

## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

7575 METROPOLITAN DRIVE, SUITE 103

SAN DIEGO, CA 92108-4402

767-2370



## RECORD PACKET COPY

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Staff: DL-SD  
 Staff Report: June 15, 2001  
 Hearing Date: July 10-13, 2001

AMENDMENT REQUEST  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-00-38-A2

Applicant: San Diego Assoc. of Governments      Agent: Rob Rundle  
 (SANDAG)

Original Description: Placement of approximately 2 million cubic yards of sand dredged from six offshore borrow sites onto 12 beaches in the San Diego area. Placement to occur in spring and summer 2001. Preparation of a mitigation and monitoring program to assess the movement of the sand throughout the littoral system, and to evaluate and mitigate any potential impacts to biological resources.

First Amendment: Shift the deposition site at Solana Beach approximately 250 feet north to include Fletcher Cove; to place up to 50,000 cubic yards of additional sand at Mission Beach; and to modify the required sand monitoring program.

Proposed Amendment: Place an additional 20,000 cubic yards of material at new location in Encinitas at Stone Steps beach in late August 2001.

Site: Originally, San Diego County area beaches at: South Oceanside, North Carlsbad, South Carlsbad (North), Batiquitos, Leucadia, Moonlight Beach, Cardiff, Solana Beach, Del Mar, Torrey Pines North, Torrey Pines South, Mission Beach and Imperial Beach. Proposed project site is Stone Steps, Encinitas.

STAFF NOTES:Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed amendment with special conditions requiring the applicant to implement the project consistent with the recommendations of the biological survey for avoiding sensitive resources. The additional sand placed on the beach will be a positive contribution to the littoral cell, consistent with the public access and recreation policies of the Coastal Act. The proposed sand fill is relatively small and is not expected to have any adverse impacts on biological resources, and no changes are necessary to the biological monitoring and mitigation program required in the original project.

Substantive File Documents: SANDAG, The San Diego Regional Beach Sand Project Final EIR/EA, June 2000, KEA Environmental, "Draft Operations Procedures, Mitigation Monitoring and Contingency Measures Plan for the San Diego Regional Beach Sand Project," October 11, 2000; KEA, "Biological Assessment for the San Diego Regional Beach Sand Project," August 2000; KEA, "Regional Beach Sand Project Construction Schedule and Beach Activities Near Receiver Sites," September 2000; Letter from KEA Environmental to Rob Rundle dated February 27, 2000; Letter from Moffatt & Nichol to Rob Rundle dated May 10, 2001; MEC Analytical Systems, Inc. Memorandum from Karen Green to Rob Rundle dated May 16, 2001.

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I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission approve the proposed amendment to Coastal Development Permit No. 6-00-38-A2 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a YES vote. Passage of this motion will result in approval of the amendment 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 A PERMIT AMENDMENT:**

The Commission hereby approves the coastal development permit amendment on the ground that the development as amended and subject to conditions, 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 amendment 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 amended development on the environment, or 2) there are no feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the amended development on the environment.

II. Special Conditions.

The permit is subject to the following conditions:

1. Prior Conditions of Approval. All special conditions adopted by the Coastal Commission as part of the original permit action or any subsequent amendments, except as specifically modified or replaced herein, remain in full force and effect.

2. Biological Impact Avoidance. The applicant shall comply with the recommendations contained in the May 16, 2001 Memorandum from MEC Analytical Systems, Inc. regarding the avoidance of sensitive biological impacts.

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

### III. Findings and Declarations.

The Commission finds and declares as follows:

1. Project History/Amendment Description. The original project involved beach replenishment of up to 2 million cubic yards of sand to be deposited at the following 12 San Diego region receiver beaches: South Oceanside, North Carlsbad, South Carlsbad (North), Batiquitos, Leucadia, Moonlight Beach, Cardiff, Solana Beach, Del Mar, Torrey Pines North, Torrey Pines South, Mission Beach and Imperial Beach. The purpose of the project is to provide enhanced public recreational opportunities and public access at the receiver sites, and to increase protection of public property and infrastructure at risk from shoreline erosion. The project is also expected to have the effect of increasing protection for private beach front and bluff top development.

The first amendment, approved in March, 2001, modified three aspects of the original project. The proposed receiver site at Solana Beach was shifted approximately 250 feet north so that the northern edge of the beach fill is located at Fletcher Cove. Up to an additional 50,000 cubic yards of sand was allowed to be placed at Mission Beach, if funding was available. And changes to the sand monitoring program were approved.

The proposed amendment involves the placement of approximately 20,000 cubic yards of additional sand at a new location at Stone Steps beach in the City of Encinitas. The material would be placed in a footprint that could extend 415 feet in length and maintain a 70-foot width and a +12 foot elevation relative to mean lower low water. The material would be located on the public beach between 312 and 560 Neptune Avenue in Encinitas.

The sand would be placed at Stone Steps after the previously approved deposition at Moonlight Beach. Moonlight Beach is currently scheduled to be replenished August 15 through August 18. Stone Steps would take approximately 36 hours to complete, but no more than 2 days. SANDAG estimates the proposed deposition would occur in late August, from approximately August 19 through August 20.

The City of Encinitas requested and SANDAG approved the use of approximately \$90,000 from the Regional Beach Sand Mitigation Fund to place sand at the project site. SANDAG administers the Regional Beach Sand Mitigation Fund on behalf of the San Diego region's coastal cities. The fund consists of fees required by the California Coastal Commission to mitigate the beach erosion impacts of shoreline protective structures approved by the Commission. The mitigation fees are deposited into an interest bearing account by SANDAG, and may be used only to place sand on the region's beaches.

2. Consistency with Chapter 3 Policies of the Coastal Act. Many policies of the Coastal Act require the protection and provision of public access and recreation, including Sections 30210, 30211, 30212, 30213, 30214(a), and 30220. Resource protection policies of the Act include Sections 30230, 30231, 30233, and 30240.

The proposed project involves the placement of 20,000 cubic yards of sand at Stone Steps beach in Encinitas. Of the twelve receiver beaches originally approved for the placement of sand, four are within the City of Encinitas, including Batiquitos (118,000 cy), Leucadia (130,000 cy), Moonlight (88,000 cy) and Cardiff (104,000 cy). The subject site is located between the Leucadia and Moonlight Beach sites.

The source for the sand is a previously approved offshore borrow site in the South Oceanside littoral cell referred to as SO-7. Disposal of sand would be accomplished through a pipe from an offshore barge in the same manner as the previously approved disposal sites.

Sand from this site has previously been found suitable for beach replenishment. The applicant has submitted a letter analyzing the potential biological impacts from the additional sand. Although the sand will be a positive contribution to the littoral cell, the relatively small amount of sand involved is not expected to have a long-term impact on sand supply at the site, and thus additional sand monitoring is not required at the project site. A site reconnaissance performed to assess the on-site and nearby biological resources identified the nearest sensitive resource, surfgrass, located approximately 2,500 feet north of the proposed fill location. The report concludes that no direct or indirect impacts to sensitive resources would result from the project, and recommends maintaining a 1,000 foot buffer from the surfgrass to avoid any indirect impact from sediment transport. The applicant has identified a corridor for the disposal pipeline that would not impact any sensitive resources.

Staff at the Army Corps of Engineers have made a preliminary determination that the proposed project will not have an adverse impact on biological resources, and have indicated their intent to issue an amendment to the previously approved Corps permit for the subject project. Special Condition #1 of the subject amendment indicates that all of the previously approved special conditions remain in full force and effect. Special Condition #2 requires the applicant to comply with the recommendations contained in the May 16, 2001 Memorandum from MEC Analytical Systems, Inc. regarding the avoidance of sensitive resources.

The project would occur during late August, in the peak summer season. Thus, the project is expected to have some adverse impacts on public access and recreation. Typically, the Commission has prohibited construction on beaches or in recreational areas from occurring during the summer months, or, if summer construction is unavoidable, prohibited construction on weekends or holidays. However, as discussed in detail in the original permit, the sand deposition has been scheduled for spring and summer months because placing the sand during the later summer or fall would increase the chance that winter storms would remove the newly placed material immediately. In addition, SANDAG has proposed the construction occur as continuously as possible (not stopping on weekends or holidays), to minimize down-time construction costs and ensure that the project funding translates into the maximum amount of sand on the beach.

The proposed project would only have a brief, temporary impact on access to the beach, while the additional sand proposed would have a positive impact on the amount of sand in the littoral cell, consistent with the public access and recreation policies of the Coastal Act. Thus, in this particular case, the benefits of the project outweigh the short-term impacts on public access and recreation impacts. No impacts to biological resources would result. Therefore, the Commission finds the proposed amendment, as conditioned, consistent with the applicable Chapter 3 policies of the Coastal Act.

3. 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.

The project site is within an area of the Commission's original jurisdiction. The proposed amendment would provide additional sand for public recreation and no adverse impacts to coastal resources are anticipated. Therefore, the Commission finds that proposed amendment will not prejudice the ability of the City of Encinitas or any of the affected local governments in the original project to prepare or continue implementing certifiable LCPs.

4. 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 original project was been conditioned in order to be found consistent with the biological resources and public access and recreational policies of the Coastal Act. As conditioned herein, no additional impacts to coastal resources will result and all adverse environmental impacts will be minimized. As conditioned, there are no feasible

alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project as amended is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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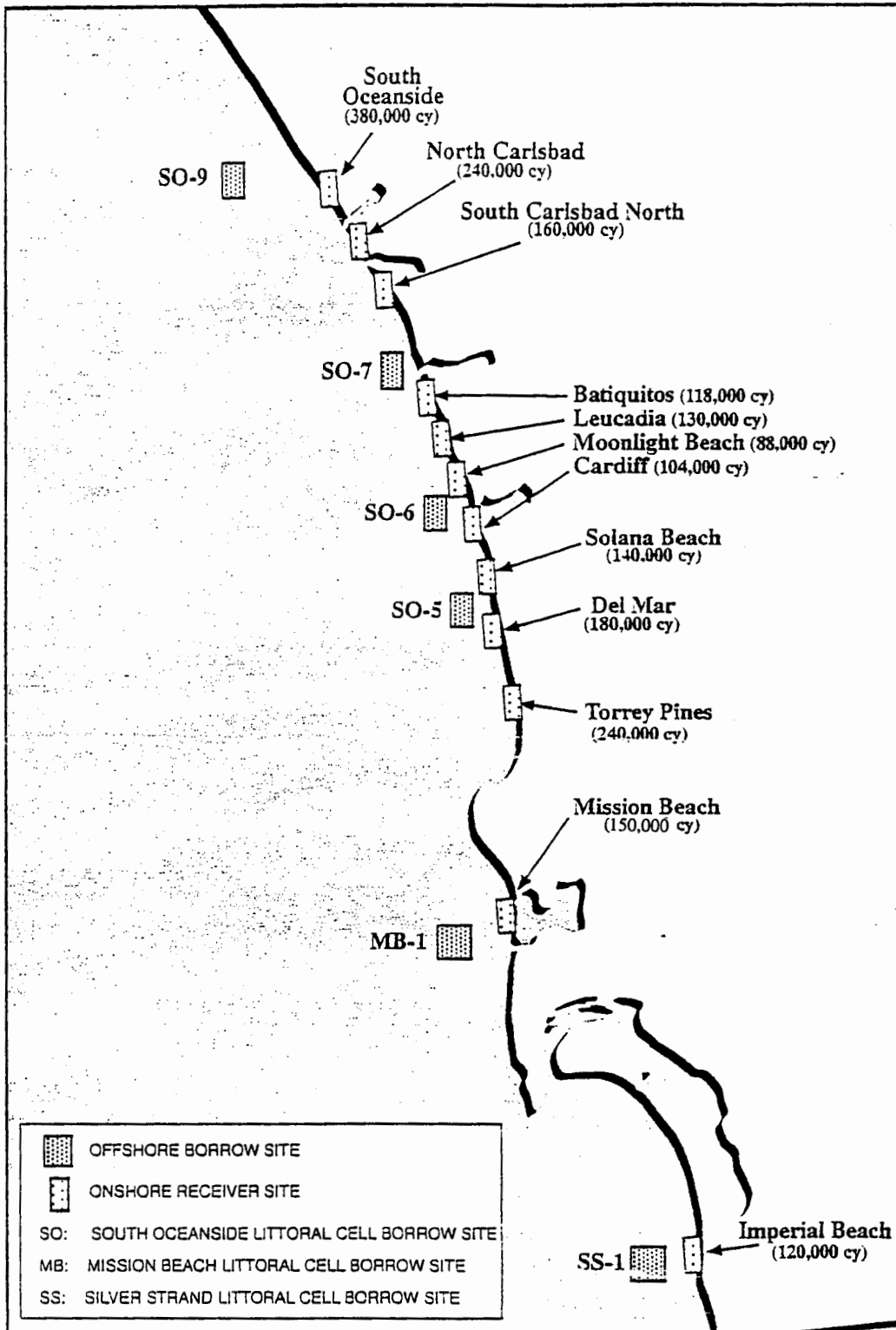


EXHIBIT NO. 1  
APPLICATION NO.  
**6-00-38-A2**  
Location Map of  
Original Project  
 California Coastal Commission

# Proposed Receiver Site at Stone Steps

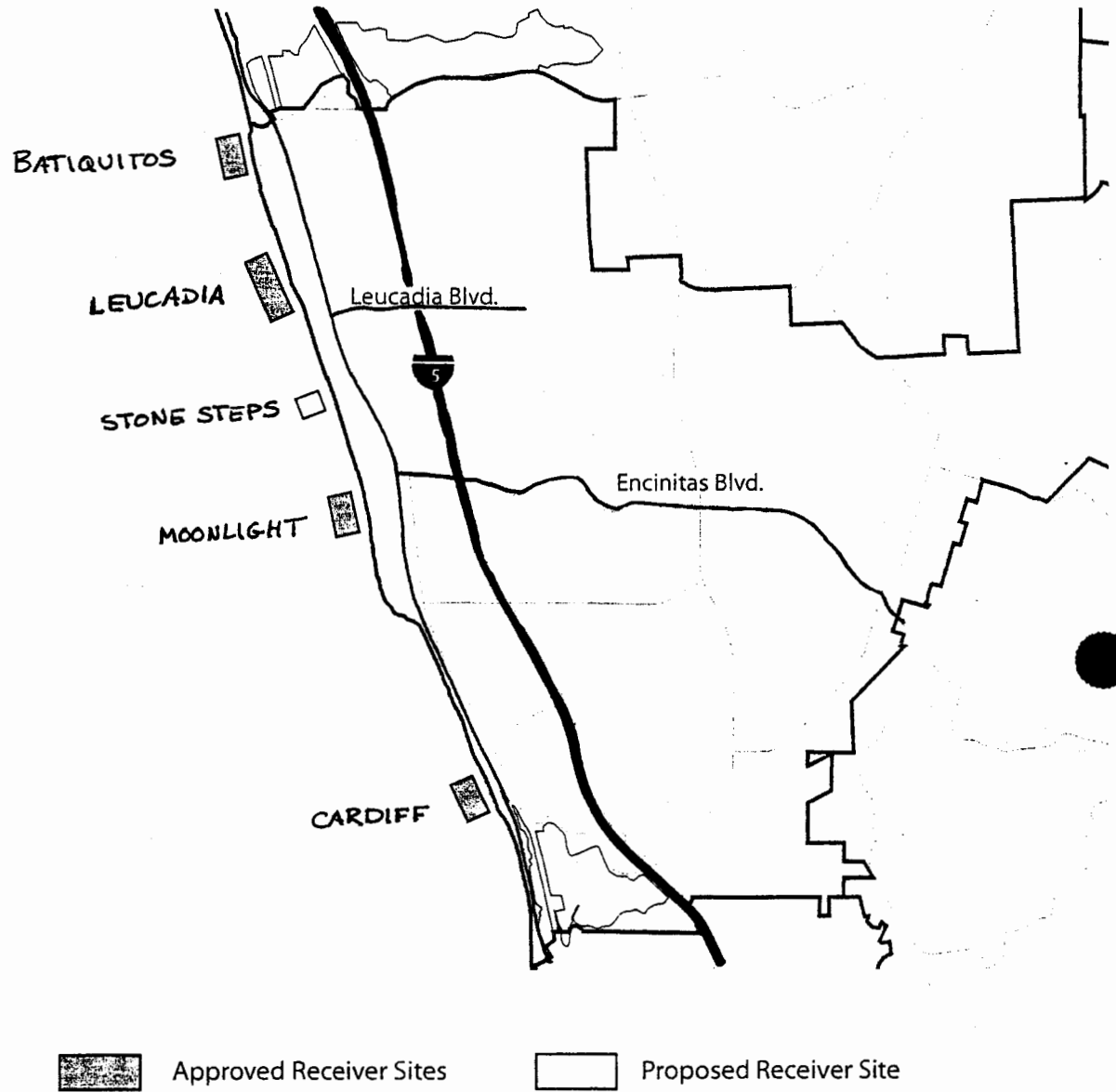



EXHIBIT NO. 2
APPLICATION NO.
<b>6-01-20</b>
Proposed Project
Location
 California Coastal Commission