

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

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REGULAR CALENDARSTAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-97-46

Applicant: SDG&amp;E

Agent: Mark Chomyn

Description: Dredge approximately 57,000 cubic yards of lagoon bottom (sand) within the middle basin of Agua Hedionda Lagoon starting December 16, 1997 and ending January 15, 1998. The sand is proposed to be placed on the "South Beach", directly south of the Encina Power Plant discharge jetty on Carlsbad State Beach. The applicant is also requesting approval of a five year permit to cover the initial request of 57,000 cubic yards with the ability to perform dredging for the remaining four years of the permit in an amount not to exceed 57,000 yards in any given dredging cycle.

Site: Middle basin of Agua Hedionda Lagoon and Carlsbad State Beach, Carlsbad, San Diego County.

Substantive File Documents: Certified Agua Hedionda Land Use Plan;  
CDP #F 5536 (1977), CDP No. 6-93-193-A and CDP No. 6-93-193-A2,  
CDP No. 6-97-45

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending partial approval of the applicant's request with conditions to allow a one-time dredge of up to 57,000 cu.yds. of material to be placed on the Middle Beach rather than the South Beach as proposed by the applicant. As background, at the Commission's August 1997 hearing (CDP 6-97-45), the Commission approved the dredging of approximately 200,000 cubic yards of sand from the outer basin of Agua Hedionda Lagoon. The Commission approved the dredged spoils to be placed on what is known as the "Middle Beach" which is adjacent to the Encina Power Plant on the seaward side of Old Highway 101 (also known locally as Carlsbad Boulevard). SDG&E had proposed to put the sand on the "South Beach" which is immediately south of the Middle Beach. The City of Carlsbad proposed that sand should be placed on the "North Beach" which is immediately north of the Middle Beach and continues to Oak Street. The Commission found the middle beach deposition location would provide a greater recreational benefit to beach users along the Carlsbad shoreline because it is the most heavily attended beach in Carlsbad and has supporting parking facilities, public walkways and lifeguard service, while the South beach provides less beach use and support facilities.

In light of the differing opinions where the sand should be placed, in CDP #6-97-45 the Commission required the permittee to complete a study to determine the effects of the power plant on sand transport and erosion rates within the vicinity of Aqua Hedionda Lagoon to be used for future decision-making on future dredging projects. The study is to enable the Commission to determine where beach quality material dredged from Aqua Hedionda Lagoon by SDG&E should be placed in the future, in order to replenish those beaches most affected by the operation of the power plant. Since the Commission's August approval, a Request for Proposals for this study has been circulated but a contract has not yet been awarded. The applicant has requested the permit application for dredging of the middle lagoon be scheduled prior to their obtaining the results of the study to keep their dredging operation on schedule and not jeopardize 1997 funding, but also to address the Commission's stated concerns regarding the need to increase the tidal prism of the entire lagoon. Absent the findings of this study, staff recommends the Commission approve as before, and for the same reasons, that the dredged spoils from the middle lagoon be placed on the middle beach where it can be easily accommodated, but deny the applicant's request to receive a 5 year approval to perform maintenance dredging not to exceed 57,000 cubic yards in any given dredging event. Staff recommends that absent the findings of the sand transport study any subsequent dredge cycles be subject to a separate coastal development permit and involve coordination with the Corps of Engineers, City of Carlsbad and State Parks to determine the appropriate disposal site(s) for the future. The attached conditions of this approval require final deposition plans, address sensitive resources, require final approval by the Corps of Engineers, and the State Department of Parks and Recreation.

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PRELIMINARY 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. Timing of Dredging and Beach Deposition. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, final plans and implementation measures for deposition of the dredged material on Middle Beach, between the ocean entrance to Aqua Hedionda Lagoon and the SDG&E discharge jetty, which incorporates the following:

a. Pre-and-Post Dredge Requirements. At least thirty days prior to dredging and within 60 days of completion of the proposed dredge cycle, the applicant shall submit to the Executive Director for review and written approval the following:

1. A map of pre-dredge conditions of the lagoon and post deposition profiles at the approved beach deposition location; proposed dredge quantities; deposition plan and methodology; and signage plan;

2. Evidence the Corps of Engineers has approved the proposed dredge spoils as suitable for deposition at the approved beach locations, pursuant to ACOE Permit #95-20135.

b. Public Access/Timing. Placement of sand on area beaches shall occur outside of the summer season (Memorial Day through Labor Day) when beach attendance is at its lowest.

c. Sensitive Species/Timing. To avoid potential impacts to the California least tern breeding period and the grunion spawning period, dredging can occur between September 15 and April 15 with the option of extending the dredge period to April 30 if approved in writing by the Executive Director in consultation with the Army Corps of Engineers (COE) and California Department of Fish and Game (DFG).

d. Eelgrass Impacts. The existing eel grass beds shall be mapped and recorded prior to the proposed maintenance dredging operation. The mapping shall be submitted to the Executive Director at least 30 days before dredging and shall indicate the length, width, and density of the eel grass beds. Post-dredging mapping shall be submitted thirty days after the completion of dredging and shall be a second base map to identify the remaining eel grass beds in the project area. No anchorage of dredging equipment is permitted outside the limits of the dredging operation. If any eelgrass impacts occur outside the limits of dredging, revegetation must be carried out at a ratio of 1.2 square feet of mitigation area for each square foot of area impacted and shall be completed within four months. The above shall be submitted consistent with the requirements of the Corps of Engineers Permit #95-20135 and shall be subject to review and approval of the Executive Director.

## 2. Monitoring.

a. Beach Profiles. Prior to the placement of any material at the Middle Beach, the applicant shall prepare two profiles of the beach and off shore area (to closure or wading depth, consistent with the survey requirements of the ACOE permit) showing the pre-disposal conditions.

Profiles shall be taken at the same locations after completion of the disposal, one month after disposal, and annually thereafter until the area either returns to its pre-disposal condition or is further modified by additional nourishment. Reports shall be provided to the Executive Director following the one-month after disposal profiles and after each annual survey which provide information on site conditions and an analysis of the long-term changes in sediment supply between the jetties. The results of said monitoring shall be incorporated into the study required pursuant to CDP #6-97-45.

3. Term of Permit. This coastal development permit authorizes a one-time dredge of up to 57,000 cu.yds. to occur at the Middle Beach, between the ocean entrance to Agua Hedionda Lagoon and the SDG&E discharge jetty. No extension of the permit expiration date or additional dredge cycles beyond the 1997-1998 cycle are approved.

#### IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. The applicant proposes to dredge approximately 57,000 cubic yards of lagoon bottom (sand) within the middle basin of Agua Hedionda Lagoon starting December 15, 1997 and ending January 15, 1998. SDG&E has conducted the dredging operation of the outer basin of the lagoon only since 1954 when the generating station was constructed. Approximately 57,000 cubic yards of dredge spoil material would be removed from an existing sandbar in the middle lagoon by way of a dredging barge and is proposed to be placed on the South Beach. The dredge spoil would be pumped through a pipeline from the barge that would float on the middle and outer lagoons and connect to existing underground pipes under Carlsbad Boulevard. The pipes would be extended along the surface of the Carlsbad State Beach to reach the south side of the Encina Power Plant discharge jetty. The spoil slurry would discharge from the delivery pipeline and be spread south of the discharge jetty. Bulldozers and front end loaders would be used to spread the spoil on the beach. Temporary dikes and berms would be used to de-water the spoil. Equipment and material lay-down and storage would occur on the north and west shore of the outer lagoon, along the west shoreline of the middle lagoon near the YMCA beach and along the State Beach.

The powerplant is located on the south shore of the outer basin of Agua Hedionda Lagoon, within a few hundred yards of the Pacific Ocean. The dredging is necessary to provide an adequate water supply of cooling water to maintain the powerplant's operating efficiency. According to the applicant, the dredging is necessary because of changing conditions and circumstances regarding the existing hydraulics of the lagoon and the existing contractual commitments of the dredging operation. The applicant states that due to current hydraulic conditions in the Agua Hedionda lagoon system (outer, middle, and inner lagoons), yearly sand influxes into the lagoon are in excess of 150,000 cubic yards per year. The applicant states that most of the sand entering the outer lagoon ocean entrance comes from north-to-south sand movement associated with the Oceanside littoral cell.

The Coastal Commission has approved the dredging program and modifications to it over the years. In the latest two decisions, there has been a dispute between SDG&E and the City of Carlsbad as to whether or not a portion of the dredged spoils should be placed north of the intake jetty, on the City beach served by the Tamarack parking lot and the improved access facilities associated with the Carlsbad seawall. The most recent action in August, 1997 in CDP #6-97-45, the Commission approved the dredging of approximately 200,000 cubic yards of sand from the outer basin of Agua Hedionda Lagoon. However, the Commission again denied the applicant's request for a 5 year permit allowing up to 500,000 cubic yards of dredge disposal in any single event, up to a maximum of 1,250,000 cubic yards in the 5 year period. The Commission approved the dredged spoils to be placed on what is known as the "Middle Beach" which is adjacent to the Encina Power Plant on the seaward side of Old Highway 101 (also known locally as Carlsbad Boulevard). SDG&E had proposed to put the sand on the "South Beach" which is immediately south of the Middle Beach. The Commission found the middle beach deposition location would provide a greater recreational benefit to beach users along the Carlsbad shoreline because it is the most heavily attended beach in Carlsbad and has supporting parking facilities, public walkways and lifeguard service, while the South beach provides less beach use and support facilities. The City of Carlsbad proposed that sand should be placed on the "North Beach" which is immediately north of the Middle Beach and continues to Oak Street.

In light of the differing opinions where the sand should be placed, the Commission required the permittee to complete a study to determine the effects of the power plant on sand transport and erosion rates within the vicinity of Agua Hedionda Lagoon to be used for future decision-making on future dredging projects. The study is to enable the Commission to determine where beach quality material dredged from Agua Hedionda Lagoon by SDG&E should be placed in the future, in order to replenish those beaches most affected by the operation of the power plant. Since the Commission's August approval, a Request for Proposals for this study has been circulated but a contract has not yet been awarded.

On September 14, 1995, the Commission approved CDP 6-93-193-A-2 to allow a one time dredge of up to 500,000 cubic yards of material to be placed within the dredge disposal limit as SDG&E's 1995-96 dredge cycle. The final dredge report indicates 443,130 cubic yards of sand was dredged from the outer basin and distributed as follows:

Middle Beach--294,312 cu. yds.--Between the jetties (Ocean entrance to Agua Hedionda Lagoon and SDG&E warm water discharge jetty)

North Beach--106,416 cu. yds.--North of Ocean jetty (Tamarack to Oak Street)

South Beach--42,402 cu. yds.--South of Intake Jetty

In that action, the Commission denied the applicant's request for a 5 year permit allowing up to 500,000 cubic yards of dredge disposal in any single event, up to a maximum of 1,250,000 cubic yards in the 5 year period.

At that time the City of Carlsbad proposed to have a portion of the dredged material placed on North Beach, north of the Tamarack parking lot. However, SDG&E indicated they did not intend to amend or renew the Special Use Permit (SUP, 1993) issued by the City because they did not want the sand to be placed north of the ocean entrance as proposed by the City and the Beach Erosion Committee (BEC), a citizen's advisory group. (Between 1993 and 1995 both the City and the BEC had reviewed SDG&E's beach deposition plan and determined if the dredge spoil placement areas were appropriate through the SUP process.) SDG&E stated that sand placed north of the ocean entrance migrated back into the outer basin through the north-to-south littoral drift shoreline process and would have to be dredged again resulting in a waste of time and money to annually dredge the outer basin.

SDG&E cited the California Public Utility Commission's jurisdiction and preemptive authority as the reason the SUP would not be amended or renewed. The City desired to retain the SUP process; however, subsequently the City's requirements for the SUP was declared void by the Superior Court. The decision is currently being appealed by the City to the Appellate Court. Therefore, at this time the City has no legal authority to regulate sand disposal; however, the City is pursuing resolution of the preemption issue currently on appeal.

The City maintains it has a legal right to determine future impacts on its local beaches and has the authority to regulate the placement of dredged material from all future dredging activities within the City's boundaries. The City maintains that until such time as the City's appeal is decided, the City will continue to recommend appropriate disposal locations through the review process of both the Army Corps of Engineers and California Coastal Commission permits. It was both in response to the City's concerns, and the Commission's desire to know the effects the power plant operation has on sand transport so that the beaches most affected can be replenished, that has led to the requirement for a study of sand transport and erosions rates in the vicinity of Agua Hedionda Lagoon.

2. Beach Replenishment/Public Access. The subject proposal involves dredging the middle basin of Agua Hedionda lagoon, and placement of dredged spoils on the adjacent Carlsbad State Beach. There are several provisions of the Coastal Act, which are applicable to the proposed project, which encourage use of suitable material to supply the region's littoral zones with sand. Such deposition of beach quality material on the region's shoreline will create and protect coastal recreational areas for use by the general public, consistent with Coastal Act policies as follows:

Coastal Act Section 30233 addresses placement, within the littoral zone, of dredge spoils. Section 30233 (b) states:

(b) Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

The above language in Section 30233 clearly suggests the benefit of restoring the region's beaches through use of material that would otherwise reach the shoreline, but for man's intervention by development and flood control projects. Therefore, the Commission finds when dredge material is compatible with and suitable for use as beach sand along the region's shoreline, it should be transported to the shoreline for such use, consistent with the public access and recreation policies of the Act.

The San Diego Association of Governments (SANDAG) has adopted the Shoreline Preservation Strategy (Strategy) for the San Diego region and is currently working on techniques towards its implementation. The shoreline is recognized as a valuable asset to the environment and economy of the San Diego region and the State. It is also considered a resource of national significance. The Strategy identifies that beaches in the San Diego area have been steadily eroding for the past decade, and increasing beach loss and property damage have been projected for the future. The Strategy also emphasizes beach replenishment to preserve and enhance the environmental quality, recreational capacity, and property protection benefits of the region's shoreline. Additional sand on the region's beaches will increase the amount of available recreational area for public use, and decrease the rate of beach erosion, thereby reducing pressure to construct shoreline protective devices, which can adversely affect both the visual quality of scenic coastal areas and shoreline sand supply.

Section 30604(c) of the Act requires that a specific access finding be made in conjunction with any development located between the nearest public road and the sea. In this case, such a finding can be made. Many provisions of the Coastal Act address public access and recreation, including the following:

Section 30210

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

Section 30212.5

Wherever appropriate and feasible, public facilities, including parking areas or facilities, shall be distributed throughout an area so as to mitigate against the impacts, social and otherwise, of overcrowding or overuse by the public of any single area.

Providing as much sandy beach area as possible for use by the public is consistent with the intent of Sections 30210 and 30212.5 which require that public access and recreational opportunities be maximized in order to protect any one natural resource area, i.e. shoreline or park, from overuse. Providing additional recreational area, through placement of sand along a useable shoreline, will result in less crowding and provide an alternative to

existing resource areas which are highly utilized by the public due to the availability of sand.

#### Section 30213

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred....

#### Section 30220

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Providing additional useable beach area is providing a lower cost visitor and public recreational facility. When it is feasible for dredge projects which involve excavation of large volumes of beach suitable material to deposit the dredged material on the region's beaches, such activity is consistent with Section 30213 of the Act. Creation of additional coastal areas, such as beaches, suited for water-oriented recreational activities, is also consistent with Section 30220.

As noted, SDG&E has conducted the dredging of the outer basin since 1954 when the generating station was constructed. SDG&E's dredging and beach replenishment plan has been successfully operated since 1954 to provide sand to Carlsbad beaches and as such is a tremendous public benefit. The beach replenishment plan has been developed in consultation with the City of Carlsbad, COE, the California Department of Fish and Game (DFG), the Regional Water Quality Control Board, and the Environmental Protection Agency and is an example of a proactive effort between public and private interests serving both local and regional recreational needs.

SDG&E is proposing to place the projected 57,000 cubic yards at the South Beach immediately south of the plant's warm water discharge jetty where processed hot water is discharged into the ocean. Approximately 42,402 cu. yds. of sand was placed at the South Beach during the 1995-96 dredge cycle. Approximately 294,312 cu. yds. of material was placed at the Middle Beach during that cycle. An additional 106,416 cu. yds. of sand was placed at the City's request in the North Beach area, which is north of the ocean entrance jetty of the lagoon. Currently, approximately 200,000 cubic yards of sand is being placed on the Middle Beach.

SDG&E's current dredging program does not propose to place any sandy material north of this jetty. Historically, the City of Carlsbad and the Beach Erosion Committee have requested that the Commission require SDG&E to return trapped sand in the western and middle cells of Agua Hedionda Lagoon to the local reaches of the Carlsbad coastline on a comparable rate to sand losses due to the operational impacts of the Encina Power Plant. They recommend that 1/3 of the total dredged material should be placed northerly of the inlet jetties, and 2/3s of the total dredged material should be placed directly between the



inlet and outlet jetty structures. This disagreement between the City and SDG&E has resulted in the Commission requiring an independent study be completed by the applicant which will determine the effects of the power plant on sediment transport and erosion rates in the vicinity of Agua Hedionda Lagoon. This information can then be used for future decisions regarding where the dredge spoils should be placed to mitigate for the effects of the power plant.

In CDP #6-97-45, based on conflicting opinions of shoreline experts and the lack of definitive studies that corroborated either the City's or the applicant's position, the Commission found that the sand should be placed where it would provide the most recreational benefit to coastal visitors--the Middle Beach. This area accommodates the greatest beach patronage along the Carlsbad shoreline. According to a city representative more than a million people yearly visit this beach, making it by far the most heavily-used beach in the City of Carlsbad. As noted, day use parking is provided free of charge along the curb in the Middle Beach area. The Commission found that the public access and recreation policies of the Coastal Act and certified Agua Hedionda LUP seek to maximize public recreation and access opportunities at shoreline locations and the project would further that end. Absent the findings of the previously mentioned sand transport study, the Commission again finds that the dredged spoils should be placed on the Middle Beach for the same reasons it cited in CDP #6-97-45. Project studies have indicated an additional 57,000 cu.yds. can easily be accommodated on the middle beach.

Special Condition #1 requires that the applicant monitor the shoreline where the dredge material will be placed. The applicant will prepare pre-and-post deposition profiles as part of their permit for the Corps of Engineers. As a condition of this permit, the applicant will survey two profiles of the receiver beach, before and after the material has been placed on the beach. The applicant will also survey these same profiles two months after the material has been deposited to show the adjustments of the deposited material to the existing wave conditions. Annual profiles will be provided thereafter to provide information on the long-term changes to the shoreline. These profiles will be surveyed annually until either the profiles return to their pre-disposal condition or until the beach area is further modified by direct deposition of additional permitted material. This monitoring information should also be incorporated into the required study.

Regarding SDG&E's current and future plans for dredging the middle and inner lagoons, in response to the Commission's request as a condition of CDP #6-97-45, the applicant has submitted a project schedule which is summarized as follows: Dredging of the middle lagoon should occur between 12/16/97 and 1/15/98 assuming permits have been issued by the COE by 9/18/97 and the Coastal Commission by 12/16/97. Regarding the inner lagoon, the first phase dredge (borrow pit) is planned between 1/16/98 and 4/28/98; the second phase dredge (sand trap to -9') is planned between 9/28/98 and 10/21/98; the third phase dredge (clean-up to -8') is planned between 10/22/98 and 11/20/98; the fourth phase dredge (west sand bar to pit) is planned between 11/23/98 and 12/28/98; the fifth phase dredge (sand trap to -17') is planned between 12/29/98 and 2/4/99; and the cap borrow pit with sand from outer lagoon phase

is planned between 2/17/99 and 4/14/99. The above dates are projected based on a 11/7/97 permit issuance from the COE and a 12/23/97 permit issuance from the Coastal Commission.

From a regional perspective, Carlsbad beaches have and will be receiving additional beach nourishment from a number of sources. For example, the Navy's Homeporting Project is currently scheduled to deposit approx. 550,000 cu. yds. at North Carlsbad Beach (adjacent to ocean entrance to Buena Vista Lagoon and extending south to Oak Street) which is located just north of the approved beach disposal site for dredge spoils from Aqua Hedionda Lagoon pursuant to ACOE and Commission permits. This beach deposition is expected to be done between November 1997 and January 1998. Monitoring of the Navy's project is to be completed by the Department of Boating and Waterways and SANDAG. This information, along with the results of monitoring the SDG&E beachfills, ongoing City of Carlsbad monitoring, and wave and current data obtained from SDG&E ongoing monitoring of the lagoon mouth, may be sufficient information to complete the study required by the Commission to determine the effects of the power plant on sand transport and erosion rates. Due to the amount of sand which will be available from dredging the inner lagoon, the Commission encourages completion of the study prior to the applicant requesting the Commission to take action on a coastal development permit for dredging the inner lagoon.

Based on the preceding, the Commission can not authorize approval for more than the current dredge cycle. Because of possible changes to local environmental conditions which could affect shoreline processes (El Nino, severe winter storms, beach nourishment on the Carlsbad shoreline from other projects), the Commission finds it is most appropriate to review and approve every individual dredge cycle for a suitable sand deposition site. By reviewing each individual dredge cycle, information resulting from both monitoring the previous dredge cycle and evaluating current environmental conditions can be used to determine the best deposition site. Therefore, as conditioned, the Commission can find the proposed project consistent with the public access and recreation policies of the Coastal Act.

2. Sensitive Resources. Sections 30233 and 30240 of the Coastal Act provide for the protection, preservation and enhancement of coastal wetlands and species that depend on those wetlands as habitat. With respect to dredging of the outer lagoon, the time of year during which the dredging can occur is restricted by a number of resource agency approvals. These restrictions assure there are no adverse impacts to the California least tern breeding period and the grunion spawning period. The draft COE 404 permit allows dredging between September 15 and April 15 through 1997, outside the sensitive breeding seasons with the option of extending the dredge period to April 30 if approved in consultation with the Army Corps of Engineers (COE) in consultation with the California Department of Fish and Game (DFG) and the National Marine Fisheries Service. On several occasions the COE has allowed dredging to extend until April 30, finding by field inspection that the time extension would not adversely impact either the least tern or grunion breeding seasons.

The middle basin of Agua Hedionda Lagoon also contains extensive eel grass beds, a protected resource under Section 30240 of the Coastal Act. Eel grass provides habitat for many fish and invertebrates. CDP 6-93-193A required the mapping of the existing eel grass beds prior to dredging and after dredging to determine any impacts from dredging. If any eelgrass impacts occur, the COE permit requires revegetation must be carried out at a ratio of 1.2 square feet of mitigation area for each square foot of area impacted. As proposed, the dredging of the Middle Lagoon would impact .83 acres of eelgrass. The applicant proposes to mitigate eelgrass impacts at a 1.2 ratio as required by the Southern California Eelgrass Mitigation Policy. The middle lagoon mitigation plan provides two replanting sites totaling 1.1 acres on 7:1 slope banks which would be cut along the sides of the area proposed to be dredged. The final location of the mitigation area is verified by the National Marine Fisheries in conjunction with the Dept. of Fish and Game. The mitigation area is not subject to future dredging. Monitoring and maintenance of the revegetation effort is also required through the COE permit.

The middle lagoon dredged material has been tested for grain size, total organic carbon, bulk sediment chemistry and compliance with State water quality standards. Results indicate that all material proposed for beach discharge is 86% to 95% sand. Also, material proposed for beach discharge does not contain any contaminants at levels of concern or that would exceed state water quality standards. Therefore, the Commission finds the proposed project consistent with past Commission precedent regarding this resource and resource protection policies of the Coastal Act.

Special Condition #3 is limiting this authorization to the 1997-1998 dredge cycle. Future dredge and beach deposition will require review and approval by the Commission through a separate coastal development permit. Only as conditioned, can the Commission assure future beach replenishment efforts will meet the requirements of Chapter 3 of the Coastal Act.

3. Local Coastal Planning. Section 30604 (a) 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. In this case, such a finding can be made.

The project area is zoned and planned in the certified Carlsbad LCP for Open Space and Recreation Uses. As conditioned, the proposed project is consistent with provisions of these designations and past Commission actions on the site. Therefore, approval of the project as conditioned is consistent with Chapter 3 policies of the Coastal Act and the resource protection policies of the certified Carlsbad LCP.

4. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit or amendment to be supported by a finding showing the permit or permit amendment, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed

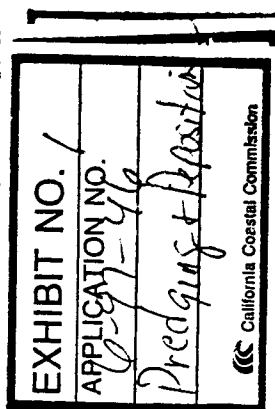
development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project has been conditioned to be found consistent with the resource protection and recreation policies of the Coastal Act and the Carlsbad LCP. Mitigation measures will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which 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.

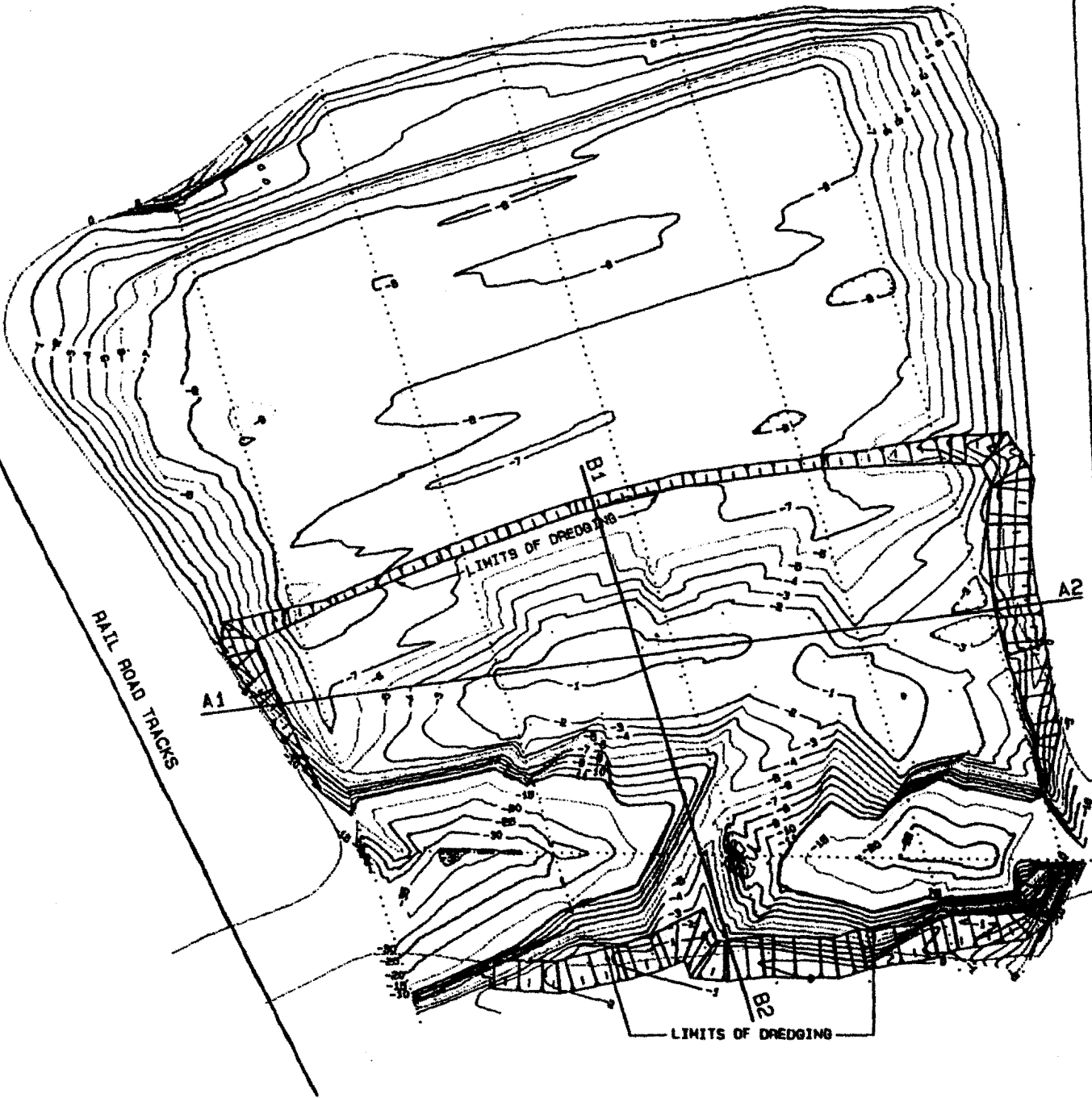
STANDARD CONDITIONS:

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.

697-45



INTERSTATE HIGHWAY 5





T-MODEL, VERSION 9.2			 San Diego Gas & Electric San Diego, California		FACILITY: ENCINA POWER PLANT		CARLSBAD, CA	
DRAWING ELECTRONIC FILE NAME: IN PROJECT/ENCINA/ENCINA-00.PDS					ENCINA MIDDLE LAGOON CONDITION SURVEY			
PLAN SCALE: 1"=100'	DATE: 5/15/97	DATE: 5/15/97	PROJECT NO. _____ SHEET NO. _____ REV. _____ SHEET: _____					
DRAWN BY: A.B. DYON	DATE: 5/15/97	DATE: 5/15/97						
CHECKED BY: L.V.T.	DATE: 5/20/98	DATE: 5/15/97						
DATE: 5/15/97	DATE: 5/15/97	DATE: 5/15/97						

Figure 1.4. Project location for middle lagoon dredging.

EXHIBIT NO. 2
APPLICATION NO. 02-97-46
Dredge Plan
 California Coastal Commission