

CALIFORNIA COASTAL COMMISSION

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STAFF REPORT: REGULAR CALENDAR

Application No.: 5-20-0348

Applicant: Huntington Beach Wetlands Conservancy
John Villa, Executive Director

Agents: Moffatt & Nichol
Emily Beck and Chris Webb

Location: Adjacent to and inland of Pacific Coast Highway and immediately upcoast of the Santa Ana River, nearest cross streets are Brookhurst Street and Pacific Coast Highway; Huntington Beach, Orange County
APNs 114-160-72, -73, -74

Project Description: Restoration within Talbert Marsh including measures to address erosion that has degraded marsh habitat along the southeastern shoreline and on the west bank of South Island within Talbert Marsh. Proposed work includes placement of fiber mat, filter fabric, cobble, gravel, soil or gravel sills, coir logs, and marsh plantings and non-native plant removal. Talbert Marsh is a part of the Huntington Beach Wetlands Complex located adjacent to and inland of Pacific Coast Highway, in southern Huntington Beach.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The applicant is proposing a pilot wetlands restoration project in Talbert Marsh. Currently, areas within the marsh are eroding. As these areas erode, coastal salt marsh vegetation disappears, leaving behind unvegetated mud flats. Although the proposed project includes fill of wetlands, the area will remain intertidal habitat and so there will be no decrease in wetland area. No conversion of wetland area to uplands will occur. Rather, the proposed project would restore the area that is currently intertidal, unvegetated mudflats to the intertidal coastal salt marsh habitat that was present prior to erosive events. This project is proposed to address the erosive process that is leading to the loss of vegetated salt marsh and is expected to result in improvements to existing biological resources. It is expected to increase vegetated wetlands area by 0.04 acres, most of which will be composed of cordgrass, but also mid-marsh vegetation as well.

The restoration is proposed to be accomplished by placement of fill from the Santa Ana River, which historically was connected to Talbert Marsh. Fill materials will include cobble (in the Phase 1a area only), gravel (up to a maximum diameter of three inches), and sediment. The river materials will be tested according to the NOAA Screening Quick Reference Table (SQUIRT) prior to deposition in the marsh. SQUIRT provides guidelines which are used to screen sediments for contaminant concentrations that might cause biological effects and to identify sediments for further toxicity testing. Only sediments that are determined suitable will be placed within the marsh restoration area.

The fill will be placed where the former coastal salt marsh habitat was present along the shoreline prior to erosion. Once the fill is placed, the Phase 1 location of the project will be revegetated with marsh plantings. The plantings will be taken from Talbert and Brookhurst Marshes. The goal of the project is to establish shoreline that is resilient to erosion. The expanded habitat will provide additional coastal salt marsh area, and on the marsh island (Phase 2) bird refugia will be expanded to its former area.

Talbert Marsh is part of the Huntington Beach Wetlands Complex, which also includes Brookhurst and Magnolia Marshes. This area was a former area of deferred certification (ADC) in the City's otherwise certified Local Coastal Program (LCP). However, upon certification of this former ADC with land use designation and zoning protective of wetlands, restoration of the degraded but restorable wetland relics became more feasible. The applicant, the Huntington Beach Wetlands Conservancy (HBWC) is a 501(c)3 non-profit organization founded in 1985 with the goal to acquire, restore, and protect the coastal wetlands of Huntington Beach. The HBWC owns and maintains the Huntington Beach Wetlands Complex including (from downcoast to upcoast) Talbert Marsh, Brookhurst Marsh, and Magnolia Marsh. Since its formation, HBWC has successfully restored Talbert, Brookhurst and Magnolia marshes ([Exhibit 1b](#)).

The species and habitat types present within the entire Talbert Marsh location are sensitive. Moreover, many of the species present are listed as special status species,

that are easily disturbed or degraded by human activities or development. Given the presence of a number of special status species, as well as the significance of coastal salt marsh and associated dune and scrub upland habitats, the entire project site constitutes ESHA. In addition, as coastal salt marsh, it also includes areas of wetland. Thus, the proposed development must be reviewed for consistency with Coastal Act Sections 30233 and 30240.

Impacts to the Talbert Marsh site will occur to upland ruderal (species that thrive in disturbed areas and tend to displace native species) and dune scrub habitat due to the creation of a six-foot-wide construction access path necessary to transport materials and equipment to the restoration site. Most of the area of the construction access path is ruderal, non-native vegetation. To offset impacts to the small area of dune scrub habitat, the applicant proposes to revegetate the entire access path with seeds taken from the dune scrub habitat prior to commencement of project construction. A one-foot-wide path would remain to allow for maintenance and monitoring access to the restoration site. In addition, one year of work to remove non-native vegetation is proposed following completion of construction at the restoration site. The applicant proposes to monitor this area of the project as well as the restoration areas. Because most of the area of the construction access path is currently primarily ruderal, non-native species, the proposed hydroseeding of native dune scrub species and non-native plant removal is expected to be a benefit to the upland habitat.

The proposed project includes biological and physical monitoring. Biological monitoring of the project would establish whether the anticipated coastal salt marsh habitat gains occur as expected. The physical monitoring would establish whether the stabilization measures, implemented to address the erosion issue that has been causing the adverse habitat impacts, have been effective. As a pilot project, it is necessary to develop a monitoring plan that would help track the project's performance and inform adaptive management. Although the proposed project includes biological and physical monitoring, these monitoring plans have not yet been fully developed. In order to assure robust monitoring occurs as necessary to fully understand whether project goals have been achieved and to assist in developing adaptive management as appropriate, **Special Condition No. 1** requires a final Biological Monitoring Plan and **Special Condition No. 3** requires a final Physical Monitoring Plan.

As proposed, the project will not occur during Belding's savannah sparrow breeding season (February 15 to July 15) or during California least tern breeding season (April – August). And, also as proposed, a qualified biologist is to be on site during all construction activities to ensure protection of bird species, among other reasons. To ensure that these measures are carried out as proposed, these measures are required by **Special Condition No. 2**.

Special Condition No. 4 requires that the proposed Santa Ana River source materials meet the standards of the National Oceanic and Atmospheric Administration (NOAA) Screening Quick Reference Table (SQUIRT) Guidelines (Buchman 2008) regarding

chemical content and suitability for use within the Talbert Marsh coastal salt marsh environment prior to deposition within the marsh. **Special Condition No. 4** also requires submittal of a revised project plan deleting the reference to use of the onsite dunes as a potential source of restoration materials, and clarifying the size of rock that may be used with the project. In addition, **Special Condition 4** establishes that, other than in Phase 1a, no imported rock materials shall exceed a maximum diameter of three (3) inches.

Special Condition No. 5 requires the applicant to comply with all requirements, requests and mitigation measures from the Regional Water Quality Control Board and the United States Army Corps of Engineers, with respect to preservation and protection of water quality and marine and terrestrial environment. **Special Condition No. 5** also makes the applicant aware that if either of these agencies requires changes to the project as approved by the Commission, these changes must be submitted to the Executive Director in order to determine if an amendment to the approved permit is required.

Special Condition No. 6 requires implementation of construction Best Management Practices (BMPs) to protect water quality.

The site is located adjacent to Talbert Marsh Multi-Use Public Access Path. Construction access is proposed along this path. **Special Condition No. 7** requires the applicant to submit a Public Access Plan to assure that public access is maximized to the extent feasible during construction.

Staff is recommending approval of the proposed development subject to these seven special conditions to assure consistency with the Coastal Act policies regarding protection of wetlands and ESHA. Commission staff recommends that the Commission **APPROVE** Coastal Development Permit application 5-20-0348 as conditioned. The motion is on page 6. The standard of review is Chapter 3 of the Coastal Act.

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Exhibits

- Exhibit 1 – Vicinity Map
- Exhibit 2 – Project Footprint
- Exhibit 3 – Site Topography Map
- Exhibit 4 – Project Plans
- Exhibit 5 – Marsh Planting Plan
- Exhibit 6 – Vegetation Alliances Map
- Exhibit 7 – Wetland Delineation Map
- Exhibit 8 – Special Status Species Map
- Exhibit 9 – Erosion Maps
- Exhibit 10 – View of the Talbert Multi-Use Public Access Path

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 5-20-0348 pursuant to the staff recommendation.

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

Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed project 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

- 1. Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
- 2. Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
- 3. Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
- 4. Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run with the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant 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 Biological Monitoring Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a Final Biological Monitoring Plan in substantial conformance with the draft Biological Monitoring Methods (Moffatt & Nichol, January 2021) and the Biological Resources Report (Tidal Influence, June 2020). The final Biological Monitoring Plan shall be prepared by a qualified professional with expertise in coastal salt marsh habitats (Project Ecologist). The final Biological Monitoring Plan, at a minimum, shall include the additional monitoring provisions and performance criteria necessary to assess the success of the approved restoration project. The minimum required additional provisions and criteria shall include those listed below.

B. Construction Access Path

1. A detailed vegetation survey of the area of the proposed six-foot-wide construction access path shall be conducted:
 - a) prior to commencement of construction;
 - b) within one month after completion of the Phase 1 and Phase 2 work, and;
 - c) at one year from the date of the post construction survey. These surveys shall be submitted to the Executive Director within sixty days of completion.
2. Pre-construction seed collection within the upland dune habitat areas shall occur as proposed; post-construction hydro-seeding and seed planting within the construction access path shall occur as proposed; on-going, post-construction non-native plant removal shall occur for a minimum of one year as proposed.
3. If the one-year post construction survey reveals that the habitat within the six-foot-wide construction access path has recovered to pre-construction vegetation conditions or is improved beyond pre-construction conditions (i.e. the percent cover of native coastal dune species has increased, the percent cover of non-native species has decreased, and the number of Lewsii plants is equal to or greater than the number in the pre-construction survey), no further monitoring is required.

4. However, if the one-year post construction survey reveals that the habitat within the six-foot-wide construction access path has not recovered to pre-construction conditions (as described in 3 above), a mitigation plan to address the lack of native coastal dune vegetation re-establishment shall be submitted, for the review and approval of the Executive Director, within 90 days of completion of the one-year post construction survey of the area. The approved coastal dune mitigation plan shall be implemented as approved. The mitigation plan may require an amendment to this permit or new CDP unless the Executive Director determines that none is legally required.

C. Coastal Salt Marsh

The final Biological Monitoring Plan for the coastal salt marsh restoration area shall include, at a minimum, the following:

1. The final Biological Monitoring Plan shall apply to all project phases (Phases 1a, 1b, 2a, and 2b).
2. Within six weeks prior to commencement of construction, a base line biological survey of the coastal marsh restoration footprint including topography and vegetation, of each of the project phase locations, shall be prepared documenting pre-construction site conditions.
3. Monitoring shall commence within one month of completion of construction of Phases 1 and 2.
4. A detailed description of the methods to be used to determine the base line quantitative surveys and periodic subsequent surveys.
5. A graphic depicting: the transects along which monitoring measurements will be taken and along which observations recorded; and, the locations of the photo points.
6. Qualitative field monitoring methods for determining percent cover of native plant species within the vegetated portions of the project shall be described.
7. Photos taken from specific photo points to visually track the progress of vegetative coverage shall be taken during each monitoring period.
8. Monitoring shall occur monthly for the first year, and quarterly thereafter until success criteria are met.
9. Maintenance and monitoring of the restoration sites shall be conducted for five years from the date of complete installation or until success criteria are met, whichever is longer.
10. Surveys for percentage of non-native species present, taken monthly the first year and quarterly thereafter.
11. During each vegetation survey the Project Ecologist shall survey the entire restoration project area for the presence of non-native vegetation, paying close attention to the presence of non-native *Limonium* spp., and non-native species shall be removed from the restoration area.

12. Best management practices to be implemented to avoid the recruitment or spread of non-native invasive species shall be described.

13. Detailed description of specific final success criteria. The method by which success will be evaluated shall be described. Success criteria shall include both cover criteria and criteria for species diversity. If a statistical test is proposed, a statistical power analysis should be completed to estimate the necessary replication.

14. The propagules (seeds, cuttings, and containers) used in restoration shall be derived from the Huntington Beach Wetlands Complex.

15. The Project Ecologist shall oversee implementation of the approved monitoring plan.

16. Any hay that is used must be sterile hay to assure that no undesirable plants are inadvertently introduced into the marsh habitat.

17. The Project Ecologist shall prepare an annual Monitoring Report each year over a minimum of five years, or until success criteria are met, whichever is longer, detailing progress toward success criteria, and finally an assessment of whether final success criteria have been met. The annual monitoring report shall be provided to the Executive Director within sixty days of the monitoring activity.

18. Final monitoring for success shall take place after at least 3 years with no remediation or maintenance other than weeding.

19. The Biological Monitoring Report shall consider the parameters and requirements of the Physical Monitoring Report.

20. Identification of adaptive measures that may be implemented should success criteria not be achieved within a five-year monitoring timeframe.

21. The required final annual Biological Monitoring Report must evaluate whether the restoration has achieved the goals and success criteria set forth in the approved monitoring plan.

D. Any changes to the approved Final Biological Monitoring Plan shall be reported to the Executive Director. No change(s) to the approved plan shall occur without a Coastal Commission approved amendment to this coastal development permit amendment or an approved coastal development permit unless the Executive Director determines that none is legally required.

E. The permittee shall undertake development in accordance with the approved final Biological Monitoring Plan unless the Commission amends this permit or the Executive Director provides written determination that no amendment is legally required for any proposed minor deviations.

2. Avoidance of Bird Breeding Season

As proposed, and by acceptance of this permit, the applicant agrees that all construction activities shall occur outside of the breeding season of the Belding's

Savannah Sparrow (February 15 to July 15) and the breeding season the California Least Tern (April – August). In addition, a qualified biologist shall be on site during all construction activities to ensure protection of bird species.

3. Final Physical Monitoring Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a final Physical Monitoring Plan in substantial conformance with the draft Physical Monitoring Plan outline (Moffatt & Nichol, January 2021). The final Physical Monitoring Plan shall be prepared by a qualified professional with expertise in coastal processes. The final Physical Monitoring Plan, at a minimum, shall include the additional monitoring provisions and performance criteria necessary to assess the success of the approved project to abate erosion and restore habitat. These additional provisions and criteria shall include, but are not necessarily limited to:

1. A description of the goals of the restoration project.
2. A detailed description of specific final success criteria. The method by which success will be evaluated shall be described.
3. A graphic depicting: the transects along which monitoring measurements will be taken, locations of monitoring stakes, and the photo point locations.
4. Establish photo points at permanent stations throughout the site. Photos shall be taken from vantage points that provide a perspective that captures the status of erosion in the specific project area.
5. Monitoring stakes shall be placed at designated locations within the project area. Distance from the toe of slope to each stake shall be measured to assess erosion and/or accretion at each monitoring location.
6. Elevations along transects from monitoring stakes to the toes shall be evaluated to capture:
 - a)
 - b) formation of scarps,
 - c) vertical settlement, accretion or erosion,
 - d) changes in slope,
 - e) dislodging or transport of rock outside of the project areas.
7. Monitoring shall include measurement of the horizontal distance combined with a detailed qualitative description of the slope/bank condition along each transect supplemented by handheld Real-Time Kinematic (RTK) (or equivalent technology) surveys along each transect.
8. Visual qualitative observation and photographs, supplemented by handheld Real-Time Kinematic (RTK) or equivalent, shall be used to measure sediment deposition behind coir logs.

10. Monitoring shall include photos taken from each photo point for each monitoring episode and shall be used to visually track the status of project improvements and whether materials have maintained placement position, with the goal that the materials will stabilize in position and serve to protect the slope, support the marsh plantings, and create new habitat.
 12. Pre-construction baseline monitoring shall occur within 6 months of the start of construction and post-construction monitoring shall commence within one month of completion of construction of Phases 1 and 2.
 13. Monitoring shall occur monthly for the first year and quarterly thereafter and shall continue for five years or until success criteria are met, whichever is longer.
 15. The project shall be monitored by preparing profiles along the same transect alignments as the post-project/as-built transects. These transect profiles shall be conducted monthly the first year and quarterly each following year. The profiles shall continue until the design profile has been maintained for one year.
 16. An annual Monitoring Report shall be prepared over a minimum of five years, or until success criteria are met, whichever is longer, detailing progress toward success criteria, and finally an assessment of whether final success criteria have been met.
 17. The annual Monitoring Reports shall include photos from the visual survey and provide information on site conditions and analysis of the success of the project based upon the specific success criteria described in the approved final Physical Monitoring Plan. These reports shall be prepared by a qualified professional with expertise in coastal processes and shall be submitted to the Executive Director within sixty days of the monitoring activity.
 18. The Physical Monitoring Report shall consider the parameters and requirements of the Biological Monitoring Report.
 19. Identification of adaptative measures that may be implemented should success criteria not be achieved within a five-year monitoring timeframe.
 20. The required final annual Physical Monitoring Report must evaluate whether the restoration has achieved the goals and success criteria set forth in the approved monitoring plan.
- C.** Any changes to the approved Final Physical Monitoring Plan shall be reported to the Executive Director. No change(s) to the approved plan shall occur without a Coastal Commission approved amendment to this coastal development permit amendment or an approved coastal development permit unless the Executive Director determines that none is legally required.
- D.** The permittee shall undertake development in accordance with the approved final Physical Monitoring Plan unless the Commission amends this permit or the

Executive Director provides written determination that no amendment is legally required for any proposed minor deviations.

4. Restoration Source Materials

- A.** By acceptance of this permit the applicant agrees that no dune materials may be used as source material for the approved Talbert Marsh restoration project.
- B. Prior to issuance of the Coastal Development Permit**, the applicant shall submit, for the review and approval of the Executive Director, revised Conceptual Project Plans ([Exhibit 4](#) of the staff report dated 1/21/2021) indicating that:
 - a. the reference to “Dunes as a Sediment Source for Projects” has been deleted.
 - b. the Legend has been corrected to reflect that:
 - i. “cobble” shall only be placed at the Phase 1a “erosion hole” area
 - ii. all project “gravel” shall not exceed a maximum of three (3) inches in diameter.
 - c. A note shall be added to the plan stating that, other than in Phase 1a, no imported rock shall exceed a maximum diameter of three (3) inches.
- C.** By acceptance of this permit, the applicant agrees that all sediment imported for the project for use in projects Phases 1b, 2a and 2b shall be smaller than three (3) inches in diameter and free of trash and other anthropogenic debris. If necessary, sieving, screening or other methods shall be used to separate larger grain sizes and debris from the sediment to be placed within Phases 1b, 2a, and 2b locations. In addition, all cobble used within Phase 1a shall be covered with graded fill material deemed acceptable for use per subsection D below.
- D.** The Santa Ana River materials to be placed within Talbert Marsh pursuant to this Coastal Development Permit 5-20-0348 shall meet the standards of the National Oceanic and Atmospheric Administration (NOAA) Screening Quick Reference Table (SQUIRT) Guidelines (Buchman 2008) regarding chemical content and suitability for use within the coastal salt marsh environment of Talbert Marsh.
- E.** Prior to deposition of the Santa Ana River materials within Talbert Marsh, the results of the County of Orange SQUIRT testing of sediments shall be submitted for the review and approval of the Executive Director. The materials may not be deposited within Talbert Marsh without written approval of the Executive Director.
- F.** The permittee shall undertake development in accordance with the approved project unless the Commission amends this permit or the Executive Director provides written determination that no amendment is legally required for any proposed minor deviations.

5. Resource Agencies Approval

The permittee shall comply with all requirements, requests and mitigation measures from the Regional Water Quality Control Board and United States Army Corps of Engineers, with respect to preservation and protection of water quality and the marine and terrestrial environment. Any change in the approved project that may be required by the above-stated agencies shall be submitted to the Executive Director in order to

determine if the proposed change shall require a permit amendment pursuant to the requirements of the Coastal Act and the California Code of Regulations.

6. Construction Best Management Practices.

A. The permittee shall comply with the following construction-related requirements and shall do so in a manner that complies with all relevant local, state and federal laws applicable to each requirement:

- (1) No construction materials, debris, or waste shall be placed or stored where it may be subject to wave, wind, rain, or tidal erosion and dispersion;
- (2) Any and all debris resulting from construction activities shall be removed from the project site within 24 hours of completion of the project;
- (3) Construction debris and sediment shall be removed from construction areas each day that construction occurs to prevent the accumulation of sediment and other debris which may be discharged into coastal waters;
- (4) Erosion control/sedimentation Best Management Practices (BMP's) shall be used to control dust and sedimentation impacts to coastal waters during construction. BMP's shall include, but are not limited to: placement of sand bags around drainage inlets to prevent runoff/sediment transport into coastal waters; and
- (5) All construction materials, excluding lumber, shall be covered and enclosed on all sides, and as far away from a storm drain inlet and receiving waters as possible.

B. Best Management Practices (BMP's) designed to prevent spillage and/or runoff of construction-related materials, sediment, or contaminants associated with construction activity shall be implemented prior to the onset of such activity. Selected BMP's shall be maintained in a functional condition throughout the duration of the project. Such measures shall be used during construction:

- (1) The permittee shall ensure the proper handling, storage, and application of petroleum products and other construction materials. These 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. It shall be located as far away from the receiving waters and storm drain inlets as possible;
- (2) The permittee shall develop and implement spill prevention and control measures.

7. Public Access Plan

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and approval of the Executive Director, a Public Access Plan that provides details of how public access along the Talbert Marsh Multi-Use Public Access Path will be managed during project construction. The Public Access Plan shall maximize public access along the

Talbert Marsh Multi-Use Public Access Path; shall avoid closure of the path to the maximum extent feasible, and any necessary closure shall be of the least duration and limited number feasible. The Plan shall reflect that the preferred alternative is to keep the trail open. Use of measures such as barriers and/or flag persons to direct the public safely along the trail is preferred to closure. The Public Access Plan must provide justification for any full closure of the trail. If any public access limitation(s) are required, the plan shall provide supporting documentation of the need for the limitation.

B. The permittee shall undertake development in accordance with the approved plan unless the Commission amends this permit or the Executive Director provides written determination that no amendment is legally required for any proposed minor deviations.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Location

The applicant, the Huntington Beach Wetland Conservancy (HBWC), is proposing a pilot coastal salt marsh restoration project intended to stabilize portions of the marsh shoreline, in order to reduce erosion as necessary to restore and protect coastal salt marsh habitat in Talbert Marsh. Both physical and biological monitoring are proposed to assess the success of the pilot project. The total area of the proposed project is approximately 0.43 acre. If the proposed pilot project is successful, the shoreline that has been lost to erosion will be reclaimed, coastal salt marsh habitat established, and restored South Island and southeastern shoreline area made available for use by special status California least terns, Belding's savannah sparrows, western snowy plovers, and other species. Restoration on the island within the marsh will enhance refugia for these and other birds. The proposed project will use only natural materials and only the minimum amount necessary to establish and maintain the natural continuity of the land-water interface. The project will also remove non-native species from the marsh's associated upland area. The proposed project would create approximately 0.04 acres of new vegetated intertidal wetlands and would protect against future loss of vegetated coastal salt marsh.

The HBWC owns and maintains the Huntington Beach Wetlands complex including (from downcoast to upcoast) Talbert Marsh, Brookhurst Marsh, and Magnolia Marsh ([Exhibit 1b](#)). The Huntington Beach Wetlands Conservancy is a 501(c)3 non-profit organization founded in 1985 with the goal to acquire, restore, and protect the coastal wetlands of Huntington Beach. Since its formation, HBWC has successfully restored Talbert, Brookhurst and Magnolia marshes.

Talbert Marsh is approximately 25 acres and is located adjacent to and inland of Pacific Coast Highway, and adjacent to and just upcoast of the Santa Ana River. It is bordered by the Talbert Flood Control Channel to the north, and Brookhurst Street to the west.

The marsh is fed from upstream by the Talbert and Huntington flood control channels and is connected to the ocean via the Talbert ocean entrance channel. The flood control southern levee adjacent to Talbert Marsh was removed with the original restoration project in the late 1980s/early 1990s.

The currently proposed project is intended to stabilize the eroding shoreline as necessary to protect coastal salt marsh habitat. The proposed project would occur in two locations within the marsh: along the southeastern shoreline of the marsh (Phase 1) and along the west and southwest banks of South Island (Phase 2) (**Exhibit 4**). It is important to note that the term “phase” is used by the applicant in reference to locations, not timing. The four “phases” will occur concurrently in four locations, two on the southeastern shoreline (Phases 1a and 1b) and two on the South Island (Phases 2a and 2b).

The proposed project would place cobble in and around the “erosion hole” at Phase 1a, as well as soil or gravel sills in fabric, topped with sediment and coir¹ logs throughout Phase 1. A gravel berm will be placed at Phase 2a, as well as gravel sills and coir logs throughout Phase 2. Terraced soil, filter fabric and fiber mat are also proposed with the project. The proposed project will use all natural materials that will either be removed when no longer needed or decompose naturally. The proposed project is described in greater detail later in this report.

In addition, marsh vegetation is proposed to be planted throughout the entire Phase 1 area. All propagules used for this planting will be sourced from within the Huntington Beach Wetlands. The Phase 1 area will be divided into low marsh and mid-marsh plantings. The low marsh planting will be composed entirely of Pacific cordgrass (*Spartina foliosa*) plugs sourced from several existing mature cordgrass meadows found in Talbert and Brookhurst Marshes. The mid marsh bench will be planted with container stock and cuttings of four salt marsh plant species: common pickleweed (*Salicornia pacifica*), salt grass (*Distichlis spicata*), salty susan (*Jaumea carnosa*), and saltwort (*Batis maritima*).

A six-foot-wide path will be created to allow construction access to the Phase 1 and 2 areas. The access path will follow an existing degraded asphalt maintenance path that has been overtaken by vegetation. Much of the vegetation within this proposed construction access path is ruderal, non-native plant species. However, portions of the path will go through existing native dune scrub habitat (**Exhibit 6**). In order to off-set impacts within the construction access path, the applicant is proposing to revegetate most of the area once Phases 1 and 2 of the project are complete. A one-foot-wide path will remain within the area to allow access for post construction monitoring and maintenance of the Phase 1 and 2 areas. The revegetation will be accomplished by collecting seeds from the surrounding dune scrub habitat prior to commencement of the

¹ Coir is fiber from the outer husk of the coconut, used for making ropes and matting.

restoration work. The collected seeds will be applied with a hydroseeder with the exception of the one-foot-wide path to remain. The one-foot-wide path will be flagged. In addition, one year of non-native weed control will be performed.

Lewis' evening primrose (*Camissoniopsis lewisii*) was found within the dune habitat in the southern portion of Talbert Marsh and overlaps the construction access path. Lewis' evening primrose is an annual herb designated by the California Native Plant Society as CNPS 3.² To address any impacts that may occur to this species within the path, the applicant proposes to collect Lewis' evening primrose seeds prior to commencement of the project, to conduct pre- and post-construction surveys to determine the extent of the population and the impacts due to the project. Post construction, the collected seeds will be hand seeded within the access path area (except for the one-foot-wide remaining path). The Lewis' evening primrose planting will be considered successful if, at one year from the post-construction survey, monitoring reveals that the percent cover of the plants either meet or exceed pre-project survey percent cover.

The total proposed length of project shoreline is approximately 450 feet along the bank, and the total work area of Phase 1 and 2 is approximately 0.2 acre. Approximately 260 feet of the total distance will be created along the southeastern shoreline (Phase 1), and approximately 190 feet will be created along the South Island shoreline (Phase 2). The entire project is a pilot project and will be monitored post-construction. If the proposed pilot project is successful, the reclaimed southeastern shoreline area (Phase 1), in addition to its goal of restoring and retaining coastal salt marsh and reestablishing habitat area for endangered California least terns, Belding's savannah sparrows, western snowy plovers and other species, would also have the added incidental benefit of protecting utility poles that, if erosion is left unchecked, may eventually become threatened.

B. Site History

The Huntington Beach Wetlands are a relatively large area of relic salt marsh habitat associated with the Santa Ana River in south/southeastern Huntington Beach, Orange County. The Huntington Beach Wetland Complex is located in an area of the City that was formerly an area of deferred certification known as the Pacific Coast Highway Area of Deferred Certification (PCH ADC). The area was deferred certification due to then unresolved issues regarding the protection of wetlands. The deferral was based in part on a study prepared by the California Department of Fish and Game (Determination of the Status of the Huntington Beach Wetlands, February 4, 1983), which found that functioning as well as degraded but easily restorable wetlands were present in the subject area. In addition, the 1983 CDFG study found environmentally sensitive upland habitat to be present at the area as well.

² CNPS 3 – rare plants which require more information to give a definitive rank.

In 1986, the Commission approved a Land Use Plan for the PCH ADC. In 1995, the Commission approved an Implementation Plan for the area. The site is land use designated Open Space Conservation/Wetland and zoned Coastal Conservation in the certified LCP. The proposed restoration project is consistent with the certified land use designation and zoning. Although the area is now fully certified, because the area includes areas of tidal influence, those portions of the site are retained as being subject to the Commission's original permit jurisdiction. As described elsewhere in this staff report, the Commission is processing a single, consolidated coastal development permit for the entire project. Subsequent to certification of the LCP for the former ADC, the relic wetlands have been restored.

In 1986, the Commission approved Consistency Certification No. CC-23-86 (Caltrans) for the widening of Pacific Coast Highway from Newport Boulevard in Newport Beach to Goldenwest Street in Huntington Beach. The highway widening project included impacts to Least tern open water foraging area and to coastal dune habitat. In order to mitigate loss of open water foraging area, Caltrans included as part of the highway widening project provisions to replace equivalent foraging habitat in the area between Brookhurst Avenue and the Santa Ana River (within the Talbert Marsh area). To mitigate the loss of coastal dune habitat, Caltrans included 8.7 acres of dune restoration along the inland side of Pacific Coast Highway within the Huntington Beach wetlands.

In 1987, the Commission issued CDP 5-87-432 to the Huntington Beach Wetlands Conservancy for the restoration of Talbert Marsh. That restoration project established the Talbert Ocean Channel that allowed seawater to propagate through Talbert Marsh and the lower (downstream) mile of the Talbert and Huntington flood control channels. That restoration effort succeeded in improving tidal flushing and circulation within Talbert Marsh, establishing sensitive salt marsh habitat, as well as improving flood control in the area.

HBWC conducted a second restoration project in Talbert Marsh pursuant to CDP 5-08-061. That restoration project cleared accumulated sediment from within Talbert Marsh and created contour elevations more conducive to maintaining the tidal prism. More specifically, the second Talbert Marsh restoration project: 1) created a sediment disposal area and trap just inside of the marsh; 2) removed sand shoals within the marsh; 3) constructed an access ramp to facilitate the restoration work and ensuing maintenance; and dredging to restore the ocean inlet channel to its original design capacity. In addition, CDP 5-08-061 also resulted in restoration of the Magnolia and Brookhurst Marshes, which are also part of the Huntington Beach Wetland Complex, also owned and managed by the HBWC. These 2009 restorations allow Talbert Ocean Inlet tidal flow to propagate through Talbert, Magnolia, and Brookhurst Marshes, as well as upstream in the Talbert and Huntington flood control channels. The flood control channels are adjacent to and flow into the marshes.

The HBWC wetlands are bounded by Pacific Coast Highway and the Huntington Beach and Talbert Flood control channels and the AES generating station. Talbert Marsh and Brookhurst Marsh are separated by Brookhurst Street. Brookhurst Marsh and Magnolia

Marsh are separated by Magnolia Street ([Exhibit 1b](#)). The total area of the Huntington Beach Wetlands is approximately 188 acres. Of that, 130 acres were restored as part of the project approved under CDP 5-08-061. That project did not include Upper Magnolia Marsh or Newland Marsh. The Upper Magnolia Marsh was subject to a restoration project as part of a mitigation project by the City of Huntington Beach pursuant to local CDP 2008-005. Further restoration of Upper Magnolia Marsh is proposed under pending CDP application 5-20-0072. Restoration of Newland Marsh is currently in the planning stage.

C. Standard of Review

The subject site is located within the coastal zone in the City of Huntington Beach. The City of Huntington Beach has a certified Local Coastal Program. Portions of the subject site are tidally influenced and thus, pursuant to Coastal Act Section 30519(b) of the Coastal Act, are in the Commission's retained permit jurisdiction. However, other portions of the site (uplands) are not be tidally influenced and thus may fall under the City's jurisdiction. However, in such situations, Section 30601.3 of the Coastal Act allows the Commission to process and act upon a consolidated coastal development permit when the applicant, local government, and Commission agree to the permit consolidation. In an email dated 6/24/2020 the City of Huntington Beach agreed to the processing of this CDP application as a consolidated permit by the Coastal Commission. When the Commission acts on such a consolidated permit, the standard of review, pursuant to Section 30601.3(b), is the Chapter 3 policies of the Coastal Act, with the certified LCP as guidance. Therefore, the standard of review for the subject coastal development permit application is the Chapter 3 policies of the Coastal Act with the City's LCP as guidance.

D. Wetlands & ESHA

Section 30233 of the Coastal Act states, in pertinent part:

- (a) The diking, filling or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

...

- (6) Restoration purposes.

...

- (c) In addition to the other provisions of this section, diking, filling, or dredging in existing estuaries and wetlands shall maintain or enhance the functional capacity of the wetland or estuary. ...

Section 30240 of the Coastal Act 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.

Coastal Act Section 30233 limits development in wetlands. Section 30233 requires that a project that involves fill of wetlands, such as the proposed development, must meet the three-prong test: 1) the use must be one of the uses specifically allowed, 2) it must be the least environmentally damaging alternative, and 3) it must provide adequate mitigation to offset any impacts created by the project.

Section 30240 of the Coastal Act limits the amount and types of development that may occur within and adjacent to environmentally sensitive habitat areas (ESHA) to uses that are dependent on the ESHA. The Coastal Act defines environmentally sensitive area as “any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.”

The project site contains subtidal habitat, including eelgrass, intertidal mudflats with assemblages of pickleweed marsh, mid-marsh habitat with pickleweed, and adjacent upland habitats ([Exhibit 6](#)). All existing eelgrass beds will be protected in place. Although the proposed project includes fill of wetland, the area will remain intertidal habitat and so there will be no decrease in wetland area. No conversion of wetland area to uplands will occur. Rather, the proposed project would restore the area that is currently intertidal, unvegetated mudflats to the intertidal salt marsh habitat that was present prior to erosive events.

The Biological Resources Report prepared for the proposed project (Tidal Influence, June 2020) identifies the following special status faunal species as present in the marsh or having a high likelihood of occurring:

California least tern (*Sternula antillarum browni*): endangered on both federal and state levels as well as fully protected by CDFW; uses the site for foraging; there is a protected nesting site on the beach across Pacific Coast Highway from Talbert Marsh;

Elegant Tern (*Thalasseus elegans*): not listed at the state or federal level, but is included on the California species watch list by CDFW; observed foraging in Talbert Marsh;

Osprey (*Pandion haliaetus*): also on the California species watch list by CDFW; forages in Talbert Marsh;

Belding's Savannah Sparrow (*Passerculus sandwichensis beldingi*): listed as endangered by the state, is well documented throughout the Huntington Beach Wetlands;

Long-billed curlew (*Numenius americanus*): included on the CDFW watch list, has been observed throughout the Huntington Beach Wetlands; good foraging habitat;

Western snowy plover (*Charadrius alexandrinus nivosus*): federally listed as threatened and a CDFW Species of Special Concern; observed in the Huntington Beach Wetlands.

In addition, the project Biological Resources Report (Report) determined the following floral species are present in the marsh or have a high likelihood of occurring:

Estuary Seablite (*Suaeda esteroa*): designated as a CNPS 1B.2³ species; it is found throughout the tidal portions of the Huntington Beach Wetlands including within Talbert Marsh. One individual was documented along the southern edge of the proposed project's Phase 1b area.

Woolly Seablite (*Suaeda taxifolia*): designated as a CNPS 4.2 species, it occurs along the edges of the project boundary of the Phase 1b area and on the South Island.

Coast Woolly Heads (*Nemacaulis denudate* var. *denudate*): designated as a CNPS 1B.2, this species is found in both Magnolia and Brookhurst Marshes, suitable habitat for this species does occur within the project area.

Salt Marsh Bird's Beak (*Chloropyron maritimum* ssp. *Maritimum*): listed as federally and state endangered and designated as a CNPS 1B.2, the Huntington Beach Wetlands are one of 8 locations where this plant can be found, including Talbert Marsh, but not within the project site.

Dune scrub habitat is also present within Talbert Marsh. It is depicted on the Vegetation Alliances Map ([Exhibit 6](#)) as part of the *Atriplex canescens* and *Artemisia californica* Shrubland Alliances. These coastal dune habitat types are described in the Report as:

³ CRPR is a ranking system of the California Native Plant Society. Plants ranked CRPR 1B are rare throughout their range with the majority of them endemic to California. Most Plants ranked 1B have declined significantly over the last century. Plants ranked CRPR 4 are of limited distribution or infrequent throughout a broader area in California, and their status should be monitored regularly.

“*Atriplex canescens* Shrubland Alliance (Fourwing saltbush scrub)(G5S4) – This alliance is dominated by fourwing saltbush (*Atriplex canescens*) with a co-dominance of a variety of dune scrub species like big saltbush (*Atriplex lentiformis*), deerweed (*Acmispon glaber*) and evening primrose (*Camissonipsis* spp.). This alliance occurs within a restored dune habitat area and can also support non-native upland grasses and forbs. This alliance is found entirely above the tidal reaches of the site and overlaps with the proposed access path.

Artemisia californica Shrubland Alliance (California sagebrush scrub)(G5S5) – This alliance is dominated by California sagebrush (*Artemisia californica*) with a co-dominance of a variety of coastal sage scrub species like bush sunflower (*Encelia californica*), deerweed (*Acmispon glaber*) and Menzies’ goldenbush (*Isocoma menziesii*). This alliance occurs within a restored dune habitat area and can also support nonnative upland grasses and forbs. This alliance is found entirely above the tidal reaches of the site and overlaps with the proposed access path.”

Regarding Talbert Marsh, the Huntington Beach Wetlands Conservancy’s website states: “Around 90 species of birds have been observed at Talbert Marsh and the other adjoining Huntington Beach wetlands. In addition to year round residents, thousands of birds use the Huntington wetlands as a rest stop during their long migrations along the Pacific flyway from their nesting grounds in the Arctic to their wintering grounds in South America.”⁴

These species and habitat types are sensitive and play a valuable role in the coastal salt marsh and related upland habitats. Moreover, as reflected by their listing as rare, sensitive and/or protected species, they are easily disturbed or degraded by human activities or development. Given the presence of a number of special status species, as well as the significance of coastal salt marsh and associated upland habitats, the entire project site constitutes ESHA. In addition, as coastal salt marsh, it also includes areas of wetland. Thus, the proposed development must be reviewed for consistency with Coastal Act Sections 30233 and 30240.

Use

Restoration is one of the specifically enumerated uses for which fill of wetlands is allowed by Section 30233(a)(6). In addition, Section 30233(c) requires that fill in existing wetlands shall maintain or enhance the functional capacity of the wetland. The proposed project is a restoration project. The restoration proposed here will enhance the functional capacity of the wetland by restoring vegetated coastal salt marsh habitat that was removed by erosion. Section 30240 allows only those uses that are depend upon the ESHA resource. Coastal salt marsh can occur only in wetlands. Thus, the proposed restoration of the coastal salt marsh is dependent upon the wetland resource and is an allowable use in ESHA under Section 30240. Moreover, Section 30240

⁴ <http://www.hbwetlands.org/whatwedo.php>

requires that ESHAs be protected against any significant disruption of habitat values. The goal of any restoration, including the proposed project, is to enhance habitat values. The proposed coastal salt marsh restoration is intended to arrest the current erosion problem that is eliminating vegetated coastal salt marsh habitat. The proposed project is intended to protect against future erosional disruption of the coastal salt marsh habitat. There is no conflict between Sections 30233 and 30240 with the proposed activity in the proposed location.

As described earlier, Talbert Marsh has been subject to two earlier restorations. Over time, issues within the managed ecosystem arise which then must be addressed. The current issue the subject project is proposed to address is erosion that continues to reduce the area of coastal salt marsh and associated salt marsh vegetation. If the proposed pilot project is successful in increasing the area of native coastal salt marsh vegetation, the shoreline that has been lost to erosion along with the vegetation it supported, will be reclaimed and restored to coastal salt marsh and once again be functioning salt marsh habitat and once again be available for use by protected species including California least terns, Belding's savannah sparrow, western snowy plovers, and others. Thus, the proposed project is rightly described as a restoration project, and therefore an allowable use under both Sections 30233 and 30240 of the Coastal Act.

Erosion

Coastal salt marsh habitat has been eroding away within the project Phases 1 and 2 footprints. An erosion assessment was prepared to determine the cause(s) of the erosion and improve the understanding of the existing processes that may bear on potential solutions (Final Talbert Marsh Erosion Assessment, Moffatt & Nichol, 12/9/2019). This assessment focused on the eastern half of the marsh as the western half does not appear to be eroding. The proposed project includes addressing erosion of the South Island (project Phase 2). Although the erosion assessment determined that the North Island has been subject to erosion from ocean swell erosion more so than wind wave erosion and is not part of the proposed project, it is still worth noting that the former North Island has eroded to the extent that it is now separated into two smaller island relics due to progressive erosion. One of the relic islands is nearly completely eroded, and the other is eroding but still visible under most water level conditions ([Exhibit 9a](#)). The HBWC prefers to retain as much of the South Island as possible for bird use refugia and thus seeks to minimize erosion of the island over time. Similarly, the HBWC prefers to retain coastal salt marsh along the southeastern shoreline (Phase 1) to retain higher quality intertidal salt marsh habitat.

The erosion assessment concludes that the causes of erosion at Talbert Marsh include high tidal velocity, high fluvial (storm) flow velocity, ocean swell induced erosion, and wind-wave erosion. Of these, the erosion assessment concluded that the dominant erosion cause at the South Island (Phase 2) and the southeastern shoreline (Phase 1) is wind-wave erosion. Ocean wave erosion appears to occur primarily during a mid-level tide in the Marsh coupled with ocean waves sufficiently high and energetic to reach the

internal shoreline after shoaling and refraction. The impacts of wind waves are maximized at high tides and during high onshore winds in the afternoons and evenings.

The erosion assessment found the average erosion rate is on the order of 0.4 feet per year. Erosion is occurring and is significant at the site under existing conditions. Erosion of the southeastern shoreline (Phase 1) and South Island (Phase 2) is causing loss of wetland habitat and creating upland land loss that threatens the adjacent coastal dune and sage habitat. The assessment further concluded that the erosion problems are isolated in location and can be addressed by local implementation of measures that reduce erosion due to ocean swell wave and wind wave. The proposed project is intended to address these erosion issues as necessary to restore coastal salt marsh habitat. To address the on-going erosion, the HBWC is proposing this restoration project to preserve eroding areas within the marsh. The proposed project is intended to protect for existing erosion and inform the HBWC about how effective the approach is so that it can be continued and/or adapted. The proposed project is anticipated to reduce erosion and further loss of marsh surface by mitigating the force of wind waves and ocean swell on the shorelines. The project is also expected to expand the area of marsh habitat and increase sediment accretion at the site. Preservation of the areas subject to erosion is necessary to preserve and restore wetland coastal salt marsh habitat.

Project Impacts

The Biological Resources Report prepared for the proposed project by Tidal Influence, June 2020 (Report) finds:

“Overall, the installation of a living shoreline [the nature-based adaptation strategy proposed to address habitat erosion in the marsh] in this portion of Talbert Marsh will result in improvements to existing biological resources. Not only will this project eliminate the erosive process that is leading to the loss of vegetated salt marsh, but it will also increase vegetated wetlands by 0.04 acres, most of which will be composed of cordgrass marsh. However, the creation of an access path necessary to transport materials and equipment will result in temporary impacts to biological resources.”

The proposed project will impact upland dune scrub habitat (*Atriplex canescens* and *Artemisia californica* Shrubland Alliances) due to the creation of the six-foot-wide construction access path ([Exhibit 6](#)). The access path is proposed to follow an existing degraded asphalt maintenance path that has been overtaken by vegetation. Most of the vegetation within this proposed construction access path is ruderal. However, portions of the path will go through existing scrub habitat. The project Biological Resources Report (Tidal Influence, June 2020) identified 0.0330 acres (957.3 square feet) of impact to Fourwing Saltbrush Scrub and 0.0233 acre (1012.96 square feet) of impact to Sagebrush Scrub impacted by creation of the proposed construction access path. In order to off-set impacts within the construction access path, the applicant is proposing to revegetate most of the access path area once Phases 1 and 2 of the project are

complete. A one-foot-wide path is proposed to remain within the area to allow access for post construction monitoring and maintenance of the Phases 1 and 2 areas. Revegetation of the access path is proposed to be accomplished by collecting seeds from the *Atriplex canescens*, *Atremisia californica*, *Acmispon glaber*, *Isocoma mensisii*, *Encelia californica*, and *Deinandra fasciculata* plants in the surrounding dune habitat prior to the start of construction. Once Phases 1 and 2 of the project are complete, the collected seeds will be applied to the path with a hydroseeder, with the exception of the one-foot-wide path to remain. The one-foot-wide path will be flagged during re-seeding. In addition, one year of non-native weed control (non-native plant removal) will be performed within the construction access path.

Also, in May 2020, project ecologists found a population of Lewis' evening primrose (*Camissoniopsis lewisii*). It was found to extend throughout the dune scrub habitat areas in the southern portion of Talbert Marsh and overlaps the construction access path. Lewis' evening primrose is an annual herb designated by the California Plant Society as CNPS 3.⁵ To address any impacts that may occur to this species as a result of creation of the construction access path, the applicant proposes to conduct pre-construction surveys to determine the percent coverage of this species within the boundary of the access path and the extent of the population of the adjacent dune habitat, and calculate a percent cover of this species within the access road. Seeds will be collected prior to construction. Some seeds may be added to hydroseed mix, but most of the seeds will be hand seeded within the access path area (except one-foot-wide remaining path). The *Camissoniopsis lewisii* plantings within the construction access path area are proposed to be monitored for five years for success. Success is considered to be meeting or exceeding pre-project survey conditions.

Because most of the area of the construction access path is currently primarily ruderal, non-native species, the proposed hydroseeding, planting of native dune species, and the nonnative plant removal, is expected to ultimately be a benefit to the habitat.

Restoration

The proposed restoration project will involve four locations within Talbert Marsh's southeast quadrant: Phases 1a and 1b along the southeastern shoreline and Phase 2a along the western shoreline of South Island and Phase 2b along the southwestern shoreline South Island. (Note: all four "phases" will occur concurrently. The applicant states that "phase" refers to project location, not project timing.)

Proposed Phase 1a (Erosion Hole) will include: installation of filter fabric backing with cobble cover on the eroded slope. The cobble will be covered with sediment fill. Terraced soil, coir logs, and gravel sills wrapped in fabric will be placed on the slope. The coir logs will be secured in place with wooden stakes, and the gravel sills will be of sufficient weight to prevent relocation in all but the most extreme wave or water flow

⁵ CRPR 3 – rare plants which require more information to give a definitive rank.

conditions. The slope will be planted with marsh species appropriate to the site conditions.

Proposed Phase 1b (South Slope) will include: the scarp along the south shore will be stabilized with a fine coconut fiber (coir) mat and heavily vegetated with marsh species to secure the slope. Existing marsh vegetation will be protected in place with wide mesh natural fiber fabric. Terraced coir logs will be placed at the toe of the slope with marsh plantings and seeding and anchored in place with wooden stakes. Sediment will be placed at the toe of the slope to provide the appropriate elevations for cordgrass planting.

Proposed Phase 2a (South Island West) will include: a gravel berm will be placed along the headland on the west bank of the South Island and stabilized in place with filter fabric and a combined soil and gravel sill stack at the gravel toe. The soil and gravel sills will be wrapped in natural fabric and of sufficient weight to prevent relocation in all but the most severe wave or water flow conditions.

Proposed Phase 2b (South Island Central) will include: a soil/gravel sill stack or set of coir logs will be placed at the toe of the slope on the central reach of the island, assuming that sediment from the slope will collect behind the sills or logs as the slope retreats. If coir logs are used, they will be anchored in place with wooden stakes, and if gravel sills are used, they will be of sufficient weight to prevent relocation.

Marsh vegetation is proposed to be planted in the Phase 1 area. All propagules used for this planting will be sourced from within the Huntington Beach Wetlands. The Phase 1 area will be divided into low marsh and mid-marsh plantings ([Exhibit 5](#)). The low marsh planting will be composed entirely of Pacific cordgrass plugs sourced from several existing mature cordgrass meadows found in Talbert and Brookhurst Marshes. No more than 10% of any mature cordgrass meadow will be sourced and no sourcing will occur along the four feet exterior edge of any sourced meadow. Approximately 500 plugs of cordgrass measuring 2-4 inches in diameter will be required to stabilize the low marsh elevations and allow for full colonization within two years. Some cordgrass plugs will be installed directly into the freshly placed sediment, while others will be installed into the coir logs.

The intertidal slopes in the Phase 1 area (mid marsh bench) will be planted with rose pot liner (2 ¼" x 3") container stock and cuttings of four salt marsh plant species: common pickleweed (*Salicornia pacifica*), salt grass (*Distichlis spicata*), salty susan (*Jaumea carnosa*), and saltwort (*Batis maritima*). The container plants and cuttings will be inserted into the coconut fiber mats at no more than six-inch spacing on center. An estimated 3,600 mid-marsh containers and cuttings will be installed along the Phase 1 mid marsh bench. Additional cuttings may be placed under the fiber mats to increase potential establishment of vegetation. Lastly container plants may also be installed directly into the coir logs. All propagules used for the project will be sourced from within the Huntington Beach Wetlands.

Project Staging and Construction Methods

The project staging area will be located within Talbert Marsh, northeast of the Phase 1 and 2 locations, on area identified as “developed land” on the Vegetation Alliances map ([Exhibit 6](#)). Equipment will access the site through a gate at Brookhurst Street onto the Talbert multi-use public access path north of the marsh. The site will be accessed through a swing gate off of the public multi-use path, and then within the marsh by the proposed six-foot-wide access path that will be created along an existing degraded asphalt maintenance path that has been overtaken by vegetation. The total footprint of the staging area and access path is approximately 0.19 acre.

Anticipated construction equipment and materials may include:

- Small floating raft for materials transport to the South Island (if needed during higher tides)
- Small dozer (a “Bobcat”)
- Cobble for backfill (approximately 55 cubic yards)
- Gravel (not to exceed 3 inches in diameter) for backfill (approximately 55 cubic yards)
- Sediment for backfill (approximately 210 cubic yards)
- Filter fabric
- Natural coconut fiber rolls
- Coir logs
- Stakes
- Container plants, seed and plugs (as described herein)
- Hand tools such as wheelbarrows, buckets, shovels, etc.

Materials will be transported to the site and installed by HBWC staff and volunteers, under the supervision of the project biologist. For Phases 1 and 2, materials will be transported along an approximately six-foot-wide access path that will closely follow the existing trail and minimize impacts to native upland vegetation. For Phase 2 (South Island), materials will be transported across shallow water either by float during high tide events or on foot during low tide events, and either placed directly where they are needed or staged on the island. After the project construction is complete the six-foot-wide access path will be reduced to a one-foot-wide footpath to allow for continued access to the site for monitoring and maintenance activities. Post-construction the access path will be revegetated with a variety of plant species as described earlier.

Improvements will be installed using hand tools. Specifications for use and installation of the proposed materials may include the following:

- Coir logs used in the intertidal zone should not exceed 6 inches in diameter. They can be stacked as need in order to create sills at the base of the slopes.

- Coir logs will be 15 feet in length and will be secured to the soil surface by 18-inch-long stakes driven through the logs every 5 feet and penetrating the sediment as deep as 12 inches
- Coir logs will be placed end-to-end along the slope with one stretch of logs along the toe, one stretch of logs near the top of the slope and at least one stretch of logs along the face of the slope (likely more will be used along the face of the erosion hole in Phase 1a).
- In some instances, pre-planted coir logs (using propagules from within the Huntington Beach Wetlands) may be utilized in order to expedite the establishment of salt marsh vegetation.
- Coir logs will be composed of 100% biodegradable plant-based materials.
- All stakes will be removed once the logs are degraded and/or vegetation has been established.
- Gravel sills will be composed of coir rock bags that are created by folding coir erosion control blankets around imported gravel and sewing them closed with jute twine. The sill would be made of several coir rock bags laid side-by-side. Each coir rock bag would be approximately 6 inches tall, 24 inches deep and 5 feet long. No rock larger than 3 inches in diameter will be used.

All construction activities in and around wetland areas will occur under the supervision and direction of a qualified wetland biologist in order to ensure maximum avoidance of impacts to wetland vegetation and special status species.

Mitigation

Section 30233 of the Coastal Act requires that any allowable fill of wetlands must provide adequate mitigation to minimize any adverse environmental effects the project may have. The proposed habitat restoration project is not anticipated to have adverse environmental impacts, with the exception of the impacts resulting from creation of the construction access path, a portion of which will traverse coastal dune scrub habitat.

To address impacts from the construction access path, the applicant has proposed revegetation with native coastal dune plants and removal of non-native plants. The applicant further proposes to monitor the Lewis' evening primrose plantings for five years, to assure that the plantings either meet or exceed pre-project survey. This is described in greater detail earlier.

Because most of the access path is currently comprised of ruderal, non-native plants in addition to the areas of coastal dune scrub habitat ([Exhibit 6](#)), and with the proposed revegetation of the entire area with native coastal dune species and one year of on-going non-native vegetation removal from the area, the area of the construction access path is expected to ultimately result in improved coastal dune scrub habitat quality as a result of the proposed project.

To confirm whether or not improved habitat establishes in the area, **Special Condition No. 1** requires a detailed biological survey of the area of the proposed six-foot-wide

construction access path be conducted prior to commencement of construction, within one month after completion of the Phase 1 and Phase 2 work, and at one year from the date of the post-construction survey. If the one-year post construction survey reveals that the habitat within the six-foot-wide area used for construction access has recovered to pre-construction conditions, or is improved beyond pre-construction conditions, no further monitoring is required. However, if the area has not recovered to pre-construction conditions, **Special Condition No. 1** requires that a mitigation plan to address the habitat impacts be submitted.

Special Status Species

Although the project biological resources report does not anticipate impacts, it recognizes that impacts to the following special status species could occur due to the proposed project: Estuary Seablite (*Suaeda esteroa*), Woolly Seablite (*Suaeda taxifolia*), Belding's Savannah Sparrow, California Least Tern, and possibly, impacts to nesting birds ([Exhibit 8](#)). To assure impacts to these species are avoided as expected, the following measures are proposed to be implemented. All estuary and woolly seablite individuals will be flagged by qualified wetland biologists and avoided. To avoid potential impacts to Belding's Savannah Sparrow, construction activities are proposed to occur outside of the breeding season (February 15 to July 15). To avoid impacts to California Least Tern construction activities are proposed outside their breeding season (April – August). In addition, a qualified biologist will be present on site during all construction activities to ensure avoidance of species impacts. Consistent with the project as proposed by the applicant, **Special Condition No. 2** requires that construction occur outside the bird breeding season and that a qualified wetland biologist will be on site during all construction activities.

Restoration Site Biological Monitoring

Monitoring is needed to assure that the proposed restoration is successful. The project can only be found consistent with Sections 30233 and 30240 if it is a restoration project. Therefore, it is important that the habitat improvements expected from the proposed project occur (and if they are not successful, adaptive measures may be implemented), or at a minimum, that the project does not adversely impact the wetland/ESHA. It is therefore necessary that that the project be monitored pursuant to an approved biological monitoring plan. In addition, a physical monitoring plan is necessary to assess whether the erosion problem that is adversely impacting habitat has been addressed. The biological monitoring would provide assurance that the habitat gains occur, or at a minimum that adverse impacts do not occur. And that if success is not achieved adaptive measures may be implemented. The physical monitoring would provide assurance that the erosion issue that has been causing the adverse habitat impacts has indeed been addressed, or if not, that adaptive measures are implemented. As a pilot restoration project, part of the goal is to assess whether the proposed approach is successful, and if not gain understanding as to why not and what may work instead.

The applicant has provided a draft Biological Monitoring Methods sheet (Moffatt & Nichol, January 2021). This document identifies methods to be employed during project

biological monitoring of the restoration sites. However, it does not provide the detail necessary to implement the level of biological monitoring required to assess the success of the proposed restoration project or to determine measures to be implemented should success not be achieved. For example, it is unclear whether all four project phases are to be monitored. It is not described in the draft monitoring sheet provided by the applicant. All project phases (locations) must be monitored to assess project success.

The draft Biological Monitoring Methods sheet recognizes the need for: qualitative field monitoring, determining percent cover of native plant species within the vegetated portions of the project, preparation of an annual Monitoring Report each year over two years, use of regular periodic photos from specific photo points to visually track the progress of vegetative coverage, surveys for percentage of non-native species present, and also indicates that final performance criteria are being developed and will be provided when finalized. While this acknowledges that biological monitoring is necessary, a formal, final Biological Monitoring Plan is needed. Without a formal, final Biological Monitoring Plan it will not be known whether the restoration plan has been successful; and if not, information to develop adaptive measures will not be available. **Special Condition No. 1** requires the applicant to submit, a formal, final Biological Plan adequate to evaluate the success of the proposed habitat restoration, as well as identify measures that may be implemented should success not be achieved within a five-year timeframe.

At a minimum, the required final Biological Monitoring Plan must include: a pre-project, base line biological survey; a detailed description of the methods used to determine the base line quantitative surveys and periodic subsequent surveys. In addition, the Plan must acknowledge that: monitoring must occur monthly for the first year, and quarterly thereafter; maintenance and monitoring of the restoration site must be conducted for five years from the date of installation or until success criteria are met, whichever is longer; final monitoring for success shall take place after at least 3 years with no remediation or maintenance other than weeding; and adaptive measures should be developed that may be implemented in the event success is not achieved within the monitoring timeframe. The final Biological Monitoring Plan should make clear, in the text and via graphics, that all four project phases (locations) will be subject to the final plan. The final Biological Monitoring Plan must be prepared by a qualified professional with expertise in coastal salt marsh habitats. **Special Condition No. 1** requires the applicant to submit a final Biological Monitoring Plan and outlines the minimum components it must contain.

Restoration Site Physical Monitoring

In addition, physical monitoring is needed to assess the effectiveness of the pilot project in addressing the erosion issue as necessary to restore habitat. As stated earlier, the project can only be found to be consistent with Sections 30233 and 30240 if it is a restoration project. Therefore, it is important that the habitat improvements expected from the proposed project do indeed come to fruition, or, as a pilot project, if they do

not, adaptive measures should be identified that may be implemented. In order to restore the coastal salt marsh habitat, the current erosion conditions must be addressed. The physical monitoring is necessary to establish whether the erosion issue that has been causing the adverse habitat impacts has indeed been addressed.

The applicant has provided a draft Physical Monitoring Plan Outline (Moffatt & Nichol, January 2021). This document identifies methods to be employed during physical monitoring of the project restoration sites. However, it does not provide the detail necessary to implement the physical monitoring necessary to assess the success of the proposed restoration project or to develop adaptive measures that could be implemented should success not be achieved. For example, it is unclear whether all four project phases are to be monitored. It is not described in the draft monitoring outline provided by the applicant. All project phases (locations) must be monitored to assess project success.

The draft Physical Monitoring Plan Outline identifies monitoring goals, a monitoring schedule of monthly the first year and quarterly thereafter, monitoring methods, success criteria, adaptive management, and reporting requirements. However, the draft Physical Monitoring Plan Outline lacks the detail and specifics necessary to describe specifically how the monitoring will be accomplished. This level of detail is necessary to determine whether the monitoring will be adequate to determine whether the erosion causing the habitat impacts has been arrested or not.

Specific quantitative measures must be identified and described in detail. The proposal for monthly photo points will be useful, but is not quantitative. Methods for measuring from monitoring stakes need to be adjusted. Elevations along transects of monitoring stakes to the toes would be preferred to capture potential settlement, formation of scarps, or change of slope. Real-Time Kinematic (RTK) GPS is proposed elsewhere in the draft plan, so it makes sense to include it as part of the quantitative monitoring along transects. Regular measurements of the following must be included in the final Physical Monitoring Plan: vertical settlement of the gravel, changes in slope, dislodging or transport of rock outside the project areas, and formation of scarps. Example(s) of potential adaptive management activities should be identified. Potential adaptation strategies may include details regarding the possible addition of more sediment and/or vegetation. The Plan should include a point about searching for opportunities to conduct a post construction LiDAR/Photogrammetry scan and follow up scans to get higher resolution elevation information. If acquiring that level of elevation data along monitoring transects is too onerous, horizontal distance measurement combined with a detailed qualitative description of the slope/bank condition along the transect may be acceptable. It should be made clear that physical monitoring will occur across all of both Phase 1 and Phase 2 project areas. Pre-project site conditions should be surveyed for base line data. Monitoring should begin upon completion of the project and continue for five years. Elevation at the restoration sites, seaward as well as landward of the areas that are restored, should be taken at least semi-annually. The monitoring plan will need to include physical monitoring of the condition of the cobble slopes and the coir logs and

soil. It will also need to document biological habitat establishment. Finally, it will need to include recommendations for addressing any material shifts or movements, additional slope protection needed, any needed material removal, habitat enhancements or modifications, and potentially additional monitoring.

Monitoring is needed to assess success of proposed restoration. The project can only be found to be consistent with Sections 30233 and 30240 if it is a restoration project. Therefore, **Special Condition No. 3** requires that the applicant submit a final Physical Monitoring Plan as needed to assess the success of the proposed restoration project in abating erosion and establishing a stable area capable of supporting the restored habitat.

Source Material

The fill material to be used in the restoration project is proposed to be taken from the Santa Ana River, inland of the coastal zone boundary. Thus, the removal of the materials from the river is not subject to this review. The mouth of the Santa Ana River is located adjacent to Talbert Marsh and was historically connected with it. Over time, with development of the area and the channelization of the Santa Ana River, this connection has all but disappeared. However, it is likely that materials from the Santa Ana River would have naturally been deposited within Talbert Marsh prior to extensive area development beginning near the beginning of the last century. Thus, it is somewhat natural for Santa Ana River materials to be deposited in the marsh now as part of the restoration project. However, due to development surrounding the river, the quality of the sediment removed from the river may not be as compatible with the marsh with regard to sediment chemistry (cleanliness) as it was historically.

To address this, the Santa Ana River sediment will be tested according to the NOAA Screening Quick Reference Table (SQUIRT) prior to deposition in the marsh. SQUIRT provides guidelines which are used to screen sediments for contaminant concentrations that might cause biological effects and to identify sediments for further toxicity testing. The sediments will be screened for nine trace metals, thirteen individual Polycyclic aromatic hydrocarbons (PAHs), three classes of PAHs, and three classes of chlorinated organic hydrocarbons. Multiple samples will be taken at the site and combined into composite samples for laboratory analysis to determine whether the soil is suitable for use in wetlands. Material will also be tested for fertility to determine if it is sufficient for colonization of marsh plants. Only sediments that are determined suitable will be placed within the marsh restoration area. The Santa Ana River sediment removal will be performed by the County of Orange, who will also perform the SQUIRT testing. Once deemed acceptable, the materials will be made available for the proposed Talbert Marsh restoration project. **Special Condition No. 4** requires that all Santa Ana River materials be tested according to the NOAA SQUIRT guidelines, and only materials suitable for coastal salt marsh be placed within Talbert Marsh.

If the river material proposed to be used in the areas of gravel fill are too large, it is possible that it could have the opposite effect and actually exacerbate erosion of the

shoreline at the South Island (Phase 2) through what is often referred to as “piping” of fine sediment behind the rock from waves lapping on the rock. Coastal Commission technical staff recommend that other than in the Phase 1a “erosion hole” location, rock used in Phases 1b, 2a and 2b not exceed a maximum diameter of three inches. The three-inch diameter cutoff is justified by the wave conditions and feasibility of storing the rock. This sizing is consistent with the applicant’s current proposal. In order to assure that the gravel to be used in the proposed project not exceed the maximum three-inch diameter, the materials will need to be screened through an appropriately sized sieve.

Special Condition No. 4 requires that, other than in the Phase 1a “erosion hole” location, the maximum rock (gravel) size allowed is a maximum three-inch diameter.

Least Environmentally Damaging Alternative

The proposed project is a restoration project, and so, as conditioned, is expected to be beneficial to the wetland resource and not damaging. In addition, the project has been modified by the applicant and conditioned to limit cobbles (rock larger than 3 inch diameter) to only the Phase 1a part of the project, where originally cobbles were proposed also at the Phase 2a location. The materials imported from the Santa Ana River, previously connected to Talbert Marsh, will be tested for chemical compatibility prior to deposition within the marsh. **Special Condition No. 4** requires the source materials testing to be carried out as proposed. In addition, **Special Condition No. 6** requires construction Best Management Practices (BMPs) to limit adverse impacts to the marsh during construction. Thus, the proposed restoration project meets the requirement of Coastal Act Section 30233 that any allowable fill of wetlands be the least environmentally damaging feasible alternative.

ESHA/Wetland Conclusion

Section 30240 requires that ESHA be protected and allows only uses within ESHA that are dependent upon those resources. The proposed project is intended to restore the coastal salt marsh ESHA, and so will protect the ESHA. As a coastal salt marsh restoration project, the proposed development is dependent upon the ESHA resource. For these reasons, the proposed project, as conditioned, is consistent with Section 30240 of the Coastal Act.

Section 30233 requires that fill of wetlands only be allowed when the project is: 1) an allowable use, 2) the least environmentally damaging alternative, and 3) when adequate mitigation is provided. In addition, Section 30233(c) requires that any fill of existing wetlands (such as Talbert Marsh) must maintain or enhance the functional capacity of the wetland. As a restoration project, the project constitutes an allowable use under Section 30233. As conditioned for final monitoring plans, avoidance of the bird breeding seasons, and for source material testing to assure suitability with the marsh, the proposed project will provide adequate mitigation for any potential impacts that may be associated with the proposed project. And so, the project will provide adequate mitigation. Finally, the proposed restoration project has been modified to limit the type of rock allowed, and conditioned for detailed monitoring to verify restoration success, the project is the least environmentally damaging alternative. Therefore, the Commission

finds the proposed development, as conditioned, is consistent with Coastal Act Sections 30233 and 30240, which require protection of wetland and ESHA.

E. Public Access

Section 30210 of the Coastal Act states:

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.

Talbert Marsh is located adjacent to the Talbert Marsh Multi-Use Public Access Path and to the Santa Ana River Trail Bikeway. It is located immediately across Pacific Coast Highway from Huntington State Beach ([Exhibit 1b](#)). No public access is currently available within the marsh, as is appropriate given the sensitivity of the site. However, the Talbert Marsh Multi-Use Public Access Path runs immediately adjacent to the inland side of the marsh. Public views of the Marsh are available from the Talbert Marsh Multi-Use Public Access Path ([Exhibit 10](#)). The Talbert Marsh Multi-Use Public Access Trail connects to Brookhurst Street and to the Santa Ana River Trail Bikeway. The proposed project will have no long term impacts on public access. The Santa Ana River Trail Bikeway will not be closed or in any way affected by the proposed project. No public access impacts to the state beach will result from the project either.

However, it is unclear whether the project may have temporary construction impacts to the Talbert Multi-Use Public Access Path. Construction access is proposed along this path, with entry from Brookhurst Street. This construction access may interfere with public use of the public accessway. It may be that the required construction access will not necessitate closure of the public accessway, or temporary closures may be needed. Of special concern is the period when the materials from the Santa Ana River are brought to the site. It is not known whether the Talbert Multi-Use Public Access Path how public access will be maintained over the course of the proposed project. **Special Condition No. 7** requires the applicant to submit a Public Access Plan to address these questions. The required Public Access Plan must demonstrate that any closure of the trail will be limited to only those times when it is necessary for safety, and then for the least duration possible and for the least number of closures possible. In addition, any closure or limits on the trail should be only for the length of trail necessary (i.e. it appears unlikely that use of the trail would need to be limited between the staging area and the Santa Ana River Bikeway). The preferred alternative is to keep the trail open. Use of measures such as barriers and/or flag persons to direct the public safely along the trail is preferred to closure. The Public Access Plan must provide justification for any full closure of the trail. As conditioned, the proposed project is consistent with the Section 30210 of the Coastal Act.

F. Local Coastal Program (LCP)

An LCP for the City of Huntington Beach was effectively certified in March 1985, and although the subject area was originally excluded from that LCP as an area of deferred certification, the LCP was expanded to cover this area in 1995. 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 when 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. In this case because the project site crosses jurisdictional boundaries, the applicant HBWC and the local government, the City of Huntington Beach, have requested that a single consolidated permit be processed by the Coastal Commission. Thus, the coastal development permit application was submitted directly to the Commission. Consequently, the standard of review for the consolidated coastal development permit is Chapter 3 of the Coastal Act and the City's LCP may be used as guidance. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified LCP for the area.

G. California Environmental Quality Act (CEQA)

Section 13096(a) of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, 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 that would substantially lessen any significant adverse effect which the activity may have on the environment.

The City of Huntington Beach is the lead agency responsible for certifying that the proposed project is in conformance with CEQA. The City determined that in accordance with CEQA, the project is Categorical Exempt from Provisions of CEQA, citing CEQA Guidelines section 15333 (Small Habitat Restoration Projects). However, Section 13096(a) of the Commission's administrative regulations requires Commission approval of coastal development permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, is consistent with any applicable requirements of CEQA.

The proposed project has been conditioned to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, in the form of special conditions, require: 1) a final Biological Monitoring Plan; 2) avoidance of construction during bird breeding season; 3) a final Physical Monitoring Plan; 4) restrictions on the restoration

project source materials, including testing requirement and limits on rock size; 5) consistency with Resource Agency approvals, 6) implementation of construction best management responsibilities, and 7) a Public Access Plan.

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

APPENDIX A

SUBSTANTIVE FILE DOCUMENTS

1. City of Huntington Beach certified Local Coastal Program.
2. Coastal Development Permit Application File 5-20-0348 (HBWC).
3. Talbert Marsh Living Shoreline Biological Resources Report (Tidal Influence, June 2020).
4. Final Talbert Marsh Erosion Assessment Memorandum (Moffatt & Nichol, 12/9/2019).
5. Talbert Marsh Living Shoreline Draft Physical Monitoring Plan Outline (Moffatt & Nichol, January 2021).
6. Talbert Marsh Living Shoreline Draft Biological Monitoring Methods (Moffatt & Nichol, January 2021).
7. National Oceanic and Atmospheric Administration (NOAA) Screening Quick Reference Table (SQUIRT) Guidelines (Buchman 2008).