

**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
200 Oceangate, Suite 1000  
Long Beach, CA 90802-4302  
(562) 590-5071

**W8a**

Staff: M. Revell – LB  
Date: August 18, 2016

**ADMINISTRATIVE PERMIT**

**Application No.**      **5-15-1789**

**Applicant:**            **Orange County Parks**

**Project**

**Description:**        Annual maintenance of existing service roads and trails within Talbert Regional Park, consisting of trimming native and non-native vegetation alongside the existing trails to accommodate emergency and maintenance vehicle access.

**Project**

**Location:**            Talbert Regional Park, 1298 Victoria St., Costa Mesa (Orange County)

**EXECUTIVE DIRECTOR'S DETERMINATION**

The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

**9:00 a.m. September 7, 2016**  
**Newport Beach Civic Center**  
**City Council Chambers**  
**100 Civic Center Drive**  
**Newport Beach, CA 92660**

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

**BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.**

John Ainsworth  
Acting Executive Director

By: Mandy Revell  
Title: Coastal Program Analyst

**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 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 term or 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.

**SPECIAL CONDITIONS:** See pages four through five.

**EXECUTIVE DIRECTOR'S DETERMINATION (continued):**

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the

meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

## **FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:**

### **A. PROJECT DESCRIPTION**

The proposed project is annual maintenance of existing graded dirt service roads and trails within Talbert Regional Park, consisting of trimming native and non-native vegetation alongside the existing public trails (**Exhibit 2**). All maintenance activities are proposed to be conducted during the dates of October 15<sup>th</sup> through March 15<sup>th</sup> to avoid impacting avian species during nesting season.

The project site is in the southern portion of Talbert Regional Park, located South of Victoria Street in Costa Mesa between West 19<sup>th</sup> Street and the Santa Ana River. (**Exhibit 1**). The southern portion of the park is approximately 88.5 acres, and consists of approximately nine service roads/trails. Current overgrowth of vegetation along service roads has significantly reduced emergency access for Costa Mesa Fire and The Orange County Fire Authority. Talbert Regional Park is prone to brush fires (which occur approximately once a month) due to a high transient population within the park. Overgrown vegetation along roads delays response time and creates a safety hazard for responding personnel, park users, and surrounding homes.

The proposed annual trail maintenance activities consist of vegetation trimming of existing vegetation alongside of the service roads/trails consist of approximately 20% native and 80% non-native plants. Native plants include Arroyo Willow, Mule Fat, and Golden Bush. Non-native plants include Pampas Grass, Tree Tobacco, Castor Bean, Black Mustard, Myoporum, Brazilian Pepper, Acacia and Bull Thistle. The trails will be trimmed using a commercial grade hedge trimmer, string trimmer, and chain saw to maintain the 12 ft. wide service roads/trails, and will be trimmed up to 10 ft. high to accommodate emergency vehicles. And, to avoid impacts to avian species, all vegetation trimming will occur during October 15<sup>th</sup> to March 15<sup>th</sup>, which is outside of breeding and nesting season, and is addressed by **Special Condition 2**. In addition, the approved annual trail maintenance activities will be permitted to occur annually for five years, which may be extended for additional time with the approval of an amendment to this permit, which is expressed in **Special Condition 4**.

### **B. PUBLIC ACCESS**

The proposed development will not affect the public's ability to gain access to, and/or to make use of, the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

### **D. WATER QUALITY**

The proposed development has a potential for a discharge of polluted runoff from the project site into coastal waters. The development, as proposed and as conditioned, incorporates best management practices (BMPs) to minimize the effect of construction and post-construction

activities on the marine environment. These BMPs include, but are not limited to, the appropriate management of equipment and construction materials and for the use of post-construction best management practices to minimize the project's adverse impact on coastal waters. Therefore, the proposed development, as conditioned, conforms with Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

**C. LOCAL COASTAL PROGRAM**

Section 30604 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission in regions where the local government having jurisdiction does not have a certified local coastal program. The permit may only be issued if the Commission finds that the proposed development will not prejudice the ability of the local government to prepare a Local Coastal Program, which conforms with the Chapter 3 policies of the Coastal Act.

The City of Costa Mesa has not made an LCP submittal to the Commission. The proposed development, as conditioned, is consistent with the Chapter Three policies of the Coastal Act. Therefore, the Commission finds that the proposed development as conditioned would not prejudice the ability of the City to prepare a certified coastal program consistent with the Chapter Three policies of the Coastal Act.

**C. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that the activity may 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.

This permit is granted subject to the following special conditions:

**SPECIAL CONDITIONS:**

- 1. Conformance with Proposed Project Plans.** The applicant shall conform with the plans submitted on February 16, 2016. 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.
- 2. Timing of Operations.** The annual maintenance activities, including vegetation trimming, shall be prohibited from March 16 through October 14 to avoid impact to avian species during breeding and nesting season.
- 3. Permit Expiration.** Annual trail maintenance activities approved pursuant to CDP No. 5-15-1789 shall expire on March 16, 2022, with a provision for the expiration to be extended for additional time, with the approval of an amendment to this permit. Any trail maintenance

5-15-1789 (Orange County Parks)  
Administrative Permit

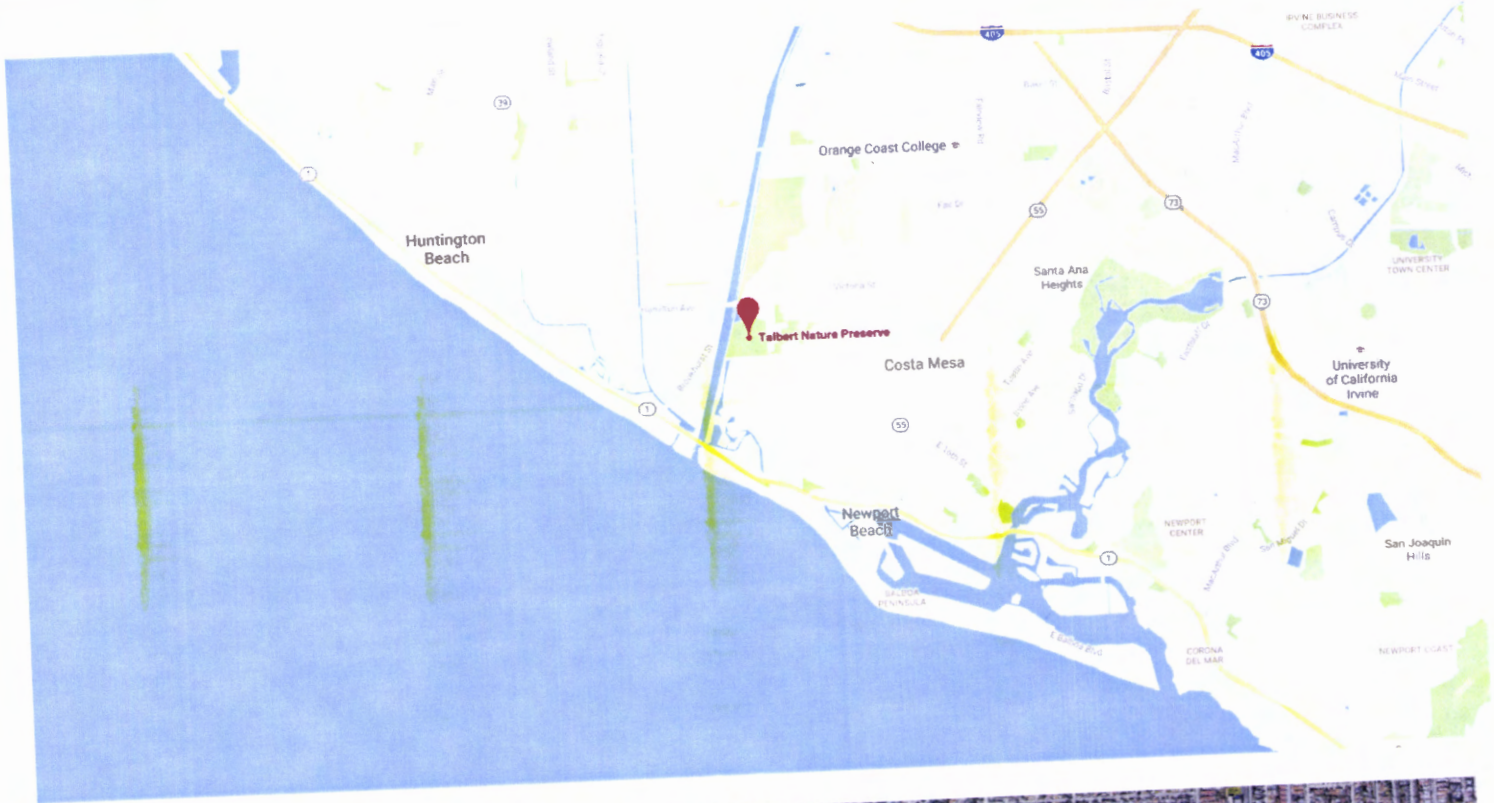
activities after the expiration of this permit will require the issuance of a new coastal development permit or an amendment to this permit.

**ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:**

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
Date of Signing



**COASTAL COMMISSION**

EXHIBIT # 1  
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Orange County Parks

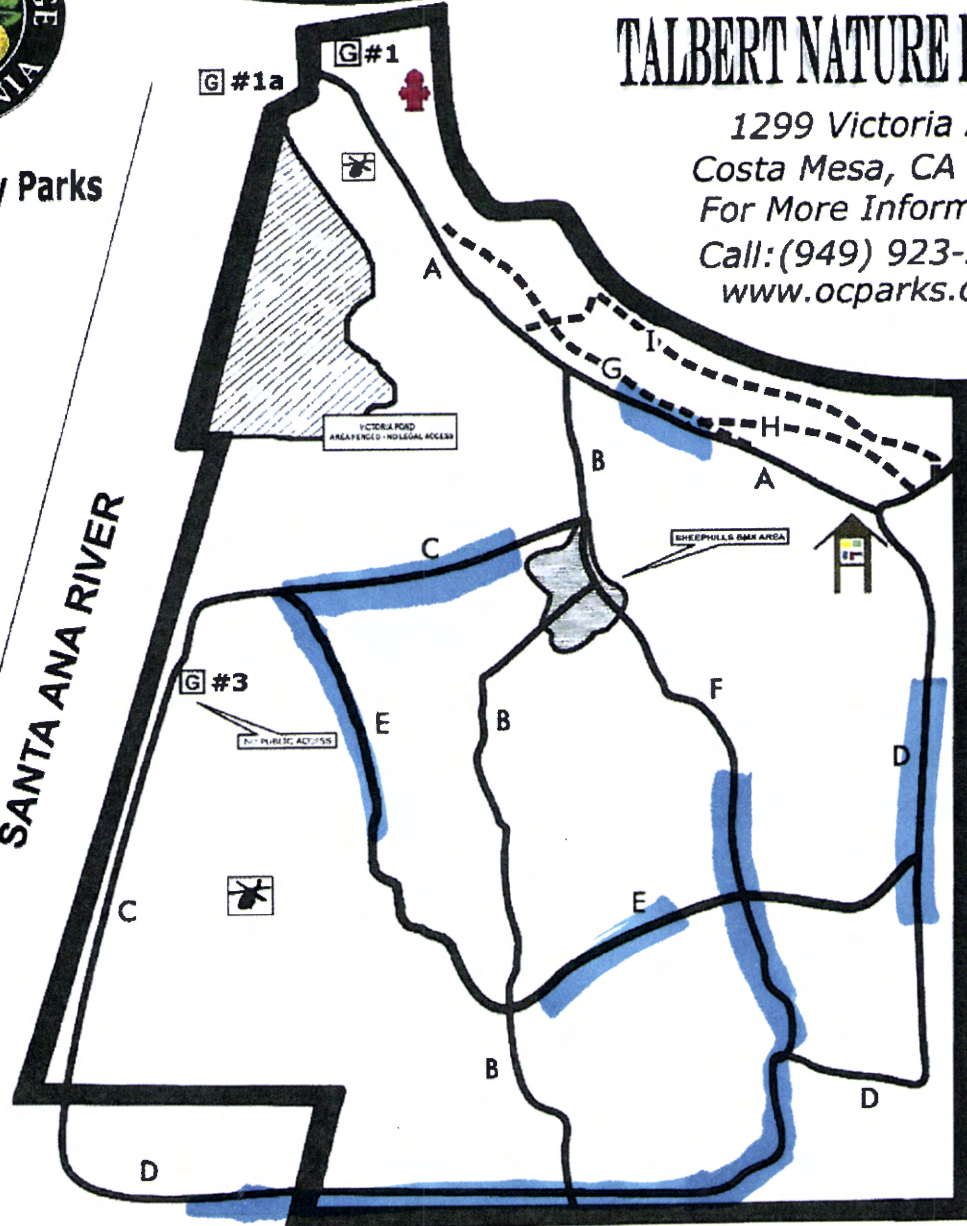


SANTA ANA RIVER

VICTORIA ST

**Park Hours: 7 A.M. to Sunset**  
**TALBERT NATURE PRESERVE**

1299 Victoria Ave.  
 Costa Mesa, CA 92627  
 For More Information  
 Call: (949) 923-2250  
 www.ocparks.com



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South Coast Region

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CALIFORNIA  
 COASTAL COMMISSION

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**SAFETY AND RESOURCES PROTECTION REGULATIONS**

- Firearms, weapons, fireworks, replica firearms are prohibited OCCO 2.5.37
- Alcoholic beverages are prohibited OCCO 2.5.35
- Removal or disturbance of rocks, plants, artifacts, or other park resources is prohibited OCCO 2.5.27
- Fishing is prohibited OCCO 2.5.63
- No unauthorized vehicles OCCO 2.5.29(g)

- Controlling domestic animals: leash required, remove and properly dispose of animal waste OCCO 2.5.39
- Stay on designated trails and out of closed areas OCCO 2.5.46(a)
- No camping OCCO 2.5.95(a)
- Hunting, fishing, trapping, collecting, or disturbing of animals is prohibited OCCO 2.5.38

**MAP KEY**

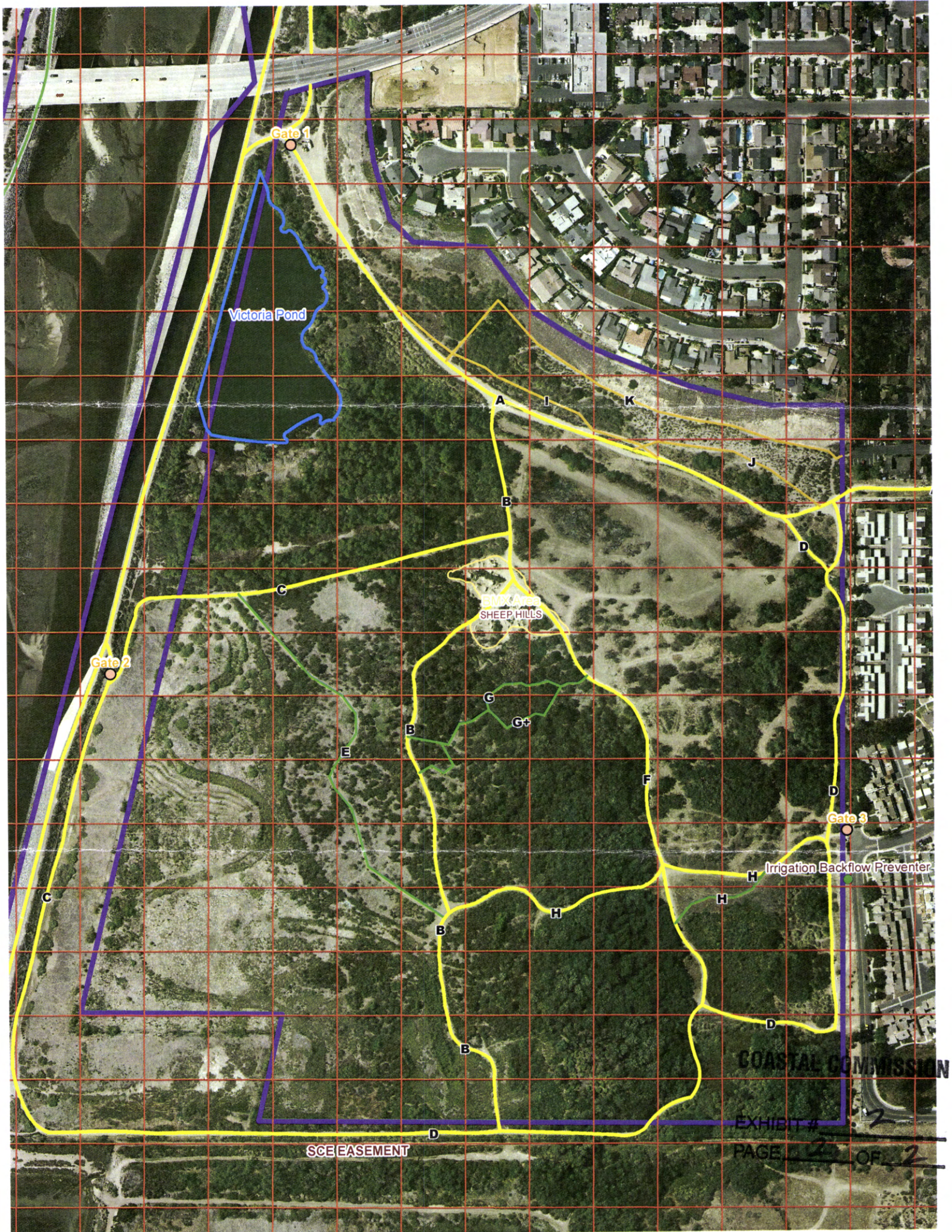
- = Helispots
- = Fire Hydrants
- = Foot trail only
- = BMX Area
- = Victoria Pond
- = Access Gates
- = Information Kiosk

**SOUTH TALBERT TRAIL DISTANCES**

- Trail(A)-Gate#1 to Canyon Park=1,985ft.
- Trail(B)-Trail(A) to Trail(D)=1,584ft.
- Trail(C)-Trail(B) to Trail(D)=2,380ft.
- Trail(D)-Trail(C) to Trail(A)=3,476ft.
- Trail(E)-Trail(C) to Trail(D)=2,112ft.
- Trail(F)-Sheep Hills to Trail(D)=1,278ft.
- Trail(G)-Trail(A) to Trail(A)=576ft.
- Trail(H)-Trail(A) to Trail(A)=576ft.
- Trail(I)-Trail(A) to Trail(A)=1,098ft.
- Total Trail Length=15,169ft. or 2.87 miles

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Victoria Pond

Gate 1

Gate 2

Gate 3

BMP Areas  
SHEEP HILLS

Irrigation Backflow Preventer

SCHEEASEMENT

COASTAL COMMISSION

EXHIBIT # 2

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