

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA
3111 CAMINO DEL RIO NORTH, SUITE 200
SAN DIEGO, CA 92108-1725
(619) 521-8036

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Staff Report: May 9, 1996
Hearing Date: June 11-14, 1996

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-96-50

Applicant: City of San Diego Agent: Tom Cartier

Description: Rehabilitation of 150 linear feet of existing rock revetment, including retrieval of approximately 230 cu.yds. of migrated rock, augmentation with an additional approximately 230 cu.yds. of 1/2-ton imported rock and placement of filter fabric, along a portion of the Mission Bay shoreline.

Site: North shore of Vacation Island, immediately east of the Fisherman's Channel bridge, Mission Bay Park, San Diego, San Diego County.

Substantive File Documents: Mission Bay Park Master Plan
CCC Files #6-93-165; #6-93-208

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

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

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Construction Access/Staging Area/Project Timing. Prior to the issuance of the coastal development permit, the applicant shall submit final plans, for review and written approval of the Executive Director, showing the location which will be used for the staging and storage of materials and equipment during the construction phase of this project. Use of sandy beach for the interim storage of materials or equipment shall not be permitted, and such use of public parking areas shall be minimized to the maximum extent possible. The plan shall also indicate that no work may occur during the summer months (Memorial Day weekend to Labor day) of any year and that equipment used on the beach shall be removed from the beach at the end of each work day.

2. Disposal of Retrieved Riprap. Prior to the issuance of the coastal development permit, the applicant shall identify the location for the disposal of retrieved riprap unsuitable for re-use in the proposed development. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

3. Maintenance Activities/Future Alterations. Maintenance of the protective works shall be the responsibility of the applicant. Any debris, rock or materials which become dislodged after completion through weathering and impair public access shall be removed from the beach. Any change in the design of the revetment or future additions/reinforcement seaward of the riprap will require a coastal development permit. If after inspection, it is apparent repair or maintenance is necessary, the applicant should contact the Commission office to determine whether permits are necessary.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description/Visual Resources. The City of San Diego is proposing to rehabilitate an existing section of rock revetment, immediately east of the Fisherman's Channel Bridge, on Vacation Isle in Mission Bay Park. The project is associated with the Mission Bay Park Shoreline Stabilization Plan, other components of which were addressed in prior Commission actions (Coastal Development Permits #6-93-165 and #6-93-208 covered most of the sites identified in that plan; some overall project components have not been brought forward for permits as yet). The subject site is adjacent to an area of beach recontouring approved in the second action cited, but this particular development/location was not addressed in any prior permit.

The subject riprap repair and maintenance activity requires a permit under Section 13252(a)(1) of the California Code of Regulations and is required to protect the manufactured slopes under and adjacent to the Fisherman's Channel Bridge. This is an area of the Mission Bay shoreline which has long been protected with riprap. The channel banks were modified somewhat several years ago when the Ingraham Street bridge over Fisherman's Channel was replaced with a modern, significantly wider bridge. The bank slopes down from the bridge abutment, levels off on a bench (where the public pathway is located), then

slopes down to the water. It is this lower bank, which extends east and west of the bridge, that is currently riprapped, and where the subject repair work is being proposed. Since completion of the bridge, some of the existing riprap has migrated bayward from its original position, leaving portions of the banks exposed and eroding; this migrated rock will be retrieved as part of the subject development. The remaining portions of the existing revetment will be removed so that filter fabric can be placed, then reconstructed on top of the filter fabric. It is estimated that approximately 230 cu.yds. of re-usable riprap are available at the site, and this amount is roughly half what is needed for a properly-engineered revetment to stabilize the channel banks. Thus, an additional approximately 230 cu.yds. of half-ton rock will be imported from a rock quarry to complete the project. Retrieved rock which is not considered suitable for re-use will be exported; Special Condition #2 requires the City to identify the export site and obtain permits if it is within the coastal zone.

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The subject site is an existing rock revetment, and the proposed development consists of repairs to an existing structure. Adjacent and nearby uses include sandy beach, a public walkway, grassy uplands and picnic areas. After completion of the proposed development, the site will be visually much the same as at present. There will be temporary visual impacts during the construction of the project, but Special Condition #1 prohibits construction during the summer beach season, such that impacts are avoided during the time of heaviest use of the area's recreational amenities. Therefore, the Commission finds the proposal, as conditioned, consistent with Section 30251 of the Act.

2. Public Access/Parking. Many policies of the Coastal Act address the provision, protection and enhancement of public access to and enjoyment of recreational shoreline areas, including Sections 30210, 30211, 30212, 30221, 30223 and 30252. These policies address maintaining the public's ability to reach and enjoy the water, providing and protecting adequate upland areas, and providing adequate parking facilities for public use. In addition, Section 30604(c) requires an access finding be made for any development between the sea and first coastal roadway, which includes all of Mission Bay Park.

As stated previously, the subject site is an existing rock revetment, adjacent to sandy beach, a public walkway and upland recreational areas. Further east, there is a recently completed tot lot with play equipment, restrooms and a picnic shelter, along with a number of scattered picnic tables and wide expanses of grassy lawn. This northern stretch of Vacation Isle is not as heavily used as the eastern shore, where there is a boat launching ramp and waterski pick-up and drop-off points, but, especially in summertime, it is popular for smaller family gatherings and casual recreation.

There is currently no sandy beach seaward of the existing revetment, which extends into the water of Fisherman's Channel. After project completion, the repaired revetment will not extend as far bayward as does the existing riprap, such that the project will not encroach onto any existing intertidal or eelgrass habitats. However, even though the repaired seawall will not

encroach beyond the existing revetment alignment, there will still not be any usable area of sandy beach seaward of the revetment. There is a public walkway at the top of the lower embankment, allowing lateral access underneath the bridge to the sandy beaches further east and west.

After completion, the project will not impact the public's use or enjoyment of adjacent recreational amenities, but during the construction phase of the project some impacts will occur. In particular, the City's preliminary plans indicate an intention to use a portion of the public parking area to stage and store equipment. In addition, equipment will be out on the beach to relocate the existing, migrated riprap and install the new rock and filter fabric. To address these concerns, Special Condition #1 is attached. The condition provides that no work may occur between Memorial Day weekend and Labor Day, thus eliminating potential conflicts during the time of heaviest recreational use. In addition, the condition provides that the use of public parking areas be minimized to the extent possible and requires that equipment be removed from the beach each night. Furthermore, Special Condition #3 is attached to assure that the revetment is properly maintained over time to prevent future access impacts from migrated rock. As conditioned, the Commission finds that the temporary construction impacts will be minimized as much as possible, and long-term maintenance will be provided. The project is thus consistent with the cited Coastal Act policies and with all other public access and recreation policies as well.

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

The project site is located within Mission Bay Park, an area of deferred certification within the City of San Diego's Local Coastal Program. The 1994 Mission Bay Park Master Plan, which is not currently certified, designates the general area as Open Beach and Parkland. The proposed shoreline protection repair activity is consistent with these designations. Moreover, the project, as conditioned, has been found consistent with all applicable Chapter 3 policies of the Coastal Act, which are the standard of review for uncertified areas. The only other discretionary approval necessary for the proposed development is an Army Corps of Engineers (ACOE) Permit; this approval was gained through an amendment to the previous permit the ACOE issued for the overall shoreline stabilization project. Since the proposal, as conditioned, is consistent with the land use plan and Coastal Act, the Commission finds that its approval will not prejudice the ability of the City of San Diego to complete its planning process and develop a fully-certifiable LCP for the Mission Bay segment.

4. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit to be consistent with any applicable requirements of the California

Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

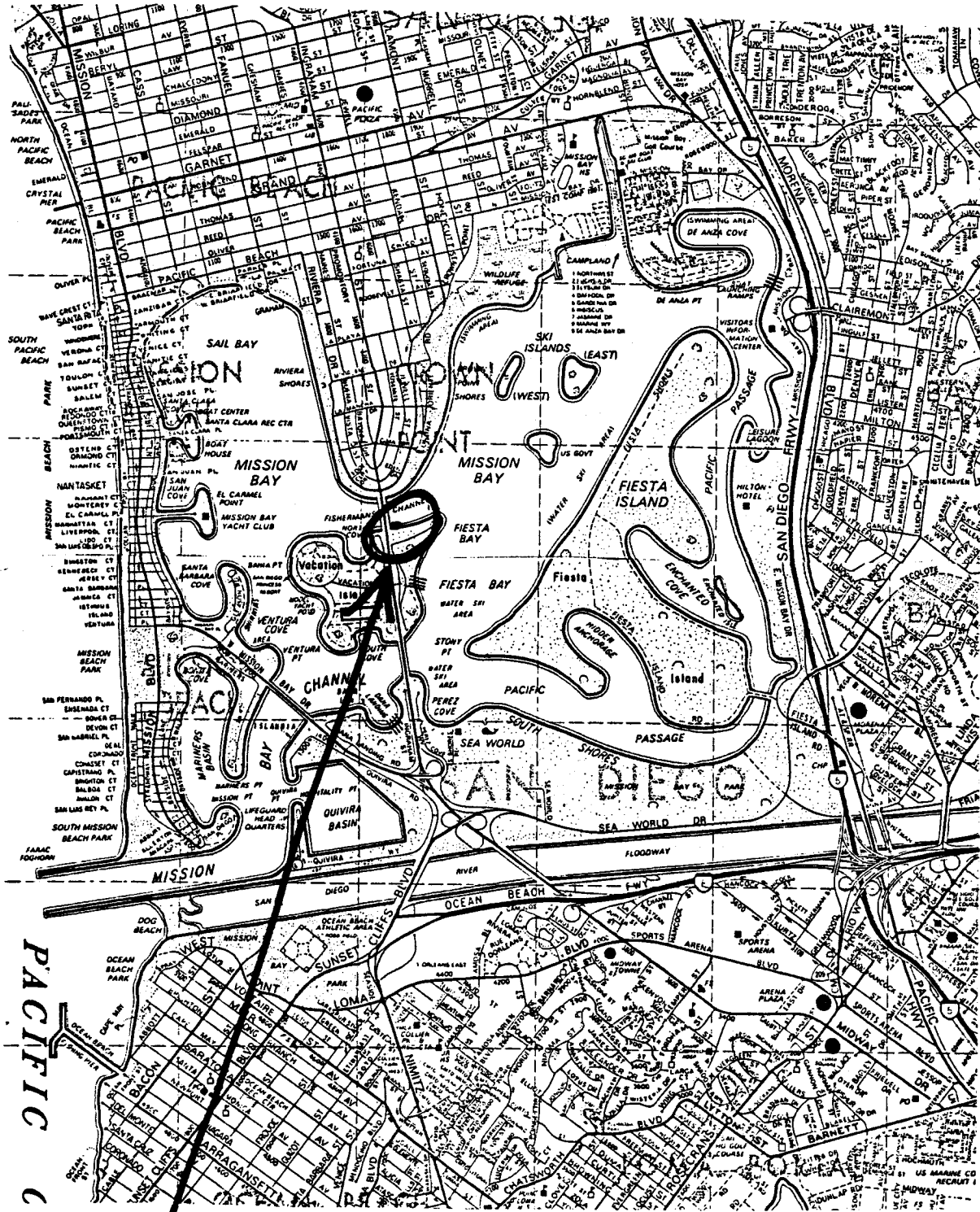
As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project, as conditioned, has been found consistent with the visual resources, public access and recreation policies of the Coastal Act. There are no feasible alternatives or mitigation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

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

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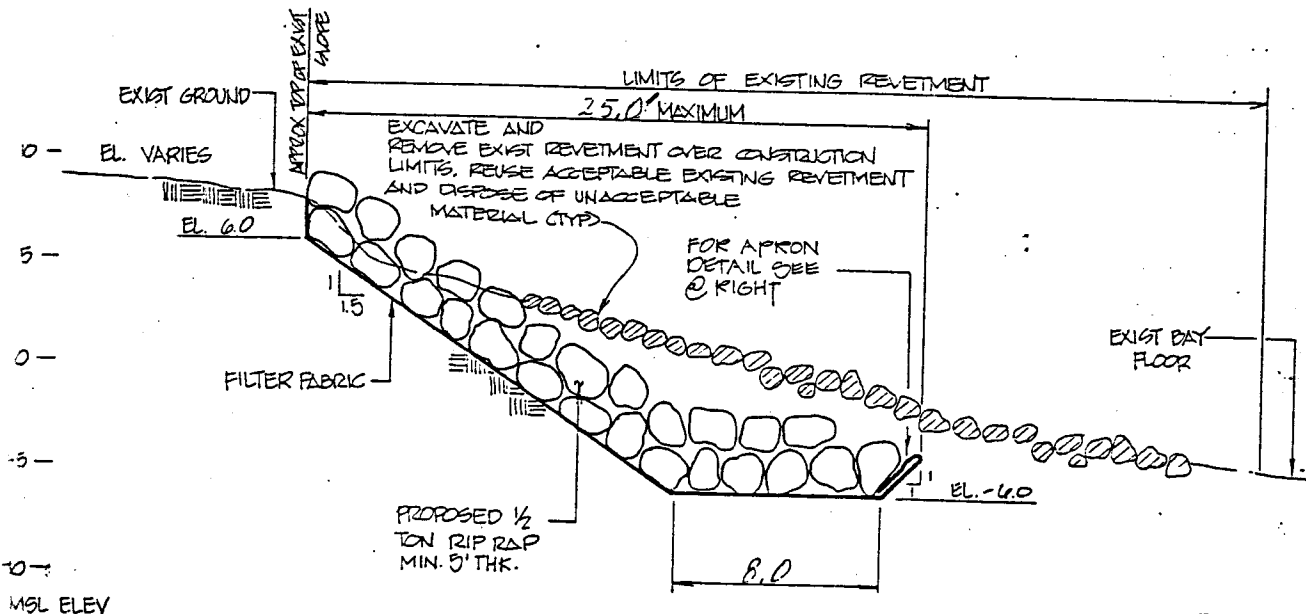
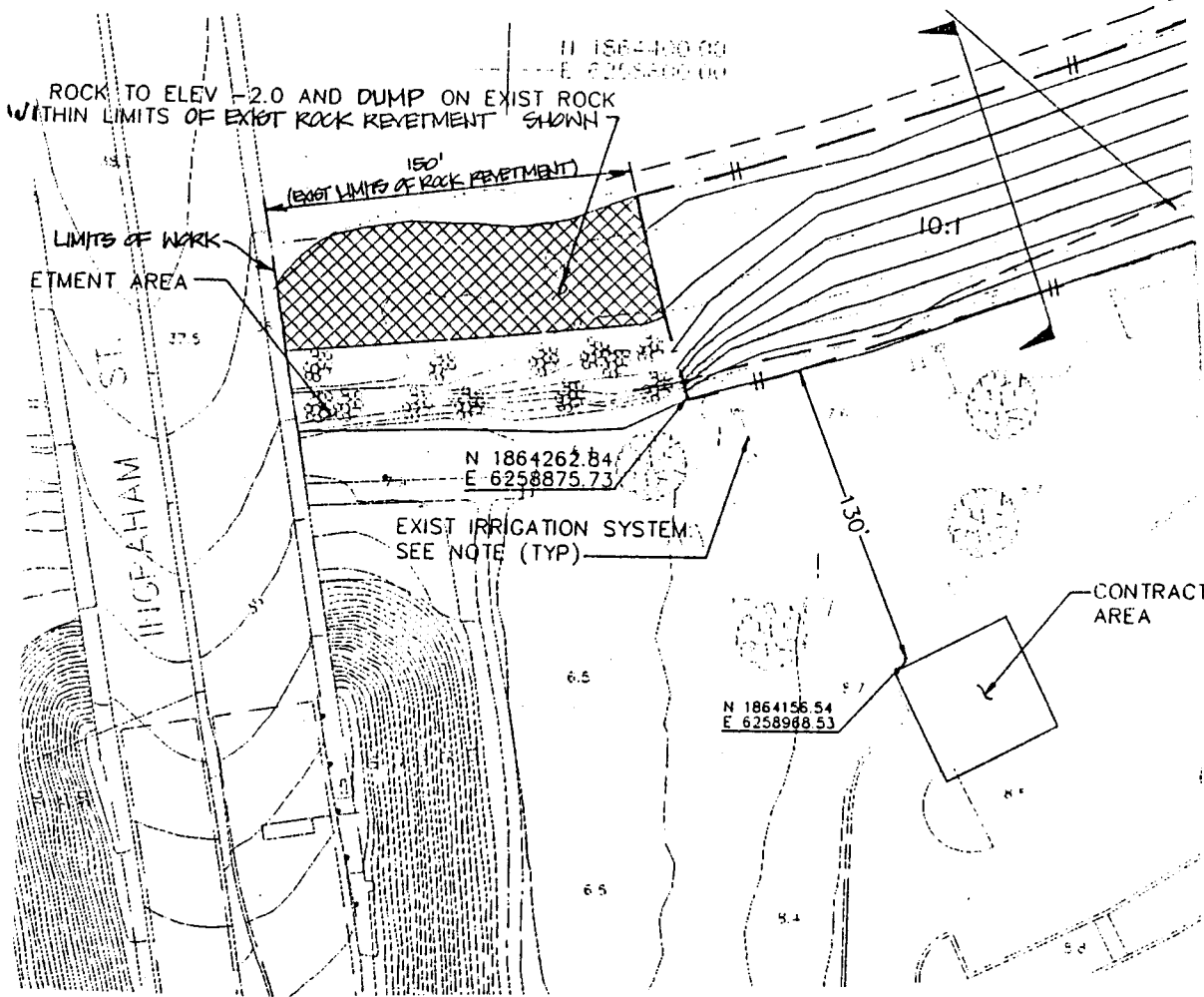
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Site

EXHIBIT NO. 1
APPLICATION NO. 6-96-50
Location Map
California Coastal Commission

6-96-50



SECTION A-A

EXHIBIT NO. 2

APPLICATION NO. 6-96-50

Site Plan/Section

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