

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 6-16-0150

Applicant: San Diego County Parks and Recreation

Agent: Lorrie Bradley

Location: Holmwood Lane, Solana Beach, San Diego County
(APN 263-280-66)

Project Description: Removal of an existing 20"-diameter culvert and installation of a new 36"-diameter culvert, placement of 50 cubic yards of fill, and 80 cubic yards of riprap.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed project is in response to ongoing erosion of a slope adjacent to Holmwood Lane on the southern portion of the San Elijo Lagoon Ecological Reserve (SELER). There is an existing culvert which runs underneath Holmwood Lane, that is owned and managed by the San Diego County Department of Parks and Recreation (DPR). The applicant has indicated that the culvert is too small to handle the amount of water entering and exiting the pipe, and at the culvert outfall, the velocity of the water has caused severe headward erosion to the slope and threatens the stability of Holmwood Lane.

The primary issues raised by the proposed development relate to impacts to biological resources and water quality. Although the project has been designed to be the minimum necessary to address the immediate threat to the road, the project will result in approximately 300 sq. ft. of permanent impacts and approximately 1,600 sq. ft. of temporary impacts to Diegan coastal sage scrub vegetation, in an area mapped in the certified City of Solana Beach as Environmentally Sensitive Habitat Areas (ESHA). However, the vegetation at the site is fairly disturbed, adjacent to an existing roadway, and subject to periodic brush management. As conditioned, all areas temporarily disturbed will be restored and revegetated, and permanent impacts will be offset by removing invasive vegetation and revegetating additional areas with native vegetation. The Commission's ecologist has reviewed the project and determined that there will be no significant disruption of habitat values, and the project will be compatible with the continuance of the surrounding habitat and recreation area.

Special Conditions #1 requires submittal of final site plans. **Special Condition #2** requires a restoration and monitoring plan; **Special Condition #3** requires the implementation of water quality Best Management Practices (BMPs); **Special Condition #4** limits the timing of construction to protect sensitive bird species, and **Special Condition #5** requires the submittal of other discretionary permits.

Commission staff recommends **approval** of coastal development permit application 6-16-0150 as conditioned.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....	4
II. STANDARD CONDITIONS	4
III.SPECIAL CONDITIONS	5
IV.FINDINGS AND DECLARATIONS.....	7
A. PROJECT DESCRIPTION	7
B. BIOLOGICAL RESOURCES	8
C. WATER QUALITY/RUNOFF	11
F. LOCAL COASTAL PLANNING.....	14
G. CALIFORNIA ENVIRONMENTAL QUALITY ACT	14

APPENDICES

[Appendix A – Substantive File Documents](#)

EXHIBITS

[Exhibit 1 – Vicinity Map](#)

[Exhibit 2 – Aerial View](#)

[Exhibit 3 – Site Plan](#)

[Exhibit 4 – Proposed Project Impacts](#)

[Exhibit 5 – Existing Trail Access Points](#)

[Exhibit 6 – Existing Conditions of Holmwood Lane](#)

[Exhibit 7 – Existing Culvert Infall](#)

[Exhibit 8 – Existing Culvert Outfall](#)

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-16-0150 subject to the conditions set forth in the staff recommendation.*

Staff recommends a **YES** vote on the foregoing motion. Passage of this motion will result in conditional approval of the permit and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves coastal development permit 6-16-0150 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

This permit is granted subject to the following 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 of 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

This permit is granted subject to the following special conditions:

1. **Final Plans. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval final project plans that additionally indicate areas that will be revegetated or enhanced. Said plans shall first be stamped approved by the City of Solana Beach and be in substantial conformance with the plans submitted by County Parks and Recreation and dated March 16, 2016.

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the 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 Restoration/Monitoring Plan PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the Applicant shall submit to the Executive Director for review and written approval, a final detailed mitigation and monitoring plan for all temporary and permanent impacts to sensitive biological resources, including the 1,600 sq.ft. of temporary and 300 sq.ft. of permanent impacts to Diegan coastal sage scrub. Said plan shall include the following:

- a. A revised exhibit (site plan) identifying the location where the temporary and permanent Diegan coastal sage scrub mitigation will occur shall be submitted to the Executive Director. Temporary impacts shall be mitigated at a 1:1 ratio; and permanent impacts shall be mitigated at a 1:3 ratio. Mitigation may include a combination of revegetation of non-vegetated areas with natives and removal of invasive species. All permanent mitigation shall occur in areas not currently subject to brush management.
- b. Five years after completion of construction a monitoring report shall be submitted to the Executive Director. This report shall include a description of the success of the restoration and invasive removal program. If the report indicates that the restoration has been, in part, or in whole, unsuccessful, the applicant shall be required to submit a revised or supplemental mitigation program to compensate for those portions of the original program which were not successful. A revised

mitigation program shall be processed as an amendment to this coastal development permit.

The permittee shall undertake mitigation and monitoring in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without an amendment to this coastal development permit, unless the Executive Director determines that no amendment is legally required.

3. Construction BMPs Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the Applicant shall submit, for review and approval of the Executive Director, a Construction Best Management Practices plan. The plan shall be in conformance with the following 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. To avoid disposal of construction materials, debris, or waste into the water appropriate catch basins shall be installed prior to commencement of construction.
- 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. 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.
- d. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- e. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- f. 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.
- g. All stockpiles and construction materials shall be covered, enclosed on all sides, shall be located as far away as possible from drain inlets and any waterway, and shall not be stored in contact with the soil.
- h. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- i. The discharge of any hazardous materials into any receiving waters shall be prohibited.
- j. 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.

- k. 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.
- l. All BMPs shall be maintained in a functional condition throughout the duration of construction activity.
- m. All stockpiled material shall be placed on a waterproof tarp or plywood covered with plastic and covered/secured overnight.

The final Construction Best Management Practices plan shall be in conformance with the site/development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is required.

4. **Sensitive Species/Timing of Construction.** To avoid potential impacts to breeding activities of the California gnatcatcher, migratory songbirds, and other bird species associated with the adjacent sensitive open water, wetland, riparian, and coastal sage scrub habitat, development activities will not be permitted from February 15 to August 31 of any year, unless approved in writing by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service.

5. **Other Permits. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION,** the applicant shall submit for review and written approval of the Executive Director, copies of all other required local, state or federal discretionary permits for the development herein approved. Any mitigation measures or other changes to the project required through said permits shall be reported to the Executive Director and shall become part of the project. Such modifications, if any, may require an amendment to this permit or a separate coastal development permit.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION

The proposed project consists of the removal of 25-linear feet of an existing 20-inch corrugated metal pipe (CMP) culvert under Holmwood Lane, Solana Beach, and replacement with a new 36-inch reinforced concrete pipe (RCP) culvert which would extend 16 feet beyond the current outfall (**Exhibit 3**). The culvert captures flow from a pipe exiting residential property approximately 60 ft. upstream as well as overland flow

from multiple upstream sources. The culvert is partially restricting upstream flows as it is not large enough to accommodate the amount of water produced during storm events (**Exhibit 7**). Additionally, at the culvert outfall, the velocity of the water exiting the pipe has eroded underlying soils creating severe erosion that threatens the stability of the road (**Exhibit 8**). Currently there are no inlet or outlet protections, nor energy dissipation measures, in place to mitigate headward erosion. Thus, in addition to the upsizing of the culvert, the applicant is proposing to install 50 cubic yards of fill soil (inorganic clean fill soil containing 50% clay composition) and 80 cubic yard of ungrouted riprap (20" – 50" in diameter) at a 2:1 ratio (**Exhibit 3**). Grading is proposed at the upstream end of the pipe to increase the efficiency of the pipe inlet. A very flat outlet drain would then convey storm flows from the cleanout to the toe of the fill where an outlet structure with a small sill would further reduce storm flow velocities. All staging and access will occur in the existing dirt roads.

The pipe, which is owned and maintained by San Diego County Department of Parks and Recreation (DPR), is located within the southern portion of the San Elijo Lagoon Ecological Reserve (SELER), within the City of Solana Beach. The existing culvert runs underneath Holmwood Lane, which is a dirt access road owned and maintained by County Parks and Recreation (**Exhibit 6**). Holmwood Lane is the only access road to seven single-family residences; these seven residences have obtained access easements for ingress and egress on Holmwood Lane. The road also provides public access to the public trail system around San Elijo Lagoon.

This application was originally received as an emergency permit in January 28, 2016 (G-6-16-0016). Commission staff reviewed the request and determined that the project should be reviewed as a regular permit item. The City of Solana Beach does not yet have a fully certified LCP, and as such, the standard of review is the Chapter 3 policies of the Coastal Act, with the City's certified Land Use Plan used as guidance.

B. BIOLOGICAL RESOURCES

Section 30240 of the Coastal Act addresses biological resources 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.

The City of Solana Beach's LUP has several policies that address impacts to ESHA, including:

Policy 3.6: *Any area mapped as ESHA shall not be deprived of protection as ESHA, as required by the policies and provisions of the LCP, on the basis that the*

habitat has been illegally removed, degraded, or species that are rare or especially valuable because of their nature or role in an ecosystem have been eliminated.

Policy 3.8: *ESHA shall be protected against significant disruption of habitat values, and only uses dependent on such resources shall be allowed within such areas.*

Policy 3.9: *Public access-ways and trails are considered resource dependent uses...*

Policy 3.11: *New development shall be sited and designed to avoid impacts to ESHA... if there is no feasible alternative that can eliminate all impacts, then the alternative that would result in the fewest or least significant impacts shall be selected. Impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives shall be fully mitigated, with priority given to on-site mitigation. Off-site mitigation measures shall only be approved when it is not feasible to fully mitigate impacts on-site or where off-site mitigation is more protective. Mitigation shall not substitute for implementation of the project alternative that would avoid impacts to ESHA. Mitigation for impacts to ESHA shall be provided at a 3:1 ratio.*

Policy 3.12: *Mitigation measures for impacts to ESHA that cannot be avoided through the implementation of siting and design alternatives, including habitat restoration and/or enhancement shall be monitored for a period of no less than five, and no more than ten years following completion.*

Policy 3.13: *ESHA shall be protected and, where feasible, enhanced.*

Policy 3.20: *Limit redevelopment and development in environmentally sensitive areas, such as upland slopes and watershed areas in and adjacent to, and draining directly to Holmwood Canyon and San Elijo Lagoon Ecological Reserve to activities supporting its preservation.*

The proposed culvert is located within and adjacent to the San Elijo Lagoon Ecological Reserve (SELER). The reserve is a native habitat area and regional park that is managed jointly by the California Department of Fish and Wildlife and the San Diego County Parks and Recreation Department. The certified LUP of the City of Solana Beach identifies the subject site as Environmentally Sensitive Habitat Area (ESHA) consisting of Southern Mixed Chaparral and also containing wart-stemmed ceanothus (*Ceanothus verrucosus*) and Nuttall's scrub oak (*Quercus dumosa*). Both wart-stemmed ceanothus and Nuttall's scrub oak are identified as sensitive resources in Solana Beach's LUP. The reserve itself is home to over 300 species of plants and birds, and features 7 miles of trails as well as a nature center. The reserve contains diverse habitat including six plant communities: coastal strand, salt marsh, brackish/freshwater marsh, riparian scrub, coastal sage scrub and mixed chaparral. At least five State or Federally-listed threatened or endangered birds make use of the reserve's habitat including the California least tern,

the California gnatcatcher, the light-footed clapper rail, the Belding's savannah sparrow, and the western snowy plover. As such, any development in close proximity to these resources must be sensitively designed to avoid adverse impacts.

For the proposed project, given the urgency of addressing the erosion on the site, rather than undertake a site specific biological survey of the subject site, the County compiled existing data from the *Biological Resources Existing Conditions Report for the San Elijo Lagoon Restoration Project* for this project's biological study area (**Exhibit 4**), which consists of the proposed project site and a 300-foot buffer on DPR-owned property. The previous biological field surveys for that report were conducted in 2010 and included rare plant surveys and vegetation mapping. According to the data from 2010, vegetation within the study area was characterized primarily as Diegan coastal sage scrub and a swath of disturbed area. The study concludes that critical habitat for coastal California gnatcatchers occurs with the western and northern portions of the Biological Study Area.

The proposed project would result in temporary impacts to approximately 1,600 sq.ft. of Diegan coastal sage scrub, to accommodate staging and storage of equipment during construction. The proposed staging area would be located south of the road next to the existing culvert outfall (**Exhibit 4**). As proposed, the project would also have approximately 300 sq. ft. of permanent impacts to ESHA, consisting of Diegan coastal sage scrub, as a result of the larger culvert and the proposed riprap. The Commission's engineer has reviewed the project, and agrees that the proposed project design is the minimum necessary to address the threat to the road.

Although the site is designated in the Solana Beach LUP as ESHA, the Applicant asserts that the Diegan coastal sage scrub at the site is heavily disturbed, thus having very low biological values or functions. Additionally, given that the project is adjacent to, Holmwood Lane and the existing culvert, the area has been characterized as disturbed habitat. Furthermore, the area proposed to be impacted is within 100 feet of surrounding residents, and is thus subject to periodic clearing for brush management purposes. The Commission's staff ecologist has reviewed the 2010 data, and agrees the site is disturbed, but without a site-specific study, the site must still be characterized as ESHA. However, given the degree of on-going disturbance to the area, if adequate mitigation is provided, the proposed project is not expected to significantly disrupt the habitat value of the area or the continuance of the habitat and recreation area of the Reserve. In addition, the project will help maintain access to the public trail system around the Reserve, which is an important resource dependent activity.

The applicant is proposing to restore all area temporarily impacted by construction by hydroseeding the area with native vegetation. Permanent impacts will be offset at an approximately 3:1 ratio of restoration with removal of invasive species in a location of the Reserve that is not subject to brush management. In addition, impacts to habitat will be avoided or minimized by having a biological monitor present during project-related activities. **Special Condition #1** requires the submittal of final plans consistent with the preliminary plans. **Special Condition #2** requires a restoration and monitoring plan that will ensure that all temporary and permanent impacts are mitigated through a

combination of revegetation of non-vegetated areas with natives, and removal of invasive species. **Special Condition #4** limits the timing of construction to protect sensitive bird species, and **Special Condition #5** requires the submittal of other discretionary permits.

In conclusion, the project will have minor impacts on disturbed habitat. However, the project has been designed to be limited in scope, and mitigation measures have been added to avoid any significant disruption of habitat values of the Reserve. Therefore, the project can be found consistent with the resource protection policies of the Coastal Act.

C. WATER QUALITY/RUNOFF

Section 30231 of the Coastal Act addresses water quality and 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.

Section 30231 of the Coastal Act requires that the biological productivity of coastal waters, streams, etc., be maintained by, among other means, controlling runoff. The proposed development will occur on an inland hillside above San Elijo Lagoon Ecological Reserve. As such, drainage and run-off from the development could potentially affect water quality within San Elijo Lagoon. The project is not expected to significantly affect the quality or quantity of runoff reaching the lagoon, as all drainage from the area currently either enters the existing pipe or flows across the road. However, by providing a larger pipe with additional energy dissipation, erosion should be reduced, potentially improving water quality. It should be noted that the County has acknowledged that the proposed project is an interim solution to address the on-going El Nino-related storms and is the minimum engineered solution that will preserve the road for the time being and ensure access to the seven homes that lie east of the culvert. Some erosion may continue to occur. The applicant has stated that it is looking into a permanent storm water project to be designed and implemented in the future.

The applicant has proposed water quality best management practices during construction including aquatic resource monitoring during all project-related activities, and placing all stockpiled material on a waterproof tarp or plywood covered with plastic and covering/securing it overnight. These measures, combined with revegetation and other BMP measures will help protect the water quality in the area.

To further protect coastal waters during construction, **Special Condition No. 2** requires the implementation of water quality Best Management Practices (BMPs). Thus, as

conditioned, the Commission may find that the proposed project conforms to the water quality protection policies of the Coastal Act.

D. VISUAL RESOURCES

Section 30251 of the Coastal Act addresses visual resources, and states, in part:

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.

Relevant LUP policies include the following:

Policy 6.2: *Protect the scenic and visual qualities of Solana Beach, including the unique character of the Highway 101 Railway Corridor, the Cedros Design District, and the shoreline.*

Policy 6.3: *Public views to the beach, lagoons, and along the shoreline as well as to other scenic resources from major public viewpoints, as identified in Exhibit 6-1 shall be protected. Development that may affect an existing or potential public view shall be designed and sited in a manner so as to preserve or enhance designated view opportunities. Street trees and vegetation shall be chosen and sited so as not to block views upon maturity.*

Policy 6.5: *Regulate development in areas with high scenic value to preserve and enhance the scenic resources within and adjacent to such areas to the extent feasible, as well as, to assure exclusion of incompatible uses and structures.*

Policy 6.6: *New development on properties visible from public trails in and around San Elijo Lagoon and the San Dieguito River Valley shall be sited and designed to protect public views of the ridgelines and natural features of the area through measures including, but not limited to, providing setbacks from the slope edge, restricting the building maximum size, reducing maximum height limits, incorporating landscape elements and screening, incorporating earthen colors and exterior materials that are compatible with the surrounding natural landscape (avoiding bright whites and other colors except as minor accents). The use of highly reflective materials shall be prohibited.*

San Elijo Lagoon is located within the Citywide Scenic Overlay in the certified LUP, and Holmwood Lane is a designed View Corridor. However, the proposed new culvert and riprap will be at grade, and adjacent to an existing dirt road, and will not be highly visible from the surrounding area. Areas disturbed by construction will be restored and revegetated. As conditioned, existing non-native areas will be restored with native

vegetation. Therefore, as proposed, the Commission finds the proposed development consistent with Section 30251 of the Coastal Act.

E. PUBLIC ACCESS

Section 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use of legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with ... the protection of fragile coastal resources, (2) adequate access exists nearby...

Section 30604(c) of the Coastal Act states:

(c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200)...

Relevant LUP policies include the following:

Policy 2.3: *The shoreline, parklands, beaches and trails located within the City provide coastal access and a wide range of recreational opportunities in natural settings which include hiking, bird watching, walking, bicycling, educational study and picnicking. These recreational opportunities should be protected, and where feasible, expanded or enhanced as resources of regional, state and national importance.*

Policy 2.6: *Public access-ways and trails are considered resource dependent uses, and may be located within or adjacent to in ESHA where sited to minimize impacts to ESHA. Where determined to be desirable (by consideration of supporting evidence), limited or controlled methods of access and/or mitigation including but not limited to, signage, placement of boardwalks, and limited fencing designed to eliminate or minimize impacts to ESHA shall be utilized. Access-ways to, and along the shoreline shall be sited, designed, and managed to avoid and/or protect marine mammal hauling grounds, seabird nesting and roosting sites, sensitive rocky points and intertidal areas, and coastal dunes.*

Policy 2.7: *New development shall be sited and designed to avoid impacts to public access and recreation along the shoreline and trails. If there is no feasible alternative that can eliminate or avoid all access impacts, then the feasible alternative that would result in the least significant adverse impact shall be required. Some impacts may be mitigated through the dedication of an access or trail easement where the project site encompasses an LCP mapped access or trail alignment, where the City, County, State, or other public agency has identified a trail used by the public, or where prescriptive rights exist. Mitigation measures required for impacts to public access and recreational opportunities shall be implemented prior to, or concurrent with construction of the approved development.*

Holmwood Lane serves as a public access point to the trail system within the San Elijo Lagoon. The proposed project will help stabilize the roadway and maintain this public trail access. The applicant has stated that during construction activities, the trailhead will be left open to the public. Vehicle access along Holmwood Lane will be periodically closed during daily construction activities, and an alternate route along the fence line of DPR's property will be flagged for pedestrians during times when construction personnel feel it is unsafe to cross through the construction site. Each night after construction activities cease, Holmwood Lane will be secured with steel plates placed on the road to allow for pedestrian and vehicle crossing. Holmwood Lane will be passable every night and on weekends during the construction period as well. Therefore, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities, consistent with Sections 30211, 30212, and 30604(c) of the Coastal Act and the policies of the LUP.

F. 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, such a finding can be made.

The subject site is located in the City of Solana Beach, which has a certified LUP, but no certified LCP. Thus, Chapter 3 of the Coastal Act remains the legal standard of review and Solana Beach's LUP policies are used as guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of Solana Beach to continue to implement its certified LUP, nor to implement an LCP in the future.

G. CALIFORNIA ENVIRONMENTAL QUALITY ACT

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. In this case, the City of Solana Beach determined the project is exempt from CEQA as it qualifies as an “Emergency Project” (CEQA Guideline § 15269).

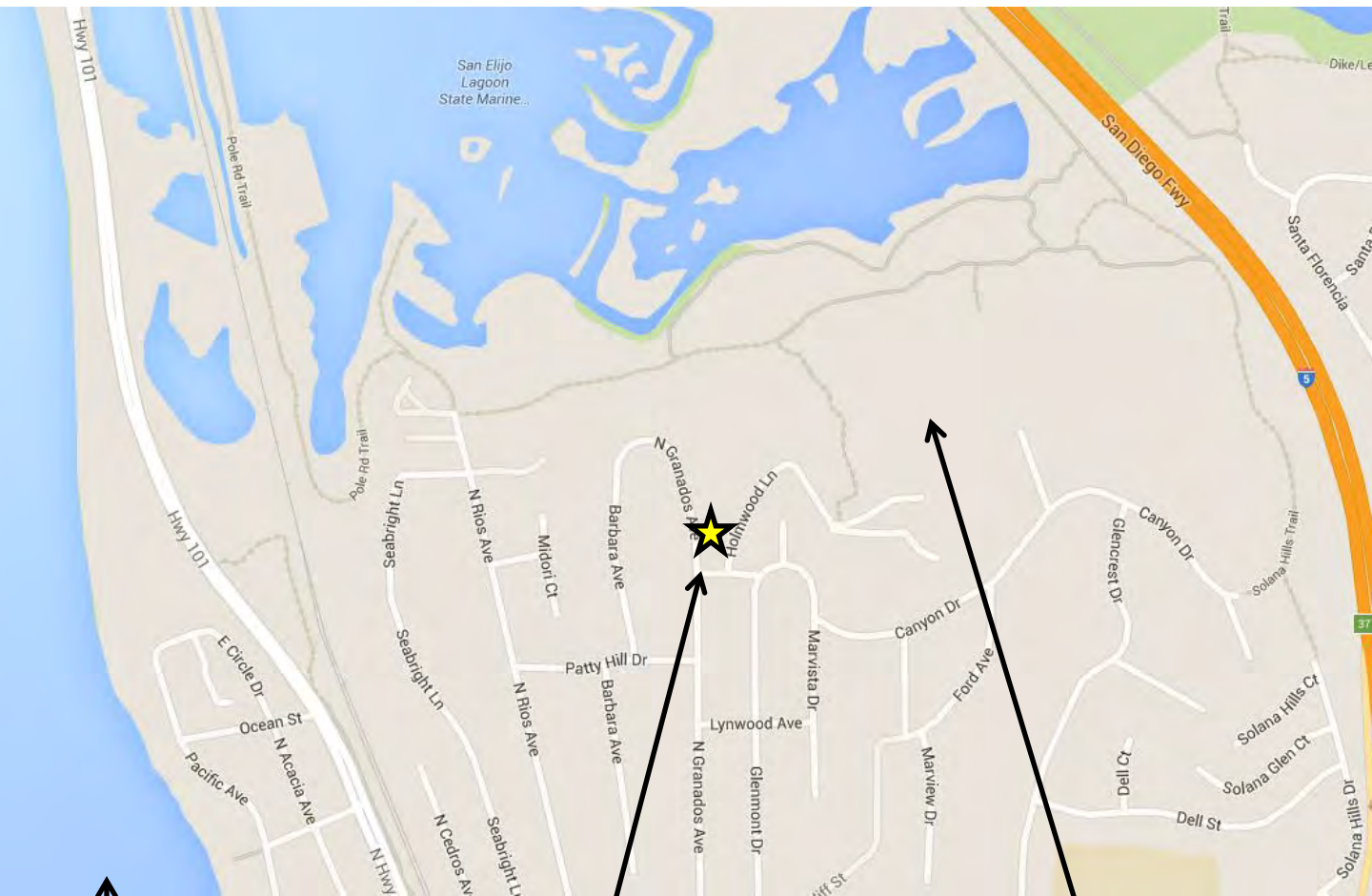
The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing biological resources and water quality/runoff will minimize all adverse environmental impacts. As conditioned, there are no feasible 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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.

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APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- City of Solana Beach certified Local Coastal Program Land Use Plan

Vicinity Map



Approximate
Project Site

San Elijo Lagoon
Ecological Reserve

Pacific Ocean



EXHIBIT NO. 1
APPLICATION NO. 6-16-0150
Vicinity Map
 California Coastal Commission

Aerial View

San Elijo Lagoon
Ecological Reserve

Mushroom

Approximate
Project Site



EXHIBIT NO. 2
APPLICATION NO.
6-16-0150

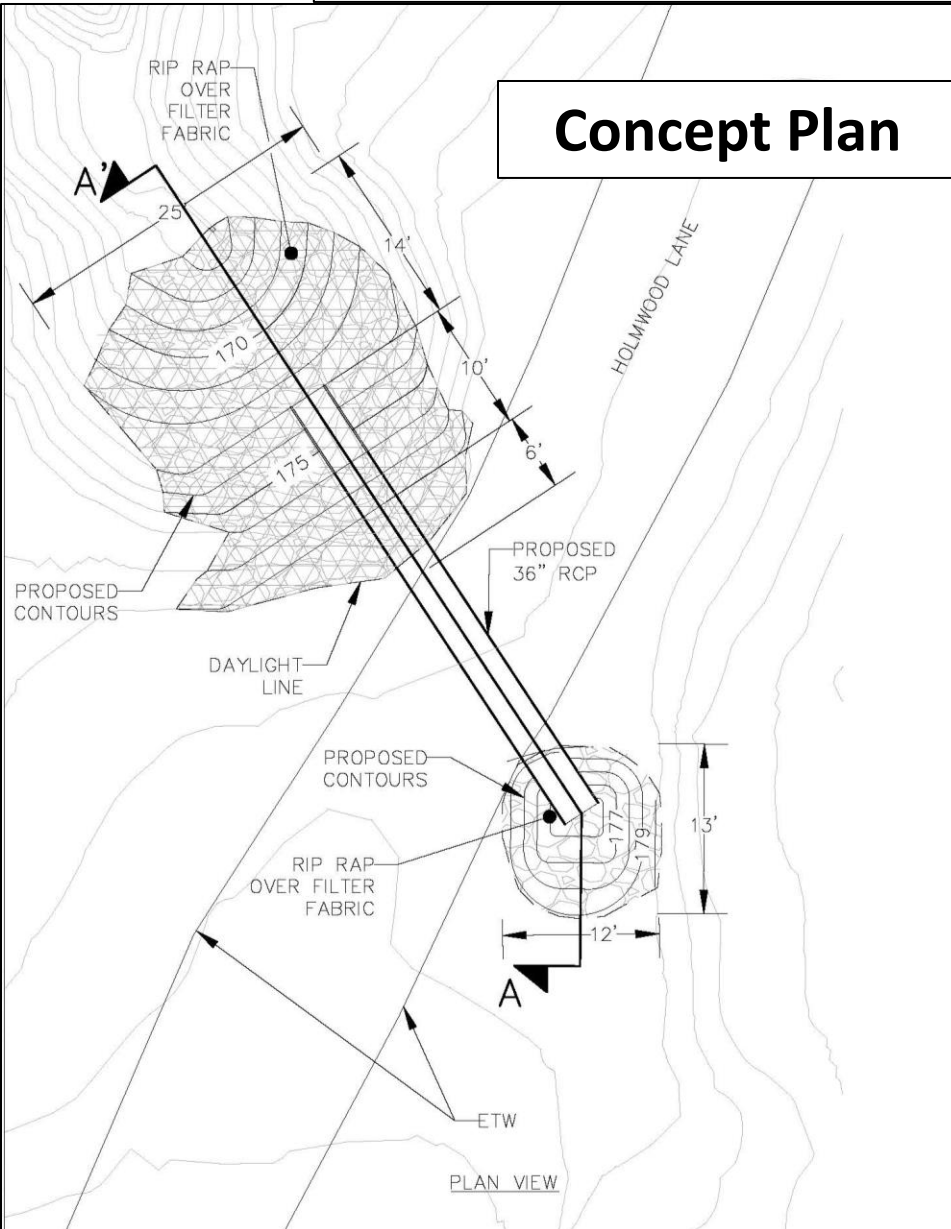
Aerial View



California Coastal Commission

Site Plans

Concept Plan



Profile Plan

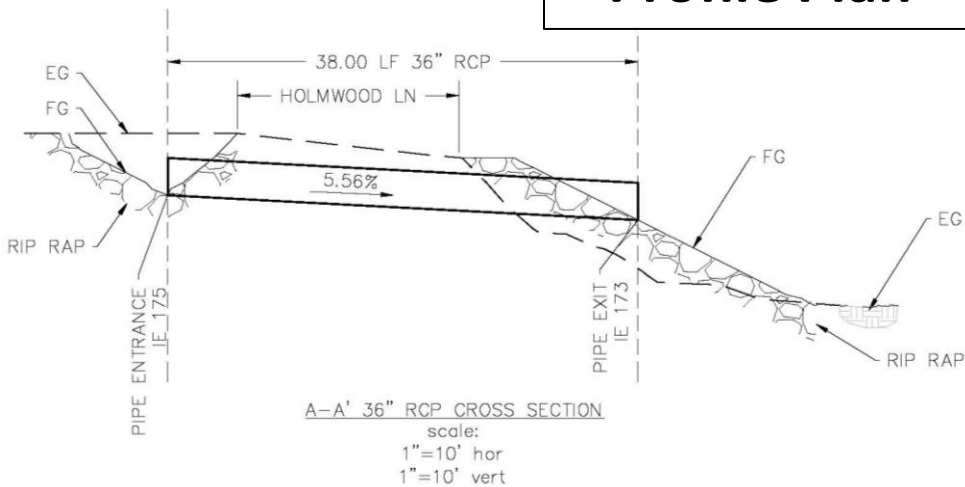


EXHIBIT NO. 3

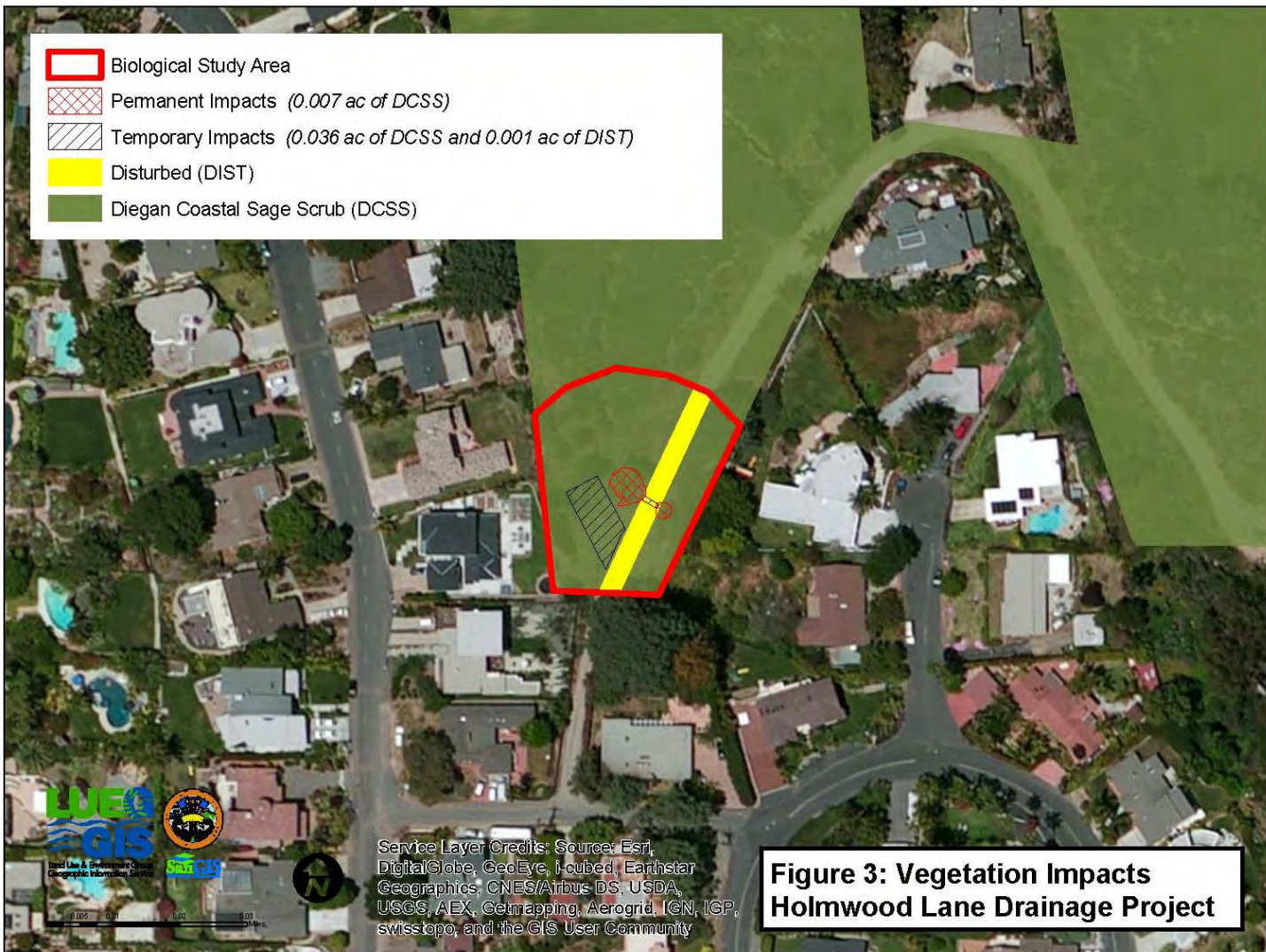
APPLICATION NO.
6-16-0150

Site Plans



California Coastal Commission

Temporary and Permanent Impacts



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EXHIBIT NO. 4

APPLICATION NO.

6-16-0150

Temporary and

Permanent Impacts



California Coastal Commission

Existing Trails and Trailheads in the southern portion of San Elijo Lagoon Ecological Reserve



Approximate project site

Public Access to Trails
from Holmwood Lane



EXHIBIT NO. 5

APPLICATION NO.

6-16-0150

Trails and Trailheads



California Coastal Commission

Holmwood Lane with Existing Culvert Underneath



Culvert Outfall

Culvert Infall

EXHIBIT NO 6

APPLICATION NO.

6-16-0150

**Existing Condition of
Holmwood Lane**



California Coastal Commission

Culvert Infall



EXHIBIT NO. 7

APPLICATION NO.

6-16-0150

Holmwood Lane

Culvert Infall



California Coastal Commission

Culvert Outfall



EXHIBIT NO. 8

APPLICATION NO.

6-16-0150

Holmwood Lane
Culvert Outfall



California Coastal Commission