

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-02-80

Applicant: North County Transit District

Agent: HDR Engineering, Inc.,

Description: Maintenance repairs to the southernmost timber trestle superstructure of an existing railroad bridge over the Santa Margarita River resulting in temporary impacts to coastal wetlands.

Site: Southernmost portion of railroad bridge over the Santa Margarita River, between north- and south-bound Interstate 5, Camp Pendleton, San Diego County.

Substantive File Documents: Biological Field Survey Report NCTD Bridge 223.1 (Santa Margarita River) Repair dated May 1, 2002; Consultation for North County Transit District Bridge Repairs, Santa Margarita River, San Diego County, California (1-607-00-F-7)" dated March 22, 2002 by the United States Fish and Wildlife Service

Summary of Staff's Preliminary Recommendation: Staff recommends the Commission find the proposed development, as conditioned, consistent with Coastal Act policies as all impacts to sensitive resources have been avoided or adequately mitigated. The applicant has documented that repairs are needed to the existing railroad bridge. Although the project will result in impacts to sensitive wetlands (coastal salt marsh) and upland vegetation (disturbed ruderal and coastal sage scrub), no permanent or direct impacts are proposed. Impacts to wetlands will result from placement of plywood over existing salt marsh to allow a work platform for workers. No heavy equipment or machinery will be placed on the plywood and no removal of vegetation or excavation in the wetland is proposed. Proposed impacts to disturbed coastal sage scrub will result from creation of a "laydown area" on top of an existing disturbed embankment next to the subject bridge. The applicant proposes to restore all areas of temporary impact.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-02-80 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. Construction Impacts/Restoration. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a detailed revegetation plan indicating the type, size, extent and location of all plant materials, any proposed irrigation system and other landscape features to revegetate all proposed temporary wetland impacts and the disturbed portion of the laydown area/construction staging area. The program shall be developed in consultation with the California Department of Fish & Game and at a minimum shall include:

- a. Before/After Survey. The condition of the wetland vegetation and substrate under the bridge shall be documented prior to the repair activities. The extent of impacts to the vegetation and substrate shall be assessed and documented

after completion of the repairs. Temporary wetland impacts shall be revegetated at a 1:1 ratio. If the post construction survey identifies that permanent wetland impacts have occurred, a permit amendment is required to address the identified impacts. Mitigation shall be provided for any identified permanent wetland impacts at a ratio of not less than 4:1.

- b. The project shall comply with the "Biological Field Survey Report NCTD Bridge 223.1 (Santa Margarita River) Repair," prepared by HDR Engineering, Inc., revised 7/24/2002.
- c. Temporary upland impacts to shall be revegetated at a 1:1 ratio. Drought tolerant native plants shall be utilized to the maximum extent feasible to re-establish the area consistent with its present character.
- d. The following goals, objectives, and performance standards for the restoration sites:
 - 1. Provisions for the full restoration of all wetland impacts that are identified as temporary. Restoration of temporarily impacted areas shall include at a minimum, restoration of before-impact elevations, restoration of before-impact hydrology, removal of all non-native plant species, and replanting with locally collected native wetland plant species.
 - 2. Success criteria and final performance monitoring shall provide at least a 90% coverage of areas disturbed by construction activities in 1 year.
 - 3. The final design and construction methods that will be used to ensure the restoration sites achieve the defined goals, objectives, and performance standards.
 - 4. Provisions for submittal, within 30 days of completion of initial restoration work, of post-restoration plans demonstrating that the restoration sites have been established in accordance with the approved design and construction methods.

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 a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally 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 California Department of Fish and

Game, a final detailed monitoring program designed by a qualified wetland biologist for monitoring of the wetland restoration site. The monitoring program shall at a minimum include the following:

- a. The restorations shall be checked quarterly the first year and at least annually thereafter until performance standards have been met.
- b. No maintenance or remediation activities, other than weed control, for 3 years prior to final performance monitoring.
- c. Provisions to ensure that the mitigation site will be remediated within 90 days of a determination by the permittee or the Executive Director that monitoring results indicate that the site does not meet the goals, objectives, and performance standards identified in the approved mitigation program.
- d. Provisions for monitoring and remediation of the mitigation site in accordance with the approved final mitigation program for a period of 5 years.
- e. Provisions for submission of an annual report of monitoring results to the Executive Director for the duration of the required monitoring period. Each report shall evaluate the status of the wetland restoration project in relation to the performance standards.
- f. Provisions for submission of a final monitoring report to the Executive Director that has been prepared by a qualified wetlands biologist. The report must evaluate whether the restoration site conforms to the goals, objectives, and performance standards set forth in the approved final mitigation program.

If the final report indicates that the restoration project has been unsuccessful, in part, or in whole, based on the approved performance standards, the applicant shall submit a revised or supplemental restoration program to compensate for those portions of the original program which did not meet the approved performance standards. The revised restoration program, if necessary, shall be processed as an amendment to this coastal development permit.

The permittee shall monitor and remediate the wetland mitigation site in accordance with the approved monitoring program. Any proposed changes from the approved monitoring program shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. Future Maintenance/Debris Removal. Within 15 days of completion of construction, the permittee shall remove all debris. In addition, the permittee shall maintain the project in its approved state except to the extent necessary to comply with

the requirements set forth below. Maintenance, future additions or reinforcement of the bridge, or other changes in the design of the bridge may require an amendment to this permit or a separate coastal development permit. If after inspection, it is apparent that further repair and maintenance is necessary, the permittee shall contact the Commission office to determine whether an amendment to this permit or a separate coastal development permit is legally required, and shall subsequently apply for any legally required permit amendment or coastal development permit for the necessary maintenance.

4. Other Permits. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the permittee shall provide to the Executive Director copies of all other required state or federal discretionary permits for the development authorized by CDP #6-02-80. The applicant shall inform the Executive Director of any changes to the project required by other state or federal agencies. Such changes shall not be incorporated into the project until the applicant obtains a Commission amendment to this permit, unless the Executive Director determines that no amendment is legally required.

5. Final Site/ Staging Area/Access/Spill Protection Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final Site Plans, final Staging Areas/Access Corridors Plans and final Spill Protection plans, for the permitted development that have been approved by the United States Marine Corps (Camp Pendleton) and the United States Fish and Wildlife Service. Said plans shall be in substantial conformance with the plans submitted by HDR Engineering, Inc., revised 7/24/2002.

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

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/History. Bridge inspections by North County Transit District (NCTD) in the year 2000 indicated that it was necessary to undertake maintenance and repairs to the timber portion of the railroad bridge over the Santa Margarita River floodplain in Camp Pendleton in north San Diego County. While the existing bridge is approximately 713 ft. long and comprised of four distinct segments, the proposed repair project is to provide near-term repairs to the southern 185 ft. timber pile trestle approach only. This timber pile trestle approach contains numerous worn and/or decayed timber components and the proposed repairs consist of the following:

- Replacement of four (4) of the southern-most, 14-foot ft. long, timber trestle superstructures (Spans 1 through 4) with two (2) prefabricated, 28-foot ft. long, H-pile, ballast deck spans.
- Replace the timber pile caps on Bents 1, 4, 7, 8, 10, and 11.
- Repair Bent 1 pile Nos. 1 and 6.
- Replace critical stringers and caps that do not have 1 to 2 years of remaining life.

The proposed project area is within the Santa Margarita River estuary, which is known to support a variety of sensitive species, including the federally threatened coastal California gnatcatcher within the disturbed coastal sage scrub habitat and the federally endangered tidewater goby in the estuarine system associated with the southern coastal salt marsh. Also, a number of wide-ranging sensitive avian species such as the black-shouldered kite, northern harrier, bank swallow, and others forage in the project area. No work is proposed above or within the actual river channel. Work activities are proposed on a portion of the south timber pile trestle approach (i.e. wooden railroad bridge) that spans the associated wetland area. Most of the construction activity will occur on the bridge itself rather than at ground level. Work activity would occur under and immediately adjacent to the bridge within the railroad 100-foot right-of-way (ROW) easement (50 feet on each side of the track centerline). The length of the project site spanning the wetland area would extend approximately 185 feet from Bent 1 (southernmost support pilings) to Bent 13. The total project area will encompass 185 feet by 75 feet (0.32 acres).

A laydown/construction staging area is proposed on a fill slope above the wetland area between the bridge and southbound Interstate-5 (I-5). A crane is proposed to lift materials from the shoulder of I-5 to the laydown site thus avoiding impacts to nearby CSS. The project would temporarily impact 0.07 acres of previously disturbed ruderal and coastal sage scrub habitat in the laydown area for staging the equipment and materials. Vegetation will be trimmed to prevent tripping hazards. At the completion of construction all equipment, construction material, and trash would be removed from the site. No permanent impacts to the laydown area are anticipated.

The project would temporarily impact approximately 0.08 acres of southern coastal salt marsh directly underneath the bridge (from Bents 1 to 13). Impacts to the salt marsh would be flattening of vegetation, primarily pickleweed. The salt marsh is proposed to be protected by setting plywood on top of the vegetation. It is estimated that 12 sheets of 4-foot by 8-foot plywood (overlapped) would cover a 20 by 14-foot area between each bent. According to the proposed restoration plan, the plywood would be placed daily where work is occurring to access and perform repairs. The plywood would be removed at the end of the day and stored in the laydown area. The condition of the vegetation and substrate under the bridge will be documented prior to the repair activities. Impacts to the work area under the bridge will be monitored during construction. The extent of impacts to the vegetation and substrate will be assessed and documented after completion of the repairs. If plants are flattened but the majority of the branches remain unbroken and the roots and rootstock remain intact, then plants are expected to recover. If plants are killed by crushing and/or are uprooted, then revegetation at a 1:1 ratio is proposed.

The condition of the project work areas will be documented prior to, during, and after completion of the work to determine impacts to the existing vegetation. This will be part of the biological monitoring for the proposed project.

Sheeting, such as heavy plastic, geotech fabric, or cloth tarp will be placed on the planking in the work area under the bridge to catch debris from the bridge as construction proceeds. Excess material (e.g. sawdust, wood chips, ballast) that may be generated from cutting the deck sections will be collected and kept out of the wetland area. Excess material collected on the sheeting/fabric will be collected, placed in waste containers and removed from the wetland area daily for proper disposal.

During the course of the work on the bridge, no vehicles would access the site through the riverbed or be permitted in the wetland area of the estuary. Foot traffic would occur under the bridge in the wetland area and to the sides where the trestle spans and stringers will be replaced. The workspace in the wetland would be flagged off to limit access and work activity to within the NCTD ROW. No work would occur within water that is standing or flowing. No grading, excavation, or fill is proposed.

The proposed development, while located within the unincorporated County of San Diego is not subject to local discretionary permit review by the County because it is within the federal Camp Pendleton Marine Base. 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. Wetland/Marine Resource Protection. Several Coastal Act sections are applicable as follows:

Section 30230

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

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 addition, Section 30233 of the Coastal Act states, in part:

(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.

Finally, Section 30240 of the Coastal Act is applicable, and states:

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Under Coastal Act Section 30233, disturbance and/or filling of wetlands is severely constrained. As noted, the river in this location supports several sensitive habitats and species. Thus, the proposed repair work has the potential to adversely affect this sensitive area. Coastal Act Sections 30230, 30231 and 30240 call for the preservation of environmentally sensitive habitat areas and protection against significant disruption of habitat values.

The following measures are proposed to minimize and/or avoid impacts to sensitive habitat and species associated with the project area.

- Confine work to the project area within the NCTD ROW.
- Conduct on-site biological monitoring during construction.
- Minimize surface disturbance to the wetland area from foot traffic and placement of materials and equipment.
- Prohibit vehicles in the riverbed and the wetland area.
- Employ Best Management Practices (BMPs) to ensure there will be no discharge of building, hazardous, or removed materials into the wetland area or the river.

Section 30233 prohibits fill of wetlands except when it is for one of eight enumerated purposes. Where the fill is for an allowable purpose, the fill must be the least environmentally damaging alternative and feasible mitigation measures shall be taken to minimize any adverse environmental effects. Temporary impacts to wetland habitat are proposed to facilitate the repair of a damaged railroad bridge. The project would temporarily impact approximately 0.08 acres of southern coastal salt marsh. No fill is proposed; the proposed temporary impacts are for placement of plywood on wetland vegetation to access work areas. No increase in the size of the bridge or railroad service is proposed. Section 30233(a)(5) allows fill of wetlands for incidental public service purposes. For transportation projects, where fill is necessary as part of a project to maintain existing service and does not increase traffic capacity, it is for an incidental public purpose. The Commission finds that the bridge repair qualifies as an incidental public service purpose. The bridge crossing the Santa Margarita River estuary is an essential part of NCTD's operating infrastructure. NCTD would be unable to provide its standard service without having the bridge supporting its railroad operation; therefore, the proposed repairs constitute an incidental public service.

Once it has been determined that the proposed project is an allowable use under Section 30233 of the Coastal Act, it must also be determined that no other feasible alternative is available that would avoid or lessen the environmental impacts of the development and that mitigation is provided for all unavoidable impacts. Alternatives to the project, in this particular case, are limited. The no project alternative is not feasible because it would result in the interruption of regional transportation in San Diego County.

The bridge repair must occur within the estuary as the trestle spans the river. Because the majority of the area under the bridge where work must take place is wetlands, impacts to sensitive habitat cannot be entirely avoided; however, they must be minimized to the extent feasible.

As noted, most of the construction activity will occur on the railroad bridge itself rather than at ground level or in the wetlands. The applicant has done an analysis of protective measures for the salt marsh area (Plywood Planking vs. Raised Decking). The use of plywood planking over the ground surface would involve the daily placement of 4-foot by 8-foot sheets of overlapping plywood in the area underneath the bridge between bents. The salt marsh under the bridge where work is to occur would be protected by laying plywood horizontally on top of the vegetation. It is estimated that 12 sheets of 4-foot by 8-foot plywood (overlapped) would cover a 20-foot by 14-foot area between each bent (assuming 1 to 1.5 feet outside the outermost bents). The plywood would be placed daily where work is to occur to access and perform repairs. The plywood would be removed at the end of the day and stored in the laydown area. Sheeting, such as heavy plastic, geotech fabric, or cloth tarp will be placed on the planking in the work area under the bridge to catch any debris from the bridge as construction proceeds. Plywood placed on top of the vegetation would distribute the load of foot traffic over a wider area and prevent direct contact of foot traffic and temporary placement of materials, hand-held equipment and secondary containment devices directly on the vegetation. Compaction of soil and would be minimized or avoided. Repeated foot traffic creating access paths through the vegetation would be minimized.

If raised decking is used it would have to be specifically designed and engineered to safely and adequately accommodate construction loads. Installation would take a number of days of additional foot traffic by workers installing the decking in the wetland area. Removal (dismantling) the decking at the completion of repair activities would also take a number of days of additional foot traffic. During installation and removal of the raised decking, planking and tarps would also have to be placed in the salt marsh to protect it. A raised decking with footings would cause more damage by concentrating the load into the vegetation and would crush plants and potentially damage the plant roots. Concentrating the load into the sediment would also cause some compaction. Remediating the compacted areas would require loosening the compacted soil and would involve minor soil surface disturbance. This could potentially cause minor amounts of sediment to be discharged and transported with the tidal flow. Based on the above analysis, the applicant found the placement of plywood sheeting would be the preferred method to protect the vegetation under the bridge, as this method has the least potential impacts to the salt marsh. The Commission concurs with this analysis.

The extent of impacts to the vegetation and substrate will be assessed and documented after completion of the repairs. If plants are flattened but the majority of the branches remain unbroken and the roots and rootstock remain intact, then plants are expected to recover. If plants are killed by crushing and/or are uprooted, then revegetation is proposed at a 1:1 ratio.

Once it is determined that all unavoidable impacts have been minimized, mitigation for impacts must be addressed. Historically, the Commission has required mitigation measures to assure there is no net loss in acreage or habitat value for any displaced wetlands based on the type of habitat being impacted, the relative permanence of impacts, and the quality of the habitat affected. The Commission's biologist finds that the proposed before and after surveys are necessary to document actual impacts, that revegetation is adequate for temporary impacts (i.e. that the success standard should be pre-impact conditions), that the restoration should be checked at least quarterly the first year and annually after that until performance standards have been met after a period of at least a year without maintenance other than exotic species removal and that one year of maintenance and monitoring is acceptable for such a small site that is capable of supporting this habitat.

Special Condition #1 requires the applicant to revegetate all proposed temporary wetland impacts and the disturbed portion of the laydown area. A "Before/After" survey is required to document the condition of the wetland vegetation and substrate under the bridge prior to and after completion of the repair activities. Temporary wetland impacts must be revegetated at a 1:1 ratio. If the post construction survey identifies that permanent wetland impacts have occurred, a permit amendment is required. Special Condition #1 also requires the applicant to comply with the provisions of the "Biological Field Survey Report NCTD Bridge 223.1 (Santa Margarita River) Repair", including additional performance standards typically required by the Commission to restore wetland impacts.

Regarding upland impacts, Section 30240(a) requires environmentally sensitive habitat areas to be protected against any significant disruption of habitat values. Section 30240(b) requires development adjacent to ESHA to be sited and designed to prevent impacts which would significantly degrade the ESHA. Coastal Sage Scrub is ESHA and in the vicinity of the site it is located in the laydown area and the highway abutment. No impacts would occur to the disturbed coastal sage scrub area on the highway abutment. According to the restoration plan, potential impacts could occur to federally listed threatened or endangered species which may be present in the area. California gnatcatcher and tidewater goby could occur in the project area, and potentially be directly or indirectly affected by project implementation. Pre-construction, focused, presence/absence surveys are proposed for these species to determine if they are present in the project area. If presence is detected, several avoidance and minimization measures are proposed to ensure that activities associated with implementation of the project will not have an adverse affect on these species. Prior to construction, the environmental or biological monitor will delineate (with stakes and flagging) the work area limits within the railroad ROW. Areas of avoidance in the wetland will also be delineated. Flagging will be placed in the wetland area to prohibit work activity and avoid direct and indirect impacts to the small channel immediately adjacent to the project site where tidewater goby may be present.

All construction activities are proposed outside of the breeding season of the California gnatcatcher, defined as the period between 15 February and 15 August. This would

avoid incidental take of nestlings or egg sets. Should construction occur during the breeding season, avoidance of direct take and noise abatement measures are proposed to prevent indirect take. Pre-construction surveys by a federally permitted biologist/ornithologist are proposed to search for nests in the project area. Should any nests be detected, construction activities in that immediate area must not occur until the biologist has determined that the nest is no longer being used, or until the end of the breeding season, whichever comes first. In the vicinity of any nests, a baseline ambient noise level (dBA hourly LEQ) would be done at the edge of the occupied nesting habitat. The noise generated by normal operations of construction equipment would be compared with these ambient measurements. Should project-generated noise levels exceed the ambient level at the edge of the breeding area, noise abatement, such as earthen berms, sound walls, etc. are proposed to prevent levels from exceeding certain noise standards at the nest. However because of the presence of the nearby freeway, it is anticipated that noise generated by the repair activities will be below ambient noise levels.

As noted above, Special Condition #1 requires compliance with the above provisions which are identified in the "Biological Field Survey Report NCTD Bridge 223.1 (Santa Margarita River) Repair. As long as the development is carried out with the proposed safeguards, the proposed development should not result in any significant adverse impacts to nearby sensitive habitat.

As noted, the laydown area is proposed on a disturbed slope above the wetlands for staging the equipment and materials. Approximately 0.07 acres of disturbed ruderal and coastal sage scrub habitat would be impacted in the laydown area. While this area is not considered sensitive and no permanent impacts to the laydown area are anticipated, the Commission finds this area must be revegetated after completion of the project. Leaving this area in a disturbed erosive state could adversely affect the surrounding wetlands in the event silts and sediments are washed down the slope from a storm. Special Condition #1 requires that this area be revegetated upon completion of the project with drought tolerant native plants to re-establish the area consistent with its present character. In addition, this condition requires that if any permanent impacts should occur to wetlands, that an amendment to this permit is required to address necessary mitigation at a ratio of not less than 4:1.

Because no monitoring of the restoration efforts is proposed, Special Condition #2 requires the applicant to submit a detailed monitoring program for the restoration sites that includes requirements for evaluation of the restoration success and provisions for remediation if not successful.

Special Condition #3 requires any future maintenance activities and/or vegetation removal be reviewed. Within 15 days of project completion all debris must be removed. Special Condition #4 requires the submittal of any required discretionary permits from other agencies. Should any project modifications be required as a result of other permits, an amendment to this permit may be necessary. Special Condition #5 requires final project plans and final plans for access and storage in substantial conformance with the submitted plans to ensure no impacts to wetland resources.

In summary, the proposed unavoidable impacts to wetlands have been found an allowable use within a wetland. The applicant has minimized all adverse environmental impacts to the extent feasible and has proposed adequate mitigation for those impacts that do occur. Therefore, the Commission finds the proposed development, as conditioned, is consistent with Sections 30230, 30231, 30233 and 30240 of the Coastal Act.

3. Water Quality/Resource Protection. Section 30231 of the Coastal Act states:

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.

The project is proposed within the Santa Margarita River estuary, an environmentally sensitive habitat area. NCTD proposes a Spill Contingency Plan which establishes procedures for materials handling/ storage and emergency response procedures in case of a spill and/or release. The plan describes procedures and materials used for containment and/or clean up. The plan proposes measures/Best Management Practices (BMPs) to store materials on site, stage, operate and maintain construction equipment, and prevent and handle spills that could occur during bridge repair activities. Regarding material storage on site, materials used for the bridge repair will be confined to the railroad ROW either within the laydown/staging area, the railroad embankment, and/or on rail cars or rail-mounted vehicles. Any fuel containers, repair materials including creosote-treated wood, and/or stockpiled material that is left on site overnight will be secured in secondary containment and covered with plastic at the end of each work day. All trash and debris will be contained, removed from the site, and properly disposed at the end of each workday. Heavy equipment (crane) and smaller portable equipment (generators, pumps, and light units) containing fuel will be staged within secondary containment in the laydown/staging area. Secondary containment can include: sandbag dike with impervious liner, trough, or metal/plastic tray.

In the wetland area, portable equipment when not in use will be placed in secondary containment. All portable equipment, repair materials, and secondary containment devices will be removed from the wetland area at the end of the day. Excess material (e.g. sawdust, wood chips, ballast) that may be generated from cutting the deck sections will be kept out of the wetland area, collected, contained and removed from the work area daily for proper disposal. If the crane is brought in and operated on the existing rails, refueling will be done at an off-site facility (i.e. at the Stuart Mesa Maintenance Facility). If the crane and smaller portable equipment are located within the laydown/staging area, refueling will be done from the freeway or from railcars or rail-mounted vehicles stationed on the railroad embankment. No refueling will be done from railcars or

rail/mounted vehicles stationed on the bridge or southern bridge approach. Refueling of portable equipment will only be done within the laydown/staging area over secondary equipment. No refueling of portable equipment will be done in the wetland area.

NCTD will monitor on-going weather reports to determine if BMPs will be required in advance of anticipated rain events. When the probability of a rain event more than .25 inches during the preceding 24 hours is 50 percent or greater, the following steps will be implemented:

- The work area will be inspected to ensure that all areas of active land disturbance are identified and all erosion controls measures are in place.
- Where necessary, additional BMPs associated with creosote-treated and stored materials, fuels, and potential spill/contamination sources are deployed (including additional containment, covers, removal from site).
- Should the rain event persist for a period greater than 24 hours, erosion control measures and BMPs will be maintained in a working condition.
- At the end of each storm event, all erosion control measures and BMPs will be inspected for performance and any additional maintenance.
- Any water collected within secondary containment structures/devices will be pumped out into containers, removed from the site, and properly disposed. No dewatering will occur into the work area, adjacent areas, the wetland, or the river.

A spill from containers in the laydown/staging area will be contained within a spill pallet for small container handling, or secondary containment. A spill response kit will be located on-site for easy access. The spill response kit will include plastic sheeting, tarps, absorbent pads, kitty litter, labeled buckets with lids to contain contaminated material, and shovels. Oil booms and absorbent pads will be located on-site for easy access to deploy in the wetland area and river if necessary.

The plan also includes notification and reporting provisions. For example, in the event of a spill or release, the contractor/field personnel will immediately initiate internal notifications by contacting the NCTD-designated "Person-in-Charge", who will then ensure the appropriate external notifications are made to local, state, and, if applicable, federal agencies. The Commission's water quality unit has reviewed the plan and found it acceptable. Special Condition #5 requires that a final Spill Contingency Plan consistent with the preliminary plan described above be submitted which has been developed in consultation with the USFWS. As conditioned, the Commission finds the project is consistent with sections 30230 and 30231 of the Coastal Act.

4. Public Access/Coastal Act Consistency. Because the proposed development is located between the sea and the first public road (I-5 and the ocean on Camp Pendleton), 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, 30211, 30212 and 30223. These policies address maintaining the public's ability to reach and enjoy the water, preventing overcrowding by providing adequate recreational area, and protecting suitable upland recreational sites.

Although the subject site is located between the first public roadway and the sea, it is located within a restricted area of the military base that is not available to the general public. The project will not impede public access to the coast. By preventing potential failure of the bridge, the project will help maintain public transportation along the coast. Thus, public access will not be adversely affected and the project is consistent with the public access policies 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, as conditioned, such a finding can be made.

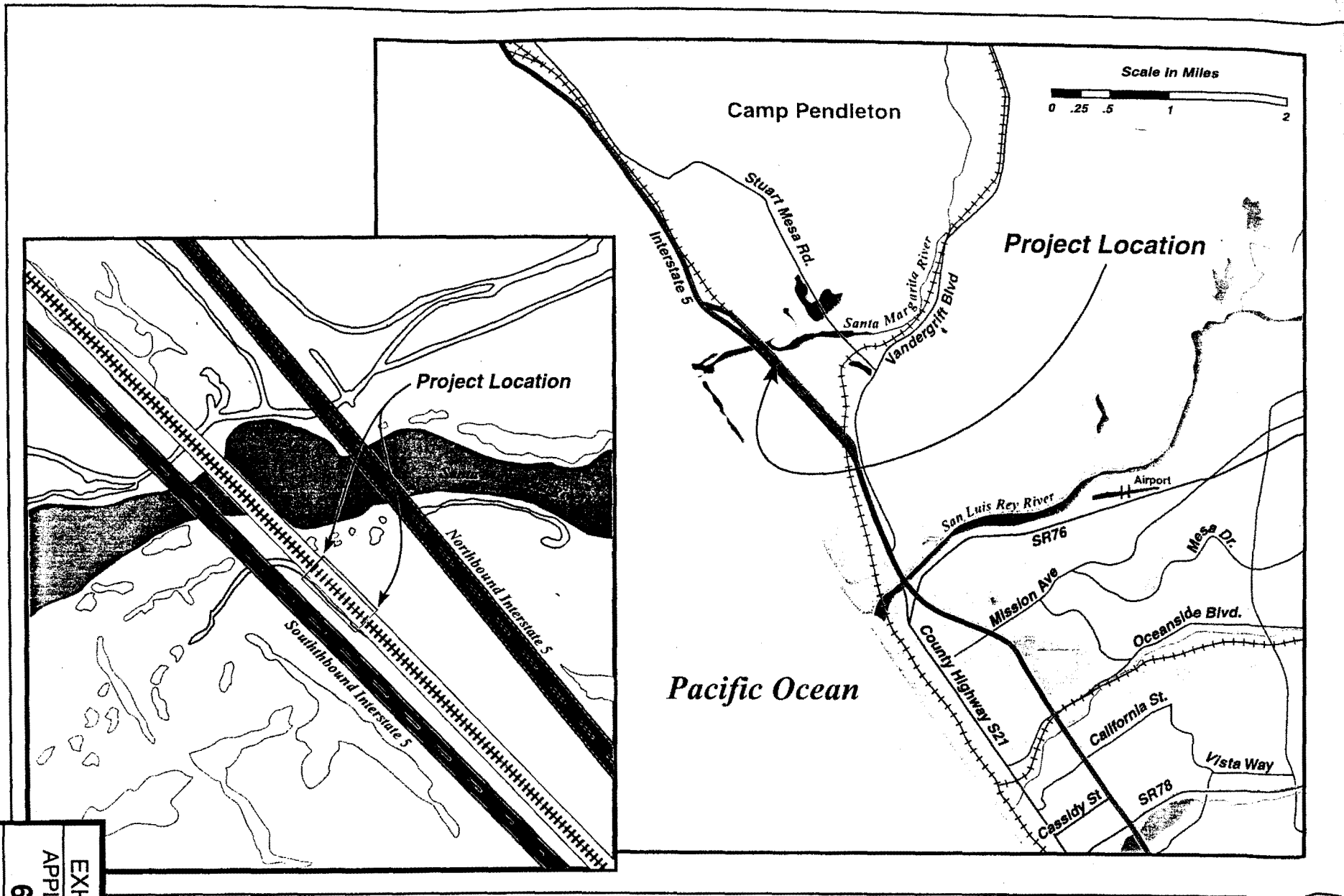
The subject site is located on Camp Pendleton, a federally owned and operated military facility used by the United States Marine Corps. While located on the Camp Pendleton Marine Base within the unincorporated County of San Diego, the project is not subject to local discretionary permit review by the 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 no adverse impacts to coastal resources are anticipated.

6. California Environmental Quality Act (CEQA) Consistency. Section 13096 of the Commission's administrative regulations requires Commission approval of a Coastal Development Permit to be supported by a finding showing the permit, as conditioned, is 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 effects which the activity may have on the environment.

As discussed herein, as proposed and conditioned the project will not result in any significant adverse impacts to upland habitat. Impacts to wetlands are unavoidable, but will be temporary and small in amount. Adequate mitigation is required for all impacts. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, 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.



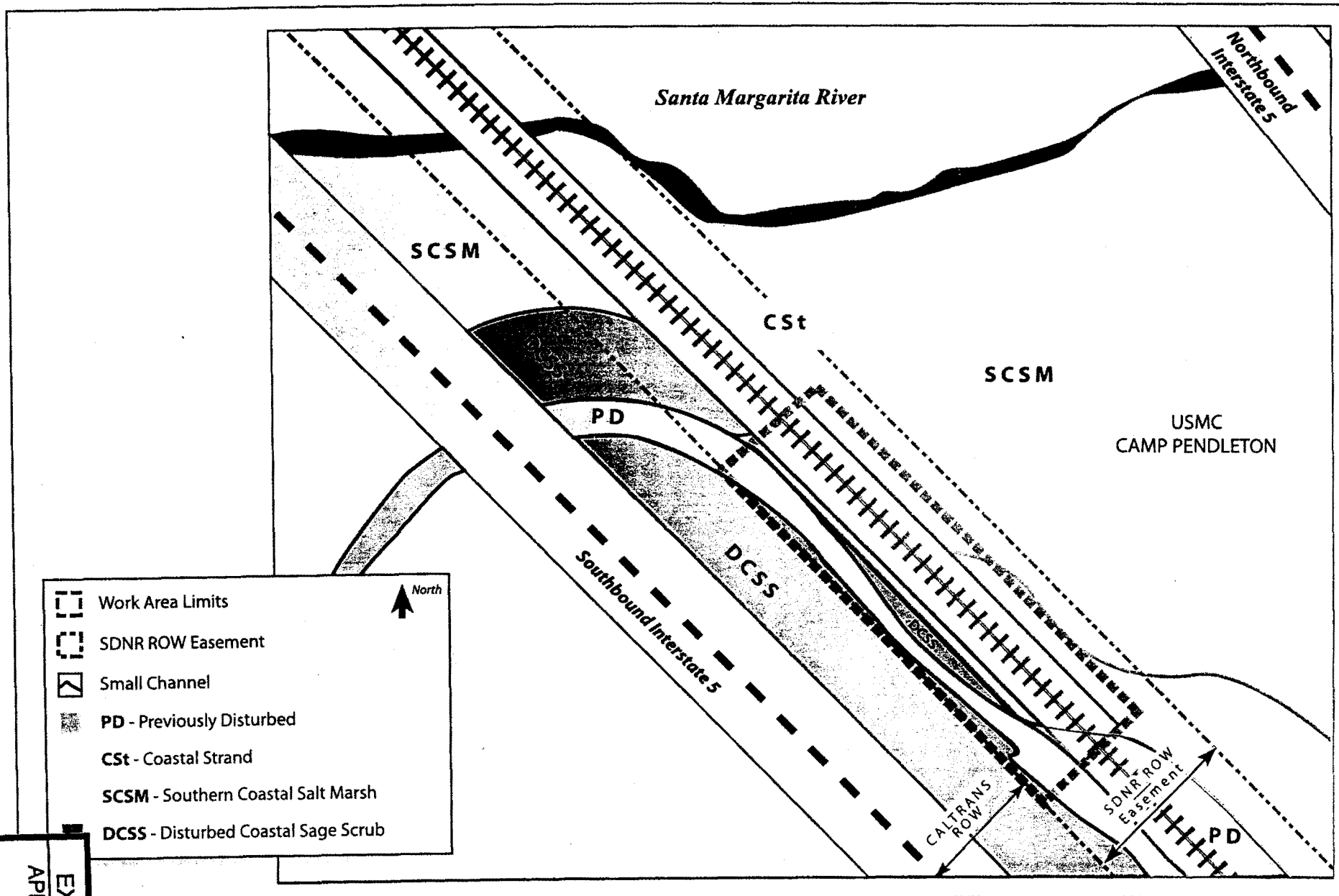
ing, 2002; Inset Map Not to Scale

FIGURE 2

Project Location Map

Santa Margarita River Bridge (BR. 223.1) Repair
North County Transit District; San Diego County, California

EXHIBIT NO. 1
APPLICATION NO.
6-02-080
Location Map



Engineering Inc, 2002; Map Not to Scale

FIGURE 4

Habitat Map

Santa Margarita River Bridge (BR. 223.1) Repair
North County Transit District; San Diego County, California

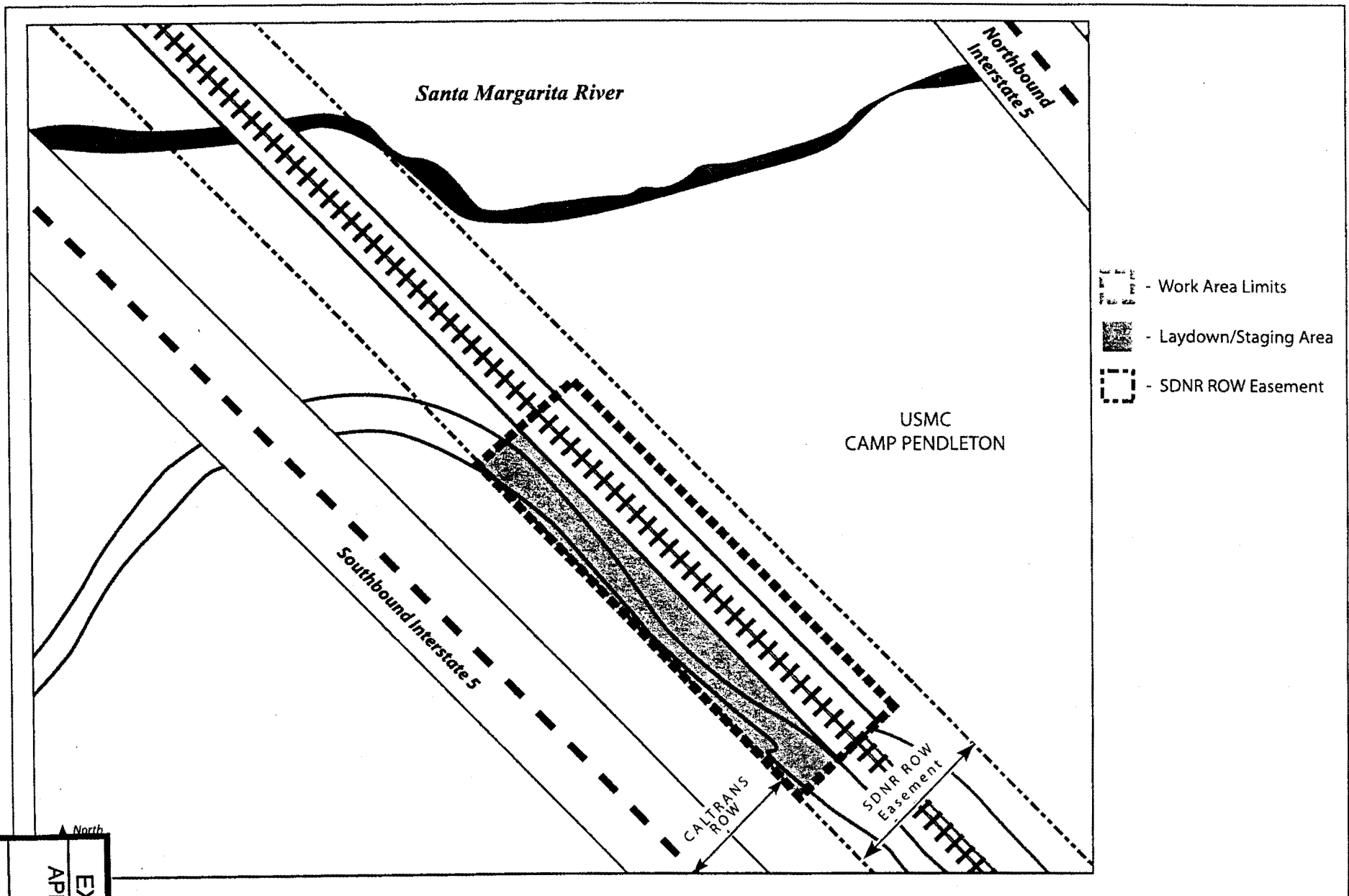
Habitat

6-02-080

APPLICATION NO.

EXHIBIT NO.

DR



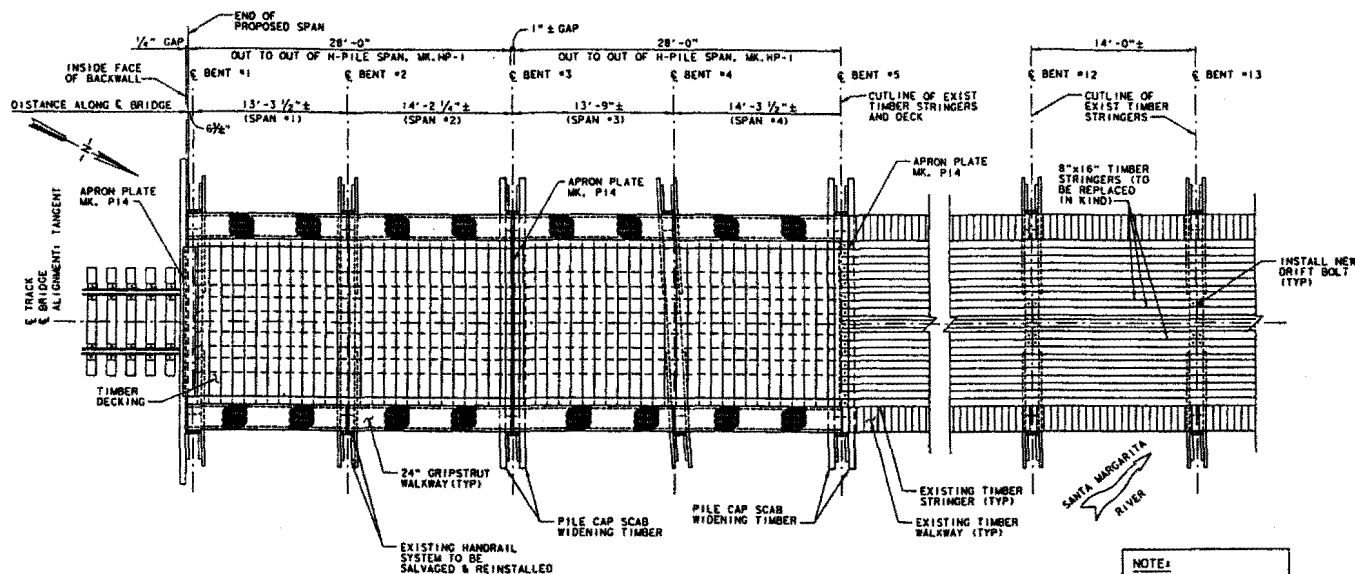
ing Inc, 2002; Map Not to Scale

FIGURE 3

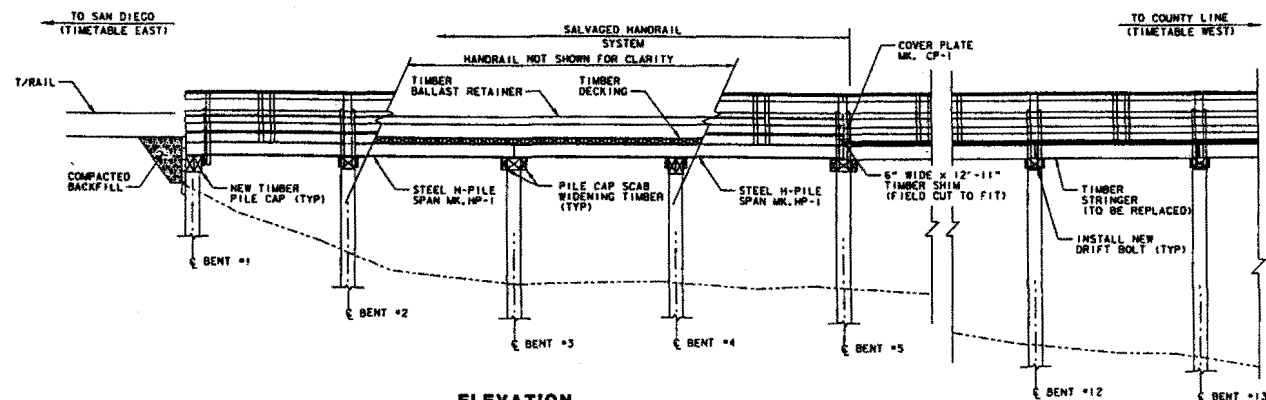
Project Work Area

Santa Margarita River Bridge (BR. 223.1) Repair
North County Transit District; San Diego County, California

EXHIBIT NO. 3
APPLICATION NO.
6-02-080
Work Area



PLAN
SCALE: 3/8" = 1'-0"



ELEVATION
SCALE: 3/8" = 1'-0"

GENERAL NOTES:

- ALL NEW TIMBER (INCLUDING REPLACEMENT HANDRAIL TIMBERS), SHALL BE CREOSOTE TREATED IN ACCORDANCE WITH THE SPECIAL PROVISIONS.
- TREATED TIMBER SHALL BE HANDLED CORRECTLY TO AVOID EXPOSING ANY PART OF THE UNTREATED WOOD. CANT HOOKS, PEAVIES, PINES OR HOOKS SHALL NOT BE USED. WHEREVER DAMAGE HAS OCCURRED TO THE TREATED TIMBER, FIELD TREATMENT SHALL BE APPLIED.
- FIELD TREATMENT, HOLES, CUTS AND ABRASIONS MADE IN TREATED TIMBER SHALL BE SHABBED IN BRIDGE PRESERVATIVE AND BOLTS DIPPED IN PRESERVATIVE PRIOR TO PLACING.
- ALL A307 BOLTS THROUGH TIMBER SHALL HAVE A 3/8" X 3" O.D. CUT WASHER OR EQUIVALENT UNDER BOTH NUT AND HEAD.
- HOLES FOR 3/4" DIAMETER BOLTS SHALL BE 3/4" DIAMETER. HOLES FOR 3/4" DIAMETER DRIFT BOLTS SHALL BE 3/4". HOLES FOR DRIVE SPIKES SHALL BE 1/2" LESS THAN DIAMETER OF SPIKE.
- STRUCTURAL STEEL SHALL MEET THE REQUIREMENTS OF THE CURRENT A.S.T.M. DESIGNATION A588. FABRICATION OF STRUCTURAL STEEL SHALL BE IN ACCORDANCE WITH CHAPTER 15, PART 3 OF THE CURRENT A.R.E.M.A. MANUAL FOR RAILWAY ENGINEERING. HIGH STRENGTH BOLTS SHALL CONFORM TO THE FOLLOWING REQUIREMENTS REGARDLESS OF TYPE OF STEEL AND WHETHER SHOP BOLTED OR FIELD BOLTED. HIGH STRENGTH BOLTS SHALL CONFORM TO THE REQUIREMENTS OF A.S.T.M. DESIGNATION A325, TYPE III. HEAVY HEX NUTS FOR HIGH STRENGTH BOLTS SHALL CONFORM TO THE REQUIREMENTS OF A.S.T.M. DESIGNATION A563, GRADE C3. HARDENED WEATHERING STEEL WASHERS FOR HIGH STRENGTH BOLTS SHALL CONFORM TO THE REQUIREMENTS OF A.S.T.M. DESIGNATION F436.
- INSTALLATION OF HIGH STRENGTH BOLTS: STEEL SURFACES TO BE BOLTED TOGETHER SHALL BE CLEANED OF ALL DIRT, OIL, GREASE AND SLAG AND ALL LOOSE SCALE AND RUST BEFORE HIGH STRENGTH BOLTS ARE PLACED. HIGH STRENGTH BOLTS SHALL BE INSTALLED WITH A HARDENED WASHER UNDER THE HEAD OR NUT, WHICHEVER IS TO BE TURNED IN TIGHTENING. AFTER A JOINT IS FITTED-UP, ALL BOLTS IN THE JOINT SHALL BE MADE SNUG TIGHT BY A FEW IMPACTS OF AN IMPACT WRENCH OR THE FULL EFFORT OF A MAN USING AN ORDINARY SPUD WRENCH TO BRING ALL PARTS OF THE JOINT IN GOOD CONTACT. THEN, ALL BOLTS SHALL BE TIGHTENED ONE-HALF TURN WITH TIGHTENING PROCEEDING FROM THE MOST RIGID PART OF THE JOINT TO ITS FREE EDGES. PERMANENT VISUAL MEANS OF NOTING NUT ROTATION SHALL BE APPLIED.
- STEEL SPANS AND NEW DECK ARE DESIGNED FOR COOPER E-80 IN ACCORDANCE WITH A.R.E.M.A. MANUAL FOR RAILWAY ENGINEERING, 2000 EDITION.

NOTE:
EXISTING TIMBER DECK
NOT SHOWN FOR CLARITY.

LETTER SERIES
SHEET NO. CUT ON
SHEET NO. SHOWN ON

SECTION DESIGNATION

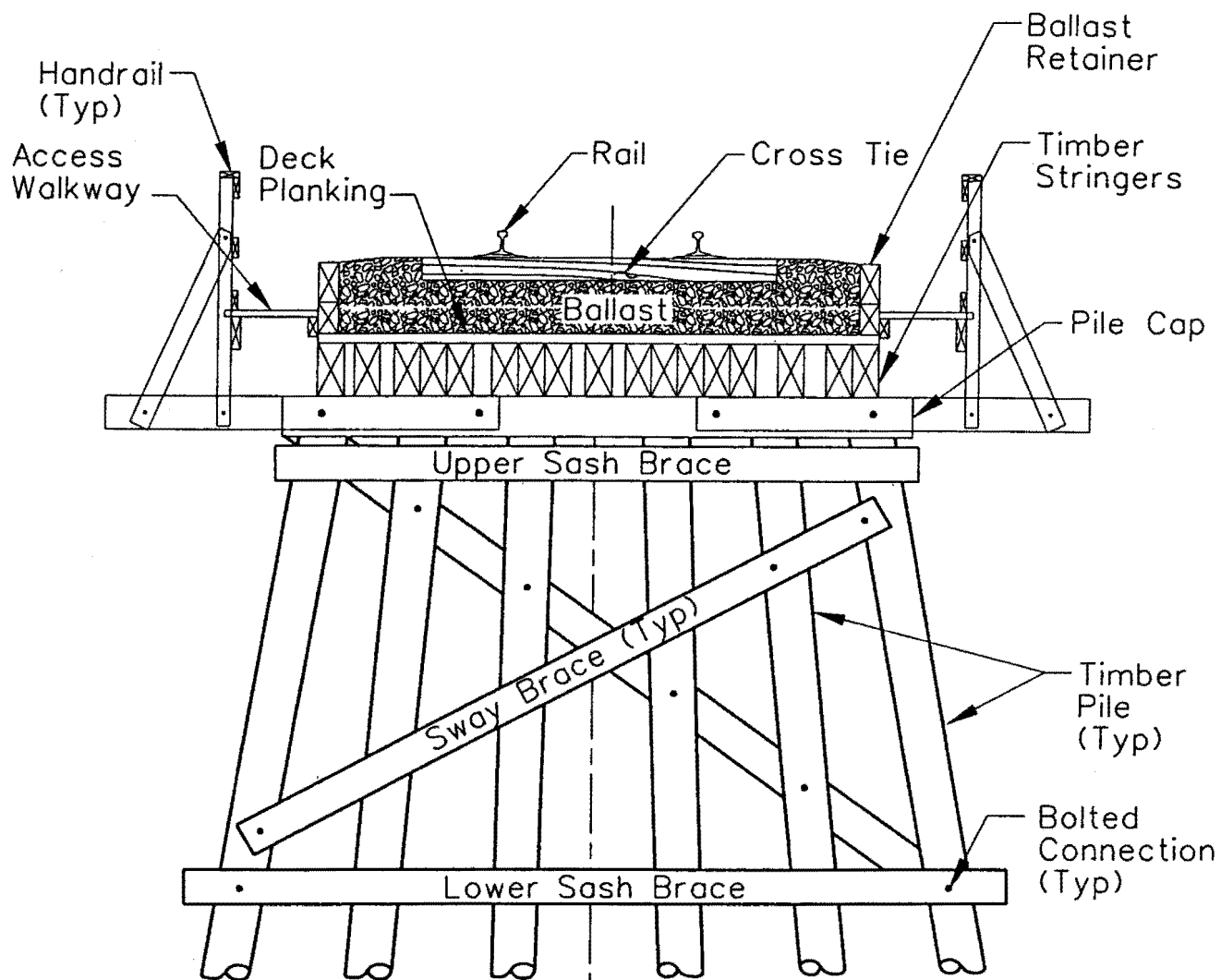
DRAWING SCHEDULE	
SHEET NO.	DESCRIPTION
S-1	GENERAL ARRANGEMENT
S-2	SECTIONS AND DETAILS
S-3	REMOVALS AND CONSTRUCTION PHASING
S-4	H-PILE GIRDER DETAILS
S-5	TIMBER DECK PLAN AND DETAILS
S-6	MISCELLANEOUS STEEL DETAILS

NOT FOR CONSTRUCTION

FIGURE 6

EXHIBIT NO.
APPLICATION NO.
6-02-080
Proposed Project

DESCRIPTION		DESIGNED BY RK	CHKD BY JYM	APP'D BY MTE	DATE MAY 21, 2001	SUBMITTED J. MERRITT	APPROVED M. EVANS	NCTD BR. 223.1 REPAIR PROJECT		CONTRACT NO.
		HNR		One City Boulevard West Suite 500 Orlando, CA 92868-3621 (714) 940-8800		HNR Engineering, Inc.		GENERAL ARRANGEMENT		DRAWING NO.
										REVISION SHEET NO.
										S-1
										SCALE
										3/16" = 1'-0"



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DATE: 30-Jul-01 1:35



HDR

HDR Engineering, Inc.
One City Boulevard West
Suite 900
Orange, CA 92868

SDNR Br. 223.1, SAN DIEGO SUBDIVISION
BRIDGE REPAIR

TYPICAL SECTION
BALLASTED DECK PILE TREESTL

EXHIBIT NO. 5

APPLICATION NO.

6-02-080

Project Detail

California Coastal Commission

