

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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SAN DIEGO, CA 92108-4402

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 Hearing Date: 8/6-9/02

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-02-65

Applicant: California Department of Transportation Agent: Gladys Baird

Description: Install traffic safety improvements, including closed circuit television, maintenance pullout, median pavings and traffic monitoring system within the Interstate 5 (I-5) right of way.

Site: Northbound and Southbound Interstate 5 (I-5) near Lomas Santa Fe Road and Via de la Valle, Solana Beach (San Diego County)

Substantive File Documents: Department of Transportation Letter, dated April 12, 2002, Coastal Development Permit Nos. 6-01-156 and 6-01-161

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff recommends approval of the proposed project with special conditions. The project raises issues related to impacts to water quality, visual resources and public access. With the proposed mitigation measures and proposed special condition, the potential impacts on coastal resources will be eliminated or reduced to the maximum extent feasible, consistent with Coastal Act policies.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-02-65 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

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

RESOLUTION TO APPROVE THE PERMIT:

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

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final project plans. The plans shall be in substantial conformance with the plans by Caltrans dated received 4/18/02, submitted with this application, but shall include the final design for the following:

- a. all proposed hardscape
- b. all temporary (construction--related) BMPs
- c. Closed Circuit TV Equipment.
 1. All equipment shall be painted in dark tones to reduce visibility.
 2. Landscaping shall screen the equipment cabinets and lower part of the poles:
 - Only native drought-tolerant or non-invasive species shall be utilized.
 - Only temporary irrigation for plant establishment is allowed.
 - Minimize the use of fertilizers and pesticides.
 - All plantings shall be monitored and maintained in good growing condition for the life of the equipment.

The permittee shall undertake development in accordance with the approved final plans. Any proposed changes to the approved final plans shall be reported to the Executive Director. No changes to the approved final plans shall occur without further amendment to this coastal development permit unless the Executive Director determines that no additional amendment is legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The California Department of Transportation (Caltrans) is proposing construction of several interrelated highway improvements within the right-of-way of Interstate 5 (I-5), including installation of closed circuit television, maintenance pullout and a traffic monitoring system within the Interstate 5 (I-5) right of way. All of the improvements are located near Lomas Santa Fe Road or north of Via de la Valle in Solana Beach. Also proposed is paving of exposed soil between the edge of the existing inside shoulder (#1 lane or the lane closest to the median strip) and the k-rail on both northbound and southbound Interstate 5 (approximately .79 acres) in Solana Beach (Northbound Interstate 5: Lomas Santa Fe to northern City limit; Southbound Interstate 5: Lomas Santa Fe to southern City limit). Debris tends to be caught in this bare ground open area placing Caltrans maintenance personnel at risk when stopping to pick up the debris. According to the applicant, if the area is paved, maintenance may mechanically clean the area.

The development is proposed to 1) ensure the safety of Caltrans maintenance crews (maintenance vehicle pullout (MVPO) and median paving) and 2) monitor the flow of traffic (closed circuit television (CCTV) and traffic monitoring system (TMS)). The MVPO is 660 sq.ft. in size and is a semi-rectangular shaped impervious blacktop surface and is used to provide a safe place for maintenance vehicles to park by the freeway. Paving this area will reduce the amount of time that maintenance personnel will be exposed to traffic. The CCTV and the TMS are traffic surveillance systems designed to monitor existing freeway conditions for motorists and Caltrans workers.

The project includes travel lane/shoulders and ramp rehabilitations, approach and departure slab replacements, guard rail replacements, replacement of curbs and dikes and upgrade of traffic operational equipment. These components are exempt from coastal development permit requirements. Some lane and ramp closure would be required but would be conducted at night and the lanes and ramps would be reopened in time for morning traffic. The length of time to complete the entire project would take about two years, although the portion of the project within the Commission's jurisdiction will take considerably less time. All work is proposed within Caltrans right-of-way.

The project also includes the upgrade of overhead sign panels to meet current highway standards. The work entails changing the panels to ones that are more reflective (i.e., more visible to the traveling public). The size of the panels and the height the panels are

mounted would remain the same. These improvements are exempt from coastal development permit requirements.

The project runs from near the Carmel Mountain Road in San Diego to the Leucadia Blvd. overcrossing in Encinitas within the right of way of I-5. However, the subject of this permit is only the portion of the project that is located in Solana Beach. Because there is no certified LCP for this area, the standard of review for this development is the Chapter 3 policies of the Coastal Act. The remainder of the project within the coastal zone is within the LCP permit jurisdiction of the cities of San Diego and Encinitas.

2. Water Quality. All proposed work is within the I-5 right-of-way. Within the project area, there are several watersheds and significant bodies of water that I-5 crosses over, including San Elijo Lagoon. While no work is proposed in these areas, indirect impacts to water quality from runoff over the proposed impervious surfaces both during construction and post-construction is a concern. Such runoff can carry sediments and urban pollutants and deposit them in downstream sensitive receiving waters.

Section 30231

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

Pursuant to its National Pollutant Discharge Elimination System (NPDES) permit under which it constructs and operates highway development, Caltrans must implement Best Management Practices (BMPs) to limit polluted runoff from highway facilities.

The project will result in an increase of impervious surfaces as it proposes paving at several I-5 locations within the Commission's jurisdiction. Caltrans is proposing to pave a narrow linear strip between the edge of the existing inside shoulder (#1 lane or the lane closest to the median strip) and the k-rail on both northbound and southbound Interstate 5 (approximately .79 acres). Debris tends to be caught in this bare ground open area placing Caltrans maintenance personnel at risk when stopping to pick up the debris. If the area is paved, maintenance may mechanically clean the area. By allowing for easier removal of debris, the project may reduce trash-related impacts to water quality. Caltrans notes the area between the two lines of k-rail is planted with oleanders which may improve the quality of highway runoff by binding contaminants within the tissues of the oleanders. Thus, no additional water quality measures are necessary to address this area.

Additionally, construction of the proposed maintenance vehicle pullout includes a new paved surface where none currently exists. Proposed temporary (construction) BMPs

include fiber rolls and temporary concrete washouts to be implemented concurrent or prior to construction activities to protect storm drain inlets, creeks, etc., from erosion and sediments during construction activities. The Commission's water quality specialist has reviewed the project and determined that no additional requirements for permanent or temporary BMPs are necessary. Special Condition #1 requires final plans showing the proposed location of the temporary BMPs. Based on the above, the Commission finds the proposed project, as conditioned, is consistent with the water quality protection policies of Chapter 3.

3. Visual Resources. The following policy of the Coastal Act addresses visual resources, and states, in part:

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The project site is well inland from the actual shoreline; however, I-5 is a designated scenic corridor. The maintenance pullout and pavings will be visible to travelers on I-5. The closed circuit television (CCTV) and maintenance vehicle pullout (MVPO) are proposed along the shoulder of southbound I-5 just north of the Lomas Santa Fe off ramp. Since the maintenance pullout is at ground level and has the same general appearance as a freeway shoulder, it is not anticipated to result in significant visual impacts. Likewise, the proposed pavings are of limited area and at ground level. No adverse visual impacts are anticipated.

The traffic monitoring system includes trenching for main lane loops across north and southbound I-5 north of the Via de la Valle loop ramps. The TV camera will be mounted on an approximately forty-foot high pole and will require a separate above ground equipment cabinet. The diameter of the pole is less than one foot. Installation of the above components would also require trenching for the wiring and holes for supporting pole and control cabinetry. These facilities will be visible, although they have much the same character as existing utility lines. No ocean views will be blocked. Some existing ornamental vegetation would be removed to install the improvements but would be replaced upon installation. Special Condition #1 requires replacement vegetation to be native drought-tolerant or non-invasive species, the facilities to be colored in dark tones and requires that landscape screening be provided for the bases of the pole and the equipment cabinets. With these provisions, potential visual impacts will be reduced to the maximum extent feasible. As conditioned, the Commission finds the proposed project consistent with the visual resource policies of the Coastal Act.

4. Public Access. A portion of the project is between the first public road and the ocean (north of Lomas Santa Fe Road). Section 30604(c) of the Coastal Act requires that a public access finding be made that the development is in conformity with the public access and recreation policies of Chapter 3.

The project proposes new safety features to primarily protect highway workers; it does not modify the scope or scale of the existing freeway system. During construction of the project, the traveling public will not be denied access to the coast. Some lane and ramp closure would be required but would be conducted at night and the lanes and ramps would be reopened in time for morning traffic. As such, no adverse impacts to traffic/circulation/public access is anticipated. Therefore, the Commission finds the proposed project is consistent with Section 30604 (c) of the Coastal Act.

5. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit, or permit amendment, shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made for the proposed project.

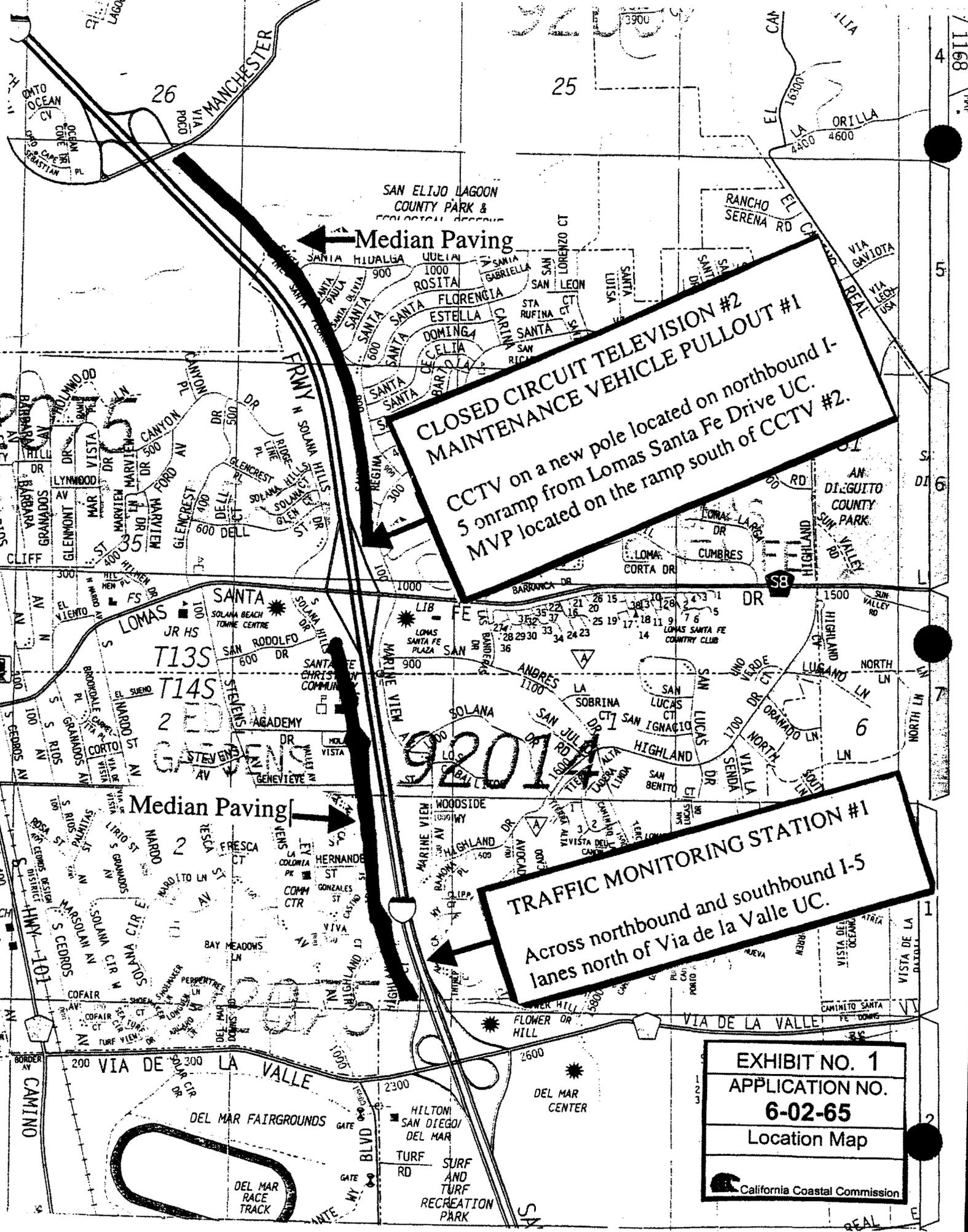
The subject site is located within Caltrans right-of-way in Solana Beach. Because there is no certified LCP for this area, the standard of review for this development is Chapter 3 policies of the Coastal Act. Based on the above discussion, the Commission finds that the proposed development, as conditioned, is consistent with all applicable Chapter 3 policies of the Coastal Act and will not prejudice the City LCP process.

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

As discussed above and incorporated by reference herein, the proposed project, as conditioned, will not cause significant adverse impacts to the environment. Specifically, as conditioned, the project has been found consistent with the water quality, visual resources and public access policies of the Coastal Act. There are no feasible alternatives or mitigation measures available which would substantially lessen any significant adverse impact which the activity might have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.



Median Paving

CLOSED CIRCUIT TELEVISION #2
MAINTENANCE VEHICLE PULLOUT #1

CCTV on a new pole located on northbound I-5 onramp from Lomas Santa Fe Drive UC.
 MVP located on the ramp south of CCTV #2.

Median Paving

TRAFFIC MONITORING STATION #1

Across northbound and southbound I-5 lanes north of Via de la Valle UC.

EXHIBIT NO. 1
APPLICATION NO.
6-02-65
Location Map
California Coastal Commission

92014

6-02-065



Photo Simulation
Of
Closed Circuit Television and Control Cabinet
And
Maintenance Vehicle Pullout

EXHIBIT NO. 2
APPLICATION NO.
6-02-65
Photo Simulations
 California Coastal Commission

