

# COASTAL CONSERVANCY

Staff Recommendation

April 18, 2013

## UPPER DEVEREUX SLOUGH RESTORATION PLANNING

Project No. 11-019-02

Project Manager: Rachel Couch

**RECOMMENDED ACTION:** Consideration and possible Conservancy authorization to disburse up to \$869,300, including up to \$769,300 of grant funds from the U. S. Fish and Wildlife Service, to the Regents of the University of California to prepare design, engineering, environmental and permit application documents and conduct surveys for restoration of upper Devereux Slough, Santa Barbara County.

**LOCATION:** Devereux Slough, unincorporated Santa Barbara County

**PROGRAM CATEGORY:** Resource Enhancement

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### **EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Figures and Photos](#)

Exhibit 3: [Project Letters](#)

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### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31251-31270 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up eight hundred sixty-nine thousand three hundred dollars (\$869,300), including up to seven hundred sixty-nine thousand three hundred dollars (\$769,300) in grant funds awarded to the Conservancy by the U.S. Fish and Wildlife Service under its National Coastal Wetlands Conservation Grant Program, to the Regents of the University of California, Santa Barbara campus (UCSB), to conduct surveys and studies and to prepare preliminary engineering and design plans, environmental documentation, and permit applications needed for restoration of upper Devereux Slough for the purpose of providing and enhancing existing fish and wildlife habitat and open space. Prior to the disbursement of funds, UCSB shall submit for review and approval of the Conservancy’s Executive Officer: a work program, budget, schedule and the names and qualifications of any contractors to be employed for these tasks; and documentation that UCSB holds title to the upper Devereux Slough property or has in place an agreement with the property

owner that will allow for UCSB to undertake the restoration on the property and to maintain the restoration improvements as required.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed project is consistent with the purposes and objectives set forth in Chapter 6 of Division 21 the Public Resources Code (Section 31251-31270) regarding enhancement of coastal resources.
2. The proposed project is consistent with the current Project Selection Criteria and Guidelines.
3. Devereux Slough has been identified in the Certified Local Coastal Program of Santa Barbara County as an environmentally sensitive habitat area that requires public action to resolve existing resource protection problems.”

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**PROJECT SUMMARY:**

The proposed project would provide a grant of up to \$869,300, including up to \$769,300 in grant funds awarded to the Conservancy by the U.S. Fish and Wildlife Service (USFWS) from the National Coastal Wetlands Conservation Grant Program (USFWS grant), to the University of California, Santa Barbara (UCSB), for preparation of preliminary engineering and design plans, environmental documents, and permit applications needed for restoration of upper Devereux Slough. The project will facilitate the restoration of up to 113 acres of tidal and freshwater wetlands and connected uplands in the slough for the purpose of providing and enhancing existing fish and wildlife habitat and open space.

Restoration of the tidal and freshwater wetlands will occur predominantly on the Ocean Meadows Property, recently acquired with Conservancy funding by The Trust for Public Land (TPL), a nonprofit land conservation organization, which TPL expects to donate to UCSB in the near future. This property was formerly a part of upper Devereux Slough, but most of the wetland habitat was filled and the property now supports a nine-hole golf course. Restoration of the connected wetlands and uplands will occur on adjacent property, the South Parcel, currently owned by UCSB and dedicated to preservation of natural resources and open space.

Restoration of the entire 113-acre project area is the final component needed to complete the permanent preservation of an approximately 650-acre complex of land for natural resources, open space, aesthetic values, public access, passive recreation and education. The restored property will provide a critical connection between adjacent areas of protected open space and lower Devereux Slough. Restoration of the property will also provide an unprecedented opportunity to create a wildlife corridor linking the Goleta Slough to the east with the existing protected lands to the west and south of the project site. The project will also protect existing estuarine habitats down slope of the property by removing the existing golf course land use that contributes to excess pollutant loads in the estuary, one of three major sources of impairment to the Devereux Slough system.

Restoration of the tidal and freshwater wetlands on the Ocean Meadows Property has been identified as a Tier One priority by the Southern California Wetlands Recovery Project. The

project also furthers the objectives of the Joint Proposal for the Ellwood-Devereux Coast (Joint Proposal) and the related Ellwood-Devereux Coast Open Space and Habitat Management Plan (OSHMP). Both documents were prepared by the County of Santa Barbara, UCSB, and the City of Goleta to guide development and the protection of open space, natural resource values, and public access within the project area. Protection and restoration of the Devereux Slough and its watershed has been identified as a high priority in numerous other conservation plans including the Coal Oil Point Natural Reserve Management Plan and the UCSB Campus Wetlands Management Plan.

The project is needed to reverse the damage that occurred when upper Devereux Slough was filled, reducing a large area of tidal wetland to a narrow creek channel. Historically, the upper Devereux Slough contained significant wetland values with both freshwater and tidal wetland habitat types and supported more than half of the coastal wetlands within the slough system. In 1965, wetlands in the upper slough were filled to create the nine-hole Ocean Meadows golf course. Roughly half a million cubic yards of soil was moved from adjacent lands, causing severe degradation of the borrow sites and raising the estuary elevation between four and 10 feet. This not only reduced the flood capacity of the wetland, but also significantly reduced wetland habitat for estuarine and palustrine dependent wildlife, including fish, birds, insects and mammals of concern (Campopiano et. al, 2000).

The proposed project will complete the planning, environmental documentation and permitting phases of the restoration of upper Devereux Slough. Specifically, the project will carry out planning and environmental and permitting documentation for the removal of approximately 560,000 cubic yards of soil placed in the upper arms of the slough to create the golf course, restoring the area to a mosaic of wetland habitat types, including freshwater, brackish and tidal wetlands. Adjacent uplands will also be restored using all or a portion of the soil removed during the wetland excavation. Habitat types that will be restored include oak woodland, coastal sage scrub, native perennial grassland, vernal pools, and back dune swale. The restoration project encompasses portions of both the Ocean Meadows property and the original borrow site, which is now owned by UCSB and referred to as South Parcel (Exhibit 1-2). Restoration of the entire project site will restore the historic functions of a riparian-to-estuary transition of significant size, enhancing the quality of the existing wetlands and effectively doubling the wetland habitat in the Devereux Slough system. The estuary restoration will encompass 68 acres and benefit 27 wildlife and plant species of federal and state concern by providing significant opportunities for long-term protection and recovery. The upland restoration will encompass approximately 45 acres and will enhance significant habitats such as native perennial grassland, vernal pools and oak woodland.

The project will support and implement important recovery actions for five federally listed species: the federally endangered tidewater goby, California least tern and Ventura marsh milk-vetch, and the federally threatened western snowy plover and California red-legged frog. Habitat for the endangered tidewater goby will likely double as a result of the restoration actions proposed on the project site--a site specifically mentioned in the USFWS recovery plan for the species. Devereux Slough is one of only three sites where the endangered Ventura marsh milk-vetch is recovering after being presumed extinct for 30 years. The restoration would expand available habitats for this endangered plant. The restoration would also provide additional foraging and nesting habitat for the California least tern. Devereux Slough is one of the remaining estuaries in Santa Barbara County to have functioning habitat for the threatened

western snowy plover, and supports critical habitat necessary for the recovery of the species. Finally, federally-threatened California red-legged frogs have been documented in the Devereux Creek watershed, and in other nearby locations with protected open lands in between.

The planning phase includes hydraulic and hydrologic modeling, flood risk analyses, geotechnical studies, site surveys, and related engineering and design work to be conducted in order to develop the restoration plan. An environmental review document pursuant to the California Environmental Quality Act and National Environmental Policy Act will be prepared, along with permit applications.

The proposed project will be led by UCSB's Cheadle Center for Biodiversity and Ecological Restoration (CCBER), in cooperation with the Office of Budget and Planning and Design and Construction Division of Facilities Management. Restoration planning will be overseen by CCBER, which will work with contractors and also utilize participants in their restoration intern program for monitoring and surveying activities. The intern training program provides hands-on experience for students interested in restoration ecology, research and management. CCBER currently manages over 151 acres on campus including several 6-10 acre mitigation projects as well as bioswale and stormwater management systems.

**Site Description:** Devereux Slough is located approximately one-half mile from the ocean in the coastal zone adjacent to the City of Goleta in unincorporated Santa Barbara County. Historically, the upper slough supported wetland habitat and was a functioning part of the Devereux Slough ecosystem. In 1965, soil from the neighboring properties, including the 69-acre property known as the South Parcel was used to fill most of the upper slough to create a golf course. Approximately 55 acres of wetland were lost. Remaining wetland habitat (4.8 acres) is found along Devereux Creek which flows through the Ocean Meadows property for approximately 1700 linear feet, then empties into the lower slough and from there into the Pacific Ocean. The Devereux Creek watershed rises from sea level to 580 feet elevation and encompasses approximately 2,400-acres. Devereux Slough is part of a large open space complex know as the Ellwood-Devereux Open Space, an approximately 650-acre complex of properties permanently protected for natural resources, open space, aesthetic values, public access, passive recreation and education.

The project site abuts existing coastal wetland and upland habitats that are vital to numerous coastal wildlife and plant species including those found on the adjacent University of California at Santa Barbara's Coal Oil Point Natural Reserve Area (COPR) and other protected lands in the Devereux Slough system. Many of these adjacent areas are also being restored to coastal wetland and upland habitats and would benefit from the overall restoration of the larger Devereux Slough system. The California Department of Fish and Wildlife notes in its 2005 *California Wildlife Conservation Strategy* report that Devereux Slough is an area of significant wetlands in the state's Central Coast region.

The Devereux Slough as a whole contains a complex of estuarine, palustrine and upland habitat for numerous listed species including the federally threatened western snowy plover, the endangered tidewater goby, and California least tern. It is one of the remaining estuaries in Santa Barbara County to have functioning habitat for the threatened western snowy plover, and supports critical habitat necessary for the recovery of the species. Devereux Slough is one of only three sites where the federally-endangered Ventura marsh milk-vetch is recovering after being presumed extinct for 30 years. Presently on the golf course property, turf occupies 55.6

acres and the grade-controlled creek creates 4.8 acres of freshwater marsh within the creek bed. In addition, two acres of annual grassland and remnant salt marsh vegetation lie around the periphery of the managed golf course and approximately one-half acre of restored coastal sage scrub adjacent to the creek, plus 0.2 acres of ornamental vegetation and approximately 100 non-native trees. The property is used for foraging by a range of raptor species, including white-tailed kite, coopers, red-tailed and red shouldered hawks, plus northern harrier and loggerhead shrikes. Southwestern pond turtle have been observed in the creek and may have been relocated to that location in the past. California red-legged frogs have been documented in the Devereux watershed, and in other locations within dispersal distance (less than two miles distance, e.g. Bell Canyon) of the property, with permanent open lands in between. The adjacent South Parcel is comprised of 4.5 acres of wetland and 64.6 acres of upland and is owned and managed by UCSB as open space. This parcel supports foraging by many of the same raptor species mentioned above, as well as small mammals such as mice, rabbits, voles, and squirrels.

To the south and west, the project site abuts already protected open space including the 230-acre Sperling Preserve at Ellwood Mesa, owned by the City of Goleta, and the 170-acre Coal Oil Point Reserve, part of the University of California Natural Reserve System. North and east of the project site are existing housing developments (private and owned by UCSB), plus two undeveloped parcels that are slated for future UCSB housing development.

**Project History:** Interest in restoring upper Devereux Slough has a long and complex history and has been a long-term objective of the Southern California Wetland Recovery Project. The Santa Barbara Chapter of the Audubon Society first approached the Coastal Conservancy about acquiring the property in order to restore it to its historical wetland habitat in 1989. However, no project resulted. In 2000, UCSB Bren School students completed a study of restoration alternatives for the upper Devereux Slough, specifically restoration of the Ocean Meadows golf course property. In 2001, the Conservancy contributed funds toward the development of the Joint Proposal for the Ellwood-Devereux Coast (Joint Proposal). In June 2004, the Conservancy contributed \$4,000,000 toward the purchase of the 137-acre Ellwood Mesa property (Sperling Preserve), now owned by the City of Goleta and located immediately west of, but not bordering the Ocean Meadows property.

In 2008, TPL representatives first contacted the Ocean Meadows Property owner to inquire about acquiring the property for conservation purposes. TPL informed the Conservancy about the project in 2009, and subsequently secured a purchase agreement to acquire the property. In May 2011, the Conservancy approved a \$3 million grant, including \$500,000 of USFWS funds, to TPL for acquisition of the Ocean Meadows Property. TPL completed acquisition of the property in March of 2013. In the near future, as soon as a few remaining details are ironed out, TPL expects to convey the property to UCSB to own, restore and subsequently manage the land for conservation purposes in perpetuity.

In 1994, UCSB acquired the property that surrounds the Ocean Meadows Golf course with the intention of building faculty, staff and student housing. Community opposition to this proposal and one to develop the bluffs at Ellwood Mesa led to the collaborative planning effort that resulted in moving development rights off the bluff area and protecting 652 acres of coastal open space area through the Ellwood-Devereux Open Space Management Plan (2004). As a condition of development approved for land to the north and east of Ocean Meadows property (North Parcel), UCSB placed a permanent conservation easement on South Parcel in 2010. Other

conditions include specific mitigation requirements for impacts to wetlands and grasslands on North Parcel that will result in approximately 12 acres of restoration on South Parcel.

Conservancy staff has worked collaboratively with UCSB and TPL since 2009 to raise funds to restore the wetland and upland areas comprising the upper Slough to functioning habitat. Developing design plans and permit applications is the next step in the restoration process.

### PROJECT FINANCING

Coastal Conservancy	
Conservancy Funds	\$100,000
USFWS Grant (National Coastal Wetlands Conservation)	\$769,300
Goleta Valley Land Trust	\$85,000
UCSB Coastal Fund	\$25,600
USFWS Coastal Program	\$25,000
Other anticipated sources	<u>\$138,100</u>
<b>Total Project Costs</b>	<b>\$1,143,000</b>

The expected sources of Conservancy funds for this project are: an appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84); and funds awarded to the Conservancy by USFWS from its National Coastal Wetland Conservation grant program.

Proposition 84 may be used for the protection of coastal waters and watersheds, including projects to restore the natural habitat values of coastal lands pursuant to the Conservancy's enabling legislation, Division 21 of the Public Resources Code. The project will restore up to 113 acres of coastal wetland and adjacent upland habitats. As discussed in "Consistency with Conservancy's Enabling Legislation" section, below, the project is consistent with Chapter 6 of Division 21. Proposition 84 also requires that for acquisition projects that protect natural resources, the Conservancy give priority to projects that meet at least one of the criteria specified in Public Resources Code Section 75071. The proposed acquisition satisfies four of the five specified criteria:

1. The property links to existing protected areas with other large blocks of protected habitat. The linkage serves to connect existing protected areas, facilitate wildlife movement and botanical transfer, and results in sustainable combined acreage. Specifically, the project site links to the Coal Oil Point Natural Reserve, part of the University of California Natural Reserve System and to the 650-acre Ellwood Mesa Open Space Complex, jointly managed by the University, County of Santa Barbara and City of Goleta.
2. The project will contribute to the long-term protection of and improvement to the water and biological quality of the Devereux Slough and Creek.
3. The property supports coastal estuarine habitat, an under-protected major habitat type.
4. The Conservancy's funds will be matched by non-State funds from the USFWS, the Goleta Valley Land Trust and Santa Barbara County Flood Control District.

In 2010, the Conservancy was awarded a \$1 million grant from the USFWS National Coastal Wetland Conservation grant program for acquisition and restoration of upper Devereux Slough; the Conservancy was awarded a second \$1 million grant in 2013 for restoration of the slough. The 2010 grant directed \$500,000 toward acquisition and \$500,000 for restoration. Of the 2010 restoration funds, USFWS has approved using \$331,300 for pre-implementation activities including project design, permitting, interim management, and environmental review. Of the 2013 grant, \$438,000 would be used for the pre-implementation restoration activities mentioned above, as well as monitoring. The remainder of the 2010 restoration grant funds (\$168,700) and the remainder of the 2013 grant funds (\$552,000) will be used for restoration implementation, and will be the subject of a separate Conservancy authorization.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The proposed project is undertaken pursuant to Chapter 6 (Sections 31251-31270) of the Conservancy’s enabling legislation, Division 21 of the Public Resources Code, regarding enhancement of coastal resources, as described below.

Pursuant to Section 31251, the Conservancy may award grants to nonprofit organizations for the purpose of enhancement of coastal resources that, because of natural or human-induced events have suffered loss of natural and scenic values. Grants under this chapter are to be utilized for, among other purposes, corrective measures that will enhance the natural and scenic character of the areas. The proposed project would restore up to 113 acres of coastal wetland and associated upland habitat that have been severely degraded and altered by development of the Ocean Meadows golf course and removal of fill from the associated upland habitat.

Consistent with Section 31252, Devereux Slough has been identified in the Santa Barbara County Local Coastal Program as requiring public action to resolve existing resource protection problems. See “Consistency with Local Coastal Program Policies” section, below.

Section 31253 states that the Conservancy may provide up to the total cost of a coastal resource enhancement project. Consistent with Section 31253, the following factors were considered in determining the amount of Conservancy funding for this project: the total amount of funding available for coastal resource enhancement projects, the fiscal resources of the applicant, the urgency of the project, and the Conservancy’s project selection criteria, as described in detail below, under the heading “Consistency With Conservancy’s Project Selection Criteria & Guidelines.” The Conservancy’s funds for the Devereux Slough restoration planning constitute less than nine percent of the planning costs, plus another 67 percent in USFWS funds granted to the Conservancy.

**CONSISTENCY WITH CONSERVANCY’S 2013 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 5, Objective A** of the Conservancy’s 2013-2018 Strategic Plan, the proposed project will develop a plan for the restoration and enhancement of coastal habitats including coastal wetlands.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on November 10, 2011, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Support of the public:** The proposed project has the support of U.S. Congresswoman Lois Capps, State Senator Hannah Beth Jackson, Assemblymember Das Williams, County of Santa Barbara Supervisor Doreen Farr, Santa Barbara Chapter of the Audubon Society, the Environmental Defense Center, Friends of the Ellwood Coast, and the Gaviota Coast Conservancy. See Project Letters, Exhibit 3.
4. **Location:** The proposed project would be located within the coastal zone of Santa Barbara County.
5. **Need:** The funds are needed to leverage other federal, state and local fund sources that require matching funds in order to begin the bulk of the restoration planning for the project slated to begin after the golf course property is acquired.
6. **Greater-than-local interest:** California has lost a greater percentage of its wetlands than any other state, especially in the southern region. Restoration of the upper Devereux Slough will restore a coastal estuary to its historic ecological function. For this reason, the proposed project has been identified as a top priority of the Southern California Wetlands Recovery Project, a consortium of State and federal agencies working together to conserve coastal wetlands across five counties. Restoration of the site will also benefit several federal and state listed threatened and endangered species.
7. **Sea level rise vulnerability:** Coastal estuaries are by nature, frequently subject to flooding, erosion and storm surges, though such events could be more frequent or severe in the event of any sea level rise occurring over the next 50 to 100 years. The project will minimize climate change impacts by restoring to a wetland 63 acres that could otherwise be subject to residential development or intensification of recreational use of the golf course. The project will provide additional area for lower tidal wetland habitats to migrate to as sea level rises. Restoration of the site would increase water capacity by over 90 acre-feet from the current lower Devereux Slough capacity of 171 acre-feet, thus further buffering the impacts of climate change.

**Additional Criteria**

8. **Urgency:** UCSB's willingness to take ownership of the golf course property, an area that until recently was slated for development, presents an unprecedented and timely opportunity to plan for its restoration.



9. **Leverage:** See the “Project Financing” section above.
10. **Innovation:** The project involves a plan to use a significant portion of the fill removed from the golf course in the restoration of the adjacent South Parcel, thereby reducing traffic and noise impacts, greenhouse gas emissions, beneficially reusing soil, and reducing project costs.
11. **Readiness:** The grantee is ready to proceed with the project planning once the golf course acquisition is complete.
12. **Realization of prior Conservancy goals:** “See “Project History” above.”
13. **Cooperation:** The project entails cooperation among UCSB and The Trust for Public Land, a private non-profit organization, and the community.
14. **Vulnerability from climate change impacts other than sea level rise:** The property’s restoration will protect areas adjacent to shoreline habitats, which will support native species in need of shifting habitats that may result from climate change, and will specifically conserve and restore habitats that sequester carbon by protecting and eventually restoring tidal wetlands. Finally, restoration of the property will enhance and restore the property’s estuarine and palustrine zones to accommodate increased flooding, erosion and storm surges.
15. **Minimization of greenhouse gas emissions:** The project will likely reduce the future production of greenhouse gas emissions by preventing development of the property. The planned future restoration of wetland habitat on the property will likely result in greenhouse gas emission reductions.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The “Coastal Land Use Plan” adopted by the County of Santa Barbara in 1982 is the certified Local Coastal Program (LCP) for the County of Santa Barbara, including the project area. Section 3.9.1 of the County’s LCP calls for preservation, protection and restoration of environmentally sensitive habitats. LCP Section 3.9.4 specifically identifies as environmentally sensitive habitat areas three habitat types occurring in the Devereux Slough: wetlands, streams, and seabird nesting and roosting areas.

The Goleta Community Plan (GCP), adopted in 1993 as part of the County’s LCP, contains the land use and zoning designations which govern the project site. According to the GCP, the Devereux Slough and surrounding open lands are a “regional ecosystem” worthy of protection. The Devereux Slough is supported by a “diverse assemblage of relatively intact habitats located within blocks of open space which provide sufficient space, forage and cover to support diverse wildlife populations. The continued functioning of these regional systems is dependent upon the preservation of a sufficient amount and diversity of habitat to sustain such populations.”

GCP Policy Bio-GV-1 states, “The County shall designate and provide protection to important or sensitive environmental resources or habitats in the Goleta Planning Area” and GCP Policy Bio-GV-2 states, “Environmentally sensitive habitat and riparian corridors within the Goleta Planning Area shall be protected and where feasible and appropriate, enhanced.” Finally, GCP Policy Bio-GV-11 states, “Wetland areas and surrounding habitats that have been damaged by pollution and artificial stream channelization shall be restored to their natural condition to the maximum extent feasible.

The proposed project is consistent with the policies of the LCP and GCP because it would facilitate restoration of the historic wetland.

**COMPLIANCE WITH CEQA:**

The proposed project is statutorily exempt under 14 California Code of Regulations Section 15262 as the project will only involve preparation of planning documents and feasibility studies for future actions that have not yet been approved or authorized for funding, and will consider environmental factors. Upon approval, staff will file a Notice of Exemption for this project.