



Agenda Item B.1
PUBLIC WORKSHOP
Meeting Date: December 8, 2025

TO: Planning Commission Chair and Members

SUBMITTED BY: Peter T. Imhof, Planning and Environmental Review Director

PREPARED BY: Anne Wells, Advance Planning Manager
Andy Newkirk, Supervising Planner
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SUBJECT: Local Coastal Program Workshop

RECOMMENDATION:

Receive a presentation, allow public comments, and provide feedback on the City's Local Coastal Program.

BACKGROUND:

The purpose of the workshops is to (1) introduce the Planning Commission and public to the concept and significance of a Local Coastal Program (LCP) and (2) get initial feedback from the Planning Commission and the public on draft LCP policies. This workshop presents draft policies by topic, including: archaeology and paleontology, environmentally sensitive habitat areas (ESHA), and oil and gas.

California Coastal Act

In 1972, California voters passed a voter initiative called the Coastal Conservation Initiative (Prop 20). Prop 20 created the California Coastal Commission (Coastal Commission) to make land use decisions in the Coastal Zone. In 1976, the State passed the California Coastal Act (California Public Resources Code Sections 30000 et seq.) (Coastal Act). The Coastal Act made the Coastal Commission a permanent agency with broad authority to regulate coastal development. The Coastal Act is a land use planning law that applies a specific set of land use planning principles and resource protection provisions within the Coastal Zone.

The Coastal Act defines the area of the coast that comes under the jurisdiction of the Coastal Commission as the "Coastal Zone." The Coastal Zone, set by the State, extends seaward to the state's outer limit of jurisdiction (three miles), including offshore islands.

In general, the Coastal Zone extends inland 1,000 yards (or a little more than one half mile) from the mean high tide line of the sea, but is wider in areas with significant estuarine, habitat, and recreational areas, and narrower in developed urban areas. A map of the City displaying areas of the City within the Coastal Zone is provided as Attachment 1.

The Coastal Zone includes approximately 19.0% of the City by area and 12.8% of all parcels within the City. Three of the City's larger coastal properties are directly adjacent to the Coast: the Ritz-Carlton Bacara, Sandpiper Golf Course, and the City-owned Ellwood Mesa Open Space.

The Coastal Commission, in partnership with coastal cities and counties, plans and regulates the use of land and water in the Coastal Zone. Development activities, which are very broadly defined by the Coastal Act, generally require a coastal development permit (CDP) from either the Coastal Commission or the local government. The Coastal Commission maintains permit authority over most CDPs until the local government has a certified LCP. To date, the City does not have a certified LCP but has adopted a General Plan/Coastal Land Use Plan (General Plan) and implementing zoning intended to serve as the foundation for the LCP.

Local Coastal Programs (LCPs)

The Coastal Act requires that local governments develop LCPs that can carry out policies of the California Coastal Act at the local level. LCPs are land use planning documents that lay out a framework for development and coastal resource protection within a city or county's Coastal Zone area. An LCP is prepared by the local jurisdiction and submitted to the Coastal Commission for certification. The Coastal Commission's standard of review for an LCP is consistency with the policies of Chapter 3 of the Coastal Act. Chapter 3 includes specific emphasis on:

- Public Access, with an emphasis on access to and along the coast and low-cost visitor and recreational uses
- Coastal Recreation
- Marine Environment, including the protection of water quality
- Environmentally Sensitive Habitat Areas
- Agriculture and Timberlands
- Archaeological and Paleontological Resources
- Scenic and Visual Resources
- Industrial Development
- Sea Level Rise

Each LCP includes a Coastal Land Use Plan (CLUP), which contains policies, and an Implementation Plan (IP), which includes accompanying measures to implement the plan (such as zoning ordinances, zoning district maps, and other implementing actions). LCPs specify the appropriate kinds, location, and intensity of uses of land and water in the Coastal Zone portion of a local government's jurisdiction.

Once the Coastal Commission has certified a jurisdiction's LCP, amendments to the CLUP or IP are considered LCP amendments, which must also be certified by the Coastal Commission prior to those amendments becoming effective.

Permit Authority in the Coastal Zone

While the City's policy and regulations are in effect citywide, the City has relatively limited permit authority in the Coastal Zone, until its LCP is certified. Pursuant to the Coastal Act, the City can only approve and issue CDPs in the Coastal Zone once the Coastal Commission has certified its LCP. Following certification, the Coastal Commission retains appeal authority over City-approved CDPs for certain development, such as development located (1) between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance, nor (2) within 100 feet of any wetland, estuary, stream, or within 300 feet of the top of the seaward face of any coastal bluff.

Currently, in practice, rather than issue CDPs, the City reviews all proposed development in the Coastal Zone "in concept" under the City's General Plan authority and existing zoning regulations found in Title 17 (Zoning) of the Goleta Municipal Code. After this "in concept" review, the applicant (including at times the City) needs to go to the Coastal Commission for the actual CDP.

Once the City has a certified LCP, the City would be able to approve and issue CDPs, rather than conduct a review "in concept." There is one exception to this transfer of permit authority. After LCP certification, the Coastal Commission retains permit jurisdiction for CDPs involving development on tidelands and lands where the public trust may exist.

Even with a certified LCP, the Coastal Act provides for appeals of locally approved CDPs to the Coastal Commission. There are four categories of CDPs that are appealable to the Coastal Commission, which would be relevant to the City:

- Development located between the sea and the first public road paralleling the sea or within 300 feet of the inland extent of any beach or of the mean high tide line of the sea where there is no beach, whichever is the greater distance.
- Development located on tidelands, submerged lands, public trust lands, within 100 feet of any wetland, estuary, or stream, or within 300 feet of the top of the seaward face of any coastal bluff.
- Development located in a "sensitive coastal resource" area. These areas include: Special marine and land habitat areas, wetlands, lagoons, and estuaries; Areas possessing significant recreational value; Highly scenic areas; Archaeological sites referenced in the California Coastline and Recreation Plan or as designated by the State Historic Preservation Officer; Special communities or neighborhoods which are significant visitor destination areas; Areas that provide existing coastal housing or recreational opportunities for low- and moderate-income persons; and Areas where divisions of land could substantially impair or restrict coastal access.

- Development constituting a major public works project (including a publicly financed recreational facility and/or a special district development) or a major energy facility.

The first two of the above-noted categories are more objectively mappable. Prior to the City's incorporation, Santa Barbara County mapped the appeals jurisdiction in the Coastal Zone area that is now in the City. The boundaries of the appeals jurisdiction based on these two categories are provided in Attachment 2. As shown on that map, the vast majority of the City's Coastal Zone area will remain in the appeals jurisdiction.

In summary, the City currently issues CDPs in-concept, followed by review, approval and issuance by the Coastal Commission. After LCP certification, the City would be able to issue many CDPs directly, without Coastal Commission review. Some CDPs would still need Coastal Commission approval and issuance and certain City-approved CDPs would be appealable to the Coastal Commission as well.

The Foundation for the City's LCP

The City's General Plan was originally prepared to serve as the CLUP, the policy document of the City's LCP. The formal title of the General Plan, the "Goleta General Plan/Coastal Land Use Plan," makes this intent clear. It is described in Section 1.5 of the General Plan, entitled "Combined General Plan and Coastal Land Use Plan." As detailed in that section,

[t]he text of the [General Plan], including informational sections as well as policies, distinguishes portions that are General Plan only as [GP], portions that are Coastal Land Use Plan only as [CP], and portions that are both General Plan and Coastal Land Use Plan provisions as [GP/CP]. This convention allows for variation in the content or detail of policies between coastal and inland areas when appropriate. Only those provisions that are designated [CP] and [GP/CP] are intended to be certified by the California Coastal Commission.

While the General Plan was prepared for certification as the policy portion of the City's LCP, the City did not formally submit for LCP certification after adoption of the General Plan in 2006 because regulations aligning with the General Plan had not yet been adopted.

Significance of Certification for the City

As noted above, the City is under a statutory obligation to prepare an LCP. As a practical matter, the City would gain permit authority in the Coastal Zone with certification of an LCP. This would potentially streamline permitting of development projects for properties owners in the Coastal Zone.

However, it is critical that the City ensure that any amendments to the General Plan needed to attain certification fit within the development context of the City. Additionally,

once the LCP is certified, the City will have less flexibility to make changes to policy and regulation in the Coastal Zone. Any future amendments to the LCP would require Coastal Commission certification, which would likely take over a year to process. Of note, the Coastal Commission could outright reject, or amend, the amendments the City seeks.

Coastal Commission Staff Review of the General Plan

On May 6, 2014, City Council approved an agreement with the Coastal Commission for an LCP grant. The grant included, among other tasks, an assessment of the City's existing General Plan policies (serving as the CLUP) by Coastal Commission staff for Coastal Act consistency. Through this process, the City received extensive proposed revisions to all elements, except the Noise and Housing Elements, of the General Plan. City staff and Coastal Commission staff conducted a back-and-forth review of suggested policy revisions ending in 2016, when the grant concluded. Further informal review continued after the grant expired, with the most recent feedback from Coastal Commission staff in March 2025. Coastal Commission staff review was done through the review of ten tables organized by topic area. The topics areas, which align to some degree with the Chapter 3 topics listed above, included:

- Archaeology and Paleontology
- Environmentally Sensitive Habitat Areas (ESHA)
- Oil and Gas
- Public Access
- Public Facilities
- Safety (Coastal Hazards)
- Transportation
- Visual Resources
- Water Quality
- Water Conservation

The topics above were reviewed in table format, where all General Plan policies relevant to that topic area were included. To date, Coastal Commission staff has reviewed almost all of the City CLUP policies included in the tables mentioned above.

Workshop Question 1: Are there any questions or comments on the background information before discussing specific topics?

DISCUSSION:

This LCP workshop will cover the background information provided above and delve into the first three topics: Archaeology and Paleontology, Environmentally Sensitive Habitat Areas (ESHA); and Oil and Gas. At the workshop, these topic areas will be the focus of discussion and feedback from the Planning Commission and the public. The questions listed at the end of each topic area are intended to guide the conversation and elicit feedback. The remaining topics will be reviewed with the Planning Commission and the public at subsequent workshop(s).

Archaeology and Paleontology

Within Chapter 3 of the Coastal Act, protection of archaeological and paleontological resources is governed by Coastal Act Section 30244, which states “[w]here development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.”

The City’s existing archaeological (currently referred to as Native American) and paleontological resources policy is found in Policy OS 8 (Protection of Native American and Paleontological Resources) in the Open Space Element of the General Plan. Coastal Commission staff’s review of Policy OS 8 is provided in Attachment 3. Below are highlights of proposed Coastal Commission staff revisions to Policy OS 8.

New Subpolicies

Three new subpolicies within OS 8 were proposed by Coastal Commission staff. The first, OS 8.X¹ (New Development), closely mirrors the requirements of Coastal Act Section 30244. The second, OS 8.9 (untitled), includes a prohibition of activities that do not typically need a permit but that could otherwise harm archaeological or paleontological resources. The third, OS 8.X (Native American Consultation Requirement) identifies tribal consultation requirements that are governed by other State laws other than the Coastal Act.

Clarifications

Coastal Commission staff’s proposed edits are intended to make clearer that the term “cultural resources” incorporates both archaeological (Native American) and paleontological resources (see revised OS 8.1) with a clearer explanation of these terms. Throughout OS 8, revisions are proposed to clarify these terms and what must be done to protect and preserve these two types of resources.

Expanded Coordination and Consultation

As noted above, a new subpolicy OS 8.X outlining Native American consultation is proposed by Coastal Commission staff. The proposed subpolicy includes six instances when consultation is required, when:

1. Amending the General Plan
2. Adopting any specific plan,
3. Designating any land as open space,
4. Development may adversely impact Native American archaeological and/or cultural resources,
5. Preparing any mitigation plan to address adverse impacts to Native American archaeological and/or cultural resources, and

¹ Some new proposed subpolicies are not properly numbered at this point. Updated numbering would be prepared in anticipation of a hearing draft at a later date.

6. Releasing a negative declaration, mitigated negative declaration, or environmental impact report prepared for the project.

Categories 1 and 2 above reflect Senate Bill 18 (2004) consultation requirements. Category 6 is covered by Assembly Bill 52 (2014), requiring tribal consultation for the preparation of documents pursuant to the California Environmental Quality Act (CEQA). Categories 4 and 5 would be new obligations within the City's policy document. However, the City recently adopted cultural resources protection and procedures as Chapter 17.43 (Cultural Resources) of the Goleta Municipal Code. The requirements of Section 17.40.030, which include requirements for Preliminary Archaeological Assessment (PAA) and/or a Phase 1 Report, align with these categories. Category 3 represents an entirely new consultation requirement for the City.

Additionally, other amendments are proposed to expand consultation where a project has the potential to impact cultural resources. Currently, in subpolicy OS 8.5, if data recovery through excavation is the only feasible mitigation to address impacts of a project, the City must confer with the affected Native American nation or most likely descendants. Coastal Commission staff proposed expanding this meet-and-confer requirement to all Native American tribal groups by the Native American Heritage Commission for the area.

Paleontological Evaluation Report

Coastal Commission staff suggested adding a new application requirement, and potential follow-up requirements, for development regarding paleontological resources into existing subpolicy OS 8.4. A Paleontological Evaluation Report would be required for any development proposed in any area known or suspected to contain paleontological resources. At this point, it is unclear how the City would determine if an area has known or suspected paleontological resources and thus whether to require the Report. Coastal Commission staff proposed revisions would require all sites that are determined through the Paleontological Evaluation Report to potentially include paleontological resources to undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where paleontological resources have been found, research would need to be conducted to determine the extent of the paleontological significance of the site.

The City includes no similar requirements for development currently. Typically, impacts to paleontological resources are addressed through environmental review and potentially the inclusion of mitigation measures.

Question 2: Are there concerns regarding expanded archaeological coordination and consultation requirements?

Question 3: Are there concerns regarding a new requirement for a Paleontological Evaluation Report?

Question 4: Is there other feedback for City staff to consider moving forward regarding archaeology and paleontology in the City?

Environmentally Sensitive Habitat Areas

Within Chapter 3 of the Coastal Act, protection of archaeological and paleontological resources is governed by Coastal Act Section 30240, which states:

- (a) Environmentally sensitive habitat areas shall be protected against any 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.*

Other relevant Coastal Act provisions include Section 30230 (Maintenance and Restoration of Marine Resources), Section 30231 (Maintenance and Restoration of Water Quality), and Section 30233 (Diking, Filing, or Dredging of Waterways; Erosion Control).

The City currently maintains Environmentally Sensitive Habitat Area (ESHA) policies throughout the General Plan Conservation Element. Coastal Commission staff suggested extensive edits to the City's approach to preserving ESHA throughout the Conservation Element. These can be found in Attachment 4. Below is a summary of some of the most significant changes.

ESHA Buffer Sizes

The City requires buffers adjacent to ESHA. The purpose of ESHA buffers is to ensure the biological integrity and preservation of ESHA. The City applies distinct buffer distances for different types of ESHA through Policies CE 2-9. Within these buffers, development is limited (see discussion below). Coastal Commission staff provided amended policy language to create a uniform minimum 100-foot ESHA buffer in proposed subpolicy CE 1.8. For some ESHA, such as wetlands, this would result in no change. However, for other ESHA, this change would be significant. For native grassland, this would represent a ten-fold increase in the buffer distance. Additionally, some buffers may be reduced under the City's existing policies. Under Coastal Commission staff's suggested revisions, the only allowance for a reduction would be to enable the City to avoid a claim of taking of private property. In those instances, the buffer reduction is the minimum necessary to allow development necessary to avoid an unconstitutional taking of private property without just compensation. A table of the recommended changes by ESHA type is provided below:

| ESHA Type | Existing Buffer (ft.) | Minimum with Reduction (ft.) | Proposed Buffer (ft.) | Proposed Reductions |
|---|---|--|--|--|
| Creek and Riparian | 100 | 25 | At least 100 | None (except as necessary to avoid a taking ²) |
| Wetlands (Coastal Zone) | 100 | 50 | At least 100 | None (except as necessary to avoid a taking) |
| Monarch Butterfly | 100 | 50 | At least 100 | None (except as necessary to avoid a taking) |
| Native Grassland | 10 | NA | At least 100 | None (except as necessary to avoid a taking) |
| Coastal bluff scrub, coastal sage-scrub, and chaparral. | 25 | NA | At least 100 | None (except as necessary to avoid a taking) |
| Raptor | 100; 300 for construction activities during nesting | Width of the buffer for adjacent development | At least 100; 500 for construction activities during nesting | None (except as necessary to avoid a taking) |
| Native Oak Woodlands or Savannas | None | NA | At least 100 | None (except as necessary to avoid a taking) |

Increased buffers may serve to the biological integrity and preservation of ESHA, depending on the circumstances and needs of the ESHA, but will also limit development potential throughout the Coastal Zone.

Uses in ESHA and ESHA Buffers

Currently, the City limits development in ESHA and ESHA buffers to the following types of development/use in subpolicy CE 1.6(c) and (d):

- Resource-dependent uses, such as public accessways and trails,
- Public road crossings,
- Utility lines,
- Resource restoration and enhancement projects,

² For references to avoid a taking, see Coastal Commission staff's proposed subpolicy CE 1.6b. The City continues to evaluate the language in this proposed subpolicy to ensure the language is sufficient and adequate.

- Nature education,
- Biological research, and
- Public Works projects as identified in the Capital Improvement Plan (CIP), only where there are no feasible, less environmentally damaging alternatives.

Coastal Commission staff suggested splitting allowed uses for ESHA (in proposed subpolicy CE 1.6) and ESHA buffers (in proposed subpolicy CE 1.6a), with more limitations with ESHA. Proposed uses within ESHA would be limited to resource-dependent uses (with an exception for repair and protection of existing public roads and access roads to lawfully permitted uses outside ESHA). Notably, this change removes CIP projects from allowed uses in ESHA, which may limit the City's ability to implement capital projects.

Within ESHA buffers, Coastal Commission staff suggested a larger set of allowed uses that include the following:

- Habitat restoration;
- Bio-swales or other bioengineered water quality features;
- Discharge of clean water;
- Erosion control measures (e.g., energy dissipaters before water is dispersed);
- Public access trails;
- Repair and maintenance of existing roads, trails, and utilities;
- Minimal fire hazard reduction necessary to meet the Fire Code requirements for existing development;
- Flood control or sediment management activities;
- Public works projects required to repair or protect existing public roads when there is no feasible alternative;
- An access road to a proposed use which could be found consistent with the LCP when there is no other feasible alternative to provide access to public recreation areas or development on a legal parcel; and
- Continued use and maintenance of an existing, lawfully established road or driveway to an existing, lawfully established use.

CIP projects that do not fit into one of these above-listed categories would be prohibited within ESHA buffers. Again, this could present a significant limitation on the City's ability to implement capital projects. Additionally, even when the uses above are allowed in ESHA buffers under the Coastal Commission staff's proposed approach, the allowed uses in ESHA buffers (except for public trails and habitat restoration) would only be allowed if (1) no other less environmentally damaging alternative exists that would avoid the need to undertake the proposed development within a buffer area; (2) the intrusion of the development into the buffer is the minimum necessary; (3) the impacts are mitigated; (4) the development would not adversely impact habitat values and that the remaining buffer will be sufficient to protect the adjacent coastal resources; and (5) the specific measures to be undertaken to mitigate the impacts of the development are sufficient to enhance the protective features of the remaining buffer area (such as, but not limited to,

removal of non-native species, plantings of locally native species, removal or replacement of nearby outdoor lighting contributing to light pollution).

Mitigation Ratios

The City requires new development to avoid impacts to ESHA. However, when impacts are unavoidable, the City requires those impacts to be fully mitigated. This typically means a project must restore ESHA in proportion to the amount of ESHA impacted by the project (as a ratio of restored area to impacted area). Currently, the exact mitigation ratio for a project is determined through a project-specific biological study. The City also requires that mitigation sites be monitored for five years and may be discontinued if mitigation fails. Coastal Commission staff proposed establishing explicit mitigation ratios for impacts to ESHA, in proposed subpolicy CE 1.7. These are outlined in the table below:

| ESHA Type | Existing Ratio | Proposed Ratio |
|--|------------------------------|---|
| Creek and Riparian | NA (must be fully mitigated) | 4:1 |
| Wetlands | 3:1 | 4:1 Permanent Impacts; 1:1 Temporary Impacts |
| Monarch Butterfly | NA (must be fully mitigated) | 3:1 |
| Native Grassland | NA (must be fully mitigated) | 3:1 |
| Coastal bluff scrub, coastal sage-scrub, and chaparral | NA (must be fully mitigated) | 3:1 |
| Raptor | NA (must be fully mitigated) | 3:1 |
| Native Oak Woodlands or Savannas | NA (must be fully mitigated) | 3:1 |

In addition, Coastal Commission staff suggested a new provision that if a mitigation site is not successful in the first five years, that the site be monitored for longer than five years and a new site be utilized for mitigation, if need be. This could lead to long-term mitigation that could prove burdensome for the permittee.

Tree Protections

Current City policies protect native woodlands and require mitigation of impacts to mature native trees. Where impacts to mature native trees are unavoidable, mitigation of those impacts (including planting of replacement trees on site) is required. However, the specifics of the mitigation are not detailed in existing City policy or regulation. The General Plan includes an implementation action to develop a tree protection ordinance (CE-IA-4: Preparation of a Tree Protection Ordinance) that could address standards for heritage trees; public right-of-way trees; parking lot shade trees; native trees; protective buffer widths for native trees, tree protection zones, and mitigation ratios; street and parkway trees; and anti-topping.

Coastal Commission staff essentially recommended a new policy to address the items the City would have developed in a tree protection ordinance. New recommended tree protections proposed in CE 9 include: broadening protections to all “mature native or roosting/nesting trees that do not pose a threat to health and safety”; raising the standard for removal of protected trees (removal would only be allowed where no feasible alternative exists); and adding a new explicit mitigation ratio (10 replacement trees for every 1 tree removed).

Permeable Fencing

The City currently allows does not mandate fencing be permeable. Coastal Commission staff proposed new requirements for fencing in and adjacent to ESHA in subpolicy CE 1.9e. This new requirement would mandate fences to be wildlife-permeable. While this term is not defined, the concept would generally be to avoid fences as a migratory barrier for wildlife. Conversely, such fencing would also allow domestic pets to access ESHA.

Biological Study

The City currently requires a biological study for development applications within 300 feet of ESHA or with the potential to adversely impact ESHA. Coastal Commission staff recommended reducing the distance triggering a biological study to 200 feet in subpolicy CE 1.3 with some added requirements for these studies in proposed subpolicy CE 1.3a.

Additionally, Coastal Commission staff proposed a new application requirement for a development adjacent to monarch ESHAs or ESHA buffers. This requirement would mandate that the results of a current (within one year of application submittal) monarch butterfly protocol survey conducted by a qualified biologist during the monarch aggregation and roosting season window(s) be included in the required biological study. Because of the limited window for such a survey, this requirement could result in months-long delays in submitting a required biological study.

Question 5: Do you support creating a uniform 100-foot ESHA buffer?

Question 6: Are there concerns regarding further limits on allowable uses in ESHA and ESHA buffers?

Question 7: Do you support expanding tree protections and mandating specific mitigation ratios?

Question 8: Do you support mandating permeable fencing, when fencing is proposed, adjacent to ESHA?

Question 9: Do you have any concerns about the changes to the biological study requirements?

Question 10: Is there other feedback for City staff to consider moving forward regarding ESHA in the Coastal Zone?

Oil and Gas

Within Chapter 3 of the Coastal Act, oil and gas facilities are governed by Coastal Act Section 30262. Section 30262 states that new or expanded oil and gas development shall not be considered a coastal-dependent industrial facility and may be permitted only if found to be consistent with all applicable provisions of the Coastal Act and if certain additional requirements found in with Section 30262 are met.

Existing General Plan policies related to oil and gas facilities include subpolicy LU 9.2 (specific to the Ellwood Onshore Facility site); Policy LU 10, subpolicy SE 3.10, and Policy SE 8. These policies and subpolicies were reviewed by Coastal Commission staff and proposed revisions are provided in Attachment 5.

Updated Information

Many edits proposed by Coastal Commission staff are factual in nature and reflect the changed conditions of oil and gas facilities in Goleta since the General Plan was adopted in 2006. These edits include removal of references to Venoco, the previous owner of the Ellwood Onshore Facility (EOF) and Platform Holly, and the decommissioned status of the piers and wells associated with the PRC 421 lease.

Oil and Gas Processing Prohibition

A new subpolicy LU 10.X (New Oil and Gas Processing Facilities) proposed by Coastal Commission staff explicitly states that no new oil and gas processing facilities be permitted within the City. While this is a new policy, the City does include a similar prohibition in the City's zoning regulations in subsection 17.37.020 of the Goleta Municipal Code.

Abandonment and Restoration

Coastal Commission staff proposed revisions to subpolicy LU 10.2, regarding future abandonment of the Ellwood Onshore Oil and Gas Facility (EOF). Proposed language adds reference to planning for "Restoration" in addition to "Abandonment" of the site within subpolicy LU 10.2. This addition does not substantively change the LU 10.2 expectations in terms of abandonment of the site. Subpolicy LU 10.2(d) already makes clear that decommissioning of the EOF must include restoration of the EOF site to a natural condition or to a condition that is suitable for the uses and development that are allowed within the Open Space/Active Recreation use category designated for the property. Note that additional clarifying edits might be needed to make clear that the restoration discussed in subpolicy LU 10.2(d) aligns with the updated references to the "Abandonment and Restoration Plan" in subpolicy LU 10.2(a).

Coastal Commission staff also proposed a revision to subpolicy LU 10.4 to make clear the decommissioning of State Land Commission Lease 421 must include proper abandonment of the PRC 421 access road.

Question 11: Is there any feedback for City staff to consider moving forward regarding oil and gas uses in the Coastal Zone?

NEXT STEPS:

Staff will return to Planning Commission for another LCP workshop early in 2026. At this upcoming workshop, additional topic areas will be discussed.

After receiving feedback from the Planning Commission and public on all suggested policy revisions, staff will address next steps in consultation with Coastal Commission staff.

At a later date, the City will provide a public draft of the LCP for review and consideration by the Planning Commission and recommendation to the City Council for adoption and submittal to the Coastal Commission for certification.

Legal Review By:

Approved By:

Winnie Cai
Assistant City Attorney

Peter Imhof
Director of Planning and
Environmental Review

ATTACHMENTS:





1. Coastal Zone Boundary Map
2. Retained and Appeals Jurisdiction Map
3. Archaeology and Paleontology Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough
4. Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Undeline and Strikethrough
5. Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough
6. Staff Presentation

ATTACHMENT 1

Coastal Zone Boundary Map



Legend

-  Coastal Zone
-  Goleta City Boundary
-  Creeks
-  Schools

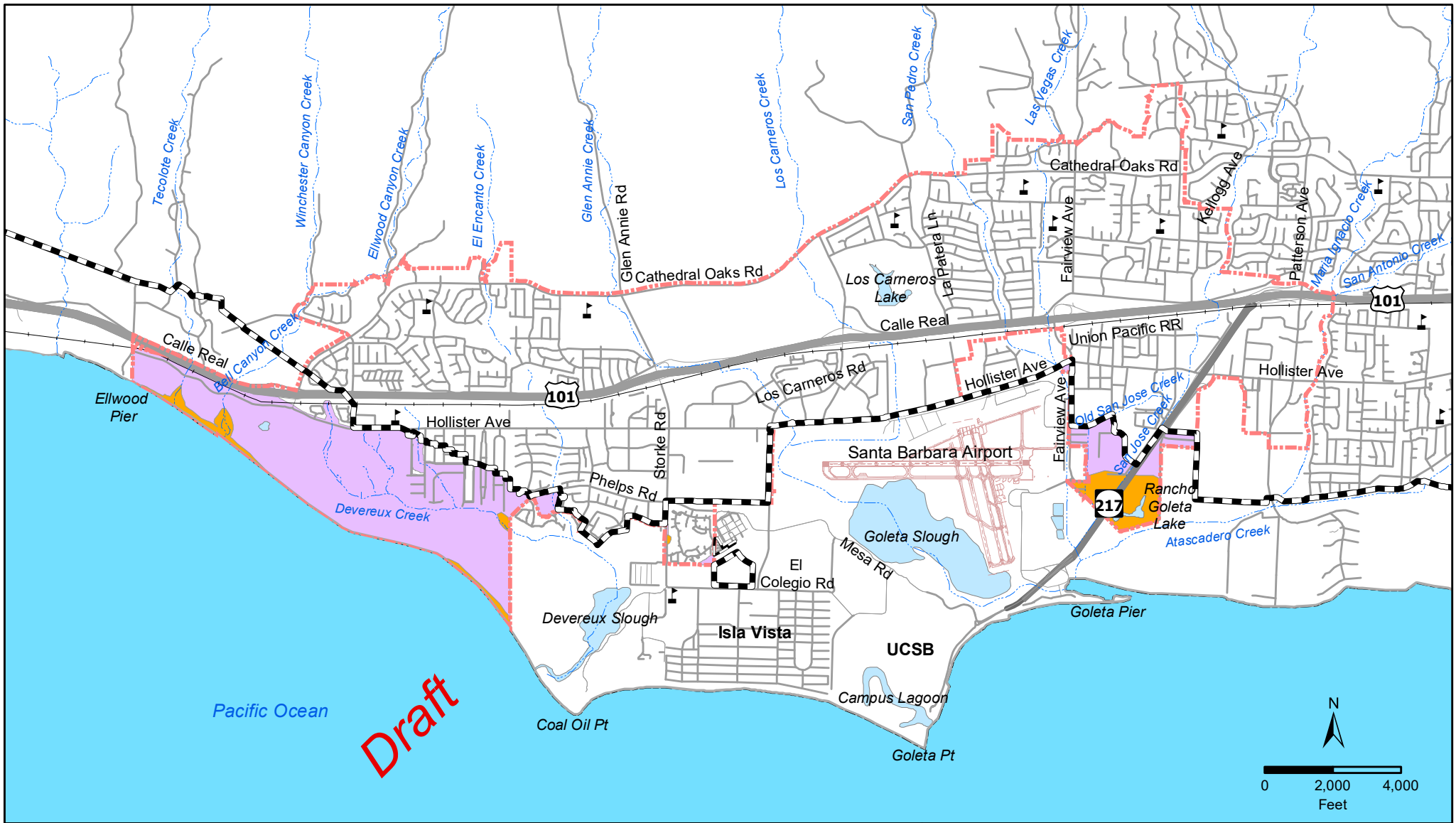
COASTAL ZONE BOUNDARY

November 2025



ATTACHMENT 2

Retained and Appeals Jurisdiction Map



Legend

- Appeals Jurisdiction
- Retained Jurisdiction
- Coastal Zone
- Goleta City Boundary

- Creeks
- Schools

Note: Appeals Jurisdiction and Retained Jurisdiction boundaries are sourced from the Santa Barbara County Planning & Development Department and was last revised and adopted by the California Coastal Commission on December 8, 2004. The City will coordinate with California Coastal Commission staff later in the process to confirm these boundaries. This map has been prepared to show where the California Coastal Commission retains post-LCP certification permit and appeal jurisdiction pursuant to California Coastal Act Sections 30519(b), and 30603(a)(1) and (a)(2). In addition, developments may also be appealable pursuant to California Coastal Act Sections 30603(a)(3), (a)(4), and (a)(5)

Appeals and Retained Jurisdictions

November 2025



ATTACHMENT 3

Archaeology and Paleontology Policies with Coastal Commission Staff Proposed
Revisions in Underline and Strikethrough

Attachment 3: Archaeology and Paleontology Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

| California Coastal Commission Staff Recommended Archaeology and Paleontology Policy Revisions |
|---|
| <p>OS 8: Protection of Native American <u>Archaeological</u> and Paleontological Resources [GP/CP]</p> <p>Objective: To identify and protect prehistoric and historic cultural <u>archaeological and paleontological</u> sites and resources <u>and protect the</u> from destruction or harmful alteration <u>adverse impacts</u>.</p> |
| <p><u>OS 8.X: New Development [GP/CP]</u></p> <p><u>New development shall be sited and designed to avoid adverse impacts to archaeological and paleontological resources to the maximum extent feasible. If there is no feasible siting or design alternative that can eliminate all impacts to archaeological and paleontological resources, then the alternative that would result in the fewest or least adverse impacts shall be proposed. Reasonable mitigation measures shall be required for development where impacts to archaeological and paleontological resources cannot be avoided through siting and design.</u></p> |
| <p>OS 8.1: Definition. [GP/CP]</p> <p>Cultural resources include Native American archaeological sites and resources, <u>paleontological sites and resources</u>, and areas of the natural landscape that have traditional cultural significance. Archaeological sites include, <u>but are not limited to</u>, prehistoric sites that represent the material remains of Native American societies and their activities and ethnocentric sites that are Native American settlements occupied after the arrival of European settlers in California. Such archaeological sites may include villages, seasonal campsites, burial sites, stone tool quarry sites, hunting sites, traditional trails, and sites with rock carvings or paintings. Areas of traditional cultural significance include Native American sacred areas where religious ceremonies are practiced or which are central to their origins as a people, as well as areas traditionally used to gather plants for food, medicinal, or economic purposes. <u>Paleontological sites include, but are not limited to, sites that contain the fossilized remains or indications of once-living plant and animal life that are found in geologic formations.</u></p> |
| <p>OS 8.2: Inventory <u>of Sites</u>. [GP/CP]</p> <p>The City shall coordinate with UCSB's Central Coast Information Center <u>as well as agencies charged with the responsibility of preserving cultural resources and any other professional or cultural organization having a professional or cultural interest, to participation, in order</u> to identify archaeologically sensitive areas <u>archaeological and paleontological sites and resources</u> within the eCity boundaries. To prevent artifact gathering and other forms of destruction, the exact location of sensitive sites <u>archaeological and paleontological sites and resources</u> may <u>shall</u> remain confidential.</p> |
| <p>OS 8.3: Preservation <u>in Place</u>. [GP/CP]</p> <p>The City shall protect and preserve cultural resources from destruction. The preferred method for preserving a recorded archaeological <u>or paleontological</u> sites <u>and resources</u> shall be by preservation in place <u>in order</u> to maintain the relationship between the artifacts and the archaeological <u>their historical</u> context. Preservation in place may be accomplished by deed restriction, -as a permanent conservation easement, avoidance through site planning and design, or incorporation of sites into other open spaces, <u>to prevent any future development or use that might otherwise adversely impact these resources.</u> <u>Where preservation in place is not feasible, partial or total recovery of archaeological and paleontological resources shall be undertaken along with adequate mitigation measures that are adopted and implemented as conditions of the permit.</u></p> |

Attachment 3: Archaeology and Paleontology Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

| California Coastal Commission Staff Recommended Archaeology and Paleontology Policy Revisions |
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| <p>OS 8.4: Evaluation of Significance. [GP/CP]</p> <p>For any development proposal identified as being located in an area of archaeological sensitivity, a Phase I cultural resources inventory shall be conducted by a qualified archaeologist or other qualified expert. <u>Development proposed in any area known or suspected to contain archaeological resources, shall require a Phase I cultural resources investigation conducted by a registered professional archaeologist or other qualified expert subject to the approval of the City.</u> All sites determined through the<u>a</u> Phase I investigation to potentially include cultural resources, must undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where Native American archaeological or paleontological artifacts have been found or where oral traditions indicate the site was used by Native Americans in the past, research shall be conducted to determine the extent of the archaeological-cultural significance of the site.</p> <p><u>Development proposed in any area known or suspected to contain paleontological resources shall require a Paleontological Evaluation Report. All sites determined through the Paleontological Evaluation Report to potentially include paleontological resources, must undergo subsurface investigation to determine the extent, integrity, and significance of the site. Where paleontological resources have been found, research shall be conducted to determine the extent of the paleontological significance of the site.</u></p> |
| <p>OS: 8.5 Mitigation [GP/CP]</p> <p>If research and surface reconnaissance shows that the project area contains <u>cultural resources</u> a resource of cultural significance that <u>have the potential to</u> be adversely impacted by proposed development and avoidance is infeasible, mitigation measures <u>that are</u> sensitive to <u>either</u> the cultural beliefs of the affected population<u>tribe(s) or the historical integrity of a paleontological site and would result in the least significant impacts to resources</u> shall be required <u>and implemented as conditions of the permit</u>. Reasonable efforts to leave these resources in an undisturbed state through capping or covering resources with a soil layer prior to development shall be required.</p> <p>If data recovery through excavation is the only feasible mitigation, the City shall confer with the affected Native American nation<u>tribe(s)</u> or most-likely descendants, <u>and Native American tribal groups approved by the Native American Heritage Commission for the area</u>, as well as agencies charged with the responsibility of preserving these resources and organizations having a professional or cultural interest, prior to the removal and disposition of any artifacts.</p> |
| <p>OS 8.6: Monitoring and Discovery. [GP/CP]</p> <p>On-site monitoring by a qualified <u>professional shall be required for all grading, excavation, and site preparation that involves earth moving operations on sites containing cultural resources or when recommended by a qualified professional due to a likelihood of uncovering or otherwise disturbing unknown subsurface cultural resources. Qualified professionals include credentialed archaeologists and paleontologists, where appropriate. Additionally, and, where there is a potential to impact archaeological resources of a Native American culture, an appropriate qualified</u> Native American observer shall be designated by the affected tribal group(s) shall also be required. <u>required for all grading, excavation, and site preparation that involves earth moving operations on sites identified as archaeologically sensitive.</u> If cultural resources of potential importance are uncovered during construction, the following shall occur:</p> <ul style="list-style-type: none">a. The grading or excavation shall cease and the City shall be notified <u>within 24 hours</u>.b. A qualified archaeologist <u>or paleontologist with qualifications and credentials acceptable to the City</u>, shall prepare a report assessing<u>that assesses</u> the significance of the find and provide recommendations regarding appropriate disposition <u>evaluates feasible alternatives that would avoid or minimize impacts to these resources</u>.c. Disposition will be determined by the City in conjunction with the any affected Native American nation<u>tribe(s)</u>.d. <u>Where Native American remains have been discovered, consultation with the appropriate Native American tribal group(s) to obtain recommendations for treatments that are protective and respectful of the remains, shall be required.</u>e. <u>Construction may continue after the appropriate requirements and course of action has been implemented. Activities shall not resume without written authorization from the Director of Planning and Environmental Review.</u> |
| <p>OS 8.7: Protection of Paleontological Resources [GP/CP]</p> <p>Should substantial paleontological resources be encountered during construction activities, all work that could further disturb the find shall be stopped and the City of Goleta shall be notified within 24 hours. The applicant shall retain a qualified consultant to prepare a report to the City that evaluates the significance of the find and, if warranted, identifies recovery measures. Upon review and approval of the report by the City, construction may continue after implementation of any identified recovery measures.</p> |

Attachment 3: Archaeology and Paleontology Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

| California Coastal Commission Staff Recommended Archaeology and Paleontology Policy Revisions | |
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| <u>OS 8.9</u> | <u>Vehicle use, unauthorized collecting of artifacts, or other activities that have the potential to destroy or disturb archaeological or paleontological resources shall be prohibited.</u> |
| <u>OS 8.X Native American Consultation Requirement.</u> | <u>The City shall consult with Native American tribal groups and individuals approved by the Native American Heritage Commission for the area prior to amending its General Plan/Coastal Land Use Plan or adopting any specific plan, when designating any land as open space, when development may adversely impact Native American archaeological and/or cultural resources, during preparation of any mitigation plan to address adverse impacts to Native American archaeological and/or cultural resources, and prior to release of a negative declaration, mitigated negative declaration, or environmental impact report prepared for the project.</u> |

ATTACHMENT 4

Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal
Commission Staff Proposed Revisions in Undeline and Strikethrough

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

| California Coastal Commission Staff Recommended Environmentally Sensitive Habitat Area (ESHA) Policy Revisions |
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| <p>CE 1: Environmentally Sensitive Habitat Area Designations and Policy [GP/CP]</p> <p>Objective: To identify, preserve, and protect the city’s natural heritage by preventing disturbance of ESHAs.</p> |
| <p>CE 1.1: Definition of Environmentally Sensitive Habitat Areas. [GP/CP]</p> <p>ESHAs shall include, but are not limited to, any areas that through professional biological evaluation are determined to meet <u>any of</u> the following criteria:</p> <p>a. Any area in which plant or animal life or their habitats are either rare or especially valuable as of their special nature or role in an ecosystem and that could be easily disturbed or degraded by human activities and developments.</p> <p>b. Any<u>Habitat that supports special-status plant and animal species, including but not limited to any</u> area that includes habitat for species and plant communities recognized as <u>rare</u>, threatened or endangered by the state or federal governments; plants, <u>animals, and natural</u> communities recognized-ranked by the State of California (in the <u>California Natural Diversity Database</u>Terrestrial Natural Communities Inventory) as restricted in distribution and very threatened<u>global or state G1 or S1 (critically imperiled), G2 or S2 (imperiled), or G3 or S3 (vulnerable to extirpation or extinction); California Fully Protected Species, California Species of Special Concern, and their habitats; California Native Plant Society plant species designated 1B (rare or endangered in California and elsewhere), and 2 (rare, threatened, or endangered in California but more common elsewhere); Federal and state plants, animals, and natural communities that are candidates for listing;</u> and those habitat types of limited distribution recognized to be of particular habitat value, including wetlands, riparian vegetation, eucalyptus groves associated with monarch butterfly roosts, oak woodlands, <u>native grasslands</u> and savannas.</p> <p>c. Any area that has been previously designated as an ESHA by the California Coastal Commission, the California Department of Fish and Game<u>Wildlife</u>, City of Goleta, or other agency with jurisdiction over the designated area.</p> |
| <p>CE 1.2: Designation of Environmentally Sensitive Habitat Areas. [GP/CP]</p> <p>ESHAs in Goleta are generally shown in Figure 4-1, and Table 4-2 provides examples of the ESHAs and some locations of each. The provisions of this policy shall apply to all designated ESHAs. ESHAs generally<u>ESHAs</u> include but are not limited to the following:</p> <p>a. Creek and riparian areas.</p> <p>b. Wetlands, such as<u>including</u> vernal pools.</p> <p>c. Coastal dunes, lagoons or estuaries, and coastal bluffs/coastal bluff scrub.</p> <p>d. Beach and shoreline habitats.</p> <p>e. Marine habitats.</p> <p>f. Coastal sage scrub and chaparral.</p> <p>g. Native woodlands and savannahs, including oak woodlands.</p> <p>h. Native grassland.</p> <p>i. Monarch butterfly aggregation sites, including autumnal and winter roost sites, and related habitat areas.</p> <p>j. Beach and dune areas that are nesting and foraging locations for the western snowy plover.</p> <p>k. Nesting and roosting sites and related habitat areas for various<u>raptors</u> species-of-raptors.</p> <p>l. Other habitat areas for species of wildlife or plants designated as rare, threatened, or endangered under state or federal law.</p> <p>m. Any other habitat areas that are rare or especially valuable from a local, regional, or statewide perspective.</p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

CE 1.3: ~~Site-Specific Studies~~ESHA Boundaries and Unmapped ESHAs. [GP/CP]

~~Any area not designated on the ESHA map in Figure 4-1 that meets the ESHA criteria for the resources specified in CE 1.1 shall be granted the same protections as if the area was shown on the map.~~The precise boundaries of the mapped ESHA shall be determined on a site-specific basis, based on substantial biological evidence and a site-specific biological survey inventory and/or assessment at the time that a development proposal is submitted, prepared by a qualified biologist, and independently reviewed by the City biologist. ~~Proposals for development on sites where ESHAs are shown on the map~~within or adjacent to ESHAs, including areas within 200 feet of mapped ESHA, or where there is probable cause to believe that ESHAs may exist shall be required to provide the City with a site-specific biological study. ~~Where the City finds that includes the following information:~~

- ~~a. the physical extent of habitats on the project site are different than those indicated on the ESHA Map (Figure 4-1), the City shall make findings as part of the CDP and other permit approvals~~A base map that delineates topographic lines, parcel boundaries, and adjacent roads.
- ~~b. A vegetation map that identifies species that may be indicators of ESHAs.~~
- ~~c. A soils map that delineates hydric and nonhydric soils, if applicable.~~
- ~~d. A census of animal species that indicates the potential existence of ESHAs.~~
- ~~e. A detailed map that shows the conclusions regarding the boundary, precise location~~physical extent of the ESHA ~~and extent, or current status of the ESHA~~detailed justification for modifications at the project site based on substantial evidence~~provided in the biological studies.~~

Any area not designated on the ESHA map in Figure 4-1 that meets the definition of ESHA as specified in CE 1.1 shall be granted the same protections as if the area is shown as ESHA on the map.

CE 1.3a: Site-Specific Studies. [GP/CP]

The site-specific biological study shall be prepared by a qualified biologist, and independently reviewed by the City biologist, and shall at a minimum include the following information:

- a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads.
- b. A vegetation map that identifies the habitat types based on a current (within one year of application submittal) site-specific biological survey. The vegetation map shall identify all trees within a 500-foot vicinity of the proposed development. Where raptor or other special-status bird species have the potential to be present, the map shall identify habitat types that may provide nesting or roosting habitat, or historically provided nesting or roosting habitat, for the species of concern and shall delineate other elements of the habitat such as roosting sites and foraging areas.
- c. A soils map that delineates hydric and nonhydric soils, if applicable.
- d. A biological inventory that indicates the potential for sensitive species or habitat.
- e. A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies.
- f. A historical analysis of disturbed areas adjacent to or within an ESHA to determine if these areas were cleared or disturbed pursuant to a valid local or Coastal Commission Coastal Development Permit.
- g. A written report that summarizes the survey methods, data, observations, findings, and recommendations detailing the above requirements. The written report shall also include an analysis of the potential impacts of the proposed development on any identified habitat or species and recommendations for siting and design of the development to ensure protection of sensitive biological resources and habitat values.

CE 1.4: ~~Illegal~~ Destruction of ESHAs [GP/CP]

Any ~~area~~ESHA, including but not limited to the mapped ~~as an~~ ESHA in Figure 4-1, shall not be deprived of the protections granted by ~~this plan~~the policies and provisions of the General Plan / LCP on the basis that:

- a. the habitat has been ~~illegally removed or degraded~~impacted by unpermitted development or other unpermitted activity, including removal, degradation, or ~~as the nature or role of a~~elimination of species that ~~is~~are rare or especially valuable ~~as~~because of their nature or role in an ecosystem;
- b. the habitat has been ~~eliminated~~removed or degraded by natural disaster (e.g., landslides, flooding, etc.); or
- c. The habitat has been subject to the effects of fire.

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>[Note: The proposed revisions below were drafted prior to the City’s more recent updated to CE 1.5. As such, these edits will need to be revisited with Coastal Commission Staff]</p> <p>CE 1.5: Corrections to Map of ESHAs [GP/CP]</p> <p>If a site-specific biological study, <u>prepared consistent with Policy CE 1.3</u>, contains substantial <u>biological</u> evidence that an area previously shown as an ESHA on Figure 4-1 does not contain habitat that meets the definition of an ESHA for reasons other than those set forth in CE 1.4, the City biologist and the Planning Commission shall review all available information and determine if the area in question should no longer be considered an ESHA and therefore not be subject to the ESHA protection policies of this plan. If the final decision-making body determines that the area is not an ESHA, a map modification shall be included in the next General Plan/Coastal Land Use Plan amendment; however, and, where located within the Coastal Zone, shall be submitted as an LCP Amendment to the Coastal Commission for approval and certification. In such cases, the General Plan / Coastal Land Use Plan Local Coastal Program policies and standards for protection of ESHAs shall not apply, and approval of development consistent with all other requirements of this plan <u>the General Plan / Coastal Land Use Plan</u> may be considered prior to <u>certification of the map revision</u>. <u>Where the City finds that the physical extent of habitats on the project site are different than those indicated on the ESHA Map (Figure 4-1) the City shall make findings as part of the CDP regarding the physical extent of the ESHA and detailed justification for modifications at the project site based on substantial evidence.</u></p> |
| <p>[Note: The proposed revisions below were drafted prior to the City’s more recent updated to CE 1.5. As such, these edits will need to be revisited with Coastal Commission Staff]</p> <p><u>CE 1.5a: 5-Year ESHA Map Review [GP/CP]</u></p> <p><u>At a minimum, the ESHA Map (Figure 4-1) shall be reviewed and updated every five years to reflect current information, including up-to-date information on locations of rare, threatened, or endangered species or habitats; the modifications made in CDP decisions; and changes due to rising sea level. Any update to the map that is not brought about by a project-driven change shall be reviewed by the Planning and Environmental Review Director. For portions of the City in the Coastal Zone, the map update shall be treated as an LCP amendment and shall be subject to the approval of the Coastal Commission.</u></p> |
| <p>CE 1.6: Protection of <u>Allowed Uses in</u> ESHAs [GP/CP]</p> <p>ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such <u>those</u> resources shall be allowed within ESHAs or their buffers, except as provided in subsection b, below. The following shall apply:</p> <p>a. No development, except as otherwise allowed by this element, shall be allowed within ESHAs and/or ESHA buffers.</p> <p>b. A setback or buffer separating all permitted development from an adjacent ESHA shall be required and shall have a minimum width as set forth in subsequent policies of this element. The purpose of such setbacks shall be to prevent any degradation or disturbance to the ecological functions provided by the habitat area.</p> <p>c. Public accessways and trails are considered resource <u>Resource</u> dependent uses and, such as public accessways and trails, may be located within or adjacent to ESHAs. These provided that these <u>uses shall be sited and designed to avoid significant disruption of habitat values of the ESHAs or minimize impacts on the resource to the maximum extent feasible.</u> Measures —such as including, but not limited to, signage, placement of boardwalks, <u>utilizing established trail corridors, following natural contours to minimize grading,</u> and limited fencing or other barriers—shall be implemented as necessary to protect ESHAs.</p> <p>d. The following <u>b. Two non-resource-dependent</u> uses and development may be allowed in ESHAs or ESHA buffers only where there are <u>approved in ESHA (other than wetlands) in very limited circumstances, as follows:</u></p> <p><u>1. public works projects required to repair or protect existing public roads when there is no feasible less environmentally damaging alternatives and will be subject to requirements for mitigation measures to avoid or lessen</u> alternative, as long as <u>impacts to ESHA are avoided to the maximum extent feasible: 1) public, and unavoidable impacts are minimized and mitigated; and</u></p> <p><u>2. an access road crossings, 2) utility lines, 3) resource restoration and enhancement projects, 4) nature education, 5) biological research, and 6) Public Works projects as identified in the Capital Improvement Plan.</u></p> <p>e. If the provisions herein would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land a lawfully-permitted use plan, exceptions outside ESHA when there is no other feasible alternative to the foregoing may be made provide access to allow a reasonable economic use of the parcel. Alternatively, the City may establish a program to allow transfer of development rights for such parcels to receiving parcels that have public recreation areas suitable for and/or development on a legal parcel, as long as impacts to ESHA are designated on the Land Use Plan map for the appropriate type of use and development. (Amended by Reso. 09-59, 11/17/09) <u>avoided to the maximum extent feasible, and unavoidable impacts are minimized and mitigated.</u></p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

CE 1.6a: Allowed Uses in ESHA Buffers

- a. Buffer areas from environmentally sensitive habitat areas (ESHA) and wetlands shall be maintained in a natural condition, except for the following potential uses:
- 1. Habitat restoration;
 - 2. Bio-swales or other bioengineered water quality features;
 - 3. Discharge of clean water;
 - 4. Erosion control measures (e.g., energy dissipaters before water is dispersed);
 - 5. Public access trails;
 - 6. Repair and maintenance of existing roads, trails, and utilities;
 - 7. Minimal fire hazard reduction necessary to meet the Fire Code requirements for existing development;
 - 8. Flood control or sediment management activities.
 - 9. Public works projects required to repair or protect existing public roads when there is no feasible alternative.
 - 10. An access road to a proposed use which could be found consistent with the LCP when there is no other feasible alternative to provide access to public recreation areas or development on a legal parcel.
 - 11. Continued use and maintenance of an existing, lawfully-established road or driveway to an existing, lawfully-established use.
- b. Except for public trails and habitat restoration, which are subject to subsections “c” and “d” below, the potential uses listed above shall only be undertaken within buffer areas provided that:
- 1. No other less environmentally damaging alternative exists that would avoid the need to undertake the proposed development within a buffer area.
 - 2. The intrusion of the development into the buffer is the minimum necessary;
 - 3. The impacts are mitigated; and
 - 4. A qualified biologist has determined that:
 - The development will not adversely impact habitat values and that the remaining buffer will be sufficient to protect the adjacent coastal resources; and
 - The specific measures to be undertaken to mitigate the impacts of the development are sufficient to enhance the protective features of the remaining buffer area (such as, but not limited to, removal of non-native species, plantings of locally native species, removal or replacement of nearby outdoor lighting contributing to light pollution).
- c. Public trails shall be sited and designed to minimize impacts to ESHA.
- d. Habitat restoration and ESHA protection measures, such as symbolic fencing, within ESHA buffers shall preserve and enhance habitat values.

CE 1.6b: Reasonable Economic Use of Property

If the application of the policies and standards contained in this LCP regarding use of property designated as Environmentally Sensitive Habitat Area, including the restriction of ESHA to only resource-dependent use, would deprive the property owner of a constitutionally protected economically beneficial use of the applicant’s property as a whole, then a use that is not consistent with the Environmentally Sensitive Habitat Area provisions of the LCP shall be allowed on the property, provided such use: is consistent with all other applicable policies; is the minimum amount of development necessary to avoid an unconstitutional taking of private property without just compensation; a detailed analysis is undertaken to establish investment backed expectations and reasonable economic use of property; and the City Council adopts specific CDP findings regarding the subject taking. Alternatively, the City may establish a program to allow transfer of development rights, as approved by the Coastal Commission through an LCP Amendment, for such parcels to receiving parcels that have areas suitable for and are designated on the Land Use Plan map for the appropriate type of use and development. There is no unconstitutional taking of private property that needs to be avoided if the proposed development constitutes a nuisance or is otherwise prohibited pursuant to other background principles of property law. Continued use of an existing legally established structure, including any permissible repair and maintenance, may provide an economically beneficial use.

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

CE 1.7: Mitigation of Impacts to ESHAs [GP/CP]

New development shall be sited and designed to avoid impacts to ESHAs. ~~If~~However, where there ~~is no feasible alternative that can eliminate all~~ are unavoidable impacts, ~~then the alternative that would result to ESHA, as allowed in the fewest limited circumstances specifically provided in the ESHA policies herein, mitigation through the restoration and/or least significant impacts enhancement of like habitat type, shall be selected.~~required at a 4:1 ratio (area restored to area impacted) for wetland, riparian, and open water or stream habitats and a 3:1 ratio for all other ESHA. Any impacts that cannot be avoided shall be fully mitigated, with priority given to onsite mitigation. Offsite mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on site. If impacts to onsite ESHAs occur in the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. All mitigation sites shall be monitored for a minimum period of 5 years following completion, or until successfully established, whichever is longer, and with changes made as necessary based on annual monitoring reports. ~~Where appropriate, mitigation sites shall~~The area of off-site habitat to be subject to restored shall be permanently preserved through the recordation of an open space deed ~~restrictions, restriction or conservation easement.~~ Mitigation sites shall be subject to the protections set forth in this plan for the habitat type ~~unless.~~ Where the City has made a specific determination that the mitigation is unsuccessful and is ~~to be discontinued.~~The likely to continue to be unsuccessful for biological reasons, an alternative site may be substituted to provide full mitigation of the ESHA impact. The substituted location shall be subject to a minimum period of 5 years following ~~mitigation ratios shall apply:~~

- ~~• 3:1 for wetlands (see also CE 3.6)~~
- ~~• 3:1 for riparian habitats (see also CE 2)~~
- ~~• 3:1 for other habitats that support state or federal rare, threatened, or endangered species~~completion or CNPS 1b or 2 listed plants
- ~~2:1 for coastal sage scrub not occupied by listed species. (see also CE 5.3)~~until successfully established, whichever is longer.

CE 1.8: ESHA Buffers [GP/CP]

Development in areas adjacent to ~~an ESHA~~ESHAs shall ~~minimize~~be sited and designed to prevent impacts ~~to habitat values or sensitive species to which would significantly degrade those areas and shall be compatible with the maximum extent feasible~~continuance of those habitats. Native vegetation shall be provided in buffer areas to serve as transitional habitat. All buffers shall be of a sufficient size to ensure the biological integrity and preservation of the ESHA they are designed to protect. ESHA buffers shall further improve habitat resilience in consideration of future climate change impacts to the maximum extent feasible. New development shall provide a buffer of no less than 100 feet from ESHA, except that a minimum 300-foot buffer shall be provided from raptor habitat. The City may consider increasing the width of the buffer on a case-by-case basis at the time of environmental review. Some considerations may be particularly warranted near coastal confluence areas (where streams meet the coast) where future changes in sea level rise may affect habitats and/or inundation extents. Variances or modifications to reduce the required ESHA buffer width shall not be granted, except as allowed in Policy CE 1.6. The required ESHA buffer shall be measured from the following points:

- The upland edge of a wetland.
- The outer edge of the canopy of riparian vegetation, including additional area necessary to protect the root zones of trees.
- The outer edge of the canopy of existing and historic monarch butterfly habitat, which shall include aggregation and roost sites and the surrounding grove of trees.
- The outer edge of the plants that comprise a rare plant community ESHA. For annual species and perennial species that periodically lie dormant, the rare plant community ESHA shall be determined as the maximum convex polygon that connects the known current and historical locations of that species in order to capture the maximum habitat area, including dormant seed banks, bulbs, or rhizomes of rare plant species.
- The outer edge of any habitat used by mobile or difficult to survey sensitive species (such as ground nesting habitat or rare insects, seasonal upland refuges of certain amphibians, etc.) within or adjacent to the lands under consideration based on the best available data.
- The top of bank for streams where riparian habitat is not present.
- The outer drip line of trees designated ESHA.

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

CE 1.9: Standards Applicable to Development Projects [GP/CP]

The following standards shall apply to consideration of developments within or adjacent to ESHAs:

- a. Site designs shall preserve wildlife corridors or habitat networks. Corridors shall be of sufficient width to protect habitat and dispersal zones for small mammals, amphibians, reptiles, and birds as well as to provide room for the corridors to transgress as the impacts of climate change are better understood.
- ~~b. Land divisions for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and without any need for impacts to ESHAs related to fuel modification for fire safety purposes.~~
- ~~c.~~ Site plans and landscaping shall be designed to protect ESHAs. Landscaping, screening, or vegetated buffers shall retain, salvage, and/or reestablish vegetation that supports wildlife habitat whenever feasible. Development within or adjacent to wildlife habitat networks shall incorporate design techniques that protect, support, and enhance wildlife habitat values. With the exception of planting eucalyptus within the existing eucalyptus groves on the Ellwood Mesa, planting of non-native, or invasive species shall not be allowed in ESHAs and buffer areas adjacent to ESHAs.
- ~~d. All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.~~
- ~~e.~~ Light and glare from new development shall be controlled and directed away from wildlife habitats. Exterior night lighting shall be minimized, restricted to low intensity fixtures, shielded, and directed away from ESHAs in order to minimize impacts on wildlife. High intensity perimeter lighting and lighting for sports courts or other private recreational facilities adjacent to ESHA, ESHA buffer, or where night lighting would increase illumination in ESHA, is prohibited.
- ~~f.~~ All new development should minimize potentially significant noise impacts on special-status species in adjacent ESHAs.
- ~~g. All new development shall be sited and designed to minimize the need for fuel modification or weed abatement for fire safety in order to preserve native and/or nonnative supporting habitats.~~
- e. The timing of grading and construction activities shall avoid potential disruption of wildlife during critical time periods such as nesting or breeding seasons. ~~Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques that will reduce or avoid fuel modification activities.~~
- ~~h. The timing of grading and construction activities shall be controlled to minimize potential disruption of wildlife during critical time periods such as nesting or breeding seasons.~~
- ~~i. Grading, earthmoving, and vegetation clearance adjacent to an ESHA shall be prohibited during the rainy season, generally from November 1 to March 31, except as follows: 1) where erosion control measures such as sediment basins, silt fencing, sandbagging, or installation of geofabrics have been incorporated into the project and approved in advance by the City; 2) where necessary to protect or enhance the ESHA itself; or 3) where necessary to remediate hazardous flooding or geologic conditions that endanger public health and safety.~~
- ~~j. In areas that are not adjacent to ESHAs, where grading may be allowed during the rainy season, erosion control measures such as sediment basins, silt fencing, sandbagging, and installation of geofabrics shall be implemented prior to and concurrent with all grading operations.~~

CE 1.9a: Land Divisions [GP/CP] [Note: Moved from CE 1.9(b)]

Land divisions~~for parcels within or adjacent to an ESHA shall only be allowed if each new lot being created, except for open space lots, is capable of being developed without building in any ESHA or ESHA buffer and~~, including but not limited to lot line adjustments, shall only be allowed in accordance with all applicable policies of the LCP, and where substantial evidence demonstrates that each new parcel being created through subdivision or being reconfigured through a lot line adjustment contains an identified, feasible building site, and any necessary access road thereto, that are: (1) located outside of ESHA and ESHA buffer and (2) capable of being developed without any need for impacts to ESHAs related to fuel modification for fire safety purposes. Land divisions on parcels restricted as permanent open space are prohibited. In the case of subdivisions or lot line adjustments that include the creation of a parcel(s) that is dedicated or restricted to open space uses (through open space easement, deed restriction, or donation to a public agency for park purposes), no demonstration of building site or access road outside of ESHA or ESHA buffer is required for the open space parcel(s).

CE 1.9b: General Siting and Design [GP/CP] [Note: Moved from CE 1.9(g)]

All new development shall be sited and designed so as to minimize grading, alteration of natural landforms and physical features, and vegetation clearance in order to reduce or avoid soil erosion, creek siltation, increased runoff, and reduced infiltration of stormwater and to prevent net increases in baseline flows for any receiving water body.

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p><u>CE 1.9c: Fuel Modification [GP/CP]</u> [Note: Moved, in part, from CE 1.9(g) and 1.10(d)]</p> <p><u>a. All new development shall be sited and designed to minimize the need for fuel modification, or weed abatement, for fire safety ensure that fuel modification (including clearing, landscaping/irrigating, and thinning) for fire safety does not intrude within ESHA or ESHA buffers</u> in order to preserve native and/or nonnative supporting habitats. Development shall use fire-resistant materials and incorporate alternative measures, such as firewalls and landscaping techniques that will reduce or avoid fuel modification activities.</p> <p><u>b. Vegetation management or fuel modification may occur within ESHA or ESHA buffer areas in the following circumstances:</u></p> <p><u>1. When necessary to eradicate and control the spread of non-native species pursuant to an approved Habitat Restoration Plan. Surveys shall be conducted to identify ESHA as well as isolated patches of native grassland and any other individual sensitive plant species that may be present in the managed area. The vegetation management program shall ensure that measures are taken to avoid intrusion into ESHA, isolated patches of native grassland, and any other individual sensitive plant species that may be present. Vegetation management activities shall be the least intrusive and minimum necessary for restoration. The management of trees for any purpose, including habitat restoration purposes, shall be subject to [cross reference to tree policies].</u></p> <p><u>2. When necessary to protect existing development as allowed in Policy CE 1.6a and provided it is the minimal fire hazard reduction necessary to meet the Fire Code requirements.</u></p> <p><u>c. Weed abatement and brush-clearing activities Fuel modification</u> for fire safety purposes shall be the minimum that is necessary to accomplish the intended purpose. Techniques shall be limited to mowing and other low-impact methods such as hand crews for brushing, tarping, and hot water/foam for weed control <u>thinning by hand crews or annual mowing of grassland</u>. Disking shall be prohibited.</p> <p><u>d. Fuel modification shall follow a vegetation removal hierarchy whereby the most vegetation is removed near the structure through (1) thinning and removal of dead, dying and diseased foliage, and shrubs; (2) removal of invasive species; and (3) removal of native species that are not listed as endangered, threatened, rare, or otherwise especially valuable.</u></p> |
| <p><u>CE 1.9e: Wildlife Permeable Fencing [GP/CP]</u></p> <p><u>Fencing and other types of barriers adjacent to ESHA shall be wildlife-safe and wildlife-permeable. Development in or adjacent to environmentally sensitive habitat areas or open space shall be designed and constructed to ensure the safe movement by wildlife (such as through clustering structures and the installation of bridged crossings of wetlands to replace culverts, etc.).</u></p> |
| <p><u>CE 1.9f: Bird-Safe Building Practices [GP/CP]</u></p> <p><u>Except for residential development, new development within 200 feet of ESHA or open space areas, shall implement the following bird-safe building practices:</u></p> <p><u>a. All new buildings, and major renovations of existing buildings, shall be required to provide bird-safe building facade treatments in order to reduce potential for bird strikes.</u></p> <p><u>b. Landscaped areas next to buildings, including patios and interior courtyards, shall be designed and sited to avoid or minimize bird-strike hazards caused by reflective building surfaces.</u></p> <p><u>c. Buildings shall be designed to minimize light pollution and maximize light shielding to the maximum feasible extent.</u></p> |
| <p><u>CE 1.10: Management of ESHAs [GP/CP]</u></p> <p>The following standards shall apply to the ongoing management of ESHAs:</p> <p>a. The use of insecticides, herbicides, artificial fertilizers, or other toxic chemical substances that have the potential to degrade ESHAs shall be prohibited within and adjacent to such areas, except where necessary to protect or enhance the ESHA itself.</p> <p>b. The use of insecticides, herbicides, or other toxic substances by City employees and contractors in construction and maintenance of City facilities and open space lands shall be minimized.</p> <p>c. Mosquito abatement within or adjacent to ESHAs shall be limited to the implementation of the minimum measures necessary to protect human health and shall be undertaken in a manner that minimizes adverse impacts to the ESHAs.</p> <p>d. Weed abatement and brush-clearing activities for fire safety purposes shall be the minimum that is necessary to accomplish the intended purpose. Techniques shall be limited to mowing and other low-impact methods such as hand crews for brushing, tarping, and hot water/foam for weed control. Disking shall be prohibited.</p> <p>e. Where there are feasible alternatives, existing sewer lines and other utilities that are located within an ESHA shall be taken out of service, abandoned in place, and replaced by facilities located outside the ESHA to avoid degradation of the ESHA resources, which could be caused by pipeline rupture or leakage and by routine maintenance practices such as clearing of vegetation.</p> <p><u>f. Removal of nonnative invasive plant species within ESHAs may be allowed and encouraged, unless the nonnatives contribute to habitat values.</u></p> <p>g. The following floodmanagement activities may be allowed in creek and creek protection areas: desilting, obstruction clearance, minor vegetation removal, and similar flood management methods. Sediment management activities should reuse uncontaminated sediments to support habitat resilience and reduce future flood risks in the face of climate change impacts.</p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p><u>CE 1.10a: Mosquito Abatement [GP/CP]</u> [Note: Relocated from CE 1.10(c)]</p> <p>e. Mosquito abatement within or adjacent to ESHAs<u>adjoining ESHAs, wetlands, or creeks</u> shall be limited to the implementation of the minimum measures necessary to protect human health, and shall be undertaken in a manner that minimizes<u>minimize</u> adverse impacts to ESHA<u>these resources</u>. <u>Larvacides used shall be specific to mosquito larvae so as not to have any adverse impacts to non-target species, including fish, frogs, turtles, birds, or other insects or invertebrates. The use of mosquitofish shall be prohibited throughout the Coastal Zone.</u></p> |
| <p><u>CE 1.10b: Toxic Pest Control Substances</u> [Note: Relocated from CE 1.10(a)-(b)]</p> <p>a. The use of insecticides, herbicides, artificial fertilizers, anti-coagulant rodenticides or other<u>any</u> toxic chemical substances<u>substance</u> that have<u>has</u> the potential to <u>significantly</u> degrade ESHA's<u>biological resources</u> shall be prohibited within and adjacent to such areas, except where necessary to protect or enhance the ESHA<u>habitat</u> itself.</p> <p>b. The use, such as for eradication of insecticides, herbicides, invasive plant species or other toxic substances by City employees and contractors<u>habitat restoration, and where there are no feasible alternatives that would result in construction and maintenance</u>fewer adverse effects to the habitat value of City facilities and open space lands<u>the site. Application of such chemical substances shall not take place during the winter season or when rain is predicted within a week of application. Herbicide application necessary to prevent regrowth of highly-invasive exotic vegetation, such as giant reed/cane (Arundo donax), shall be minimized<u>restricted to the best available and least-toxic product and method in order to minimize adverse impacts to wildlife and the potential for introduction of herbicide into the aquatic environment or onto adjacent non-targeted vegetation. In no instance shall herbicide application occur if wind speeds on site are greater than five miles per hour or 48 hours prior to predicted rain. In the event that rain does occur, herbicide application shall not resume again until 72 hours after rain.</u></u></p> |
| <p>CE 2: Protection of Creeks and Riparian Areas [GP/CP]</p> <p>Objective: Enhance, maintain, and restore the biological integrity of creek courses and their associated wetlands and riparian habitats as important natural features of Goleta's landscape.</p> |
| <p>CE 2.1: Designation of Protected Creeks [GP/CP]</p> <p>The <u>Creek and Riparian</u> provisions of<u>in</u> this policy<u>section</u> shall apply to creeks, <u>including, but not limited to, those</u> shown in Figure 4-1. These watercourses and any<u>their</u> associated riparian areas are defined as ESHAs. They serve as habitat for fish and wildlife, provide wildlife movement corridors, provide for the flow of stormwater runoff, sediment, and floodwaters, and furnish open space and passive recreational areas for city residents.</p> |
| <p>CE 2.2: Streamside Protection Areas</p> <p>A streamside protection area (SPA) is hereby established along both sides of the creeks identified in Figure 4-1. The purpose of the designation shall be to preserve the SPA in a natural state in order to protect the associated riparian habitats and ecosystems. The SPA shall include the creek channel, wetlands and/or riparian vegetation related to the creek hydrology, and an adjacent upland buffer area. The width of the SPA upland buffer shall be as follows:</p> <p>a. The SPA upland buffer shall be 100 feet outward on both sides of the creek, measured from the top of the bank or the outer limit of wetlands and/or riparian vegetation, whichever is greater. The City may consider increasing or decreasing the width of the SPA upland buffer on a case-by-case basis at the time of environmental review. Some considerations may be particularly warranted near coastal confluence areas (where streams meet the coast) where future changes in sea level rise may affect riparian habitat and or inundation extents. The City may allow portions of a SPA upland buffer to be less than 100 feet wide, but not less than 25 feet wide, based on a site specific assessment if (1) there is no feasible alternative siting for development that will avoid the SPA upland buffer; and (2) the project's impacts will not have significant adverse effects on streamside vegetation or the biotic quality of the stream.</p> <p>b. If the provisions above would result in any legal parcel created prior to the date of this plan being made unusable in its entirety for any purpose allowed by the land use plan, exceptions to the foregoing may be made to allow a reasonable economic use of the parcel, subject to approval of a conditional use permit.</p> |

~~CE 2.3: Allowable Uses and Activities in Streamside Protection Areas~~

~~The following compatible land uses and activities may be allowed in SPAs, subject to all other policies of this plan, including those requiring avoidance or mitigation of impacts:~~

- ~~a. Agricultural operations, provided they are compatible with preservation of riparian resources.~~
- ~~b. Fencing and other access barriers along property boundaries and along SPA boundaries.~~
- ~~c. Maintenance of existing roads, driveways, utilities, structures, and drainage improvements.~~
- ~~d. Construction of public road crossings and utilities, provided that there is no feasible, less environmentally damaging alternative.~~
- ~~e. Construction and maintenance of foot trails, bicycle paths, and similar low impact facilities for public access.~~
- ~~f. Resource restoration or enhancement projects.~~
- ~~g. Nature education and research activities.~~
- ~~h. Low impact interpretive and public access signage.~~
- ~~i. Other such Public Works projects as identified in the Capital Improvement Plan, only where there are no feasible, less environmentally damaging alternatives.~~

CE 2.3: Substantial Alteration of Creeks

- a. Channelizations or other substantial alterations of streams shall be prohibited except for: (1) necessary water supply projects where no feasible alternative exists; (2) flood protection for existing development where there is no other feasible alternative, or (3) the improvement of fish and wildlife habitat. Any channelization or stream alteration permitted for one of these three purposes shall minimize impacts to coastal resources, including the depletion of groundwater, and shall include maximum feasible mitigation measures to mitigate unavoidable impacts. Bioengineering alternatives shall be preferred for flood protection or bank stabilization over "hard" solutions such as concrete or riprap channels.
- b. Flood management activities only where allowed pursuant to subsection "A" above may include desilting, obstruction clearance, minor vegetation removal, and similar flood management methods. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these activities should be placed at appropriate points on the shoreline/swash zone, provided that the material is uncontaminated and appropriate for such use and in accordance with all other applicable provisions of the Local Coastal Program.
- c. The use of closed-pipe drainage systems for fish-bearing creeks shall be prohibited unless there is no feasible, less environmentally damaging alternative. When the use of culverts is necessary, the culverts shall be oversized and have gravel bottoms that maintain the channel's width and grade.

CE 2.4: Dedication of Easements or Other Property Interests [GP/CP]

~~In new subdivisions of land, SPAs shall not be included in developable lots but shall be within a separate parcel or parcels.~~ Where land divisions are allowed pursuant to Policy CE 1.9a and the original parcel contains creek or riparian areas, such areas and their buffers shall not be included in developable lots but shall be within a separate parcel or parcels dedicated to open space, unless the subdivider demonstrates that it is not feasible to create a separate open space lot for the creek and riparian ESHA and associated buffers ~~SPA~~. ~~An~~ A permanent, nonrevocable easement or deed restriction limiting the uses allowed on the open space lot or open space area, where a separate open space lot was not created, to those set forth in CE ~~2.3~~ 1.6 and 1.6a shall be required. Dedication of the open space lot or easement area to the City or a nonprofit land trust is encouraged.

CE 2.4a: Conservation Easements or Restrictions

Coastal development permits for the development of uses, other than resource-dependent uses, allowed within or adjoining ESHA or natural open space and parklands shall include a requirement for permanent and non-revocable open space or conservation restrictions or easements over ESHA, ESHA buffer, or parkland buffer on the subject property in order to avoid and minimize impacts to resources. The receiving agency shall be a qualified public agency or land conservation agency with the ability to manage, preserve, or enhance park and open space lands. Financing for the long-term maintenance of such areas should be considered through endowments, assessments, or other public funding mechanisms.

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>CE 2.5: Maintenance of Creeks as Natural Drainage Systems</p> <p>Creek banks, creek channels, and associated riparian areas shall be maintained or restored to<u>protected in</u> their natural condition-, and such habitat shall be restored wherever such conditions or opportunities exist. Creeks carry a significant amount of Goleta’s stormwater flows and natural sediment supply. The following standards shall apply:</p> <p>a. The capacity of natural drainage courses shall not be diminished by development or other activities.</p> <p>b. Drainage controls and improvements<u>Permitted drainage devices</u> shall be accomplished with the minimum vegetation removal and disruption of the creek and riparian ecosystem that is necessary to accomplish the drainage objective.</p> <p>c. Measures to stabilize creek banks, improve flow capacity, and reduce flooding are allowed but shall not include installation of new concrete channels, culverts, or pipes except at street crossings, unless it is demonstrated that there is no feasible alternative for improving capacity.</p> <p>d. Drainage controls<u>devices</u> in new development shall be required to minimize erosion, sedimentation, and flood impacts to creeks. Onsite treatment of stormwater through retention basins, infiltration, vegetated swales, and other best management practices (BMPs) shall be required in order to protect water quality and the biological functions of creek ecosystems.</p> <p>e. Alteration of creeks for the purpose of road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel. Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be located outside creek beds and banks, unless an environmentally superior alternative exists.</p> |
| <p>CE 2.6: Restoration of Degraded Creeks</p> <p>Segments of several creeks in Goleta have been covered or channelized by concrete culverts, causing degradation of the creek ecosystem. Restoration activities for improving degraded creek resources shall include the following:</p> <p>a. Channelized creek segments and culverts shall be evaluated and removed to restore natural channel bed and bank, where feasible.</p> <p>b. Creek courses in public rights-of-way shall be uncovered as part of public works improvement projects.</p> <p>c. Barriers that prevent migration of fish such as anadromous salmonids from reaching their critical habitat shall be removed or modified.</p> <p>d. Restoration of native riparian vegetation and removal of exotic plant species shall be implemented, unless such plants provide critical habitat for monarch butterflies, raptors, or other protected animals.</p> <p>e. Creek rehabilitation projects shall be designed to maintain or improve flow capacity, trap sediments and other pollutants that decrease water quality, minimize channel erosion, prevent new sources of pollutants from entering the creek, and enhance in-creek and riparian habitat.</p> <p>f. The use of closed pipe drainage systems for fish-bearing creeks shall be prohibited unless there is no feasible, less environmentally damaging alternative. When the use of culverts is necessary, the culverts shall be oversized and have gravel bottoms that maintain the channel's width and grade.</p> |
| <p><u>CE 2.3a: Creek Crossings</u> [Note: moved from CE 2.5(e)]</p> <p>e. Alteration of <u>creeks</u><u>natural landforms</u> for the purpose of <u>creating creek</u> road or driveway crossings shall be prohibited except where the alteration is not substantial and there is no other feasible alternative to provide access to new development on an existing legal parcel <u>unless there is no other feasible alternative to provide access to public recreation areas or lawfully-established development on legal parcels, and the creek crossing is accomplished by bridging.</u> Creek crossings shall be accomplished by bridging and shall be designed to allow the passage of fish and wildlife. Bridge abutments or piers shall be</p> <p>located outside creek beds and banks, unless an environmentally superior alternative exists.<u>Bridge columns shall be located outside creekbeds and outside of the creek banks to the maximum extent feasible. Wherever possible, shared bridges shall be used for providing access to multiple sites. Culverts may be utilized for the crossing of minor drainages lacking beds and banks and riparian vegetation and where the culvert is sized and designed to not restrict movement of fish or other aquatic wildlife. Any existing in-creek (at-grade) road crossing shall be modified to a soft-bottom crossing or replaced by a bridge, consistent with Fire Department requirements, when major maintenance or repair activities on the crossing are undertaken.</u></p> |
| <p>CE 3: Protection of Wetlands [GP/CP]</p> <p>Objective: To preserve, protect, and enhance the functions and values of Goleta’s wetlands.</p> |

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| <p>CE 3.1: Definition of Wetlands <u>Wetland Identification</u> [GP/CP]</p> <p>Wetlands are defined as any area that meets the definition of a wetland as <u>lands within the coastal zone which may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, swamps, mudflats, and fens.</u> Wetlands are defined by the California Coastal Commission, California Department of Fish and Game<u>Wildlife</u>, and U.S. Fish and Wildlife Service. The most protective of definitions shall be applied and used to determine the boundary of a wetland. The City of Goleta uses the identification of a single indicator (soil, hydrology, or plants) to determine the boundary of a wetland.</p> |
| <p>CE 3.2: Designation of Wetland ESHAs [GP/CP]</p> <p>Wetland ESHAs are included on Figure 4-1. <u>Wetland is defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats.</u> In the Coastal Zone, wetlands are lands that may be covered periodically or permanently with shallow water and include saltwater marshes, freshwater marshes, open or closed brackish water marshes, beaches, swamps, mudflats, and fens. Goleta’s wetlands are associated with small lagoons at the mouths of Bell Canyon and Tecolote Creeks, vernal pools, and freshwater marshes and ponds or impoundments, such as Lake Los Carneros. All wetlands are defined as ESHAs. Any unmapped areas that meet the criteria identified in CE 3.1 are wetlands and shall be granted all of the protections for wetlands set forth in this plan <u>the LCP</u>.</p> |
| <p>CE 3.3: Site-Specific Wetland Delineations [GP/CP]</p> <p>In considering development proposals where an initial site inventory or reconnaissance indicates the presence or potential for wetland species or indicators, the City shall require the submittal of a detailed biological study of the site, with the addition of a delineation of all wetland areas on the project site. Wetland delineations shall be based on the definitions contained in Section 13577(b) of Title 14 of the California Code of Regulations. A preponderance of hydric soils or a preponderance of wetland indicator species will be considered presumptive evidence of wetland conditions. At a minimum, the delineation report shall contain:</p> <ul style="list-style-type: none">a. A map at a scale of 1”:200’ or larger showing topographic contours.b. An aerial photo base map.c. A map at a scale of 1”:200’ or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the locations of sampling points.d. A description of the survey methods and surface indicators used for delineating the wetland polygons.e. A statement of the qualifications of the person preparing the wetland delineation. |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>CE 3.4: Protection of Wetlands in the Coastal Zone [GP/CP]</p> <p>The biological productivity and the quality of wetlands shall be protected and, where feasible, restored in accordance with the federal and state regulations and policies that apply to. <u>Uses within wetlands within the Coastal Zone. Only uses are limited to incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities, where</u> permitted by the regulating agencies shall be allowed within wetlands <u>and provided the following criteria are met</u>. The filling, diking, or dredging of open coastal waters, wetlands, estuaries, and lakes is prohibited unless it can be demonstrated that:</p> <p>a. There is no feasible, environmentally less damaging alternative to wetland fill.</p> <p>b. The extent of <u>modification of</u> the fill <u>wetland</u> is the least amount necessary to allow development of the permitted use.</p> <p>c. Mitigation measures have been provided to minimize adverse environmental effects.</p> <p>d. The purposes of the fill are limited to: incidental public services, such as burying cables or pipes; restoration of wetlands; and nature study, education, or similar resource-dependent activities.</p> <p><u>Buffer areas shall be provided around wetlands to serve as transitional habitat and provide distance and physical barriers to human intrusion.</u> A wetland buffer of a sufficient size to ensure the biological integrity and preservation of the wetland shall be required. Generally the required buffer shall be 100 feet, but in no case shall wetland buffers be less than 50 feet. The buffer size should take into consideration the type and size of the development, the sensitivity of the wetland resources to detrimental edge effects of the development to the resources, natural features such as topography, the functions and values of the wetland, and the need for upland transitional habitat. A 100-foot minimum buffer area shall not be reduced when it serves the functions and values of slowing and absorbing flood waters for flood and erosion control, sediment filtration, water purification, and ground water recharge. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion. <u>The required buffer shall be a minimum of 100 feet.</u></p> |
| <p>CE 3.6: Mitigation of Wetland Fill [GP/CP]</p> <p>Where any dike or fill development is permitted in wetlands in accordance with the Coastal Act and the policies of this plan, at a minimum mitigation measures shall include creation or substantial restoration of wetlands of a similar type. <u>Permanent a</u> Adverse impacts shall be mitigated at a ratio of 43:1 (area restored to area impacted) within the Coastal Zone unless the project proponent provides evidence that the creation or restoration of a lesser area of wetlands will fully mitigate the adverse impacts of the fill. However, in no event shall the mitigation ratio be less than 2:1. In the Inland Area, <u>permanent adverse impacts shall be mitigated ratio of 4:1 (area restored to area impacted) for wetland, riparian, and open water or stream habitats. In the Coastal Zone and Inland Area, temporary impacts to wetlands shall be mitigated at a minimum 1:1.</u> All mitigation measures are subject to the requirements of CE 1.7.</p> |
| <p>CE 3.7: Lagoon Protection [GP/CP]</p> <p>The lagoons and beaches at the mouths of Bell Canyon and Tecolote Creeks shall be protected. Lagoon breaching or water level modification shall not be allowed.</p> |
| <p>CE 3.8: Vernal Pool Protection [GP/CP]</p> <p>Vernal pools, an especially rare wetland habitat on the south coast of Santa Barbara County, shall be preserved and protected. Vernal pools in Goleta, which are generally small in area and only a few inches deep, are found <u>known to occur</u> at scattered locations on the City-owned Ellwood Mesa and Santa Barbara Shores Park. These appear to be naturally formed and exhibit little or no evidence of altered hydrology. Trails on these two properties shall be sited and constructed in a manner that avoids impacts to vernal pool hydrology and that will allow restoration by removing several informal trail segments that bisect vernal pool habitats. Additional vernal pools are found at Lake Los Carneros Natural and Historical Preserve.</p> |
| <p>CE 4: Protection of Monarch Butterfly Habitat Areas [GP/CP]</p> <p>Objective: To preserve, protect, and enhance habitats for monarch butterflies in Goleta, including existing and historical autumnal and winter roost or aggregation sites, and promote the long-term stability of over-wintering butterfly populations.</p> |

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| <p>CE 4.1: Definition of <u>Monarch Butterfly</u> Habitat Area [GP/CP]</p> <p>The monarch butterfly is recognized as a California and Goleta special resource. Although the species is not threatened with extinction, its autumnal and winter aggregation sites, or roosts, are especially vulnerable to disturbance. <u>Sites Consistent with Policy CE 1.2, monarch butterfly habitat shall be considered ESHA, including: autumnal and winter roost sites, related habitat areas, other sites</u> that provide <u>the key habitat</u> elements essential for successful monarch butterfly aggregation areas, and <u>are locations habitats</u> where monarchs have been historically present shall be considered ESHAs. <u>These Essential habitat</u> elements include stands of eucalyptus or other suitable trees that offer shelter from strong winds and storms, provide a microclimate with adequate sunlight, are situated near a source of water or moisture, and that provide a source of nectar to nourish the butterflies.</p> |
| <p>CE 4.2: Designation of Monarch Butterfly ESHAs [GP/CP]</p> <p>Existing and known historical monarch roost sites, <u>as including those</u> shown on Figure 4-1, are hereby designated as ESHAs. These include <u>Figure 4-1 identifies</u> about 20 known roosts, eight of which comprise the Ellwood Complex, a series of sites within a network consisting of eucalyptus groves and windrows interspersed by open fields and crossed by small creeks. This network includes several separate but interconnected autumnal and winter roost sites. The Ellwood Main site, the largest roost in Santa Barbara County and one of the largest in the state, occupies a site along Devereux Creek in the Sperling Preserve, a City-owned tract situated near the coastal bluffs in western Goleta.</p> |
| <p>CE 4.3: Site-Specific Studies and Unmapped Monarch ESHAs</p> <p>Any area not designated on Figure 4-1 that is determined by a site-specific study to contain monarch habitats, including autumnal and winter roost sites, shall be granted the same protections as if the area was shown on the figure. Proposals for development on sites shown on this figure or where there is probable cause to believe that monarch habitats may exist shall be required to provide a site-specific study.</p> |
| <p>CE 4.4: Protection of Monarch Butterfly ESHAs [GP/CP]</p> <p>Monarch butterfly ESHAs shall be protected against significant disruption of habitat values, and only uses or development dependent on and compatible with maintaining such resources shall be allowed within these ESHAs or their buffer areas. The following <u>additional</u> standards shall apply:</p> <p>a. No development, except as otherwise allowed by this policy, shall be allowed within <u>to protect</u> monarch butterfly ESHAs or ESHA buffers.</p> <p>b. habitat values:</p> <p><u>a.</u> Since the specific locations of aggregation sites may vary from one year to the next, the focus of protection shall be the entire grove of trees rather than individual trees that are the location of the roost.</p> <p>e<u>b.</u> Removal of vegetation within monarch ESHAs shall be prohibited, except for minor pruning of trees <u>to enhance the habitat</u> or removal of dead trees and debris that are a threat to public safety.</p> <p>e<u>c.</u> Public accessways are considered resource-dependent uses and may be located within a monarch ESHA or its buffer; however, such accessways shall be sited to avoid or minimize impacts to aggregation sites. <u>significant disruption of habitat values.</u></p> <p>e<u>d.</u> Interpretative signage is allowed within a monarch ESHA or its buffer, but shall be designed to be visually unobtrusive.</p> <p>f<u>e.</u> Butterfly research, including tree disturbance or other invasive methods, may be allowed <u>provided that such activity does not adversely impact the monarch butterfly habitat, and</u> subject to City approval of a permit.</p> |
| <p>CE 4.5: Buffers Adjacent to Monarch Butterfly ESHAs [GP/CP]</p> <p>A buffer of a sufficient size to ensure the biological integrity and preservation of the monarch butterfly habitat, including aggregation sites and the surrounding grove of trees, shall be required. Buffers shall not be less than 100 feet around existing and historic roost sites as measured from the outer extent of the tree canopy. The buffer area shall serve as transitional habitat with native vegetation and shall provide physical barriers to human intrusion. The buffer may be reduced to 50 feet in circumstances where the trees contribute to the habitat but are not considered likely to function as an aggregation site, such as along narrow windrows. Grading and other activities that could alter the surface hydrology that sustains the groves of trees are prohibited within or adjacent to the buffer area.</p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>CE 4.6: Standards Applicable to New Development Adjacent to Monarch ESHAs [GP/CP]</p> <p>The following standards shall apply to consideration of proposals for new development adjacent to monarch ESHAs or ESHA buffers:</p> <p>a. A site-specific biological study, prepared by an expert approved by the City who is qualified by virtue of education and experience in the study of monarch butterflies, shall be required to be submitted by the project proponent.</p> <p>b. The<u>In addition to all requirements in Policy CE 1.3a, the</u> study shall include preparation of a Monarch Butterfly Habitat Protection Plan, which at a minimum shall include: 1) <u>results of a current (within one year of application submittal) monarch butterfly protocol survey conducted by a qualified biologist during the monarch aggregation and roosting season window(s);</u> 2) the mapped location of the cluster of trees where monarchs are known, or have been known, to roost in both autumnal and over-wintering aggregations; 23) an estimate of the size of the population within the colony; 34) the mapped extent of the entire habitat area; and 45) the boundaries of the buffer zone around the habitat area.</p> <p>c. A temporary fence shall be installed along the outer boundary of the buffer zone prior to and during any grading and construction activities on the site.</p> <p>d. If an active roost or aggregation is present on the project site, any construction grading, or other development within 200 feet of the active roost, shall be prohibited between October 1 and March 1.</p> <p><u>e. Grading and other activities that could alter the surface hydrology that sustains the groves of trees are prohibited within or adjacent to the buffer area.</u></p> |
| <p>CE 5: Protection of Other Terrestrial Habitat Areas [GP/CP]</p> <p>Objective: To preserve, protect, and enhance unique, rare, or fragile native flora and plant communities.</p> |
| <p>CE 5.1: Designation of Other Terrestrial ESHAs [GP/CP]</p> <p><u>Consistent with subpolicy CE 1.2, t</u>The following habitats, which are not specifically included in other policies, are hereby designated ESHAs:</p> <p>a. Native grasslands.</p> <p>b. Coastal bluff scrub, coastal sage-scrub, and chaparral-</p> |
| <p>CE 5.2: Protection of Native Grasslands [GP/CP]</p> <p>In addition to the provisions of Policy CE 1, the<u>The</u> following <u>additional</u> standards shall apply:</p> <p>a. For purposes of this policy, existing to protect native <u>grassland habitat values:</u></p> <p><u>a. Native</u> grasslands are defined as an area where native grassland species comprise 10 percent or more of the total relative plant cover. Native grasslands that are dominated by perennial bunch grasses tend to be patchy. Where a high density of multiple separate small patches occurs<u>occur</u> in an area, the whole area shall be delineated as native grasslands.</p> <p>b. <u>Development shall avoid impacts to native grassland ESHA.</u> To the maximum extent feasible, development shall <u>also</u> avoid impacts to <u>areas of</u> native grasslands<u>grassland</u> that would<u>do not qualify as ESHA. Where isolated native grassland patches are determined not to be ESHA, the biological resources report shall evaluate the development's potential to</u> destroy, isolate, interrupt, or cause a break in continuous habitat that would (1) disrupt associated animal movement patterns and seed dispersal, or (2) increase vulnerability to weed invasions.</p> <p>c. Removal or disturbance to<u>Native grassland ESHA delineations shall be made on a site-specific basis taking into consideration a number of factors including, but not limited to, minimum patch size, number of patches, level of fragmentation, connectivity of patches, connectivity to other ESHA, and the nature of adjacent habitat. Patches</u> of native grasses less than 0.25 acre that<u>grasslands shall be considered ESHA unless the patch</u> is clearly isolated and, is not part of a significant native grassland or, and does not function as an integral component of a larger ecosystem may be allowed.</p> <p><u>d. Removal or disturbance to restoration areas shall not be allowed.</u></p> <p>d. Impacts to protected<u>e. Removal of any</u> native grasslands shall be minimized by providing at least a 10-foot buffer that is restored<u>grassland shall be mitigated consistent</u> with native species around the perimeter of the delineated native grassland area.<u>policy CE 1.7.</u></p> <p>e<u>f.</u> Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.</p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

CE 5.3: Protection of Coastal Bluff Scrub, Coastal Sage Scrub, and Chaparral ESHA [GP/CP]

- ~~In addition to the provisions of Policy CE 1, the~~The following additional standards shall apply to protect coastal bluff scrub, coastal sage scrub, and chaparral habitat values:
- a. For purposes of this policy, coastal bluff scrub is defined as scrub habitat occurring on exposed coastal bluffs. Example species in bluff scrub habitat include Brewer’s saltbush (*Atriplex lentiformis*), lemonade berry (*Rhus integrifolia*), seashore blight (*Suaeda californica*), seacliff buckwheat (*Eriogonum parvifolium*), California sagebrush (*Artemisia californica*), and coyote bush (*Baccharis pilularis*). Coastal sage scrub is defined as a drought-tolerant, Mediterranean habitat characterized by soft-leaved, shallow-rooted subshrubs such as California sagebrush (*Artemisia californica*), coyote bush (*Baccharis pilularis*), and California encelia (*Encelia californica*). It is found at lower elevations in both coastal and interior areas where moist maritime air penetrates inland. Chaparral is defined as fire- and drought-adapted woody, evergreen shrubs generally occurring on hills and lower mountain slopes. ~~The area must have both the compositional and structural characteristics of coastal bluff scrub, coastal sage scrub, or chaparral habitat as described in Preliminary Descriptions of Terrestrial Natural Communities of California (Holland 1986) or other classification system recognized by the California Department of Fish and Game.~~
 - b. ~~To the maximum extent feasible, d~~evelopment shall avoid impacts to coastal bluff scrub, coastal sage scrub, or chaparral habitat that is part of a wildlife movement corridor and the impact would preclude animal movement or isolate ESHAs previously connected by the corridor such as (1) disrupting associated bird and animal movement patterns and seed dispersal, and/or (2) increasing erosion and sedimentation impacts to nearby creeks or drainages.
 - c. ~~Impacts to coastal bluff scrub, coastal sage scrub, and chaparral ESHAs shall be minimized by providing at least a 25-foot buffer restored with native species around the perimeter of the ESHA, unless the activity is allowed under other CE subpolicies and mitigation is applied per CE 1.7.~~
 - d. Removal of nonnative and invasive exotic species shall be allowed; revegetation shall be with plants or seeds collected within the same watershed whenever feasible.

CE 6: Protection of Marine Habitat Areas [GP/CP]

Objective: Preserve ~~and~~ protect enhance, and where feasible, restore the biological integrity of marine habitats and resources within and adjacent to Goleta.

CE 6.1: Marine Resources~~Designation of Marine ESHAs~~ [GP/CP]

All marine areas offshore from Goleta extending from the mean high tide line seaward to the outer limit of state waters ~~are hereby designated ESHAs~~ shall be protected to the maximum extent feasible, including Areas of Special Biological Significance and Marine Protected Areas (as designated by the California Department of Fish and ~~Game~~ Wildlife) ~~and shall be granted the protections provided for ESHAs in this plan.~~

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>CE 6.2: Protection of Marine ESHAs<u>Resources</u> [GP/CP]</p> <p>The following <u>additional</u> protections shall apply to marine ESHAs<u>resources</u>:</p> <p>a. Marine <u>resources shall</u> ESHAs shall be protected against significant disruption of habitat values, and only uses dependent on such resources, such as fishing, whale watching, ocean kayaking, and similar recreational activities, should be allowed within the offshore area.</p> <p>b. All existing oil and gas production facilities, including platform Holly and the piers at State Lease 421, shall be decommissioned immediately upon termination of production activities. All facilities and debris shall be completely removed and the sites restored to their prior natural condition as part of the decommissioning activities. No new oil and gas leases or facilities shall be allowed within state waters offshore from Goleta.</p> <p>e. Permitted uses or developments <u>adjacent to marine resources</u> shall be compatible with <u>the protection of</u> marine and beach ESHAs.</p> <p>d.<u>resources.</u></p> <p><u>c.</u> Any development on beach or ocean bluff areas adjacent to marine and beach habitats shall be sited and designed to prevent impacts that could significantly degrade the marine ESHAs<u>resources</u>. All uses shall be compatible with the maintenance of the biological productivity of such areas. Grading and landform alteration shall be limited<u>sited and designed</u> to minimize impacts from erosion and sedimentation on marine resources.</p> <p>e.d. Marine mammal habitats, including haul-out areas, shall not be altered or disturbed by development of recreational facilities or activities, or any other new land uses and development.</p> <p>f.<u>or any other land uses. Public access shall be managed to minimize adverse effects to marine mammal haul-outs. Measures that restrict or otherwise limit public access such as timing restrictions, alternate routes, temporary barriers, or other measures shall be subject to an approved CDP.</u></p> <p><u>e.</u> Near-shore shallow fish habitats and shore fishing areas shall be preserved and, where appropriate and feasible, enhanced.</p> <p>g. Activities by the California Department of Fish and Game; Central Coast Regional Water Quality Control Board; State Lands Commission; and Division of Oil, Gas and Geothermal Resources to increase monitoring to assess the conditions of near-shore species, water quality, and kelp beds, and/or to rehabilitate areas that have been degraded by human activities, such as oil and gas production facilities, shall be encouraged and allowed.</p> |
| <p><u>CE 6.2a: Protection of Marine ESHAs [GP/CP]</u> [Note: Policies moved from CE 6.2 (a) and 6.3(g)]</p> <p><u>The City supports the following measures to protect marine resources that are located within the Coastal Commission's retained jurisdiction:</u></p> <p><u>a. e. Only uses dependent on such <u>marine</u> resources, such as fishing, whale watching, ocean kayaking, and similar recreational activities, should be allowed within the offshore area. <u>Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.</u></u></p> <p><u>b.</u> Activities by the California Department of Fish and Game <u>Wildlife</u>; Central Coast Regional Water Quality Control Board; State Lands Commission; and Division of Oil, Gas and Geothermal Resources to increase monitoring to assess the conditions of near-shore species, water quality, and kelp beds, and/or to rehabilitate areas that have been degraded by human activities, such as oil and gas production facilities, shall be encouraged and allowed.</p> |
| <p>CE 7: Protection of Beach <u>Ecology</u> and Shoreline Habitats [GP/CP]</p> <p>Objective: To preserve and protect the biological integrity of Goleta's beaches, dunes, coastal bluffs and other shoreline resources.</p> |
| <p>CE 7.1: Designation of Beach and Shoreline ESHAs [GP/CP]</p> <p><u>All coastal bluffs and sand dunes are designated as ESHAs.</u> All areas extending from the mean high tide line landward to the top of the ocean are hereby designated as ESHAs.</p> |
| <p>CE 7.2: Protection of Dunes [GP/CP]</p> <p>Dune ESHAs shall be protected and, where feasible, enhanced. Vehicle traffic through dunes shall be prohibited. Where public pedestrian access through dunes is allowed, well-defined footpaths or other means of directing use and minimizing adverse impacts shall be used. Active nesting areas for sensitive birds, such as the western snowy plovers and least terns, shall be protected by <u>symbolic</u> fencing, (such as post and cable), signing, and other means.</p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>CE 7.3: Protection of Beach AreasEcology [GP/CP]</p> <p>Access to beach areas by motorized vehicles, including offroad vehicles, shall be prohibited, except for <u>permitted</u> beach maintenance and research or emergency response vehicles of public agencies. Emergency services shall not include routine vehicular patrolling by private security forces. Any beach<u>Beach</u> grooming activities shall employ hand-grooming methods, and mechanical beach-grooming equipment and methods shall be prohibited. All vehicular uses on beach areas shall avoid ESHAs to the maximum extent feasible.</p> |
| <p>CE 7.4: Permitted Uses of Beaches and Shoreline Areas [GP/CP]</p> <p>Uses on beaches and shoreline areas shall be limited to coastal-dependent activities that are compatible with preservation of the quality of the resource, including <u>but not limited to, habitat restoration, nature study, beach nourishment, limited temporary events, public access improvements, and passive</u> coastal-dependent recreational activities such as swimming, surfing, boating and kayaking, and fishing. Any commercial coastal-dependent recreation activities that would limit use of beach and shoreline areas to customers and exclude<u>by</u> the general public <u>may be allowed; however, such activities shall not exclude public access, and</u> shall be subject to approval of a <u>coastal development</u> permit by the City. <u>Commercial, temporary, or educational use of the beach shall occupy no more than 20% of the accessible beach area at any given time and all such activities shall be configured to minimize impacts on general beach recreational use for the purpose of ensuring beach availability for general public use.</u> Any such permitted uses shall not degrade the quality of<u>of</u> the habitat or cause impacts to birds and other wildlife.</p> |
| <p>CE 7.5: Shoreline Protective Structures [GP/CP]</p> <p>New shoreline protective structures such as seawalls, revetments, and riprap shall be prohibited, except as provided in Policies SE 2 and SE 3.</p> |
| <p>CE 7.6: Restoration of Degraded Shoreline Areas [GP/CP]</p> <p>Removal of existing beach and shoreline structures, such as seawalls, roadways, and riprap, and removal of remnants of shoreline oil and gas facilities are allowed and encouraged activities. Such areas<u>After removal, the area</u> shall be restored to <u>its original habitat and in a</u> natural condition<u>manner that minimizes erosion. Identifying potential sources of sand for beach nourishment, such as removal of sand from flood control structures or debris basins, excavation of sand from marine terrace deposits, harbor and navigation channels or other offshore supplies is encouraged.</u></p> |
| <p>CE 7.7: Recreation Facilities on Beach Areas [GP/CP]</p> <p>When permitted, new<u>New structural development shall be prohibited on beaches, except that</u> public access and <u>temporary</u> recreational facilities or <u>temporary recreational</u> structures <u>may be allowed</u> on beaches shall be<u>provided that they are</u> designed and located to minimize impacts to ESHAs<u>coastal</u> and marine resources.</p> |
| <p>CE 7.8: Protection of Seabird Nest Areas [GP/CP]</p> <p>To protect seabird nesting areas, no pedestrian access shall be provided on bluff faces except along existing and planned formal <u>public</u> trails or <u>public</u> stairways shown in this plan. New structures shall be prohibited on bluff faces except for stairs, ramps, or trails to provide for public beach access.</p> |
| <p>CE 8: Protection of Special-Status Species [GP/CP]</p> <p>Objective: To preserve and protect habitats for threatened, endangered, or other special-status species of plants and animals in order to maintain biodiversity.</p> |

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

CE 8.1: ESHA Designation [GP/CP]

~~Requisite habitats for individual occurrences of~~ Habitats that support special-status plants and animals species, including candidate species for listing under the state and federal endangered species acts, California species of special concern, California Native Plant Society List 1B plants, ~~and/or~~ other species protected under provisions of the California Fish and Game Code shall be preserved and protected, and their occurrences, including habitat requirements, shall be designated as ESHAs.

These habitats include, but are not limited to, the following:

- a. Special-status plant species such as Santa Barbara honeysuckle (*Lonicera subspicata* var. *subspicata*), southern tarplant (*Centromadia parryi* ssp. *australis*) and black-flowered figwort (*Scrophularia atrata*).
- b. Habitat capable of supporting special-status invertebrate species, such as the globose dune beetle (*Coelus globosus*), and roosting habitat for the monarch butterfly.
- c. Aquatic habitat capable of supporting special-status fish species such as the steelhead trout (*Oncorhynchus mykiss*) and tidewater goby (*Eucyclogobius newberryi*).
- d. Habitat capable of supporting special-status amphibians and reptiles such as the red-legged frog (*Rana aurora draytonii*) and western pond turtle (*Clemmys marmorata pallida*).
- e. Nesting and roosting areas for ~~various~~ species of raptors such as Cooper’s hawks (*Accipiter cooperii*), red-tailed hawks (*Buteo jamaicensis*), white-tailed kites (*Elanus leucurus*), and turkey vultures (*Cathartes aura*).
- f. Nesting habitat for other special-status bird species such as western snowy plover, southwestern willow flycatcher (*Empidonax traillii extimus*), loggerhead shrike (*Lanius ludovicianus*), yellow warbler (*Dendroica petechia*), or tri-colored blackbird (*Agelaius tricolor*).
- g. Nesting and foraging habitat for special-status mammals such as pallid bat (*Antrozous pallidus*), western red bat (*Lasiurus blossevillii*), Yuma myotis (*Myotis yumanensis*), and American badger (*Taxidea taxus*).

CE 8.2: Protection of Habitat Areas [GP/CP]

All development shall be located, designed, constructed, and managed to avoid disturbance of and adverse impacts to special-status species and their habitats, including spawning, nesting, rearing, roosting, foraging, and other elements of the required habitats.

~~**CE 8.3: Site-Specific Biological Resources Study. [GP/CP]**~~

~~Any areas not designated on Figure 4-1 that meet the ESHA criteria for the resources specified in CE 8.1 shall be accorded the same protections as if the area were shown on the figure. Proposals for development on sites where ESHAs are shown on the figure, or where there is probable cause to believe that an ESHA may exist, shall be required to provide the City with a site-specific biological study that includes the following information:~~

- ~~a. A base map that delineates topographic lines, parcel boundaries, and adjacent roads.~~
- ~~b. A vegetation map that 1) identifies trees or other sites that are existing or historical nests for the species of concern and 2) delineates other elements of the habitat such as roosting sites and foraging areas.~~
- ~~c. A detailed map that shows the conclusions regarding the boundary, precise location and extent, or current status of the ESHA based on substantial evidence provided in the biological studies.~~
- ~~d. A written report that summarizes the survey methods, data, observations, findings, and recommendations.~~
- ~~e. A historical analysis of disturbed areas adjacent to or within an ESHA to determine if these areas were cleared or disturbed pursuant to a valid local or Coastal Commission Coastal Development Permit.~~

CE 8.4: Buffer Areas for Raptor Species [GP/CP]

~~Development shall be designed to provide a 100-foot buffer around active and historical nest sites for protected species of raptors when feasible. In existing developed areas, the width of the buffer may be reduced to correspond to the actual width of the buffer for adjacent development.~~ If the biological study described in~~required by~~ CE 18.3 determines that an active raptor nest site exists on the subject property, ~~whenever feasible no~~construction activities (including vegetation clearing, and grading, ~~construction, or other~~) associated with an approved development ~~activity shall avoid the nesting and fledging season to the maximum extent feasible and~~ shall be ~~allowed~~prohibited within a ~~300~~500-foot radius of ~~the~~an active nest site ~~during the nesting and fledging season.~~

CE 9: Protection of Individual Trees and Native Woodlands [GP/CP]

Objective: To maintain and protect existing ~~native~~individual mature trees and native woodlands as a valuable resource needed to support wildlife and provide visual amenities.

Attachment 4: Environmentally Sensitive Habitat Areas (ESHA) Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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| <p>CE 9.1: Definition<u>Protect</u> of Protected<u>Native</u> Trees [GP/CP]</p> <p><u>Protected trees are defined for the purpose of Policies CE 9 – CE 9.5 as mature native or roosting/nesting trees that do not pose a threat to health and safety. New development shall be sited and designed to preserve <u>protected trees, including</u> the following species of native trees: oaks (<i>Quercus</i> spp.), walnut (<i>Juglans californica</i>), sycamore (<i>Platanus racemosa</i>), cottonwood (<i>Populus</i> spp.), willows (<i>Salix</i> spp.), or other native<u>individual</u> trees that are not otherwise protected in ESHAs, <u>including any tree serving as known or discovered raptor nesting and/or roosting sites and any tree serving as monarch butterfly habitat, including aggregation sites,</u> unless as otherwise allowed in CE 9.4.</u></p> |
| <p><u>CE 9.1a: Protection of ESHA Trees [GP/CP]</u></p> <p><u>Native or non-native trees located within ESHA shall not be trimmed or removed unless determined by a certified arborist to pose a substantial hazard to life or property and authorized pursuant to coastal development permit or an emergency coastal development permit; where the proposed removal is part of a Habitat Restoration Plan approved through a Coastal Development Permit; or unless such impacts to ESHA are consistent with other policies and provisions of the LCP.</u></p> |
| <p>CE 9.2: Tree Protection Plan [GP/CP]</p> <p>Applications for new development on sites containing protected native-trees shall include a report by a certified arborist or other qualified expert. The report shall include an inventory of native<u>protected</u> trees and a Tree Protection Plan.</p> |
| <p>CE 9.3: Native Oak Woodlands or Savannas [GP/CP]</p> <p>Native oak woodlands and savannas are designated as ESHAs and shall be preserved and protected. A minimum buffer area shall be established via the implementation of CE-IA-4, Preparation of a Tree Protection Ordinance.</p> |
| <p>CE 9.4: Tree Protection Standards [GP/CP]</p> <p>The following impacts to <u>Removal of native protected</u> trees and woodlands should be avoided in the design of projects: 1) removal of native trees; 2) fragmentation of habitat; 3) removal of understory; 4) disruption of the canopy; 5) removal of trees that have been used by raptor species for successful nesting within the previous 5 years, and 6) alteration of drainage patterns. <u>shall be prohibited except where no other feasible alternative exists.</u> Tree removal and tree trimming may be allowed for public health and safety reasons. Structures, including roads and driveways, should<u>shall</u> be sited to prevent any encroachment into the <u>root</u> protection zone of any protected tree and to provide an adequate buffer outside of the <u>root</u> protection zone of individual native-trees in order to allow for future growth. Tree, except where no other feasible alternative exists that would eliminate encroachments. Where no feasible alternative exists, allowed encroachments shall be minimized to the maximum extent feasible.</p> <p><u>All tree trimming and removal activities shall ensure protection standards shall be detailed in the Tree Protection Ordinance called for in CE-IA-4 of breeding and nesting birds, and shall be timed to occur outside of the bird breeding and nesting season to the maximum extent feasible.</u></p> |
| <p>CE 9.5: Mitigation of Impacts to Native<u>Protected</u> Trees [GP/CP]</p> <p>Where the removal of mature<u>protected</u> native-trees cannot be avoided through the implementation of project alternatives or where development encroaches into the protected zone and-could threaten the continued viability of the tree(s), mitigation measures shall include, at a minimum, the planting of replacement trees on site, if suitable area exists on the subject site, or offsite if suitable onsite area is unavailable, consistent with the Tree Protection Ordinance (see also CE-IA-4). The Tree Protection Ordinance. <u>Mitigation</u> shall establish the mitigation ratios for<u>include, at a minimum, the planting of replacement trees at a ratio of 10</u> replacement trees for every <u>1</u> tree removed. Where onsite mitigation is not feasible, offsite mitigation shall be provided by planting of replacement trees at a site within the same watershed. If the tree removal occurs at a site within the Coastal Zone, any offsite mitigation area shall also be located within the Coastal Zone. Minimum sizes for various species of replacement trees shall be established in the Tree Protection Ordinance. Mitigation sites shall be monitored for a period of 5 years. The City may require replanting of<u>supplemental mitigation</u> trees <u>to be planted where monitoring shows</u> that do<u>the replanted trees did</u> not survive.</p> |

CE XX: Development Adjacent to Open Space [GP/CP]

Development adjacent to open space and parklands, where the purpose is to protect the natural environment and ESHA, shall be consistent with all of the following:

- a. New development shall be sited and designed to prevent impacts which would significantly degrade open space and parkland resources.
- b. New development shall minimize impacts to habitat and recreational opportunities to the maximum extent feasible.
- c. New development shall be compatible with the continuance of open space resources and habitat values.
- d. New development shall provide a natural vegetation buffer from open space and parklands. Buffers shall be of a sufficient size to prevent impacts to open space and parkland resources.
- e. New development permitted adjacent to open space and parklands shall include open space conservation easements over the habitat areas outside the approved development site to ensure that impacts to ESHA, ESHA buffer, or parkland buffer are avoided.

CE XX: Preservation of Open Space Habitat Values [GP/CP]

The habitat values of open space, including native and disturbed or degraded habitats and wildlife corridors, shall be protected to the maximum extent feasible, including the follow measures:

- a. Development shall be sited and designed to protect and preserve important, viable habitat areas and habitat linkages in their natural condition.
- b. Habitats shall be protected by preserving large, unbroken blocks of natural open space and wildlife habitat areas to the maximum extent feasible using strategies that include, but are not limited to, purchasing open space lands, retiring development rights, clustering development to increase the amount of preserved open space, dedication of open space conservation easements as applicable, and minimizing grading and the removal of native vegetation.
- c. Open space conservation easements and dedications shall be utilized, where required or offered, to ensure the preservation of habitats and habitat linkages.
- d. To protect natural open space and recognize its potential to provide significant wildlife habitat, the permanent preservation of steep lands (lands over 30 percent slope, as defined in this LCP) as open space shall be encouraged, preferably through open space dedications to a public agency or a public land conservation agency which has the authority to manage, preserve, or enhance park and open space lands.

ATTACHMENT 5

Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in
Underline and Strikethrough

Attachment 5: Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

| California Coastal Commission Staff Recommended Oil and Gas Policy Revisions |
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| <p>LU 9.2: Site #2 – Coastal Recreation [GP/CP]</p> <p>This <u>site is located on a</u> parcel <u>that is, currently</u> occupied as of 2005 by the Venoco <u>Ellwood Onshore Facility (EOF,)</u> <u>and</u> is designated in the Open Space/Active Recreation use category. The requirements applicable to this site are as follows (see Figure 2-2):</p> <p>a. —The Recreation designation shall continue the nonconforming status of the existing use. The use was nonconforming at the time of incorporation of the City of Goleta. Its nonconforming status dates to the early 1990s when the property’s zoning was changed by the County of Santa Barbara to the Recreation District as part of a plan to consolidate onshore oil and gas processing at the Las Flores Canyon site in the unincorporated area west of Goleta. Based on the current land use designation, the EOF is a nonconforming use. -The City will seek to establish an appropriate future use at this site.</p> <p>b. —The intent is that in the long term use of the property for- Until such time as oil and gas processing shall be terminated. The processing of hazardous materials and the risks associated with air emissions make <u>is discontinued at</u> this location, which is adjacent to Bacara Resort and Sandpiper Golf Course and near Ellwood School and the residential neighborhoods of Santa Barbara Shores and Winchester Commons, unsuitable for oil and gas processing in the long term.</p> <p>c. —Until such time as the oil and gas processing use is terminated <u>site</u>, any modifications or alternations <u>alterations</u> of the existing facilities shall be in accordance with the provisions of LU 10.1 and shall be designed to improve air quality, reduce environmental impacts and hazards, and improve safety for nearby lodging, recreational, and residential uses <u>not result in the expansion of the output or capacity of the EOF.</u></p> <p>d. —c. Upon termination of the oil and gas processing use, the priority use for the site shall be coastal-dependent and coastal-related recreational uses that are conducted primarily outdoors or limited to small-scale structures. Adequate on-site parking shall be provided to serve all recreational uses (see related Policy OS 2).</p> |
| <p>LU 10: Energy-Related On-Oil and Off-Shore Uses <u>Gas Facilities</u> [GP/CP]</p> <p>Objective: To promote the discontinuation <u>consolidation</u> of onshore processing <u>oil</u> and transport <u>gas</u> facilities for oil and gas <u>according to the Santa Barbara County consolidation policies.</u>, the removal of unused or abandoned facilities, and the restoration of areas affected by existing or former oil and gas facilities within the city.</p> |
| <p>LU 10.1: <u>Existing</u> Oil and Gas Processing Facilities (Venoco Ellwood Onshore Oil and Gas Processing Facility). [GP/CP]</p> <p>As of 2005, the <u>The</u> city had <u>has</u> one existing oil and gas processing facility situated within its boundaries, the Venoco-owned EOF, which is a nonconforming use. The EOF and other oil and gas processing facilities generate emissions of air pollutants, pose safety hazards to nearby areas, create visual impacts, and create risks to marine and land resources associated with spills, leaks, or pipeline ruptures. The following standards shall apply to oil and gas processing facilities <u>the EOF</u>:</p> <p>a. The City supports County policies regarding consolidation of oil and gas processing in the South Coast Consolidation Planning Area at Las Flores Canyon in the unincorporated area west of Goleta. No new oil and gas processing facilities shall be permitted within Goleta.</p> <p>b. The Venoco <u>The</u> EOF site is an inappropriate location for processing of oil and gas because of the public safety and environmental hazards associated with this type of use and its close proximity to residential neighborhoods, Ellwood School, Bacara Resort, and environmentally sensitive habitat areas. The site is designated in the Open Space/Active Recreation use category on the Land Use Plan map and shall continue to be a nonconforming use.</p> <p>e <u>b</u>. The EOF shall continue to be subject to the rights and limitations applicable to nonconforming uses under California law. No modifications or alterations of the facility or other actions shall be authorized that would result in the expansion of the permitted throughput capacity of the EOF. The existing maximum permitted capacity shall not be exceeded, except for very minor increases that may be incidental to actions designed to improve safety or reduce environmental impacts.</p> <p>e <u>c</u>. Until the EOF use is terminated, the priority shall be to insure <u>ensure</u> that the facility strictly meets or exceeds all applicable environmental and safety standards.</p> |

Attachment 5: Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

LU 10.X: New Oil and Gas Processing Facilities. [GP/CP]

There are no appropriate sites within the City of Goleta for new oil and gas processing facilities. Sites that could be considered for this type of development are either adjacent to ESHA or other sensitive environmental resources, in highly scenic areas, or are located on small lots or in locations where adequate buffers to minimize adverse impacts on surrounding property would not be feasible. In addition, the County of Santa Barbara has identified a consolidation area for oil and gas processing to handle new oil and gas production. Thus, new oil and gas processing facilities shall not be permitted within the City of Goleta.

LU 10.2: Decommissioning of the ~~Ellwood Onshore Oil and Gas Processing Facility~~EOF. [GP/CP]

- a. The following requirements shall apply to the cessation of operations and decommissioning of the facility:
Within 12 months of cessation of operations, the existing owner/operator shall submit an Abandonment and Restoration Plan application for City review and approval. The Abandonment and Restoration Plan shall include a detailed description of all decommissioning work and site restoration, including, but not limited to, remediation of soil and groundwater contamination if required by the City or County Fire Department. Removal of all oil and gas facilities and debris from the site shall be required, except where such removal would result in greater adverse impacts than abandonment in place. Disposition of all materials shall be at a properly licensed disposal site and in compliance with any applicable requirements. The estimated cost of the decommissioning work shall be deposited to an escrow account no later than the time the Abandonment and Restoration Plan is submitted to the City.
- b. ~~An Abandonment Plan shall also be required as part of any request for expansion of production levels for oil or gas.~~ This Abandonment and Restoration Plan shall be subject to a requirement for the owner/operator to provide a sinking fund or other financial instrument or surety that would pay for the full costs of decommissioning, including any required soil or groundwater remediation.
- c. The owner/operator shall commence the decommissioning activities within 2 years of the cessation of operations and shall complete removal of all oil and gas facilities within 2 years following the start of the decommissioning project.
- d. Decommissioning shall include restoration of the EOF site to a natural condition or to a condition that is suitable for the uses and development that are allowed within the Open Space/Active Recreation use category designated for the property. Restoration shall include recontouring the site, if appropriate, and revegetation with suitable native plant material. The restoration plan shall be prepared by the owner/operator and shall be subject to review and approval by the City.

Attachment 5: Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

LU 10.3: Oil and Gas ~~Transport~~Pipelines and Storage Facilities. [GP/CP]

- ~~Existing active oil and gas pipelines and storage facilities as of 2005 are associated with transporting oil and gas from Platform Holly and shoreline wells at S.L. 421 to the EOF and to Line 96, which transports oil from the EOF to the Ellwood Marine Terminal (EMT). Inactive and abandoned pipelines may exist at various locations within the city, particularly near the shoreline.~~ The following shall apply to oil and gas transport and storage facilities within the city:
- a. New oil and gas pipelines and storage facilities, except for transmission and distribution facilities of a Public Utility Commission (PUC) regulated utility, shall not be approved within the city unless there is no feasible or less environmentally damaging alternative location for a proposed pipeline.
 - b. New pipelines and storage facilities shall be sited and constructed in such a manner as to minimize erosion.
 - c. ~~Existing~~New and existing oil and gas pipelines and storage facilities shall be maintained and operated in a manner that assures safety, minimizes or avoids risks of leakage or rupture, and that minimizes or avoids impacts to visual and recreation and scenic resources, including beaches. Alterations or replacement of existing pipelines or segments of pipelines shall ~~be limited to the minimum necessary to ensure safety or~~and prevent environmental damage.
 - ~~b. In the event that extended field development from Platform Holly is approved, the City supports the processing of oil and gas production at the South Coast Consolidation Planning Area at Las Flores Canyon. Any increase in throughput above currently permitted levels~~
 - d. All pipeline and storage facility operators shall ~~require a General~~submit an Oil Spill Contingency Plan ~~amendment and rezone of the EOF site to a use category~~that identifies the worst case spill scenario, and ~~zoning district that allow oil~~identifies measures to sufficiently contain and ~~gas processing cleanup~~the worst case spill.
 - ~~e.~~e. Unused, inactive, or abandoned pipelines as of 2005, including the remnants of the Arco pipeline, shall be ~~required to be~~ decommissioned. An Abandonment and Restoration Plan application shall ~~be required to~~ be submitted for City review and approval. Where such pipelines exist on property that is proposed for development or redevelopment, the Abandonment and Restoration Plan application shall be submitted concurrent with the application for development of the property but shall be processed separately.
 - ~~f.~~f. Existing pipelines ~~that were actively used as of 2005~~ shall be decommissioned as part of and concurrent with the decommissioning of the related oil and gas facilities, ~~such as~~ of the EOF, ~~EMT, the S.L. PRC~~ 421 shoreline wells and piers, and Platform Holly.
 - ~~g.~~g. When onshore and offshore oil and gas pipelines are decommissioned, ~~regardless of whether the pipeline was active or unused as of 2005,~~ the pipeline and all related debris shall be removed. Exceptions may be granted for segments of onshore pipelines that are within city street rights-of-way or that traverse environmentally sensitive habitat areas, provided that the applicable pipeline segments are properly cleaned and treated prior to abandonment in place. Areas of ground disturbance shall be restored to pre-project conditions, including revegetation of the affected area. Where segments of pipelines that traverse environmentally sensitive habitats, including, but not limited to, wetlands, streams, or coastal dunes and beaches, are decommissioned and/or removed, all affected habitat areas shall be restored consistent with the character of the habitat.
 - ~~h.~~h. The existing owner/operator of a pipeline to be decommissioned shall be responsible for all costs related to the decommissioning. When a responsible owner/operator of an inactive or abandoned pipeline cannot be found, any successor in interest shall be the responsible party, including the owner of the real property on which the pipeline is situated.

Attachment 5: Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

LU 10.4: Decommissioning of State Lands Commission Lease 421. [GP/CP]

~~The~~ two idle wells, one for oil production and one for wastewater injection, and ~~the~~ related piers ~~exist as of 2005~~ located with-in ~~S~~state tidelands at the Pacific shoreline below the Sandpiper Golf Course property were decommissioned in 2020 following the State of California's acquisition of the lease and facilities upon the bankruptcy of Venoco. ~~These are the last two remaining shoreline oil wells in the state. Production has been idled since 1994 when the former owner/operator stopped operations following a pipeline rupture and oil spill. The location of the wells within the tidal zone results in a risk of discharge of oil into the seawater in the event of failure of the wells or their components. S.L. 421 is served by several onshore facilities, including pipelines and an access road protected by a riprap seawall at the base of the bluff. The current owner, Venoco, has an interest in recommissioning production at the idled oil well.~~ The following policy applies to the decommissioned PRC ~~S.L.~~ 421 wells and the related onshore facilities:

- ~~a. The City's intent is that oil production not be recommenced at S.L. 421 because of the environmental hazards posed by the resumption of oil production and processing over coastal waters and the impacts to visual resources and recreation at the beach. Unless it is determined that there is a vested right to resume production at S.L. 421, the City supports termination of the lease by the State Lands Commission (SLC) and/or a quitclaim of the lease by the owner/operator.~~
- ~~b. If resumption of production is considered for approval, on-pier processing of the oil at a site within the tidal zone should not be approved unless it is demonstrated that there is no feasible and less environmentally damaging alternative to processing on the pier. The development of new processing facilities over the sea would result in an increased and unacceptable level of risk of environmental damage.~~
- ~~c.~~ Decommissioning and proper abandonment of PRC ~~S.L.~~ 421 facilities, including the piers, road, and riprap seawall, shall be required concurrent with decommissioning of the EOF or immediately upon termination of PRC ~~S.L.~~ 421. An Abandonment Plan application shall be submitted by the owner/operator within 12 months following an action to terminate the lease. The owner/operator shall commence the decommissioning activities within 2 years of the action to terminate the lease. All work to remove PRC ~~S.L.~~ 421 facilities shall be completed within ~~3-5~~ 5 years after starting the decommissioning project.
- ~~d.~~ b. Decommissioning work shall include restoration of the site to its natural pre-project conditions. Restoration plans shall be subject to review and approval by the City.

SE 3.10: Complete and Prompt Abandonment of Shoreline Structures. [GP/CP]

Upon decommissioning of the two shoreline oil wells (State Lease 421 wells), the complete demolition and removal of all associated structures shall be required by the owner. The timeframe for complete demolition shall be within ~~53~~ 5 years of the ceasing of production operations in accordance with LU 10.4. Associated structures include but are not limited to the caisson walls, the piers, the revetment, and any inactive pipelines within 100 feet of the top of the revetment. Abandonment in place for inactive pipelines associated with State Lease 421 production shall not be permitted, as subsequent coastal erosion could expose these structures, unless there is no feasible less environmentally damaging alternative. Pier supports and pilings shall be cut below the surface as far as possible, and ideally down to bedrock to prevent subsequent exposure by winter beach scour.

SE 8: Oil and Gas Industry Hazards [GP/CP]

Objective: To minimize the risk of potential short- and long-term hazards associated with the operation of the ~~Venoco~~ Ellwood oil and gas facilities and other oil and gas extraction, processing, and transportation facilities.

SE 8.1: Nonconforming Status of EOF. [GP/CP]

In accord with the legal nonconforming status of the EOF in western Goleta, the City may allow safety improvements that incidentally could prolong the life of the plant. (See related LU 10.1.)

SE 8.2: H2S Risk Reduction Within the City ~~Consideration of Offshore Gas Processing~~ [GP/CP]

The City supports minimizing the risk of a H2S release within the City's boundaries. The environmental document prepared in connection with any project proposal requiring discretionary permit approval by the City of Goleta for a substantial increase in EOF throughput should include among the reasonable range of project alternatives the cessation of gas sweetening (H2S removal) at the EOF ~~and relocation of such gas treatment facilities and processes to Platform Holly~~. The intent is to provide an analysis of the feasibility of this method of reducing the risk of an H2S release within the City's boundaries.

Attachment 5: Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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|--|--|
| | <p>SE 8.3: Annual Safety Audits Required. [GP/CP]</p> <p>Annual safety audits of all new and existing oil and gas production, processing, and storage facilities shall be required. The City, or its agent, shall participate in these safety audits. All deficiencies noted in each audit shall be addressed promptly, in timeframes as recommended by the audit’s conclusions.</p> |
| | <p>SE 8.5: Inventory of Oil and Gas Pipelines. [GP/CP]</p> <p>The City should<u>shall</u> develop and maintain an inventory of gas and oil pipelines, including public utility transmission pipelines, and shall require operators of petroleum pipelines to provide information deemed essential for such inventory.</p> |
| | <p>SE 8.6: Quantitative Risk Assessment. [GP/CP]</p> <p>The City shall require a<u>A</u> Quantitative Risk Assessment to<u>shall</u> be a component of any application for a new <u>or expanded</u> oil and gas production and processing facility or for any proposed substantial alterations of existing oil and gas production and processing facilities that require a permit from the City. The scope of the assessment should<u>shall</u> include any pipelines associated with or serving the facility. The Quantitative Risk Assessment should<u>shall</u> identify and quantify any new or substantially changed risks and show any substantial changes to hazard footprints, such that any potential impacts to surrounding development and uses can be assessed and mitigated. The Quantitative Risk Assessment should<u>shall</u> also recommend any appropriate mitigation measures to limit exposure of new or expanded hazards to surrounding development and uses.</p> |
| | <p>SE 8.7: Routing of Gas Pipelines. [GP/CP]</p> <p>When reviewing proposals for new or relocated gas pipeline routes, the City shall consult with the federal Office of Pipeline Safety or<u>and</u> the California Public Utilities Commission as appropriate. New gas pipelines, or relocations of existing gas pipelines, shall be routed to avoid significant risk to populated areas where feasible. This policy applies to gathering and transmission pipelines but not to distribution pipelines. The determination of populated areas shall consider both present and reasonably anticipated future development according to applicable land-use plans, zoning, and urban spheres of influence. New or relocated pipelines shall also be routed to prevent significant risk to highly sensitive land uses as defined in this element, unless the risk can be rendered insignificant by incorporation of feasible mitigation measures.</p> |
| | <p>SE 8.8: Development near Gas Pipelines. [GP/CP]</p> <p>The City shall limit or prohibit development of highly sensitive land uses near gas gathering and transmission pipelines, if the existing pipeline would expose the new use to significant risk. For other<u>Other</u> types of proposed<u>proposed</u> development near existing gas pipelines, the City may require mitigation if they are <u>shall be sited and designed to minimize and mitigate hazards where</u> located within a presumptive hazard zone of the pipeline. Applicants proposing development within a presumptive hazardous zone may rebut the presumed boundaries of this zone through site-specific analysis that complies with City thresholds.</p> |
| | <p>SE 8.9: Safety Requirements for New Petroleum Pipelines. [GP/CP]</p> <p>In a manner consistent with applicable law, the City shall condition discretionary land use approvals of new petroleum pipelines to require safe design, including technology to prevent failure and reduce the consequences of failure. Examples include proven controls for preventing internal and external corrosion and fractures, proven leak detection, safe venting systems, appropriate capabilities for shutting the pipeline down and isolating potential pipeline leaks, and effective public-warning systems. Requirements shall be commensurate with the level and anticipated duration of the risk.</p> |
| | <p>SE 8.10: Safety, Inspection, and Maintenance of Oil and Gas Pipelines. [GP/CP]</p> <p>The City shall condition discretionary land use approvals of new or substantially upgraded<u>expanded</u> gas and oil pipelines to require a Safety Inspection, Maintenance, and Quality Assurance Program or similar mechanism to ensure adequate ongoing inspection, maintenance, and other operating procedures. Any such mechanism shall be subject to City approval prior to commencement of pipeline operations and provide for systematic updates as appropriate. Requirements shall be commensurate with the level and anticipated duration of the risk.</p> |

Attachment 5: Oil and Gas Policies with Coastal Commission Staff Proposed Revisions in Underline and Strikethrough

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|--|
| <p>SE 8.11: Safety Measures for Pipelines Transporting Produced Gas. [GP/CP]</p> <p>Consistent with applicable law, the City shall require feasible operating methods for reducing the hazard along <u>existing, new, or expanded</u> natural gas pipeline corridors that are commensurate with the level of risk. Potential considerations include, but are not limited to, one or more of the following methods: sweetening of gas offshore, removal of condensate at the production site to achieve a single-phased flow in the gas pipeline, reduction of maximum allowable operating pressure, thicker-walled pipelines, and systematic surveillance of the right-of-way. Measures required shall be commensurate with the level of significant risk posed by the pipeline, and may be adjusted as that level of significance changes over time.</p> |
| <p>SE 8.12: Consultation with Pipeline Operators. [GP/CP]</p> <p>The City shall consult with applicable pipeline operators, including public utilities, during the preparation of land use plans and during the early stages of reviewing discretionary permit applications on all properties that contain, or are adjacent to, oil or gas pipelines, including public-utility high-pressure gas pipelines.</p> |
| <p>SE 8.13: Setbacks from Gas Pipelines. [GP/CP]</p> <p>The City shall generally require a minimum setback of 25 feet from the centerline of gas gathering and transmission pipelines, including public-utility high-pressure pipelines, for all buildings and structures to prevent damage to the pipeline by external mechanical forces and to permit operators timely and unhindered access for repair, maintenance, survey, and emergency response. Exceptions to this requirement shall include:</p> <ul style="list-style-type: none">a. Corridor-type locations such as roads and highways, and corridor-type uses such as other pipelines, bicycle and pedestrian paths, utilities, and appurtenances of corridors located in public rights-of-way.b. Pipeline endpoints and interconnecting pipelines.c. Replacement of a public-utility pipeline with a functionally equivalent pipeline.d. Instances where this requirement is preempted by state or federal law.e. Instances where the City finds the 25-foot setback poses an undue hardship to proposed development, provided that any reduced setback shall not be less than 15 feet and shall substantially accomplish the purpose. |
| <p>SE 8.14: Pipeline Burial Depths. [GP/CP]</p> <p>New oil and gas pipelines, or relocation of existing oil and gas pipelines, excluding gas distribution pipelines, shall be buried at an appropriate depth, one that safely accommodates potential of scouring, slope failure, and other forms of natural or human-caused erosion and earth movement. The calculation of initial burial depth should take into account depth reduction via erosion and other forms of earth movement (including grading and construction) unless other means of maintaining a safe minimum burial depth can be incorporated throughout the operating life of a pipeline. Pipeline operators should assess burial depths every five years, or at a more frequent interval when geologic characteristics, flooding, and other circumstances indicate a prudent need for special monitoring. These requirements shall apply to new and existing pipelines where burial depths are specified. It shall also apply to existing, buried pipelines where depths are not prescribed but maintenance of a minimum depth is warranted. A minimum burial depth shall be maintained for the entire operating life of the pipelines.</p> |
| <p>SE 8.15: Pipeline Marking and Warning. [GP/CP]</p> <p>New oil and gas pipelines, or relocation of existing pipelines, shall include measures to clearly warn outside parties about the presence of the pipeline, including proper marking of the right-of-way with signage and use of brightly colored warning tape approximately 1 foot above buried pipelines where feasible.</p> |

ATTACHMENT 6

Staff Presentation

Local Coastal Program Workshop #1

December 8, 2025

Presentation by:

Anne Wells, Planning Manager

Andy Newkirk, Supervising Planner

Molly Cunningham, Assistant Planner

Cam Audras, Assistant Planner

Rachel Hollander, Senior Planner, AICP (RRM Design Group)



Workshop Agenda

- Staff Presentation
 - Project Background
 - Workshop Topics
- Iterative Feedback from Planning Commission and Public
- Next Steps



Workshop Purpose

- Introduce the Planning Commission and public to the concept and significance of an LCP
- Obtain initial feedback from the Planning Commission and the public on 3 of 10 policy topics to help staff approach potential revisions with the Coastal Commission staff moving forward
- Plan for Workshop #2 on January 12, 2026



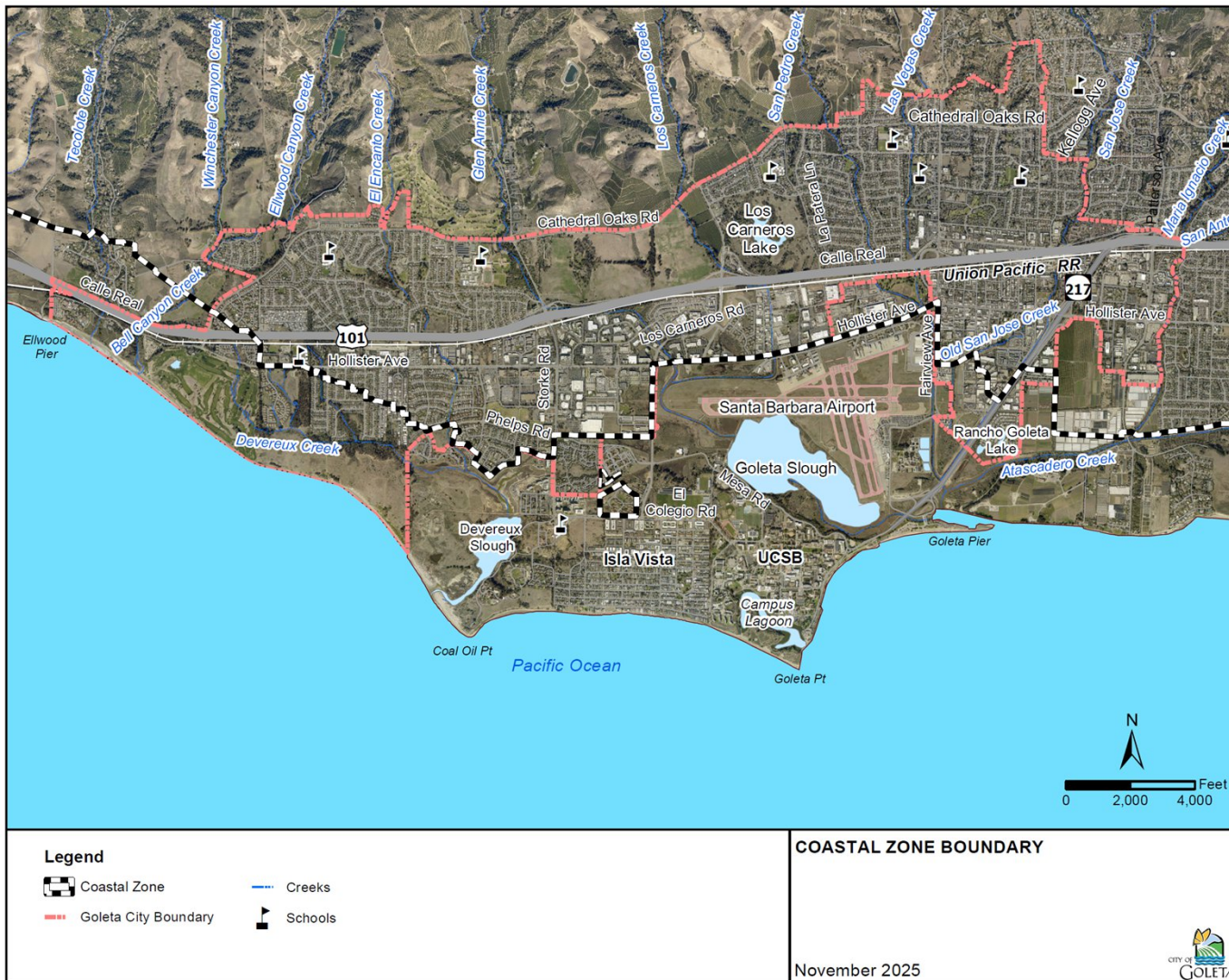
Project Background



California Coastal Act

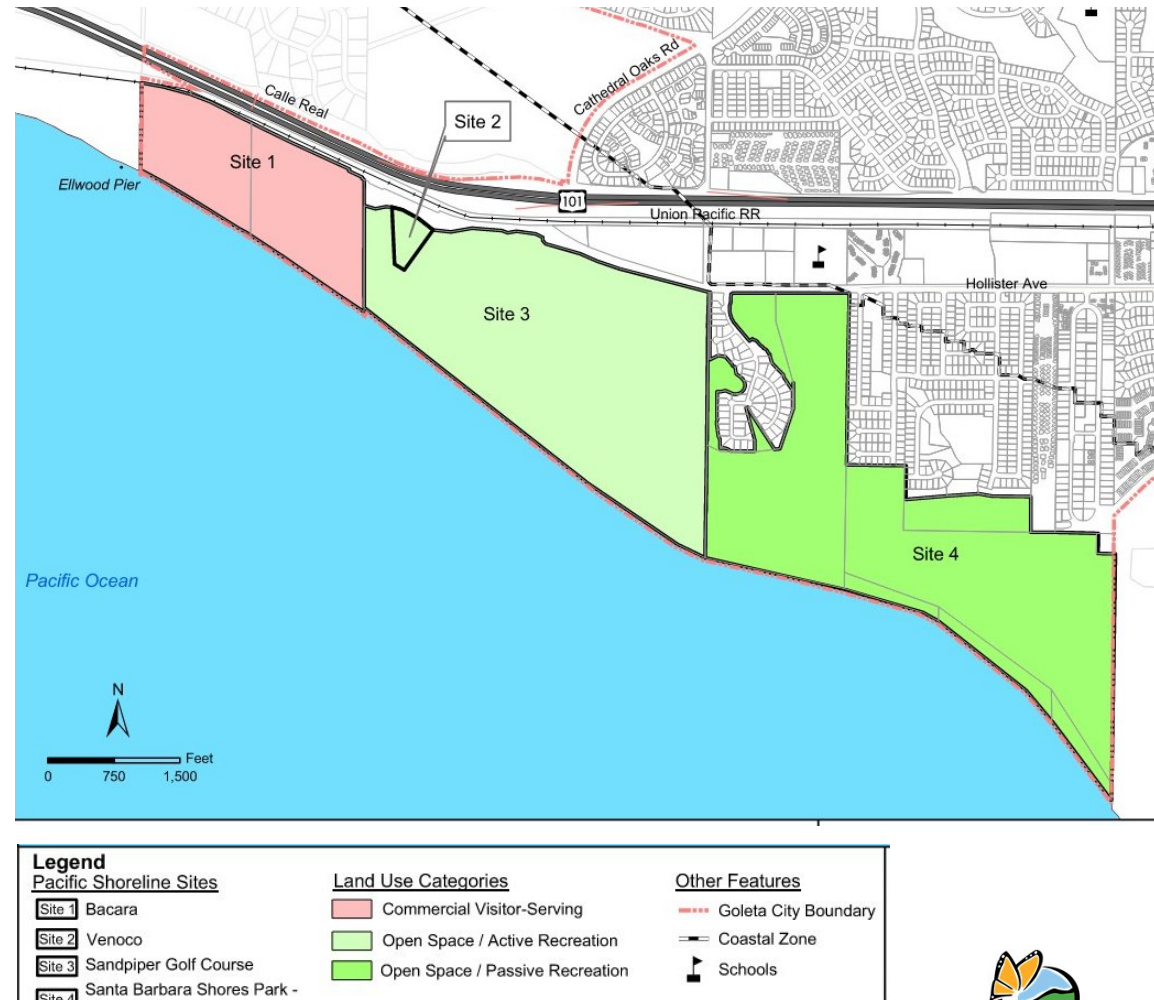
- Coastal Commission established in 1972; Coastal Act (1976) made the Commission a permanent agency with broad regulatory authority
- Governs land use planning in the Coastal Zone, including development, habitat protection, public access, recreation, and environmental quality
- 19.0% of the City by area and 12.8% of all parcels within the City are in Coastal Zone
- Most development activities in the Coastal Zone require a Coastal Development Permit (CDP)





Coastal Adjacent Properties

- The Ritz-Carlton Bacara
- Sandpiper Golf Course
- The City-owned Ellwood Mesa Open Space



Local Coastal Programs (LCPs): Topics

- Public Access, with an emphasis on access to and along the coast and low-cost visitor and recreational uses
- Coastal Recreation
- Marine Environment, including the protection of water quality
- Environmentally Sensitive Habitat Areas
- Agriculture and Timberlands
- Archaeological and Paleontological Resources
- Scenic and Visual Resources
- Industrial Development
- Sea Level Rise



Local Coastal Programs (LCPs): Structure

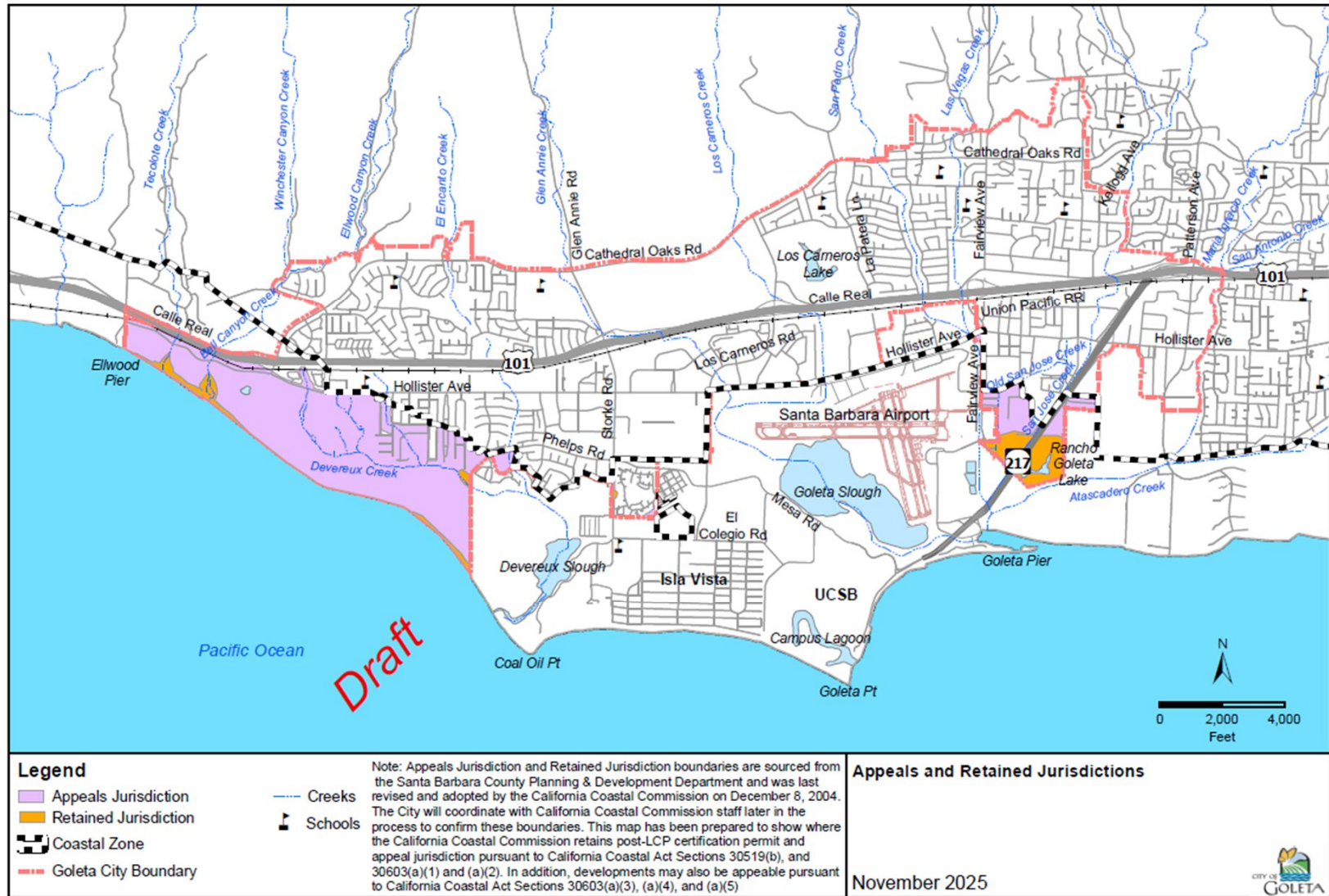
| Land Use Plan (LUP) | Implementation Plan (IP) |
|--|--------------------------|
| Land Use (Designations, Maps, and Policies) | Zoning Ordinances |
| Resource Protection (Maps and Policies) | Zoning Maps |
| Development Constraints (Maps and Policies) | Implementing Actions |



Permit Authority in the Coastal Zone

- Now: Coastal Commission (City “in concept”)
- Once certified: City
 - Retained Jurisdiction: Tidelands and lands where the public trust may exist
 - Appeals Jurisdiction: 4 Categories





Foundation of the City's LCP

- General Plan designed to serve as the Coastal Land Use Plan
- Labeled to distinguish between General Plan [GP], Coastal Land Use Plan [CP], and combined [GP/CP] provisions.
- Provisions marked [CP] and [GP/CP] intended for certification
- City did not formally submit the General Plan for certification after adoption in 2006.



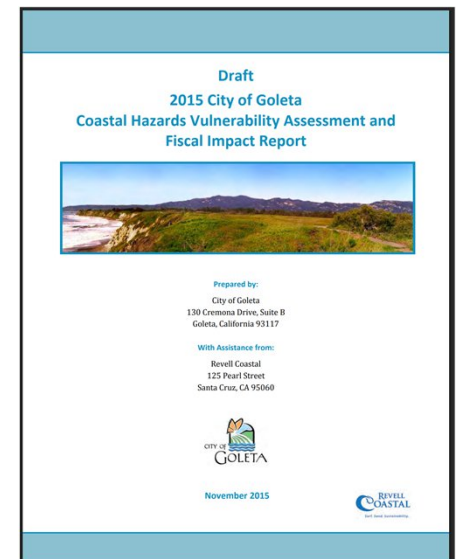
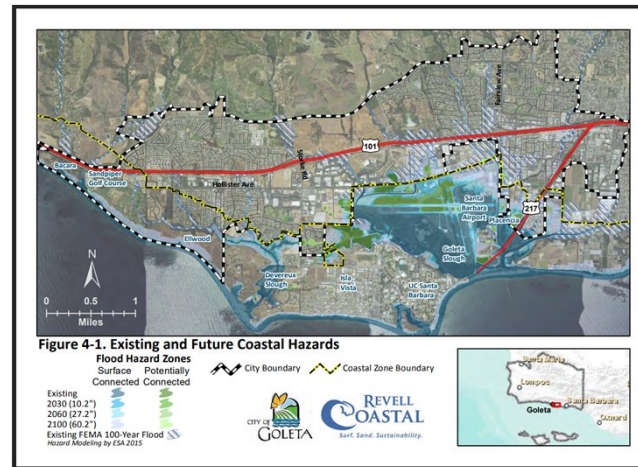
Significance of Certification for the City

- Meet statutory obligation
- Permit authority for approximately 19% of the City
- Multi-year process for future changes to City policies and regulations in Coastal Zone
 - Possible rejection or revision by Coastal Commission



CCC Staff Review of General Plan

- Coastal Commission grant for LCP development (2014)
- Extensive policy revisions from Coastal Commission staff (all Elements but the Noise and Housing)
- Latest Coastal Commission staff input received in March 2025.



CCC Staff Review of General Plan

- Edits by topic:
 - Archaeology and Paleontology
 - Environmentally Sensitive Habitat Areas (ESHA)
 - Oil and Gas
 - Public Access
 - Public Facilities
 - Safety (Coastal Hazards)
 - Transportation
 - Visual Resources
 - Water Quality
 - Water Conservation



Background

- Workshop Question 1: Are there any questions or comments on the background information before discussing specific topics?



Workshop Topics



Archaeology and Paleontology

Coastal Act Section 30244: “Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.”



Archaeology and Paleontology

- Proposed:
 - Expanded Coordination and Consultation
 - Paleontological Evaluation Report for developments in areas known or suspected to contain paleontological resources.



Archaeology and Paleontology Questions

- Question 2: Are there concerns regarding expanded archaeological coordination and consultation requirements?
- Question 3: Are there concerns regarding a new requirement for a Paleontological Evaluation Report?
- Question 4: Is there other feedback for City staff to consider moving forward regarding archaeology and paleontology in the City?



Environmentally Sensitive Habitat Areas (ESHA)

Coastal Act Section 30240:

- (a) Environmentally sensitive habitat areas shall be protected against any 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.



ESHA Buffer Sizes

| ESHA TypeAt | Existing Buffer (ft.) | Proposed Buffer (ft.) |
|--|--|--|
| Creek and Riparian | 100 | At least 100 |
| Wetlands (Coastal Zone) | 100 | At least 100 |
| Monarch Butterfly | 100 | At least 100 |
| Native Grassland | 10 | At least 100 |
| Coastal bluff scrub, coastal sage-scrub, and chaparral | 25 | At least 100 |
| Raptor habitat | 100 (may be reduced); 300 for construction activities during nesting | At least 100; 500 for construction activities during nesting |
| Native Oak Woodlands or Savannas | None | At least 100 |



Uses in ESHA

| Existing Allowed Uses in ESHA | Proposed Allowed Uses in ESHA |
|---|---|
| Resource dependent uses, such as public accessways and trails | Resource-dependent uses, such as public accessways and trails |
| Public road crossings | Repair or protection existing public roads (not allowed in wetlands) |
| Utility lines | Access roads to a lawfully-permitted use outside ESHA (not allowed in wetlands) |
| Resource restoration and enhancement projects | |
| Nature education and biological research | |
| Public Works projects as identified in the Capital Improvement Plan | |



Uses in ESHA Buffers

| Existing Allowed Uses in ESHA Buffers | Proposed Allowed Uses in ESHA Buffers* |
|---|---|
| Resource dependent uses, such as public accessways and trails | Habitat restoration |
| Public road crossings | Bio-swales or other bioengineered water quality features |
| Utility lines | Discharge of clean water |
| Resource restoration and enhancement projects | Erosion control measures |
| Nature education and biological research | Public access trails |
| Public Works projects as identified in the Capital Improvement Plan | Repair and maintenance of existing roads, trails, and utilities |
| | Minimal fire hazard reduction |
| | Flood control or sediment management activities |
| | Repair or protection existing public roads |
| | Access roads to an allowed use |
| | Continued use and maintenance of an existing roads |

*Except for public trails and habitat restoration, the uses shall only be allowed if the intrusion into the buffer is needed and all impacts are mitigated



CITY OF
GOLETA

ESHA Mitigation Ratios

| ESHA Type | Existing Ratio | Proposed Ratio* |
|--|------------------------------|--|
| Creek and Riparian | NA (must be fully mitigated) | 4:1 |
| Wetlands | 3:1 | 4:1 Permanent Impacts; 1:1 Temporary Impacts |
| Monarch Butterfly | NA (must be fully mitigated) | 3:1 |
| Native Grassland | NA (must be fully mitigated) | 3:1 |
| Coastal bluff scrub, coastal sage-scrub, and chaparral | NA (must be fully mitigated) | 3:1 |
| Raptor | NA (must be fully mitigated) | 3:1 |
| Native Oak Woodlands or Savannas | NA (must be fully mitigated) | 3:1 |

*Mandating success of restoration sites, and requiring deed restrictions for restoration sites



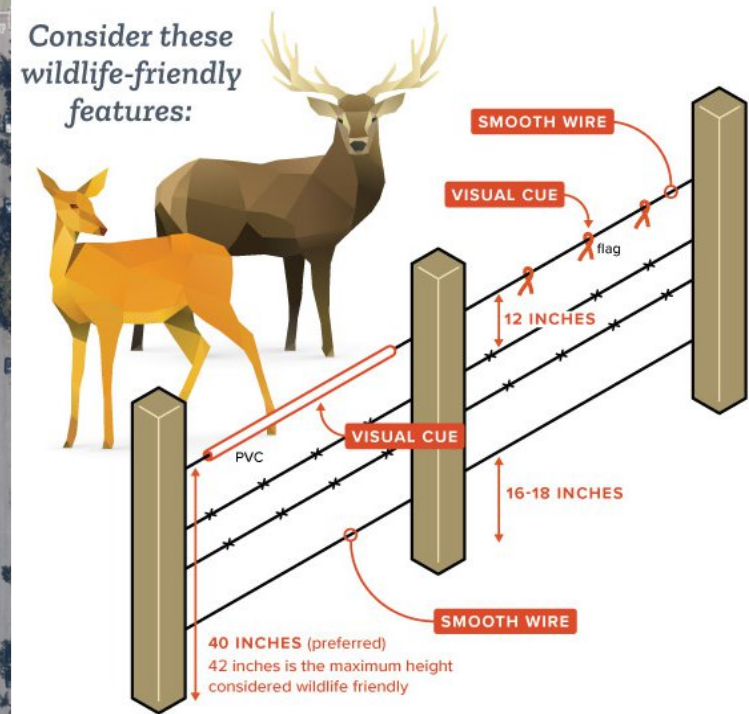
ESHA Tree Protections

- Proposed: Broader tree protections to include any trees serving roosting or nesting (not just for raptors) and all other trees
- Proposed: Protected trees expanded to consist of mature native trees or roosting/nesting trees, including:
 - Oaks (*Quercus* spp.),
 - Walnut (*Juglans californica*),
 - Sycamore (*Platanus racemosa*),
 - Cottonwood (*Populus* spp.),
 - Willows (*Salix* spp.), or
 - Other individual trees not protected in ESHAs, including trees serving raptor nesting/ roosting sites or monarch butterfly habitat



ESHA Permeable Fencing

- Proposed: Requires wildlife permeable fences adjacent to ESHAs (currently no such requirement except to protect wildlife movement in site design).



ESHA Biological Study

- Proposed: Reduce trigger distance for a biological study from 300 feet to 200 feet from ESHA
- Proposed: Require a monarch butterfly protocol survey during the monarch aggregation and roosting season window(s) within the last year for developments adjacent to monarch ESHAs or ESHA buffers



ESHA Questions

- Question 5: Do you support creating a uniform 100-foot ESHA buffer?
- Question 6: Are there concerns regarding further limits on allowable uses in ESHA and ESHA buffers?
- Question 7: Do you support expanding tree protections and mandating specific mitigation ratios?
- Question 8: Do you support mandating permeable fencing, when fencing is proposed, adjacent to ESHA?
- Question 9: Do you have any concerns about the changes to the biological study requirements?
- Question 10: Is there other feedback for City staff to consider moving forward regarding ESHA in the Coastal Zone?



Oil and Gas

Coastal Act Section 30262(a): new or expanded oil and gas development shall not be considered a coastal-dependent industrial facility* and may be permitted only if found to be consistent with all applicable provisions [of the Coastal Act]... and if certain additional requirements found in with Section 30262 are met.

*Coastal-dependent industrial facilities are otherwise regulated under Coastal Act Section 30260



Oil and Gas

- Proposed:
 - Updated Information
 - Oil and Gas Processing Prohibition
 - Abandonment and Restoration



Oil and Gas Question

- Question 11: Is there any feedback for City staff to consider moving forward regarding oil and gas uses in the Coastal Zone?



Next Steps

- Workshop #2 (early 2026) to review remaining policy topics
- Following feedback from Planning Commission and public, City staff to address next steps with Coastal Commission staff
- Public Draft LCP Release followed by Planning Commission and City Council hearings for adoption
- Submittal to Coastal Commission for certification

