

CALIFORNIA COASTAL COMMISSION

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AMENDMENT REQUEST
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-03-54-A1

Applicant: City of Solana Beach

Agent: Bruce April, Caltrans

Original Description: Improvements to the Lomas Santa Fe/Interstate 5 (I-5) Interchange including constructing new loop ramps, widening the I-5 overpass, adding northbound and southbound auxiliary lanes, installing a raised median in front of Lomas Santa Fe Plaza, rerouting Marine View Avenue at San Andres Drive, and installing retaining/sound walls, landscaping and drainage improvements, acquisition of several small parcels of additional right of way and minor right of way acquisition for rerouting of Marine View Avenue.

Proposed Amendment: Extend northbound (NB) auxiliary lane approximately 2,054 feet south to begin at the Via de la Valle NB loop on-ramp, and realign the Via de la Valle NB diamond on-ramp to accommodate the extension of the NB auxiliary lane. With the proposed modifications, the NB auxiliary lane would begin at the Via de la Valle NB loop on-ramp, and traffic from the NB diamond on-ramp would merge into the extended auxiliary lane.

Site: Northbound and Southbound Interstate 5 (I-5) near Lomas Santa Fe Drive and Via de la Valle, Solana Beach, San Diego County.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval of the proposed freeway improvements. The original project involved unavoidable impacts to approximately 2.05 acres of Coastal Sage Scrub (CSS) habitat to accommodate the proposed improvements, and the proposed auxiliary lane extensions will result in impacts to an additional 0.11 acres of disturbed CSS. However, as with the original impacts, the CSS is isolated, highly degraded and not occupied by gnatcatchers or other sensitive species. As such, the Commission's staff Resource Ecologist has determined that habitat on the fill slopes in the project area is not Environmentally Sensitive Habitat Area (ESHA).

Although the proposed improvements are only a minor expansion of the original project, they involve an expansion of the project area; thus, the same special conditions placed on the original permit to mitigate for habitat and water quality impacts have been placed on the subject amendment. With the proposed mitigation measures and special conditions, the potential impacts on coastal resources will be eliminated or reduced to the maximum extent feasible, consistent with Coastal Act policies and the original approval.

Standard of review: Chapter 3 policies of the Coastal Act.

Substantive File Documents: CEQA Addendum/NEPA Reevaluation Memorandum to the 2004 Interstate 5/Lomas Santa Fe Drive Interchange Modification Mitigated Negative Declaration and Finding of No Significant Impact, July 2006 by Caltrans.

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. 6-03-54 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. Final Plans. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval final plans for the permitted development that are in substantial conformance with the Caltrans plans in the CEQA addendum/NEPA Reevaluation Memorandum dated July 2006.

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. Coastal Sage Scrub Mitigation Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for review and written approval of the Executive Director, a final detailed coastal sage scrub mitigation plan, as proposed by the applicant, which includes the following:

- a. A detailed plan for the mitigation site and a description of how the site will be restored.
- b. Goals, objectives, and performance standards for the mitigation site, including:
 1. Restoration of a minimum of 2.22 acres of area currently covered with ornamental landscaping or disturbed CSS.
 2. The coastal sage scrub at the mitigation site(s) shall be similar to nearby, relatively undisturbed stands of CSS in both species composition and ground cover in 5 years.
 3. Planting of the new slopes adjacent to the site of the auxiliary lane(s) shall occur within 30 days of completion of construction.
- c. The final design and construction methods that will be used to ensure the mitigation site achieves the defined goals, objectives, and performance standards.
- d. Provisions for submittal, within 30 days of completion of initial restoration work, of “as built” plans demonstrating that the mitigation site has been established in accordance with the approved design and construction methods

The permittee shall undertake development in accordance with the approved mitigation plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the approved 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. 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, a final detailed program for monitoring the proposed coastal sage scrub mitigation. The applicant shall develop the program in consultation with the U.S. Fish and Wildlife Service as appropriate. As proposed by the applicant, the monitoring program shall include the following:

- a. Provisions for monitoring and remediation of the mitigation site in accordance with the approved final mitigation program for a period of five years, commencing upon submittal of the “as built” analysis.
- b. A detailed description of the field methods.
- c. A description of how performance standards will be assessed.
- d. Provisions for submission of annual reports of monitoring results to the Executive Director for the duration of the required monitoring period, with the first annual report due one year after submission of the “as-built” analysis. Each report shall also include a “Performance Evaluation” section evaluating the status of the mitigation and restoration projects in relation to the performance standards.
- e. Provisions for submission of a final monitoring report to the Executive Director at the end of the five-year reporting period. The final report must be prepared in consultation with a qualified biologist. The report must evaluate whether the mitigation site conforms to the goals, objectives, and performance standards set forth in the approved final mitigation program.

If the final reports indicate that the mitigation project has not met all approved performance standards, the applicant shall submit, for the review and written approval of the Executive Director, a revised or supplemental program to compensate for those portions of the original program which did not meet the approved performance standards. The revised program shall be processed as an amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required. The applicant will complete the development outlined in any such program, as approved.

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

4. Maintenance of Water Quality. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final detailed water quality program for review and written approval of the Executive Director. The applicant shall develop the program in consultation with the Regional Water Quality Control Board (RWQCB). The program shall consist of the following:

- a. The applicant shall submit a Water Pollution Control Plan (WPCP) that addresses the issues of grading, drainage, erosion, and pollution control.
- b. The WPCP shall include a Best Management Practices (BMP) Program addressing post-construction BMPs. This program shall include, but is not limited to, final drainage plans delineating the detention basin, bioswale and outlet facilities, and calculations/evidence that the facilities are designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
- c. The WPCP shall include a Best Management Practices (BMP) Program addressing construction BMPs. This program shall include, but is not limited to, the following:
 1. Debris and trash shall be disposed of in the proper trash and recycling receptacles at the end of each construction day.
 2. The BMP program shall include a detailed plan for clean up of accidental spill of petroleum-based products, cement, or other construction related pollutants. The plan shall be retained on-site with the contractor or engineer throughout construction. It shall include, but not be limited to, use of absorbent pads, or other similar and acceptable methods for clean up of spills.
 3. The construction phase BMP Program shall indicate the proposed staging areas during construction on the plans and cover those areas as well.

The permittee shall undertake development in accordance with the approved final BMP program. Any proposed changes to the approved final program shall be reported to the Executive Director. No changes to the approved BMP 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.

5. Landscaping/Planting Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit for review and written approval of the Executive Director, a final detailed landscaping plan for the project. The plan shall include the following:

- a. A maintenance plan for the project site that describes the herbicide, pesticide and fertilizer practices as well as list the chemical pesticides and fertilizers that will be employed on site. Said chemicals shall not be toxic to fish or wildlife or persistent in the environment. Herbicides and pesticides, if used at all, shall be applied by hand application or by other means that will prevent leakage, percolation, or aerial drift into nearby lagoon, wetland and upland areas.
- b. A plan showing the type, size, extent and location of all plant materials used. All trees removed by the project shall be replaced on a 1:1 basis. Retaining/sound walls shall be colored and textured to be subordinate to the natural setting to the extent possible. In addition, where feasible, retaining/sound walls shall be screened with trees, shrubs or other landscape plants to help reduce their visibility.
- c. Only species typical of coastal sage habitats shall be utilized, such that the slopes will be compatible with surrounding natural and manmade areas.
- d. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the construction project;
- e. All required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new drought-tolerant and native plant materials to ensure continued compliance with landscape requirements. No invasive species are permitted; and
- f. Five years from the date of issuance of the coastal development permit, the applicant shall submit a landscape monitoring report for review and written approval of the Executive Director. The report shall be prepared by a licensed Landscape Architect or qualified Resource Specialist, and certify that the on-site landscaping is in conformance with the landscape/planting plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director or Commission. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan. The revised plan shall be processed as an amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required. The applicant will complete the development outlined in any such program, as approved.

The permittee shall undertake the development in accordance with the approved planting plans. Any proposed changes to the approved planting plans shall be reported to the Executive Director. No changes to the planting 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.

6. Construction Schedule/Access Impacts/Seasonal Restrictions. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, a final construction schedule, which shall be incorporated into construction bid documents. The schedule shall include the following:

- a. Adverse effects on traffic flow on Via De la Valle shall be minimized during the summer months and at least one traffic lane in each direction shall remain open at all times.
- b. Construction activities, including removal of vegetation, shall not occur within the California gnatcatcher breeding season (February 15 – August 31) of any year without the concurrence of the U.S. Fish and Wildlife Service and the California Department of Fish and Game that the construction activity will not disrupt California gnatcatcher breeding activity.
- c. If nests are found, a 500-foot buffer from construction activities shall be established and maintained until the nest is no longer active.

The permittee shall undertake the development in accordance with the approved construction schedule. Any proposed changes to the approved construction schedule shall be reported to the Executive Director. No changes to the construction schedule shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

7. Disposal of Graded Spoils. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

8. 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 #6-03-54-A1. 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.

9. Prior Conditions of Approval. All prior conditions of approval of the permit 6-03-054, not specifically revised herein shall remain in full force and effect.

III. Findings and Declarations.

The Commission finds and declares as follows:

1. Project History/Amendment Description. The original project consisted of construction of several interrelated highway improvements primarily within the right-of-way of Interstate 5 (I-5). The project site is located along I-5 from just north of Via De La Valle to just north of Lomas Santa Fe Drive (in both directions) in the City of Solana Beach. The project includes the following:

- Constructing loop on-ramps in the northwest and southeast quadrants of the Lomas Santa Fe Interchange
- Widening the Lomas Santa Fe underpass to accommodate sidewalks, bike lanes and the ultimate on-ramp alignments required for future freeway widening
- Widening the I-5 overpass structure to accommodate the ultimate width of I-5 for the future freeway widening and lengthening the southbound off-ramp to increase storage capacity
- Realigning the existing northbound off-ramp to provide acceptable intersection spacing between the ramp connections
- Installing north- and southbound auxiliary lanes along I-5 from north of Via de la Valle to Lomas Santa Fe Drive
- Constructing several sound walls that range in height from 8-feet to 12-feet on adjacent private property to mitigate freeway noise levels
- Constructing several retaining walls along I-5.
- Acquisition of additional right of way of several small private parcels and through the rerouting of Marine View Avenue.

The purpose of the approved Lomas Santa Fe Drive Interchange modifications is to provide capacity, operational and safety improvements that meet the objectives outlined in the Solana Beach General Plan in agreement with the Department of Transportation (Caltrans), to alleviate traffic congestion, delays and accidents. The intersection of Lomas Santa Fe Drive and the northbound I-5 ramps is currently operating below city and state standards at a Level of Service (LOS) E. The permit has been issued; however work is not expected to begin until the beginning of January 2007.

Relative to the proposed amendment, as originally approved, the proposed northbound auxiliary lane would have begun just north of the Via de La Valle interchange. The proposed amendment would add an additional .2 miles to the proposed auxiliary lanes at the southern project limits, such the northbound auxiliary lane will now begin at the Via De La Valle northbound loop on-ramp (see Exhibit #2). In addition, the Via de la Valle northbound diamond on-ramp will be realigned to accommodate the extension of the northbound auxiliary lane, the existing California Highway Patrol (CHP) enforcement

pad will be relocated to the east side of the on-ramp, new cut/fill slopes will be created along the northbound diamond on-ramp, and new metal beam guardrail will be installed along the edge of the new pavement between the northbound freeway lanes and the Via de la Valle northbound diamond on-ramp. All other aspects of the original project remain unchanged.

In order to construct the proposed improvements, excavation and embankment of the surrounding slopes is required. Most of the excavation (cut) would be along the Via de la Valle northbound diamond on-ramp. The estimated total cut volume is 16,131 cubic yards, and the maximum height of the cut slope is expected to be 38.4 feet. Most of the embankment (fill) would be located between the northbound freeway lanes and the Via de la Valle northbound diamond on-ramp. The estimated total fill volume is 610 cubic yards, and the maximum height of the fill slope is expected to be 8.2 feet. Approximately 15,521 cubic yards of material will be disposed of off-site. Since the applicant has not identified the location of the proposed export location, Special Condition #7 has been attached which requires the applicant identify the location of the export site prior to issuance of the permit and, if within the coastal zone, provide evidence of a coastal permit authorizing its disposal, if necessary.

Because there is no certified LCP for this area, the standard of review for this development is the Chapter 3 policies of the Coastal Act.

2. Consistency with Chapter 3 Policies. The following Coastal Act policy addresses the type of vegetation found on and adjacent to the subject site and states:

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.

In its action of the original permit for the freeway interchange improvements, the Commission found that the proposed interchange improvements were necessary to address substandard levels-of-service (LOS) occurring at the interchange and surrounding roadways. While the originally approved project results in unavoidable impacts to approximately 2.05 acres of Coastal Sage Scrub (CSS) habitat, the CSS involved is isolated, highly degraded and not occupied by gnatcatchers or other sensitive species. As such, the Commission's staff ecologist found that the impacts would not occur to an Environmentally Sensitive Habitat Area (ESHA), and the Commission accepted the CSS mitigation plan proposed by Caltrans to offset the impacts.

The amended project would require new cut and fill of the slopes along the northbound freeway lanes and the Via de la Valle northbound diamond on-ramp. Most of these slopes are vegetated with ornamental, non-native landscaping, but a mitigated negative declaration for the original project determined that the proposed improvements would result in impacts to approximately 0.11 acres of disturbed coastal sage scrub habitat. None of this habitat is within proposed critical habitat boundaries for the coastal gnatcatcher, and as proposed, impacts to the disturbed coastal sage scrub would be offset by revegetating the entire cut slope (2.22 acres) with coastal sage scrub.

The habitat on the subject site is immediately adjacent to the project area previously determined not to be ESHA, and is similarly patchy and degraded. These freeway slopes were originally planted with native vegetation primarily for erosion control purposes and not as mitigation for any environmental impacts. At the time of construction of the original freeway, there was an expectation that the slope might be altered or destroyed in the future in order to accommodate the needs for highway maintenance or increased highway capacity. In this particular case, the Commission reaffirms that the CSS does not meet the standards for support of rare species and as such, is not considered ESHA. The U.S. Fish and Wildlife Service has approved the project and a mitigation and monitoring plan that covers the area of impact.

While the disturbed CSS is patchy and isolated from both San Elijo and San Dieguito lagoons, and thus unlikely to be utilized by breeding gnatcatchers, there is still a potential for gnatcatchers being present at some point. Therefore, preconstruction surveys are required. Special Condition #7 requires that construction activities must not occur within the California gnatcatcher breeding season (February 15 – August 31) of any year without the concurrence of the U.S. Fish and Wildlife Service and the California Department of Fish and Game that the activity will not disrupt gnatcatcher breeding. If gnatcatchers are found, a 500-foot buffer from construction activities shall be established and maintained until the nest is no longer active.

As noted, the cut and fill slopes impacted by the proposed project will be revegetated with CSS plant species. The applicant has previously indicated that the revegetation of slopes along I-5 is not creating ESHA. This revegetation is considered temporary for at least 10 years after project construction until future widening of I-5 is completed at which time the final I-5 fill slope shall be permanently revegetated with CSS. Because ESHA is not being created, no other off-site measures will be required to offset impacts to DCSS along the cut and fill slopes from future I-5 widening. However, after each future construction project in this area, the I-5 cut and fill slopes shall be revegetated with native CSS species.

To memorialize the applicant's proposed mitigation/monitoring program, Special Conditions #2 and #3 require submittal of the final mitigation and monitoring program/plans. Special Condition #5 outlines the required planting program for project impacts to disturbed areas. A maintenance plan must be submitted describing proposed herbicide, pesticide and fertilizer practices as well as list the chemical pesticides and fertilizers that will be employed on site. Only species typical of coastal sage habitats

shall be utilized to plant slopes. All required plantings shall be maintained in good growing conditions, and whenever necessary, shall be replaced with new drought-tolerant and native plant materials to ensure continued compliance with landscape requirements.

Special Condition #8 requires submittal of copies of all permits required by other state and federal wildlife and regulatory agencies. If those final approvals differ from, or conflict with, this permit, a permit amendment may be required.

In summary, the Commission finds that the proposed construction activities are consistent with Section 30240 of the Coastal Act. The existing degraded CSS on the manufactured highway slopes that is proposed to be impacted by the project is not ESHA, and is not part of any natural ecosystem. In addition, the applicant is proposing to provide mitigation for all impacts to the disturbed CSS. Therefore, as conditioned, the Commission finds the proposal consistent with the biological resource policies of the Coastal Act.

3. Traffic Circulation/Public Access. Numerous Coastal Act policies address public access, all with the intent of providing, protecting, and enhancing coastal access. Those most applicable state, in part:

Section 30210

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization....

The Commission original determined that the proposed interchange improvements, as conditioned, would not adversely impact coastal access and may have a positive effect on public access to the beaches of Solana Beach once complete. No additional impacts are anticipated as a result of the southern extension of the freeway improvements.

Special Condition #6 requires that at least one lane in each direction be open on Via de la Valle at all times and that adverse effects of traffic flow on Lomas Santa Fe Drive be minimized during the summer months. As conditioned to ensure that public access to the coast is not adversely affected, the project is consistent with the public access policies of the Coastal Act.

4. Water Quality. The following Coastal Act policy is most applicable to the proposed development:

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.

While proposed work is located primarily within the I-5 right-of-way, as with the original project, indirect impacts to water quality from runoff over the proposed impervious surfaces both during construction and post-construction is a concern. Such runoff can carry sediments and urban pollutants and deposit them in downstream sensitive receiving waters. Pursuant to its National Pollutant Discharge Elimination System (NPDES) permit under which it constructs and operates highway development, Caltrans must implement Best Management Practices (BMPs) to limit polluted runoff from highway facilities.

All of the same standard erosion control practices proposed for the original project will minimize soil erosion following construction activities at the subject site. Typical measures utilized during construction include applications of water or dust palliatives during earthwork activities, fiber rolls for slope stability and sediment control, temporary construction entrances to prevent sediment tracking on paved surfaces, gravel bags, temporary concrete washouts for concrete spoils, contour grading, sweeping, no work during high wind days, and haul road sealing.

Permanent erosion and sedimentation control features may include but will not be limited to the following: installation of replacement landscaping, hydro-seeding of steeper cut slopes, placement of straw on fill slopes to minimize erosion, improvement of drainage facilities to handle excess runoff and installation or replacement of desilting basins.

The proposed improvements will add new impermeable surfaces, and any increase in impermeable surfaces will increase the contaminant load and rate of runoff. The original project included drainage improvements that would enhance the quality of runoff entering Stephens Creek (and ultimately San Dieguito Lagoon) by installing a vegetated bioswale and detention basin. These facilities will detain runoff, allowing sediments to settle out and water to percolate into the soil, and would also filter pollutants from the runoff.

Special Condition #4 requires the applicant to submit a detailed water quality program for the amended project. The BMP program should include a detailed plan for clean up of accidental spill of petroleum-based products, cement, or other construction related pollutants. The plan shall be retained on-site with the contractor or engineer throughout construction. It shall include, but not be limited to, use of absorbent pads. The Water Pollution Control Plan to be submitted must indicate staging areas during construction on the plans. As conditioned, all runoff from the project site will be treated, and runoff ultimately reaching the lagoon/river and ocean would be cleaner and lower in both volume and speed than at present.

In summary, as conditioned, the increase in impermeable surfaces resulting from the proposed project will be mitigated and offset by the drainage and runoff improvements. As conditioned, the Commission finds the proposal consistent with Section 30231 of the Act.

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

Section 30251

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas....

The project site is well inland from the actual shoreline; however, I-5 is a designated scenic corridor and major coastal access route. The freeway in this location is surrounded by slopes on either side and no ocean views are impacted by the project, as it will occur on the east side of the freeway. Areas disturbed by construction and newly constructed freeway slopes will be revegetated with native, drought tolerant plant materials to minimize adverse impacts associated with the proposed project to the extent possible. The Commission finds that based on I-5's status as a scenic corridor, all trees proposed for removal must be replaced on a 1:1 basis. These requirements are incorporated as Special Condition #5.

As conditioned, the proposed amendment will be consistent with Section 30251 of the Coastal Act.

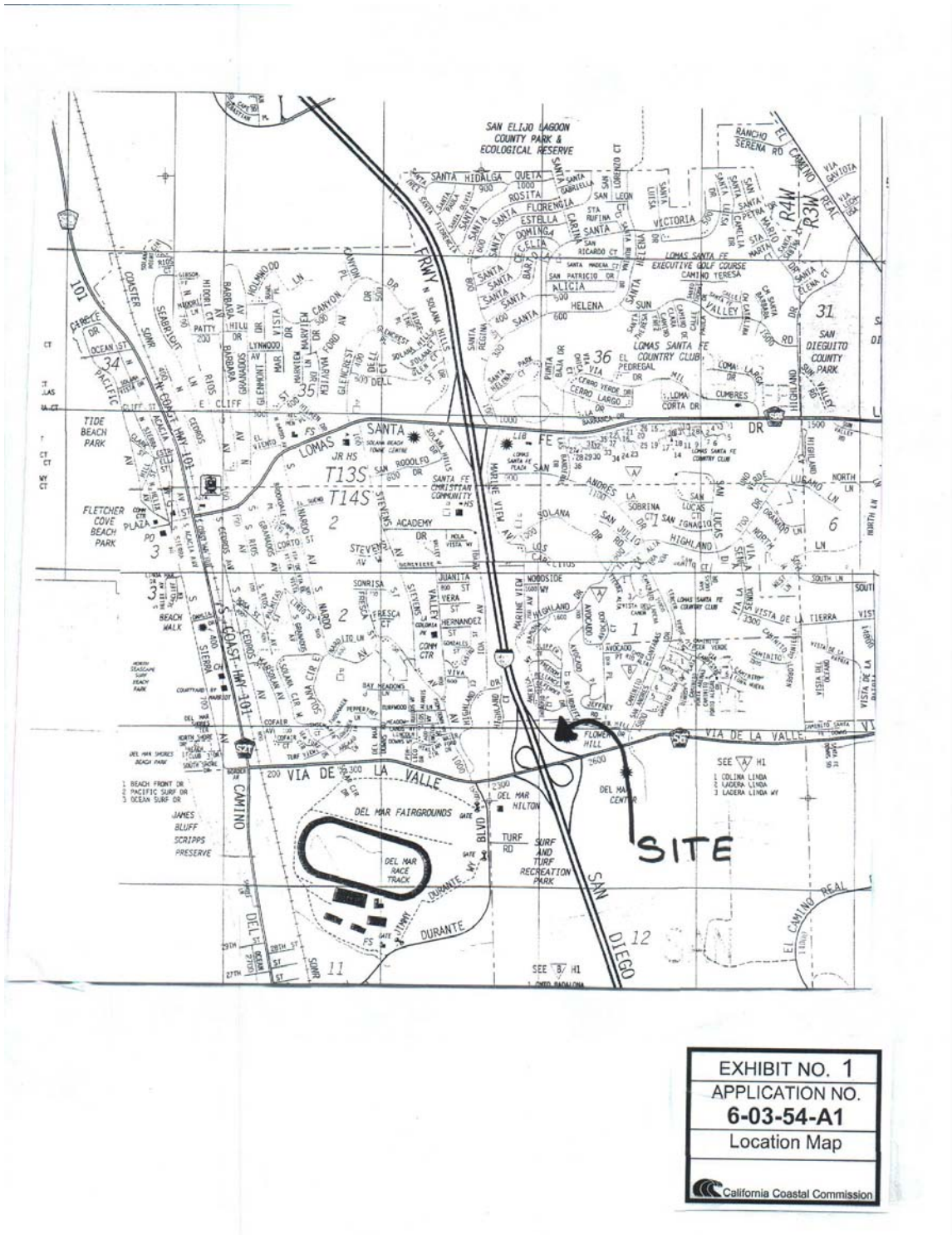
6. Growth Inducement. Section 30254 of the Coastal Act is applicable and states, in part:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division....

As with the original approval, the proposed amendment is intended to improve traffic flows from planned development in the City of Solana Beach. The proposed auxiliary lane upgrade will be located within a developed urban area and is intended to provide safe and adequate traffic circulation for motorists, not for the purpose of increasing the intensity of use of the freeway. Therefore, the proposed improvements should not have a significant overall inducement to growth within the coastal zone, and the development is consistent with section 30254 of the Coastal Act.

7. 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 proposed project amendment has been conditioned to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing monitoring, landscaping, and water quality will minimize all adverse environmental impacts. 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 is the least environmentally-damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.



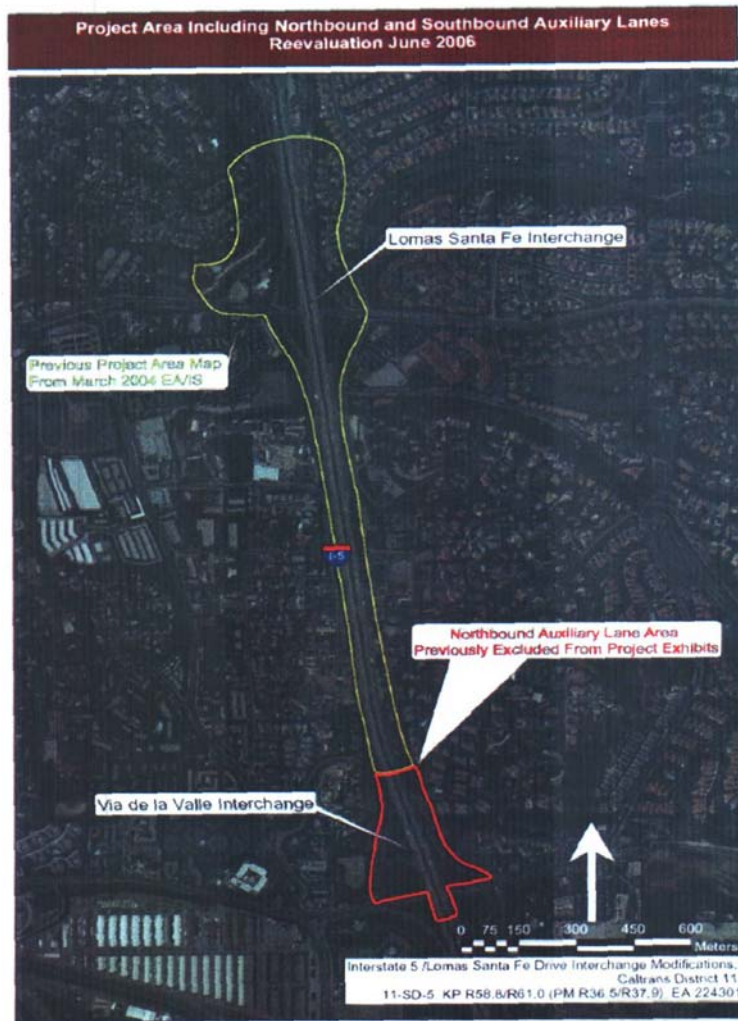
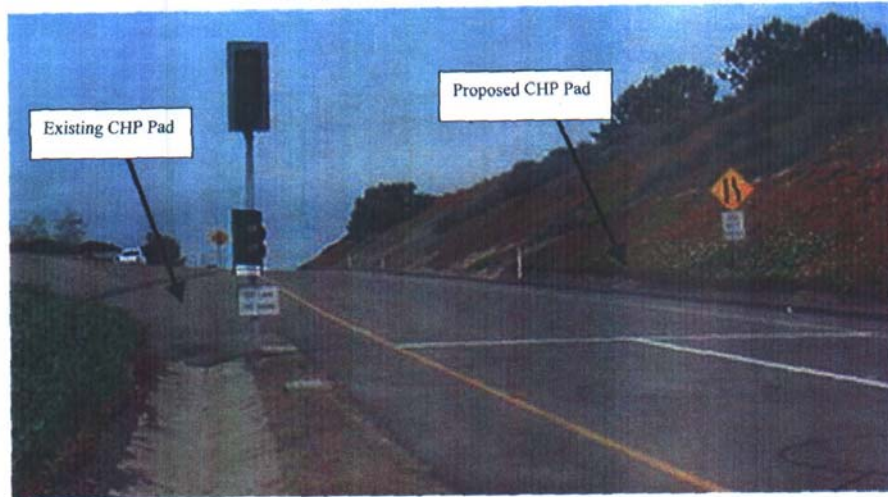


Figure 2

EXHIBIT NO. 2
APPLICATION NO.
6-03-54-A1
Location of Proposed
Extended Lanes
California Coastal Commission



Diamond Loop On-ramp to Northbound Interstate 5 from Westbound Via de la Valle. 03/28/06

Lomas Santa Fe Drive/Interstate 5 Interchange Modification Project
City of Solana Beach
Coastal Development Permit No. 6-03-54

The existing California Highway Patrol (CHP) Enforcement Area (pad) would be removed to widen the shoulder to accommodate the proposed northbound Interstate 5 auxiliary lane extension. A new CHP pad would be constructed on the opposite side of the ramp. The ice-plant covered slope on the right side of the on-ramp would be cut to realign the on-ramp.



