CALIFORNIA COASTAL COMMISSION
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Staff: MV-LB
Staff Report: 2/20/97
Hearing Date: 3/11-14/97
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: 5-96-277

APPLICANT: City of Newport Beach, Public Works Department

AGENT: Gail Pickart, Project Management Consultant

PROJECT LOCATION: Newport Boulevard (State Route 55) between Hospital Road and Finley Avenue, Newport Beach, Orange County

PROJECT DESCRIPTION: Widen Newport Boulevard (State Route 55) between Hospital Road and Finley Avenue including reconstruction of Newport Boulevard/Coast Highway (State Route 1) interchange and widening of Newport Channel bridge. The widening of the bridge includes placement of 27 new piles in Newport Channel. The proposed project also includes addition of new and/or improved sidewalks and bicycle paths, raised median, retaining walls and soundwalls, contour grading, and landscaping.

LOCAL APPROVALS RECEIVED: City of Newport Beach City Council certification of Final Environmental Impact Report Route 55 Transportation Study, 1984; and Environmental Re-Evaluation/Addendum Environmental Impact Report for Newport Blvd./Coast Highway Interchange Bridge Structures Improvements, March 1996.

SUBSTANTIVE FILE DOCUMENTS: Consistency Certification No. CC-18-84 (California Department of Transportation); Coastal Development Permit No. 5-89-724 (City of Newport Beach/Caltrans); Final Environmental Impact Report Route 55 Transportation Study, 1984; and Environmental Re-Evaluation/Addendum Environmental Impact Report for Newport Blvd./Coast Highway Interchange Bridge Structures Improvements, March 1996; Marine Biological Resources Technical Report prepared by Michael Brandman Associates, December 1995; Project Report prepared by Caltrans for Route 55 from KP 0.5 (PCH) to KP 2.2 (Hospital Road); City of Newport Beach certified Land Use Plan.

SUMMARY OF STAFF RECOMMENDATION: Staff recommends approval of the proposed road widening project with two special conditions which require that the mitigation measures proposed by the applicant shall be implemented.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development, located between the nearest public roadway and the shoreline, will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976 including the public access and recreation policies of Chapter 3, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.

4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.

6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions:

1. Implementation of Mitigation Measures

The project must be constructed as proposed, with implementation of all measures designed to minimize adverse impacts on traffic circulation, navigation, access, and recreation. Such measures include, but are not limited to:

a. restricting the construction schedule so that no construction that adversely impacts traffic occurs on weekends, major holidays, or during the Christmas boat parade,

b. during construction, two travel lanes in each direction shall always be available during peak use hours which are generally between the hours of 6 a.m. and 9 a.m. and 3 p.m. and 7 p.m., but taking into account factors such as morning versus evening peak use directional flow and summer versus non-summer use,

c. Newport Boulevard and Coast Highway will not be closed completely except between the hours of 10 p.m. and 5 a.m. if necessary,

d. no loss of public parking spaces shall occur,

e. existing navigable depths will not be impaired,

f. free navigation will not be interfered with,

g. a clearance gauge will be installed and maintained,

h. a bridge fendering system will be installed and maintained,

i. a false rubber soffit will be installed and maintained on the highest side of the bridge,

j. navigation channels will not be closed for longer than 8 hours and not on weekends or major holidays,

k. timely notice of effects to navigation will be made,

l. the channel shall be kept clear of obstructions.

2. Implementation of Best Management Practices

The project must be constructed as proposed, with implementation of all best management practices proposed to minimize adverse impacts on marine resources and water quality. Such measures include, but are not limited to:

a. disturbed area or slopes that sheet flow will be protected with temporary linear barriers (silt fences, sand bags, straw bales, etc.),

b. when grading has been completed, the disturbed area will be protected with sediment source controls such as temporary mulching, seeding, emulsifiers, etc. The temporary measures will remain in place until permanent landscaping is provided,

c. temporary swales and ditches will be stabilized through temporary check dams and geotextiles,

d. drainage inlets will be protected from sediment intrusion utilizing straw bales, sand bags, sediment traps or similar devices,

e. for dewatering operations, sediment controls and testing the groundwater for pollution will be performed,

f. silt curtains shall be used during construction to control turbidity in Newport Channel,

g. all building materials, liquid construction waste (e.g. petroleum products and cement water) and other by-products will be contained and removed to an acceptable offsite disposal location,

h. the construction site will be inspected daily for leaks or inadvertent spills of petrochemical products; if found, spills or leaks will be contained and prevented from reaching Newport Channel,

i. washing of construction vehicles and equipment will be prohibited adjacent to the Newport Channel,

j. a detailed plan for clean-up of accidental spill of petroleum-based products, cement, or other construction pollutants will be submitted for approval of RWQCB and kept on site with the General Contractor or Engineer,

k. the contractor will be required to prepare a storm water pollution prevention plan in accordance with guidelines established by the State Water Resources Control Board and Caltrans, and construction activity will be required to comply with the National Pollution Discharge Elimination System regulations.

IV. Findings and Declarations

The Commission hereby finds and declares as follows:

A. Project Description

The applicant proposes to widen Newport Boulevard between Hospital Road and Finley Avenue, in the City of Newport Beach (see exhibit 2). In this location Newport Boulevard has two lanes in each direction. Typically the road will be widened by 16 meters. The project includes the reconstruction of the Newport Boulevard/Coast Highway interchange. The interchange structure is proposed to be widened by approximately 22 meters. Newport Boulevard is State Route 55 and Coast Highway is State Route 1. In addition, the project would also

result in the widening of the Newport Channel bridge, the location at which Newport Boulevard crosses Newport Channel. The bridge is proposed to be widened by approximately by 13 meters. The proposed bridge widening includes the placement of 27 new piles in Newport Channel. The proposed project also includes the addition of new and/or improved sidewalks and bicycle paths, raised medians, retaining walls and soundwalls, and contour grading and landscaping.

The proposed project will not create new traffic lanes, but rather will improve existing substandard widths. The project will allow for merging distance/acceleration lanes in conjunction with the on- and off-ramps of the interchange. Additionally there are geometric inefficiencies within the existing interchange area that will be improved. The Newport Channel bridge is proposed to be seismically strengthened. The proposed project will occur within Caltrans existing right-of-way, no new right-of-way will need to be acquired.

B. Project Background

The proposed project is part of a larger Newport Boulevard widening project. In 1984, an Environmental Impact Statement (Route 55 Transportation Study) was prepared for the U.S. Department of Transportation, Federal Highway Administration, and the State of California Department of Transportation (Caltrans). The project considered under the EIS included improvements to Newport Boulevard from Route 73 in Costa Mesa to 32nd Street in Newport Beach. The project was divided into two segments. The first segment included a depressed freeway between Industrial Way and Bristol Street in Costa Mesa. The first segment is located outside the Coastal Zone.

The second segment of the overall project includes design changes and widening of the State Routes 55/1 interchange, widening the Newport Channel Bridge, and widening both the north and south bound lanes of State Route 55 from the Interchange to 32nd Street, all within the City of Newport Beach. The second segment is located within the Coastal Zone.

On November 11, 1984 the Commission approved Consistency Certification No. CC-18-84 for the overall project, subject to the stipulation that any parking lost due to the project be replaced on a one for one basis. On October 11, 1989 the Commission approved Coastal Development Permit No. 5-89-724 with no special conditions. Development approved under Coastal Development Permit No. 5-89-724 included the following portions of the second segment of the overall project: widening the east side of Newport Boulevard, widening the east side of Newport Channel Bridge, construction of new ramps in the southwest quadrant of the interchange of Coast Highway and Newport Boulevard, widening the sidewalk on the east side of the bridge for bicyclists and pedestrians, ramp construction and sidewalk modifications on the west side of Newport Boulevard to provide for bike and pedestrians during construction, modification of the Newport Beach City Hall parking lot, and utility and storm drain relocations. Also included was demolition of a gas station and part of the bridge.

The proposed project was included in the overall project evaluated in Consistency Certification No. 18-84. Coastal Development Permit No. 5-89-724 covered the first portion of the second segment of the overall project. The proposed project constitutes the remainder of the second segment of the overall project.

Consistency certification is triggered when federal funds are involved, as in this case. In instances where permit and consistency review are duplicative, however, staff normally gives notice that consistency is waived. In this case, a Consistency Certification was processed for the overall Route 55 widening project because the applicant, at the time of consistency review, indicated that the coastal development permit will be applied for by the City of Newport Beach and that would not occur for several years.

C. Public Access and Recreation

Section 30210 of the Coastal Act states:

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

Major Public Coastal Access Route

Route 55 provides regional public coastal access. Route 55, known as Newport Boulevard in the project vicinity, is perpendicular to the coast. It is one of the main public access routes connecting inland Orange County to numerous beach and visitor facilities. It connects such major inland freeways as Route 73, Interstate 405, Interstate 5, Route 22, and Route 91 to the coast. And because it connects with Route 1, Coast Highway, it provides access up and down the coast in the Cities of Newport Beach, southern Huntington Beach, and the Newport Coast area. In addition, it is the direct access route from inland to the Balboa Peninsula in Newport Beach which provides numerous visitor serving and recreational opportunities.

In describing the existing facility, the Caltrans Project Report (pages 2 and 3) states:

> "The existing State Route 55/State Route 1 (SR-55/SR-1) Separation was constructed in 1936. In 1988 and 1991, Caltrans constructed interim improvements to the interchange consisting of channel bridge widening, ramp and signalization improvements. A pavement overlay project was constructed on Newport Boulevard in June 1995. The crossing of these two roadways is considered the 'gateway' into the City carrying high traffic volumes and, therefore, the City places high importance on providing acceptable traffic operations. The existing configuration consisting of narrow traffic lanes and sidewalks has become outdated and does not meet current standards or provide for acceptable levels of service. Shoulders on the bridge are inadequate to accommodate disabled vehicles or bicycles. Recently, both the southbound PCH to northbound Newport Boulevard and the southbound PCH to southbound Newport Boulevard yield signs were replaced with stop signs and stop bars. There is insufficient merging length at both of these ramps onto Newport Boulevard to allow free flow of traffic. ... "

"The existing separation structure restricts the width of both roadways at this crossing."

The Caltrans Project Report (page 9) further states:

"Replacement of the existing separation is necessary due to nonstandard vertical clearance and lane, shoulder, and sidewalk widths on and below the existing structure." ...

"The proposed interchange reconstruction is effective in providing smoother geometrics and handling higher volumes of traffic at acceptable service levels. A median is constructed to provide a separation between opposing lanes on PCH and Newport Boulevard. The separation structure and channel bridge are reconstructed and widened, respectively, to provide standard lane widths. The reconstruction of the separation will also provide standard vertical clearance. Acceleration lanes are provided for the loop ramps from PCH to Newport Boulevard, allowing loop ramp traffic to obtain through traffic speeds before merging with Newport Boulevard traffic."

The stretch of Newport Boulevard proposed to be widened is currently substandard for the following reasons:

Lack of a physical separation between opposing lanes of traffic on PCH and Newport Boulevard at the SR-55/SR-1 Separation (interchange).

Narrow existing lane widths on and below separation structure.

Lack of merging distance/acceleration lanes for ramps.

No sidewalk and/or narrow sidewalk widths through major portions of the interchange, particularly on and below the separation structure.

No bicycle lanes on shoulders through major portions of the interchange particularly above and below the separation structure and the bridge.

Nonstandard vertical clearance below the separation structure.

Diminished capacity for the number three southbound PCH lane dedicated to the off-ramp to southbound Newport Boulevard, which creates merging and weaving at the ramp gore area.

The existing configuration is plagued by operational problems, traffic congestion, and a higher than average accident rate. The proposed project is expected to alleviate these problems. The project is proposed to increase efficiency and safety along this stretch of Newport Boulevard. The increased circulation will facilitate regional access and allow for improvement of existing transit services.

In addition, the proposed project will establish new and improve existing bicycle and pedestrian paths throughout the project vicinity. The improved pedestrian and bicycle paths will increase usability and safety for cyclists and pedestrians. Better bicycle and pedestrian paths will enhance both public recreation and public coastal access.

Traffic Impacts due to Construction

The proposed project construction is expected to last approximately two years, from approximately September of 1997 through May of 1999. The project has been planned to avoid the peak beach use summer months during 1997 and 1999. Construction staging will be used to minimize traffic impacts. No work will occur on weekends, major holidays, or during the Christmas boat parade. The applicant considered working during the non-summer month weekends in order to avoid adverse traffic impacts during the summer of 1998. It was determined not to be feasible because, even if work continued on non-summer weekends, the project would still not be completed prior to the summer of 1998.

During the peak use periods two lanes of traffic in each direction will be available during construction. During non-peak periods traffic may be limited to one lane only. For short periods the road may be completely closed. Complete closure would only occur between the hours of 10 p.m. to 5 a.m. These mitigation measures minimize adverse impacts to traffic during construction.

Navigation

The Newport Channel bridge is located in one of the inland-most areas of Newport Harbor. Private boat docks exist inland of the bridge and vessels must pass under the bridge to access the outer harbor and open ocean. Consequently, possible impacts to navigation must be considered in conjunction with the proposed project.

The applicant has incorporated measures intended to protect navigation within the project. The proposed project provides that existing navigable depths will not be impaired, that free navigation will not be interfered with, that a clearance gauge will be installed and maintained, that a bridge fendering system will be installed and maintained, a false rubber soffit will be installed and maintained on the highest side of the bridge, navigation channels will not be closed for longer than 8 hours and not on weekends or major holidays, and that timely notice of effects to navigation will be made, and the channel shall be kept clear of obstructions.

The main navigational channel, which is presently located between bents 3 and 4, and the optional navigational channel, between bents 4 and 5, would be maintained. Based on soundings to determine water depth of the Newport Channel, it does not appear that dredging will be required to maintain optional navigational channel. No dredging is proposed as part of this project.

The existing height of the bridge restricts the size of the vessels that may pass underneath the structure. However, the proposed bridge widening will not further restrict the vessel size which may pass beneath the bridge. Therefore, no impacts to navigation in this regard will result from the proposed project.

Adverse impacts to navigation due to the proposed project will only be those temporary impacts associated with construction. The temporary impacts have been minimized to the greatest extend feasible by the measures discussed above which have been incorporated into the project.

Parking

Section 30252(4) of the Coastal Act states:

> The location and amount of new development should maintain and enhance public access to the coast by (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation.

Section 30252(4) recognizes that the provision of adequate parking is a major component in maximizing public access. The Balboa Peninsula area of Newport Beach is a popular visitor destination where parking is in short supply in the summer months. Consequently, the availability of existing parking should be maintained.

At the time the Commission considered the Consistency Certification loss of parking due to the project was a major issue. The Commission approved the Consistency Certification only with the stipulation that one-for-one replacement parking be provided for any parking removed along Newport Boulevard including both on and off street public parking. When the east side of the Channel bridge was widened, 11 parking spaces located adjacent to the bridge were impacted. As part of the proposed project, the 11 spaces were relocated to the City Hall parking lot by reconfiguring that lot. That portion of the project was approved by the Commission under Coastal Development Permit No. 5-89-724.

The proposed project will not result in the loss of any parking spaces. There is no on-street parking available within the project area. Therefore, the project is consistent with Section 30252(4) of the Coastal Act because no loss of parking will occur.

Public Access and Recreation: Conclusion

For the reasons described above the Commission finds that the proposed project will enhance public access due to circulation improvements resulting from the proposed project. Further, the Commission finds that public recreation will be enhanced by the improvement and creation of pedestrian and bicycle paths in conjunction with the proposed project. Temporary adverse traffic impacts have been minimized to the greatest extent feasible by project phasing and limitations on closures. In addition, temporary adverse impacts to navigation due to construction have been minimized to the greatest extent feasible through measures incorporated into the project. Finally, the proposed project will not result in the loss of any public parking spaces. Thus, if the project is constructed as proposed, its impacts on public access and recreation will be consistent with the Coastal Act. It is important that the project be constructed as proposed because any changes could potentially result in adverse impacts that would make the project inconsistent with the Coastal Act. For example, if construction occurs during weekends, the project would have a significant adverse effect on public access to the shoreline. Therefore, the permit is being conditioned to require that the project be constructed exactly as proposed, with implementation of all proposed measures to minimize adverse impacts on public access, traffic circulation, navigation, and recreation. As conditioned, the Commission finds the proposed project consistent with Sections 30210 and 30254(4) of the Coastal Act.

D. Marine Resources

Sections 30230 and 30231 of the Coastal Act require that marine resources be maintained and that biological productivity be protected. In addition, Section 30233 of the Coastal Act prohibits the fill of open coastal waters unless the fill is for one of the eight identified uses. Fill for one of these uses must be the least environmentally damaging feasible alternative, and its impacts must be mitigated.

The proposed project includes fill of open coastal waters in the form of 27 new bridge piles. The proposed piles are 400 millimeter square, pre-stressed concrete. The new piles are necessary to support the proposed bridge expansion. Placement of the piles will include pre-drilling and driving of precast concrete piles; cast-in-place concrete pile caps; and placement of concrete deck panels.

Section 30233(a)(5) of the Coastal Act allows fill of open coastal waters for incidental public service purposes. The bridge was originally constructed in 1936. The proposed widening will allow more efficient and safe operation of the roadway, as well as improved sidewalk and bicycle use. The bridge is a public road. The proposed widening is incidental to the existing bridge. Therefore the placement of pilings to support the bridge widening constitutes an allowable use under the Coastal Act.

The Commission, in approving Consistency Certification 18-84, made the following finding:

> "In this limited case the bridge widening is found to be an allowable use incident to public service purposes due to the fact that the impacts of the extension of bridge surface area and placement of pilings will be:
>
> 1. within a previously altered, highly modified estuary and as such will have minimal effect on bottom dweller and water column habitat values associated with estuaries;
>
> 2. incident to an existing bridge on pilings where hydraulic effects already exist and therefore any additional hydraulic effects will be minimal; and
>
> 3. minor with regard to shading under the bridge and consistent with previous Commission decisions regarding pier extensions.
>
> As long as cumulative threats are not posed which might significantly alter habitat in an area, the temporary adverse impact of piling placement can be offset by creation of vertical habitat opportunities, possibly resulting in increased species diversity and presenting new surfaces to which organisms can attach ... The significance of the effects of shading larger areas of coastal waters depends on the specific design and the specific habitat values of the site, as well as the extent of additional development expected to occur in the general project area."

A Marine Biology Resources Technical Report was prepared for the currently proposed project by Michael Brandman Associates, dated December 1995. The

Report evaluated the potential impacts the proposed development may have on the marine biological resource communities that inhabit the Newport Channel in the vicinity of the proposed project. The Report concluded:

> "The proposed project is expected to have a limited effect on the marine biological resources adjacent to Newport Channel Bridge. Impacts expected as a result of construction of the bridge include increased water turbidity, resuspension of contaminates in the disturbed sediments, and direct impacts to benthic plant and animals. Although these impacts are adverse, they are expected to be short term impacts that would not be considered significant to the biological viability of the area. No species considered sensitive by state or federal resource agencies are expected to be impacted by the proposed project."

The Report further states: "Because of the lack of significant impacts to marine biological resources as a result of project implementation, no mitigation is required."

In a letter dated January 27, 1997 the California Regional Water Quality Control Board commented on the proposed project (See Exhibit 8). The letter states: "Impacts from fill are not considered significant due to the small area affected, and the absence of sensitive biological habitat. Dredging will not be required. There is no vegetation in the project area." In addition, the National Marine Fisheries Service in a letter dated January 8, 1997 commented on the proposed project. The NMFS letter states: "I do not believe the proposed work will result in any significant impacts to marine resources of concern to the National marine Fisheries Service." (See exhibit 9) The Commission found the bridge widening to be consistent with the marine environment policies of the Coastal Act in Consistency Certification No. 18-84 and in Coastal Development Permit No. 5-89-724.

The FEIR/EIS prepared for the overall Route 55 widening project considered a number of alternatives. The preferred alternative included the widening of the Newport Channel bridge as proposed. The Commission reviewed the project under the Consistency Certification and also under the coastal development permit for the widening of the east side of the bridge. No changes are proposed to the project from what was previously reviewed and approved by the Commission. In addition, the recent information cited above indicates that the proposed project will have only minimal, temporary adverse impacts on the project site's marine environment. Therefore, the Commission finds the project as proposed is the least environmentally damaging feasible alternative.

The proposed project also includes 18,800 cubic yards of grading (3,800 cubic yards of cut and 15,000 cubic yards of fill). The grading is necessary to accommodate components of the proposed project including the interchange structure and the on and off ramps, as well as general widening of the road. The project is located immediately adjacent to, or in the case of the bridge, over Newport Harbor. In order to be consistent with the Coastal Act requirements regarding water quality, the extent of proposed grading and its location adjacent to the harbor requires that the potential for project runoff to enter the harbor must be considered and minimized. Toward that end, best management practices are proposed as part of the project which address runoff from the site. Following are the proposed best management practices:

1. Disturbed area or slopes that sheet flow will be protected with temporary linear barriers (silt fences, sand bags, straw bales, etc.)

2. When grading has been completed, the disturbed area will be protected with sediment source controls such as temporary mulching, seeding, emulsifiers, etc. The temporary measures will remain in place until permanent landscaping is provided.

3. Temporary swales and ditches will be stabilized through temporary check dams and geotextiles.

4. Drainage inlets will be protected from sediment intrusion utilizing straw bales, sand bags, sediment traps or similar devices.

5. For dewatering operations, sediment controls and testing the groundwater for pollution will be performed.

In addition, the project as proposed includes the following measures to minimize adverse impacts to water quality:

1. Silt curtains shall be used during construction to control turbidity in Newport Channel.

2. All building materials, liquid construction waste (e.g. petroleum products and cement water) and other by-products will be contained and removed to an acceptable offsite disposal location.

3. The construction site will be inspected daily for leaks or inadvertent spills of petrochemical products; if found, spills or leaks will be contained and prevented from reaching Newport Channel.

4. Washing of construction vehicles and equipment will be prohibited adjacent to the Newport Channel.

5. A detailed plan for clean-up of accidental spill of petroleum-based products, cement, or other construction pollutants will be submitted for approval of RWQCB and kept on site with the General Contractor or Engineer.

6. The contractor will be required to prepare a storm water pollution prevention plan in accordance with guidelines established by the State Water Resources Control Board and Caltrans, and construction activity will be required to comply with the National Pollution Discharge Elimination System regulations.

The proposed project includes mitigation measures which will minimize adverse impacts to marine resources and water quality. Thus, if the project is constructed as proposed, its impacts on marine resources and water quality will be consistent with the Coastal Act. It is important that the project be constructed as proposed because any changes could potentially result in adverse impacts that would make the project inconsistent with the Coastal Act. For example, if the proposed project were constructed without the best management practices proposed, water quality would be adversely impacted. If exposed graded areas are not protected by erosion control devices, sediment

will enter the bay lessening the water quality. The proposed measures, including silt fences and sand bagging will minimize the amount of sediment that enters the bay. Therefore, the permit is being conditioned to require that the project be constructed exactly as proposed, with implementation of all proposed measures to minimize adverse impacts on marine resources and water quality. As conditioned, the Commission finds the proposed project consistent with Sections 30220, 30231, and 30233 of the Coastal Act.

E. Visual Quality

Section 30251 of the Coastal Act requires that scenic and visual qualities of coastal areas be considered and protected as a resource of public importance. The proposed project is located in an area considered to be a gateway into Newport Beach. The Newport Boulevard bridge which crosses over Coast Highway is identified in the City's certified Land Use Plan as a coastal view area. For these reasons, potential adverse visual impacts must be considered.

The proposed project includes grading and retaining walls. These have the potential to adversely impact scenic areas. The project area is a developed, urban area and the project is an expansion of an existing facility. The applicant has submitted a landscaping plan which indicates that the open areas will be landscaped. In addition, the retaining walls will have form liner treatments, along with landscaping wall vegetation (vines). Sound walls will be a tan slumpstone with red brick cap, consistent with City standards.

The proposed landscaping and wall treatments are adequate to ensure continuation of the scenic qualities of the project area. Therefore, the Commission finds that the proposed project is consistent with Section 30251 of the Coastal Act.

F. Local Coastal Program

Section 30604(a) of the Coastal Act provides that the Commission shall issue a Coastal Development Permit only if the project will not prejudice the ability of the local government having jurisdiction to prepare a Local Coastal Program which conforms with the Chapter 3 policies of the Coastal Act.

The Newport Beach Land Use Plan was certified on May 19, 1982. The project as proposed is consistent with the Chapter 3 policies of the Coastal Act. The proposed development will not prejudice the City's ability to prepare a Local Coastal Program for Newport Beach that is consistent with the Chapter 3 policies of the Coastal Act as required by Section 30604(a).

D. California Environmental Quality Act

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

The project is located between the sea and the first public road. The project is proposed in an existing urbanized area. The proposed development has been conditioned to assure that mitigation measures will be implemented so that the project will not have a significant adverse impact on the environment. As conditioned, this development will not result in adverse impacts to coastal access or resources. The proposed development is consistent with the Chapter 3 policies of the Coastal Act. The project as proposed is the least environmentally damaging alternative. Therefore, the Commission finds that the proposed project is consistent with CEQA and the policies of the Coastal Act.

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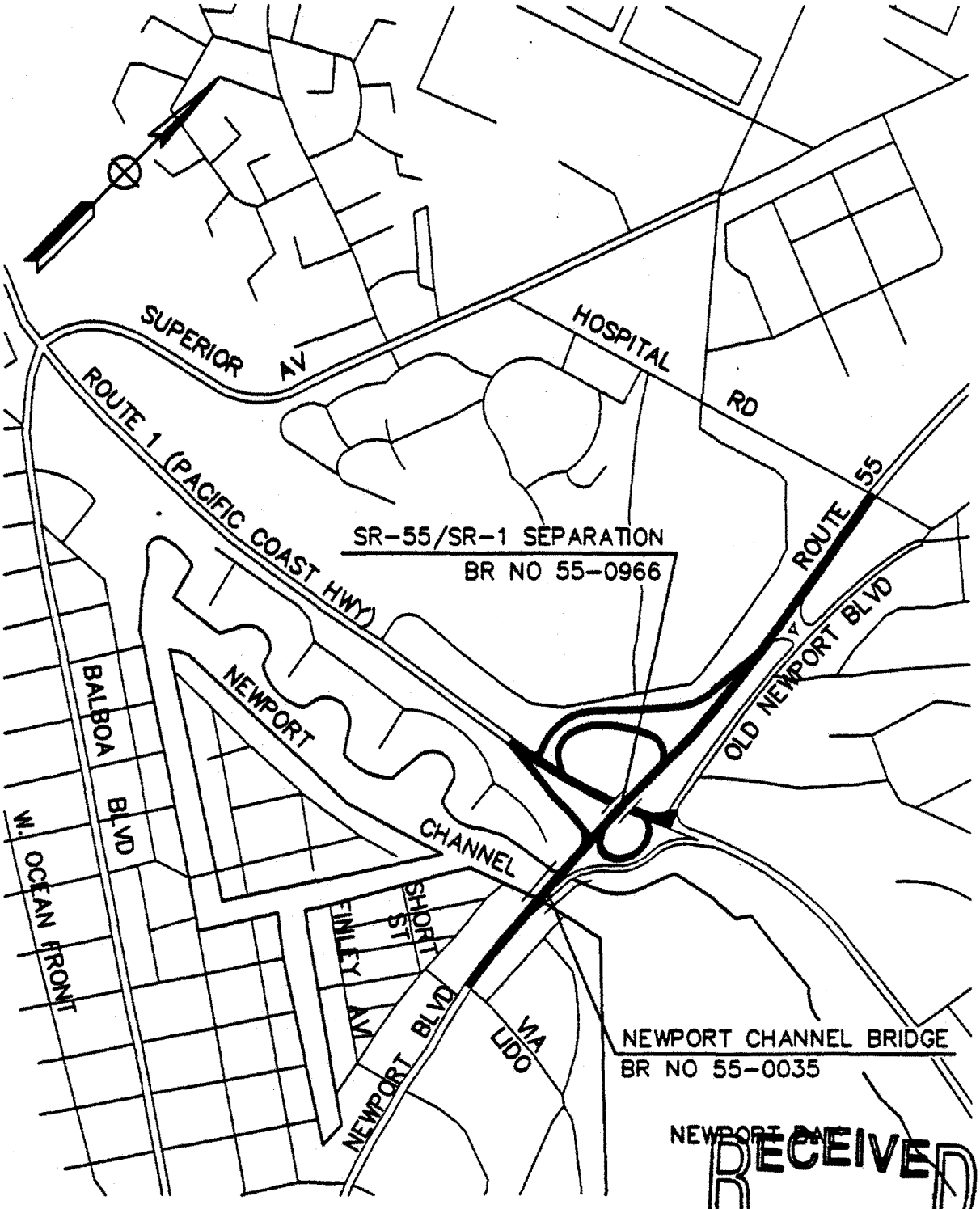
EXHIBIT No. 1
Application Number: 5-96-277
Vicinity Map
California Coastal Commission

VICINITY MAP



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MOFFATT & NICHOL ENGINEERS
LONG BEACH, CALIFORNIA

PROJECT LOCATION MAP

EXHIBIT No. 2

Application Number:
5-96-277

Location Map

California Coastal Commission

DEC 6, 1996 **85% SUBMITTAL**

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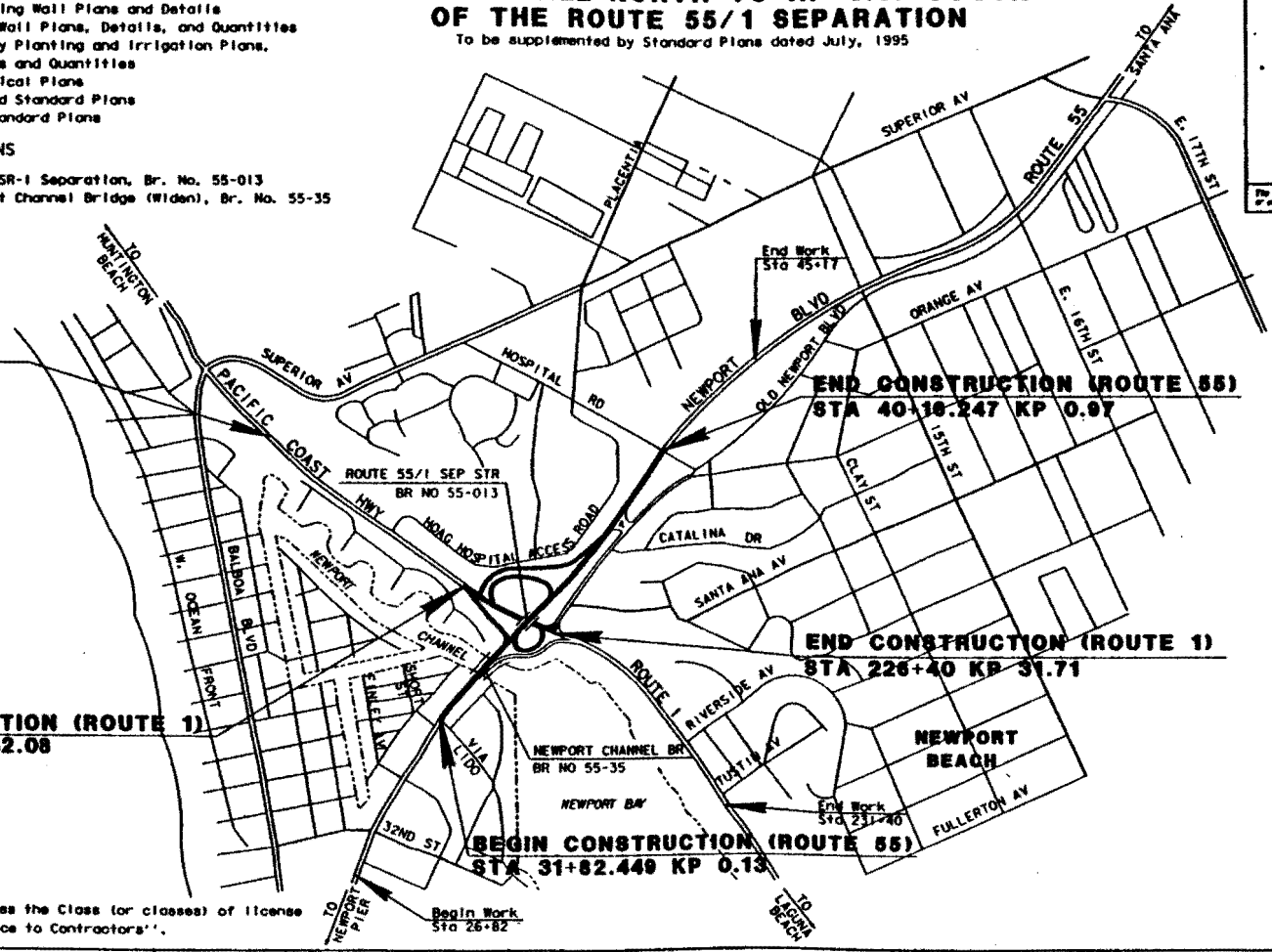
STATE OF CALIFORNIA
DEPARTMENT OF TRANSPORTATION

PROJECT PLANS FOR CONSTRUCTION ON
STATE HIGHWAY
IN ORANGE COUNTY IN NEWPORT BEACH
ON ROUTE 55
FROM HOSPITAL ROAD TO VIA LIDO
AND ON ROUTE 1
FROM KP 0.22 NORTH TO KP 0.15 SOUTH
OF THE ROUTE 55/1 SEPARATION

To be supplemented by Standard Plans dated July, 1995

DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Ora	55	0.13/0.97 31.71/32.08		



The Contractor shall possess the Class (or classes) of license as specified in the "Notice to Contractors".

5-96-277

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DEC 20 1996
CALIFORNIA
COASTAL COMMISSION
SOUTH COAST DISTRICT

Donald Webb — Date
Public Works Director
City of Newport Beach

Project Engineer — Date
Registered Civil Engineer
M. A. KRAMAN No. 44930 Exp. 6-30-97 CIVIL

Plans Approval Date

CITY OF NEWPORT BEACH DWG. NO. R-5697-S

CITY OF NEWPORT BEACH
3300 NEWPORT BOULEVARD
NEWPORT BEACH, CA 92659

MOFFATT & NICHOL ENGINEERS
3720 SOUTH SUSAN STREET, SUITE 200
SANTA ANA, CA 92704

CITY CONTRACT NO. 2886

STATE Contract No. 12-038904

CU 12208 EA 038901

FOR REDUCED PLANS ORIGINAL SCALE IN MILLIMETERS 0 20 40 60 80

CITY CONTRACT NO. C-2886 CITY DWG. NO. R-5697-S

FORM DC-OE-93-PP (REV. 3/88)

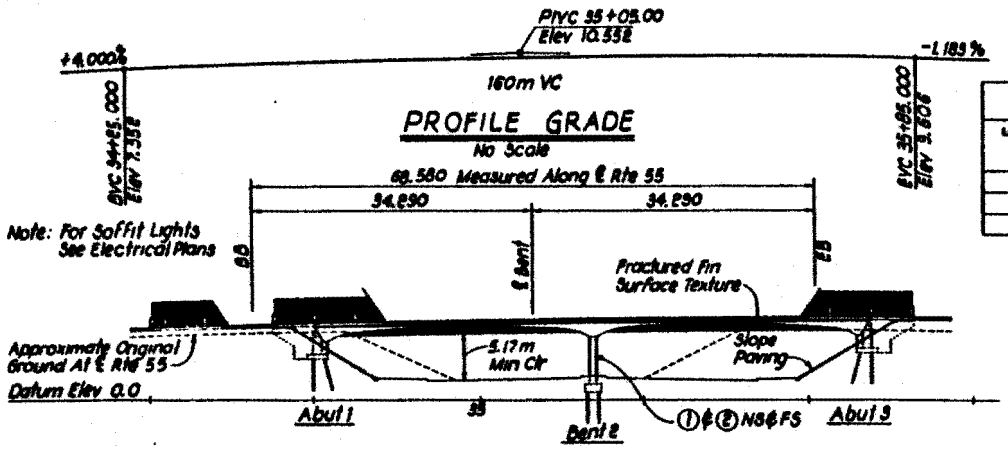
California Coastal Commission

Project Site Plan

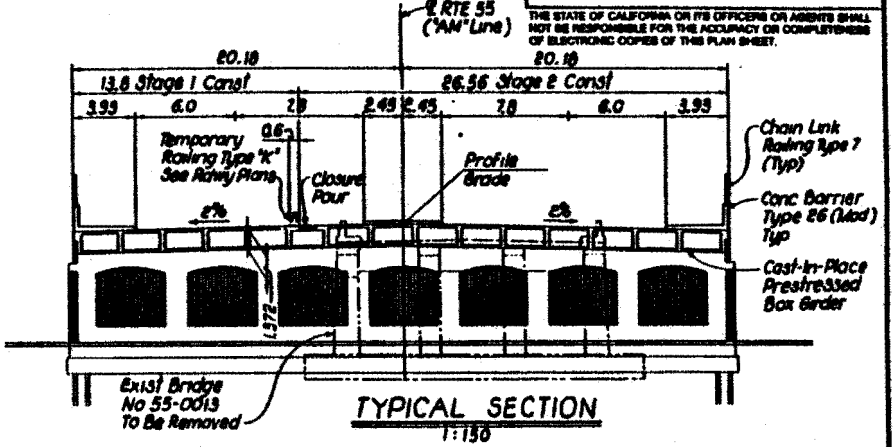
Application Number: 5-96-277

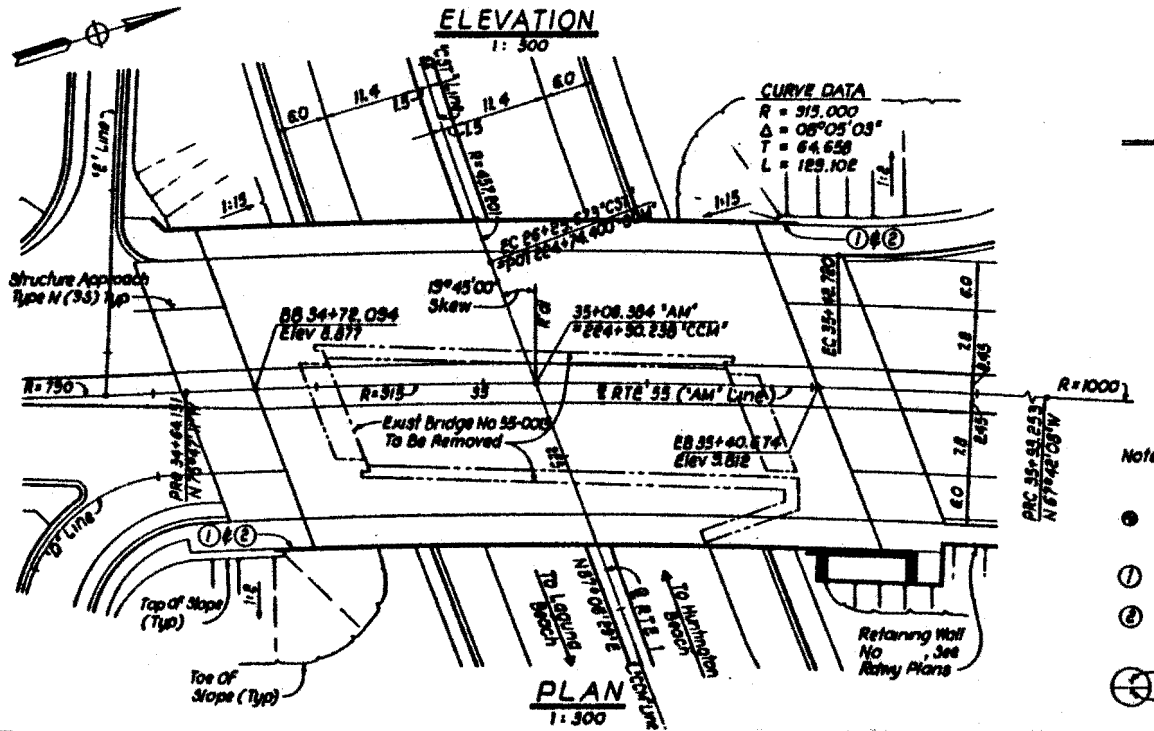
EXHIBIT No. 3

EXHIBIT No. 4
Application Number
5-96-277
Rte 1/Rte 55 Interchange Structure
California Coastal Commission



FILE DATA					
CLASS 200C CONCRETE PILES					
LOCATION	DESIGN LOAD (KIPS/PILE)	NOMINAL RESISTANCE		DESIGN TIP ELEVATION	SPECIFIED TIP ELEVATION
		COMPRESSION	TENSION		
ABUT 1					
BENT 2					
ABUT 3					





Note: For Index To Bridge Plans And General Notes See "Deck Contours" Sheet

● Indicates Point Of Minimum Vertical Clearance

① Paint "SR-55/SR-1 Separation"

② Paint "Bridge No. 55-0966" And Year Completed

Standard Plan Sheet No.
Detail No.

VERTICAL TRAFFIC
A. ____ Slow alignment. No traffic at the site.
B. ____ Traffic will be detoured away from site.
C. ____ Traffic will be routed on the structure. Single construction vehicle will not be required.
A. ____ Traffic will pass under the structure on Rte 1 (Name of Rd. or Hwy.)
A. ____ No telemetric allowed over traffic.
B. X Pedestrian opening(s) required:

Temporary Railing Location	Width of Traffic Opening
NL ____	4.6m ____	7.3m ____
SL ____	4.6m ____	7.3m ____

Railing
C. ____ Temporary traffic face protection needed for loading operations.
PEDESTRIAN TRAFFIC
Pedestrian opening(s) required on Rte 1 (Name of Rd.)

Location	Height	Width
NB	3m	8m

RAILROAD TRAFFIC
Pedestrian opening(s) required over _____ (Name of RR)

Vertical Clearance	Horiz. Clear Width

DESIGN		CHECKED		LOAD FACTOR DESIGN	LIVE LOADING: HS20-44 AND ALTERNATIVE	CHECKED	PREPARED FOR THE CITY OF NEWPORT BEACH DEPARTMENT OF PUBLIC WORKS		BRIDGE NO. 55-0966	SR-55/SR-1 SEPARATION
DETAILS		CHECKED		LAYOUT		CHECKED			POST MILE 0.27	POST MILE 0.43	GENERAL PLAN
QUANTITIES		CHECKED		SPECIFICATIONS		CHECKED		CU 12208 EA 038899	DISREGARD PRINTS BEARING EARLIER REVISION DATES	

ORIGINAL SCALE IN MILLIMETERS IF REDUCED PRINTS 0 20 40 60 80

FIGURE

PILE DATA 400 mm SQ CONCRETE PILES (CORROSION RESISTANT)					
LOCATION	DESIGN LOAD (SERVICE)	NOMINAL RESISTANCE		DESIGN TIP ELEVATION	SPECIFIED TIP ELEVATION
		COMPRESSION	TENSION		
ABUT 1	400 KN				
BENT 2	400 KN				
BENT 3	400 KN				
BENT 4	400 KN				
BENT 5	400 KN				
ABUT 6	400 KN				

ALL DIMENSIONS ARE SHOWN IN METERS, EXCEPT AS NOTED

Metric

DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEETS
12	Ora	55,1	8.13/8.87 32.08/31.77		

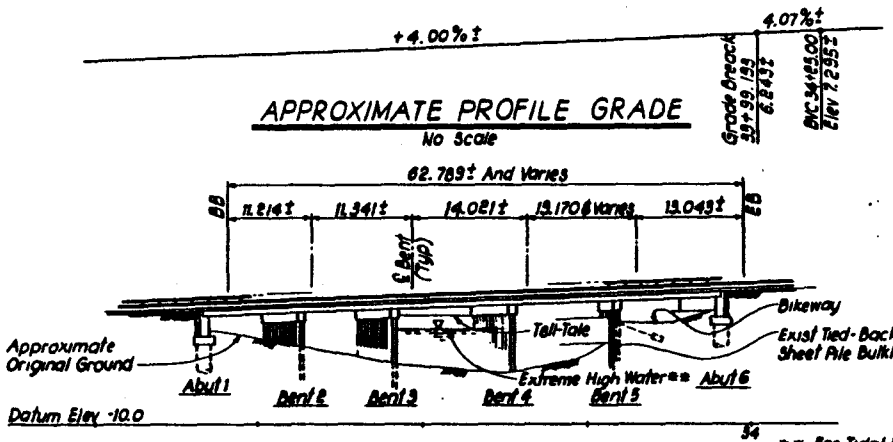
REGISTERED CIVIL ENGINEER

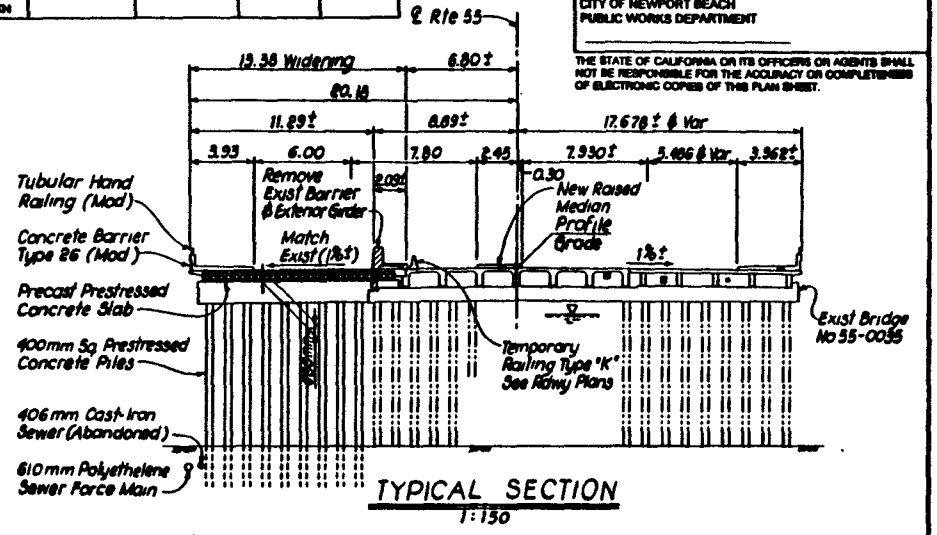
PLANS APPROVAL DATE

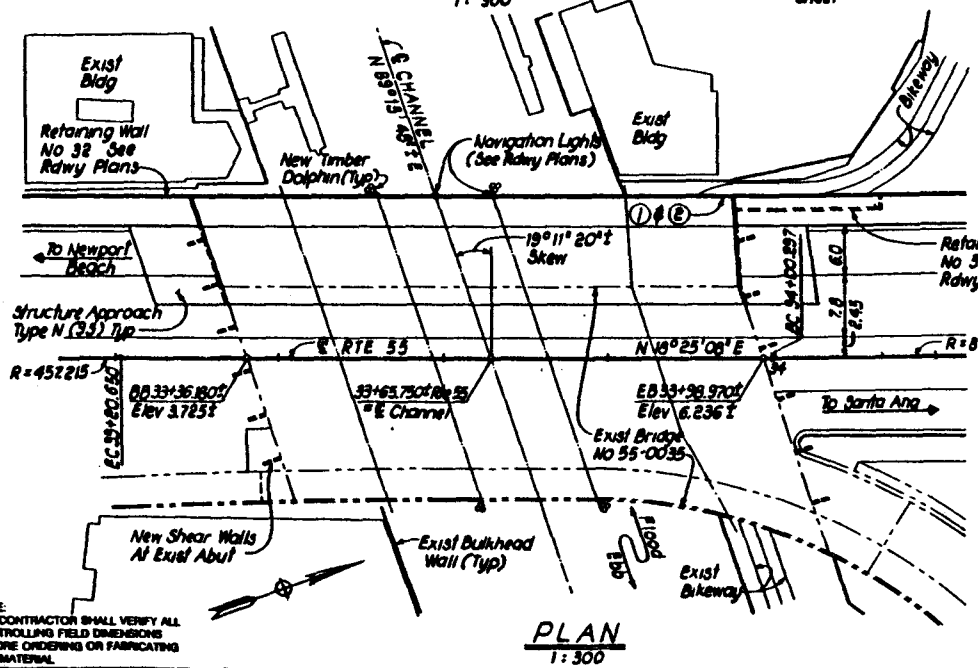
MOFFATT & NICHOL, ENGINEERS
SANTA ANA, CALIFORNIA

CITY OF NEWPORT BEACH
PUBLIC WORKS DEPARTMENT

THE STATE OF CALIFORNIA OR ITS OFFICERS OR AGENTS SHALL NOT BE RESPONSIBLE FOR THE ACCURACY OR COMPLETENESS OF ELECTRONIC COPIES OF THIS PLAN SHEET.







NOTE:
THE CONTRACTOR SHALL VERIFY ALL CONTROLLING FIELD DIMENSIONS BEFORE ORDERING OR FABRICATING ANY MATERIAL

Note: For Index To Bridge Plans And General Notes See "Foundation Plan" Sheet

(1) Paint "Newport Channel Bridge"

(2) Paint "Bridge No. 55-0035" And Year Completed

Standard Plan Sheet No.
Detail No.

EXHIBIT No. 5
Application Number:
5-96-277
Newport Channel Bridge
California Coastal Commission

	DESIGN	BY	CHECKED	LOAD FACTOR DESIGN	LIVE LOADING: HS20-40 AND ALTERNATIVE MILITARY DESIGN LOAD	PREPARED FOR THE CITY OF NEWPORT BEACH DEPARTMENT OF PUBLIC WORKS	BRIDGE NO. 55-0035
	DETAILS	BY	CHECKED	LAYOUT	BY		POST MILE 8.19 / POST MILE 8.29
	QUANTITIES	BY	CHECKED	SPECIFICATIONS	BY	SCALE: AS SHOWN	

ORIGINAL SCALE IN MILIMETERS FOR REDUCED PLANS 0 20 40 60 80

CU 12208
EA 038860

NEWPORT CHANNEL BRIDGE (WIDEN)

GENERAL PLAN

DISREGARD PRINTS BEARING EARLIER REVISION DATES

REVISION DATES (PRELIMINARY STAGE ONLY)

SHEET 17

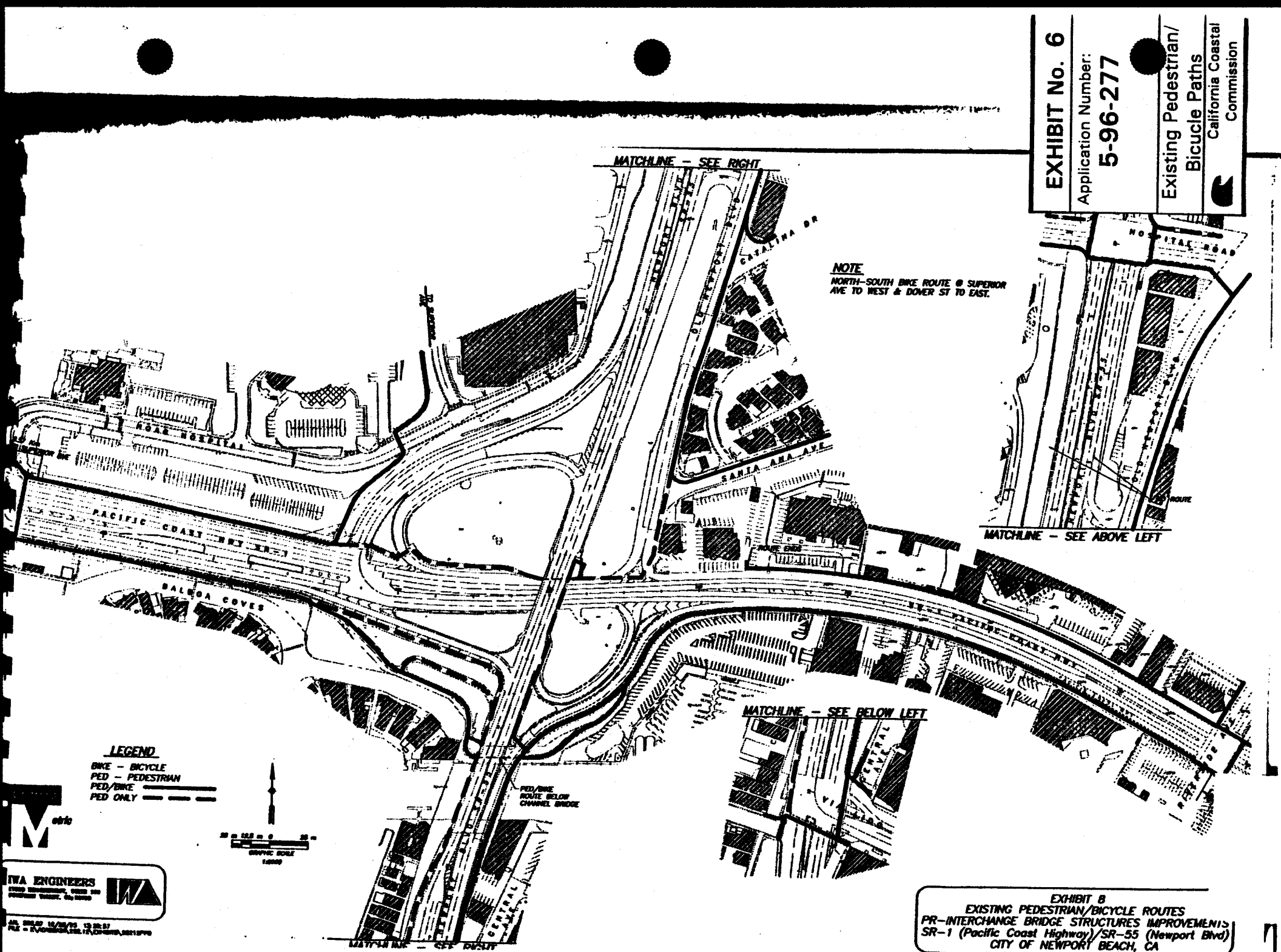


EXHIBIT 8
EXISTING PEDESTRIAN/BICYCLE ROUTES
PR–INTERCHANGE BRIDGE STRUCTURES IMPROVEMENTS
SR–1 (Pacific Coast Highway)/SR–55 (Newport Blvd)
CITY OF NEWPORT BEACH, CA

EXHIBIT No. 7
Application Number:
5-96-277
Proposed Pedestrian/Bicycle Paths
California Coastal Commission

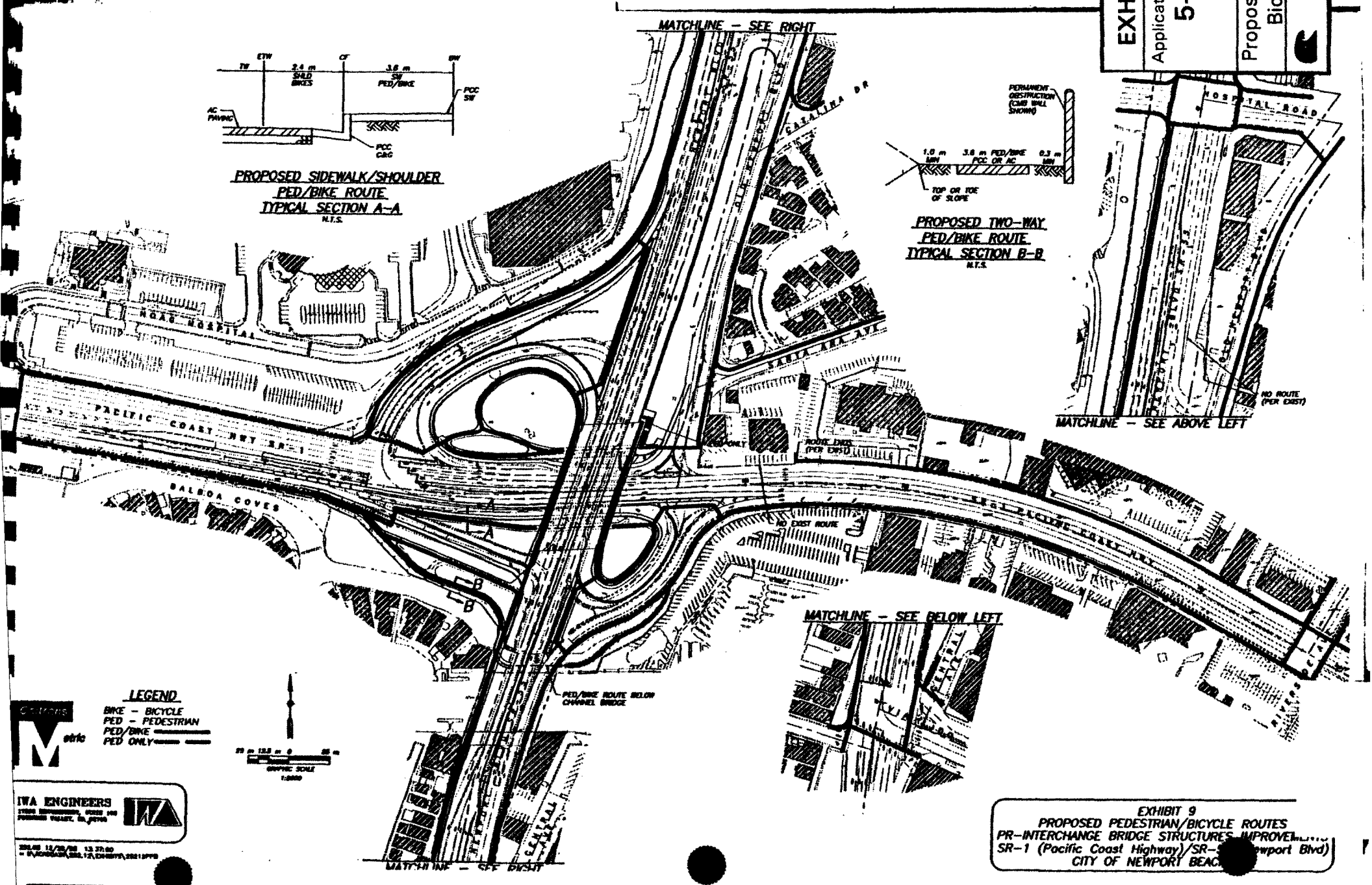


EXHIBIT 9
PROPOSED PEDESTRIAN/BICYCLE ROUTES
PR–INTERCHANGE BRIDGE STRUCTURES IMPROVE...
SR–1 (Pacific Coast Highway)/SR–... (Newport Blvd)
CITY OF NEWPORT BEAC...

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SANTA ANA REGION
3737 MAIN STREET, SUITE 500
RIVERSIDE, CA 92501-3339
PHONE: (909) 782-4130
FAX: (909) 781-6288

January 27, 1997

Mr. Bill Patapoff
City Engineer
City of Newport Beach
Public Works Department
P.O. Box 1768
Newport Beach, CA 92658-8915

REQUEST FOR 401 CERTIFICATION FOR THE PROPOSED WIDENING OF NEWPORT BOULEVARD BRIDGE OVER NEWPORT ISLAND CHANNEL, NEWPORT BEACH, ORANGE COUNTY (NO ACOE REFERENCE NUMBER)

Dear Mr. Patapoff:

On January 2, 1997, we received a transmittal dated December 23, 1996 from the City of Newport Beach (City) requesting a water quality standards certification under Section 401 of the Clean Water Act for the above-referenced project. Additional information was requested and received, including a copy of the application made to the U.S. Army Corps of Engineers for Sections 10 and 404 Permits that we received on January 6, 1997. We received all requested materials for a complete application as of January 6, 1997.

The City is proposing to widen the west side of the Newport Boulevard Bridge over the Newport Island Channel, hereinafter referred to as the Newport Channel Bridge or just Bridge. The Newport Channel Bridge is being widened to accommodate three southbound lanes along Newport Boulevard. The project will add a new bridge structure supported on concrete piles, a raised median, a new sidewalk, and a soundwall adjacent to existing residences.

The width of the proposed bridge section is 13.9 meters and the widening will occur over the entire bridge length (62.8 meters). The new bridge structure will consist of a precast, prestressed concrete slab supported by extending the four existing bents and both abutments. Each bent will be supported by nine new prestressed concrete piles. A total of 36 new piles are anticipated with 27 of the piles in the waterway. Construction will be accomplished using pile drivers to install the piles, and cranes to install the bridge soffitt and deck. The piles will be 400 millimeters in diameter. A 3.6-meter-wide concrete walkway will be constructed along the western edge of the bridge. Traffic will use the existing bridge while the bridge widening is under construction.

Bridge widening will require:

- Pre-drilling and driving of precast concrete piles;
- Cast-in-place concrete pile caps;
- Placement of precast concrete deck panels; and
- Cast-in-place concrete deck, sidewalk, and bridge railings.

Pre-drilling is necessary along the subchannel crossing of a 24-inch sewer force main to mitigate possible soil displacement from pile driving which could damage the pipeline. Pile caps will be cast-in-place using watertight casts. The bridge structures will be placed on the pile caps with a crane, and the bridge deck will then be cast-in-place.

Approximately 840.1 square meters (0.2 acres) of Newport Channel will be covered by the new bridge structure. Direct impacts to Channel waters will occur by the addition of 27 new piles as previously described. The area of fill to be occupied by the piles is approximately 436 square feet total, or 0.01 acres. Abutments will also be constructed at each end of the bridge but the fill required for abutments is outside the Newport Channel Waterway. Impacts from fill are not considered significant due to the small area affected, and the absence of sensitive biological habitat. Dredging will not be required. There is no vegetation in the project area.

Potential impacts to water quality as a result of this project include increased turbidity and the introduction of petroleum products. To mitigate potential impacts to water quality, and as specified in their Environmental Re-Evaluation/Addendum EIR, the City proposes that:

1. Silt curtains shall be used during construction to control turbidity in Newport Channel.

2. All building materials, liquid construction waste (*e.g.*, petroleum products and cement water) and other by-products will be contained and removed to an acceptable offsite disposal location.

3. The construction site will be inspected daily for leaks or inadvertent spills of petrochemical products; if found, spills or leaks will be contained and prevented from reaching Newport Channel.

4. Washing of construction vehicles and equipment will be prohibited adjacent to the Newport Channel.

5. A detailed plan for clean-up of an accidental spill of petroleum-based products, cement, or other construction pollutants will be submitted for approval and kept on site with the General Contractor or Engineer.

6. The contractor will be required to prepare a storm water pollution prevention plan in accordance with guidelines established by the State Water Resources Control Board and Caltrans, and construction activity will be required to comply with the National Pollution Discharge Elimination System regulations.

The area to be impacted lies within Newport Channel, adjacent to Lower Newport Bay. Beneficial uses of Lower Newport Bay include: Navigation; Water Contact Recreation; Non-contact Water Recreation; Commercial and Sportfishing; Wildlife Habitat; Rare, Threatened or Endangered Species (habitat); Spawning, Reproduction, and Development; Marine Habitat; and Shellfish Harvesting. The proposed project is not expected to impact state- or federally-listed endangered or threatened species or their critical habitat.

You have submitted an application for a Nationwide Permit 15 to the U.S. Army Corps of Engineers in compliance with Section 404 of the Clean Water Act and have filed for a Coastal Development Permit from the California Coastal Commission. A comment letter from the U.S. National Marine Fisheries Service indicated that they did "not believe the proposed work will result in any significant impacts to marine resources...."

A Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS) was originally approved in 1985. Due to the time which elapsed between approval of the original EIR/EIS and project implementation, the Environmental Re-Evaluation/Addendum EIR for the SR-55/SR-1 Interchange Bridge Structures Improvements was prepared in 1989, and another was prepared in March 1996. Final concurrence for the latest Addendum EIR was granted for this project on April 11, 1996.

Resolution No. 96-9 (copy enclosed) provides that waste discharge requirements for certain types of discharges are waived provided that criteria and conditions specified in the Resolution are met. Provided that the criteria and conditions for Minor Stream Channel Alterations specified on page 3 (of Attachment "A" to the Resolution) and the general conditions specified on page 4 are met, waste discharge requirements are waived for this project. In accordance with Section 3857 of the California Code of Regulations, this action is equivalent to waiver of water quality certification. At this time no further action is anticipated on your application. However, if the above stated conditions are changed, any of the criteria or conditions as previously described are not met, or new information becomes available that indicates a water quality problem, we may formulate Waste Discharge Requirements.

Should there be any questions, please contact Hope Smythe at (909) 782-4493 or Linda Garcia at (909) 782-4469.

Sincerely,

GERARD J. THIBEAULT
Executive Officer

Attachment

cc (w/out attachment):
U.S. Environmental Protection Agency, Wetlands and Sediment Management Section - Daniel Meer (W-3-3)
U.S. Army Corps of Engineers - Mark Sudol
U.S. Fish and Wildlife Service - Martin Kenney
State Water Resources Control Board, DWQ-Nonpoint Source Certification and Loans Unit - William R. Campbell, Chief
California Department of Fish and Game, Long Beach - Troy Kelly
California Coastal Commission - Meg Vaughn
City of Newport Beach - Gail Pickart
Moffatt & Nichol Engineers - Chris Webb

LCG:\data\401\nwptbrdg.401

Exhibit 8
page 3 of 3

L1046

UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213
TEL (310) 980-4000; FAX (310) 980-4018

F/SWO21:RSH

JAN 8 1997

Mr. Bill Patapoff
City Engineer
Public Works Department
City of Newport Beach
P.O. Box 1768
Newport Beach, California 92658-8915

Dear Mr. Patapoff:

Thank you for the opportunity to review the proposed project to widen the Newport Boulevard bridge over Newport Channel. I do not believe the proposed work will result in any significant impacts to marine resources of concern to the National Marine Fisheries Service. If you have any questions, please contact me at (310) 980-4043.

Sincerely,

Robert S. Hoffman

Robert S. Hoffman
Southern California Environmental
Coordinator

EXHIBIT No. 9
Application Number:
5-96-277
Natl. Marine Fisheries Service Comments
California Coastal Commission

DEPARTMENT OF TRANSPORTATION

December 19, 1996

Ms. Meg Vaugh
California Coastal Commission
South Coast Area
243 West Broadway, Ste. 380
P.O. Box 1450
Long Beach, California

12-ORA-55;1-
PK 0.13/0.97-31.71/32.08
Newport Blvd./PCH
SR 55/SR 1
IC Improvements
City of Newport Beach

Dear Ms. Vaugh:

I was asked by the City of Newport Beach to certify to you by means of this letter their plans to improve the SR 55/SR 1 Interchange. Caltrans is in the process of approving the encroachment permit at this time. All of the work will be performed within existing Caltrans right of way under the above mentioned permit.

If you have any questions regarding this matter or need further clarification, please contact Robert Thorbourne at (714) 724-2296. Thank you.

Brice Paris, Chief
Right of Way Project Management

c:DDunn;SVega-Wells;JShih;file