CALIFORNIA COASTAL COMMISSION
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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-98-68

Applicant: City of Solana Beach Agent: Robert Semple

Description: Stockpiling approximately 4,000 cubic yards of sand at Fletcher Cove parking lot and placement of a total of approximately 6,500 cubic yards of sand on the beach at Fletcher Cove and 2,000 cubic yards of material at Tide Beach Park. Material would be deposited on the beach on a conveyor belt. Portions of Fletcher Cove beach and parking lot would be closed during a 15 working-day period and Tide Beach Park and stairway would be closed for 4 work days. This application is a follow-up to emergency permit #6-98-77-G granted on June 17, 1998 for a 3,911 cubic yard temporary sand stockpile in Fletcher Cove parking lot.

Lot Area	50,760 sq. ft.
Parking Spaces	95
Zoning	Open Space/Recreation
Plan Designation	Open Space/Recreation

Site: Fletcher Cove and Tide Beach Park, Solana Beach, San Diego County.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed stockpile and beach nourishment project with special conditions requiring approval from the Army Corps of Engineers and the State Lands Commission, a grunion monitoring program, a beach replenishment monitoring program, and limiting the work to weekdays. Although the project will have an impact on the ability of the public to use the beach during the construction period, the beach area proposed to be nourished is currently underutilized due to the lack of sand, and the benefits associated with the placement of sand and the creation of a larger recreational area will outweigh the short-term, temporary impacts of the project.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; Woodward-Clyde Beach Sand Suitability Analysis, April 21, 1998; MEC Analytical Systems, Inc. "Sediment Analyses for Disposal Operations, and Evaluation of Potential Impacts to Marine Biota from the Beach Replenishment Component," April 1995; CDP #6-98-77-G, CD-95-95, CD-29-97.

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. Conformance with Approved Sampling Analysis Plan. Only materials which are approved by the U.S. Army Corps of Engineers (ACOE) in consultation with the U.S. Environmental Protection Agency (EPA) as suitable for deposition on Fletcher Cove and Tide Beach Park, based on the sampling analysis plan or test for suitability by Woodward-Clyde International (April 21, 1998), shall be used for the approved project.

2. Final Plans/Results of Sampling. Prior to the commencement of construction, the applicant shall submit to the Executive Director for review and written approval, final plans for the beach replenishment which include the following:

a. Final results of the sampling analysis plan by Woodward-Clyde International (April 21, 1998) which have been approved by the Army Corps of Engineers in

consultation with the U.S. Environmental Protection Agency. The results of the analysis shall be accompanied by written evidence that the ACOE and EPA have concluded that the proposed material is suitable for deposition at Fletcher Cove and Tide Park.

b. Plans for deposition of material at Fletcher Cove and Tide Park which have been approved by the ACOE in consultation with the EPA.

c. Mitigation measures or other changes to the project as required by the ACOE. Such changes may trigger a requirement to amend this permit or obtain a separate coastal development permit.

The permittee shall undertake development in accordance with the approved monitoring program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. State Lands Commission Approval. PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall submit to the Executive Director for review and written approval, a survey of the current mean high tide line completed to the satisfaction of the State Lands Commission. Also, the permittee shall obtain a written determination from the State Lands Commission that:

a) No state lands are involved in the development; or

b) State lands are involved in the development, and all permits required by the State Lands Commission have been obtained; or

c) State lands may be involved in the development, but pending a final determination of state lands involvement, an agreement has been made by the applicant with the State Lands Commission for the project to proceed without prejudice to the determination.

4. Grunion Monitoring Program. PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall submit to the Executive Director for review and written approval, a grunion monitoring program developed in consultation with and approved by the California Department of Fish and Game (CDFG). The program shall, at a minimum, contain the following:

a. A plan indicating the slope of the proposed deposition material.

b. A schedule indicating that grunion monitoring will occur during expected grunion runs that are annually predicted by the CDFG.

c. A plan for avoidance of the spawning area if spawning does occur, involving either the cessation of construction until eggs are hatched, or the establishment of a buffer area for deposition.

The permittee shall undertake development in accordance with the approved monitoring program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

5. Beach Replenishment Monitoring Program. PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall submit a beach replenishment monitoring program for the review and written approval of the Executive Director. The monitoring plan shall indicate that the following information shall be provided to the Executive Director prior to the commencement of the deposition:

a. Location and summary of project, list of responsible parties.

b. Pre-deposition surveys of Fletcher Cove indicating the existing beach and bluff profiles, water levels, and structures, including photographic documentation.

c. Establishment of permanent benchmarks for measurement purposes.

The monitoring plan shall indicate that the following information shall be provided to the Executive Director when completed:

d. Post-deposition surveys of beach and bluff profiles performed according to the following schedule:

1. Within 1 week of the completion of the sand deposition, and once a week for the next 5 weeks after the completion of deposition;

2. Six months after the completion of deposition;

3. One year after the completion of deposition.

If, at any of the scheduled monitoring dates, no sand from the project remains on the site, no further monitoring is required. In addition, if sand from future approved deposition projects is placed at Fletcher Cove, no further monitoring of the proposed beach nourishment project is required.

The permittee shall undertake monitoring in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved

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

6. Construction Access/Staging Area/Project Timing. PRIOR TO ISSUANCE OF THE PERMIT, the applicant shall submit final plans showing the locations, both on- and off-site, which will be used as staging and storage areas for materials and equipment during the construction phase of this project. The staging/storage plan shall be subject to review and written approval of the Executive Director. No more than 39 spaces in Fletcher Cove parking lot shall be used for the interim storage of materials and equipment. Use of sandy beach for staging and storage shall not be permitted. The plan shall also indicate in written notes that no work will occur during weekends or holidays of any year and that equipment used on the beach shall be removed from the beach at the end of each work day.

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

7. Signage of Parking Lot. The permittee shall post signs at the City-owned parking lot located southwest of Fletcher Cove parking lot designating 39 parking spaces for public beach parking only. The signage shall be installed prior to the commencement of the construction and shall remain in place until the permitted project is complete and all parking spaces in Fletcher Cove are available to the public.

8. Best Management Practices Program. The permittee shall implement the Best Management Practices Program by Brad Nguyen, City of Solana Beach Associate Civil Engineer, dated June 9, 1998. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. The proposed project involves the deposition of approximately 8,500 cubic yards of sand at two beaches in the City of Solana Beach; 6,500 cubic yards at Fletcher Cove and 2,000 cubic yards at Tide Park. The deposition material would consist of dredged sand from the Colorado River located near Yuma, Arizona. The project is intended as a pilot program to evaluate the economic feasibility and public acceptance of the sand for beach nourishment.

Currently, trucks haul refuse from California to Arizona, then return empty. Under the proposed project, each truck container would be washed and lined with plastic, then filled with approximately 18 cubic yards of sand and brought to Solana Beach. One truck would arrive in Fletcher Cove every half hour, for approximately sixteen hours a day, for fifteen working days. The sand would then be loaded onto a conveyor belt which would deposit the sand on the southern portion of Fletcher Cove, south of the access ramp. The conveyor belt would be mounted on a truck parked south of the existing lifeguard station, a minimum of 20 feet back from the bluff edge. The truck would be located on an existing concrete pad next to the lifeguard station, which will help distribute the weight of the truck. The conveyor belt would be cantilevered out over the bluff edge so that no portion of the conveyor mechanism would be located on the bluff face. A chute attached to the end of the conveyor belt would channel the sand to the beach away from the bluff to prevent any damage to the bluff face from falling sand.

The City is proposing to either truck the sand in and load it directly onto the conveyor belt, or to temporarily stockpile up to approximately 4,000 cubic yards of material on the southern end of the parking lot. Under the stockpile option, the City's preferred option, 39 spaces out of the 95 existing parking spaces in the Fletcher Cove parking lot would be used to temporarily stockpile the sand. Creating the stockpile would take approximately twelve days, during which the Fletcher Cove beach and access ramp would be open to the public. After the stockpile was complete, the sand would be loaded onto the conveyor belt and deposited on the south side of Fletcher Cove. The remaining 2,500 cubic yards of deposition material would be trucked in and loaded onto the conveyor belt along with the stockpiled sand. Deposition of the entire 6,500 cubic yards of sand onto the beach would take approximately twelve work days, but no more than fifteen. The southern portion of Fletcher Cove would be closed during the time the sand was being deposited on the beach. However, the access ramp and northern portion of the beach would be open to the public, except for the time when all of the sand is deposited on the beach and front-end loaders will spread the sand from the southern portion of the cove to the north. The City indicates the beach and ramp would be closed to the public for approximately half of day for six days. Most of the sand spreading would occur during the morning hours to avoid the peak afternoon recreational period.

The stockpile and truck traffic involved with the deposition will take up 39 of the 95 parking spaces in the lot. The City is proposing to designate 39 parking spaces in the existing parking lot located across Pacific Avenue, approximately 200 feet southeast of Fletcher Cove, for beach use only. On June 17, 1998, the City was granted an emergency permit for temporary stockpiling of up to 3,911 cubic yards of sand at the Fletcher Cove parking lot (#6-98-77-G). The subject permit application will serve as the follow-up permit to the emergency permit.

Although the City has been granted an emergency permit for the stockpile, if contractor timing and availability prevents work on the stockpile from beginning immediately, the direct truck-to-conveyor belt option would involve trucks loading sand onto the conveyor belt every half hour, which would then deposit the sand on the south side of the cove.

Each morning a front-end loader would move and spread the sand around to the northern portion of the cove. The southern half of Fletcher Cove would be closed to public access during the fifteen work day period. Public access would be available to the northern portion of Fletcher Cove to access the beaches except for several hours each morning when the sand is being spread around. Since there would not be a stockpile, the only loss of parking spaces would be several spaces at the southwest corner of the parking adjacent to the conveyor belt to give the trucks room to unload onto the conveyor belt.

Sand would be deposited at Tide Park over a four day period after the deposition is completed at Fletcher Cove. The 2,000 cubic yards of sand would be deposited with a conveyor belt located on the existing beach access stairway. The beach and stairway would be closed during the four day deposition period. Four street parking spaces would be used to stage the construction equipment during the deposition period.

A portion of the funds for the project is anticipated to come from the beach sand mitigation program for San Diego County. This program, administered by the San Diego Association of Governments (SANDAG), is designed to offset the long-term effects of the construction of shoreline protective devices on the public beach, by establishing a in-lieu fee for the placement of sand on the beach. The Solana Beach City Council has requested the use of $5,800 for the proposed beach nourishment project and is currently awaiting approval of the disbursement from SANDAG.

2. Public Access. Section 30604(c) of the Act requires that a specific access finding be made in conjunction with any development located between the sea and the first public roadway. In this case, as conditioned, 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.

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.

Coastal Act Section 30233 addresses placement, within the littoral zone, of dredge spoils and/or material removed from erosion control and flood control facilities on water courses. Section 30233 (b) and (d) state:

> (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.
>
> (d) Erosion control and flood control facilities constructed on water courses can impede the movement of sediment and nutrients which would otherwise be carried by storm runoff into coastal waters. To facilitate the continued delivery of these sediments to the littoral zone, whenever feasible, the material removed from these facilities may be placed at appropriate points on the shoreline in accordance with other applicable provisions of this division, where feasible mitigation measures have been provided to minimize adverse environmental effects. Aspects that shall be considered before issuing a coastal development permit for such purposes are the method of placement, time of year of placement, and sensitivity of the placement area.

The proposed project would place approximately 8,500 cubic yards of sand on two pocket beaches in the City of Solana Beach. Under the stockpile option, 39 parking spaces in the lot at Fletcher Cove would be closed to the public, while the beach itself would be closed for approximately half the day for a six day period. With the direct conveyor belt method, less parking would be usurped, but the beach and access ramp would be closed for several hours every morning for approximately fifteen days, and the southern portion of Fletcher Cove would be blocked to public access for fifteen days. Tide Park would be closed to the public for four days.

However, the project would result in a substantial increase in the size of the beach area at Fletcher Cove and Tide Park. 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, results in less crowding and provides an alternative to existing resource areas which are highly utilized

by the public due to the availability of sand. Providing additional useable beach area is providing a lower cost visitor and public recreational facility. Creation of additional coastal areas, such as beaches, suited for water-oriented recreational activities, is also consistent with Section 30220.

Although Section 30233 addresses the use of dredge spoils, the same issues are raised when the Commission considers the placement of sand from an upland excavation project which generates a supply of beach quality material. When export material that is compatible with and suitable for use as beach sand along the region's shoreline becomes available for beach nourishment, it should be transported to the shoreline for such use, consistent with the public access and recreation policies of the Act.

Although many sections of the Coastal Act support beach nourishment, the proposed sand deposition would take place in late July and early August, which is the peak summer beach use season. The Commission has a long history of restricting development which could impact coastal access and recreation during the summer months. However, in the case of the proposed project, the beach area that would be impacted consists of Fletcher Cove and Tide Park, and to a lesser extent, the one mile beach area between these two pocket beaches. Over the last several years, the sand supply along this stretch of coastline has gradually diminished to the point that Fletcher Cove lost essentially all of its sand during this past winter. As the 1997-1998 El Niño condition has begun to abate, sand levels have begun to rise. However, the beach area at both Fletcher Cove and Tide Beach Park is still considerably smaller than seen in past years, restricting the amount of beach available for public access and recreation.

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.

Although the project would impact beach goers during the deposition process, the project will result in a significant increase in the amount of beach area in a location which is currently underutilized due to the lack of sand. As a result of the project, the public will enjoy use of a larger recreational area during the rest of the beach season. The sand is also likely to remain on the beaches for a somewhat longer period of time than if deposition occurred during the midst of winter storms and tide surges.

The project has been designed to minimize impacts to the public. The northern portion of Fletcher Cove will be open to the public at all times except when heavy machinery is actually spreading sand on the beach. The City indicates that sand will be spread mostly in the morning hours, when beach use is lower. The City also examined several alternatives to the stockpile/conveyor belt deposition method, such as depositing the sand directly on the beach using front-end loaders, slurries or air pumping through tubes. These methods would have involved blocking the Fletcher Cove access ramp for the entire deposition period and/or would have required more than 15 days to get the sand on the beach, and thus would have had a greater impact on public access than the proposed project.

The City has submitted a preliminary stockpile/staging plan indicating that 39 parking spaces would be usurped for the stockpile and machinery involved for the deposition. Although 39 parking spaces would be unavailable for the length of the project, the City has proposed designating 39 spaces in the lot across the street to the south of Fletcher Cove for beach use only. This free, City-owned parking area is within easy walking distance of Fletcher Cove and is currently available to any beach users or patrons of the several small commercial facilities surrounding the lot. However, the City has indicated that the lot is used only minimally, and thus has an excess capacity which can be allocated to beach users during the 15 day period the Fletcher Cove parking area will be impacted. Special Condition #7 requires the City to sign the 39 parking spaces for beach use only, to ensure those spaces will be available to beach users. Although construction equipment at Tide Park will take up four curb-side parking spaces during the four day deposition period, since the stairway itself will be closed, the loss of four spaces will not significantly impact public access. Fletcher Cove will be open with the new sand during the Tide Park deposition period. In addition, Special Condition #6 prohibits work from occurring during the weekends or holidays when beach use is at its highest, and thus, the most people would be impacted.

Since Fletcher Cove and Tide Park are underutilized at this time and thus the public will not be severely impacted by a temporary restriction on beach access, the project will afford the City an opportunity to study beach nourishment during the summer months, when public access concerns would normally prohibit such an experiment. The applicant has proposed a preliminary monitoring program to assess the results of the project. The information gained through the proposed project should be useful when determining when, where, and how to do additional beach replenishment projects in the future. However, the preliminary program would only monitor the results of the project once a week for the first five weeks after completion of the project.

Because the project will reduce public access, it should only be allowed if it is in fact an effective means of increasing beach sand (and thus ultimately improving public access). Whether the project is effective can only be determined by allowing the project to go forward and monitoring the beach profiles afterward. The applicant's proposal to monitor for five weeks after deposition is insufficient to enable an assessment of effectiveness.

Monitoring at six months after deposition will indicate whether the sand remains into the winter season, and monitoring one year after deposition will indicate the long-term effectiveness and impact on public access and recreation. Therefore, Special Condition #5 requires the applicant to also monitor the results of the project six months and one year after completion of the project. Because of the minimal amount of sand being placed at Tide Park, the monitoring will only occur at Fletcher Cove. However, because of the potential that two other beach nourishment projects will occur at Fletcher Cove within the next year (see Biological Resources, below), the condition allows monitoring to cease if other beach replenishment projects occurs at the project site prior to the completion of monitoring.

Therefore, since the proposed project will result in increased low-cost, public recreational opportunities, and the project has been designed to minimize access impacts, the Commission finds the project, as conditioned, consistent with the public access and recreation policies of the Coastal Act.

3. Biological Resources/Human Health. The following Coastal Act policies address the protection of biological resources and human health:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231

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

Section 30233.

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible

mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(l) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

(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.

Section 30240 of the 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.

These Coastal Act policies require the Commission to address the impacts on marine resources by considering the timing of deposition of the material on the beach, the location of the receiver beach and the presence of environmentally sensitive resources, the quality of the export material and compatibility with the receiver beach. The Commission must require a thorough alternatives analysis to determine the potential adverse effects of beach deposition and to assure the preferred alternative is the least environmentally damaging. Deposition of material onto the beach can affect marine life through the burial of organisms on the beach and in the nearshore environment, and by increasing turbidity in adjacent waters. Fine-grain sediment has the greatest potential for causing impacts to the nearshore habitat because sandy sediment generally remains on the beach, while fine-grain sediment migrates offshore towards the nearshore biological habitat.

The proposed project would place approximately 8,500 cubic yards of sand on two pocket beach in the City of Solana Beach. The sand source is stockpiled dredged sand from the Colorado River. A beach sand suitability analysis submitted by the City indicates the proposed deposition material would be suitable for use as beach sand on the region's shoreline. The suitability analysis includes a review of the grain size and fine sand content of the deposition material, and concludes that the sand is very similar to sand located on most local recreational beaches. Existing sediments at Fletcher Cove consist of poorly-graded fine sand, have a mean grain size of about 0.25 mm, and have about 1 percent fines. The deposition material can also be classified as poorly-graded fine sand, with a mean grain size of 0.19 to 0.29 mm, and about 0.3 to 1.5 percent fines. Chemical analyses performed on the sand determined that the material is clean and free of harmful material. The final determination as to the suitability and compatibility of the excavated material will be made through the Army Corps of Engineers permit process; however, staff at the Army Corps has preliminary indicated that the material appears to be of beach quality (6/5/98, Zoutendyke, pers. comm.)

Fletcher Cove and Tide Beach Park have previously been reviewed as potential beach nourishment sites. The area was studied extensively during the permit process associated with the grade separation/beach nourishment project approved by the Commission in October 1995 (#6-94-207). The grade separation project involved excavation of a 1.4 mile area to create a railroad undercrossing below Lomas Santa Fe Drive. The Commission approved up to a maximum of 230,000 cubic yards of material for deposition on the beach between South Cardiff to North Seascape Surf Park (ultimately, 44,000 cubic yards of sand was found to be appropriate for deposition). The review process for this project involved an Environmental Impact Report and a beach replenishment evaluation which analyzed the biological resources along the northern San Diego coastline and examined a variety of potential deposition locations, including Tide

Beach Park, North Seascape Surf Park, Del Mar Shores Terrace, and Cardiff State Beach. These alternatives were rejected for a large deposition project because of the high relief reef supporting macro algae offshore of Tide Park and because of the reef and boulder outcrops that support dense surfgrass habitat offshore and south of North Seascape Surf Park and offshore of Del Mar Shores Terraces.

The Solana Beach/Fletcher Cove area was selected as the best location for beach replenishment. The habitat offshore the area south of Cliff Street to North Seascape Surf Park is mostly sand bottom with patches of hard bottom. The area is not a foraging site for resident and migratory bird species, and there is no surfgrass in this area which would be impacted by the deposition of sediments.

The project area was also examined in detail and determined to be an appropriate location for on-shore beach sand deposition for the Federal Navy Homeporting project (CD-95-95; CD-29-97). The Navy reviewed various beaches within San Diego County from Oceanside to Imperial Beach as potential receiver sites for a total of 7.9 million cubic yards of sand resulting from dredging in San Diego Bay to support the homeporting of a nuclear aircraft carrier. Criteria for site selection included potential impacts to habitat species such as grunions, least terns, snowy plovers and significant marine vegetation such as kelp beds. In consultation with the Army Corps of Engineers, National Marine Fisheries, the Department of Fish and Game, and the U.S. Fish and Wildlife Service, the Commission determined that with biological monitoring of reef health, the avoidance of deposition when grunion are present, and the implementation of turbidity-minimizing measures, the placement of 570,000 cubic yards of sand on Solana Beach beaches from Cliff Street to Dahlia Street was appropriate and necessary.

The amount of sand which would be deposited on the beach through this project is extremely small compared to the amounts approved in these previous permits. In particular, Tide Beach Park, which was not approved for grade separation or homeporting sand, would only receive 2,000 cubic yards of sand. The sand would be placed on the inland most side of the cove, which receives very infrequent wave action. An Army Corps of Engineers permit is required for placement of the sand at both Fletcher Cove and Tide Park. The Army Corps process includes a thorough review of the sand material and receive beach and includes the review of the project by other resource agencies to examine all potential impacts to marine resources. Although the Tide Park site has not been found to be appropriate location for a large-scale beach replenishment project, staff at the Army Corps have given a preliminary indication that the amount of sand involved in the proposed project is so minimal, that no adverse biological impacts are anticipated. Special Condition #2 requires that the applicant submit final approval of the project and deposition site from the Corps prior to the commencement of construction. Special Condition #1 requires that only the material found suitable from the Corps be placed on the beach.

One potential impact associated with deposition in the proposed location would be to the California grunion. Deposition of sediments along the beach after grunion spawning

could bury eggs or change the beach profile to conditions where successful hatching would not occur. The effect could be significant as the proposed summertime deposition would occur during the grunion's spawning season (March to August). The City has consulted with the California Department of Fish and Game staff who have preliminary indicated that the impact could be mitigated by contouring the slope of the deposited sand so that it is not so steep that grunion cannot lay their eggs, and monitoring for spawning activities during predicted grunion runs. If grunion are observed spawning, sediment deposition would be stopped within 100 feet of the eggs until the next predicted tide to allow eggs to hatch. Special Condition #4 requires the applicant to implement a grunion monitoring program in consultation with the Department of Fish and Game.

The City has proposed a Best Management Practices program to reduce impacts to water quality associated with construction of the project. The plan is designed to prevent or reduce the discharge of pollutants to the ocean from leakage of oil and/or fuel, or from vehicle and equipment cleaning, by reducing the chance of leakage, containing and cleaning up leakage, using off-site washing facilities or washing in designated areas, and training employees and contractors. Specific areas of the construction site will be designated for material delivery. These areas will be placed to avoid drainage paths to the ocean, will be on an existing paved area, and will be surrounded with an earth or alternative type berm as necessary to contain accidental leakage. If vehicle washing must occur on-site, bermed wash areas will be designated to prevent wash water contact with storm water and the ocean. No detergents will be used in washing. A street sweeper will be used during the operation as necessary to pick up any fugitive sand. With implementation of this program, water quality impacts will be negligible. Special Condition #8 requires the City to implement the BMP program.

Therefore, as conditioned, the proposed project can be found consistent with the applicable sections of the Coastal Act regarding sensitive resources.

4. Visual Quality. Section 30251 of the Act states in part:

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

The direct deposit of graded materials onto existing beaches has been associated with a visual impact, as disposal materials do not always match the receiver beach precisely in color or texture. Sand of significantly different color than the existing sand can even have the effect of temporarily coloring the water during high tides. Samples taken from Fletcher Cove found that these sands have an overall dark gray color, while the proposed deposition material has an overall light brownish gray color. Although the beach sand suitability analysis determined that the color of the deposition sand is within the range of

existing beach sands and coastal bluff sediments found in the region, (which range from dark gray, light gray, pale brown, light brownish gray, yellowish gray, and reddish brown), it is likely that the deposition material will be of a noticeably different color than the existing beach sand. However, with time, the visual impact will be lessened or eliminated as the new material gradually bleaches out with exposure to the sun, and as the fine-grain silty material washes out. The City is proposing to spread the sand around the two deposition sites to maximize exposure of the material to the sun and minimize the contrast with the existing sand. The short-term visual impact of the deposition must be weighed against the long-term benefits of additional sand, as previously enumerated.

In addition, because of the lack of sand on the beach currently, some of the sand would be placed on cobbles. The aesthetic and recreational advantages of sand over cobbles would reduce the visual impact of beach replenishment in that location to an insignificant amount. Therefore, as conditioned, the proposed project can be found consistent with Section 30251 of the Coastal Act.

5. 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. Such a finding can be made for the proposed project.

The project site is located within an area designated for recreational park uses by the City of Solana Beach and the previously certified LCP for the County of San Diego, which the Commission uses for guidance in Solana Beach. As conditioned, the project is consistent with the all applicable policies of the County LCP, and with Chapter 3 of the Coastal Act. The Commission therefore finds that proposed development, as conditioned, will not prejudice the ability of the City of Solana Beach to complete a certifiable local coastal program.

6. 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, as conditioned, 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 impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access, visual resources, and sensitive resources policies of the Coastal Act. Mitigation measures, including conditions prohibiting sand deposition from occurring during weekends and holidays and requiring permission from other resource agencies, will minimize all adverse environmental impacts. Only as conditioned, can it be found that 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 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 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. 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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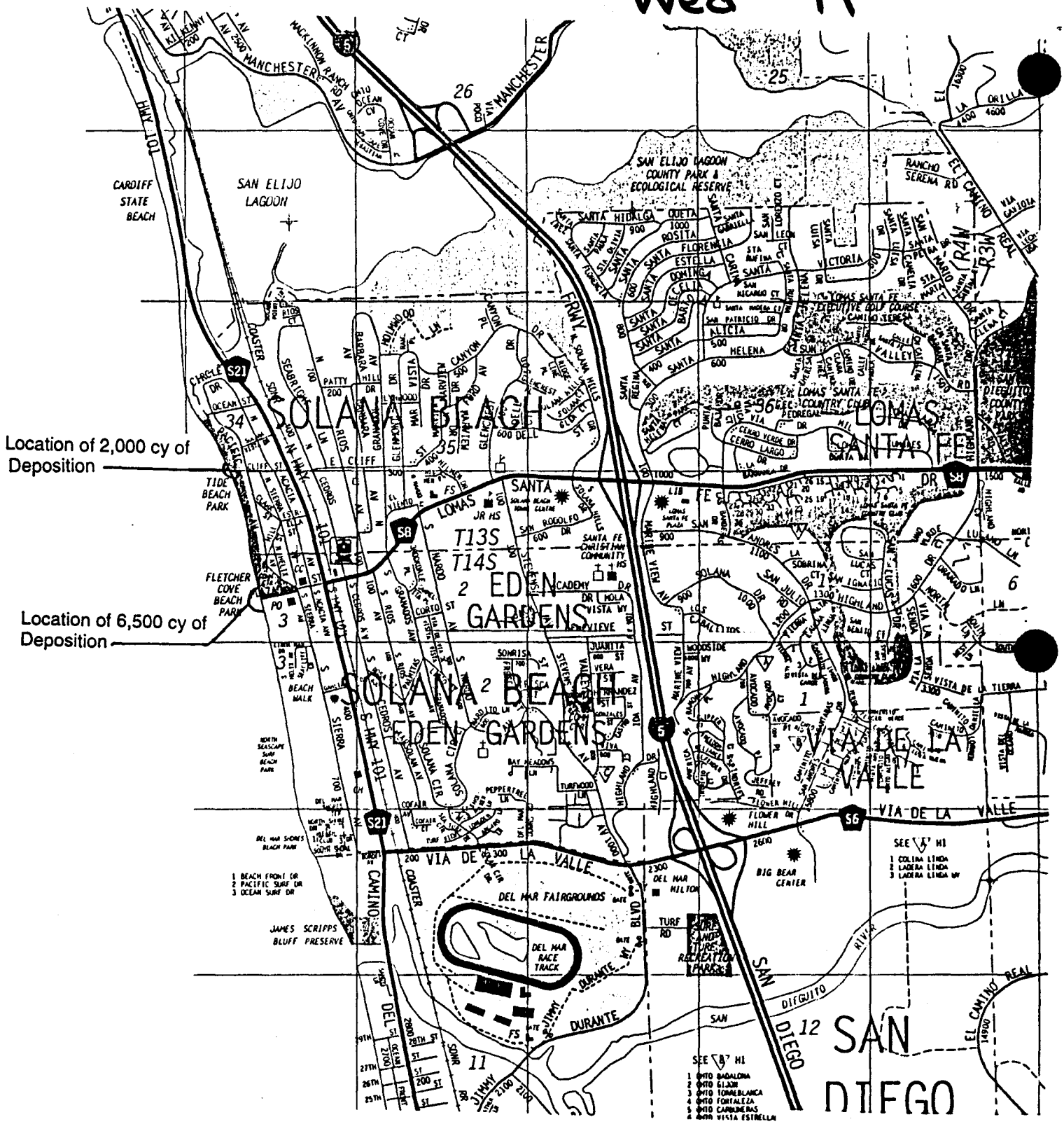
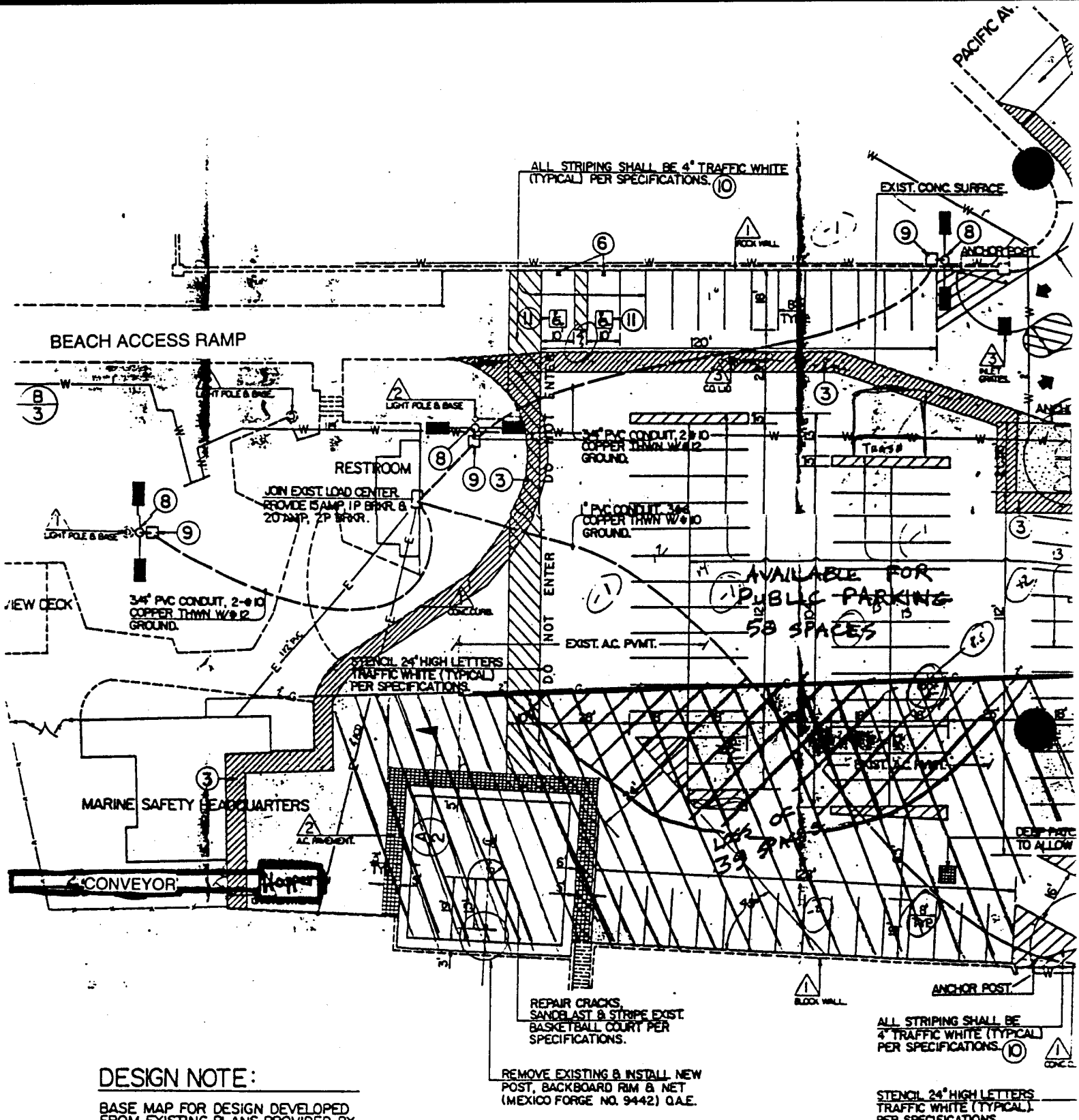


EXHIBIT NO. 1
APPLICATION NO.
6-98-68
Location Map

California Coastal Commission

EXHIBIT NO. 2
APPLICATION NO.
6-98-68
Deposition Method

California Coastal Commission



DESIGN NOTE:

BASE MAP FOR DESIGN DEVELOPED FROM EXISTING PLANS PROVIDED BY THE CITY OF SOLANA BEACH.

220'×90'×8' = 5,866 yd³
− 745 Radius
TOTAL 3,911 yd³ SAND STOCKPILE

STOCKPILE AREA

TRUCK TURNAROUND AREA

EXHIBIT NO. 3
APPLICATION NO. 6-98-68
Staging Area
California Coastal Commission