

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.:	5-15-1252
Applicant:	Laguna Beach County Water District
Agent:	Athena Environmental Inc.
Project Location:	Crystal Cove State Park and 150 Irvine Cove Place, City of Laguna Beach, Orange County
Project Description:	Refurbish approximately 1,850 linear feet of an existing 8-inch water pipe by pipeline insertion technique with 6-inch pipe inserted into the existing pipeline at eight (8) insertion points along pipeline, excavate a 6-foot wide by 16-foot long and 5-foot deep pit at each insertion point; vegetation trimming and removal along a 15-foot wide access path within a 20-foot wide pipeline easement along the length of the pipeline; and a Habitat Mitigation and Monitoring Plan for restoration of all impacted areas.
Staff Recommendation:	Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The applicant, Laguna Beach County Water District, a water district serving the private communities of Emerald Bay and Irvine Cove within the City of Laguna Beach, is proposing to refurbish an existing 1,850 linear ft. subterranean water pipeline located on an easement on the inland side of Crystal Cove State Park which provides potable water and fire protection from the

subterranean Sweany Reservoir (also in Crystal Cove State Park) to the Irvine Cove private residences. The Sweany water pipeline is currently in disrepair and is out of commission as a result of corrosion that caused a rupture and leaking in the pipeline.

Approximately 1,850 linear-foot of the 8-inch water pipe would be refurbished with the insertion of a new 6-inch high density polyethylene pipe into the existing 8-inch pipeline at eight (8) insertion points along the pipeline. Excavation is limited to eight 6-foot wide by 16-foot long and 5-foot deep pits, one at each of the insertion points. The proposed project requires vegetation trimming and removal within Crystal Cove State Park in order to create a 15-foot wide access path for construction vehicles along the entire 1,850 linear foot length of the pipeline. The access path will be entirely within the applicant's 20-ft. wide pipeline easement. Vegetation trimming involves cutting of above-ground growth of woody vegetation using hand tools and chain saws, with no disturbance to roots anticipated. Cactus patches will be temporarily removed and replanted in their same location following completion of work. The proposed construction staging area is a 60' x 35' area of barren compact dirt fill on top of the subterranean Sweany Reservoir.

Although this refurbishment/remediation project constitutes repair and maintenance development that typically, because of the limited nature of the actual development (repairing existing subterranean water lines), would be exempt under section 30610(d), this particular repair and maintenance project is not exempt under Section 30610(d) of the Public Resources Code, or the Commission's 1978 Repair and Maintenance Guidelines due to the fact that the methods of accessing the site where the actual development will take place to repair the existing subterranean water lines involve moving construction machinery through environmentally sensitive habitat area (ESHA) consisting of coastal sage scrub and, thus, requires a coastal development permit (Title 14 CCR §13252(a)(3)[repair and maintenance work located in ESHA requires a permit].) The standard of review for this permit application is the Chapter 3 policies of the Coastal Act.

Commission staff recommends **approval** of Coastal Development Permit Application 5-15-1252 with special conditions. The primary Coastal Act issue associated with this project is the temporary adverse impact to environmentally sensitive habitat areas. Under Section 30240(a) only resource dependent uses are permitted within ESHA. The pipeline to be repaired is existing permitted development. The proposed relining of the existing pipeline will not have any significant adverse impact on ESHA, but the proposed temporary accessway to the project site (through ESHA) will temporarily impact the ESHA. This impact, being temporary, does not constitute development with permanent impacts on ESHA. As proposed, vegetation removal and trimming is limited to the minimal amount necessary to undertake the proposed repair and is the alternative with the least impact. The impacted ESHA vegetation will be restored as part of the proposed project.

The applicant had originally proposed a construction method that entailed complete excavation of the pipeline along the entire pipeline alignment. That alternative would result in 0.11 acres of permanent direct impacts to CSS and coast prickly pear, and 3.9 acres of indirect/temporary impacts to CSS and coast prickly pear. The applicant worked closely in conjunction with State Parks (underlying property owner) to develop a proposal that would avoid permanent habitat impacts and minimize temporary construction impacts and would be acceptable to State Parks. The project construction method has since been modified to so that excavation only takes place at eight pit sites and vegetation trimming instead of full removal along the pipeline alignment for

construction access thereby avoiding all permanent direct impacts to CSS and coast prickly pear. Additionally, there is no other possible new pipeline alignment from the Reservoir to the Irvine Cove community that doesn't go through ESHA and would result in even greater disruption to ESHA and direct impacts to ESHA.

Therefore, there is no less environmentally damaging alternative available. In order to mitigate for the unavoidable, yet temporary, adverse impacts to coastal sage scrub habitat, **Special Condition 2** requires the applicant to implement a Habitat Mitigation and Monitoring Plan for Restoration of Coastal Sage Scrub Habitat that provides for revegetation with native vegetation of all areas along the project site disturbed by construction activities. The recommended special conditions are: 1) Permit Compliance, 2) Habitat Mitigation and Monitoring Plan; 3) Bird Survey, 4) Construction Best Management Practices; 5) Erosion Control, 6) Construction Staging Plan, and 7) Future Improvements. As conditioned, the proposed water pipe repair project is consistent with the applicable resource protection provisions of the Coastal Act.

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EXHIBITS

Exhibit 1 – Location Map/Project Site
Exhibit 2 – Proposed Project Plans
Exhibit 3 – Habitat Impact Map
Exhibit 4 – Site Photos

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 5-15-1252 pursuant to the staff recommendation.*

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:

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 will substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following 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.

III. SPECIAL CONDITIONS

1. **Approved Development – Permit Compliance.** Coastal Development Permit 5-15-1252 approves the repair of an existing water pipe by pipeline insertion technique as described and conditioned herein. Removal and trimming of native vegetation is permitted only to the minimum extent necessary to carry out the permitted repair project. Disturbance of vegetation outside of the applicant's easement is strictly prohibited. All development must occur in strict compliance with the proposal as set forth in the application, subject to the special conditions. Any proposed change or deviation from the approved plans shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. No changes to the approved plan shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. **Habitat Mitigation and Monitoring Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director, a final revised detailed habitat restoration and monitoring program to restore disturbed habitat in substantial conformance with the submitted "Habitat Mitigation and Monitoring Plan for Restoration of Coastal Sage Scrub Habitat, Sweany Water Line Refurbishment Project, Laguna Beach" prepared by Glenn Lukos Associates, dated April 22, 2015. The revised plan shall quantify the area of impact and the required restoration shall be at a minimum ratio of 1.5:1 (restoration to impact). A qualified biologist for restoration and monitoring of coastal sage scrub shall design the revised restoration and monitoring program. The revised restoration and monitoring program shall at a minimum include the following:
 - A. Restoration plan including planting map, plant palette, source of plant material, and schedule of plant installation, watering, erosion control, soil fertilization and weed abatement;

 - B. Final Success Criteria. The restoration will be considered successful if the overall species composition and the vegetative cover of the dominant perennial species are similar to relatively undisturbed vegetation of the same type in nearby reference areas. Species composition shall be considered similar if all the dominant species and at least 80% of the non-dominant species at the reference site are present at the restored site.

 - C. Provisions for monitoring and remediation of the restoration site in accordance with the approved final restoration program for a period of five years or until it has been determined that success criteria have been met or have failed to be met, whichever comes first.

 - D. Provisions for submission of annual reports of monitoring results to the Executive Director for the duration of the required monitoring period. Each report shall document the condition of the restoration with photographs taken from the same fixed points in the same directions. Each report shall also include a "Performance Evaluation" section where information and results from the monitoring program

are used to evaluate the status of the restoration project in relation to the performance standards. The performance monitoring period shall either be five years or three years without maintenance or remediation, whichever is longer. The final report must be prepared in conjunction with a qualified biologist. The report must evaluate whether the restoration site conforms to the goals, objectives, and performance standards set forth in the approved final restoration program.

The permittee shall monitor and remediate the restoration site in accordance with the approved mitigation and monitoring program, including any revised restoration program approved by the Commission or its staff. Any proposed changes to the approved monitoring program shall be reported to the Executive Director. No changes to the approved monitoring program shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. **Breeding Bird Survey.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, in a form and content acceptable to the Executive Director, a plan for a Breeding Bird Survey conducted by a qualified biologist immediately prior to and during construction of the proposed improvements, which shall substantially conform to the following requirements:
 - A. A qualified biologist, with experience in conducting bird surveys, shall conduct bird surveys 30 days prior to construction to detect any protected native birds in the habitat to be disturbed and any other such habitat within 500 feet of the construction area. The last survey should be conducted 3 days prior to the initiation of clearance/construction.
 - B. If a protected native bird is found during the survey, the applicant shall delay all clearance/construction disturbance activities in suitable nesting habitat or within 500 feet of nesting habitat until August 31 or continue the surveys in order to locate any nests. If an active nest is located, clearing/construction within 500 feet of the nest(s) shall be postponed until the nest(s) is vacated and juveniles have fledged and there is no evidence of further nesting attempts. Limits of construction to avoid a nest shall be established in the field with flagging and stakes or construction fencing.
 - C. Construction personnel shall be instructed on the sensitivity of the area. The project biologist shall record the results of the recommended protective measures described above to document compliance with applicable State and Federal laws pertaining to protection of native birds.
 - D. In addition, a qualified biologist shall conduct a site survey for any active raptor nests two weeks prior to any construction. If an active raptor nest(s) is located, then no construction work shall be conducted within a 500 foot radius from the nest until the young have fledged and are independent of the adults.

4. **Construction Best Management Practices.** The permittee shall comply with the following construction-related requirements and shall do so in a manner that complies with all relevant local, state and federal laws applicable to each requirement:
- A. No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, or rain erosion and dispersion;
 - B. Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
 - C. Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;
 - D. Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMP's shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
 - E. All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

Best Management Practices (BMP's) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the onset of such activity. Selected BMP's shall be maintained in a functional condition throughout the duration of the project.

5. **Erosion Control Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, a plan for construction phase erosion control and post-construction erosion control. The plan shall include, at a minimum, the following components:
- A. during construction, erosion on the site shall be controlled to avoid impact to adjacent sensitive habitat;
 - B. use of temporary erosion control measures shall be used during construction;
 - C. following construction, erosion on the site shall be controlled to avoid adverse impacts on adjacent coastal resources;
 - D. site plan showing the location of all temporary erosion control measures;
 - E. schedule for installation and removal of the temporary erosion control measures.

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 a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. **Construction Staging Plan.** PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a plan for the review and approval of the Executive Director which indicates that the construction staging area(s) and construction corridor(s) will avoid impacts to public access and to sensitive habitat areas.
- A. The plan shall include, at a minimum, a site plan that depicts the following components:
 - 1) Limits of the staging area(s)
 - 2) Construction corridor(s)
 - 3) Construction site
 - 4) Location of construction fencing and temporary job trailers, if any.
 - B. The plan shall demonstrate that:
 - 1) Construction equipment, materials or activity shall not occur outside the staging area and construction corridor identified on the site plan required by this condition;
 - 2) Construction equipment, materials, or activity shall not be placed outside of the immediate construction zone;
 - 3) Adverse impacts to sensitive habitat shall be avoided;
 - 4) Public parking areas shall not be used for staging or storage of equipment;
 - 5) Beach areas shall not be used as staging areas;
 - 6) The staging area for construction of the project shall not obstruct access to the public dirt trail/unimproved road.

The applicant 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 a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

7. **Future Improvements.** This permit is only for the development described in Coastal Development Permit No. 5-15-1252 and conditioned herein. Any future improvements or development shall be submitted for Commission review and shall not commence unless Commission approval is granted or the Executive Director determines that no further authorization is required. As determined by the Executive Director, new development shall require an amendment to this permit, a new coastal development permit from the Coastal Commission, or, if the development is identified in the Crystal Cove Public Works Plan, may be processed as a Public Works Plan Specific Project pursuant to Section 30606 of the Coastal Act.

Pursuant to Public Resources Code Section 30606, prior to the commencement of any development pursuant to Section 30605, the public agency proposing the public works project, shall notify the commission and other interested persons, of the impending development and provide data to show that it is consistent with the certified public works plan. No development shall take place within 30 working days after the notice.

IV. FINDINGS AND DECLARATIONS

A. PROJECT LOCATION, DESCRIPTION, AND BACKGROUND

The subject site is located within Crystal Cove State Park located between the cities of Newport Beach and Laguna Beach in Orange County (**Exhibit #1**). The project site is a 1,850 linear-foot subterranean, gravity fed water pipeline with a southwest alignment downhill from the Sweany Reservoir on an easement through part of Crystal Cove State Park to another easement on a private property at 150 Irvine Cove Place, where it ties into an existing underground 8-inch water main in the street of Irvine Cove Place, in the private community of Irvine Cove in the City of Laguna Beach. Hillside open space covered in coastal sage scrub (CSS) habitat with slope up to 20-30% surround the subterranean Sweany Reservoir and subterranean Sweany pipeline. The nearest public access to the beach is at the El Moro Beach tunnel at the El Moro public parking lot providing safe pedestrian access across Pacific Coast Highway to the El Moro Beach area of the State Park.

The applicant, Laguna Beach County Water District (LBCWD), a special public works district, requests approval to refurbish the entire 1,850 linear-foot subterranean Sweany water pipeline. The pipeline is currently in disrepair and is out of commission as a result of corrosion that caused leaking in the pipeline. The pipeline carries potable water for faucets, toilets, landscaping, and for fire protection from the Sweany Reservoir to the private communities of Irvine Cove and Emerald Bay.

The 1,850 linear ft. subterranean 8-inch water pipe would be refurbished by pipeline insertion technique through insertion of a new 6-inch high density polyethylene pipe into the existing 8-inch pipeline at eight (8) insertion points along the pipeline requiring excavation of an 6-foot wide by 16-foot long and 5-foot deep pit at each of the eight insertion points. Thus, excavation would only take place at these eight pits and not along the entire pipeline alignment. However, the project would require vegetation removal in a high quality coastal sage scrub and prickly pear cactus scrub habitat area. Pipe replacement would require a minimum 15-foot wide access path for construction vehicle access within the 20-foot wide pipeline easement along the entire 1,850 linear-foot length of the pipeline alignment within Crystal Cove State Park. Vegetation trimming involves cutting of above-ground growth of woody vegetation using hand tools and chain saws, with no disturbance to roots anticipated. Cactus patches would be temporarily removed and replanted in their same location following completion of repair work. The construction staging area is proposed to be located on a 60' x 35' area of barren compact dirt fill on top of the subterranean Sweany Reservoir. Project plans are included as **Exhibit #2**.

A proposed Habitat Mitigation and Monitoring Plan (HMMP) is included as part of the project that would mitigate for these temporary construction phase impacts at a 1.5:1 ratio by restoring the entire construction path back to pre-construction condition, restoring an area of coastal sage scrub impacted by a previous pipe break, and purple needle grass restoration in "disturbed" area adjacent to housing developments. The HMMP includes a 5-year monitoring plan and an irrigation plan. The applicant, LBCWD will manage the irrigation system using potable water from the Sweany Reservoir. A drip irrigation system is proposed, consistent with the Governor's Executive Order B-29-15 proclaiming a State of Emergency due to severe drought conditions

and prohibiting irrigation with potable water outside of newly constructed homes and buildings that is not delivered by drip or microspray systems.

Background – Previous Commission Actions

Coastal Development Permit 5-84-188 (Irvine Company): Approved November 1984 for subdivision of 25.8 acres into 48 lots with 70,000 cubic yards of grading, construction of necessary infrastructure, guard gates and landscaping. In addition, off-site improvements include a site for a 425,000-gallon reservoir, a fuel modification zone on State Park land, acceleration and deceleration lanes on Pacific Coast Highway, and other modification to the existing entry way in North Irvine Cove.

Coastal Development Permit Amendment 5-84-188-A (Irvine Company) Approved for construction of a guard house, 400,000-gallon reservoir, walls and landscaping the 48-lot subdivision.

Coastal Development Permit Amendment 5-84-188-A2 (Irvine Company) Authorized improvements to the Crystal Cove public parking lot and beach access instead of constructing an access stairway. In place of day use facility at Moro Canyon, improve three interior camp sites.

Coastal Development Permit Amendment 5-84-188-A3 (Irvine Company) Amendment of previously approved permit to include construction of single-family residences on individual lots.

Coastal Development Permit Amendment 5-84-188-A4 (California Department of Parks and Recreation) for installation of a 7-foot high wrought iron fence along the Irvine Company/State Park boundary within the Cameo del Mar bluff top trail easement, and installation of a hazard protection device (fencing) within and on top of the bluff top trail easement to protect pedestrians from errant golf balls.

Coastal Development Permit Amendment 5-84-188-A5 (California Department of Parks and Recreation) to reconfigure hazard fencing by the Pelican Hill Golf Course.

Coastal Permit Required for Repair and Maintenance within ESHA

The proposed work is necessary to maintain adequate potable water supplies for tap, toilet, landscaping, and fire suppression to the private communities of Emerald Bay and Irvine Cove. The project constitutes repair and maintenance work. The Commission has expressly recognized, since 1978, certain types of repair and maintenance work related to utilities as exempt from permit requirements pursuant to Section 13252 of the Commission's regulations and Section 30610(d) of the Public Resource Code. See California Public Resources Code ("PRC") Section 30610(d) and the "Repair, Maintenance and Utility Hook-Up Exclusions from Permit Requirements" (adopted by the Commission on Sept. 5, 1978). However, the exemptions provided by the above referenced sections and the repair and maintenance exclusions are limited. Accordingly, California Code of Regulations, Title 14 ("14 CCR"), Section 13252(a) lists extraordinary methods of repair and maintenance that do still require a permit. Among those methods is any repair or maintenance "located in an environmentally sensitive habitat area." 14 CCR § 13252(a)(3). Since this project would occur within such an area, the method by which this project is conducted is not exempt and a coastal development permit is required.

Similarly, 14 CCR Section 13252(a) states that "activities specifically described in the [Repair, Maintenance and Utility Hook-Up Exclusions guidance document that] will have a risk of

substantial adverse impact on . . . environmentally sensitive habitat area” are not exempt based on that document and may require a coastal development permit, pursuant to the normal application of section 13252. Thus, in this case, although the project is a repair and maintenance project, since the work is to be performed within an ESHA, Section 13252(a)’s limits on the repair and maintenance exemption do apply, and this project does require a coastal development permit to ensure that the pipeline repair (or “refurbishment” as characterized by applicant) method employed is as consistent as possible with the Chapter 3 policies of the Coastal Act.

Furthermore, the proposed project is located in an area governed by a Public Works Plan (PWP). The Crystal Cove Public Works Plan states that, where future development would affect potential environmentally sensitive habitat area, the development must come back to the Commission for specific project review or a coastal development permit.

Crystal Cove Public Works Plan

As previously stated, the proposed project is in an area governed by a PWP. The Crystal Cove PWP was approved in 1982 after the Crystal Cove area was acquired by State Parks from the Irvine Company. The Sweany reservoir and pipeline is not identified in the 1982 certified Crystal Cove PWP as these facilities were not constructed until 1985 under Coastal Development Permit Amendment 5-84-188-A1 issued to the Irvine Company and then turned over to the Laguna Beach County Water District. As such, the existing facilities proposed for repair were not previously certified or contemplated as part of the PWP.

B. STANDARD OF REVIEW/CONSISTENCY WITH THE CRYSTAL COVE PUBLIC WORKS PLAN

Section 30605 of the Coastal Act provides, in pertinent part, that:

Where a plan for a public works or state university or college or private university development project has been certified by the commission, any subsequent review by the commission of a specific project contained in the certified plan shall be limited to imposing conditions consistent with Sections 30607 and 30607.1.

Section 30606 of the Coastal Act states:

Prior to the commencement of any development pursuant to Section 30605, the public agency proposing the public works project, or state university or college or private university shall notify the Commission and other interested persons, organizations, and governmental agencies of the impending development and provide data to show that it is consistent with the certified Public Works Plan or Long Range Development Plan. No development shall take place within 60 working days after the notice.

Section 13359 of the Commission’s Administrative Regulations states:

(b) The Commission shall...determine whether the proposed development is consistent with the certified public works plan...

The Crystal Cove Public Works Plan (PWP) was approved by the Commission with conditions on May 20, 1982. Conditions were met on August 26, 1982. A few amendments to the PWP have occurred since the initial approval. The most recent PWP amendment was authorized in June 2003 (PWP-4-82-A2) and involved an update that replaced the Crystal Cove Historic District Development and Public Use Plan and On-Site Maintenance Program with the Crystal Cove Historic District Preservation and Public Use Plan. The PWP is now comprised of the Crystal Cove State Park General Plan dated July 1982, the On-Site Maintenance Plan dated August 1982, and the Crystal Cove State Park Historic District Development and Public Use Plan dated November 2003.

Section 30605 of the Coastal Act, cited above, establishes the standard of review. The first threshold question is whether the specific project is contained in the PWP. If it is, then the Commission's review is limited to the imposition of conditions. The Commission cannot deny a project that it previously certified as part of the PWP; however, the Commission can regulate the manner in which the project is carried out to bring it into conformance with the PWP. Once it is determined that a project is contained in the PWP, the second question is whether or not the project is consistent with the PWP. On the other hand, if the project is not contained in the PWP, the standard of review is the Chapter 3 policies of the Coastal Act.

The Commission finds that the proposed project was not previously contemplated and is therefore not contained in the PWP. Although, according to a statement in the staff report for Coastal Development Permit 5-84-188, easements for the reservoir and pipeline facilities were reserved by the Irvine Company in the original agreement of purchase of the land by State Parks to create Crystal Cove State Park, the reservoir and pipeline project were not contemplated in the PWP. The applicant chose to submit the pipeline repair project for a coastal development permit. Therefore, the Coastal Act will serve as the standard of review for the proposed project, with the Crystal Cove Certified PWP serving as guidance.

C. BIOLOGICAL AND LAND RESOURCES

Section 30240 of the Coastal Act states:

- (a) *Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*
- (b) *Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*

Section 30253 of the Coastal Act states, in part:

New development shall do all of the following:

- (a) *Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

Section 30107.5 of the Coastal Act states:

“Environmentally sensitive area” means any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments.”

The Crystal Cove Public Works Plan (PWP) also includes policies protective of Environmentally Sensitive Habitat Areas (ESHA) and states:

For addressing impacts to environmentally sensitive habitat areas, the following policies shall apply:

- A. Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.*
- B. Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.*
- C. Future development that affects potential environmentally sensitive habitat area must come back to the Commission for specific project review or a coastal development permit. A site-specific biological survey must accompany any specific project proposal or CDP application so that a determination of ESHA can be made.*

ESHA Determination

Section 30240 of the Coastal Act states that environmentally sensitive habitat areas must be protected against disruption of habitat values.

The proposed project consists of the refurbishment/remediation of an existing 1,850 linear-foot subterranean 8-inch water pipe by pipeline insertion technique through insertion of a new 6-inch high density polyethylene pipe into the existing 8-inch pipeline at eight (8) insertion points along the pipeline with limited excavation of an 6-foot wide by 16-foot long and 5-foot deep pit at each of the eight insertion points. Pipe replacement would require a minimum 15-foot wide access path for construction vehicle access within the 20-foot wide pipeline easement along the entire 1,850 linear-foot length of the pipeline alignment within Crystal Cove State Park, therefore requiring vegetation removal in an area of known high quality coastal sage scrub and prickly pear cactus scrub habitat area.

The applicant submitted a biology report entitled, *Biological Resources Technical Report*, prepared by Stantec Consulting Services Inc., dated May 1, 2014. This report confirmed that the project site and surrounding biological resources consist of coastal sage scrub and coastal prickly pear with minor areas of ruderal vegetation associated with disturbance. **Exhibit #3** depicts the vegetation communities mapped along the pipeline alignment and a 50-ft. buffer. **Exhibit #4** includes photographs of the site as contained in the *Biological Resources Technical Report*.

As noted above, the Coastal Act provides a definition of “environmentally sensitive area” as: “Any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments” (Section 30107.5).

There are three important elements to the definition of ESHA. First, a geographic area can be designated ESHA either because of the presence of individual species of plants or animals or because of the presence of a particular habitat. Second, in order for an area to be designated as ESHA, the species or habitat must be either rare or it must be especially valuable. Finally, the area must be easily disturbed or degraded by human activities.

Previous uses in the inland open space canyon areas of Crystal Cove State Park were cattle grazing, agricultural and equestrian uses prior to acquisition by the State for Park uses. Since 1982 when the Park was created, the vegetated areas surrounding the subject site have been restored by State Parks to coastal sage scrub habitat. Crystal Cove Park currently supports over 180 acres of coastal sage scrub habitat. While the Commission has generally found that coastal sage scrub habitat should not always be identified as sensitive habitat, the Commission usually identifies areas that are utilized by or necessary for the survival of California gnatcatcher as environmentally sensitive habitat areas (ESHAs). For those habitats that are absolutely rare or that support individual rare species, it is not necessary to find that they are relatively pristine, and are neither isolated nor fragmented.

Section 30107.5 of the Coastal Act cited above, defines ESHA as habitats that are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activity and developments. A site survey conducted on April 11, 2014 did not identify any special-status wildlife species within the project study area (which included the pipe alignment plus a 50 ft. buffer), however, the report states that the coastal sage scrub (SCC) and coastal prickly pear habitat identified within the study area has the potential to support three special-status wildlife species. These special-status wildlife species included the coastal cactus wren, coastal California gnatcatcher, and coastal whiptail. Two special-status plant species were identified in the project study area: Catalina mariposa lily and purple needle grass in the study area. Both the coastal sage scrub and coastal prickly pear habitat within the study area were identified as relatively undisturbed. Therefore, the Commission asserts that this habitat is currently high quality vibrant habitat and meets the definition of ESHA because it is an area where the plant composition and height meet documented gnatcatcher preferences.

Impacts to Coastal Sage Scrub ESHA

Coastal Act Section 30240 requires that development in areas adjacent to environmentally sensitive habitat areas be sited and designed to prevent impacts which would significantly degrade such areas and shall be compatible with the continuance of such habitat areas. Given that the project addresses maintenance to existing development in a fixed subterranean location, the siting of such development to avoid impacts to ESHA is necessarily constrained. In this case, the approved pipeline is already located within ESHA. Therefore, it is essential to consider construction options that would reduce impacts to ESHA, consistent with Coastal Act Section 30240. As discussed below, there are no other feasible alternative construction methods to the proposed project that would result in less adverse impacts than the proposed project.

Abandonment of the pipeline and construction of a new pipeline would not be possible without direct impacts to ESHA. There is no new pipeline alignment from the Reservoir to the Irvine Cove community that doesn't go through ESHA and would result in even greater disruption to ESHA and direct impacts to ESHA. Therefore, there is no less environmentally damaging alternative available.

Prior to submittal of the CDP application, the applicant worked closely in conjunction with State Parks (underlying property owner) to develop a project proposal that would avoid permanent habitat impacts and minimize temporary construction impacts and would be acceptable to State Parks. The applicant had originally proposed a construction method that entailed complete excavation of the pipeline along the entire pipeline alignment, such as project would result in 0.11 acres of permanent direct impacts to CSS and coast prickly pear, and 3.9 acres of indirect/temporary impacts to CSS and coast prickly pear. The project construction method has since been modified to so that the excavation sites completely avoid direct permanent impacts to CSS and coast prickly pear.

As previously stated, the proposed pipe replacement would require a minimum 15-foot wide access path for construction vehicle access within the 20-foot wide pipeline easement along the entire 1,850 linear-foot length of the pipeline alignment within Crystal Cove State Park, **Exhibit #1, page 2**. The proposed project would require vegetation trimming and removal in a high quality coastal sage scrub and prickly pear cactus scrub habitat area. The applicant proposes to cut above ground-growth of woody vegetation using hand tools and chain saws, no disturbance to roots anticipated, along 15-foot wide access path over the buried pipe along the 20-foot wide easement. To minimize impacts the applicant is limiting the construction accessway to a 15-foot width and not utilizing the entire 20-foot wide easement. Also trimming of woody vegetation will be done, rather than complete removal, except for cacti. The cactus patches along the pipeline alignment would be temporarily removed and replanted in their same location following completion of work. Therefore, it is not the proposed pipeline repair that will impact ESHA, but the proposed temporary construction vehicle accessway along the pipeline alignment that will temporarily impact the ESHA which, by its very nature, would not constitute permanent development with permanent impacts on ESHA.

As currently proposed, the project would have a 0.54-acre temporary construction phase impact to ESHA, and a 0.146-acre impact to a "disturbed" area, for a total of 0.686-acre area impacted. Indirect impacts are generally considered temporary in nature during construction operations. Additionally, to avoid disturbances to avian species in the vicinity, no work is proposed during the nesting bird season.

Examples of indirect impacts during construction include impacts to vegetation and wildlife from: dust, noise, trampling of vegetation from vehicular traffic, laydown of equipment and placement of soil/dirt spoils. Because these indirect impacts are temporary in nature and no actual uprooting of CSS vegetation would occur, it can be expected that the vegetation will eventually regenerate after construction. However, these impacts would also temporarily suppress the growth and vitality of the habitat on which wildlife depends upon. The applicant is proposing to immediately restore the temporarily impacted habitat at the conclusion of construction activities and monitor the recovery. The proposed Habitat Mitigation and Monitoring Plan (HMMP) is further discussed in the section below.

The Commission finds that **Special Condition #1** is necessary to ensure that the applicant adheres in strict compliance with the proposed methods of repair as set forth in the application, subject to the special conditions. Any proposed change or deviation from the approved plans shall be submitted to the Executive Director to determine whether an amendment to this permit is necessary pursuant to the requirements of the Coastal Act and the California Code of Regulations. As conditioned to mitigate for temporary impacts to ESHA, the proposed project is the least environmentally damaging alternative.

Consistency with the Coastal Act and the PWP

As previously stated, construction of the existing reservoir and pipeline were approved under Coastal Development Permit Amendment 5-84-188-A1. However, impacts to habitat caused by the proposed pipeline refurbishment project must still be avoided, minimized, and finally mitigated. In accordance with Section 30240(a) of the Coastal Act (and also included in the Crystal Cove PWP), ESHA shall be protected against any significant disruption of habitat values and only resource dependent uses are permitted within ESHA.

The Commission has concluded that the area of coastal sage scrub that is subject to temporary impacts in this proposal is ESHA, a sensitive coastal resource. Consistent with its certified regulatory program under CEQA, the Commission can only approve projects with impacts to coastal resources if it conditions projects to mitigate for those impacts to coastal resources to avoid or lessen the adverse effect on those resources. The applicant is proposing to minimize and mitigate temporary project impacts on ESHA by restoring the disturbed areas and additional area at a 1.5:1 ratio. The Commission finds the proposed mitigation ratio to be adequate to address Coastal Act requirements.

The proposed restoration is a key element in the Commission's finding that the proposed project, as conditioned, is consistent with the Coastal Act. The applicant has submitted a "Habitat Mitigation and Monitoring Plan for Restoration of Coastal Sage Scrub Habitat" (HMMP) to mitigate for temporary construction impacts. The HMMP proposes complete restoration of the project footprint area, mitigation and avoidance and minimization measures during construction as follows:

1. Topsoil salvage and replacement from intact CSS in pit excavation areas;
2. Salvage and replacement of 0.01 acre prickly pear cactus occurring in temporary vegetation removal areas;
3. Restoration/re-establishment of 0.81 acre of CSS habitat within the impact footprint and adjacent areas at 1.5: 1 restoration to impact ratio;
4. 1:1 restoration to impact ratio of a 0.10 acre of CSS area adjacent to the pipeline that was previously impacted when the water line broke;
5. Restoration of 0.05 acre of existing disturbed segment of the pipeline easement within the fuel modification zone of Irvine Cove through re-seeding with purple needlegrass.

The Commission typically requires a minimum 3:1 restoration to impact ratio for *direct permanent* impacts to CSS. However, as proposed, the pipe repair project would result only in *temporary* impacts. A higher restoration to impact ratio is typically required for permanent impacts as the higher ratio takes into account the success rates of restoration. In this case, as no

actual vegetation will be permanently uprooted, the ESHA is anticipated to easily rebound after disturbance. Additionally, the proposed restoration plan also includes a 5-year monitoring plan to ensure the habitat will successfully re-establish. Therefore, the Commission finds that the proposed 1.5: 1 restoration to impact ratio will mitigate for the temporary impacts to ESHA resources.

The HMMP includes CSS habitat restoration at 1.5:1 ratio results in 0.54 acres x 1.5 = 0.81 acre CSS proposed to be restored . In addition to the 0.81-acre area, two additional restoration areas are proposed: one restoring grassland, and another CSS area that was damaged during a pipe break. The applicant has incorporated State Parks, Fish and Wildlife Service and CA Fish and Wildlife comments into the HMMP. State Parks has reviewed and approved the applicant's proposed restoration plan.

Although the proposed project is the environmentally preferred alternative, it would still result in temporary impacts to ESHA on site. In past permit actions, the Commission has found that in order to ensure that repair work is as consistent as possible with the above referenced resource protection policies of both the Coastal Act and PWP, ESHA on site that will be temporarily disturbed as a result of the methods employed to create a construction access way to the site where the proposed development will occur, should be revegetated and restored. Therefore, the Commission finds that **Special Condition #2** is necessary to ensure that the proposed HMMP adequately addresses all adverse effects to coastal sage scrub and coastal prickly pear habitat and ensures success of the restoration.

The applicant proposes to undertake construction during the non-nesting/non-breeding season for birds (September 1 through February 1). However, **Special Condition #3** requires the applicant submit a nesting bird survey prior to construction, regardless of the season.

Finally, changes to the proposed project and future development could have adverse impacts upon coastal resources. In order to assure such changes are presented to the Executive Director for review, the Commission imposes **Special Condition #7** requiring an amendment or new CDP for future improvements to these existing facilities.

Therefore, as proposed, and as conditioned, the Commission finds that the development conforms to the requirements of Section 30240(a), 30240(b), and 30253 of the Coastal Act regarding the protection of environmentally sensitive habitat areas.

D. PUBLIC ACCESS AND RECREATION

Section 30212 of the Coastal Act states, in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) Adequate access exists nearby

Currently, adequate public access exists to this inland portion of Crystal Cove State Park. Public access is available off of Pacific Coast Highway, the El Moro Ranger Station and the El Moro Campground (**Exhibit #1, page 3**).

As proposed, construction access to the site would be via the “Moro Ridge” dirt trail/unimproved road entering directly from Pacific Coast Highway. Construction access will not be required from the campground. Construction activities will not require any lane closures on Pacific Coast Highway or closure of the dirt trail/unimproved road. No temporary public access impacts are anticipated from construction activities. Construction is estimated to occur over a 120-day period. **Special Condition #6** requires the applicant submit a construction staging plan to ensure among other things, that construction equipment, materials or activity does not occur outside the staging area, that adverse impacts to sensitive habitat are avoided; public parking areas not be used for staging or storage of equipment; and that the staging area for construction of the project does not obstruct access to the public dirt trail/unimproved road.

Therefore, as conditioned, the Commission finds the development as conditioned, in conformity with public access policies of the Coastal Act.

E. SCENIC AND VISUAL RESOURCES

Section 30251 of the Coastal Act states that:

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. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

The above-cited policy of the Coastal Act was designed to minimize visual impacts and landform alteration and to avoid cumulative adverse impacts of development encroachment into natural land forms such as coastal canyons and hillsides.

The existing reservoir and pipeline are subterranean and therefore do not present a visual impact in this highly scenic coastal area. The proposed pipeline replacement/refurbishment by pipeline insertion technique through insertion of a new 6-inch high density polyethylene pipe into the existing 8-inch pipeline at eight (8) insertion points along the pipeline requiring excavation of an 6-ft. wide x 16-ft. long and 5-ft. deep pit at each of the eight insertion points is the construction method alternative that results in the most minimal landform alteration and least amount of encroachment into natural landforms and therefore would be visually compatible.

Views of the project site from the Park trail would be temporarily impacted by construction activities such as staging, truck hauling, excavation activity, and construction signage. The applicant proposes to place net fencing around the construction area to minimize the temporary visual impacts during construction during the construction period. The proposed project will not

result in any permanent change to the scenic and visual qualities of this coastal area. Therefore, the Commission finds the proposed development consistent with Section 302 51 of the Coastal Act.

F. WATER QUALITY

Section 30230 of the Coastal Act states, in pertinent part:

Marine resources shall be maintained, enhanced, and where feasible, restored...

Section 30231 of the Coastal Act states:

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.

The protection of water quality is an important aspect of the Coastal Act. Due to the proposed project's location near the Pacific Ocean, construction activities may have adverse impacts upon water quality and the marine environment. Storage or placement of construction materials, debris, or waste in a location subject to wave erosion and dispersion would result in adverse impacts upon the marine environment that would reduce the biological productivity of coastal waters. For instance, construction debris entering coastal waters may cover and displace soft bottom habitat. In addition, the use of heavy machinery along roads near coastal waters may result in the release of lubricants or oils that are toxic to marine life.

In order to minimize adverse construction-related impacts upon marine resources, the Commission imposes **Special Condition #4** providing for the safe storage of construction materials, the safe disposal of construction debris and best management practices (BMP). The applicant will be required to implement BMPs designed to avoid temporary construction impacts by minimizing erosion and preventing debris from entering coastal waters. Furthermore, the applicant has not included a construction phase erosion control plan. Therefore, **Special Condition #5** requires the applicant to submit an erosion control plan addressing permanent erosion control measures for the project.

As proposed and conditioned, the proposed development will minimize possible adverse impacts on coastal waters to such an extent that it will not have a significant impact on marine resources, biological productivity or coastal water quality. Therefore, the Commission finds that the proposed development, as conditioned, conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to protect marine resources, promote the biological productivity of coastal waters and to protect human health.

G. LOCAL COASTAL PROGRAM/ PUBLIC WORKS PLAN

The development of public recreation areas with public funds constitutes a public works project as defined in the Coastal Act. To promote greater efficiency for the planning of any public works project as an alternative to project by project review; Coastal Act Section 30605 provides for submittal of a Public Works Plan to the Commission for review in the same manner as a Local Coastal Program. However, as stated in the subject public works plan, where future development would affect potential environmentally sensitive habitat area, that development must come back to the Commission for specific project review or a coastal development permit. The proposed project will result in temporary impacts upon environmentally sensitive habitat area and the applicant submitted the application to the Commission for a coastal development permit.

The proposed development, as conditioned, is consistent with the policies contained in the certified Public Works Plan. Moreover, as discussed herein, the development, as conditioned, is consistent with the Chapter 3 policies of the Coastal Act.

H. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

Section 13096 Title 14 of the California Code of Regulations requires Commission approval of a coastal development permit application 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)(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.

The applicant, the Laguna Beach County Water District is the lead agency for purposes of CEQA compliance and prepared an Initial Study and Mitigated Negative Declaration for the proposed project. Additionally, the proposed development has been conditioned to assure the proposed project is consistent with the resource protection policies of the Coastal Act. The conditions also serve to mitigate significant adverse impacts under CEQA. The conditions are: 1) Permit Compliance, 2) Habitat Mitigation and Monitoring Plan; 3) Bird Survey, 4) Construction Best Management Practices; 5) Erosion Control, 6) Construction Staging Plan, and 7) Future Improvements.

There are no other feasible alternatives or mitigation measures available which will lessen any significant adverse impact the activity would have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX

SUBSTANTIVE FILE DOCUMENTS:

Crystal Cove Public Works Plan

Final Initial Study/Mitigated Negative Declaration – Sweany Water Line Refurbishment Project, State Clearinghouse #2015-031088, prepared by Athena Environmental Inc. (AEI), dated April 27, 2015 plus Appendices.

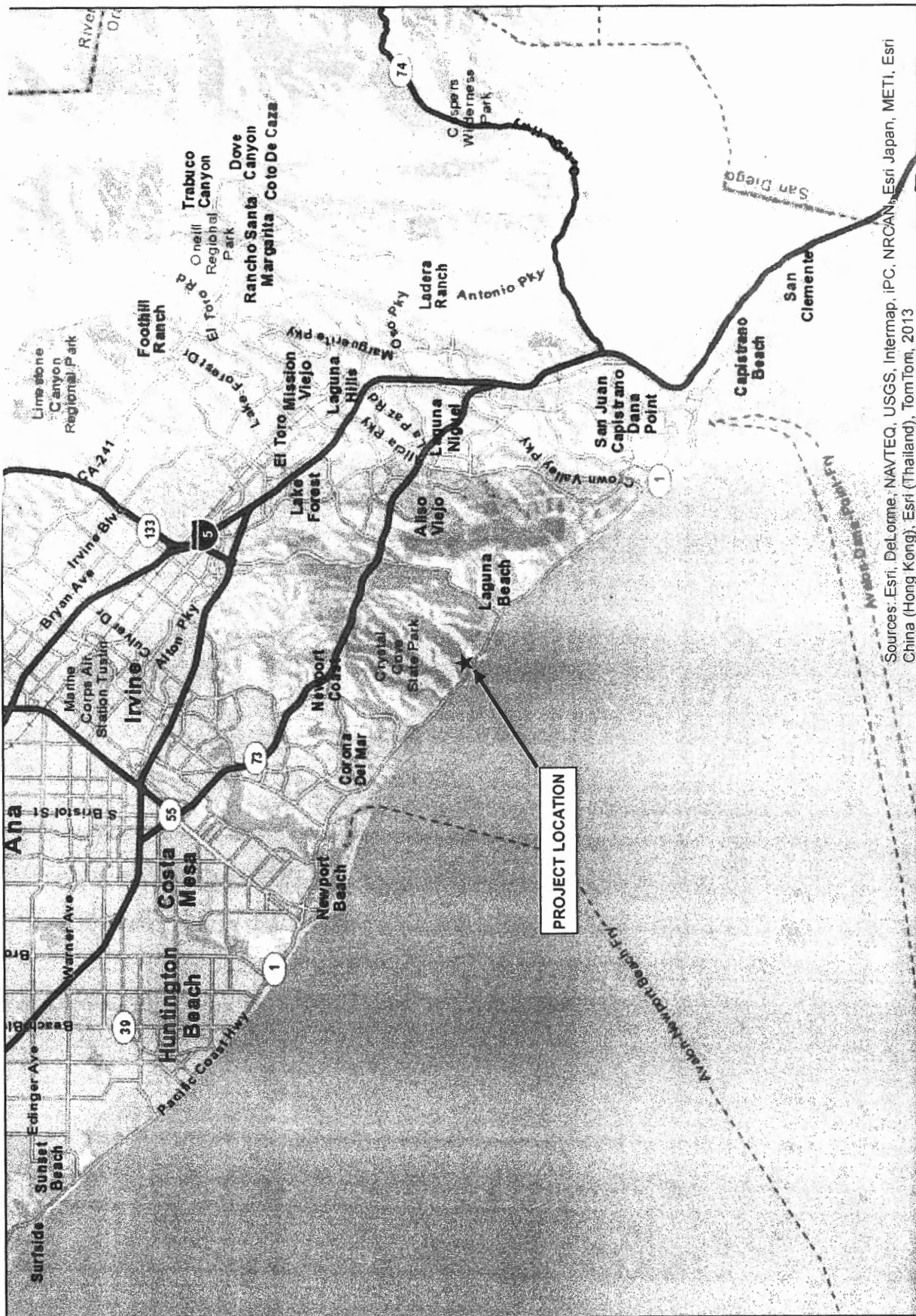
Archaeological and Paleontological Assessment of the Sweany Waterline Refurbishment Project, Crystal Cove State Beach, Laguna Beach, Orange County, California, prepared by Cogstone, Project #3226, dated March 2015; revised April 2015.

Biological Resources Technical Report, prepared by Stantec Consulting Services Inc., dated May 1, 2014.

Pacific Pocket Mouse Surveys for the Sweany Water Line Refurbishment Project, City of Laguna Beach, Orange County, California, prepared by Athena Environmental Inc. (AEI), dated July 11, 2015.

Habitat Mitigation and Monitoring Plan for Restoration of Coastal Sage Scrub Habitat, Sweany Water Line Refurbishment Project, City of Laguna Beach, Orange County, California, prepared by Glenn Lukos Associates, dated April 22, 2015, revised June 5, 2015.

Coastal Development Permit 5-84-188 (Irvine Company) & Amendments A1, A2, A3, A4, A5



COASTAL COMMISSION

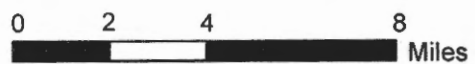
EXHIBIT # 1
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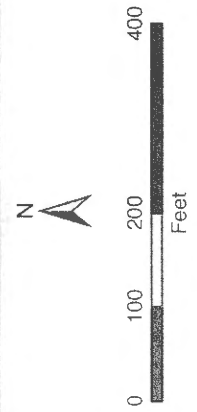
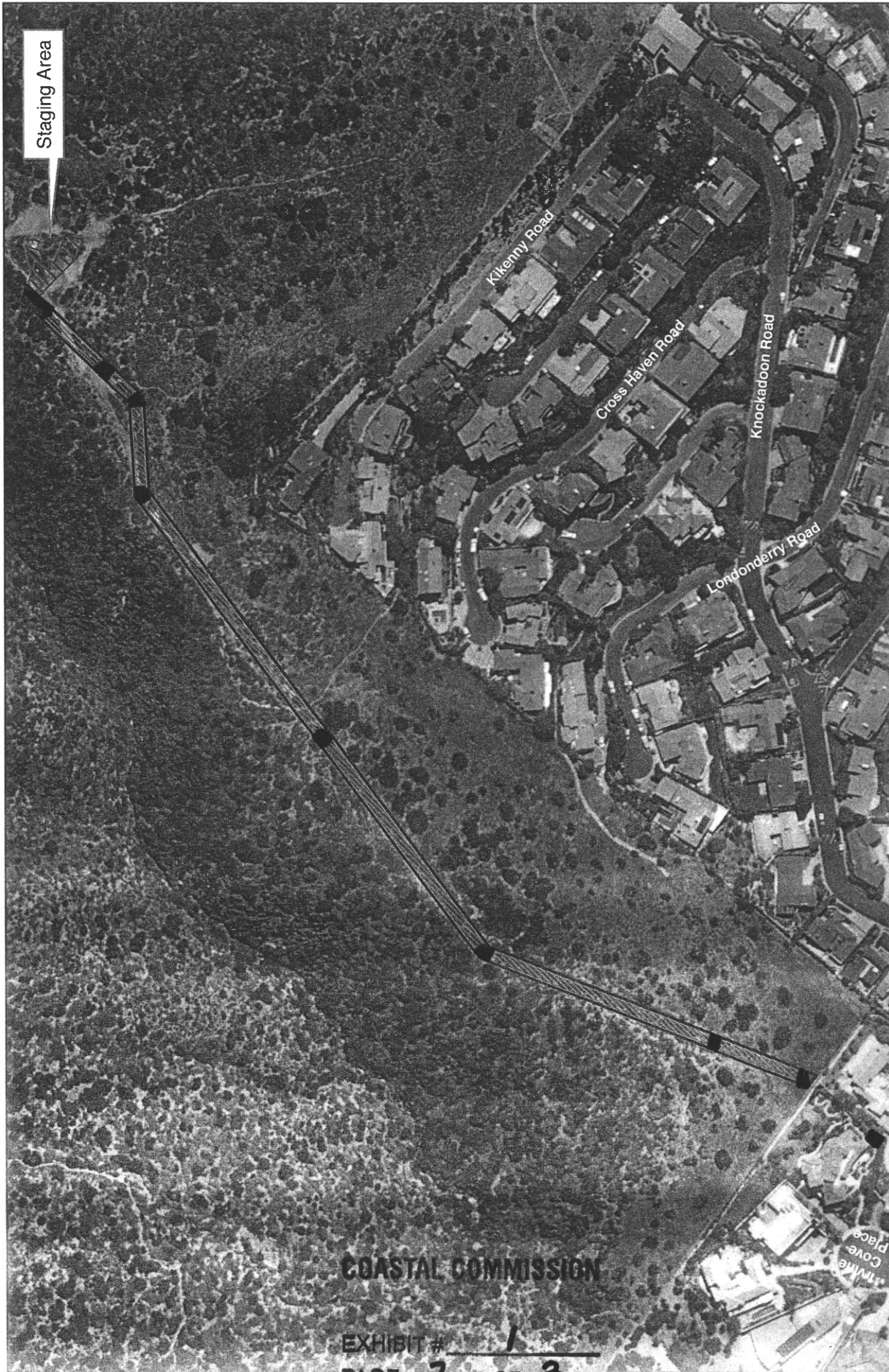
Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2013

SWEANY WATER LINE REFURBISHMENT PROJECT

Exhibit 1 - Regional Map

Source: ESRI World Street Map





- Pipeline Access Easement
- 15-Foot Access Route (Temporary Impact)
- Excavation Pits (Temporary Impact)

SWEANY WATER LINE REFURBISHMENT PROJECT

Exhibit 2 - Site Location Map

COASTAL COMMISSION

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Crystal Cove State Park

Please protect your park.
Enjoy only these designated trails.

Approximate distances.
Map not to scale.
Camping reservations required.
Dogs are prohibited in the back country.

COASTAL COMMISSION

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RIDGE PARK
ENTRANCE

Laguna Coast
Wilderness Park



Deer Canyon
Campground

Upper Moro
Campground

Lower Moro
Campground

Newport Coast

El Morro
School

Moro
Campground

Ranger
Station

Day-Use
Area

Laguna Beach

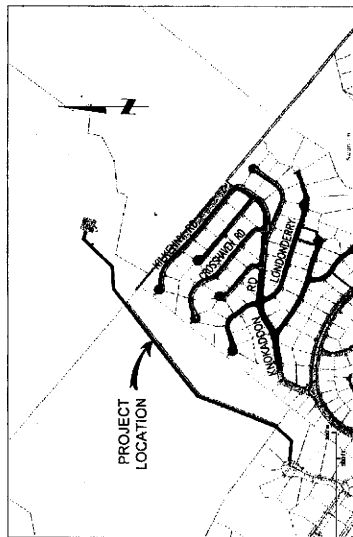
Pacific Coast Highway

Park Trail	—
Single Track	- - -
Camp Site	▲
Portable Toilet	♂ ♀
Gate	●—●
Distance Marker	▲
Access Trail	—

Trail Distances in Miles

El Morro Elementary trail head to B.F.I.	0.5
B.F.I.	0.3
Moro Ridge starting at B.F.I. to I Think I Can/E. Cut Across	1.6
Moro Ridge from I Think I Can/E. Cut Across	0.2
Missing Link to Slow 'N Easy	0.4
Fence Line	0.4
Bommer Ridge Road from Moro Ridge to Deer Canyon	1.1
Ridge Park entrance to Deer Canyon	0.4
No Name Ridge from Bommer Ridge Road to Ticketron	1.3
No Name Ridge from Ticketron to Muddy Canyon Entrance	0.6
No Name Ridge from Muddy Canyon Entrance to W. Cut Across	0.2
No Name Ridge from W. Cut Across to Poles	0.5
No Dogs trail head to No Name Ridge	0.6
El Morro Canyon from B.F.I. to E. Cut Across	1.0
E. Cut Across / I Think I Can	1.1
Poles	0.4
W. Cut Across/Mach One	0.6
Rattlesnake access from W. Cut Across to Rattlesnake	0.7
Rattlesnake/Redtail Ridge	1.3
Ticketron and Deer Canyon to Redtail Ridge	0.8
Deer Canyon to Bommer Ridge Road	0.3
El Morro Canyon from I Think I Can/E. Cut Across to Elevator	1.5
Slow 'N Easy	1.25
Elevator to road split	0.6
Elevator to road split via left spur	0.4
Elevator to road split via right spur	0.3

1. ALL MATERIALS AND CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE STANDARD PLANS AND SPECIFICATIONS OF THE UTAHIN BEACH COUNTY WATER DISTRICT.
2. REVISIONS SHALL NOT BE MADE TO THESE PLANS WITHOUT THE WRITTEN APPROVAL OF THE DISTRICT ENGINEER.
3. THE CONTRACTOR SHALL HAVE A COPY OF THE PROJECT PLANS AND SPECIFICATIONS ON THE JOB AT ALL TIMES.
4. UTILITY LOCATIONS HAVE BEEN OBTAINED FROM PLANS SUBMITTED BY THE UTILITY COMPANIES AND ARE SHOWN SOLELY FOR THE CONTRACTOR'S CONVENIENCE AND SHALL NOT BE CONTROLED TO BE ACTUAL LOCATIONS. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE UTILITY COMPANIES OF ANY DISCREPANCY OR UNDESIRABLE SERVICE AREA FOR ACTUAL FIELD MARKING OF THE UTILITY LOCATIONS.
5. THE CONTRACTOR SHALL NOTIFY UNDERGROUND SERVICE ALERT AT LEAST FIVE (5) WORKING DAYS PRIOR TO CONSTRUCTION.
6. EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED IN PLACE BY THE CONTRACTOR UNLESS OTHERWISE NOTED ON THE DRAWINGS.
7. TRENCH BACKFILL SHALL CONFORM TO THE SPECIFICATIONS AND SHALL BE COMPACTED TO 90% RELATIVE HUMIDITY.
8. CONCRETE THURST BLOCKS EXIST AT ALL TEES, BENDS, CROSSINGS AND OTHER WATER MAIN THURST BLOCK LOCATIONS. THE CONTRACTOR SHALL WORK WITH CAUTION WHEN EXCAVATING IN THE VICINITY OF ANY THURST BLOCK.
9. ALL CROWFOOTERS DEEPER THAN ONE INCH SHALL BE PROPERLY BRACKETED AT ALL TIMES AND FURNISHED WITH CLASNIK LIGHTS FROM 4.30 P.M. TO 7:00 A.M. DAILY, AND FROM 1:00 P.M. PRIOR TO 7:00 A.M. MONDAY.
10. ALL OTHER EXCAVATIONS WITHIN THE STREET SHALL BE STEEL PLATED AT ALL TIMES. EXCEPT WHEN THE EXCAVATION IS PHYSICALLY WORKING IN THE ADA.
11. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF EXISTING WATER LINES, VALVES, MANHOLES, AND CONNECTIONS PRIOR TO EXCAVATING AND RECORD THEM ON THE PROJECT DRAWINGS.
12. THE COURSE OF CONSTRUCTION OF THIS PROJECT INCLUDING SIGHTING OF ALL PERSONS AND PROPERTY, THE REQUIREMENT THAT APPLICABILITY AND IS NOT LIMITED TO NORMAL BUSINESS HOURS, BUT MAY BE EXTENDED TO ANY TIME OF DAY OR NIGHT, WITHOUT THE NEED FOR AN ENGINEER WATERSHIP FROM ANY AND ALL LIABILITY, RISK OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF THE PROJECT, INCLUDING THE DESIGN, CONSTRUCTION, OPERATION, MAINTENANCE, OR NEGLIGENCE OF THE OWNER OR ENGINEER.
13. THE CONTRACTOR SHALL PROVIDE ALL NECESSARY TRAFFIC CONTROL, BOTH ON SITE, AND ADJUT CONFORMANCE TO EMERALD BASIN DISTRICT REQUIREMENTS AT ALL TIMES.
14. ALL WATER MAIN CROSSINGS OF SEWER LINES SHALL CONFORM TO THE STATE OF CALIFORNIA, DEPARTMENT OF HEALTH SERVICES CRITERIA FOR SEPARATION.
15. MINIMUM COVER OVER THE TOP OF PIPE SHALL BE MAINTAINED AT 36 INCHES UNLESS OTHERWISE SHOWN.
16. PRIOR TO FINAL PAVING, VALVES SHALL BE TESTED FOR OPERATION AND PIPELINE SHALL BE TESTED PER SECTION 8, TABLE B-1 OF THE DISTRICT'S STANDARD SPECIFICATIONS.
17. UNINTERFERRED SERVICE TO CUSTOMERS SHALL BE MAINTAINED AT ALL TIMES DURING CONSTRUCTION. IF THERE IS A NEED FOR A SHORT-TERM SHUTDOWN, IT WILL BE PERMITTED TO MAKE THE NEAREST COORDINATE ALL SHUTDOWNS WITH DISTRICT STAFF.
18. THE CONTRACTOR SHALL PROVIDE 14 DAYS NOTICE PRIOR TO CONNECTING TO ANY PORTION OF THE DISTRIBUTION THAT REQUIRES A SHUTDOWN OF THE SYSTEM.
19. TRENCH RESUME SHALL CONFORM TO SECTION 3-07 OF THE DISTRICT'S STANDARD SPECIFICATIONS AND LEICA'S STANDARD DRAWING 122.
20. ATTACH TREES WHOSES TO MAIN, FIRE HYDRANT FLANGES, SERVICES AND THROUGH MAIN LINE VALVE CHANG.
21. INSTALL 6" SAND BEDDING BELOW AND 12" ABOVE PIPE. PLACE "WATER BURIED BELOW PIPE" ON TOP OF SAND BED FOR ALL MAIN AND ALL SERVICES.
22. COAT ALL FEMALE FITTINGS WITH MIN. 1/4" THICK LAYER NO POLYETHYLENE GREASE, AND WEAP WITH POLYETHYLENE WARP AS PER AWWA STANDARD FOR COALENTHE ENCAUSTIC.
23. CONTRACTOR SHALL MAINTAIN AND PROVIDE TO THE ENGINEER AN EMERGENCY CONTACT TELEPHONE NUMBER FOR THE PROJECT. THE CONTACT SHALL BE AVAILABLE ON A 24-HOUR BASIS FOR THE DURATION OF THE PROJECT.
24. CONTRACTOR SHALL DESPOSE OF ALL MATERIALS WASTE INCLUDING EXCESSIVE EXHAUST PIPE, IN ACCORDANCE WITH ALL STATE AND FEDERAL LAWS, ORDINANCES AND CONTRACTOR EMPLOYEES.
25. CONTRACTOR SHALL FOLLOW ALL RULES AS OUTLINED IN THE SPECIFICATIONS TO KEEP ANY DIRT OR DEBRIS FROM CONSTRUCTION ACTIVITIES FROM ENTERING STORM DRAINAGE OR OTHER DRAINAGE COURSES.
26. THE CONTRACTOR SHALL PROVIDE 14 DAYS NOTICE BEFORE BEGINNING ANY WORK ON THIS



NOT TO SCALE

SHT NO.	DESCRIPTION
1 G-1	TITLE SHEET
2 G-2	VICINITY MAP, LOCATION MAP, GENERAL NOTES, PUBLIC AGENCIES & UTILITIES, AND SHEET INDEX

PUBLIC AGENCIES TO BE NOTIFIED		
AGENCY	TELEPHONE NO.	
CITY OF LAGUNA BEACH	(949) 497-0331	
COS COMMUNICATIONS	(949) 546-2752	
LAGUNA BEACH COUNTY WATER DISTRICT	(949) 494-1041	
SOUTHERN CALIFORNIA GAS	(714) 834-3317	
SOUTHERN CALIFORNIA Edison	(714) 788-9532	
VERIZON	(714) 375-8790	
CALIFORNIA STATE PARKS (CALIFORNIA STATE RECREATION DEPARTMENT)	(949) 437-1562	

PUBLIC AGENCIES TO BE NOTIFIED

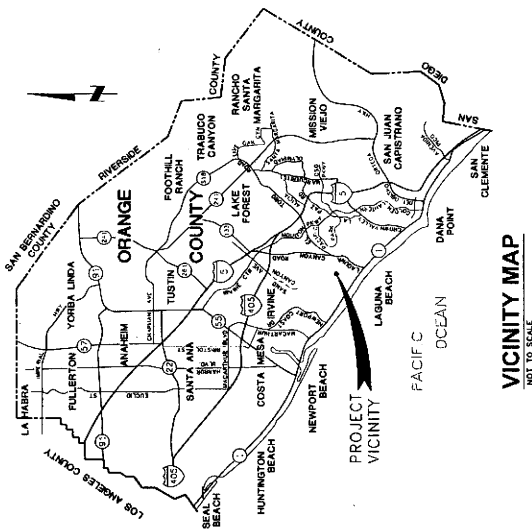
AGENCY	TELEPHONE NO.
CITY OF LAGUNA BEACH	(949) 497-0351
COST COMMUNICATIONS	(949) 546-2752
LAGUNA BEACH COUNTY WATER DISTRICT	(949) 494-1041
SOUTHERN CALIFORNIA GAS	(714) 834-3317
SOUTHERN CALIFORNIA Edison	(714) 788-9632
VERIZON	(714) 375-8700
CALIFORNIA STATE PARKS (CALIFORNIA STATE RECREATION DEPARTMENT)	(949) 437-1562

BENCH MARK

ELEVATIONS SHOWN HEREON ARE BASED UPON ORANGE COUNTY PUBLIC WORKS-GEODATICS & LAND INFORMATION SYSTEMS SECTION VERTICAL CONTROL DATA MARK 36-85.00 ELEVATION 117.22 FEET (NAVD 88)

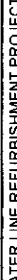
BASIS OF REARINGS

IC BEADINGS SHOWN HEREON ARE BASED UPON CALIFORNIA SPATIAL REFERENCE CENTER MONUMENT "TRAC" STATE PLAIN MADRL NORTH 2171891.87302 EAST 180762.0712



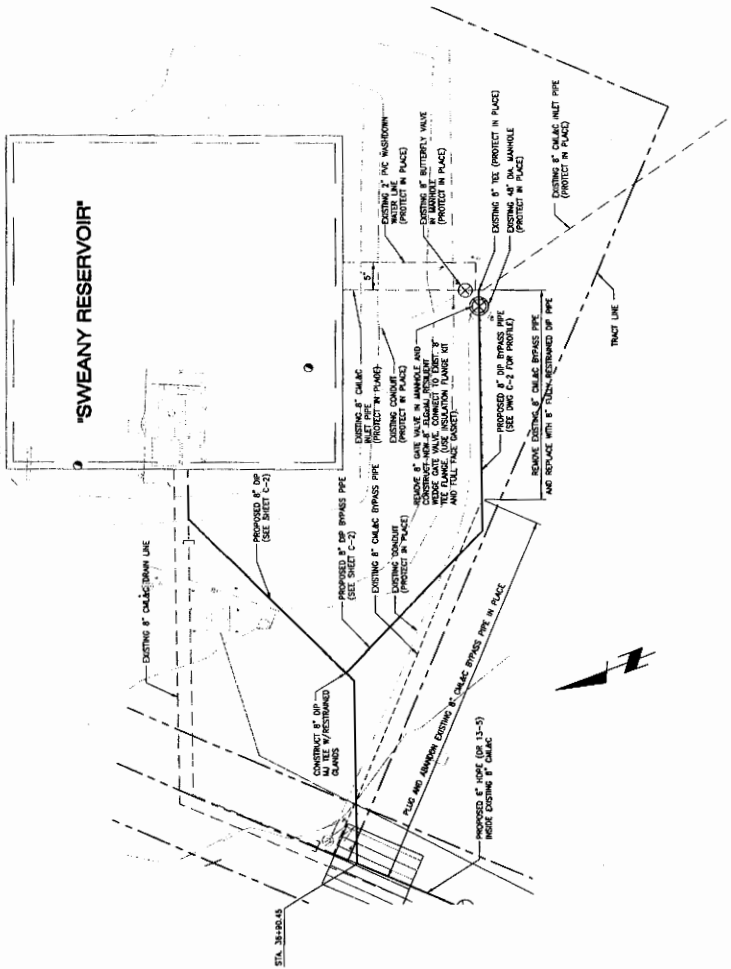
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EXHIBIT # 2
PAGE 1 OF 9

REVISIONS		BY		SUPERSEDED: 07/02/15 DATE SET & STANDARD P.E. 70118		PROFESSIONAL ENGINEER - MINUTES NO. 70118 EXP. 06/30/15 REGISTERED				SWEANY WATER LINE REFURBISHMENT PROJECT VICINITY & LOCATION MAPS, NOTES, PUBLIC AGENCIES, AND SHEET INDEX		DRAWING NO. G-2	
				CHECKED: 7/10/15 DATE JET DARTY				LAGUNA BEACH COUNTY WATER DISTRICT 306 THIRD STREET, LAGUNA BEACH, CALIFORNIA 92651 (949) 494-1041		W.O. NO. 20353		SHEET NO. 2 OF 10	



DRAWING NO. C-3	W.O. NO. 2053
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BYPASS CONNECTION DETAIL 2
SCALE: 1" = 10'



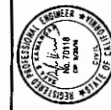
NOTICE TO CONTRACTOR
LOCATIONS OF EXISTING UTILITIES ARE SHOWN BASED ON
RECORD DRAWINGS AND FIELD SURVEY. CONTRACTOR SHALL
VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR
TO ANY CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE
FOR OBTAINING ALL NECESSARY PERMITS AND PROTECT ALL UTILITIES
ENCOUNTERED. UNARMED UTILITIES FACILITIES SHALL BE
REMOVED AT THE CONTRACTOR'S RISK.

NO.	DATE	REVISIONS

COASTAL COMMISSION

EXHIBIT # 2
PAGE 5 OF 9

SUPERVISED: *[Signature]* DATE: 07/02/13
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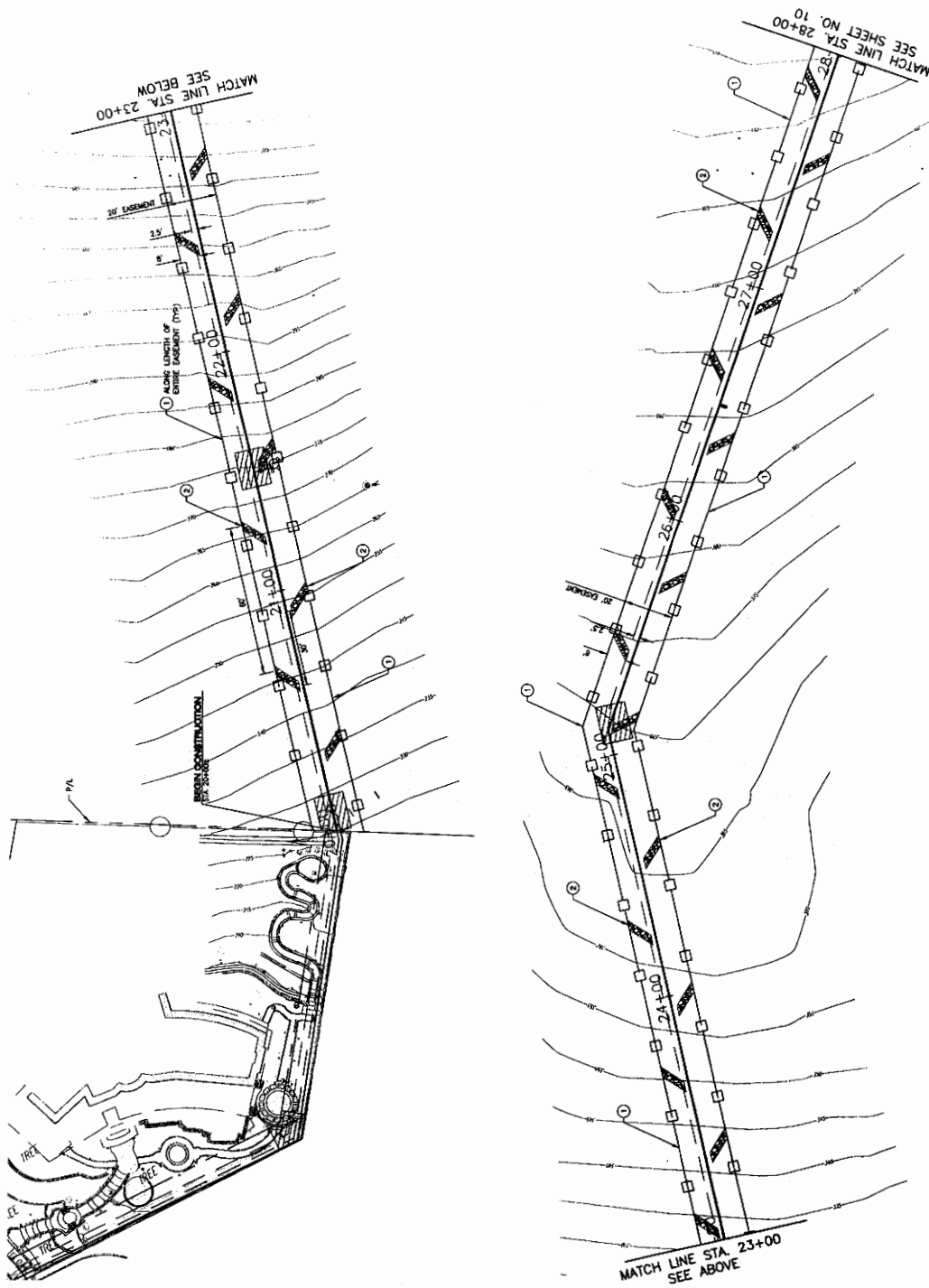


SWEANY WATER LINE REFURBISHMENT PROJECT
CONSTRUCTION DETAILS

LAGUNA BEACH COUNTY WATER DISTRICT
305 THIRD STREET, LAGUNA BEACH, CALIFORNIA 92651 (949) 494-1041

DRAWING NO.
C-4

W.D. NO. 2053
SHEET NO. 6 OF 10



BMP LEGEND

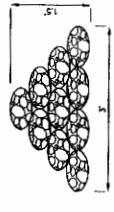
- 1 24" FENCE SE-1
- 2 CHECK DAM SE-4
- 3 GRAVEL BAG BERM SE-8
- 4 MATERIAL DELIVERY & STORAGE WM-1
- 5 STOCKPILE MANAGEMENT WM-3
- 6 SOIL WASTE MANAGEMENT WM-5
- 7 WIND EROSION CONTROL** WE-1
- 8 GEOTEXTILES AND MATS** GE-7

SEE SHEET 2 & 10 FOR BMP DETAILS

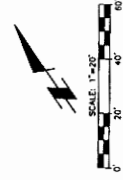
*STAGGER DAMS CHECK DAM WITH 30' OFFSET AT 1.5' HIGH, 3" WIDE AND 8' LONG.
 **WATER WILL BE APPLIED THROUGHOUT THE PROJECT SITE AND DUST WILL BE APPLIED AS NECESSARY TO PREVENT WIND EROSION CONTROL. WIND EROSION CONTROL SHOULD BE APPLIED ON ALL ACCESS ROADS IN THE PROJECT AREA AND ITS VICINITY.
 ***EXACT LOCATION LIMITS TO BE FIELD DETERMINED

NOTES

1. EROSION CONTROL IS STRICTLY LIMITED TO CORROSION OF EXISTING EROSION CONTROL MEASURES. NO DISTURBANCE TO EXISTING EROSION CONTROL MEASURES IS ALLOWED. HAND TOOLS AND CHAIN BARS, NO DISTURBANCE TO EXISTING EROSION CONTROL MEASURES IS ALLOWED.
2. CLEARING SHOULD ONLY HAPPEN AT THE INTERFERENCE OF AND UNDER SUPERVISION OF STATE/DISTRICT BIOLOGIST.
3. CACTUS PATCHES SHOULD BE SALVAGED AND MOVED TO THE STAGING AREAS AND REPLACED FOLLOWING THE COMPLETION OF WORK.
4. STOCKPILE MANAGEMENT IS TO BE IMPLEMENTED ON ALL STOCKPILE LOCATIONS THROUGHOUT THE LIMITS OF THE PROJECT SITE.



CHECK DAM DETAIL
NOT TO SCALE

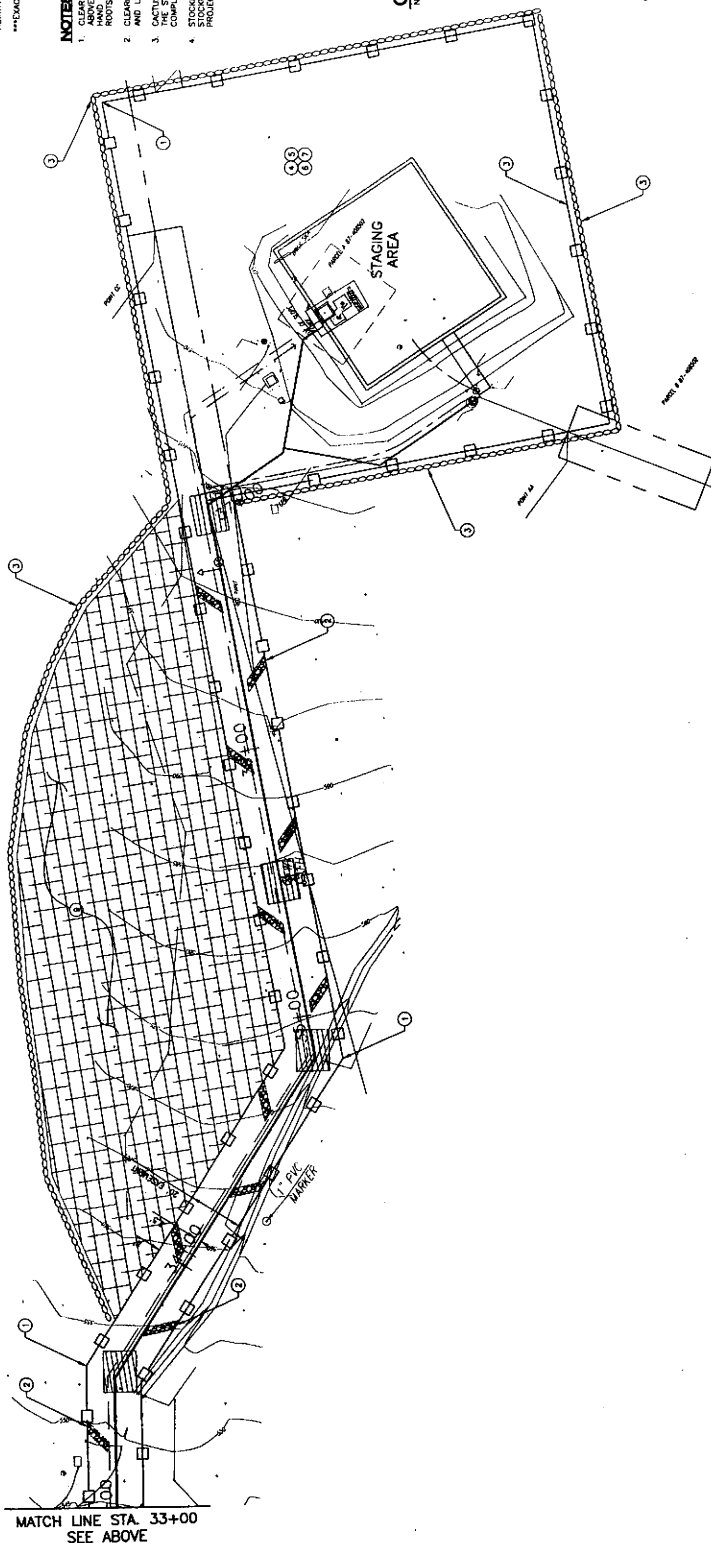


SWEANY WATER LINE REFURBISHMENT PROJECT EROSION CONTROL PLAN		DRAWING NO. ECP-1
LAGUNA BEACH COUNTY WATER DISTRICT 308 THIRD STREET, LAGUNA BEACH, CALIFORNIA 92653 (949) 484-1041		S.D. NO. 2053 SHEET NO. 7 OF 10
<div style="display: flex; justify-content: space-between;"> <div> <p>APPROVED FOR CONSTRUCTION</p> <p>DATE: 07/15/15</p> <p>BY: [Signature]</p> </div> <div> <p>DESIGNED BY: [Signature]</p> <p>DATE: 7/15/15</p> </div> <div> <p>CHECKED BY: [Signature]</p> <p>DATE: 7/15/15</p> </div> </div>		
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COASTAL COMMISSION

EXHIBIT # 2

PAGE 6 OF 9



BMP8 LEGEND

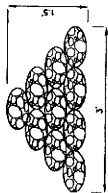
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| 1 | SILT FENCE SE-1 |  |
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| 3 | GRAVEL BAG BERM SE-6 |  |
| 4 | WATERAL DELIVERY & STORAGE WM-1 |  |
| 5 | STOCKPILE MANAGEMENT WM-3 |  |
| 6 | SOLID WASTE MANAGEMENT WM-5 |  |
| 7 | VEHICLE & EQUIPMENT MAINTENANCE NS-10 |  |
| 8 | WIND EROSION CONTROL** WE-1 |  |
| 9 | GEOTEXTILES AND MATS*** EG-7 |  |
- SEE SHEET 9 & 10 FOR BMP DETAILS.

SEE SHEET 9 & 10 FOR BMP DETAILS.

STAGGER GRAVEL BAG CHECK DAM WITH 30' OFFSET AT 30' INTERVALS. BAGS SHALL BE 3' HIGH, 3' WIDE AND 8' LONG.

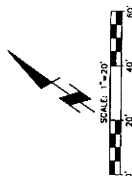
NOTES



- CLEANING IS STRICTLY LIMITED TO CURBING OF ABOVE-GROUND GROWTH OF WOODY VEGETATION USING HAND TOOLS AND CHAIN SAWS. NO DISTURBANCE TO ROOTS IS ALLOWED.
- CLEANING SHOULD ONLY HAPPEN AT THE PRESENCE OF AND UNDER SUPERVISION OF STATE/DISTRICT BIOLOGIST.
- CACTUS PATCHES SHOULD BE SALVAGED AND MOVED TO THE STAGING AREAS AND REPLACED FOLLOWING THE COMPLETION OF WORK.
- STOCKPILE MANAGEMENT IS TO BE IMPLEMENTED ON ALL STOCKPILE LOCATIONS THROUGHOUT THE LIMITS OF THE



CHECK DAM DETAIL

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NO.	DATE	REVISIONS	BY	SUPERSEDED:	DATE			SWEANY WATER LINE REFURBISHMENT PROJECT EROSION CONTROL PLAN	DRAWING NO. ECP-2
				CHECKED:	DATE	07/02/15 DATE OF EXPIRATION 07/02/15		LAGUNA BEACH COUNTY WATER DISTRICT 306 THIRD STREET, LAGUNA BEACH, CALIFORNIA 92651 (949) 494-1041	W.D. NO. 2033 SHEET NO. 8 OF 10

COASTAL COMMISSION

EXHIBIT # 2
PAGE 7 OF 9

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WM-3



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Abstract

ment



194 procedures and practices for the management of pollutants released by providing services, arranging for subcontractors.

Construction sites where: wood, paper, cardboard, and other materials including wood, and masonry; food containers; bags, plastic wraps; including brick, mortar, and electrical utilities; asbestos, styrofoam and other materials; and package construction.

California Storm
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Share

WM-5

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Page 1

nt Maintenance



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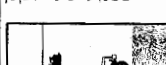
Clipping Service

NS-10



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EC-7



Description and Purpose

Manitex® or Rolled Erosion Control Products (RECPs), can be made of natural or synthetic materials or a combination of the two. RECPs are used to cover the soil surface to reduce erosion from rainfall impact, hold soil in place, and absorb and hold moisture near the soil surface. Additionally, RECPs may be used to stabilize soils until vegetation is established or to reinforce non-woody surface vegetation.

Suitable Applications

RECAPs are typically applied on slopes where erosion hazard is high. RECAPs are applied to stabilize slopes where erosion is also likely to occur. RECAPs are applied to stabilize slopes where erosion is also likely to occur. RECAPs are applied to stabilize slopes where erosion is also likely to occur.

- Steep slopes, generally steeper than 3:1 (H:V)
- Slopes where the erosion potential is high
- Slopes and disturbed soils where mulch must be anchored
- Disturbed areas where plants are slow to develop

November 2008
California September 2008 Handbook
Construction
www.csls.ca.gov

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EC-7

PLEASE REFER TO THE CALIFORNIA
STORMWATER BMP HANDBOOK FOR
ADDITIONAL INFORMATION.

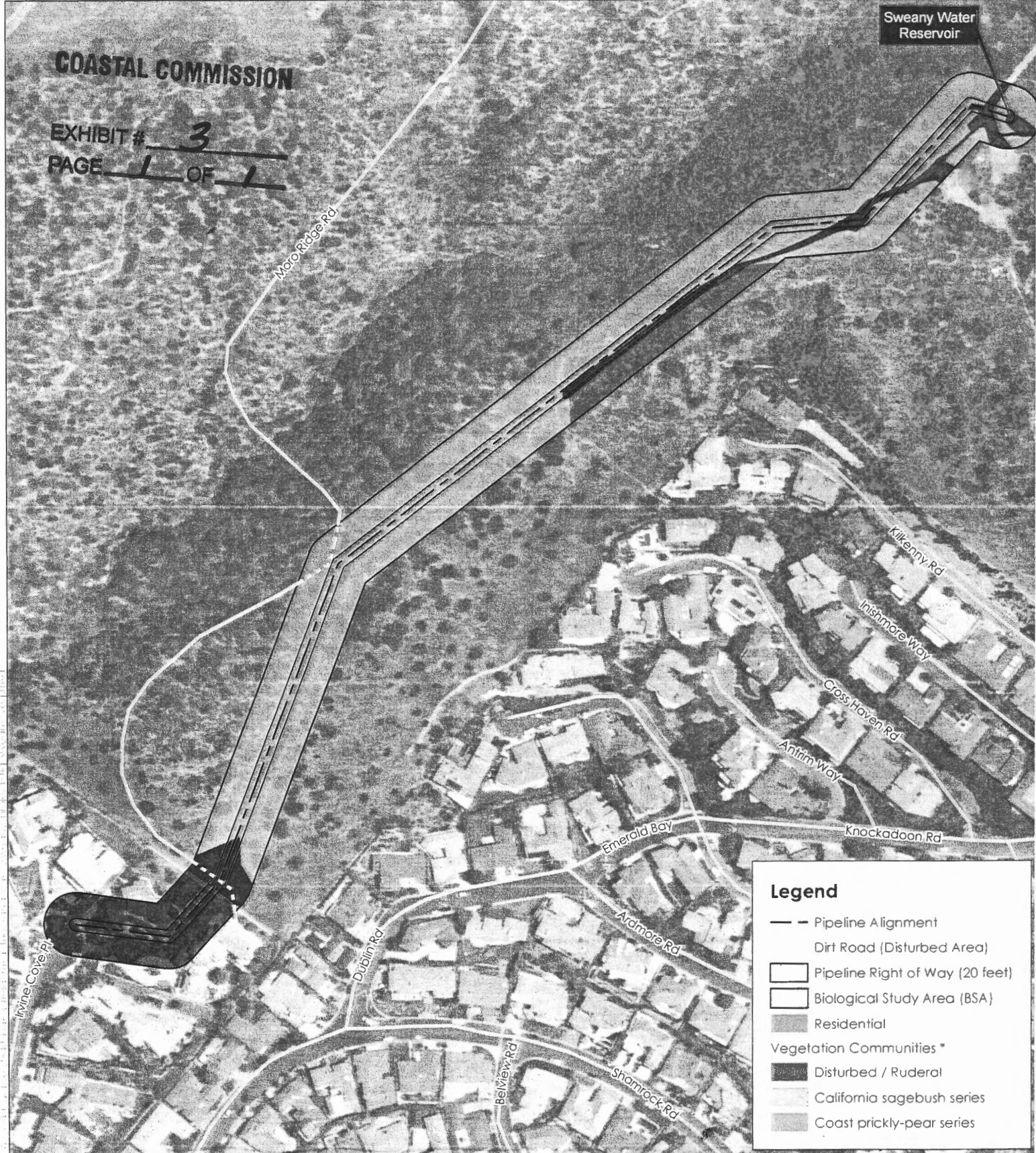
NOTES

COASTAL COMMISSION

EXHIBIT # 2
PAGE 9 OF 9

COASTAL COMMISSION

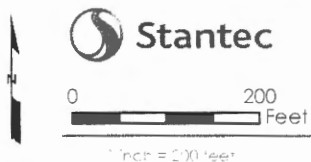
EXHIBIT # 3
PAGE 1 OF 1



Legend

- Pipeline Alignment
- Dirt Road (Disturbed Area)
- Pipeline Right of Way (20 feet)
- Biological Study Area (BSA)
- Residential
- Vegetation Communities *
- Disturbed / Ruderal
- California sagebrush series
- Coast prickly-pear series

Project: 185803210; Sources: Stantec 2014, Orange County GIS. Created By: K. Gross. Updated: 5/9/2014. Disclaimer: Stantec assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for the accuracy and completeness of the data. The recipient releases Stantec, its officers, employees, consultants and agents, from any and all claims arising in any way from the content or provision of the data. Service Layer Credits: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community



* Vegetation communities within the BSA were classified in accordance with A Manual of California Vegetation (Sawyer et al., 2009)

Figure 2
Habitat Classification

PHOTOGRAPHIC RECORD – April 11, 2014

Site Name: Sweany Water Line Replacement Project

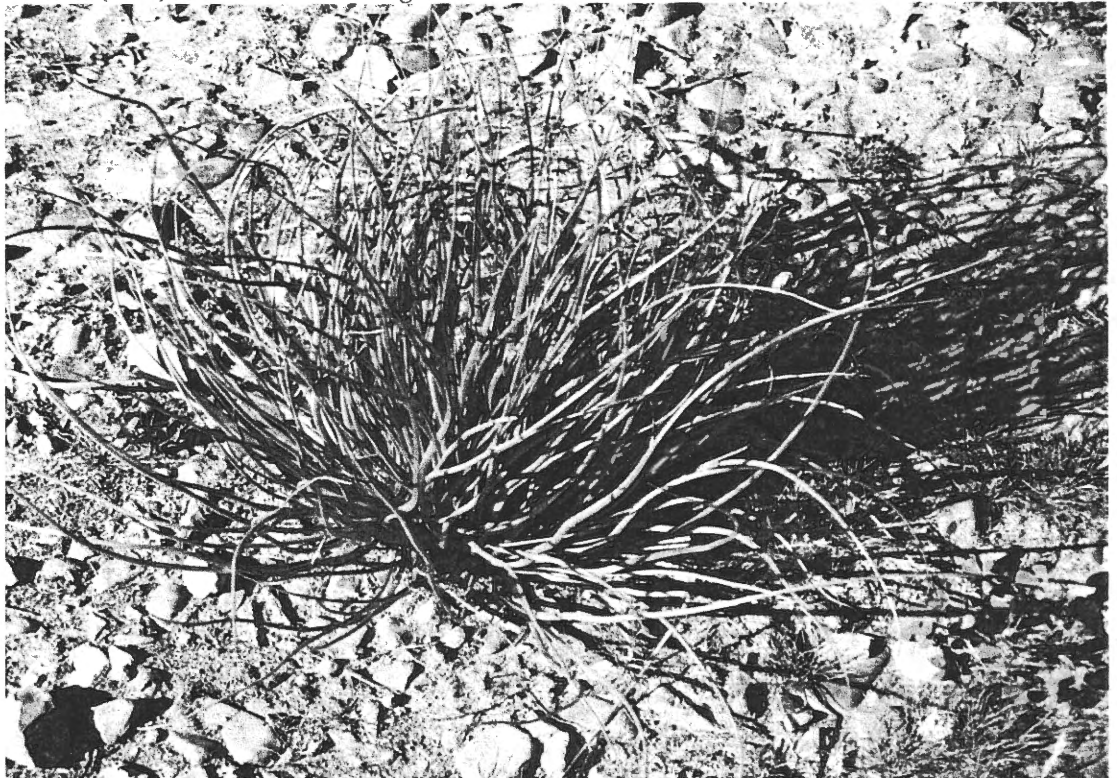
Photographer(s): M. Venkat

Photo 1:



View of the equipment staging area located in the northern portion of the Biological Study Area (BSA). Photo taken looking southwest.

Photo 2:



Photograph of an onion weed plant growing in the staging area.

PHOTOGRAPHIC RECORD – April 11, 2014

Site Name: Sweany Water Line Replacement Project

Photographer(s): M. Venkat

Photo 3:

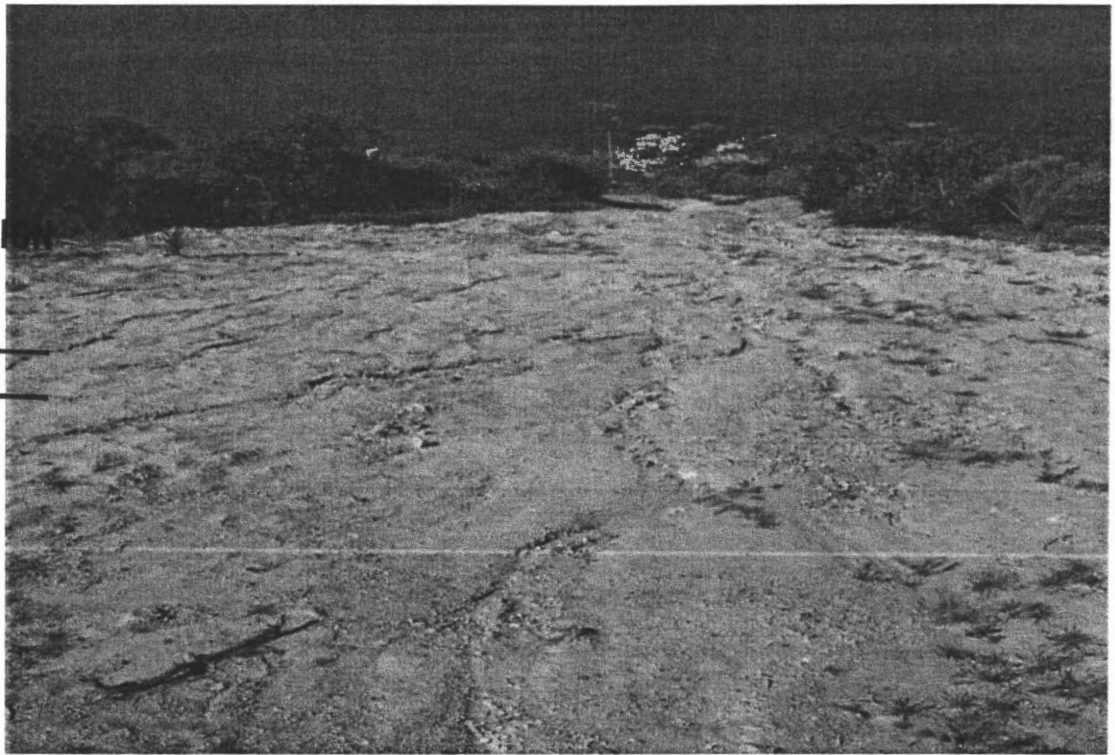
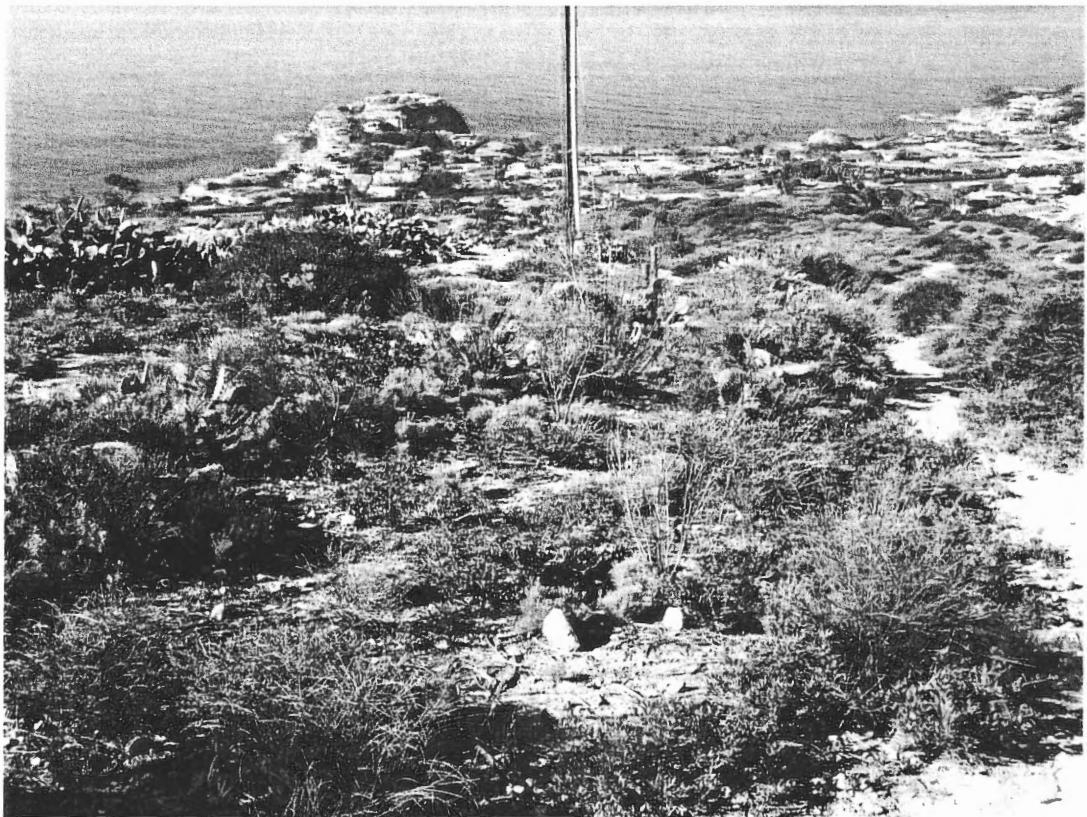


Photo taken below staging area. View looking west along the water pipeline right of way.

Photo 4:



View of coastal sage scrub habitat occurring within pipeline easement in the northern portion of the BSA.

COASTAL COMMISSION

EXHIBIT # 4

PAGE 2 OF 5

PHOTOGRAPHIC RECORD – April 11, 2014

Site Name: Sweany Water Line Replacement Project

Photographer(s): M. Venkat

Photo 5:

COASTAL COMMISSION

EXHIBIT # 4
PAGE 3 OF 5



View of coastal sage scrub and prickly pear thickets occurring within the pipeline easement. Photo taken in the central portion of the BSA looking east.

Photo 6:



View of coastal sage scrub vegetation and prickly pear thickets occurring within the pipeline easement. View looking east.

PHOTOGRAPHIC RECORD – April 11, 2014

Site Name: Sweany Water Line Replacement Project

Photographer(s): M. Venkat

Photo 9:



Representative photo of coastal sage scrub habitat occurring within the pipeline easement. Stands of lemonade berry (background) and prickly pear thickets (foreground) can be seen. Photo looking west.

Photo
10:



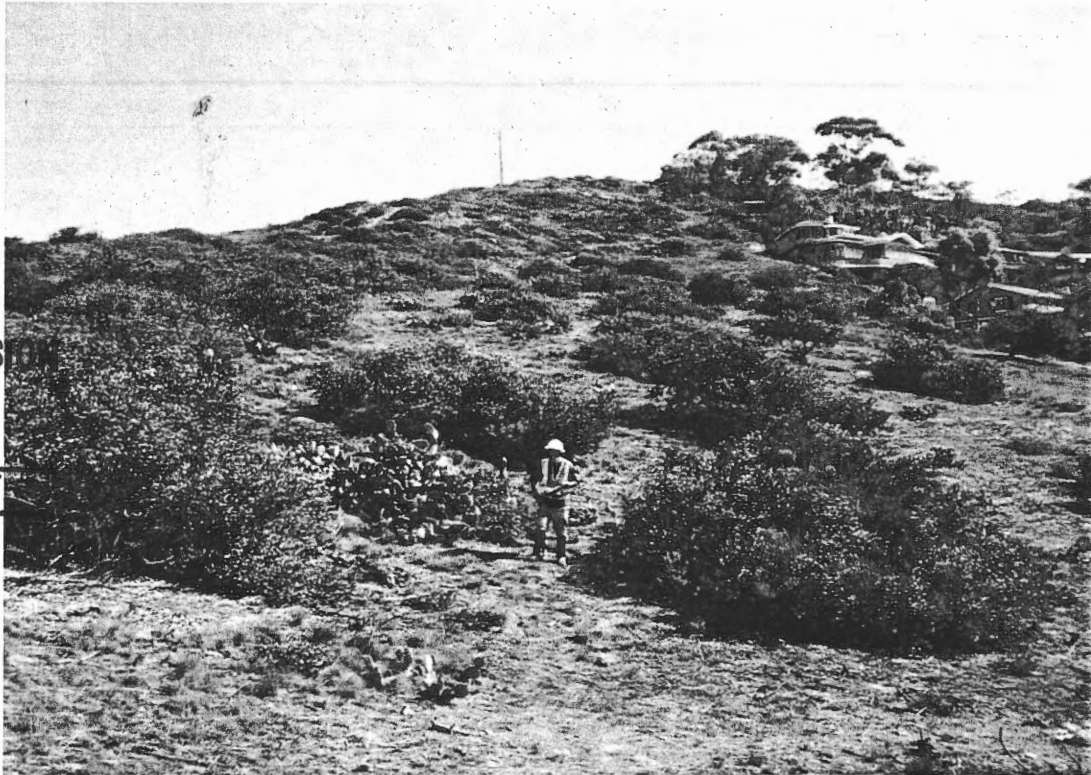
Photo of a Catalina Mariposa lily (*Calochortus catalinae*) detected within the pipeline easement. This plant is recognized as a sensitive species by the California Native Plant Society.

PHOTOGRAPHIC RECORD – April 11, 2014

Site Name: Sweany Water Line Replacement Project

Photographer(s): M. Venkat

Photo 7:



View of coastal sage scrub vegetation with stands of lemonade berry thickets occurring within pipeline easement. Photo looking east.

Photo 8:



View of coastal sage scrub vegetation in the foreground. The pipeline will connect with an outlet located beyond the fence in the residential area.