5.0 COASTAL DEVELOPMENT POLICIES AND RESOURCES

INTRODUCTION

This chapter evaluates the scope of improvements included in the North Coast Corridor (NCC) Public Works Plan/Transportation and Resource Enhancement Program (PWP/TREP) (as described in Chapter 4) for consistency with applicable coastal development policies of the California Coastal Act (Coastal Act), and, where applicable, includes a brief summary evaluation of consistency with local coastal program (LCP) policies for each affected city in the NCC. This chapter builds on the discussion of mobility and resource deficiencies—and the vision and goals for the NCC described in Chapters 3—as these issues relate directly to the ability to evaluate potential coastal resource concerns and opportunities presented by the scope of improvements.

This chapter includes 10 sections, nine of which evaluate the scope of improvements for consistency with applicable coastal development policies, and are organized by the following Coastal Act issue areas: 5.1 – Energy Conservation and Emissions Reduction; 5.2 – Promotion of Public Transit and Smart Growth; 5.3 – Public Access and Recreation; 5.4 – Marine Resources: Water Quality and Wetlands; 5.5 – Environmentally Sensitive Habitat Areas and Special-Status Species; 5.6 – Archaeological and Paleontological Resources; 5.7 – Coastal Visual Resources; 5.8 – Site Stability and Management; and 5.9 – Agricultural Resources.

Each of the Coastal Act issue area sections begins with a setting description of existing coastal resources in the NCC that could be affected by the scope of improvements. A discussion of potential coastal resource concerns—developed in consultation with California Coastal Commission (Coastal Commission) staff as general guidance in identifying potential resource issues to help frame the PWP/TREP impact analysis—is provided after each coastal resource setting description. This section is then followed by an impact analysis for the proposed NCC scope of improvements, including Los Angeles-San Diego-San Luis Obispo (LOSSAN) rail and I-5 highway corridor improvements, and community and resource enhancement projects. The impact analysis reflects those discussions contained within the *LOSSAN Final Program EIR/EIS* (September 2007) and the *Interstate 5 North Coast Corridor Project Final EIR/EIS* (October 2013), where applicable.

Each issue area section then discusses resource opportunities and benefits presented by the NCC scope of improvements. Each PWP/TREP section is followed by a series of policies and design/development strategies applicable to all proposed PWP/TREP improvements, and project-specific implementation measures applicable to PWP/TREP projects that are subject to the Notice of Impending Development (NOID) review process. PWP/TREP policies, design/development strategies, and implementation measures are to be interpreted and implemented as follows:

- **PWP/TREP Policies** reflect Coastal Act policy requirements for each coastal resource issue area addressed in Chapter 5, and provide for managing and balancing PWP/TREP improvement activities to avoid, minimize, and/or mitigate potential impacts to coastal resources, and to enhance coastal resources where feasible. PWP/TREP policies express relevant resource protection provisions of the Coastal Act in context with the PWP/TREP goals and objectives presented in Chapters 1 and 3 (and the scope of improvements discussed in Chapter 4) and are to be considered and interpreted in light of the narrative and diagrams provided in those chapters.

Policies apply to all proposed PWP/TREP improvements that are subject to future federal consistency review, NOID review, or coastal development permits.[1]

- **Design/development strategies** direct design and implementation of PWP/TREP projects consistent with PWP/TREP policy and Coastal Act requirements, while allowing an adaptive approach to future project design and development decisions to be applied on a case-by-case, project-specific basis. In particular, design/development strategies for rail improvements are consistent with potential strategies and mitigation measures contained within the *LOSSAN Final Program EIR/EIS*, and are intended to provide guidance for future rail projects that have been agreed to be processed through future individual federal consistency review. Additionally, the design and development strategies provide guidance for future federal consistency review and coastal development permits, as applicable. The PWP/TREP design/development strategies apply to all proposed PWP/TREP improvements that are subject to the NOID review process as the standard of review.
- **Implementation measures** reflect applicable mitigation measures contained within the *Interstate 5 North Coast Corridor Project EIR/EIS* and are intended to more specifically define and implement the policy requirements and design/development strategies included in the corresponding section of Chapter 5 for specific projects identified in the PWP/TREP. Implementation measures apply to all proposed PWP/TREP improvements subject to the NOID review process.

The Coastal Act consistency analysis lists Coastal Act policy directives addressed in each section and evaluates proposed rail, highway, community, and resource enhancement projects for consistency with applicable Coastal Act policy requirements. The consistency analysis discusses how PWP/TREP policies and design/development strategies address potential coastal policy issues for all PWP/TREP projects, including rail projects. The consistency analysis also discusses how the implementation measures for specific PWP improvements ensure the improvements could be implemented consistent with applicable Coastal Act requirements.

The Coastal Act issue area sections conclude with a brief summary of the PWP/TREP's potential consistency with LCP policies for each certified corridor city affected by the scope of improvements. The LCP consistency analysis identifies where specific LCP policies present potential conflicts for the PWP improvements that could require amendment of the certified LCPs to ensure consistency of the PWP with applicable policies.

As detailed in Chapter 1 and Chapter 4 of the PWP/TREP, the LOSSAN rail projects will be evaluated on a case-by-case basis to determine whether the Coastal Commission's review of those projects will be limited to the federal consistency review process only. As such, the certified LCPs would not serve as the standard of review for the rail improvements that would improve the movement of freight passengers and interstate rail traffic. Therefore, the LCP consistency analysis included in this chapter may provide non-binding guidance in evaluating such rail improvements for consistency with applicable California Coastal Management Program/Coastal Act policies in the context of the PWP/TREP vision, goals, and objectives for the overall transportation system.

The last section of this chapter (5.10 – Coastal Act Policy Conflict Resolution) revisits the coastal development policy/consistency analysis in each of the preceding nine sections in the context of the Coastal Act directive to resolve potential Coastal Act policy conflicts in a manner that, on balance, is the most protective of significant coastal resources.

[1] The Chapter 3 policies of the Coastal Act continue to serve as the standard of review for all federal consistency actions and for development located in areas of Commission retained jurisdiction.