

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

RECORD PACKET COPY

Fri 16L

Filed: 10/1/01
49th Day: 11/27/01
180th Day: 4/7/02
Staff: LRO-SD
Staff Report: 10/15/01
Hearing Date: 11/13-17/01



REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-01-152

Applicant: City of Coronado

Agent: Glen Schmidt;
David Claycomb

Description: Undergrounding of electrical overhead lines including the removal of nine existing utility poles and trenching for placement of 2,740 lineal feet of utility lines underground and installation of two underground concrete vaults and one above-ground utility box.

Site: Within the public right-of-way along an approximately .5 mile segment on the east side of State Route 75 (Silver Strand Highway), Coronado, County of San Diego.

Substantive File Documents: Certified City of Coronado Land Use Plan and LCP Implementing Ordinances; Biological Report by Helix Environmental Planning, Inc. - dated 9/26/01 and updated 10/25/01.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff recommends approval of the proposed utility undergrounding with special conditions. The project raises concerns over potential impacts to biological and visual resources and public access. The subject development involves undergrounding of existing overhead utility lines along the Silver Strand Highway adjacent to the San Diego Bay. The project will result in direct impacts to .30 acres of Diegan Coastal Sage Scrub habitat and the applicant has proposed a mitigation plan for restoration/creation of this habitat in the proposed area. The U.S. Fish and Wildlife Service (USFWS) has determined that the proposed mitigation plan is adequate. Special Condition #1 requires submittal of a final mitigation plan. Special Condition #2 requires submittal of a final monitoring program to assure that the revegetated area thrives and that provides for the removal of all exotic and invasive plant species in the replanted area. Special Condition #3 requires that development be prohibited between February 15th to September 1st of any

year to avoid adverse impacts to the sensitive bird species associated with the San Diego Bay and the Pacific Ocean. With these conditions, all potential impacts have been eliminated or reduced to the maximum extent feasible.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-01-152 pursuant to the staff recommendation.*

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Final Diegan Coastal Sage Scrub Restoration/Mitigation Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final detailed mitigation plans. Said plan shall be in substantial conformance with the mitigation plan submitted by Helix Environmental dated 10/25/01 (with attached Figure 2) and developed in consultation with the U.S. Fish and Wildlife Service. Said plans shall include the following:

- a. Preparation of a detailed site plan of the Diegan coastal sage scrub clearly delineating all areas and types of impact (both permanent and temporary) and the exact acreage of each impact. In addition, a detailed site plan of the mitigation site shall also be included.
- b. Impacts to Diegan coastal sage scrub shall be mitigated at not less than a ratio of 2:1.
- c. Mitigation shall be contiguous with or near existing sage scrub habitat or other native habitat, wherever possible.
- d. Location where the seeds will be collected and identification of plant species seeds will be derived from for the restoration area;
- e. Identification of specific areas of the Silver Strand that will be used for the mitigation effort;
- f. Application rate (e.g. pounds per acres of seeding effort);
- g. Weed eradication shall be conducted as necessary. Weeds should be removed by hand, mechanical means, or controlled with the proper herbicides. No weed whips shall be permitted after installation of the seed mixes;
- h. Designation of a qualified botanist to supervise the restoration effort;
- i. Criteria for defined goals, objectives and performance standards shall include the following: three-years after the initial planting, the restored areas should support at least 10 native species appropriate to the vegetation type and have evidence of natural recruitment at least one-half of these species. Weeds should be controlled as specified in (g) above and never constitute more than 10 percent of the total cover. Cover by native vegetation should increase over time and ultimately approach 60 percent.
- j. At completion of the restoration effort, the restoration specialist shall prepare a letter report indicating the installation is finished and that the three-year monitoring period has begun. Monitoring reports will be submitted to the City annually for three years. If at the end of three years, any of the restored areas fail to meet the year-three standards as contained in the final mitigation plan, the monitoring and maintenance period will be extended one full year. Only areas that fail to meet the success standards will require additional work, that is, not all of the areas originally restored. This process shall continue until all year-three standards are met, or, as otherwise provided in this document, the City determines that other mitigation measures are appropriate.

The permittee shall undertake development in accordance with the approved mitigation plan. 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.

2. Construction Access/Staging Areas. 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 coastal sage scrub habitat areas.
- 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 (Silver Strand Highway (SR 75), in this instance) and pedestrian and bicycle access to areas of the San Diego Bay 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.

3. 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-September 1 of any year to prevent disturbance to the sensitive bird species which nest near San Diego Bay and Pacific Ocean. Any exceptions to the construction schedule must be reviewed and approved in writing by the U.S. Fish and Wildlife Service. No changes to the schedule shall occur without an approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

4. Runoff/Erosion Control. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final site and grading plans approved by the City of Coronado with plan notes specifically incorporating the following requirements:

a. All runoff and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities. All areas disturbed but not completed during the construction season, including graded pads, shall be stabilized in advance of the rainy season. The use of temporary erosion control measures such as fiber rolls, berms, interceptor ditches, sandbagging, filtered inlets, debris basins and silt traps shall be utilized in conjunction with plantings to minimize soil loss during construction.

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 an 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. Proposed is the undergrounding of electrical overhead lines including the removal of existing utility poles and trenching for placement of utility lines below ground. Also proposed is the installation of two underground concrete vaults (hand holds with traffic covers) and one above-ground utility box. The above ground facility (capacitor and pad) are 5-ft. wide, 5 ft.-long and 4-5 ft. tall. The proposed work will occur along an approximately .5 mile stretch (approximately 2,500 linear feet) of the State Route 75 (the Silver Strand Highway) in the City of Coronado, which is a state designated scenic highway. The overall project is 1.7 miles long situated within the city limits of the City of Coronado and also extends onto U.S. Navy property, the Caltrans dedicated right-of-way and land owned by the Port District. As the lead agency, the City of Coronado has submitted the subject coastal development permit application. The northern portion of the project (from Pole #P87797 north to Pole #P132391) will receive a separate coastal permit from the Port District. The southern portion of the proposed development (from Pole #P101248 north to Pole #P280658), was found to be exempt for permit review and an exemption was issued on October 15, 2001. The portion of the project subject to this permit is not exempt as it involves direct impacts to sensitive upland vegetation.

The proposed work will specifically include digging trenches for new utility lines and excavating holes for new underground utility vaults; placing conduits in trenches and constructing underground utility vaults and aboveground utility boxes; backfilling trenches; pulling utility lines through conduit and vaults; connecting underground utility lines and disconnecting overhead lines; removing overhead lines and utility pole guy wires; removing aboveground utility poles; and backfilling utility pole holes.

The purpose of the project is to improve the aesthetic quality of the scenic highway and to eliminate impacts to wildlife in the area (i.e., ducks that fly into the overhead lines and are maimed and/or killed). The project is being funded by the U.S. Navy Seabee labor

and training exercise, as a community improvement project. However, the Seabees are only available to work on this project from October 2001 to January 1, 2002. After this time, the Navy's Seabee Program will no longer provide this type of community improvement project. As such, this is a one-time opportunity for the City to have this work performed at a substantial cost savings to the City (\$750,000) and timing is thus crucial.

State Route 75 is located on a narrow strip of land which connects Coronado with the City of Imperial Beach to the south and is bordered by San Diego Bay to the east and the Pacific Ocean to the west. The proposed project will extend north to the edge of the City's Coronado Cays residential community. From the Coronado Cays north, utility lines along the Silver Strand have already been placed underground. The proposed work will occur on both sides of the highway; however, the middle portion of the project which is the subject of this permit, would occur on the east side of the highway.

The proposed site is located on Navy lands not subject to the City's LCP. Therefore, Chapter 3 of the Coastal Act is the standard of review.

2. Environmentally Sensitive Habitat Area. The following Chapter 3 policies of the Coastal Act apply to the subject proposal and state, in part:

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 30240

(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.

As cited earlier, the subject site is located immediately adjacent to State Route 75 (Silver Strand Highway) in Coronado. The highway is located on a thin strand of coastal land which consists of filled tidelands that separates the San Diego Bay on the east side from

the Pacific Ocean on the west side and connects the City of Coronado with the City of Imperial Beach to the south. As such, portions of the roadway lie in close proximity to coastal waters and environmentally sensitive habitat areas. As noted earlier, the proposed project is to underground electrical overhead lines and remove existing utility poles. The purpose of the project is to enhance the visual quality of the scenic highway by placing the utility lines underground and to eliminate bird fatalities that result from migrating ducks who fly into the overhead lines in foggy conditions. The proposed work will occur on the east side of the highway. An existing bicycle path is situated along the east side of SR-75 along its entire length. The proposed work will occur between the roadway and the bike path. This is an existing narrow strip of land between SR-75 and the bike path that runs parallel to the road on the east. Adjacent to the roadway at the southern portion of this segment is open coastal waters associated with San Diego Bay. Adjacent to the northern portion of the roadway are wetlands (South Bay County Biological Study Area) which is managed by the USFWS. Several wooden poles and associated support cables (electrical lines) located east of SR-75 would be removed. The new utility lines would be buried between the northbound lanes of SR-75 and the bike path. This narrow strip of land where the proposed trenching will occur (ranging in width from few feet up to approximately 15 feet) is undeveloped, with the exception of a 24-space parking lot located near utility pole #P87793. This parking lot is associated with the South Bay County Biological Study Area and is used for observing the wildlife in the area, etc., by staff and/or the public.

Based on a biological report that was completed by Helix Environmental dated 9/24/01 and updated 10/25/01, direct impacts to Diegan Coastal Sage Scrub will occur as a result of the proposed trenching activities occurs within a very narrow corridor in an area that is approximately 600 feet long by 15 ft. wide between the existing bike path and the highway. The City of Coronado has indicated that it is unlikely the entire 15-foot width of the corridor would be impacted because the proposed trench is very narrow. In any case, mitigation is proposed to offset impacts to the entire area. Specifically, Figures 3a and 3b of the Biology Study identifies this area as containing two patches of Isocoma scrub habitat and an additional patch of disturbed land. Isocoma scrub or Diegan Coastal Sage Scrub is the only sensitive habitat type present between the bike path and highway within this segment of the project (from Pole #P87789 north to pole #P87797). The total area of impact to upland native habitat will be approximately 0.70 acres located between State Highway 75 and the adjacent bikepath. The 0.70 acres of impact includes approximately 0.40 acres of habitat within the San Diego Unified Port District's jurisdiction and approximately 0.30 acres within the Coastal Commission's jurisdiction. Mitigation is proposed consisting of both restoration and in-kind replacement. Specifically, restoration at a 2:1 ratio is proposed along the southern half of the Silver Strand, to the east of the Naval Radio Receiving Facility (NRRF). In addition, mitigation will also include in-place restoration of Diegan sage scrub habitat along the utility line trench at a 1:1 ratio and additional restoration/creation of Diegan sage scrub habitat east of the bike path (between the bike path and San Diego Bay) in areas currently occupied by disturbed habitat (refer to Exhibit No. 4).

The U.S. Fish and Wildlife Service (USFWS) has reviewed the proposed project and its impacts to native upland vegetation. USFWS has indicated in writing to the U.S. Navy that it strongly supports the proposed project due to the fact that the existing utility lines have resulted in the death of many waterbirds (mostly ducks) that strike the power lines during heavy fog conditions when migrating between San Diego Bay and Pacific Ocean. USFWS has also raised several concerns with regard to impacts to biological issues but the City has addressed these issues through the proposed implementation of the recommended mitigation measures during project construction (refer to Exhibit No. 5).

USFWS has indicated that due to the presence of several work crews that will be in the area during construction, they need to be aware of the native vegetation in the area and use caution as not to further disturb this habitat. However, it important to note that the impacts to native upland habitat are isolated patches of vegetation that are located between an improved bicycle path and SR-75 as opposed to an area where vegetation is contiguous with a much larger high quality habitat area. As such, the impacted area does not function as an environmentally sensitive habitat area. Nonetheless, USFWS has recommended that biological monitors be present to supervise the work effort and define the construction footprint in sensitive areas. USFWS has further noted that there has been a documented historical loss of 71.8% of coastal sage scrub and a 91.6% loss of maritime succulent scrub within San Diego County. Due to these historical losses and the extremely limited native upland habitat surrounding San Diego Bay, a 2:1 ratio of mitigation is required. A maximum of 0.30 acres of impacts to *Isocoma* scrub (considered a subset of Diegan sage scrub) is expected to occur as a result of trenching activities. This is the only component of the project that requires mitigation within the area of the project that is subject to the Coastal Commission's jurisdiction. No impacts to sensitive vegetation is proposed as a result of other construction activities or project implementation including removal of existing utility poles. However, it should be noted that the impacts to this habitat have been reduced to the maximum extent possible through the implementation of several measures. The City has minimized the width of the trench to only 18-inches wide which will reduce the amount of impacts to coastal sage scrub habitat. In addition, work crews will dig by hand to the maximum extent possible vs. using heavy construction equipment, etc., which will further reduce the impacts to coastal sage scrub habitat.

Due to the generally disturbed nature of the area where trenching is proposed and its location between two developed areas (highway and bike path), mitigation in the form of restoration is proposed to occur in the area located just east of the bike path within the right-of-way of SR-75 (near utility Poles #P87787 north to #P87794 as shown on Figures 9a and 9b/Exhibit Nos. 2 and 3). This area contains patches of upland native vegetation and is less likely to be disturbed in the future than the strip of land between the highway and the bike path. Mitigation will be contiguous with or near existing sage scrub habitat or other native habitat, wherever possible.

In addition to project mitigation for direct impacts to native upland habitat, all trenched areas will be seeded with a mixture of native shrub species after project completion. As noted in the environmental report, this area is highly disturbed and, due to its location

between two well traveled paved areas, it is likely to be disturbed in the future. Any increase in native cover and decrease in non-native species, will improve the overall habitat quality of the area and will also reduce the available seed source of non-native species into the higher quality habitat present on the eastern side of the bike path. For this reason, USFWS has required that a post-project seeding effort to re-establish coastal sage scrub habitat occur. The post-seeding monitoring shall include information, in part, related to where the seeds will be collected, application rate, follow-up efforts to assure that non-native and exotic species are removed from the mitigation site, and criteria for success rate of the restoration effort. Special Condition No. 1 requires submittal of a final mitigation/monitoring program which includes submittal of final plans including the specified mitigation ratio required for the project as well as the post-project monitoring program for the seeding effort as recommended by USFWS.

In addition, the USFWS raised concerns with regard to the proposed project's potential impacts to the Federally endangered light-footed clapper rail and the State endangered Belding's Savannah sparrow. However, the City and U.S. Navy have indicated that the Navy's Seabee's construction activities (overall project, including portions within the Commission's jurisdiction) are scheduled to occur from October 2001 through January 2002, which is during the non-nesting season for these two species. Specifically, the nesting season for these birds is from February 15th to September 1st. Based on this construction window, no impacts to any of the sensitive bird species are expected to occur. As such, USFWS has endorsed the subject project provided that work occurs outside of the above-cited bird-nesting season. Special Condition No. 3 reiterates this requirement. In addition, it should be noted that the proposed staging areas out outside of the aforementioned habitat areas. Also, as a result of the proposed trenching activities, there is the potential for excavated soils to be temporarily stockpiled on the site during construction activities that could be carried downstream to the San Diego Bay particularly during rainy weather. This is particularly true for the subject site due to its close proximity to the Bay. In order to avoid impacts to downstream resources, Special Condition No. 4 requires submittal of a final runoff/erosion control plan which includes the installation of permanent and temporary erosion control devices prior to commencement with grading activities.

In summary, the proposed project will result in impacts to native upland vegetation but adequate mitigation is proposed in the form of creation of new vegetation in close proximity to the project site. In addition, the impacts that will occur are relatively small and isolated as they are located in a narrow corridor adjacent to the roadbed where trenching will occur for the placement of utility lines underground and thus is not considered environmentally sensitive habitat. The proposed project has been reviewed and approved by USFWS. With the proposed mitigation plan, the proposed project is consistent with Section 30240 of the Act.

3. Visual Resources. Section 30251 of the Coastal Act states the following:

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 proposed development consists of undergrounding utility lines. The proposed project will result in a significant enhancement of the visual resources of the area and will improve the scenic quality of this nearshore area. In addition, it is anticipated that the removal of the overhead lines will enhance public views toward the ocean and the San Diego Bay by removing the "visual clutter" of such materials from the skyline. Any adverse visual impacts of the development will be generally limited to the construction periods, after which the site will be covered and restored to its former condition. Although minor impacts are proposed to Diegan Coastal Scrub, the impacts are proposed to be mitigated and the direct impacts to native vegetation will be replaced in kind in close proximity to the project site. As such, no long-term adverse impacts should result from removal of native vegetation in the area. Furthermore, the proposed development will not result in any adverse visual impacts and will significantly enhance public views along this major coastal access route and scenic highway. Therefore, the Commission finds the proposal consistent with Section 30251.

4. Public Access. Section 30210 of the Coastal Act states:

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 of the Act states, in part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

- (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,
- (2) adequate access exists nearby, or,
- (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway....

Section 30221 states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

The proposed undergrounding of utility lines would take place in the public right-of-way easement east of State Route 74 (SR-75) known as the Silver Strand Highway. The highway is a major coastal access route connecting the City of Imperial Beach to the south with the City of Coronado to the north. It is also a state-designated scenic highway. The Silver Strand Highway is bordered by the San Diego Bay to the east and the Pacific Ocean to the west. Adjacent to the highway is an array of different land uses, including the Silver Strand State Beach, and other residential development such as the Coronado Cays and the Loews's Bayside Resort. Navy land is located along various portions of the highway as well. Adjacent to the highway there is a bicycle path which is a heavily-used recreational facility frequented by pedestrians and bicyclists.

However, the City has indicated that the bicycle path will not be impacted for more than two days during which time the existing utility poles will be removed. Bicyclists and pedestrians will be advised with appropriate signage of the temporary closure and will be routed to the west of the bike path. As such, given that the impacts will be relatively short in duration, no long-term or permanent impacts to public access or recreation activities in the area will occur as a result of project implementation. With regard to impacts to vehicular traffic during construction activities, none of the segments of the proposed project within the Commission's jurisdiction will require lane closures along the Silver Strand Highway.

In addition, staging of equipment and construction vehicles will occur on an existing paved road. This site will be accessed by the entry gate at the north end of the Navy radio receiving facility (NRRF). The second staging area is located further south on the existing paved road parallel to SR-75 (west side). This staging area will be accessed from the main entrance at the NRRF site. Another area proposed for staging is within the limits of the middle segment of the project subject to this permit on a parking lot associated with the South County Biological Study Area. This parking lot is used by USFWS and by the public. As noted earlier, this parking lot is used for passive recreation (i.e., viewing the wildlife associated with the reserve) as opposed to gaining access to the water. However, only a portion of the parking lot will be used for construction staging and no impacts to public access are expected to occur. In addition, none of the proposed staging areas will result in impacts to sensitive vegetation. Special Condition No. 4 requires submittal of a construction access/staging area plans to further assure that staging/storage areas shall not be permitted within any coastal sage scrub areas. The condition also assures that access corridors and staging areas not result in disruption to public access along SR-75 and that vehicular/pedestrian/bicycle access be maintained to the bay. Therefore, the proposed project should not result in any long-term impacts to public access or traffic circulation. As such, the project can be found consistent with Sections 30210, 30221 and 30212 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. In this case, such a finding can be made. As conditioned, such a finding can be made.

The City of Coronado has a certified LCP and has assumed permit issuing authority for the majority of the City's coastal zone. However, the site is located on Navy land and not subject to the City's LCP. As such, Chapter 3 of the Coastal Act is the standard of review, with the City's LCP used as guidance.

The subject site is designated as a State Highway overlay zone in the certified City of Coronado LCP. The use of the area is not changed by the proposed development. As conditioned, the project is consistent with all applicable policies of the Chapter of the Coastal Act and will not prejudice the ability of the City of Coronado to continue implementation of its fully certified LCP.

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 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 mitigation consistent with the biological/environmental report and prohibition of construction activities during the non-nesting season of sensitive bird species, 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 is 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SILVER STRAND STATE BEACH

CORONADO CAYS

92118

CORONADO CAYS PARK

- 1 DELAPORT LN
- 2 DELAPORT CT
- 3 MARDI GRAS CT
- 4 DELAPORT PL
- 5 SOUTH CAYS CT
- 6 DELAPORT WY

GRAND CARIBE ISLAND
GRAND CARIBE SHORELINE PARK

SAN DIEGO BAY

91910

BAYSIDE PARK

CHULA VISTA BAYFRONT PARK

CHULA VISTA WILDLIFE RESERVE

NATIONAL CITY

Approximate Area of Commission's Jurisdiction/ Subject of this permit

CORONADO

SAN DIEGO

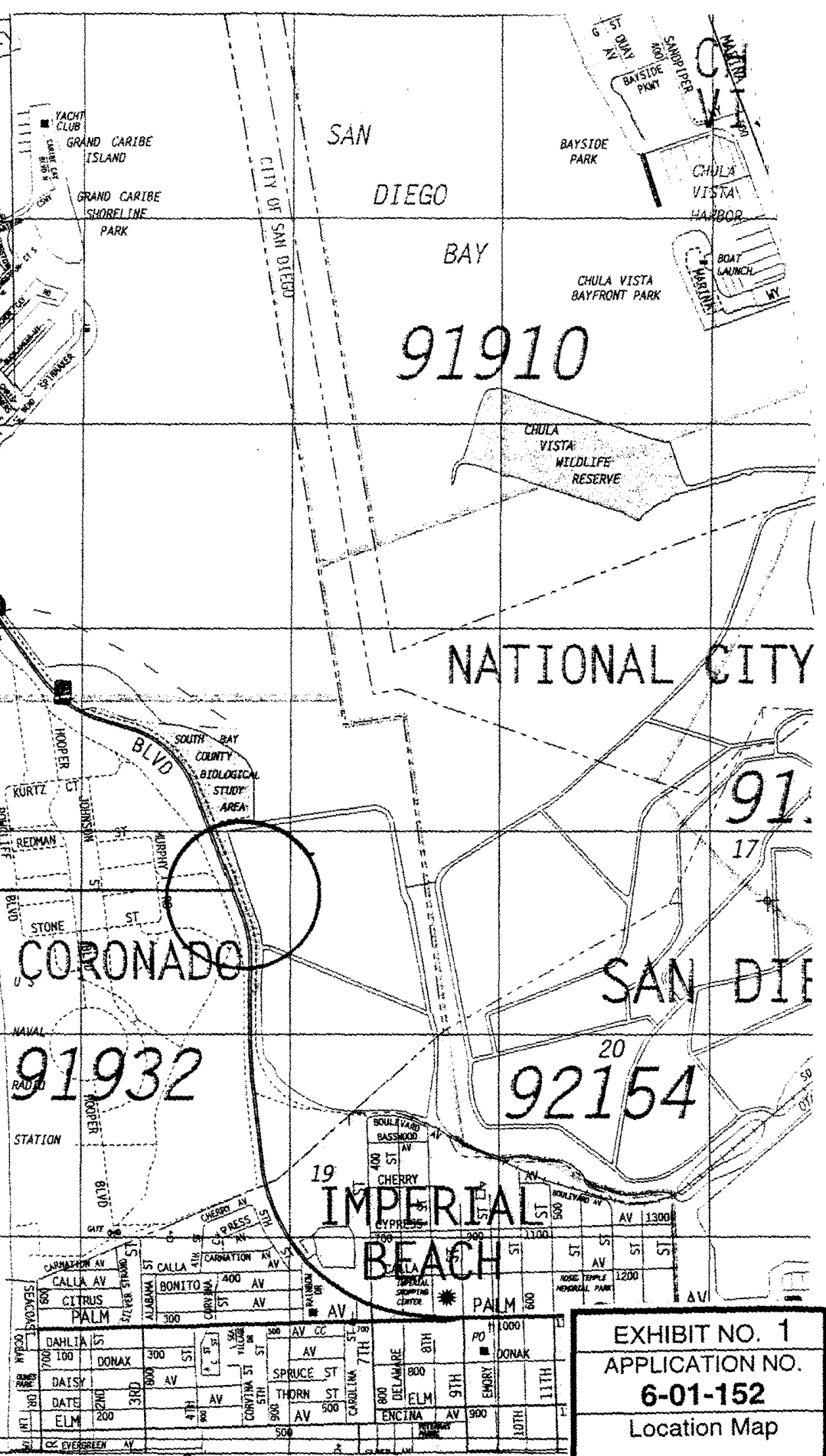
91932

92154

IMPERIAL BEACH



EXHIBIT NO. 1
 APPLICATION NO.
 6-01-152
 Location Map





Southern Commission's Jurisdiction/
Subject Coastal Development Permit



LEGEND

Vegetation

- Bay/Open water
- Coastal salt marsh
- Maritime succulent scrub
- Maritime succulent scrub disturbed
- Mule fat scrub
- Isocoma scrub
- Saltpan

Other symbols:

- Iceplant
- Beach
- Non-native grassland
- Disturbed
- Developed
- Utility pole locations
- Area of potential trenching impacts
- Vegetation survey area boundary

Area Exempted from Coastal Development Permit Requirements

Source:
Aerial Photo: Eagle Aerial 1999
Vegetation: AMEC & Schmidt Design 2006

350 0 350 700 Feet

Job 1

EXHIBIT NO. 2

APPLICATION NO.

6-01-152

Southern Vegetation

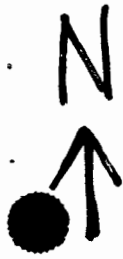
Impacts/Photo

California Coastal Commission

Southern Vege
SILVER STRAND UTILITY

HELIX

Figure 3a



LEGEND

Vegetation

- Bay/Open water
- Coastal salt marsh
- Maritime succulent scrub
- Maritime succulent scrub disturbed
- Mule fat scrub
- Isocoma scrub
- Saltpan
- Iceplant
- Beach
- Non-native grassland
- Disturbed
- Developed
- Utility pole locations
- Area of potential trenching impacts
- Vegetation survey area boundary

Port District Jurisdiction

Area of Commission's Jurisdiction/Subject Coastal Development Permit
(Pole #P87789 north to Pole #P87797)

EXHIBIT NO. 3
APPLICATION NO.
6-01-152
Northern Vegetation
Impacts/Photo

California Coastal Commission

HELIX

Northern Vegetation
 SILVER STRAND UTILITY UNDE.

Figure 3b



LEGEND

- In-place 1:1 Diegan coastal sage scrub restoration
- Additional 1:1 Diegan coastal sage scrub restoration/creation
- Location where erosion control on slope is required
- Utility pole locations

in place
1:1

add'l
1:1

add'l
1:1

add'l
1:1

add'l
1:1

EXHIBIT NO. 4
APPLICATION NO.
6-01-152
Location of Project
Mitigation
California Coastal Commission

HELIX

Location of Project
SILVER STRAND UTILITY LINE

Source: Aerial Photo

Feb. 1982



United States Department of the Interior

FISH AND WILDLIFE SERVICE
Ecological Services
Carlsbad Fish and Wildlife Office
2730 Loker Avenue West
Carlsbad, California 92008



In Reply Refer To: FWS-SDG-2313.1

Ms. Tamara Conkle, Wildlife Biologist
U. S. Navy (Code N45RN)
Natural Resources Office
P.O. Box 357088
Naval Air Station North Island, Building 3
San Diego, California 92135-7088

OCT 02 2001

Re: Second Phase of a Utility Undergrounding Project, City of Coronado, San Diego County, California

Dear Ms. Conkle:

You provided Martin Kenney, of my staff, a copy of Helix Environmental Planning, Inc. (Helix) updated Biological Conditions Report dated September 24, 2001, concerning the City of Coronado's second phase of undergrounding existing utility lines along the southern portion of the Silver Strand. Mr. Kenney received Helix's report at a September 27, 2001, meeting held by the U.S. Navy to discuss the Integrated Natural Resources Management Plan for Naval Base Coronado. The U.S. Fish and Wildlife Service (Service) strongly supports the implementation of this project due to the fact the existing utility lines have resulted in numerous mortalities to waterbirds (primarily ducks) that strike the power lines during heavy fog conditions when migrating between San Diego Bay and the Pacific Ocean. We have reviewed Helix's report and believe the biological issues we previously raised in our April 17, 2000, letter have been sufficiently addressed with a couple minor exceptions. A short history of the project and issues which we believe need to be clarified or modified are addressed below.

The proposed undergrounding of the existing utility lines would occur along a 1.7-mile stretch of the Silver Strand between the community of Coronado Cays and the municipal boundary between the City of Coronado and the City of Imperial Beach. The project alignment is parallel to, and largely within the right-of-way, of State Route 75. A previous project jointly undertaken by the U.S. Navy, the City of Coronado, and San Diego Gas and Electric (SDG&E) resulted in the undergrounding of utility lines from the community of Coronado Cays north. The City of Coronado is the lead agency under the California Environmental Quality Act (CEQA), while the U.S. Navy is the lead agency under National Environmental Policy Act (NEPA).

Issues needing clarification or modification include: (a) provide authority for the biologist and archaeologist hired by the City of Coronado to advise and direct construction activities to ensure compliance with avoidance and minimization measures defined in Helix's Biological Conditions Report; (b) increasing the mitigation ratio of impacts to coastal sage scrub from the proposed

EXHIBIT NO. 5
APPLICATION NO.
6-01-152
Letter from U.S. Fish and Wildlife Service
 California Coastal Commission

Ms. Tamara Conkle (FWS-SDG-2313.1)

1:1 ratio to a 2:1 ratio; (c) preparation of a plan to describe key elements of the proposed seeding effort to re-establish coastal sage scrub habitat that will be impacted by project construction activities; and (d) ensuring access to utility poles "P87796" and "P87798" be limited to hand crews.

Our concern with issue (a) above is the that there will be many Navy Seabee's and SDG&E personnel working to implement this project in a timely manner. However, these work teams need to be aware of sensitive archaeological and biological resources (e.g. coastal salt marsh and coastal sage scrub) that will be monitored for compliance. The biological and archaeological monitors need to have the authority to limit or define the construction footprint in sensitive areas. The increase mitigation ratio defined in item (b) above, stems from the fact that both coastal sage scrub and maritime succulent scrub are scarce upland habitat types within southern California. Oberbauer and Vanderwier (1991) documented a historical loss of 71.8 percent of coastal sage scrub and a 91.6 percent loss of maritime succulent scrub within San Diego County. Due to these historical losses and the extremely limited native upland habitat surrounding San Diego Bay, we believe the implementation of a 2:1 ratio for vegetation classified as Diegan coastal sage scrub is a reasonable request. It has estimated that excavating the trench to bury the utility lines would impact approximately 1.0 acre of Diegan coastal sage scrub habitat that is largely comprised of *Isocoma* scrub. To better define the restoration efforts associated with this mitigation effort, we believe a plan needs to be prepared that discusses the post-project seeding effort to re-establish coastal sage scrub habitat. The plan reference in (c) above should address: (1) where the seeds be collected; (2) what plant species will seeds be collected from; (3) what specific areas of the Silver Strand will be used for this mitigation effort; (4) what will be the application rate (e.g. pounds per acre) of the seeding effort; (5) what follow-up efforts will be made to control weeds or exotic plant species at the mitigation site; (6) who will be the designated qualified botanist to supervise the restoration effort; and (7) what criteria will be established to define success of the restoration effort. With issue (d) above, we want to ensure that whenever utility poles are located in coastal salt marsh habitat and they can not be removed by a crane, the utility poles will only be removed by hand crews utilizing chain saws.

A separate subject raised by the Service in our April 17th letter of comment on the project was potential impacts to the Federally endangered light footed clapper rail and the State endangered Belding's Savannah sparrow. It has been identified that the Navy Seabee's schedule to assist the City of Coronado and SDG&E would be from October 2001 through January 2002, which is within the non-nesting season for these two species (i.e. August 31 to February 14). Based on this construction time frame, we believe that there would be no impact to any Federal or State listed species. If you have any questions concerning the issues addressed in this letter please contact Martin Kenney at (760) 431-9440.

Sincerely,

Martin J. Kenney
for Nancy Gilbert
Assistant Field Supervisor

Ms. Tamara Conkle (FWS-SDG-2313.1)

3

cc:

City of Coronado, CA. (Attn: Ann McCaul)

California Department of Fish and Game, San Diego, CA. (Attn: Libby Lucas)

California Coastal Commission, San Diego, CA.

