

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

3111 CAMINO DEL RIO NORTH, SUITE 200

SAN DIEGO, CA 92108-1725

621-8036



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STAFF REPORT AND RECOMMENDATION ON APPEAL

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LOCAL GOVERNMENT: City of Carlsbad

DECISION: Approved with Conditions

APPEAL NO.: A-6-CEB-99-89

APPLICANT: Leucadia County Water District

PROJECT DESCRIPTION: Rehabilitation of a sewer pump station to include construction of a approximately 500-foot long asphalt access road, undergrounding the existing sewer pump station facilities and existing electric and phone utilities and the addition of a stand-by generator on an existing 900 sq.ft. site.

PROJECT LOCATION: South side of Batiquitos Lagoon, north of La Costa Avenue and west of Saxony Road, Carlsbad, San Diego County.

APPELLANTS: California Coastal Commissioners Sara Wan and Christine Kehoe

SUMMARY OF STAFF RECOMMENDATION:

The staff recommends that the Commission, after public hearing, determine that substantial issue exists with respect to the grounds on which the appeal has been filed. The project raises a substantial issue of conformity with the certified LCP policies concerning impacts to biological resources and water quality. As approved by the City of Carlsbad, the project will permanently impact 0.14 acres of existing wetlands with an additional 0.04 acres to coastal sage scrub. There are feasible alternatives that will reduce the extent of impacts to wetlands. Further, since the filing of this appeal to the Commission, the applicant has provided an alternatives analysis and has revised the project to reduce the extent of wetlands impact. Therefore, staff recommends that the Commission approve the de novo permit with several special conditions. Off-site mitigation is proposed and is addressed in Special Conditions #1 and 2. Special Condition #3 addresses grading and allows for the applicant to grade during the rainy season with the incorporation of temporary and permanent erosion control devices prior to or concurrent with the commencement of construction. Special Condition #5

addresses water quality; it requires submittal of a Best Management Practices program. Special Condition #4 requires addresses construction access/staging and timing and prohibits the use of environmentally sensitive areas for construction staging or storage purposes. Special Condition #7 requires the applicant to identify any sites required for the disposal of excess graded materials. Finally, Special Condition #7 requires that development be prohibited during the months of February 15th to May 31st of any year to avoid adverse impacts to the sensitive bird species associated with the Batiquitos Lagoon.

SUBSTANTIVE FILE DOCUMENTS: City of Carlsbad Notice of Final Action; City of Carlsbad Report to the Planning Commission dated 6/2/99; Letter from Dudek and Associates, Inc. dated 7/14/99, 7/19/99, 8/11/99 and 9/9/99; Appeal Forms dated 6/24/99

I. Appellants Contend That: The City's approval is inconsistent with the provisions of the certified East Batiquitos Lagoon/Hunt Properties LCP segment. Specifically, the LUP provides that all uses proposed within a wetland must be consistent with Section 30233 of the Coastal Act. The City found that the proposed 0.14 acres of impact to wetlands resulting from the sewer pump rehabilitation could be justified under Section 30233 as an incidental public service project. The appellants assert that there are other alternatives available that would either reduce or eliminate the impacts to wetlands. In addition, the appellants state, no finding was made that the project represented the least environmentally damaging alternative, as required under Section 30233. Finally, the appellants assert that the project is inconsistent with the certified LCP because although mitigation was approved at a ratio of 3:1 for the proposed impacts to riparian resources, no mitigation plan has been prepared and approved by the California Department of Fish and Game as required by the certified LCP.

II. Local Government Action. The coastal development permit was approved by the Planning Commission on 6/2/99. Several special conditions were required which address execution of a hold harmless agreement, outdoor storage of materials, landscaping and engineering.

III. Appeal Procedures.

After certification of a Local Coastal Program (LCP), the Coastal Act provides for limited appeals to the Coastal Commission of certain local government actions on coastal development permits. Projects within cities and counties may be appealed if they are located within mapped appealable areas. The grounds for appeal are limited to the assertion that "development does not conform to the certified local coastal program." Where the project is located between the first public road and the sea or within 300 ft. of the mean high tide line, the grounds of appeal are limited to those contained in Section 30603(b) of the Coastal Act. Those grounds are that the development does not conform

to the standards set forth in the certified local coastal program or the access policies set forth in the Coastal Act.

Section 30625(b) of the Coastal Act requires the Commission to hear an appeal unless it determines that no substantial issue is raised by the appeal. If the staff recommends "substantial issue" and no Commissioner objects, the Commission will proceed directly to a de novo hearing on the merits of the project.

If the staff recommends "no substantial issue" or the Commission decides to hear arguments and vote on the substantial issue question, proponents and opponents will have 3 minutes per side to address whether the appeal raises a substantial issue. It takes a majority of Commissioners present to find that no substantial issue is raised. If substantial issue is found, the Commission will proceed to a full public hearing on the merits of the project. If the Commission conducts a de novo hearing on the permit application, the applicable test for the Commission to consider is whether the proposed development is in conformity with the certified Local Coastal Program.

In addition, for projects located between the sea and the first public road paralleling the sea, Sec. 30604(c) of the Act requires that a finding must be made by the approving agency, whether the local government or the Coastal Commission on appeal, that the development is in conformity with the public access and public recreation policies of Chapter 3. In other words, in regard to public access questions, the Commission is required to consider not only the certified LCP, but also Chapter 3 policies when reviewing a project on appeal.

The only persons qualified to testify before the Commission at the "substantial issue" stage of the appeal process are the applicant, persons who opposed the application before the local government (or their representatives), and the local government. Testimony from other persons must be submitted in writing. At the time of the de novo hearing, any person may testify.

Staff Recommendation On Substantial Issue.

The staff recommends the Commission adopt the following resolution:

Staff recommends that the Commission determine that SUBSTANTIAL ISSUE exists with respect to the grounds on which the appeal was filed, pursuant to PRC Section 30603.

MOTION

Staff recommends a NO vote on the following motion:

I move the Commission determine that Appeal No. A-6-CBE-99-89 raises no substantial issue with respect to the grounds on which the appeal has been filed.

A majority of the Commissioners present is required to pass the motion.

Findings and Declarations.

1. Project Description. The proposed improvements as approved by the City of Carlsbad consist of undergrounding the pump station facilities including the existing electric and phone utilities, the addition of a stand-by generator, the expansion of the area for a truck turnaround, and a new twelve foot wide paved access road. The existing lot area is .02 acres (900 square feet) and the project proposes to expand the area to .18 acres (7,480 sq. ft.) to accommodate the maintenance vehicle access and turnaround area. Improvements associated with the access road include a new concrete driveway, curb, and a three-foot high retaining wall for the access road. These improvements are necessary to provide access to the station as a result of the widening of the La Costa Avenue roadway. The proposed undergrounding of the pump station will result in all improvements associated with it being located entirely below ground such that the facility will appear to be flat or at-grade. The roof of the buried pump station will contain an aluminum hatch and it is designed in a manner to allow vehicles to drive over the top of it.

The project as approved by the City of Carlsbad would result in the filling of 0.14 acres wetlands. These wetlands are currently vegetated with southern willow scrub and mule fat scrub habitat. The rehabilitation of the pump station will permanently impact 0.08 acres of southern willow scrub and 0.06 acres of mule fat scrub through the proposed undergrounding of the pump station which will involve excavation of materials and placement of the pump station below ground and construction of the access road. In addition, 0.04 acres of coastal sage scrub adjacent to the La Costa Avenue roadbed will also be impacted as a result of the construction of the access road.

The project site is located on the south side of Batiquitos Lagoon and north of La Costa Avenue, 400 feet west of its intersection with Saxony Road in the City of Carlsbad. The site is also located east of Interstate 5.

The appellants have appealed the City's approval of a coastal development permit for the proposed project on grounds that it is inconsistent with the environmentally sensitive resource protection policies of the certified East Batiquitos Lagoon/Hunt Properties LCP segment of the City of Carlsbad's LCP. In particular, the appellants assert that the fill of wetlands is inconsistent with the wetland protection policies of the LCP because it will result in a total of 0.14 acres of impacts to riparian vegetation. The proposal will also result in impacts to 0.04 acres of coastal sage communities. The City's certified LCP requires that environmentally sensitive habitats (wetlands, riparian areas, and areas greater than 25% slope) shall be preserved as open space. For Batiquitos Lagoon, any alteration of wetlands is limited to minor incidental public facilities. The City found the proposed development met this criteria, but did not identify and evaluate potential alternatives that would lessen or avoid wetland impacts. With regard to the impacts to

coastal sage scrub communities, the coastal sage scrub that will be impacted is located on a flat area adjacent to the roadbed as opposed to being located on steep slopes which are protected under the certified LCP.

2. Environmentally Sensitive Resources. The certified LUP provides that all uses proposed within a wetland must be consistent with Section 30233 of the Coastal Act. Specifically, Section 30233 states, in part, the following:

(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:

(1) 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...

The City found that the proposed impacts to southern willow scrub and mule fat scrub could be justified under Section 30233 as an incidental public service project. As originally proposed and as approved by the City of Carlsbad, the total amount of impacts to wetlands vegetation total 0.14 acres. The applicant maintains that the access road and turnaround area have been designed to meet the minimum requirements of the equipment needed for routine and emergency maintenance of the pump station. The proposed facility would be unmanned and would require only periodic monitoring to assure satisfactory operation. The applicant has indicated that the proposed access road is necessary because the subject site does not currently have any access road. According to the applicant, there was an unpaved access road and small vehicle turnaround for the subject pump station at one previous time; however, this road has been eliminated as part of the La Costa Avenue road widening that is currently undergoing construction. Upon completion, La Costa Avenue will be a four-lane, 50-mile per hour roadway. As such, the applicant currently has no maintenance vehicle access to the pump station. According to the applicant, the proposed access roadway would be from the light-controlled intersection of Saxony Road and La Costa Avenue. The proposal would include a concrete driveway and curb and asphalt turnaround area. The driveway would be constructed parallel to La Costa Avenue at the toe of the 2:1 slope.

As approved by the City, the project raises several issues of conformity with the certified LCP. Although the project can be considered an allowable use under section 30233 of the Coastal Act as an incidental public service, the City did not ensure that the project is the least environmentally damaging alternative, which is also required under Section 30233. There are other potentially less environmentally damaging alternatives that were not analyzed by the City. These include elimination of the access road and a reduction to the turnaround area for the maintenance vehicles. The City's approval is inconsistent with the provisions of the certified East Batiquitos Lagoon/Hunt Properties LCP segment. Specifically, the LUP provides that all uses proposed within a wetland must be consistent with Section 30233 of the Coastal Act. The City found that the proposed 0.14 acres of impact to wetland resources resulting from the sewer pump rehabilitation could be justified under Section 30233 as an incidental public service project; however, it appears there are other alternatives available that would either reduce or eliminate wetland impacts. The impact is driven by the need to extend a new 400-foot long access road and paved turnaround for department vehicles. The facility is unmanned and only requires periodic monitoring to assure satisfactory operation. No analysis was done addressing whether the access road and turnaround could be eliminated in favor of a smaller access/parking area which would provide access to the facility without resulting in impacts to sensitive vegetation. Also, no finding was made that the project represented the least environmentally damaging alternative, which is also required under Section 30233. The Commission finds that there appear to be other alternatives available that might reduce the wetland impacts or eliminate them altogether. These alternatives

include a smaller access road and no turnaround area. While such an alternative may not be convenient it could result in avoidance or a significant reduction on wetland impacts. Given that the facility is unmanned, the need for such substantial access improvements do not seem warranted. The City should have analyzed these alternatives prior to approving the project.

In addition, the LCP also provides that any mitigation plan for wetland impacts must be approved by the California Department of Fish and Game ("DFG"). The project, as approved by the City, did not include a plan for mitigation of wetland impacts. The City imposed a condition requiring that the applicant prepare and submit a plan for mitigating wetland impacts at a ratio of 3:1. However, since it did not have a proposed mitigation plan at the time of approval, the City did not have any evidence that the wetland impacts would be mitigated pursuant to a plan approved by DFG. Furthermore, the City approved the project with a condition that allows mitigations for wetland impacts through restoring wetlands instead of creation of new wetlands.

One of the Coastal Act's mandates, pursuant to Section 30233, is to protect wetlands through limitation on fill and other impacts. The need for this protection has arisen out of the fact that over past years California has lost the vast majority of its wetlands to incremental fill and development. For this reason, the state has a "no net loss" policy pertaining to wetlands. Thus, wetlands are a significant coastal resource. When local government approves the fill of wetlands, it should ensure that all alternatives that could reduce or eliminate the fill have been identified and evaluated, and required if feasible. This analysis must be undertaken even when the fill is allowed because it is for an incidental public service. The Commission is concerned that the City is not evaluating alternatives, as required by the LCP, when a project involves fill of wetlands for a public purpose. In summary, the proposed development is inconsistent with the certified LCP because it involves direct impacts to wetlands that could be eliminated or avoided through implementation of other alternatives. The City's approval did not address such alternatives nor make a finding that the alternative proposal is the least environmentally damaging alternative. Further, the project would result in adverse impacts to a significant coastal resource, and if not appealed, would allow the City to continue to implement the wetland protection policies of its LCP in a manner that is inconsistent with the clear requirements of the LCP and the Coastal Act. Therefore, the Commission finds that the grounds for the project raises a substantial issue with respect to the project's consistency with the City's certified Local Coastal Program.

STAFF RECOMMENDATION ON THE COASTAL PERMIT

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, as conditioned, will be in

conformity with the adopted Local Coastal Program, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Special Conditions.

The permit is subject to the following conditions:

1. Final Mitigation Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a final mitigation plan, developed in consultation with Department of Fish and Game and designed by a qualified wetland biologist. Said plan shall be in substantial conformance with the mitigation plan submitted with this application and as outlined in a letter dated 7/14/99 and subsequent letter dated 8/11/99 by Dudek and Associates, Inc., and shall be revised to include the following:

- a. Preparation of a detailed site plan of the wetland/riparian impact area(s), clearly delineating all areas and types of impact (both permanent and temporary), and identification of the exact acreage of each impact so identified. In addition, a detailed site plan of the mitigation site shall also be included.
- b. Preparation of a baseline ecological assessment of the impact area(s) and any proposed mitigation sites prior to initiation of any activities. Such assessment shall be completed by a qualified biologist and at a minimum shall include quantified estimates of the biological resources and habitat types at each site, description of the functions of these resources and habitats and the associated values. Results of the ecological assessment of the wetland impact area shall form the basis of the goals, objectives, and performance standards for the mitigation project.
- c. The mitigation plan shall include clearly defined goals, objectives, and performance standards for the mitigation project. Each performance standard shall state in quantifiable terms the level and/or extent of the attribute necessary to reach the goals and objectives. Sustainability of the attributes should be a part of every performance standard.
- d. All impacts shall be mitigated at a ratio of 1:1 for temporary impacts, 5:1 for impacts to southern willow scrub and 3:1 for impacts to mule fat scrub.
- e. A minimum 50 ft. buffer, approved by the Department of Fish and Game, shall be provided from all newly created riparian habitat on the off-site mitigation site.

The permittee shall undertake mitigation in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without an amendment to this coastal

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

2. Final Monitoring Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for review and written approval of the Executive Director in consultation with the Department of Fish and Game and the U.S. Fish and Wildlife Service as appropriate, a final detailed monitoring program designed by a qualified wetland biologist. Said monitoring program shall be in substantial conformance with the approved Mitigation Plan required in Special Condition #1 above and shall at a minimum provide the following:

- a. Submittal, upon completion of the mitigation site, of "as built" plans. Description of an as built assessment to be initiated within 30 days after completion of the mitigation project. This description shall include identification of all attributes to be evaluated, the methods of evaluation, and a timeline for completion of an as-built assessment report. This report shall describe the results of the as-built assessment including a description of how the as-built project differs from the originally planned project.
- b. A description of all attributes to be monitored along with the methods and frequency of monitoring. This description shall include a rationale for the types of data collected and how those data will be used. The description shall also clearly state how the monitoring data will contribute to the evaluation of project performance.
- c. A description of provisions for augmentation, maintenance, and remediation of the mitigation project, throughout the monitoring period or in perpetuity as appropriate.
- d. Annual reports on the monitoring program shall be submitted to the Executive Director for approval for a period of five years. Each report shall include copies of all previous reports as appendices. Each annual report shall also include a "Performance Evaluation" section where information and results from the monitoring program are used to evaluate the status of the mitigation project in relation to the performance standards.
- e. At the end of the five year period, a comprehensive monitoring report prepared in conjunction with a qualified wetland biologist shall be submitted to the Executive Director for review and approval. This comprehensive report shall consider all of the monitoring data collected over the five-year period in evaluating the mitigation project performance. If the report indicates that the mitigation has been, in part, or in whole, unsuccessful, the applicant shall be required to submit a revised or supplemental mitigation program to compensate for those portions of the original program which were not successful. The revised mitigation program, if necessary, shall be processed as an amendment to their coastal development permit.

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.

3. Conservation and Open Space Easement. No development, as defined in Section 30106 of the Coastal Act shall occur in the 0.19-acre wetlands mitigation site and its buffer, as shown on Exhibit No. 6, except for restoration, monitoring, and maintenance activities conducted in accordance with the approved mitigation and monitoring plan required by Special Condition #1 of Coastal Development Permit #A-6-CEB-99-89.

PRIOR TO THE ISSUANCE OF A COASTAL DEVELOPMENT PERMIT, the applicant shall execute and record a document in a form and content acceptable to the Executive Director, irrevocably offering to dedicate to the U.S. Army Corps of Engineers, to another public agency, or to a private association approved by the Executive Director, an open space and conservation easement for the purpose of habitat conservation. Such easement shall be located on the 0.19-acre wetlands mitigation site and its buffer, as shown in Exhibit No.6. The recorded document shall include legal descriptions of both the applicant's entire parcel(s) and the easement area. The recorded document shall also reflect that development in the easement area is restricted as set forth in this permit condition.

The offer shall be recorded free of prior liens and encumbrances which the Executive Director determines may affect the interest being conveyed. The offer shall run with the land in favor of the People of the State of California, binding all successors and assignees, and shall be irrevocable for a period of 21 years, such period running from the date of recording.

4. Grading and Erosion Control. Prior to the issuance of the coastal development permit, the applicant shall submit, for the review and written approval of the Executive Director, final grading plans which shall conform to the following requirements:

- a) Grading activities shall not occur during the rainy season (the period from October 1st to March 31st of each year) unless temporary and permanent erosion control devices are installed as described below. Such devices shall be installed prior to or concurrent with on-site grading activities.
- b) All disturbed areas will be replanted immediately following grading. Prior to commencement of any grading activity, the permittee shall submit a grading schedule to the Executive Director.
- c) The use of temporary erosion control measures, such as berms, interceptor ditches, sandbagging, filtered inlets, debris basins, and silt traps shall be

utilized in conjunction with plantings to minimize soil loss from the construction site and to facilitate incremental grading.

The permittee shall undertake the 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.

5. Construction Access/Staging Areas/Timing of Construction. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, construction access and staging plans including information regarding the timing of construction that includes the following:

- a) The plans shall indicate 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.
- b) Staging/storage areas shall not be permitted within any environmentally sensitive areas (i.e., wetlands).
- c) Access corridors and staging areas shall be located in a manner that has the least impact on public access via the maintenance of vehicular traffic flow on coastal access routes (La Costa Boulevard, in this instance) and pedestrian access to areas of Batiquitos Lagoon not directly involved in construction of the project.

The permittee shall undertake the 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.

6. Water Quality/ Best Management Practices (BMPs). PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, a BMP program for the proposed development. At a minimum, the program shall incorporate measures that shall reduce sediment and pollutants in runoff from the project site and shall include the following:

- a. Temporary and interim erosion control measures designed to reduce runoff from the construction site and to avoid sedimentation toward the lagoon.

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

7. Disposal of Graded Spoils. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or amendment to this permit shall be obtained prior to the disposal. If no export is required (i.e., if grading is balanced on site), written confirmation of this fact is sufficient to satisfy this condition.

8. Construction Period for Nesting Season of Sensitive Bird Species. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit final construction plans to the Executive Director for review and written approval. The plans shall prohibit construction activities within the period of February 15 – May 30 of any year to prevent disturbance to the sensitive bird species which nest near Batiquitos lagoon. Any exceptions to the construction schedule must be reviewed and approved in writing by the California Department of Fish and Game as either an amendment to the subject permit or as a new coastal development permit.

II. Findings and Declarations.:

The Commission finds and declares as follows:

1. Project Description/History. After the project was appealed, the applicants requested that the project be postponed in order to try to resolve any outstanding concerns related to the proposed project. The applicant consulted with the Army Corps of Engineers (ACOE). As a result, the proposed maintenance vehicle turnaround area was reduced which resulted in the reduction to the total amount of jurisdiction wetland impacts to 0.12 acres. Subsequently, in order to further address Commission staff's concerns regarding proposed impacts to wetlands and alternative project designs that would either eliminate or reduce those impacts, the applicant revised the project two more times to eliminate the maintenance vehicle turnaround area and to reduce the building footprint and to construct an access road.

The proposed project consists of rehabilitation/ improvements to an existing sewer pump station known as the Saxony pump station. The pump station has existed on this site for over 30 years and prior to enactment of the Coastal Act. The proposal includes undergrounding the pump station facilities including the existing electric and phone utilities and the addition of a stand-by generator. The site is relatively flat, however, grading is proposed in association with the project including a 12 foot wide asphalt access road and maintenance area. The access road would be constructed parallel to La Costa Avenue at the toe of the existing 2:1 slope. The area will be graded to make it level, paved and surrounded by chain link fencing.

The proposed project as revised by the applicant will result in the filling of 0.04 acres wetlands which will involve the permanent removal of 0.02 acres of southern willow scrub as a result of the construction of the proposed access road and 0.02 acres of mule fat scrub vegetation as a result of the rehabilitation of the pump station. There will also

be a temporary impact of 0.03 acres to mulefat scrub as a result of the construction activities to rehabilitate the pump station which will be revegetated in-kind and on-site after construction is completed. The proposed grading will also result in removal of 0.04 acres of coastal sage scrub adjacent to the La Costa Avenue roadbed. The remainder of the project description is discussed in full detail in the findings on Substantial Issue section of this report (reference page 4) and is hereby incorporated by reference.

The project site is located on the south side of Batiquitos Lagoon where the City of Carlsbad has a certified LCP (East Batiquitos Lagoon LCP segment). As such, the standard of review is the certified LCP and the public access and recreation policies of the Act.

2. Wetlands/Sensitive Biological Resources. Upon reliance of Coastal Act Policies 30233 and 30240, the certified East Batiquitos Lagoon LCP segment contains the following policy addressing the protection of environmentally sensitive resources:

C. Environmentally Sensitive Habitats

The environmentally sensitive habitats (wetlands, riparian areas, and areas greater than 25% slopes shall be preserved as open space with the following additional requirements:

1. Batiquitos Lagoon Special Treatment Overlay – the wetlands as defined and determined by the CDGF and FWS shall be constrained from development. Pursuant to Section 30233 (Public Resources Code) any alteration of the wetlands shall be limited to minor incidental public facilities, restorative measures, and nature studies. Furthermore, any alteration of the wetlands must be approved by the City of Carlsbad and the Coastal Commission. The latter because it will retain Coastal Development Permit jurisdiction. In addition, any wetland alteration will require federal approval through any Army Corps of Engineers (COE) permit.

The project will result in permanent impacts to 0.02 acres of Southern Willow Scrub adjacent to the roadbed of La Costa Avenue as a result of the access road component of the project and 0.02 acres of Mule Fat Scrub in the location of the pump station as a result of rehabilitation of the pump station (i.e., the footprint for the rehabilitated pump station will be slightly larger than the existing building footprint and will also include a standby generator below ground, as well). An additional 0.03 acres of temporary impact to Mule Fat Scrub is also proposed to the west of the proposed pump station as a result of construction activities in association with the pump station rehabilitation, however, the applicant proposes to fully restore the impacted area to its original state following construction. As cited above, the LCP relies on section 30233 of the Coastal Act to address projects that propose wetland fill. Coastal Act Section 30233(a) sets forth a three-part test for all projects involving the fill of coastal waters and wetlands. These are:

1) That the project is limited to one of the eight stated allowable uses;

- 2) That the project has no feasible less environmentally damaging alternative; and,
- 3) That adequate mitigation measures have been provided to minimize adverse environmental effects.

In this particularly case, the proposed development meets the above requirements. The improvements to an existing pump station, is considered an incidental public service project, which is one of the above-cited permitted uses. Without the proposed improvements, there remains a risk of a sewage spill and the resultant environmental impacts. The applicant has noted in a letter dated 9/9/99, that failure to complete the renovation of the pump station in a timely manner would create a high probability of a major failure of the pump station which could result in the discharge of sewage to the surrounding wetlands and Batiquitos Lagoon. The applicant has indicated that at peak flow, the pump station moves 33,00 gallons per hour. In the event of an emergency or failure of the treatment plant, the District has a response time of 33 minutes to correct the problem before raw sewage spills into the lagoon.

Once the project has been determined to be a permitted use, alternatives to the proposal must also be reviewed to determine if the project represents the least environmentally damaging alternative. In response to this requirement, the Leucadia County Water District looked at whether or not the pump station could simply be relocated to a different site rather than rehabilitate it in its present location. In consideration of this question, the applicant indicates that the relocation of the pump station to the south side of La Costa Avenue at Saxony Road is considered infeasible as the property at this location contains mature southern willow scrub habitat. As such, this site was rejected. The applicant then considered the parcel of land located at the southeast corner of the same intersection. However, that parcel is privately owned and contains a well-established flower and produce business. Since the property has not been offered for sale, it is likely that an eminent domain action by the applicant would be necessary to acquire that parcel of land. However, that process would be very involved and time-consuming. Regardless whether either of these two parcels could be acquired for the relocation of the pump station, the removal of the pump station itself from its present location would cause significant impacts to the wetlands themselves because of the extent of improvements that would have to be excavated and removed, etc. Other negative consequences associated with this alternative are excessive cost, and time delays that would likely increase the likelihood of a raw sewage spill into the lagoon due to the outdated condition of the existing pump station in need of repair. Therefore, due to the severity of these impacts to wetlands the alternative to relocate the station is clearly not the environmentally preferred alternative.

Once it was decided to rehabilitate the pump station in its present location and the applicant became aware of the Commission staff's concerns with potential impacts to wetlands, the applicant analyzed several alternatives to the project design to reduce or eliminate wetland impacts. The first alternative reviewed was to construct an access road that would be located adjacent and parallel to La Costa Avenue to the north. The road would be approximately 12 feet wide and include a three-foot high retaining wall. However, this alternative was rejected because it would include impacts to 0.08 acres of

southern willow scrub and 0.06 acres of mule fat scrub for a total impact of 0.14 acres of wetland habitat, the same as the alternative approved by the City.

The second alternative reviewed would be to install a retaining/wall/cribwall on the north wide of La Costa Avenue, moving the access road farther south into the existing La Costa Avenue slope bank, in order to reduce impacts to jurisdictional wetlands. However, this alternative was rejected because: 1) the construction of a the wall would require a guardrail which the City of Carlsbad opposes because it is dangerous to bicyclists and pedestrians; 2) moving the access road southern would result in the road being located under a slope easement right-of-way dedicated to the City which the City does not want to relinquish; 3) a retaining wall/cribwall structure in close proximity to a major roadway would be exposed to substantial surcharge loads and vibrations and the soil thus requiring large footings, benching and tiebacks as well as demolition and reconstruction of a portion of La Costa Avenue. In addition, it would still involve significant impacts to wetlands.

The third alternative reviewed would be to eliminate the turnaround area but construct an access road only. With this design, maintenance vehicles will exit the pump station to the west through an access road to La Costa Avenue. The access road will be required because the vehicles cannot safely back out onto La Costa Avenue which has a speed limit of 50 mph. In consultation with Caltrans, it was determined that the access road would have to be 120 feet long and include a tapering acceleration lane 600 feet long to allow heavy equipment vehicles to reach a safe speed before merging into traffic. However, this onramp and acceleration lane will impact 0.14 acres of southern willow scrub and 0.06 acres of mulefat scrub for a total of wetland impacts of 0.20 acres. Also, the sidewalk adjacent to La Costa Avenue would have to be temporarily impacted making unsafe access for pedestrians and bicyclists. The onramp will also include a crib wall which will require benching and tiebacks similar to the second alternative described above. Therefore, this alternative was also rejected due to the greater impacts to biological resources.

The fourth alternative reviewed would be to eliminate the need for a maintenance vehicle turnaround area through the construction of an onramp to La Costa Avenue between Saxony Road and the Saxony Pump Station. This alternative would result in impacts to 0.02 acres of southern willow scrub and 0.03 acres of mulefat scrub. With this design, a construction staging area will result in temporary impacts to mulefat scrub of 0.02 acres. In addition, this alternative will result in impacts to 0.09 acres of the City of Carlsbad's coastal sage scrub mitigation site. Therefore, this alternative, was also rejected as infeasible due to the impacts to biological resources.

The fifth alternative reviewed would be to reduce the footprint of the maintenance vehicle turnaround area. This alternative would reduce the wetland impacts to 0.06 acres of willow scrub and 0.06 acres of mule fat scrub for total of 0.12 acres wetlands impacts. Again, because of significant biological impacts, this alternative was also rejected.

The sixth alternative, which has been determined to be the preferred alternative, is to eliminate the vehicle turnaround area which will require that maintenance vehicles to travel in reverse along the access road past the curb break and exit onto westbound La

Costa Avenue. The footprint of the proposed access road will be extended to the east to allow the necessary maintenance and emergency vehicles safe access onto La Costa Avenue. The proposed project site will be graded level, paved and demarcated by chain link fencing. The access road will be constructed parallel to La Costa Avenue at the toe of the existing 2:1 slope. This alternative will result in permanent impacts to 0.04 acres of wetlands consisting of 0.02 acres of mulefat scrub and 0.02 acres of southern willow scrub and temporary impacts of 0.03 acres of mulefat scrub. Impacts to 0.04 acres of coastal sage scrub will also be impacted as a result of the construction of the access road. However, as noted in the findings for substantial issue of this report, this plant community is located on a flat area of the site as opposed to being located on steep slopes which are protected under the certified LCP.

The proposed project has been revised three times in an attempt to respond to Commission staff concerns regarding impacts to environmentally sensitive resources. According to the applicant, the currently proposed alternative has incorporated a project redesign as well as district operating procedures for the facility that has greatly reduced the project footprint. The area extending to the west of the pump station originally proposed to be paved has been reduced to a size that will just accommodate a pick-up truck and/or a trailer-mounted, engine-driven emergency by-pass pump necessary to prevent sewage spills to Batiquitos Lagoon instead of a much larger maintenance vehicle as was originally proposed. Any major repairs to the station in the future can be accomplished by using a crane truck parked on la Costa Avenue adjacent to the facility. The applicants further state that the new preferred alternative represents the smallest project footprint possible that will permit reasonable access for routine maintenance as well as quick response time in the event of an emergency. Thus, the proposed project incorporates elimination of the originally proposed truck-turnaround area which also eliminates all permanent impacts to southern willow scrub as a result of the pump station component of the project. However, as earlier noted, 0.02 acres to southern willow scrub will occur due to the necessity to construct an access road. As redesigned, the proposal minimizes wetland impacts and results in the least environmentally damaging alternative.

As noted, once the proposed impacts have been found to be permitted and minimized, all remaining unavoidable impacts must also be mitigated. To mitigate for the remaining unavoidable fill of wetlands, the applicant is proposing a mitigation ratio of 3:1 for the 0.02 acres of impact to mulefat scrub and a ratio of 5:1 for the 0.02 acres of impacts to southern willow scrub. This results in a total of 0.19 acres of wetlands creation. The proposed mitigation will occur off-site adjacent to an unnamed tributary of San Marcos Creek on Bressi Ranch in Carlsbad. This unnamed stream channel and San Marcos Creek are both tributaries to Batiquitos Lagoon. The site is located east of El Camino Real and south of Palomar Airport Road outside of the coastal zone.

Typically the Commission prefers that any mitigation required be provided at the project site itself. If such mitigation cannot occur at the project site then it should be in close proximity to the site and within the watershed of the site. Only as a last resort should mitigation occur outside of the coastal zone. In this case, the proposed mitigation is within the watershed of Batiquitos Lagoon but outside of the coastal zone. The applicants had originally proposed the mitigation along the northeastern shore of

Batiquitos Lagoon. However, upon consultation with the ACOE, concerns were raised with the appropriateness of the new proposed mitigation site. The ACOE felt that the freshwater influence of the site's hydrology might be insufficient to support southern willow scrub.

When the applicant indicated that this problem would be encountered anywhere along the shore of the tidal lagoon the ACOE advised the applicant to seek a mitigation site upstream of Saxony Creek to the south. The applicant evaluated potential wetlands mitigation sites upstream along Saxony Creek but due to heavy residential development in this area, only two sites were identified within the City of Encinitas park. However, the City of Encinitas was not interested in allowing the development of a wetlands mitigation site within the park but suggested other alternative sites. The ACOE looked at the two suggested sites but rejected them because they were not located within the watershed of Batiquitos Lagoon. The ACOE then directed the applicant to seek a mitigation site along San Marcos Creeks. Thus, the subject site represented the mitigation site that had the greatest potential for success. Therefore, given that this tributary represents the best location for off-site mitigation and is within the watershed of Batiquitos Lagoon, the off-site mitigation can be found acceptable.

Thus, the Commission finds that adequate mitigation is proposed, consistent with past Commission precedent for impacts to riparian wetlands. Special Conditions #1 and #2 require submittal of a final mitigation and monitoring plan fully consistent with CDFG requirements. The condition also requires that the Coastal Commission and other permitting resource agencies receive copies of the annual monitoring reports. Specifically, the condition requires that within 30 days of completion of construction at the mitigation site, the applicant submit an as-built assessment of the mitigation project that includes as-built plans, to determine if the project has been built as proposed. The condition further requires that annual monitoring reports be submitted to Commission, the California Department of Fish and Game and the U.S. Army Corps of Engineers, as well as to the City.

The Commission has typically found that development within 100 feet of wetlands (freshwater or saltmarsh) will adversely impact the wetland. However, in this particular case, the existing pump station proposed to be rehabilitated is already located in an area that would typically be the "buffer area" between the line of development and wetlands. As such, removal of portions of the structure to meet the required buffer distance would not be feasible since in order to meet the required buffer distance the structure would have to be removed altogether. As has been noted by the applicant, the pump station was built in the 1960's well before enactment of the Coastal Act.

To ensure that the created wetlands are preserved, all future development in the wetlands must be prohibited. To ensure development does not occur, there should be either a deed restriction or open space easement covering the mitigation site. Therefore, Special Condition #3 of this permit requires that the applicant record a conservation easement over the off-site mitigation site (and its required buffer) before the coastal development permit is issued.

In addition, it should be noted that although the project is within the East Batiquitos segment of the Local Coastal Program, the site falls outside of the Batiquitos Lagoon Enhancement Project boundaries. The enhancement boundary is defined by the wetland boundary of the lagoon and the pump station is above this boundary. Therefore, the project is not subject to the requirement to contribute to the Lagoon Enhancement fund. In addition, the subject site is also located within the Coastal Resource Protection Overlay Zone. However, the site does not contain slopes steeper than 25% gradient and therefore, does not raise any concerns with regard to this overlay zone.

In summary, the proposed development involves impacts to existing wetlands. The wetland impacts have been found to be a permitted use under 30233 of the Act and all unavoidable impacts to wetland resources have been minimized and mitigated at an appropriate ratio, consistent with the requirements of the certified LCP. Therefore, as conditioned, the project can be found consistent with the policies of the certified LCP addressing the protection of environmentally-sensitive resources associated with Batiquitos Lagoon.

3. Water Quality/Resource Protection. Section 30231 of the Coastal Act calls for the protection of the biological productivity and the quality of wetlands and that where feasible, such areas shall be restored through, among other means, minimizing adverse effects of runoff, etc. Upon reliance of this policy, the certified East Batiquitos LCP incorporated policies which address grading and erosion control to protect the lagoon resources. Some of these policies include:

D. Grading and Erosion Control

1. Batiquitos Lagoon is the primary coastal resources within the subject area and warrants stringent controls on upstream development activities. Downstream impacts of possible erosion and sedimentation, due to development must be limited to insignificant levels....

The certified LCP also contains policies that state that drainage and runoff should be controlled and that appropriate erosion control measures should be installed before any on-site grading. The project site is located upstream and along the south side of Batiquitos Lagoon. As noted previously, the existing pump station facility is proposed to be undergrounded in its present location and as such will involve excavation as well as minor grading. Although the applicant has stated that there is very little grading that will occur other than for the proposed access road and paving, there still remains the potential for excavated soils to be temporarily stockpiled on the site during construction activities that could be carried downstream to the lagoon particularly during rainy weather. This is particularly true for the subject site due to its close proximity to the lagoon. In addition, after construction is completed, there remains the potential for runoff from the improved areas of the site (i.e., the asphalt maintenance vehicle access road) and pollutants associated with oil and other chemicals on the road to reach the lagoon, as well.

As has been noted earlier in this report, the applicant has indicated that with each day that passes there is an additional risk of a major sewage spill into the adjacent lagoon until the improvements proposed herein are completed. The timing of construction is critical for this project since there is a very short construction window available to complete the work outside of both the grading season and also the nesting season for the sensitive bird species associated with the lagoon. In short, the typical rainy season restriction begins October 1st and the nesting season restriction begins March 1st of any year. As such, it is already too late for the applicant to meet the requirements that construction occur outside of the rainy season since it is urgent that the project begin as soon as approval is approved. Therefore, the applicant is proposing to develop the project during the rainy season with the incorporation of temporary and permanent erosion control devices. The applicant has indicated that the proposed plans incorporate temporary erosion control devices that consist of, for example, a two-foot high silt fence. However, to further assure that all such measures are in place prior to grading, Special Condition #4 permits grading to occur during the rainy season subject to submittal of a final grading/erosion control plan.

In addition, construction is typically not permitted during the breeding season (i.e., February 15th to May 31st of any year) of the sensitive bird species that use the lagoon for habitat. As such, all construction activities must be completed before this time period. Special Condition #8 prohibits development during this time frame. Any exceptions to the construction schedule must be reviewed and approved in writing by the California Department of Fish and Game as either an amendment to the subject permit or as a new coastal development permit.

The potential discharge of pollutants into the identified downstream enhancement area and lagoon is also associated with the proposed development. To address potential impacts from drainage, Special Condition #6 requires implementation of best management practices for the proposed project to further assure that the water quality of the lagoon will not be adversely affected as a result of the proposed project. The plan must be approved by the City of Carlsbad, prior to issuance of the coastal development permit. The applicant may add BMPs as appropriate in the final plan submitted in compliance with the condition.

Thus, as conditioned, to implement temporary and permanent erosion control measures and best-management practices regarding the management and reduction of non-point source urban pollution and runoff, the proposed development will not adversely impact water quality or have a significant adverse impact to adjacent downstream resources. In addition, since the location of the disposal of graded spoils has not been identified, Special Condition #7 requires the applicant to identify the location of the graded spoils and that if the site is located within the coastal zone, a separate coastal development permit or amendment to this permit will be required.

In summary, the project can be found consistent with the policies of the certified LCP which call for implementation of drainage and runoff controls and installation of appropriate erosion control measures to eliminate sedimentation impacts to the lagoon.

4. Visual Resources. Section 30251 of the Coastal Act calls for the protection of the scenic and visual qualities of coastal areas and that new development be visually compatible with the character of surrounding areas. Upon reliance of this policy, the certified East Batiquitos LCP contains the following policy addressing the protection of visual resources:

F. Scenic and Visual Qualities

The scenic and visual qualities of the area are of great value to the region. Again, the focal point for these qualities is Batiquitos Lagoon. The viewshed to the lagoon and from the lagoon shoreline are important resources. Many of the requirements previously established by this document address visual quality components, such as:

- Setbacks...
 - preservation of lagoon and riparian habitats
 - enhancement of the lagoon environments
 - controlled grading
1. In addition to these provisions, the following shall be provided to further address the important scenic and visual character of the area:
 - a. La Costa Avenue should be established as a scenic corridor pursuant to the City of Carlsbad General Plan Scenic Highway Element...

As noted previously, the subject site is located on the south side of Batiquitos Lagoon, north of La Costa Avenue. La Costa Avenue is a scenic corridor as designated in the certified LCP. Views of the site looking north are visible from La Costa Avenue to motorists and the like. The site is largely surrounded by wetland vegetation to the west, north and east. However, since an existing dirt access road is presently located to the south of the station, there is no vegetation or landscape screening between La Costa Avenue and the pump station. However, there is a grade separation of approximately seven feet in elevation between the project site and La Costa Avenue. Through the proposed rehabilitation of the pump station, however, it will be relocated entirely below ground. As such, the visual impacts associated with the existing development will be greatly reduced through the proposed improvements.

As has been discussed in previous findings, the applicant is also proposing to mitigate for any temporary impacts to mulefat scrub as a result of construction activity. Any areas of temporary disturbance to this habitat species as a result of construction activities will be replanted on site. The Commission finds, that as conditioned, potential impacts on visual resources are minimized to the maximum extent feasible. Therefore, the Commission finds the development, as conditioned, consistent with the policies of the certified LCP addressing protection of scenic resources.

5. Public Access. Because the proposed development is located between the sea and the first public road (La Costa Avenue), Section 30604(c) requires that a specific access finding be made. In addition, many policies of the Coastal Act address the provision, protection and enhancement of public access to and along the shoreline, in particular, Sections 30210, 20211, 30212.5, 30221, 30223 and 30252. These policies address maintaining the public's ability to reach and enjoy the water, preventing overcrowding by providing adequate recreational area, protecting suitable upland recreational sites, and providing adequate parking facilities for public use.

In this particular case, the proposed development involves the rehabilitation of an existing sewer pump station adjacent to Batiquitos Lagoon and La Costa Avenue. The proposed development will not result in any adverse impacts on public access. The widening of La Costa Avenue that is currently under construction includes the provision of sidewalks and bike lanes along the roadway in this location where none previously existed. Again, however, the subject development will have no adverse impacts on public access, consistent with the applicable Coastal Act policies cited above.

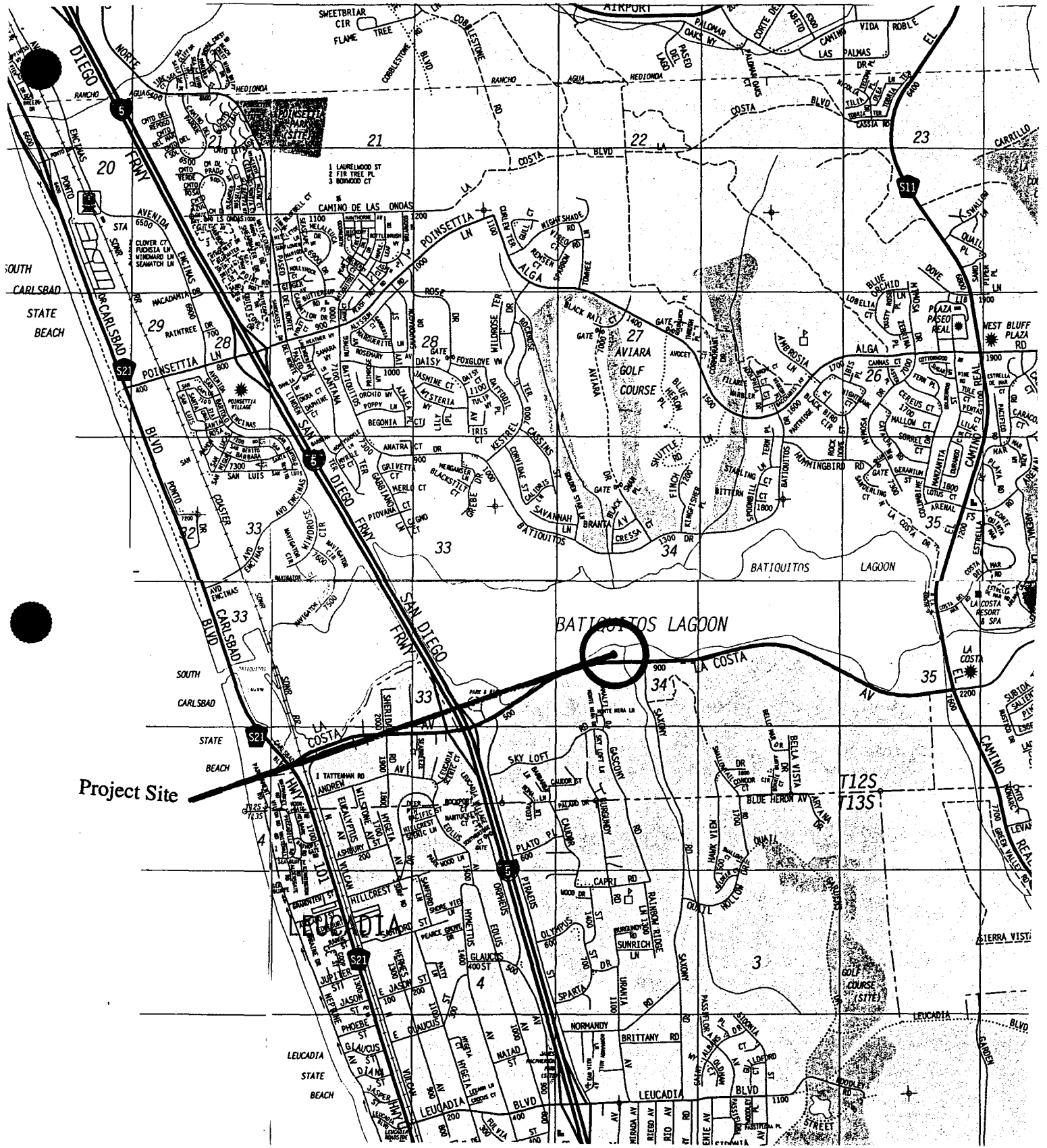
6. Local Coastal Planning. Section 30604 (a) requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter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

The East Batiquitos Lagoon Land Use Plan (LUP) designates the site for open space. The lagoon wetland area as determined by the California Department of Fish and Game and the U.S. Fish and Wildlife service is designated Open Space (OS) with a Special Treatment Area Overlay. According to the City of Carlsbad, in the review of the subject proposal, the Special Treatment Area Overlay (i.e., wetlands) is to be constrained from development, although alterations of the wetlands is allowed for minor incidental public facilities, restorative measures, and nature studies. The sewer pump station is a public facility and the proposed improvements are incidental to the existing pump station. As currently proposed, the rehabilitation of the existing pump station represents the smallest footprint possible and the smallest access road necessary to accommodate maintenance vehicles. As such, the permanent impacts to riparian vegetation totaling to 0.04 acres is unavoidable and the project represents the least-environmentally-damaging alternative. Therefore, the proposed project, as conditioned, can be found consistent with the policies of the East Batiquitos Lagoon Land Use Plan regarding habitat preservation and should not prejudice the ability of the City of Carlsbad to continue to implement its fully certifiable Local Coastal Program for its East Batiquitos Lagoon segment.

7. 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

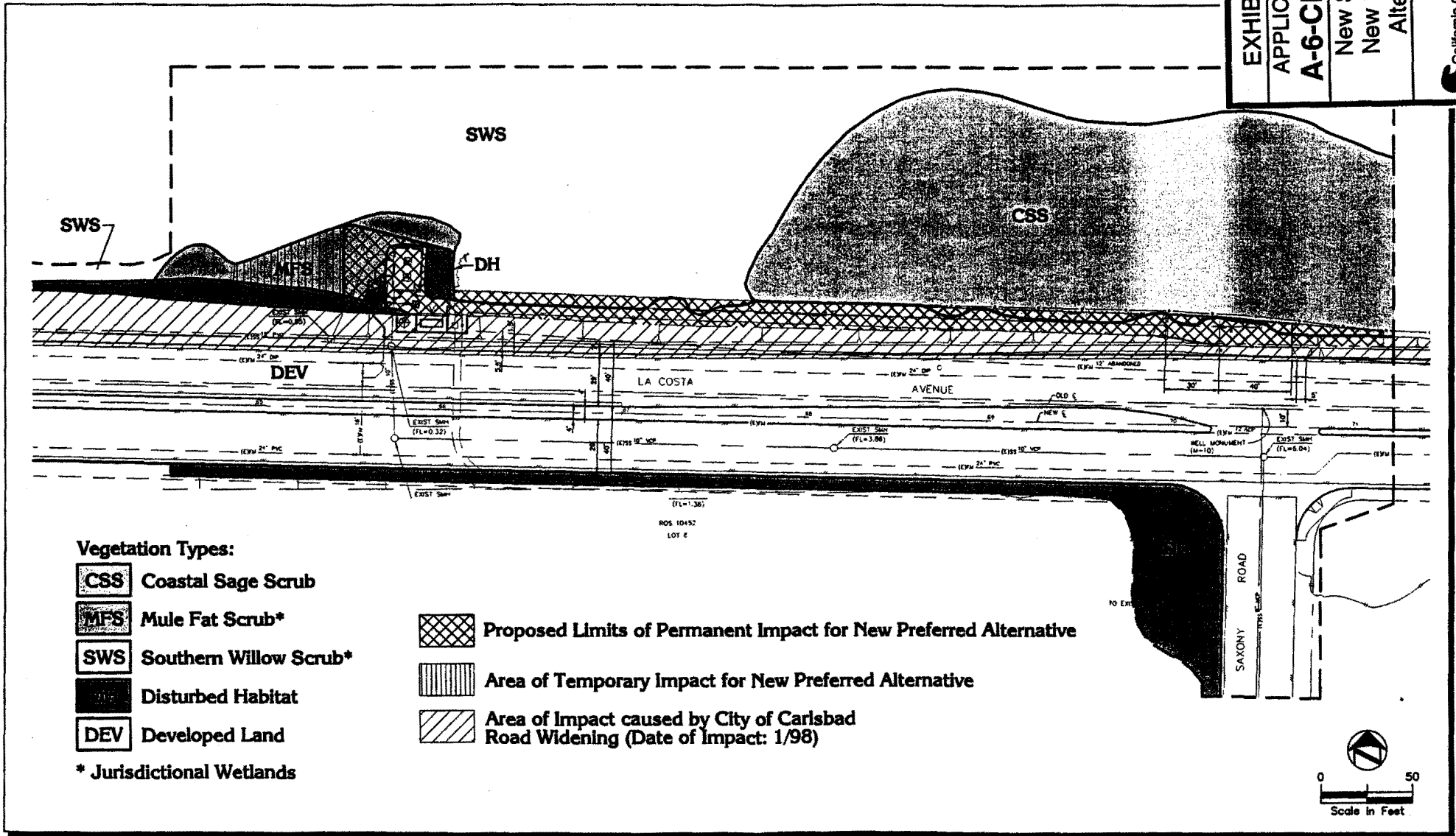
mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the public access policies of the Coastal Act. Mitigation measures, including conditions addressing a mitigation and monitoring program for wetland creation, grading and erosion control, construction access/staging/timing, water quality/BMPs, disposal of graded spoils and avoidance of construction during the nesting season of sensitive bird species in the area 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 is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



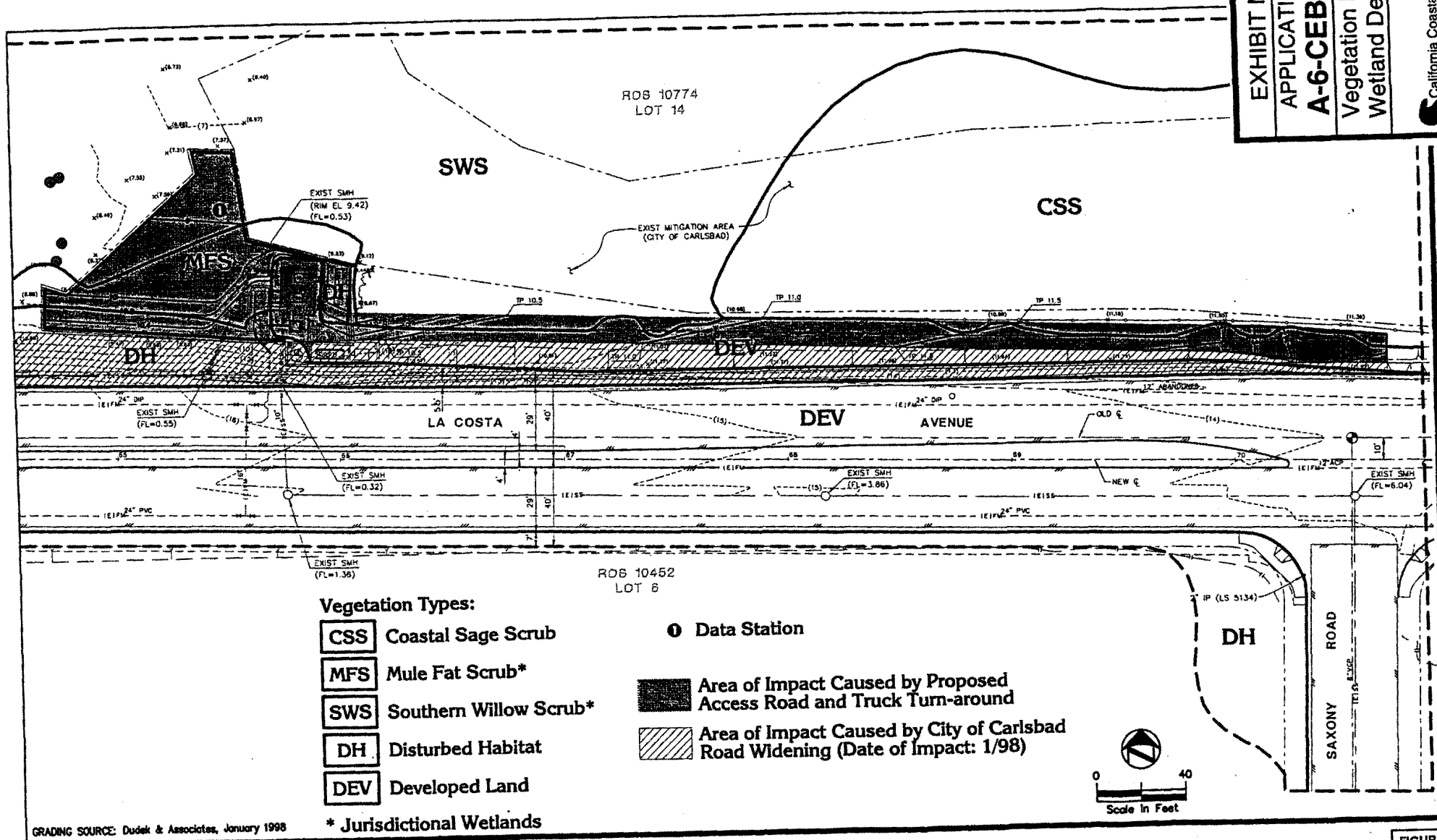
Project Site

EXHIBIT NO. 1
 APPLICATION NO.
A-6-CEB-99-89
 Location Map



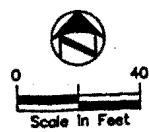
Saxony Pump Station Rehabilitation Project - Biological Resources Determination
New Preferred Alternative

EXHIBIT NO. 3
APPLICATION NO.
A-6-CEB-99-89
Vegetation Map and
Wetland Delineation
 California Coastal Commission



- Vegetation Types:**
- CSS** Coastal Sage Scrub
 - MFS** Mule Fat Scrub*
 - SWS** Southern Willow Scrub*
 - DH** Disturbed Habitat
 - DEV** Developed Land
- * Jurisdictional Wetlands

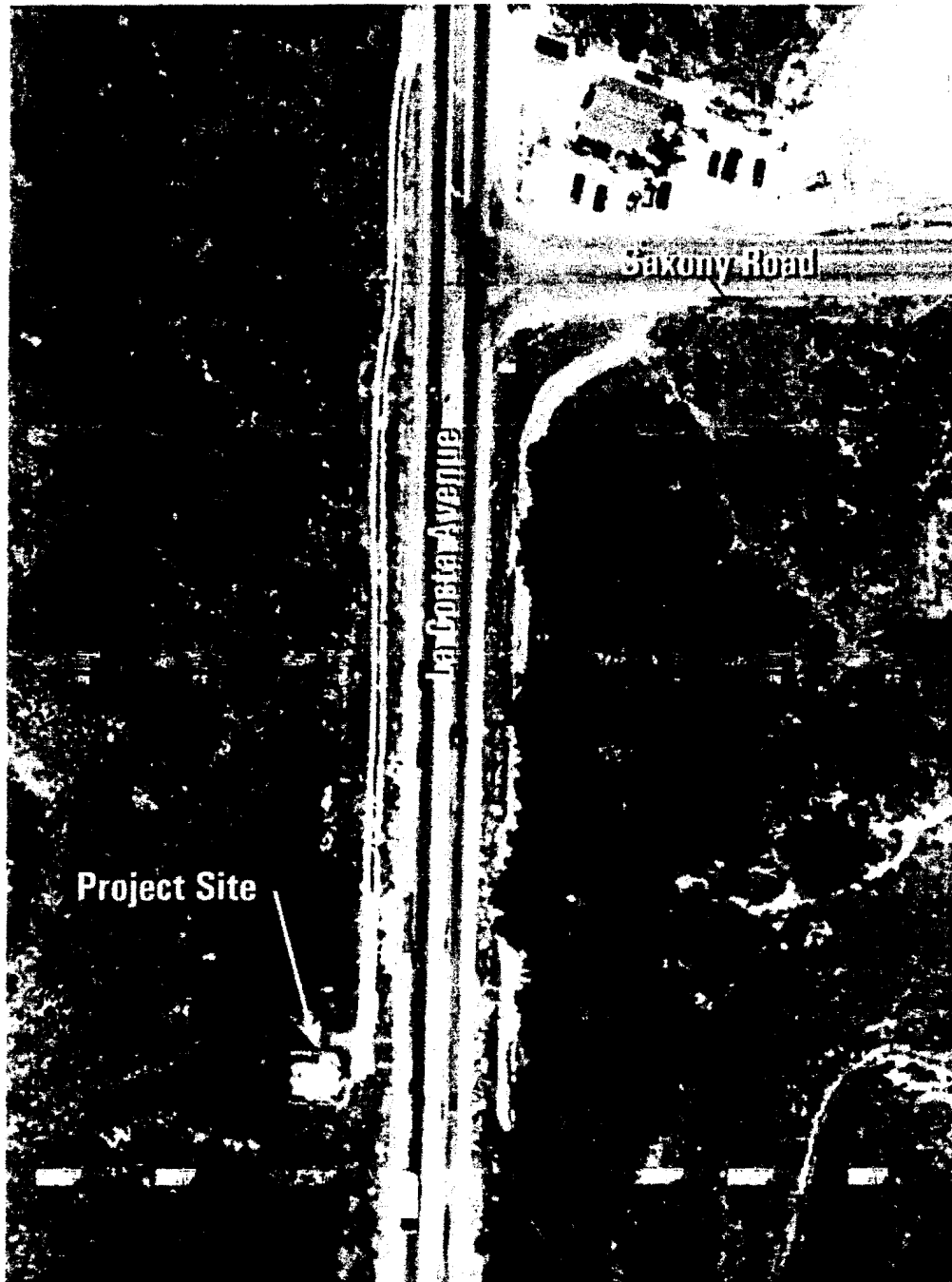
- Data Station
- Area of Impact Caused by Proposed Access Road and Truck Turn-around
- ▨** Area of Impact Caused by City of Carlsbad Road Widening (Date of Impact: 1/98)



GRADING SOURCE: Dudek & Associates, January 1998

Saxony Pump Station Rehabilitation Project - Biological Resources Determination
Vegetation Map and Wetland Delineation on Site Plan With Proposed Grading

FIGURE
3

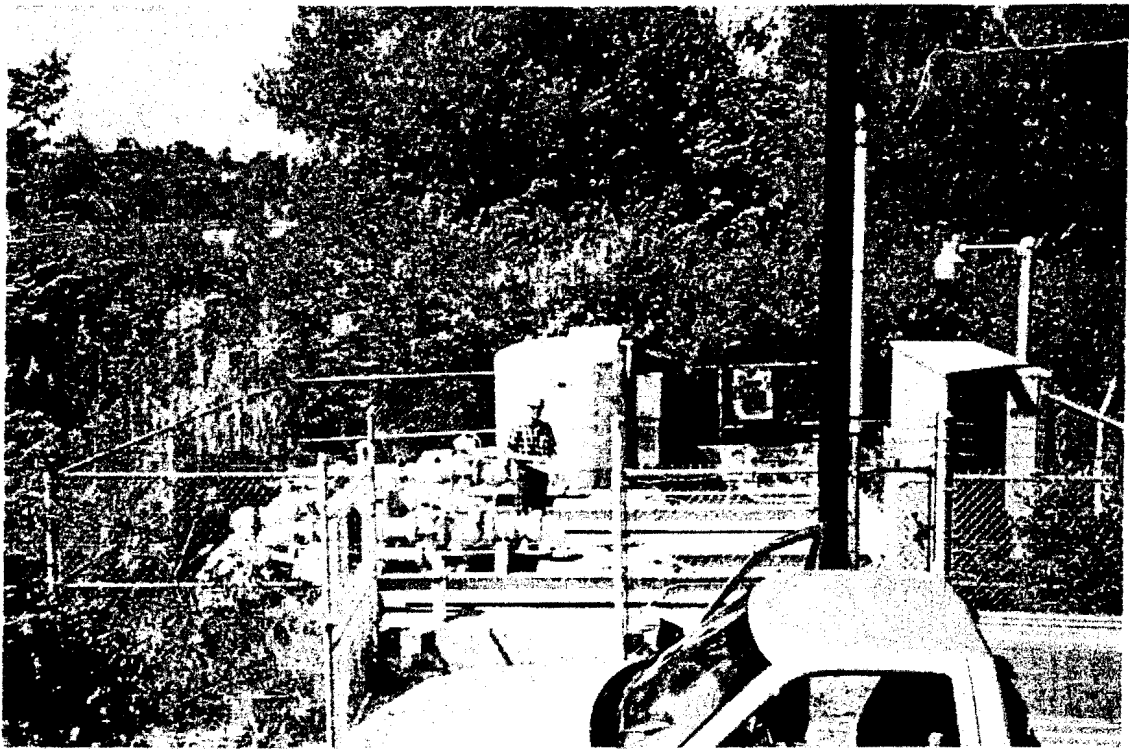


Scale: 1" = 100'

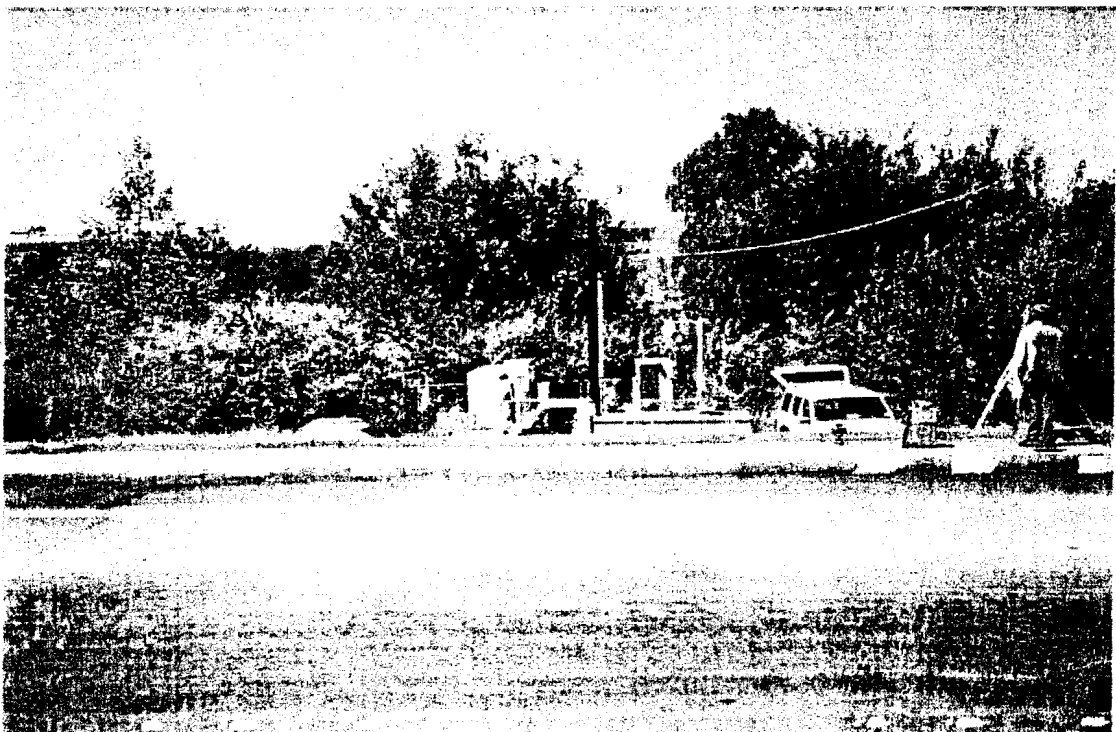
EXHIBIT NO. 4
APPLICATION NO.
A-6-CEB-99-8
Aerial Photograph

Saxony Pump Station Rehabilitation
Aerial Photo

California Coastal Commission




From North Side Of La Costa Avenue, Looking North



From South Side Of La Costa Avenue, Looking North

Saxony Pump Station Rehabilitation
Existing Site Photographs

EXHIBIT NO. 5
APPLICATION NO.
A-6-CEB-99-89
Site Photographs
 California Coastal Commission

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2

