

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
767-2370

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Staff: KW-SD
Staff Report: April 22, 2004
Hearing Date: May 12-14, 2004

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-04-10

Applicant: City of San Diego
Public Buildings and Parks Division

Agent: Reza Taleghani

Description: Repairs and improvements to stormwater drainage facilities in Famosa Slough, including restoration and extension of existing drainage culvert and installation of sheet pile headwall.

Site: West Point Loma Avenue near the intersection of Famosa Blvd.,
Peninsula, San Diego, San Diego County. APN# 441-090-44, 449-870-02

Substantive File Documents: Biological Survey Letter Report by Merkel & Assoc., Inc.
(February 9, 2004), Adopted Famosa Slough Enhancement Plan, City of
San Diego Local Coastal Program

STAFF NOTES:

Summary of Staff's Preliminary Recommendation: The project is a repair and improvement activity intended to improve tidal circulation within Famosa Slough as part of an ongoing restoration program. Staff is recommending approval of the proposed development subject to special conditions. The primary issues raised by the subject development relate to protection of wetlands and native habitat, including conversion of approximately 0.001 acres of southern coastal salt marsh to open water, through increased water level and tidal flushing. No development activity or direct impacts will occur within wetlands. Staff has reviewed the proposed development and determined that, as conditioned, it will not result in significant adverse impacts to sensitive coastal resources.

2. Best Management Practices Program. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a Best Management Practices (BMPs) program that incorporates the following:

- a. The use of temporary silt fences and/or silt curtains during construction to trap sediment. The program shall indicate that the silt fences will not be used on slopes or in streams or channels where flow is concentrated. They shall be inspected regularly and sediment removed when it reaches 1/3 of fence height.
- b. Fuel and vehicle maintenance and staging areas shall be located away from all drainage courses, and designed to control runoff.
- c. Equipment and vehicle washing may not be performed onsite.
- d. Washout from concrete trucks shall be disposed of at a location not subject to runoff, and more than 50 feet away from any storm drain, open ditch or surface water.

The permittee shall undertake the development in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program 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. As-Built Plans. Within 30 days of completion of construction of the proposed development activity, the permittee shall submit for review and written approval of the Executive Director, as-built plans for the project, verifying that the project has been constructed in conformance with the approved final plans.

4. Other Permits. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the applicant shall submit to the Executive Director for review and written approval, copies of all other required local, state or federal discretionary permits for the development authorized by CDP #6-04-010. The applicant shall inform the Executive Director of any changes to the project required by such permits. 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. Staging Areas/Public Access. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, detailed plans incorporated into the construction bid documents for the location of staging areas and of access corridors to the construction sites. The plans shall include, at a minimum, the following:

pavement from the parking lane along West Point Loma Blvd. The sheet pile will be installed with a pile driver. The pile driver crane will be located either on West Point Loma Blvd. or on a disturbed upland area near Famosa Channel. Construction of the culvert extension is expected to take approximately two weeks.

The culvert restoration and extensions will increase tidal flows within Famosa Slough and expand the total area of tidal wetlands. Impacts expected to occur from the increased flows include localized conversion of one tidal habitat type to another tidal habitat type (.001 acre of salt marsh to open water), and minor expansion of tidal waters for the benefits of improving tidal hydrodynamics within the Slough for the overall betterment of the system. No direct impacts to or fill of wetlands is proposed. The result will be a greater tidal prism within the Slough that is essential to eventual restoration of tidal salt marsh along West Point Loma Blvd.

2. Water Quality. The following Coastal Act policies addressing water quality are most applicable to the subject proposal, and state, in part:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored...Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters....

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum population 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 wastewater discharges and entrainment

The project site is located at the confluence of Famosa Slough and Famosa Channel, which connects the slough to the San Diego River Channel. The proposed development activity is intended to improve tidal circulation and habitat quality in the slough and surrounding upland area. The renovation of two existing 48-inch culverts beneath West Point Loma Blvd, culvert extension, and sheet pile construction will create increased water flow and support restored salt water marsh habitat. The proposed development is expected to have a beneficial effect on the water quality of the slough. Special Condition #2 requires BMPs that will trap sediment and prevent offsite discharge into sensitive areas during the construction period, and prevent contamination of runoff with chemicals and other construction debris, thereby minimizing potential impacts from stormwater runoff and erosion. Therefore, the Commission finds that the development, as conditioned to address other concerns, is consistent with Sections 30230 and 30231 of the Act.

the project is consistent with the Chapter 3 policies of the Coastal Act regarding public access and recreation.

4. Wetlands/Sensitive Biological Resources. The following Chapter 3 policies of the Coastal Act address issues related to the subject proposal and state, in part:

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 for long-term commercial, recreational, scientific, and educational purposes.

Section 30233

(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...

Section 30240

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

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

The culverts are located beneath West Point Loma Boulevard, and join the Famosa Channel to the north with Famosa Slough to the south. The slough is surrounded by urban development. The overall project site contains a number of habitat types, including coastal salt marsh, freshwater marsh, coastal sage scrub, open water, and non-native grassland and other disturbed areas. No construction activities will take place within the onsite wetlands or within open water areas.. In other words, no dredging or fill of wetlands is proposed. Thus, Coastal Act Section 30233 does not apply to this project.

The culvert renovations and extension is a conceptual element of the Famosa Slough Enhancement Plan, and is necessary in order to expand tidal wetlands within Famosa Slough, without having a detrimental effect on existing high marsh habitat elsewhere in the slough. The impacts anticipated to occur from installation of the culvert are localized

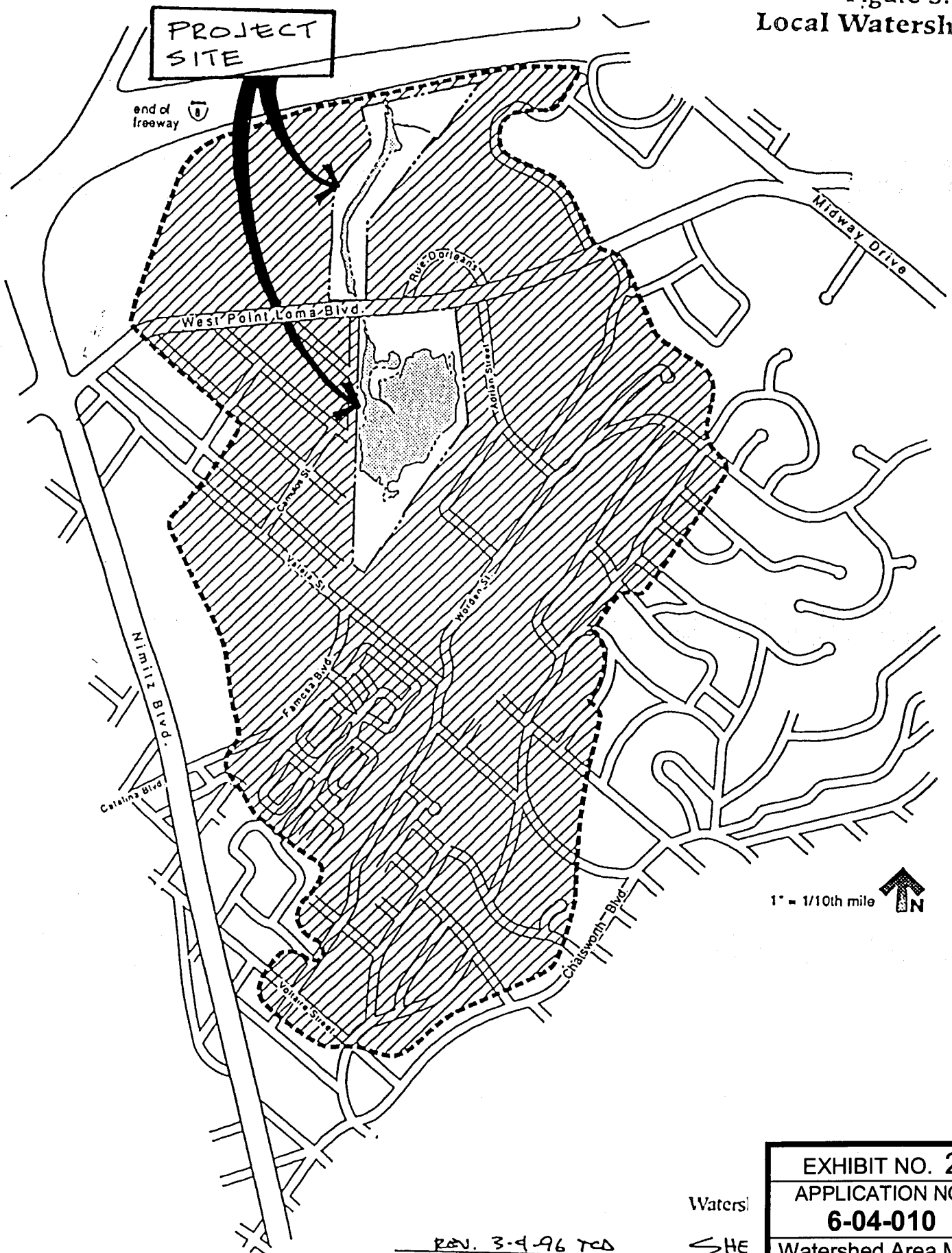
which would substantially lessen any significant adverse effect which the activity may have on the environment.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project, as conditioned, has been found consistent with the biological and marine resources, water quality, visual resource 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, as conditioned, is the least environmentally damaging feasible alternative and is found 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.

Figure 3.1-3
Local Watershed



REV. 3-4-96 TCD

Waters

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FAMOSA S
ENHANCEMENT

EXHIBIT NO. 2
APPLICATION NO.

6-04-010

Watershed Area Map

California Coastal Commission



PRELIMINARY NOT FOR CONSTRUCTION