

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071

**RECORD PACKET COPY****Tu 4e**

Filed: May 28, 2002
49th Day: July 16, 2002
180th Day: November 24, 2002
Staff: ALB-LB *ALB*
Staff Report: August 22, 2002
Hearing Date: September 9-13, 2002
Commission Action:

STAFF REPORT: CONSENT CALENDAR

APPLICATION NUMBER: 5-02-173

APPLICANT: City of San Clemente

AGENT: Ben Parker, Associate Civil Engineer

PROJECT LOCATION: 3803 Vista Azul and 3030 Avenida del Presidente,
San Clemente, Orange County

PROJECT DESCRIPTION: Rehabilitation of an existing storm drain within a
municipal drainage easement in San Clemente State
Park

LOCAL APPROVALS RECEIVED: City of San Clemente Planning Division Approval in
Concept dated May 13, 2002

SUBSTANTIVE FILE DOCUMENTS: City of San Clemente Certified Land Use Plan (LUP)

LIST OF EXHIBITS

1. Location Map
2. Assessor's Parcel Map
3. Project Plans

SUMMARY OF STAFF RECOMMENDATION:

Staff is recommending **APPROVAL** of the proposed project with two (2) special conditions, which require 1) submittal of a restoration plan for the affected project area and 2) compliance with construction-related best management practices (BMPs). The major issues associated with this development are protection of habitat and park areas and water quality.

STAFF RECOMMENDATION:

Staff recommends that the Commission **APPROVE** the permit application with special conditions.

MOTION:

I move that the Commission approve CDP No. 5-02-173 pursuant to the staff recommendation.

Staff recommends a **YES** vote. This will result in adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of Commissioners present.

RESOLUTION:

I. APPROVAL WITH CONDITIONS

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:

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 this permit is reported to the Commission. 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.

III. SPECIAL CONDITIONS:

1. Submittal of Restoration Plan

- A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, in a form and content acceptable to the Executive Director, two (2) sets of a restoration plan prepared by an appropriately licensed professional which demonstrates the following:
- (a) All areas surrounding the inlet and outlet structures that are affected by construction activities shall be revegetated for slope stability, erosion control and habitat enhancement.
 - (b) Landscaping shall consist of drought-tolerant native plant species;
 - (c) All non-native plants shall be removed from the areas surrounding the inlet and outlet structures.
- B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris

The permittee shall comply with the following construction-related requirements:

- (a) No construction materials, debris, or waste shall be placed or stored where it may enter the storm drain system leading to the Pacific Ocean;
- (b) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
- (c) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control sedimentation impacts to coastal waters during construction. BMPs shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into Upper Newport Bay and a pre-construction meeting to review procedural and BMP guidelines;
- (d) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters. Debris shall be disposed of outside the coastal zone, as proposed by the applicant.

IV. FINDINGS AND DECLARATIONS:

The Commission hereby finds and declares:

A. PROJECT LOCATION AND DESCRIPTION

The subject site is located at 3803 Vista Azul and 3030 Avenida del Presidente within the southernmost portion of the City of San Clemente, Orange County (Exhibits 1 & 2). The applicant is proposing to rehabilitate the inlet and outlet structures of an existing 24-inch reinforced concrete pipe storm drain (Exhibit 3). The inlet is on private property at 3803 Vista Azul and the outlet is located on San Clemente State Beach property, adjacent to 3808 Vista Azul. The project site is located approximately 700 feet inland from the shoreline. Both structures are sited within City easements and are the City's maintenance responsibility.

The existing concrete inlet and outlet structures currently consist of a headwall, wing walls and an apron. During heavy rains, the upstream canyon generates debris that can clog the existing inlet grate. The City is proposing to install an atrium type grate on the inlet that is less likely to become obstructed. The area surrounding the downstream outlet structure has been subject to erosion. In the past, sand bags have been placed at the outlet to prevent further erosion. In an effort to protect and maintain its facilities, the City is proposing to install gabions and rip rap to serve as a more permanent method of erosion protection. Four levels of gabion baskets will be placed at the outlet point, extending to a depth of approximately 6 feet and a width of approximately 17'6", as shown in Exhibit 3. Once the gabion baskets are in place, they will be filled with softball size rock. Excavation for the installation of the gabion will be done by hand. No heavy mechanized equipment will be used to carry out the proposed project. Approximately 18 cubic yards of grading (5 cy cut and 13 cy fill) are proposed. Approximately 5 cubic yards of cut material will be disposed of at the Orange County Landfill. Disturbance will be limited to the City's easement area. The staging area will be located at Vista Azul, the street adjacent to the project site. State Parks staff has determined that no environmentally threatened species are present within the project area. Non-native plant species are prevalent around the inlet and outlet points. Revegetation and restoration of the site is requested. No restoration plan was submitted by the applicant.

B. HABITAT, RECREATION AND PARK IMPACTS

As conditioned, the development will not result in significant degradation of adjacent habitat, recreation areas, or parks and is compatible with the continuance of those habitat, recreation, or park areas. Therefore, the Commission finds that the project, as conditioned, conforms with Section 30240(b) of the Coastal Act.

C. WATER QUALITY

The proposed work will be occurring in a location where there is a potential for a discharge of polluted runoff from the project site into coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be carried into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for construction and post-construction related impacts on water quality, the Commission

imposes special conditions requiring, but not limited to, the appropriate storage and handling of construction equipment and materials to minimize the potential of pollutants to enter coastal waters and for the use of on-going best management practices following construction. As conditioned, the Commission finds that the development conforms with Sections 30230 and 32031 of the Coastal Act.

D. PUBLIC ACCESS

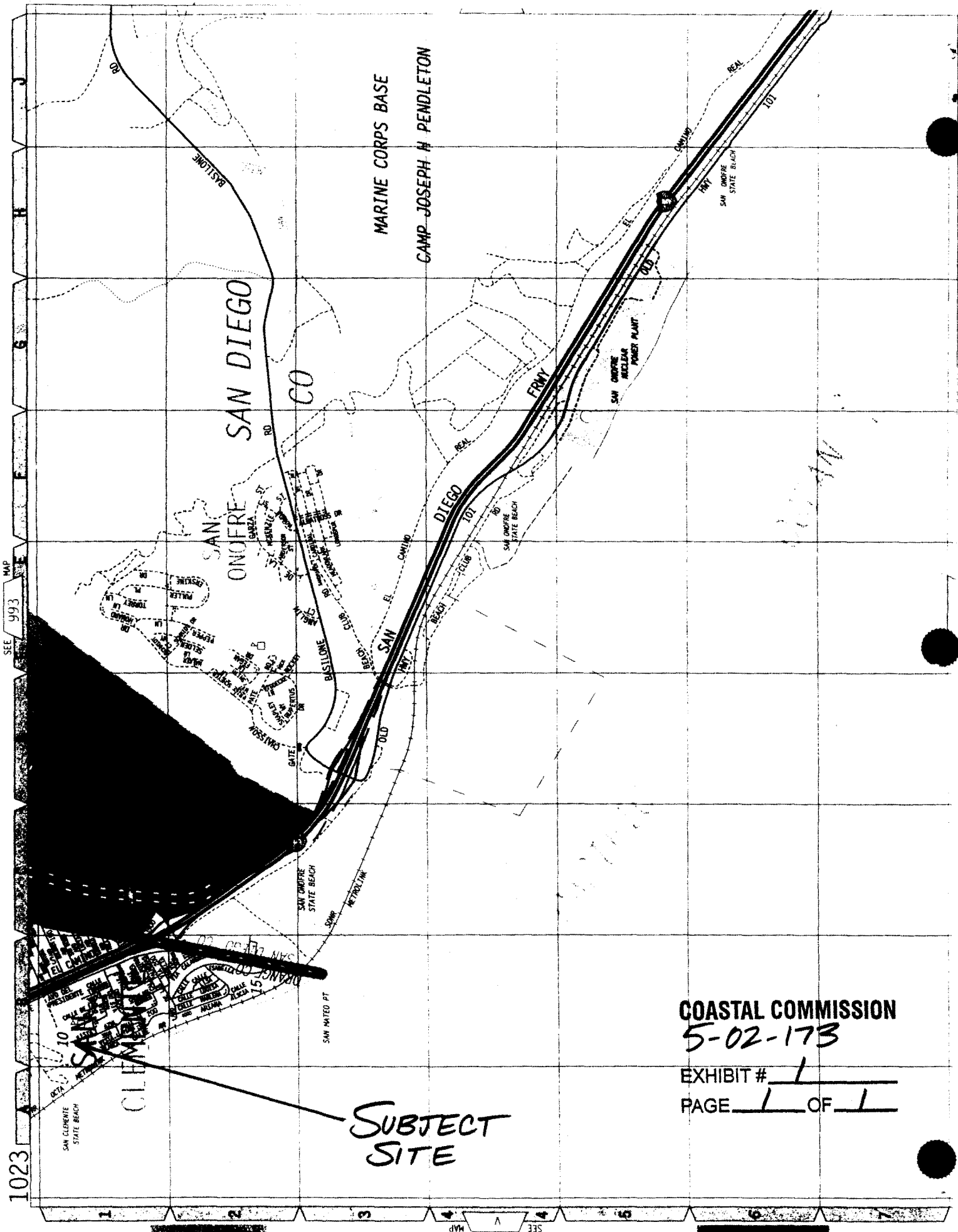
The proposed development will not affect the public's ability to gain access to, and/or to use the coast and nearby recreational facilities. Therefore, as proposed the development conforms with Sections 30210 through 30214, Sections 30220 through 30224, and 30252 of the Coastal Act.

E. LOCAL COASTAL PROGRAM

The Commission certified the Land Use Plan for the City of San Clemente on May 11, 1988, and certified an amendment approved in October 1995. On April 10, 1998, the Commission certified with suggested modifications the Implementation Plan portion of the Local Coastal Program. The suggested modifications expired on October 10, 1998. The City re-submitted on June 3, 1999, but withdrew the submittal on October 5, 2000. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

F. CALIFORNIA ENVIRONMENTAL QUALITY ACT

As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.



SUBJECT SITE

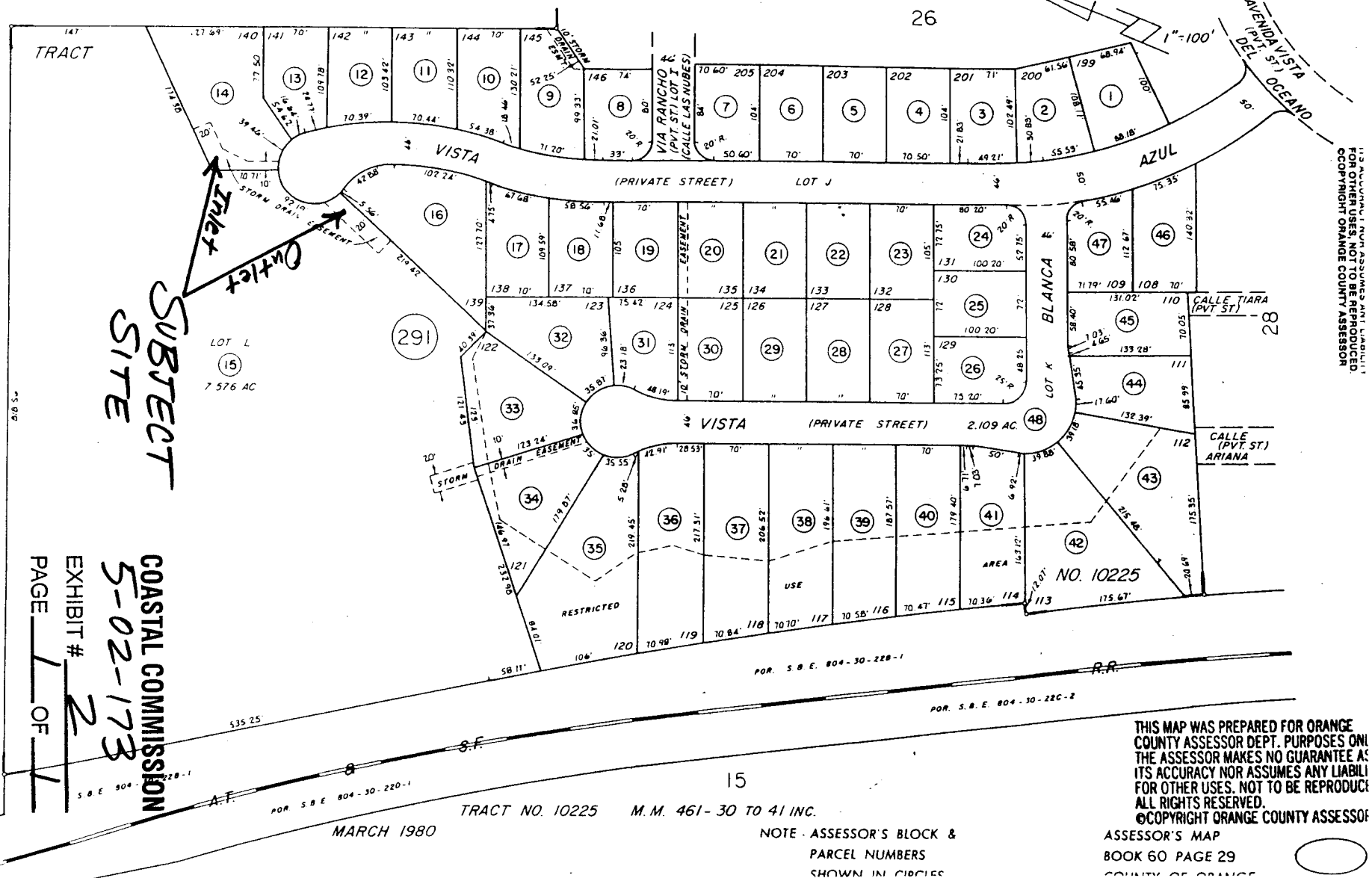
COASTAL COMMISSION
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EXHIBIT # 1
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EXHIBIT #

COASTAL COMMISSION
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LOCATION MAP
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- 1 REMOVE EXISTING PALM TREE
- 2 REMOVE SPRINGBAG & SAND WITHIN EASEMENT
- 3 REMOVE SPRINGBAG & SAND BEYOND EASEMENT
- 4 REMOVE EXISTING CHAIN LINK FENCE
- 5 INSTALL 12"x12" GABION
- 6 INSTALL 7"x3"x1.5" GABION
- 7 INSTALL 5"x3"x1" GABION
- 8 INSTALL 6"x3"x1.5" GABION
- 9 INSTALL 10"x3"x1.5" GABION
- 10 INSTALL 12" THICK LAYER RIP-RAP
- 11 INSTALL 6" THICK LAYER 1" ROCK
- 12 GRADING
- 13 INSTALL GEOTEXTILE MATTING 1400

SHEET No.	DESCRIPTION
1	TITLE SHEET
2	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
3	XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

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EXHIBIT # 3
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RECEIVED
South Coast Region
MAY 28 2012
CALIFORNIA
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PACIFIC BELL	(714) 860-5790	30. CALIF. GAS COMPANY	(800) 634-7222
CONTACT : SARAH WILSON		CONTACT : LORNE MURPHY	
3440 DENO GAS & ELECTRIC	(800) 361-8047	OCE DUBLIE COMMUNICATIONS INC.	(800) 548-3612
CONTACT : PETER BOOD		CONTACT : STEVE ORSONI	
CITY OF SAN CLEMENTE	(800) 361-6263	THE-CITIES SERVICE WATER DIST.	(800) 248-2098
SEWER AND WATER DEPT.		CONTACT : TONY BOHNE	
CONTACT : A. K. HORNBERG		CONTACT : ALAN BOHNER	(714) 634-3188
O.C.T.A. OCTOBER HOTLINE	(714) 268-4331		
CONTACT LINE, SUPERVISOR			

**AT LEAST TWO DAYS
BEFORE YOU GO**

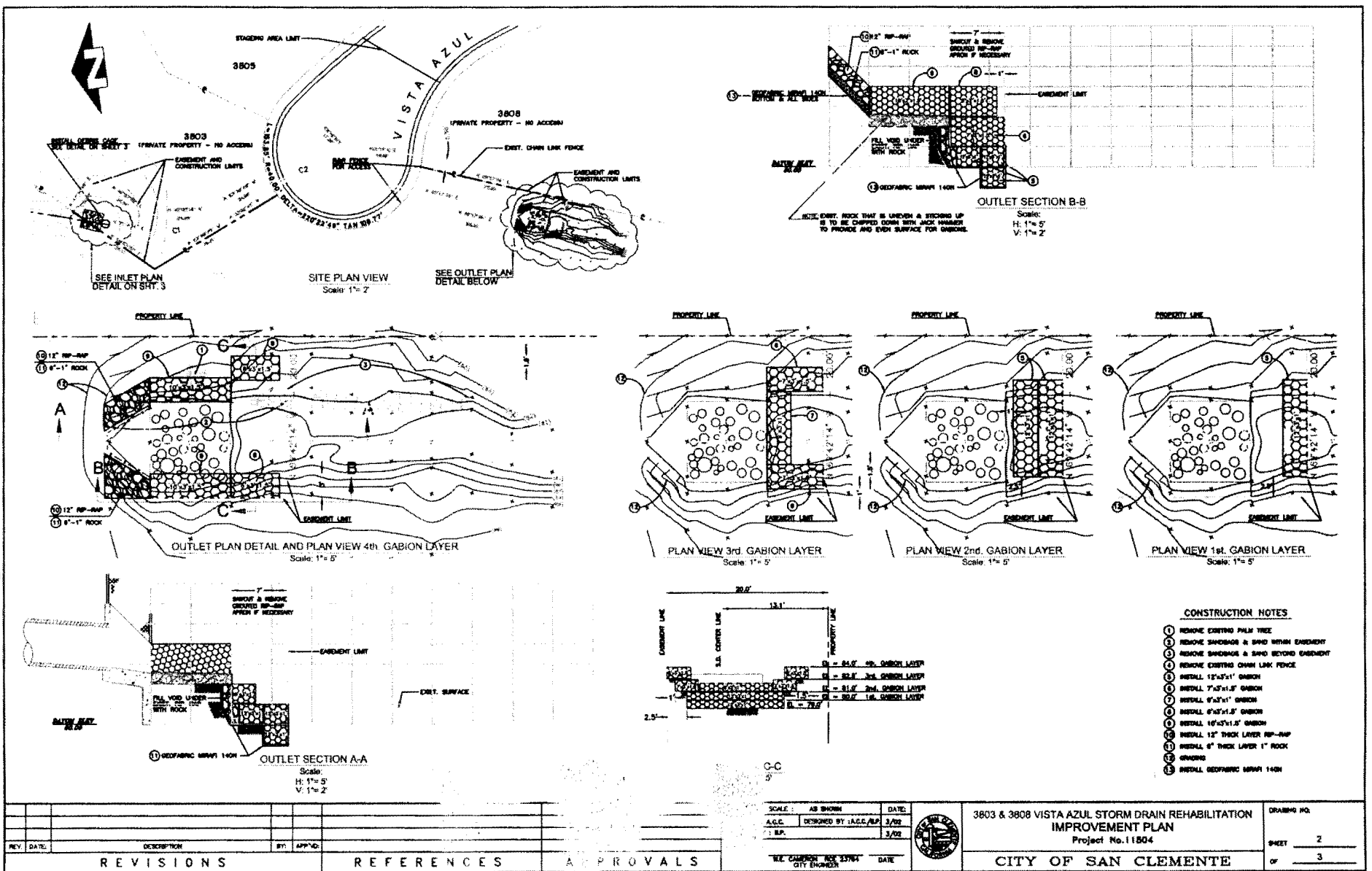
UNDERGROUND SERVICE ALERT AT SOUTHERN CALIFORNIA

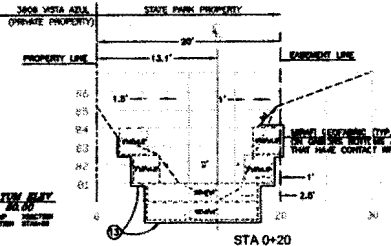
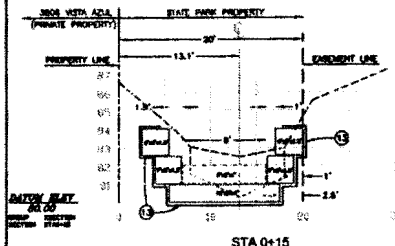
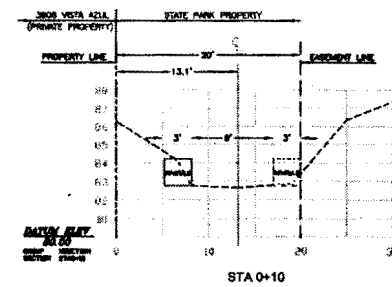
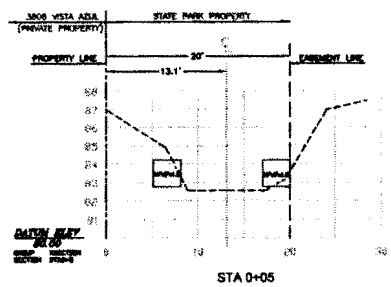
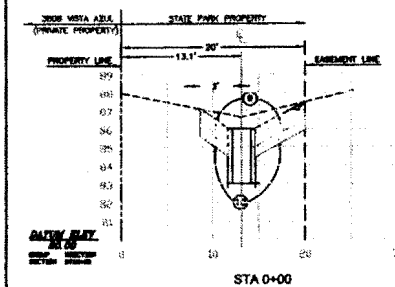
ATTENTION IS DIRECTED TO THE POSSIBLE CLOSURE OF UNDERGROUND FACILITIES NOT ONLY BE IN A LOCATION DIFFERENT FROM THAT WHICH IS SHOWN ON THE PLANS BE IN USE, BUT ALSO, THAT THE LOCATION OF THE FACILITY IS SUBJECT TO CHANGING THE EXACT LOCATION OF ALL UNDERGROUND FACILITIES PRIOR TO THE TIME THAT THEY ARE SHOWN ON FACILITIES OR OTHERWISE WITH THEIR SERVICE.

PLEASE DISSEMINATE THE CHANGING LOCATION VARIETY THE LOCATION OF THE FACILITY TO ALL PERSONNEL AND TO THE SERVICE ALERT AT SOUTHERN-CALIF.

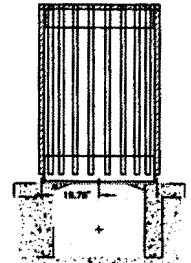
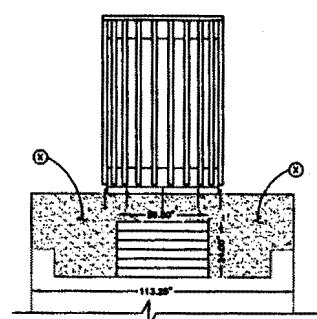
								ENGINEERING SCALE: AS SHOWN DRAWN BY: A.C.C. DESIGNED BY: A.C.C./M.P. CHECKED BY: S.P. DATE: 5/08 DATE: 5/08				 3803 & 3806 VISTA AZUL STORM DRAIN REHABILITATION TITLE SHEET Project No. 11804		DRAWING NO: SHEET 1 OF 3	
REV. DATE DESCRIPTION BY: APP: NO.				REFERENCES				DATE BY SIGNATURE TITLE				APPROVED: BY: DATE			
REVISIONS				REFERENCES				APPROVALS				CITY OF SAN CLEMENTE			

EX. 3 2/3

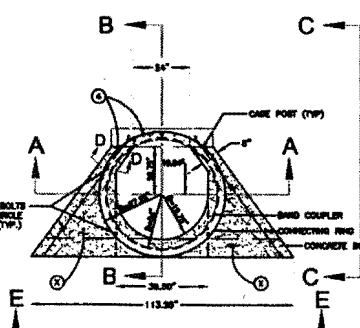
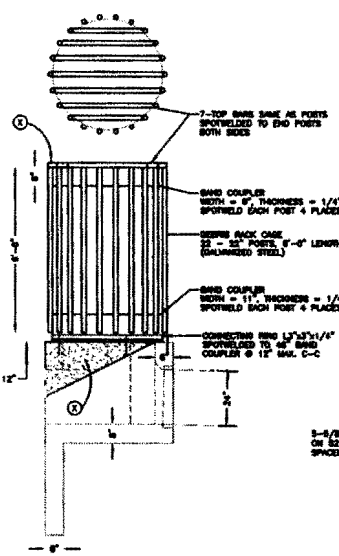
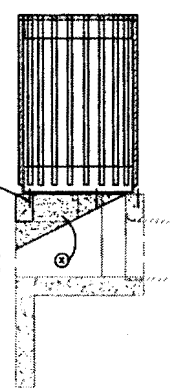
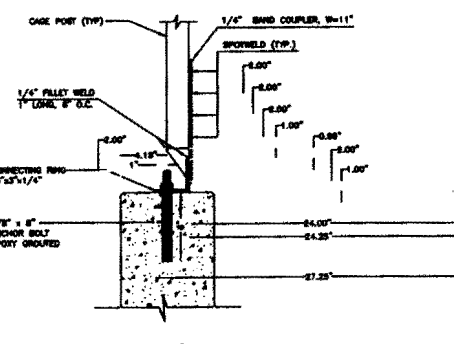




NOTE: SHADINGS NOT SHOWN IN PROFILES



OUTLET DOWNSTREAM SECTIONS AND GABION ELEVATIONS
Scale: H: 1" = 6', V: 1" = 3'



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