at the conclusion of construction. Ice plant at the Overlook F site was recently removed as part of the campus’ program to extirpate invasive non-natives, and the area around the overlook site has been replanted in low-growing native plants. New plantings would be installed in graded areas as soon as possible after construction and would be mulched to control erosion while vegetation is re-established. Signs would be installed notifying visitors of the Overlook locations.

Figure 6. Overlook Location Signs
Project Schedule

As detailed in CLRDP Chapter 9 (Table 9.3), work at overlooks A, C, D and E was to be completed within one year of CLRDP certification; work at overlooks B and F were to be completed within two years of CLRDP certification. Overlook B improvements have been completed. For the other overlooks, because development under the CLRDP has proceeded at a slower pace than anticipated, the campus has requested that the California Coastal Commission extend these timelines. The campus has committed to complete all overlook construction and improvements by December 2012.
1b. CLRDP Consistency Determination

As stated in Policy 1.1 (Development Consistency), “Development shall be deemed consistent with the CLRDP if it is consistent with the provisions of Chapters 5, 6, 7, 8, 9, and Appendices A and B.”

The following is a list of all the Policies, Implementation Measures and Figures found in Chapter 5. Those that apply directly to this NOID are highlighted in black and followed with a comment regarding the project’s consistency. In addition, sections of Chapters 6, 7, 8, 9, and Appendices A and B that also apply to this NOID are referenced with comments.

CHAPTER 5 Long Range Land Use Development Plan

5.1 Application of the Long Range Land Use Development Plan
Policy 1.1 Development Consistency
The University finds the project contemplated under NOID 5 (12-1) to be consistent with the CLRDP.

IM 1.1.1 Figures of Chapter 5.
As described below, the project is consistent with Figures 5.1 – 5.4, which show the “kinds, locations, maximum size and intensity” of allowed development. The project is also consistent with Chapters 5, 6, 7, 8, 9, and Appendices A and B and the type and locational restrictions of Section 5.2.

IM 1.1.2 Lease Agreements.
IM 1.1.3 Federal In-holding and CLRDP.

Policy 1.2 University Commitments
The project would complete the University’s commitments with respect to construction of new overlooks and improvement of existing overlooks as specified in Section 9.1.2.

5.2 Land Use
Figure 5.1 Building Program
Figure 5.2 Land Use Diagram
Figure 5.3 Locational Restrictions for Building Program
Figure 5.3 indicates that there are no locational restrictions for public access and recreational facilities, which includes the overlooks.

Stable Urban / Rural Boundary
Policy 2.1 Maintaining a Stable Urban / Rural Boundary
IM 2.1.1 Over sizing of Utility Lines Prohibited.
IM 2.1.2 Utility Prohibition Zone.

Policy 2.2 Strengthening the Urban / Rural Boundary through the Protection of Adjacent Agricultural Resources
IM 2.2.1 Setback of Development and Uses from Adjacent Agricultural Use.
The public access and recreation facilities shown in Figure 5.6, including Overlooks A, C, D, E and F, are allowed without restriction with respect to agricultural setback.

Policy 2.3 Designing for the Urban Edge
IM 2.3.1 Cluster Development.
IM 2.3.2 Impervious Coverage.
IM 2.3.3 Windbreak/Screening Trees.
IM 2.3.4 Buildout Planning.
The overlooks will be outside of development subareas, and will not interfere with the University’ ability to meet any of its commitments.

IM 2.3.5 Interim Weed Abatement Measures for Undeveloped Land Within Development Zones.

Short-term and Caretaker Accommodations
Policy 2.4 Short-term and Caretaker Accommodations
IM 2.4.1 Short-Term Accommodation Use Restrictions.
IM 2.4.2 Caretaker Accommodations.
IM 2.4.3 Use Conversion.

Campus Land Uses Limited to Marine / Coastal Research and Education, Resource Protection, and Public Access
Policy 2.5 Ensuring Appropriate Land Uses on the Marine Science Campus
The proposed project will support public access uses, which is consistent with this policy.

5.3 Natural Resource Protection
Policy 3.1 Protection of the Marine Environment
IM 3.1.1 Seawater System.
IM 3.1.2 Discharge of Drainage/Storm water.
All new access trails and overlook platforms will be surfaced with materials that are either fully permeable or will store storm water for infiltration. Runoff from the roof of the Overlook D blind will drain to an infiltration trench for infiltration on site.

**Policy 3.2 Protection and Restoration of Habitat Areas**

- **IM 3.2.1** Restoration of Wetlands on the Marine Science Campus.
- **IM 3.2.2** Management of Terrace Wetlands.
- **IM 3.2.3** Protection and Enhancement of Wildlife Movement.

Overlook A includes vegetation to provide visual screening of human activity and discourage foot traffic into the wetland buffer. Overlook D blind would be screened by native vegetation plantings, would minimize visibility of human activity and discourage unauthorized human entry into the YLR. At Overlook E, fencing and native vegetation plantings would minimize human visibility from within the reserve and discourage unauthorized entry into the reserve.

- **IM 3.2.4** Management of Special Status Species Habitat.
- **IM 3.2.5** Protect Habitat Areas From Human Intrusion.
- **IM 3.2.6** Natural Area Management.
- **IM 3.2.7** Management of Water Quality and Drainage Features.

The project would not add new impervious surface with the exception of the roof of the Overlook D blind, which will drain to an infiltration trench for infiltration on site.

- **IM 3.2.8** Maintenance and Monitoring of Terrace Habitats.
- **IM 3.2.9** Wetland Buffers.
- **IM 3.2.10** Natural Areas Habitat Management.
- **IM 3.2.11** CRLF Protection.

An special status wildlife species survey of all of the campus wetlands and of a buffer area of 100 m (about 300 feet) radius around each wetland was conducted in May 2010. Based on the results of this study, the Initial Study for the project identified Overlooks Project-Specific Mitigation Measure BIO-2, which requires pre-construction surveys and other measures to ensure that the project does not result in take of CRLF.

- **IM 3.2.12** USFWS Consultation Required
- **IM 3.2.13** Rodenticides.
- **IM 3.2.14** Non-Invasive Native Plant Species Required.

**All plants used for restoration and landscaping would be propagated from locally-collected native seeds.**

**Policy 3.3 Use and Protection of Coastal Waters and Wetlands**

- **IM 3.3.1** Pre-development Evaluation of Wetland Conditions.

A wetland biologist inspected the campus wetlands for evidence of changed conditions, during the summer of 2010, and noted slight changes in the boundaries of wetlands W3 and W5. The Overlook A location is within the boundaries of the revised W5 buffer. The CLRDP allows overlook development within wetland buffers.

- **IM 3.3.2** Update CLRDP With Respect to Wetlands.

**Policy 3.4 Protection of Environmentally Sensitive Areas (ESHAs)**

- **IM 3.4.1** Additional Measures to Protect Habitat Areas.
- **IM 3.4.2** Noise Intrusion into Terrace ESHA.

The overlooks would be used for passive, generally quiet recreation, and would not result in undue noise intrusion into terrace area Resource Projection areas.

- **IM 3.4.3** Noise Intrusion into YLR.

CLRDP EIR Project Specific Mitigation Measure 4.11-4 and Overlooks Project-Specific Mitigation NOIS-1 require preparation and implementation of a construction noise mitigation program, and the use of the least noisy construction equipment capable of carrying out the required work will be used for brush clearing, grading and excavation. Project construction noise would almost certainly still exceed 60 dBA at some locations within the reserve. However, as required by CLRDP EIR Mitigation Measure 4.4-2, project construction would be preceded by a nesting bird survey, and if any nesting birds are present construction at that location would be postponed until birds have fledged.

- **IM 3.4.4** Pre-development Evaluation of ESHA Conditions.

A wetland biologist inspected the campus wetlands for evidence of changed conditions, during the summer of 2010, and noted slight changes in the boundaries of wetlands W3 and W5. The Overlook A location is within the boundaries of the revised W5 buffer. The CLRDP allows overlook development within wetland buffers.

- **IM 3.4.5** Update CLRDP With Respect to ESHA.

**Younger Lagoon Reserve**

**Policy 3.5 Special Protection for Younger Lagoon Reserve**

- **IM 3.5.1** Protection and Enhancement of YLR Habitats.

The Overlook D blind would be designed to minimize the visibility of human activity from within the reserve and to discourage unauthorized human entry into YLR. The path would also be screened by plantings of native vegetation. Access to YLR would continue to be available only through guided tours or by special arrangement. The existing fence along YLR would be integrated into Overlook E and enhanced with a native plant screen.

- **IM 3.5.2** Protection of Special Status Species in YLR.
- **IM 3.5.3** Protection of YLR Resources.
All new access trails and overlook platforms will be surfaced with materials that are either fully permeable or will store storm water for infiltration. Runoff from the roof of the Overlook D blind will drain to an infiltration trench for infiltration on site.

IM 3.5.4 Development of Monitoring and Maintenance Program
IM 3.5.5 Siting of Windbreak/Screening Trees
IM 3.5.6 YLR Manager Consultation

The Administrative Director of the UCSC Natural Reserves and the Field Manager of the Younger Lagoon Natural Reserve have reviewed the scope of the Overlooks Project (NOID 5 (12-2)) and measures have been incorporated in the project as a result of the consultation.

Gage Dayton, Administrative Director, UCSC Natural Reserves

Date

Policy 3.6 Public Access to and within YLR
Policy 3.7 Protection of Coastal Bluff and Bluff top Areas
Policy 3.8 Protection of Adjacent Agricultural Resources
Policy 3.9 Conservation of Cultural Resources
Policy 3.10 Hazardous Materials Management
Policy 3.11 Energy Efficiency in New Construction
Policy 3.12 Air Quality and Energy Conservation through Land Use and Transportation Controls

Policy 3.13 Natural Resource Protection Analysis Required
Policy 3.14 Permanent Protection

5.4 Scenic and Visual Qualities

Figure 5.4 Development Subareas
Policy 4.1 Protection of Scenic Views
Policy 4.2 Protection of Scenic Quality

Design Standards and Illustrative Campus Buildout Site Plan.
The design of the proposed overlooks is consistent with Section 7.2.4 (Overlooks). Overlook D access trail design is consistent with Section 6.4 (Trail Design). Fencing and vegetation screen at Overlook E is consistent with Section 6.8 (Fencing/Barrier Design).

IM 4.2.2  Alteration of Natural Landforms.  
Construction at Overlooks A, C and E will entail minimal grading. Construction of an ADA-accessible access trail and overlook pad at Overlook D will involve cut and fill, but the alteration of landforms will be minimized to the extent feasible.

IM 4.2.3  Building and Other Structure Heights.  
IM 4.2.4  Laboratory Buildings.  
IM 4.2.5  Maximum Building Gross Square Footage.  
IM 4.2.6  Maximum Additional Gross Square Footage in Lower Terrace.  
IM 4.2.7  Construction Materials.  
The Overlook D observation structure would be of galvanized steel or wood frame construction with shed roof in non-reflective, earth-tone colors.

IM 4.2.8  Building Setbacks.  
IM 4.2.9  Building Length Limitations.  
IM 4.2.10  Placement of Utility Lines Underground.  
IM 4.2.11  Windbreak/Screening Trees.  
IM 4.2.12  Development in Northernmost Portion of Middle Terrace.  
IM 4.2.13  Development Along Edge of Lower Terrace.  
IM 4.2.14  Building Development West of McAllister Way in Lower Terrace.  
IM 4.2.15  Building Development West of McAllister Way in Middle Terrace.  
IM 4.2.16  Building Development Outside of Subareas Prohibited.

Policy 4.3 Visual Intrusion and Lighting  
IM 4.3.1  Visual Intrusion into YLR.  
IM 4.3.2  Visual Intrusion into Terrace ESHA and Other Areas Outside of Development Zones.  
IM 4.3.3  All Lighting.  
IM 4.3.4  Building Lighting.  
IM 4.3.5  Street and Trail Lighting.  
Lighting will not be provided for the Overlook D access trail.

IM 4.3.6  Parking Lot and Maintenance Yard Lighting.  
IM 4.3.7  Sign Lighting.  
IM 4.3.8  Lighting Plan Required.

5.5. Circulation and Parking  
Figure 5.5. Circulation and Parking Diagram  
Auto Circulation  
Policy 5.1 Vehicular Access  
IM 5.1.1  New Circulation System.  
IM 5.1.2  Improve Shaffer Road / Delaware Avenue Intersection  
IM 5.1.3  Shaffer Road Improvements.  
IM 5.1.4  Access for Wildlife Across Shaffer Road (Upper Wildlife Corridor).  
IM 5.1.5  Access for Wildlife Across Shaffer Road (Lower Wildlife Corridor).  
IM 5.1.6  Use of Former Access Road.  
IM 5.1.7  Emergency Access.  
Travel Mode Split  
Policy 5.2 Travel Mode Split  
IM 5.2.1  Encourage Alternatives to Single-Occupant Vehicle.  
IM 5.2.2  Alternatives to the Single-Occupant Vehicle.  
Parking  
Policy 5.3 Parking for Campus Use and Public Coastal Access  
IM 5.3.1  All Campus Users Off-Hour Parking.  
IM 5.3.2  Public Coastal Access Parking.  
IM 5.3.3  Campus Entrance Public Coastal Access Parking.  
IM 5.3.4  Middle Terrace Public Coastal Access Parking.  
IM 5.3.5  Lower Terrace Dual Use Parking (Public Coastal Access Parking and Discovery Center Parking).  
IM 5.3.6  Lower Terrace Public Coastal Access Parking.  
IM 5.3.7  Parking Demand Satisfied On-Campus.  
IM 5.3.8  Free and/or Low Cost Public Coastal Access Parking.  
Parking Supply  
Policy 5.4 Parking Supply  
IM 5.4.1  Development of New Parking  
IM 5.4.2  Lease Agreements  
IM 5.4.3  Distribution and Intensity of Parking  
Parking Management  
Policy 5.5 Parking Management
Policy 5.5 Promotions and Public Access
IM 5.5.1 Permits Required.
IM 5.5.2 Public Coastal Access Parking.
IM 5.5.3 Carpools and Vanpools.
IM 5.5.4 Parking Management Strategy for Special and/or Temporary Events.
IM 5.5.5 Entrance Kiosk.
IM 5.5.6 Parking Limitation Seaward of Whale Skeleton.
IM 5.5.7 Parking Enforcement.

Pedestrian and Bicycle Facilities
Policy 5.6 Promotion of Bicycle Use and Walking
IM 5.6.1 Sheltered and Secured Bike Parking.
IM 5.6.2 Bike Parking Outside Buildings.
IM 5.6.3 Personal Lockers and Showers.
IM 5.6.4 Coordinated Marketing with City of Santa Cruz.
IM 5.6.5 Crosswalk Design.
IM 5.6.6 Siting Buildings for Ease of Access.

Transit
Policy 5.7 Promotion of Transit Use
IM 5.7.1 Extension of Santa Cruz Municipal Transit District Transit Services.
IM 5.7.2 Expansion of Shuttle Services.
IM 5.7.3 Physical Infrastructure for Transit.

Transportation Demand Management (TDM) Coordination
Policy 5.8 TDM Coordination
IM 5.8.1 Carpool and Vanpool Services.
IM 5.8.2 TDM Coordination.
IM 5.8.3 Transportation Information.

Traffic Impacts on City Streets
Policy 5.9 Impacts Offset

Circulation and Parking Plan
Policy 5.10 Circulation and Parking Plan Required

5.6. Public Access and Recreation
Figure 5.6 Coastal Access and Recreation Diagram
The locations of the proposed overlooks and the Overlook D trail are consistent with Figure 5.6.

Policy 6.1 Public Access to the Marine Science Campus
IM 6.1.1 Free Public Access for Visitors.
IM 6.1.2 Public Access Parking.
IM 6.1.3 Public Access Trails.
The location of the proposed Overlook D access trail is substantially similar to that shown in Figure 5.6.
IM 6.1.4 Public Access Overlooks.
The locations of the proposed overlooks are substantially similar to those shown in Figure 5.6 and the designs of the overlooks and overlook improvements are consistent with the illustrations in Section 7.2.4.
IM 6.1.5 Docent-Led Tours and Education Programs for the Public.
The project would enhance the existing educational programs of the coastal terrace and bluff and the docent-led tours of Younger Lagoon Natural Reserve.
IM 6.1.6 Educational Programs for Pre-College Students.
IM 6.1.7 Interpretive Information.
The project includes new interpretive displays at all of the overlooks.

Policy 6.2 Management of Public Areas
IM 6.2.1 Public Use Hours for the Marine Science Campus.
IM 6.2.2 Public Trail Continuity.
The proposed alignment of the Overlook D access trail follows the alignment shown in Figure 5.6, with minor adjustments for compliance with ADA access requirements and to minimize disturbance of habitat.
IM 6.2.3 Access to Resource Protection Areas.
IM 6.2.4 Access to Resource Protection Buffer Areas.
Fencing and/or vegetative screens are included in the design of Overlooks A, D, E, and F as necessary to discourage foot traffic into Resource Protection Buffer areas, to prevent unauthorized entry into YLNR, and for public safety.
IM 6.2.5 Access to Coastal Bluffs.
Overlook F will provide access to the coastal blufftop edge.
IM 6.2.6 Access to Laboratories and Research Areas.
Public access to Overlook C, which is adjacent to the marine mammal pools, will continue to be available through supervised tours only.
IM 6.2.7 Caretaker Residence and Lab Security.
IM 6.2.8 Bicycles on the Marine Science Campus.
IM 6.2.9 Domestic Pets.
IM 6.2.10 Public Access Signage.
The project will install public access directional/informational signs consistent with the campus design theme.  
IM 6.2.11 Off-Campus Trail Connectivity.  
IM 6.2.12 Maintenance of Existing Public Access.  
IM 6.2.13 Public Access to Younger Lagoon Beach.  
Policy 6.3 Public Access and Recreation Plan Required

5.7 Hydrology and Water Quality

Policy 7.1 Productivity and Quality of Coastal Waters
IM 7.1.1 Management of Storm water and Other Runoff.
The project will not increase the volume of runoff to wetlands, the ocean, or Younger Lagoon. All new access trails and overlook platforms will be surfaced with materials that are either fully-permeable and/or will store storm water for infiltration, such that there is no increase in surface runoff. Runoff from the roof of the Overlook D blind will drain to an infiltration trench.  
IM 7.1.2 Water Quality Standards.
The permeable trail and overlook surfaces and the infiltration trench at Overlook D will provide filtration of runoff.  
IM 7.1.3 Pre- and Post-Development Flows.
The project will not increase runoff flow rates.  
IM 7.1.4 Pre-Development Drainage Patterns Defined.  
IM 7.1.5 Pre-Development Drainage Peak Flow Rates Defined.  
IM 7.1.6 Groundwater Recharge.  
The project will not increase surface runoff.  
IM 7.1.7 Seawater System (Seawater Containment)  
IM 7.1.8 Irrigation and Use of Chemicals for Landscaping.  
IM 7.1.9 Wastewater.  
IM 7.1.10 Elements of the Storm water Treatment Train.  
IM 7.1.11 Runoff Containment for Laydown Yard and Food Service Washdown Areas.  
IM 7.1.12 Location of Treatment Train Components.  
IM 7.1.13 Permeable Hardscape.  
The project includes permeable hardscape for all trails and overlook platforms.  
IM 7.1.14 Ocean Discharge.  
IM 7.1.15 Drainage System Interpretive Signs.  
IM 7.1.16 Design of Vegetated Storm water Basins.  
IM 7.1.17 Designation of Treatment Train.

Policy 7.2 Long-Term Maintenance and Monitoring
IM 7.2.1 Drainage System Monitoring and Maintenance.  
IM 7.2.2 Storm water System Natural Features Maintenance.  
IM 7.2.3 Drainage System Sampling.  
IM 7.2.4 Long-Term Maintenance of Storm water System.

Policy 7.3 Drainage Discharge Points
IM 7.3.1 Discharge to Younger Lagoon Reserve.  
IM 7.3.2 Discharge Siting and Design.

Policy 7.4 Drainage Plan Required

5.8 Utilities

Policy 8.1 Provision of Public Works Facilities
IM 8.1.1 Sizing of Utilities.  
IM 8.1.2 Seawater System.

Policy 8.2 Protection of Biological Productivity and Quality of Coastal Waters When Providing Public Works Facilities
IM 8.2.1 Installation of New Utility Lines and Related Facilities.  
IM 8.2.2 Seawater System.  
IM 8.2.3 Evaluation of Western Utility Corridor.

Policy 8.3 Water Conservation Required
Policy 8.4 Impacts to City Water and Sewer Systems Offset
Policy 8.5 Utility Plan Required

CHAPTER 6 Design Guidelines

6.1 Building Design  
6.2 Campus Street Design  
6.3 Parking Design  
6.4 Trail Design

The design of the Overlook D trail is consistent with the general design guidelines for trails in Section 6.4.2, and the specific trail design guidelines for minor trails, in Section 6.4.3.

6.5 Landscape Design
All project landscaping will utilize only native plants grown from locally collected seeds.

6.6 Lighting Design
6.7 Signage Design
Public access signs and interpretive panels consistent with the design theme and sign type on the campus, will be installed as part of the project
6.8 Fence / Barrier Design
The existing YLNR fence is integrated into the design of Overlook E, and will be modified to provide views from the overlook into the lagoon. Low railings will be constructed around the pads at Overlook A to discourage human intrusion into the adjacent Resource Projection Buffer.

CHAPTER 7   Illustrative Campus Buildout Site Plan and Preliminary Designs
Refrinements have been made to the preliminary overlook designs presented in Section 7.2.4, such as adjustments to the alignment of the Overlook D access trail, revisions to the structural and architectural design of the blind at that overlook, and the use of permeable paving materials rather than wood for the viewing platforms at Overlook A. The project would integrate the existing YLR fence into the new Overlook E; the Campus will replace the and native plant screen, as described in Section 7.2.4, in the future as part of a larger development project. However, project design is consistent with the preliminary overlook designs presented in Chapter 7.

CHAPTER 8   Development Procedures
This NOID and the public notification process is submitted in conformance with the requirements of the CLRDP.

CHAPTER 9   Capital Improvement Program
The project would complete the “Overlooks” component of the Capital Improvement Program, as described in Section 9.1.2, according to a revised schedule.

APPENDIX A—Resource Management Plan

APPENDIX B   Drainage Concept Plan
The project design utilizes Low Impact Development BMP strategies, including permeable paving and an infiltration trench to capture runoff from the roof of the blind at Overlook D. The project would not result in an increase in storm water runoff to Younger Lagoon, the ocean, or wetlands. Reserve staff will maintain the infiltration trench. The requirements for monitoring and maintenance of treatment BMPs described in Section B.6.2 do not apply to this project.
1c. Environmental Compliance Documentation
See Section 3

1d. Technical Reports
See Section 5
1e. Consultation Documentation with other Agencies

United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ventura Fish and Wildlife Office
2491 Pomerola Road, Suite B
Ventura, California 93003

September 23, 2010

Sally Morgan
Senior Environmental Planner
University of California Santa Cruz
1156 High Street
Santa Cruz, California 95064

Subject: Concurrence Request for Marine Science Campus Public Coastal Access Overlooks and Overlooks Improvements Project, Santa Cruz County, California

Dear Ms. Morgan:

We are responding to your email request received in our office on September 21, 2010, for our concurrence with your determination that the proposed Marine Science Campus Public Coastal Access Overlooks and Overlooks Improvements Project (project) will not result in take of the federally threatened California red-legged frog (Rana draytonii). The University of California Santa Cruz (UCSC) proposes the construction of three new public coastal access overviews and improvements to two existing overviews at the UCSC Marine Science Campus (Campus) located southwest of the city of Santa Cruz.

The U.S. Fish and Wildlife Service's (Service) responsibilities include administering the Endangered Species Act of 1973, as amended (Act) including sections 7, 9, and 16. Section 9 of the Act prohibits the take of listed species without special exemption. Take is defined as to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect, or to attempt to engage in any such conduct. Harassment is defined by the Service as an intentional or negligent action that creates the likelihood of injury to listed species by disturbing them to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering. Harm is further defined by the Service to include significant habitat modification or degradation that results in death or injury to listed species by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). Exemptions to the prohibitions against take may be obtained through coordination with the Service in two ways: through interagency consultations for projects with Federal involvement pursuant to section 7 of the Act or through the issuance of an incidental take permit under section 10(a)(1)(B) of the Act.

California red-legged frogs are known to occur within dispersal distance of the project area at wetland locations approximately 1,200 feet north and 2,400 feet north of the project area. A road-killed California red-legged frog was also observed in August 2010, within the developed portion of the Campus and approximately 200 feet from the closest overlook construction site. The origin of the road-killed California red-legged frog has not been determined as it does not provide enough information regarding its origin or destination. No aquatic resources are located in the immediate vicinity of the road-killed California red-legged frog and the location is not among aquatic resources in which the species may be dispersing between. The species is not anticipated to re-occur in the developed portion of the Campus. Younger Lagoon is located approximately 75 feet from the nearest overlook construction site.
Sally Morgan

and provides suitable non-breeding aquatic habitat for the species; however, the lagoon does not provide suitable breeding habitat due to high levels of salinity.

The proposed project consists of minor improvements to one existing overlook (C) and construction of three new overlooks (A, D, E, F) and associated access paths. Overlook C is an existing overlook and construction activities would be limited to adding new interpretive panels and minor ground disturbance with no anticipated vegetation removal. Proposed improvements to Overlook D include construction of a path and three approximately 20-foot sections of retaining wall to control erosion. A blind blind along with an adjacent vegetated infiltration trench would also be constructed to capture and facilitate anticipated bird blind roof runoff which would be located on the slope above Younger Lagoon. Overlook A would be located adjacent to the Seymour Marine Discover Center and construction would entail minor grading for pad and path construction as well as vegetation removal. Construction of Overlook E which would overlook Younger Lagoon, entails minor grading, modification of the existing boundary fence, and vegetation thinning to provide increased visibility. Overlook F is not a designated overlook; however, this area is currently used as such. Construction for Overlook F would require minor grading and vegetation removal. All new paths and overlook pads would be surfaced with a pervious material and none of the overlooks or paths would include night lighting. All areas of disturbance would be revegetated with native plant species. The project would not result in any significant barriers to movement to California red-legged frogs. The proposed overlook construction sites each contain suitable California red-legged frog dispersal habitat; however, the species is not anticipated to occur at any of the sites due to their distance from aquatic resources and the avoidance and minimization measures proposed by UCSC.

UCSC proposes to implement the following avoidance and minimization measures to avoid take of the California red-legged frog:

1. Prior to the commencement of project activities, a qualified biologist will conduct a training session for all construction personnel. Such training will include a description of the California red-legged frog and its habitat, the specific measures implemented to avoid take of California red-legged frogs during project construction, and the boundaries within which project construction will be accomplished. Each individual that will be working at the project site must undergo this training prior to beginning work at the project site.

2. Ground-disturbing activities will be limited to the period from April 15 through October 15. If work must continue after October 15, the applicant may request, in writing, an extension from the Service to conduct further ground-disturbing activity.

3. Immediately prior to vegetation removal at each of the construction sites a qualified biologist will perform a pre-construction survey for California red-legged frogs. Vegetation will be hand cleared, with the use of a chainsaw as needed, to a height of 3 to 6 inches, and the biologist will repeat the pre-construction survey before any ground disturbance at each of the sites. If during pre-construction surveys or during the course of construction a California red-legged frog is observed (by anyone) in an area that would be impacted, work will cease and the Service will be notified within 1 working day. Neither the biologist nor any other individual will handle California red-legged frogs.

4. If no California red-legged frogs are identified within the work area during pre-construction surveys these areas will be surrounded with 3-foot high exclusion fencing to exclude the species from the construction sites.
5. Prior to work activities each morning the qualified biologist will inspect the integrity of the exclusion fence and survey under and around construction equipment, material stockpiles, and
work areas for California red-legged frogs. If a California red-legged frog (or an animal believed
to be a California red-legged frog) is observed by anyone at an area that would be impacted with
work, the qualified biologist will be immediately notified.

6. All trash will be removed from the site daily to avoid attracting potential predators to the site.

We concur with your determination that the project, as proposed, will not result in take of the California
red-legged frog because: (1) UCSC has committed to implement the aforementioned avoidance and
mitigation measures and (2) California red-legged frogs are not expected to inhabit the project areas
during construction.

Our determination is valid only for the subject project as currently proposed. If your project description
changes, we recommend that you contact our office immediately so we can determine if additional
analyses are necessary. As a reminder, this letter does not constitute authorization from the Service to take
federally listed species in any manner. In the event that federally listed species are subsequently
encountered at this site, we recommend you suspend all work activities and contact the Service
immediately to discuss potential offsets to listed species and the possible need for coordination.

We appreciate the opportunity to work with you to avoid impacts to the California red-legged frog and its
habitat. If you have any questions regarding this matter, please contact Chad Mitcham of my staff at
(909) 644-1786, extension 315.

Sincerely,

Douglas Cooper
Deputy Assistant Field Supervisor

1f. Implementing Mechanisms
N/A

1g. Correspondence Received
N/A

1h. Project Manager
Dean Fitch
UC Santa Cruz Physical Planning & Construction
1156 High St., Barn G
831.459.2170
2. University Approval Documentation

CALIFORNIA ENVIRONMENTAL QUALITY ACT FINDINGS
IN CONNECTION WITH THE APPROVAL OF
THE DESIGN AND CONSTRUCTION OF THE MARINE SCIENCE CAMPUS
PUBLIC COASTAL ACCESS OVERLOOKS
AND OVERLOOK IMPROVEMENTS PROJECTS,
UNIVERSITY OF CALIFORNIA, SANTA CRUZ

JANUARY 2011

I. ADOPTION OF THE MITIGATED NEGATIVE DECLARATION

Pursuant to Title 14, California Code of Regulations, Section 15074(b), the Chancellor of the University of California Santa Cruz (the Chancellor), hereby finds that the Mitigated Negative Declaration and the Initial Study prepared for the proposed Public Coastal Access Overlooks and Overlook Improvements Project (the Project) and tiered from the Final EIR for the Marine Science Campus Coastal Long Range Development Plan (CLRDP), have been completed in compliance with the California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 et seq. The Chancellor further finds that he reviewed and considered the information contained in the Marine Science Coastal Long Range Development Plan EIR and the Overlooks Mitigated Negative Declaration and Initial Study, which is tiered from that EIR, and any comments on these documents, prior to approving the Project. The Chancellor hereby finds that the Mitigated Negative Declaration reflects the independent judgment and analysis of the Chancellor and adopts the Mitigated Negative Declaration.

II. FINDINGS

The Chancellor certifies that these Findings are based on his full appraisal of all information in the record, including all comments received up to the date of adoption of these Findings concerning the environmental impacts identified and analyzed in the Initial Study and Mitigated Negative Declaration that are supported by substantial evidence in the record. The following Findings are hereby adopted by the Chancellor in conjunction with the approval of the Project, as set forth in Section III, below.

A. Background and Project Description

The proposed Public Coastal Access Overlooks and Overlook Improvements Project ("Overlooks Project") consists of development of three new public coastal overlooks and improvements to two existing overlooks at UCSC's Marine Science Campus. The proposed project includes development of ADA-compliant access routes to each overlook, a wildlife observation blind at one overlook, and installation of interpretive signage, benches, and bicycle parking at or near the overlooks. Project construction is anticipated to begin in the summer of 2011 and would require 4 to 6 months to complete.
The project would implement public access elements required by UCSC’s Coastal Long Range Development Plan (CLRDP) (adopted in its final form by the President of the Board of University of California Regents in January 2009) and was considered programmatically in the CLRDP Final Environmental Impact Report (CLRDP EIR), as discussed below.

B. Environmental Review Process

An Initial Study (State Clearinghouse No. 2010I02050) was prepared for the Public Coastal Access Overlooks and Overlook Improvements Project (“Overlooks Project”) in accordance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and UC Procedures for Implementing CEQA. The Initial Study was tiered from the CLRDP Final EIR in accordance with Section 15152 and 15168(c) of the CEQA Guidelines. The “CLRDP Final EIR” (State Clearinghouse No. 2005012113) incorporated the Final EIR as certified by The Regents of the University of California in September 2006; CLRDP EIR Addendum #1, approved by the University in December 2006, which assessed potential environmental effects of changes to the CLRDP made in response to comments from the California Coastal Commission; and California Coastal Commission staff reports on the CLRDP, prepared in April and November 2008, which identified and assessed environmental effects of additional changes to the CLRDP made at the request of the California Coastal Commission. The CLRDP Final EIR is a program EIR, pursuant to Section 15168 of the CEQA Guidelines, which analyzed the overall effects of Marine Science Campus growth and facility developments under the CLRDP through approximately academic year 2020-21 and identified measures to mitigate the significant adverse project impacts and cumulative impacts associated with that growth. The proposed Project would implement public access elements of the CLRDP.

As a tiered document, the Initial Study for the Project relies on the CLRDP EIR for (1) a discussion of general background and setting information for environmental topics areas; (2) overall growth-related issues; (3) issues that were evaluated in sufficient detail in the CLRDP EIR for which there is no significant new information or change in circumstances that would require further analysis; and (4) cumulative impacts. The purpose of the Initial Study for the Project is to evaluate the potential environmental impacts of the Project with respect to the CLRDP EIR analysis and to determine what level of additional environmental review, if any, would be required.

The Initial Study analyzed the potential impacts of the Project and the adequacy of the existing environmental analysis in the CLRDP EIR with regard to the following environmental topic areas: 1) aesthetics, 2) agricultural resources, 3) air quality, 4) biological resources, 5) cultural resources, 6) geology and soils, 7) hazards and hazardous materials, 8) hydrology and water quality, 9) land use, 10) noise, 11) population and housing, 12) public services, 13) recreation, 14) traffic and transportation, and 15) utilities and service systems. The Initial Study also analyzed the potential effects of the Project with respect to greenhouse gas emissions, a topic requirement added to CEQA subsequent to certification of the CLRDP EIR.
The analysis in the Initial Study incorporates all applicable CLRDP implementation measures (IMs) (see Appendix A to these Findings) and mitigation measures (MMs) identified in the CLRDP and CLRDP EIR and, in addition, five project-specific mitigation measures. Based on the project-specific analysis presented in the Initial Study, it was determined that for each topical issue the Project would have no impact or a less than significant impact with incorporation of all relevant CLRDP MMs and CLRDP IMs and the identified project-specific mitigation measures; thus, the Project would not result in any significant or potentially significant impacts.

It was also determined in the Initial Study that the project would not result in significant project-level traffic impacts or water supply impacts and that it would not contribute to the cumulative operation-related traffic and water supply impacts previously identified and adequately addressed in the CLRDP EIR. Based on this analysis, the University prepared a Mitigated Negative Declaration that reflects these conclusions.

The Draft Initial Study for the Overlooks Project was submitted to the State Clearinghouse in the Governor’s Office of Planning and Research on October 28, 2010 and was released for public review establishing a 30-day review period concluding November 29, 2010. The Initial Study and/or Notice of Availability was provided to about 195 interested agencies and individuals; it was also made available on the UCSC Physical Planning and Construction website, at two on-campus libraries and at the public library in Santa Cruz. During the public review period, the University received a compliance letter from the Governor’s Office of Planning and Research State Clearinghouse. No comments on the document or the project were received from any other agency or private individual.

C. Relationship of the Project to the CLRDP and CLRDP EIR

The CLRDP EIR is a Program EIR, prepared pursuant to Section 15168 of the CEQA Guidelines (Title 14, California Code of Regulations, Sections 15000 et seq.) and Section 21080.09 of the Public Resources Code. The CLRDP EIR analyzed full implementation of uses and physical development proposed under the Marine Science Campus CLRDP and identified measures to mitigate the significant project and cumulative impacts associated with that physical development. The Project would implement a public access element required by a CLRDP IM and described schematically in the CLRDP, and is consistent with the campus development that was anticipated in the CLRDP and evaluated in the CLRDP EIR.

D. Environmental Summary

The following sections summarize the environmental evaluation provided in the Initial Study for the proposed project.
1. **Significant and Unavoidable Cumulative Impacts**

The Initial Study concluded that the Project would not result in any project-specific significant impacts, not would it contribute to any of the significant and unavoidable impacts identified in the CLRDP Final EIR.

2. **Less Than Significant Impacts with Project-Level Mitigation Measures Incorporated**

a. **Biological Resources**

The Final CLRDP EIR identified that development under the CLRDP would not result in significant impacts to special status plants (CLRDP EIR p 4.4-60), California red-legged frogs (p. 4.4-64), San Francisco dusky-footed woodrats (p 4.4-66) or nesting raptors (p. 4.4-64). The Initial Study determined that the proposed project could result in potentially significant impacts in relation to special status species including special status plants, California red-legged frogs, San Francisco dusky-footed woodrats, and nesting native and migratory birds, if any of these should be present during construction within project footprints. The Initial Study (pp. 32-37) includes project-specific mitigation measures, Overlooks Project Specific Mitigation Measures BIO-1, BIO-2, BIO-3 and BIO-4 (a modification of CLRDP Mitigation Measure 4.4-2 for application to this project), to ensure that these special status species are identified and protected during project construction. Therefore, through implementation of these project-level mitigation measures, the project's impacts with respect to these Biological Resources would be less than significant.

b. **Noise**

The Final CLRDP EIR determined that noise impacts of all development under the CLRDP either would be less than significant, or would be reduced to less-than-significant levels with implementation of CLRDP Implementation Measures and Mitigation Measures (CLRDP EIR 4.11-27). As analyzed in the Initial Study (pp. 52-54), the Project would not result in significant operational noise, but construction activities at Overlooks D and E would generate short term noise that could result in temporary disturbance to wildlife within the YLR. CLRDP EIR Project-Specific Mitigation Measure 4.11-4 (CLRDP EIR, p. 4.11-27), which consists of construction noise controls, is applicable to and is included in the project to reduce the potential impact to a less than significant level. In addition, in compliance with a provision of the CLRDP mitigation measure above, Overlooks Project-Specific Mitigation NOIS-1 is included in the Overlooks Project to minimize construction noise at the project sites to the greatest extent feasible. This project-specific mitigation measure would reduce noise associated with project construction but the Initial Study determined that the noise nonetheless could be disturbing to birds in the YLR, in particular nesting birds. CLRDP EIR Mitigation Measure 4.4-2 as modified by Overlook Project Specific Mitigation Measure BIO-4, which is included in the project under Biological Resources, above, would ensure that any nesting birds that might be present during construction are protected from...
construction disturbance. With the inclusion of these measures, the project’s construction noise impacts would be less than significant (Initial Study, p. 54).

3. Issues for which the Project would have a Less Than Significant Impact or No Impact

a. Aesthetics
Based on the analysis presented in the Initial Study (p. 19), the proposed Project, which includes CLRDP EIR IMs 4.2.1, 4.2.2, 4.2.7, 4.3.1, 4.3.2, would have a less-than-significant impact or no impact for the following aesthetic issues: effects on a scenic vista, damage to scenic resources, degradation of the existing visual character or quality of the site and its surroundings, and creation a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

b. Agricultural Resources
Based on the analysis presented in the Initial Study, development under the CLRDP could result indirectly in the eventual removal of adjacent land from agricultural use, but this would be a less-than-significant impact (CLRDP pp. 14-15). The CLRDP identified CLRDP Mitigation Measure 4.2-1 to further reduce this less-than-significant impact. The Overlooks Project, as a development project, would contribute to this less-than-significant impact and therefore includes CLRDP Mitigation Measure 4.2-1. Because the project incorporates this measure, the Initial Study concluded that the project would not result in any significant agricultural impacts (Initial Study, p. 21).

c. Air Quality
The Initial Study, which includes CLRDP EIR Mitigation Measure 4.3-1, would have a less-than-significant impact with respect to the potential to conflict with or obstruct implementation of the applicable air quality plan; expose sensitive receptors to substantial pollutant concentrations; or create objectionable odors affecting a substantial number of people. The project would contribute to the potentially significant cumulative impact identified in the CLRDP EIR regarding the potential for simultaneous construction projects to result in PM10 emissions in excess of air district standards. The project’s implementation of the dust control measures identified in CLRDP MM 4.3-1, which is incorporated in the project, would ensure that the impacts of construction emissions from the project upon air quality would be less than significant (Initial Study, p. 24).

d. Biological Resources
The Overlooks Project includes CLRDP IMs 3.2.4, 3.2.5, 3.2.9, 3.2.11, 3.2.12, 3.2.14, 3.3.1, 3.4.4, 3.4.1, 3.4.2, 3.4.3, 3.5.1, 3.5.3, 3.5.6, 3.5.7, 3.6.2, 3.7.2, 4.3.1, 4.3.2, 6.2.3 and 6.2.5 to minimize or avoid impacts to biological resources (Initial Study pp. 27-28). Based on the analysis presented in the Initial Study, with implementation of these measures the Project would have no impact or a less-than-significant impact in relation to wildlife migratory or movement corridors (Initial Study p. 35), wetlands (Initial Study p. 35) or consistency with habitat conservation planning for the Younger Lagoon Reserve (Initial Study p. 37).
e. Cultural Resources
The Initial Study concluded that the proposed Project, which includes CLRDP EIR IM 3.9.1 and CLRDP MM4.4-2, would have a less than significant impact or no impact for the following cultural resources issues: adverse change in the significance of an historical or archaeological resource pursuant to 15064.5 (Initial Study, p. 39); destruction of a unique paleontological resource, site, or unique geologic feature (Initial Study, p. 39); or disturbance of human remains (Initial Study, p. 40).

f. Geology and Soils
The Initial Study concluded that the proposed Project, which includes only minimal ground disturbance and a single very light-weight structure that would be used only casually and for short intervals, would have a less than significant impact or no impact with respect to any geologic issues including erosion, rupture of a known earthquake fault, seismic-related ground failure including liquefaction and landslides, and location on an unstable geologic unit or soil. (Initial Study p. 41).

g. Greenhouse Gas Emissions
The CLRDP EIR was certified before the passage of Assembly Bill 32 (Global Warming Solutions Act of 2006) and therefore did not analyze greenhouse gas emissions or climate change. As analyzed in the Overlooks Initial Study, the proposed project includes only minor construction activities, does not include any stationary air emissions sources and would generate only an incidental number of trips to the campus. The project’s impacts with respect to greenhouse gas emissions would be less than significant (Initial Study, p. 45).

h. Hazards and Hazardous Materials
The Final CLRDP EIR determined that implementation of the CLRDP would not result in any significant impacts with respect to creation of a significant hazard through the routine transport, use or disposal of hazardous materials or through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; creation of hazardous conditions within one-quarter mile of an existing or proposed school; impairment or interference with an adopted emergency response plan or emergency evacuation plan; and wildland fires. The Marine Science Campus site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and there are no public or private air strips in the campus vicinity (CLRDP EIR pages 4.7-17 to 4.4-20). The Overlooks Project includes CLRDP IM 3.10.1 to address potential hazards in the event of an accidental release of any hazardous material (such as a fuel spill from construction equipment) during construction. This measure ensures that the impacts of the Overlooks Project with respect to hazards to the public or the environment would be less than significant (Initial Study, p. 45).

i. Hydrology and Water Quality
The CLRDP EIR (pages 4.8-25 to 4.8-37) determined that implementation of the CLRDP, including public access development, would not result in any significant impact
in the area of hydrology and water quality. The Initial Study, which includes CLRDP IMs 7.1.13 and 7.1.1 to minimize and manage stormwater runoff, concludes that the project would have a less-than-significant impact or no impact with respect to: violation of any water quality standards or waste discharge requirements; effects to groundwater supplies; alteration of drainage patterns (resulting in erosion, siltation, flooding); potential to exceed the capacity of the storm drainage system or provision of additional sources of polluted runoff; degradation of water quality; risks from failure of a dam or levee; or risks of inundation by seiche, tsunami, or mudflow (Initial Study, p.48).

j. Land Use and Planning
The Final CLRDP EIR (pages 4.9-10 to 4.9-14) determined that development under the CLRDP would not result in any significant project or cumulative impacts with respect to land use. The Overlooks Project would implement a required element of the CLRDP. Proposed work areas are consistent with the applicable CLRDP land use designations, and would not change or result in changes to any existing land use The Initial Study concluded that the proposed Project would have a less than significant impact or no impact for the following land use and planning issues: physically dividing an established community; conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project; conflict with applicable habitat conservation/community plans; and any other land use impacts (Initial Study, p. 50).

k. Noise
The Final CLRDP EIR determined that all noise impacts of the CLRDP either would be less than significant, or would be reduced to less-than-significant levels with implementation of CLRDP Implementation Measures and Mitigation Measures (CLRDP EIR 4.11-27). The Initial Study (p. 52-54) concluded that the proposed Project, which includes CLRDP IM 3.4.1, 3.4.2, 3.4.3 and CLRDP MM 4.11-4, would have a less than significant impact or no impact for the following noise issues: exposure of person to noise levels in excess of applicable standards or ordinances; exposure of persons to excessive groundborne vibration or groundborne noise levels; or creation of a substantial permanent increase in ambient noise levels. The Marine Science Campus is not located in an airport land use plan area; or within the vicinity of a private airstrip. The project’s potentially significant impact with respect to creating a substantial temporary or periodic increase in ambient noise levels during construction also is reduced to a less-than-significant level through project-specific mitigation, as discussed in Section II.D.2.b, above.

l. Population and Housing
The Final CLRDP EIR determined that implementation of the CLRDP development program would not result in any significant impacts with respect to population or housing (CLRDP EIR 4.12-22, -24). As analyzed in the Initial Study, the proposed Overlooks Project would require only a small construction crew for a few months and its operation would not result directly or indirectly in any measurable increase in campus population. The project would not displace any housing or people, contribute to demand for new housing, or result in any significant population increase (Initial Study, p. 55).
Accordingly, the proposed Project would have a less than significant impact to population and housing.

m. Public Services
The Final CLRDP EIR (pages 4.13-7 to 4.13-9) determined that implementation of the CLRDP would not result in any significant project-level or cumulative impacts with respect to public services. The Overlooks Project would not result in an increase in campus population, and it does not include the construction of any facilities that would require fire protection or police services. No impact would occur (Initial Study, p.57).

n. Recreation
The Final CLRDP EIR (pages 4.14-7 to 4.14-9) determined that implementation of the CLRDP would not result in any significant project-level or cumulative impacts with respect to increased demand for and use of recreational facilities. The Overlooks Project includes and incorporates the provisions of CLRDP IMs 3.6.2; 6.1.4, 6.1.7, 6.2.4, IM 6.2.5 and 6.2.10, which set forth requirements for campus development of recreational and interpretive amenities for the public. These provisions ensure that the Project would not result in an impact with respect to recreational facilities (Initial Study, p 58).

o. Traffic, Circulation, and Parking
The Final CLRDP EIR (pages 4.15-38 and 4.15-44) determined that the impacts on intersection operations resulting from vehicle traffic generated by development under the CLRDP would be significant and unavoidable, even with mitigation. However, the proposed overlooks Project would not make a significant contribution to this impact. The overlooks would be used by members of the public already accessing the campus. Daily trips generated by the public use of the overlooks would be well within the range of current daily variability, and would not result in a detectable change in levels of service at any intersection, or a cumulatively considerable contribution to any of the traffic impacts previously identified. Furthermore, the proposed Project includes CLRDP IM 3.12.4 and 3.12.5 (transportation demand management measures), and the project includes bicycle parking and would encourage pedestrian use of the campus, in accordance with these measures. The project therefore would have a less than significant impact or no impact with respect to any transportation/traffic issue (Initial Study, pp. 59-60).

p. Utilities
The Final CLRDP EIR (page 4.16-18) determined that full development of the CLRDP in conjunction with other development within the service area would result in increased cumulative demand for water in a system that does not have adequate supplies to meet existing demand under drought conditions. The Overlook Project does not entail the use of water except potentially for minor, temporary, short term irrigation for replanted native vegetation within project footprints. The project’s minimal use of water for irrigation would not have the potential to result in a significant effect related to water supply. The project would not entail any other utility use. Based on the analysis presented in the Initial Study the proposed Project would have a less than significant impact or no impact on any utilities or service systems (Initial Study, p. 63).
E. Additional Findings

1. These Findings incorporate by reference in their entirety the text of the Mitigated Negative Declaration for the Project; the Final Initial Study prepared for the Project; the Marine Science Campus CLRDP; and the CLRDP Final EIR, Mitigation Monitoring Program, the Findings, and the Statement of Overriding Considerations adopted by The Regents in connection with its approval of the CLRDP and CLRDP Final EIR. Without limitation, this incorporation is intended to elaborate on the scope and nature of Project and campus-wide cumulative development impacts associated with CLRDP implementation, related mitigation measures, and the basis for determining the significance of such impacts.

2. CEQA requires the Lead Agency approving a Project to adopt a monitoring program for changes to the Project that it adopts or makes a condition of Project approval in order to ensure compliance during Project implementation. The proposed Project requires five project-specific mitigation measures and the continued implementation of IMs and MMs contained in the CLRDP EIR Mitigation Monitoring Program and determined applicable to the Project as described above. In this regard, all relevant Project-specific mitigation measures and CLRDP IMs and MMs identified in the Final Initial Study/Mitigated Negative Declaration included as part of the Overlooks Project will be monitored pursuant to the existing CLRDP EIR monitoring program previously adopted by The Regents in connection with its approval of the CLRDP EIR.

3. Various documents and other materials constitute the record of proceedings upon which The Chancellor bases his findings and decisions contained herein. Most documents related to this Project are located in the office of Physical Planning and Construction, located at 1156 High St., Barn G, Santa Cruz, CA, 95064. The record of proceedings for the approval of the CLRDP EIR is also located in the office of Physical Planning and Construction. The custodian for these documents is the office of Physical Planning and Construction.

F. Summary

Based on the foregoing and the information contained in the record, the Chancellor has made the following Findings with respect to the Project:

1. There is no substantial evidence in light of the whole record before the lead agency that the Project would result in any significant impacts.

2. The Mitigated Negative Declaration reflects The Chancellor’s independent judgment and analysis.

3. All CLRDP EIR IMs and MMs relevant to the Project have been included as part of the Project description and the adoption of the five Project-specific mitigation measures identified in the Initial Study is hereby made condition of Project approval.
III. APPROVALS

The Chancellor hereby takes the following actions:

A. Adopts the Final tiered Initial Study/Mitigated Negative Declaration for the Project as described in Section I, above.

B. Requires all Project elements, including applicable CLRDP IMs and MMs, and project-specific mitigation measures identified in the Initial Study to be implemented.

C. Adopts the Findings in their entirety as set forth in Section II, above.

Having adopted the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, independently reviewed and analyzed the Mitigated Negative Declaration and Final Initial Study, all comments received on these documents, and adopted the Findings, the Chancellor hereby approves the design and construction of the Overlooks Project for the UCSC Marine Science Campus.

George Blumenthal, Chancellor, UC Santa Cruz

3 February 2011

Date

ATTACHMENT: Appendix A. CLRDP Implementation Measures Applicable to and Incorporated in the Overlooks Project
3. Environmental Compliance Documentation

SEE SECTION 2 - University Approval Documentation

Notice of Determination

To:
Office of Planning and Development
UCSC Mail
P.O. Box 964
Santa Cruz, CA 95064

County Clerk
County:
Address:

From:
Public Agency: University of California Santa Cruz
Address: 1156 High Street, Santa Cruz, CA 95060
Contact: Sally Kogan
Phone: (831) 459-1234

Load Agency (if different from above):
Address:

SUBJECT: Filing of Notice of Determination in compliance with Section 21106 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse): 2010022051

Project Title: Public Coastal Access Overlooks and Overlook Improvements

Project Location (include county): 100 Shaffer Rd., Santa Cruz, Santa Cruz Co., CA 95060

Project Description:
Improvements to construction of five coastal and wetland overlooks on UCSC's Marine Science Campus, including construction of ADA-accessible trails, interpretive signage, a wildlife-viewing shelter, and associated visitor amenities such as benches and bicycle parking at several locations.

I, the undersigned, on behalf of the University of California Santa Cruz, hereby certify that the above-described project

☑ has been approved by the above-described agency on
February 17, 2011

☑ will not have a significant effect on the environment.
☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
☐ A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
☐ Mitigation measures [☐] were [☐ were not] made a condition of the approval of this project.
☐ A mitigation monitoring or monitoring plan [☐] was [☐ was not] adopted for this project.
☐ A statement of Overriding Considerations [☐] was [☐ was not] adopted for this project.
☐ Findings [☐] were [☐ were not] made pursuant to the provisions of CEQA.

It is to certify that the final EIR, with comments and conclusions, is available at the General Public at UCSC Physical Planning and Development, 1156 High St, Santa Cruz, http://planning.ucsc.edu/ceqa/index.html

Signature (Public Agency):
Title: Deputy Environmental Planner

Date: February 17, 2011

Date Received for Filing at OPR:

Authority cited: Section 21106, Public Resources Code.
Reference Section 3.1006-31174, Public Resources Code.
4. Plans, Specifications, etc.

(this section used if project documentation is large format or extensive)
5. Technical Reports