

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

(619) 767-2370

## RECORD PACKET COPY

**Wed 18i**

Filed: 10/10/01  
49th Day: 11/28/01  
180th Day: 4/8/02  
Staff: WNP-SD  
Staff Report: 11/19/01  
Hearing Date: 12/11-14/01

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-01-156

Applicant: Caltrans

Agent: Bruce April

Description: Installation of 6 maintenance vehicle pullouts and 11 gore pavings within existing freeway right-of-way.

Site: North and Southbound lanes of I-5 near Harbor Drive to Camp Del Mar overcrossing, Camp Pendleton, San Diego County

Substantive File Documents: Department of Transportation Letter, dated October 10, 2001

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STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff recommends approval of the proposed project with several special conditions. The project raises issues related to impacts on biological resources, water quality, visual resources and public access. With the proposed mitigation measures and the proposed special conditions, Commission staff is assured that potential impacts on coastal resources have been eliminated or reduced to the maximum extent feasible, consistent with Coastal Act policies.

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I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:** *I move that the Commission approve Coastal Development Permit No. 6-01-156 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 Plans.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final project plans in substantial conformance with the submitted plans. The plans shall include the final design and location for the following:

- a. all proposed hardscape (i.e., maintenance pullout, gore paving)
- b. all temporary (construction) BMPs—concrete washouts and fiber rolls

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

**IV. Findings and Declarations.**

The Commission finds and declares as follows:

1. Detailed Project Description. The California Department of Transportation (Caltrans) is proposing construction of several interrelated highway improvements within the right-of-way of Interstate 5 (I-5), including the installation of 6 maintenance vehicle pullouts (MVPO) and 11 gore pavings (exhibit 2). Each MVPO is 660 sq.ft. in size and is a semi-rectangular shaped impervious blacktop surface. The proposed Gore Paving areas vary in size (largest approximately 2 acres) and are located in the narrow areas between mainlines of traffic and the on and off ramps of the freeway. According to the applicant, these are some of the most dangerous areas for maintenance workers in the freeway environment because they are narrow and there is traffic on either side merging at a high rate of speed. Paving these areas will reduce the amount of time that maintenance personnel will be exposed to traffic. According to the applicant, the paved surfaces are aesthetically pleasing to the public and are cobbles, pavers or stamped concrete(exhibit 2). During construction of the project, the traveling public will not be denied access to the coast. Lane closures on I-5 will be limited to the #4 lane (slow lane) or ramps while the concrete is being poured and will only be allowed at night between 9:00 PM and 5:00 AM. The applicant anticipates two night closures for each location. No cultural or biological resources would be impacted.

The project is also proposing to rehabilitate the existing highway landscape including the central computer controlled Irrigation system. The irrigation system will be updated utilizing the most current irrigation conservation equipment. Much of the overgrown shrubs and ground cover will be replaced and areas of native vegetation will be preserved. Some additional native seeding will be included to enhance the existing native planting. These improvements are exempt from coastal development permit requirements. The proposed repavement of 1 MVPO and 8 gore paving repavements are also exempt because they do not increase the existing footprint and are not located in environmentally sensitive areas.

The project runs from Brooks Street in Oceanside to the Camp Del Mar overcrossing on I-5 in Camp Pendleton. However, the subject of this permit is only the portion of the project that is located between Harbor Drive to Camp Del Mar, which is within the federally owned and operated Camp Pendleton U.S. Marine Corps Base. The remainder of the project that is within the coastal zone is within the City of Oceanside's LCP permit jurisdiction.

The subject sites are located on the Camp Pendleton Marine Base, a federally owned and operated military facility used by the United States Marine Corps and located in an unincorporated area of the County of San Diego which is not subject to local permit review by the County. In addition, although the project is subject to the Commission's Federal Consistency Review Process, the Commission's act of granting a coastal development permit to the applicant functions under the California Coastal Management Program as the equivalent of a concurrence under the Coastal Zone Management Act. Because there is no certified LCP for this area, the standard of review for this development is Chapter 3 policies of the Coastal Act.

2. Water Quality. The project area is within the I-5 corridor between Harbor Drive and Camp Del Mar, about 2.5 miles. The San Luis Rey River in Oceanside and Santa Margarita River in Camp Pendleton may be affected by increased runoff originating from the project area as a result of the impervious surfaces proposed by the project. Such runoff can carry sediments and urban pollutants and deposit them in downstream sensitive receiving waters, in this case the San Luis Rey River and Santa Margarita River. The following Coastal Act policy is most applicable to this issue:

**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.

In California, the Regional Water Quality Control Boards (RWQCB) are generally responsible for administering the water pollution control permit programs set up under the state Porter-Cologne Water Quality Act and the federal Clean Water Act. Locally, the *Water Quality Control Plan for the San Diego Basin* has established water quality objectives necessary for achieving its identified beneficial uses for surface waters. Caltrans has a National Pollutant Discharge Elimination System (NPDES) permit under which it constructs and operates development. This permit requires that all discharges to surface waters meet the standards established in the *Water Quality Control Plan for the San Diego Basin*; the NPDES permits identify the Best Management Practices (BMPs) that can be used to meet these standards.

Impervious surfaces will be increased through construction of the proposed maintenance vehicle pullouts and gore pavings, new safety features which Caltrans is incorporating into all new projects and amendments to existing projects. Caltrans has indicated that runoff would go into existing Caltrans drainage system and then into the stormwater system. The Commission's water quality specialist has reviewed the project and determined that no additional requirements for permanent or temporary BMPs are necessary. The use of pavers and cobbles will encourage infiltration, so the amount of additional runoff from such areas should be minimal. Proposed temporary (construction) BMPs include fiber rolls and temporary concrete washouts to be implemented concurrent or prior to construction activities to protect storm drain inlets, creeks, etc., from erosion and sediments during construction activities. Special Condition #1 requires final plans showing the proposed location of the temporary BMPs.

In summary, the Commission finds that although the proposed project could have adverse effects on downstream water quality through the increase in impervious surfaces caused by construction of the new maintenance vehicle pullouts and gore paving, the herein

required permanent drainage improvements and proposed temporary runoff control measures adequately address these potential impacts. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with the water quality protection policies of Chapter 3.

3. Visual Resources. The following policy of the Coastal Act addresses visual resources, and states, in part:

**Section 30251**

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 project site is well inland from the actual shoreline; however, I-5 is a designated scenic corridor. The maintenance pullouts and slope (gore) paving will be visible to all travelers on I-5. Since the maintenance pullouts are at ground level and have the general appearance of long driveways on the freeway shoulder, they are not anticipated to result in significant visual impacts. Likewise, the slope/gore pavings are of limited area and are designed to be aesthetically pleasing (i.e., pavers, stamped concrete-see exhibit 2). Thus, no adverse visual impacts are anticipated. Thus, the Commission finds the proposed project is consistent with the visual resource policies of the Coastal Act.

4. Public Access. In this location, I-5 is the first public road and because portions of the project are between I-5 and the ocean, Section 30604(c) of the Coastal Act requires that a public access finding be made that the development is in conformity with the public access and recreation policies of Chapter 3.

The project proposes new safety features to primarily protect highway workers; it does not modify the scope or scale of the existing freeway system. During construction of the project, the traveling public will not be denied access to the coast. Lane closures on I-5 will be limited to the #4 lane (slow lane) or ramps while the concrete is being poured and will only be allowed at night between 9:00 PM and 5:00 AM. The applicant anticipates two night closures for each location. As such, no adverse impacts to traffic/circulation/public access are anticipated. Therefore, the Commission finds the proposed project is consistent with Section 30604 (c) of the Coastal Act.

5. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit, or permit amendment, 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 for the proposed project.

The subject site is located within Caltrans right-of-way on Camp Pendleton, a federally-owned and operated military facility used by the United States Marine Corps. Although the project is located within the unincorporated County of San Diego, as a federal facility, the site is not subject to local discretionary permit review by the County. Because there is no certified LCP for this area, the standard of review for this development is Chapter 3 policies of the Coastal Act. Based on the above discussion, the Commission finds that the proposed development, as conditioned, is consistent with all applicable Chapter 3 policies of the Coastal Act and will not prejudice the County LCP process.

6. California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the permit, as conditioned by any conditions of approval, 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.

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

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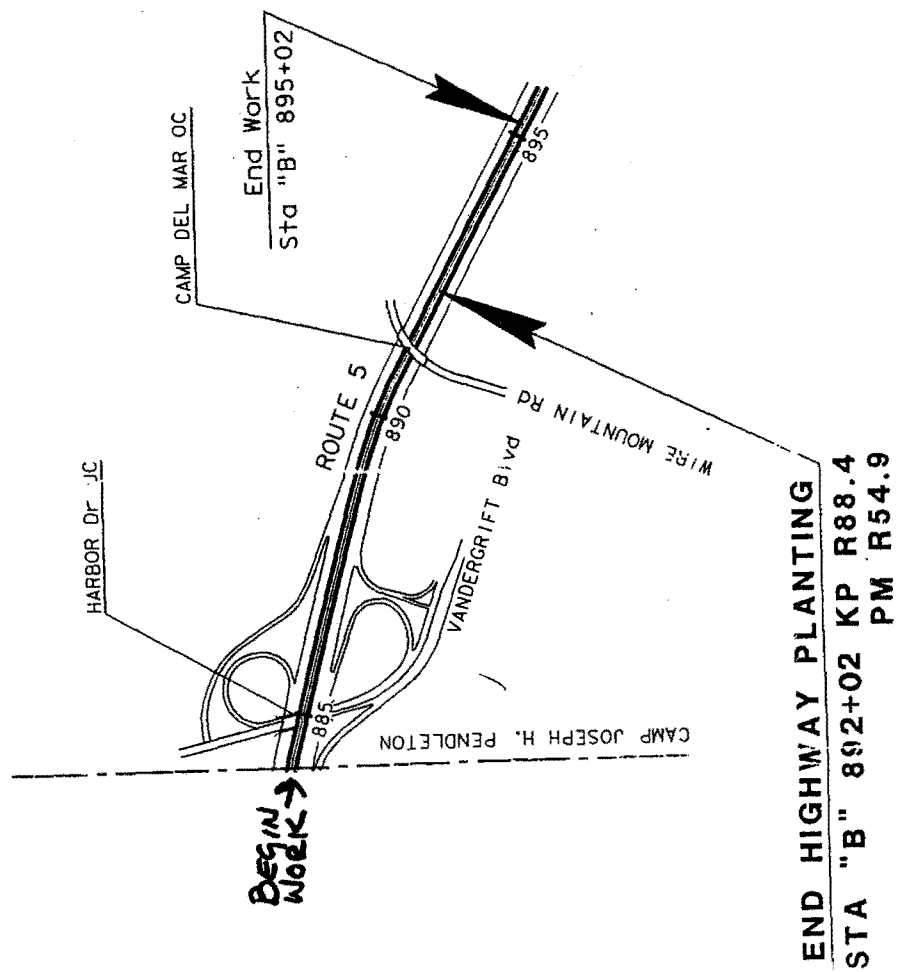
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OCEANSIDE


PROJECT AREA

SEE 1086 MAP

- SEE A J7
- 1 SEA BREEZE DR
  - 2 BUENA VISTA LN
  - 3 CIRCLE DR
  - 4 WHITE CAP LN



END HIGHWAY PLANTING  
STA "B" 892+02 KP R88.4  
PM R54.9

EXHIBIT NO. 1
APPLICATION NO.
6-01-156
Location Map
 California Coastal Commission



NEW GORE PAVING,  
COLORED AND TEXTURED.

MATCH TO SHEET X-X

MATCH TO SHEET X-X

CAMP JOSEPH H  
PENDLETON  
CITY OF  
OCEANSIDE

(THIS PLAN ACCURATE FOR WATER POLLUTION CONTROL WORK ONLY) ALL IRRIGATION EQUIPMENT SIZES ARE SHOWN IN MILLIMETERS (DIAMETER NOMINAL) UNLESS OTHERWISE NOTED

(THIS PLAN ACCURATE FOR PLANNING WORK ONLY) ALL DIMENSIONS ARE IN METERS, UNLESS OTHERWISE SHOWN

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EA 239501

CU 11341

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NOTE: FOR COMPLETE RIGHT OF WAY AND ACCURATE ACCESS DATA,  
SEE RIGHT OF WAY RECORD MAPS AT DISTRICT OFFICE.



LANDSCAPE ARCHITECTURE

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
**Abstract**

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EXHIBIT NO. 2A  
APPLICATION NO.  
**6-01-156**  
Site Plan

 California Coastal Commission



DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEET
11	SD	5	R85.0/R88.4	XX	

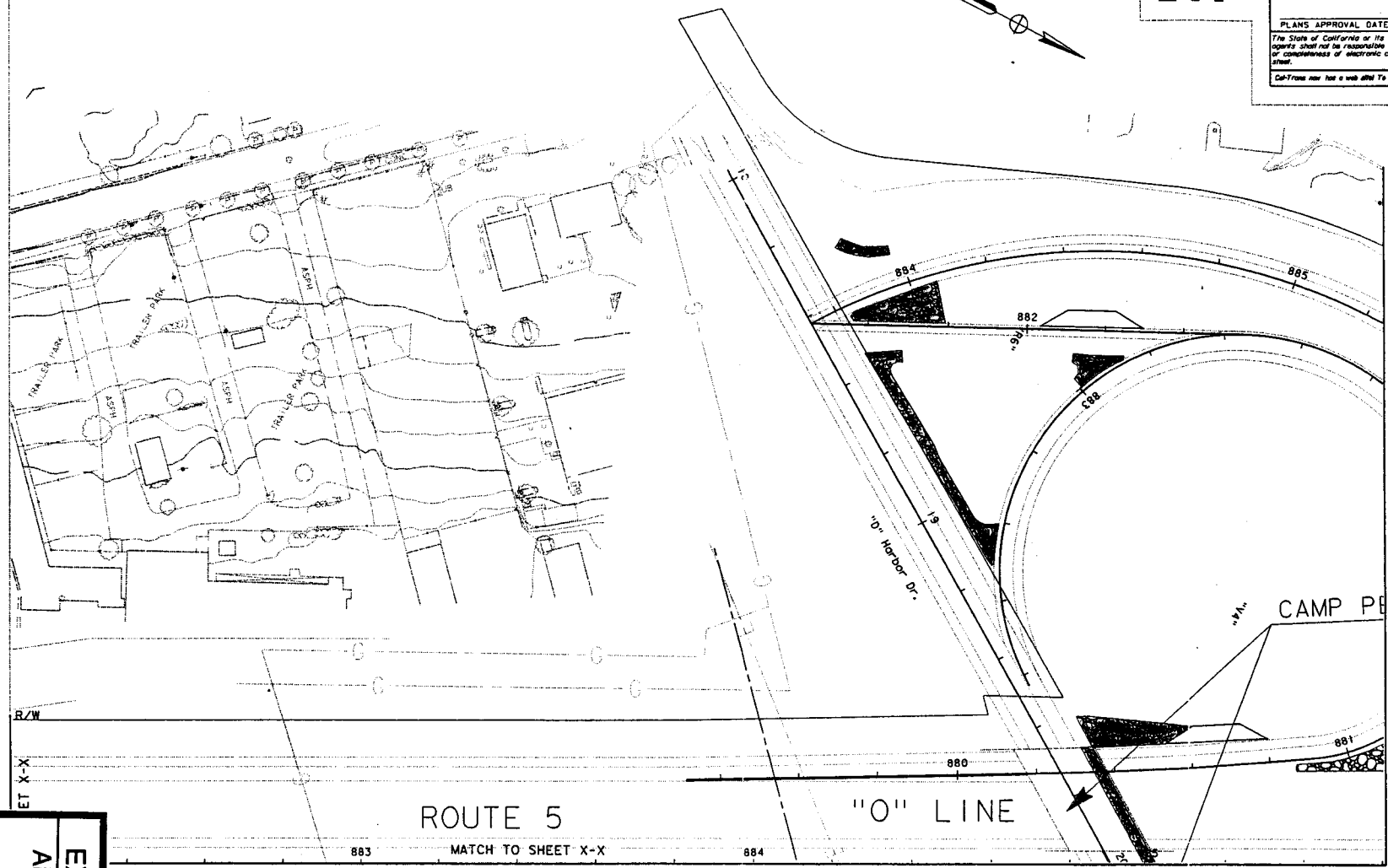
LICENSED LANDSCAPE ARCHITECT

PLANS APPROVAL DATE

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**MATCH TO SHEET X-X**

ROUTE 5

"O" LINE

**MATCH TO SHEET "X-X"**

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**X PLAN**  
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**EXHIBIT NO. 3**  
**APPLICATION NO. [REDACTED]**

## Site Plan

California Coastal Commission

6-01-156

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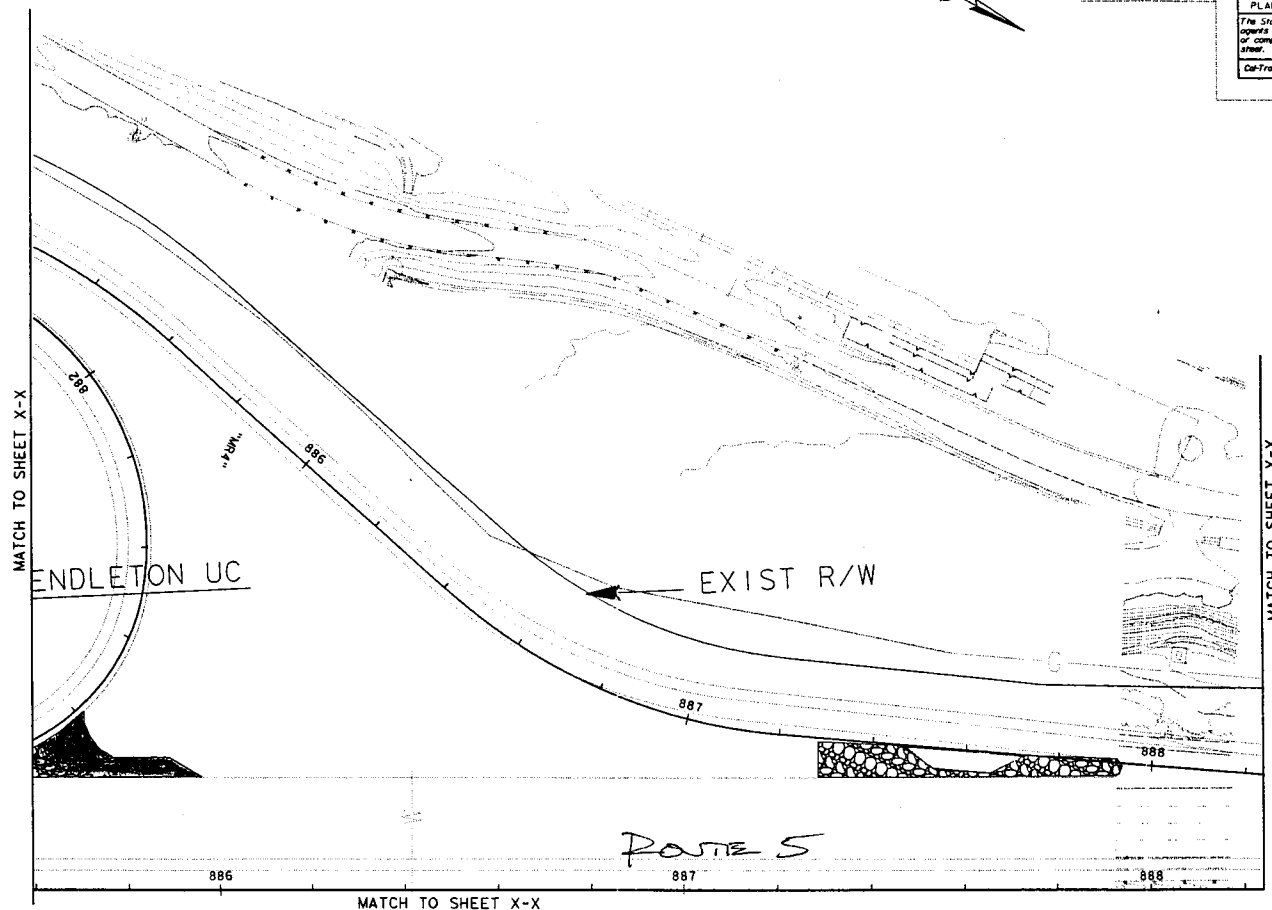
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(THIS PLAN ACCURATE FOR PLANTING WORK ONLY) ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SHOWN

SCALE 1:500

**X PLAN**  
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CU 11341

EA 239501

**EXHIBIT NO. 2C**  
**APPLICATION NO.**

## Site Plan

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DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET NO.	TOTAL SHEET
11	SD	5	R85.0/R88.4	XX	

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MATCH TO SHEET X-X

ROUTE 5

**MATCH TO SHEET X-X**

MATCH TO SHEET X-X

EXIST R/W

VANDERGRIFT BLVD.

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<b>J A - DEPARTMENT OF TRANSPORTATION</b>	<b>PROJECT LANDSCAPE ARCHITECT</b>	CALCULATED / DESIGNED BY <b>XX</b>	DATE <b>06/07/11</b>	REVISED BY <b>JN</b>				
<b>NDSCAPE ARCHITECTURE</b>	<b>X</b>	CHECKED BY		DATE REVISED <b>05/01</b>				

## Site Plan

**6-01-156**

**EXHIBIT NO. 2D**  
**APPLICATION NO. [REDACTED]**

**EXHIBIT NO. 2D**

**California Coastal Commission**

6-01-156

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DIST	COUNTY	ROUTE	KILOMETER POST TOTAL PROJECT	SHEET TOTAL No. SHEETS
11	SD	5	R85.0/R88.4	XX

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CAMP DEL MAR OC

"B" LINE

ROUTE 5

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MATCH TO SHEET X-X

MATCH TO SHEET X-X

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(THIS PLAN ACCURATE FOR IRRIGATION WORK ONLY)  
(THIS PLAN ACCURATE FOR PLANTING WORK ONLY)

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NDSCAPE ARCHITECTURE							
A - DEPARTMENT OF TRANSPORTATION							

NDSCAPE ARCHITECTURE

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California Coastal Commission

EXHIBIT NO. 2E

APPLICATION NO.

6-01-156

Site Plan

