

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
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Th5a

Permit Application No. **5-12-100**

Date: July 24, 2012

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ADMINISTRATIVE PERMIT

APPLICANT: California Department of Transportation
(CalTrans District 12)

PROJECT

DESCRIPTION: Removal and replacement of existing traffic signal equipment and installation of a new 100' long and 29" tall new metal beam guard rail on the inland, northbound side of the road

PROJECT

LOCATION: Bolsa Chica State Beach Road & Pacific Coast Hwy (SR-1) intersection
(within CalTrans public-right-of way) at Huntington Beach, Orange County

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Thursday, August 9, 2012
9:00 am
Santa Cruz County
Board of Supervisors Chambers
701 Ocean Street
Santa Cruz, CA 95060

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

CHARLES LESTER
Executive Director

By: Liliana Roman
Title: Coastal Program Analyst

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 this permit is voted on by 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 term or 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.

SPECIAL CONDITIONS: See pages five to six.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an Administrative Permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976 and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:

A. Project Location and Description

The project site is located at the Bolsa Chica State Beach Road & Pacific Coast Hwy (SR-1) intersection (within CalTrans public-right-of way) in Huntington Beach, Orange County (Exhibit 1). The Bolsa Chica Ecological Reserve is located on the inland (northbound) side of Pacific Coast Hwy and Bolsa Chica State Beach is located on the seaward (southbound) side of Pacific Coast Hwy. Bolsa Chica State Beach Road allows access into a public parking lot for Bolsa Chica State Beach. A small parking lot just north of the intersection allows access to Bolsa Chica Ecological Reserve on the inland side of Pacific Coast Hwy. The surrounding area is predominantly sand beaches and wetland areas.

The proposed development is an operational improvement project which proposes to remove and replace two electrical traffic signals (signal poles, signal standards, inductive loop detectors and controller cabinet) along the Bolsa Chica State Beach Road and Pacific Coast Hwy intersection. The installation of a new 100' long and 29" tall new metal beam guard rail (MBGR) on the inland, northbound side of the road to protect the new equipment is proposed. The guardrail would be placed approximately 8' from the edge of travel way, directly in front of the traffic signals. Additionally, the project would permanently remove existing pedestrian crosswalk pavement markings along the southbound intersection as there are no existing sidewalks and curbs. Along the northbound side, no pedestrian facility exists. At this location, Pacific Coast Hwy is a 55 mph facility and due to safety considerations, pedestrians are prohibited to cross Pacific Coast Hwy at this intersection. The existing traffic island passageways will remain as well as existing "no pedestrian crossing" signage will remain in place. Exhibit 2 provides proposed project plans.

To address water quality during construction, the applicant proposes to implement BMPs for temporary sediment control, temporary soil stabilization, scheduling, waste management, materials handling and other non-storm water BMPs. The proposed project does not include any drainage improvements or grading of slopes. Only a minimal amount of soil area will be disturbed by the drilling of holes for the installation of the MBGR.

It is typical for Caltrans to use MBGR to protect fixed objects within Caltrans recovery zones – a setback area clear of object for errant vehicles to regain control, if the fixed object cannot be relocated outside of the recovery zone. The existing traffic signals and controller cabinet cannot be relocated further inland as they are located adjacent to the sensitive wetlands habitat of the Bolsa Chica Ecological Reserve. In order to avoid and protect the adjacent sensitive wetlands habitat, the existing traffic signals and pull boxes (proposed to be upgraded/replaced) will remain within this Caltrans "recovery zone" but will however require installation of MBGR per Caltrans policies to provide protection of fixed objects due to the high vehicular speeds on this stretch of Pacific Coast Hwy.

Visual Resources

A 29" tall MBGR provides most effective means to provide required protection to the upgraded electrical equipment and have minimal negative impact on visual resources in the area. The applicant conducted a Visual Impact Assessment, dated June 14, 2011 concluding that any change to the visual quality of the project area would be considered low and would have little visual effect to the surrounding areas as motorists and cyclists will still have a view of the wetlands above the 29" tall MBGR. Ocean views would not be impacted by the project. Additionally, installation requirements for wood posts and steel are comparatively minimal. Conversely, installation of concrete barrier of any type would require construction of a foundation which would involve excavation of a continuous trench approximately 3 feet in depth, require concrete delivery truck and wash out pits and due to concrete cure time, may require temporary railing (K-Rail) for construction. Therefore, installation of MBGR would be the less invasive and most effective way to provide protection of fixed objects for this location.

Biological Resources

As the project area is immediately adjacent to the Bolsa Chica Ecological Reserve, special status species and habitats of concern are found in the project's vicinity. The applicant, CalTrans, submitted a Natural Environment Study dated June 2011. Exhibit 3 provides the boundary of the area studied. The majority of the study area is a mixture of native beach dune and scrub plant species and nonnative ornamental vegetation. No sensitive or special-interest plants or animals that may occur within beach dune/scrub habitat were observed in the study area during the survey. The Study concluded that project activities are not expected to cause substantial impacts to special-status species due to the negative findings during the special status species survey, the disturbed nature of the intersection, the brief construction period and the minimal amount of heavy work proposed for the project area. However, due to its proximity to sensitive habitat, there is a potential for indirect impacts during construction such as activities of equipment or personnel outside designated construction areas, erosion, water runoff, soil disturbances that enhance germination and proliferation of nonnative and invasive plant species.

To avoid adverse impacts to biological resources during construction, the applicant proposed general avoidance and minimization BMP measures. As proposed, the applicant's plans to erect temporary Environmentally Sensitive Area (ESA) fencing right behind the electrical components to keep personnel and equipment outside of the sensitive areas; to have a biologist approve all parking and staging areas; to clean and inspect all construction equipment of mud or other debris that may contain invasive plants/seeds prior to arrival at the site and before leaving the site. Parking and staging is to take place along the Pacific Coast Hwy unpaved road shoulder.

B. Water Quality

The proposed development has a potential for discharge of polluted runoff from the project site into nearby coastal waters. The storage or placement of construction material, debris, or waste in a location where it could be discharged into coastal waters would result in an adverse effect on the marine environment. To reduce the potential for 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. Therefore, the Commission finds that the proposed development, as conditioned,

conforms to Sections 30230 and 30231 of the Coastal Act regarding the protection of water quality to promote the biological productivity of coastal waters and to protect human health.

C. Local Coastal Program

An LCP for the City of Huntington Beach was effectively certified in March 1985. However, the proposed development is occurring within an area that crosses jurisdiction with that of the Commission's original permit jurisdiction.

Section 30601.3 of the Coastal Act provides for the issuance of coastal development permits directly by the Commission with the agreement of the applicant, the local government and the Commission through its executive director consent to consolidate the permit action, provided that public participation is not substantially impaired by that review consolidation. As the project site crosses jurisdictional boundaries, and the applicant submitted the coastal development permit application directly to the Commission, both the applicant and the City of Huntington Beach agree to a consolidated permit action by the Commission. Consequently, the standard of review is the Coastal Act and the City's LCP is used only as guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

D. California Environmental Quality Act (CEQA)

As conditioned, there are no feasible alternatives or additional feasible mitigation measures available that would substantially lessen any significant adverse effect that 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.

SPECIAL CONDITIONS:

1. **Storage of Construction Materials, Mechanized Equipment and Removal of Construction Debris.** The permittee shall comply with the following construction-related requirements:
 - (a) No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
 - (b) No demolition or construction equipment, materials, or activity shall be placed in or occur in any location that would result in impacts to environmentally sensitive habitat areas, streams, wetlands or their buffers.
 - (c) Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
 - (d) Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the accumulation of sediment and other debris that may be discharged into coastal waters.

- (e) All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- (f) The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- (g) Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- (h) All stock piles and construction materials shall be covered with a sheeting material that will prevent dispersal of the stock pile and construction materials, enclosed on all sides, and shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- (i) Construction equipment or activity shall not occur outside the staging or storage area.
- (j) Public parking areas shall not be used for staging or storage of equipment.
- (k) Habitat areas shall not be used as staging or storage areas.
- (l) Machinery and equipment shall be maintained and washed in confined areas, specifically designed to control runoff and contaminants. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- (m) The discharge of any hazardous materials into any receiving waters shall be prohibited.
- (n) Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- (o) Best Management Practices (BMPs) and Good Housekeeping Practices (GHPs) designed to prevent spillage and/or runoff of demolition or construction-related materials, and to contain sediment or contaminants associated with demolition or construction activity, shall be implemented prior to the on-set of such activity
- (p) All BMPs shall be maintained in a functional condition throughout the duration of construction activity.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing