

**CITY OF NATIONAL CITY
LOCAL COASTAL PROGRAM**

HARBOR DISTRICT SPECIFIC AREA PLAN

Certified by California Coastal Commission November 5, 1998
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Appendix 1: Supporting Documents - LCP Processing

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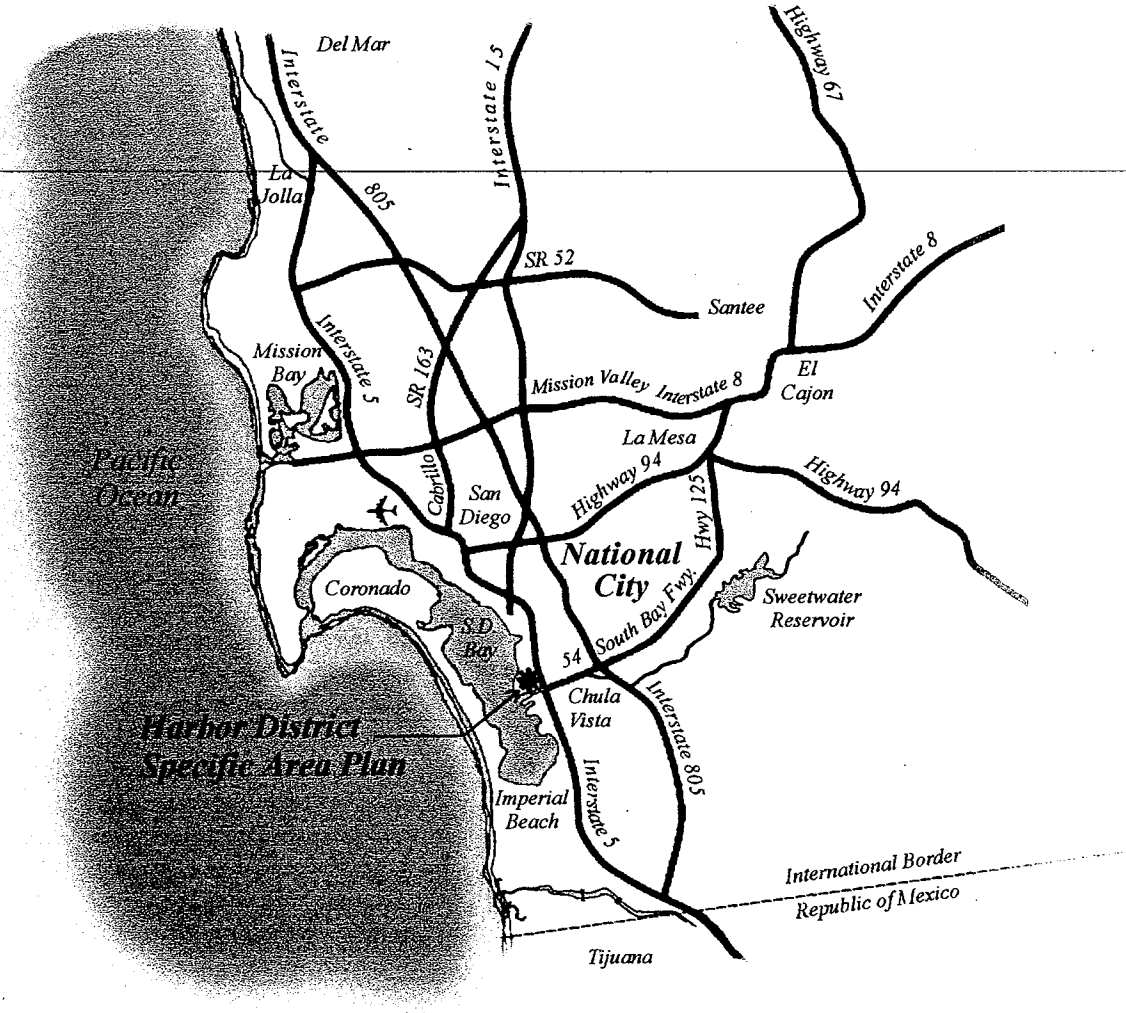


Figure 2.1
Regional Map

**NATIONAL CITY HARBOR DISTRICT
LCP - SPECIFIC AREA PLAN**



CHAPTER 1. INTRODUCTION

1.1 Background

The Community Development Commission of the City of National City ("CDC") has prepared this Specific Area Plan ("Plan") for the City's Harbor District ("Planning Area") to fulfill the requirement of the certified National City Local Coastal Program ("LCP") for a detailed, resource-based, environmental implementation plan to establish site-specific conservation and development standards in the OSR (Open Space Reserve), CT (Tourist Commercial), MM (Medium Industrial), and OS (Open Space) districts.




This Plan constitutes an "implementation action" under the meaning of California Coastal Act §30108.4.¹ No land use plan changes are required for this implementation plan. However, the City is processing a parallel technical amendment to the certified LCP Land Use Plan to recognize federal acquisition of the area of Paradise Marsh and its inclusion in the Sweetwater Marsh National Wildlife Refuge ("National Wildlife Refuge" or "Refuge"), an incorporation by reference of the San Diego Unified Port District ("Port District" or "Port") Port Master Plan, and other non-substantive clarifying textual and mapping changes or corrections.

The Planning Area location is shown in Figure 1.1, "National Harbor District Regional Map". A "Vicinity" map is provided in Figure 1.2, which shows the location of the Harbor District relative to Interstate Highway 5 ("I-5"), the Paradise Marsh unit of the National Wildlife Refuge, Sweetwater Channel, and the National City Marine Terminal in the Port District.

As shown in Figure 1.3, "Plan Area and Subareas", the Harbor District consists of four subareas, all of which are within the National City Redevelopment Area:

- **Subarea A**, ±8.3 acres, is designated primarily for planned tourist commercial development in the area between W. 24th Street and the fill slope overlooking Paradise Marsh. It also includes the W. 24th Street right-of-way, as well as the State of California right-of-way west of the southbound I-5 travel lanes, north of Paradise Creek. The latter is designated for open space in the certified LCP. (See Figure 1.4 for the illustrative location of the designated land use areas. The City's

¹ Unless otherwise indicated, all references to statute are to the California Coastal Act of 1976, as amended (Division 20, Cal. Pub. Resources Code, §§30000-30900).

-  Harbor District Specific Plan Area
-  Trolley Line
-  Railroad Tracks

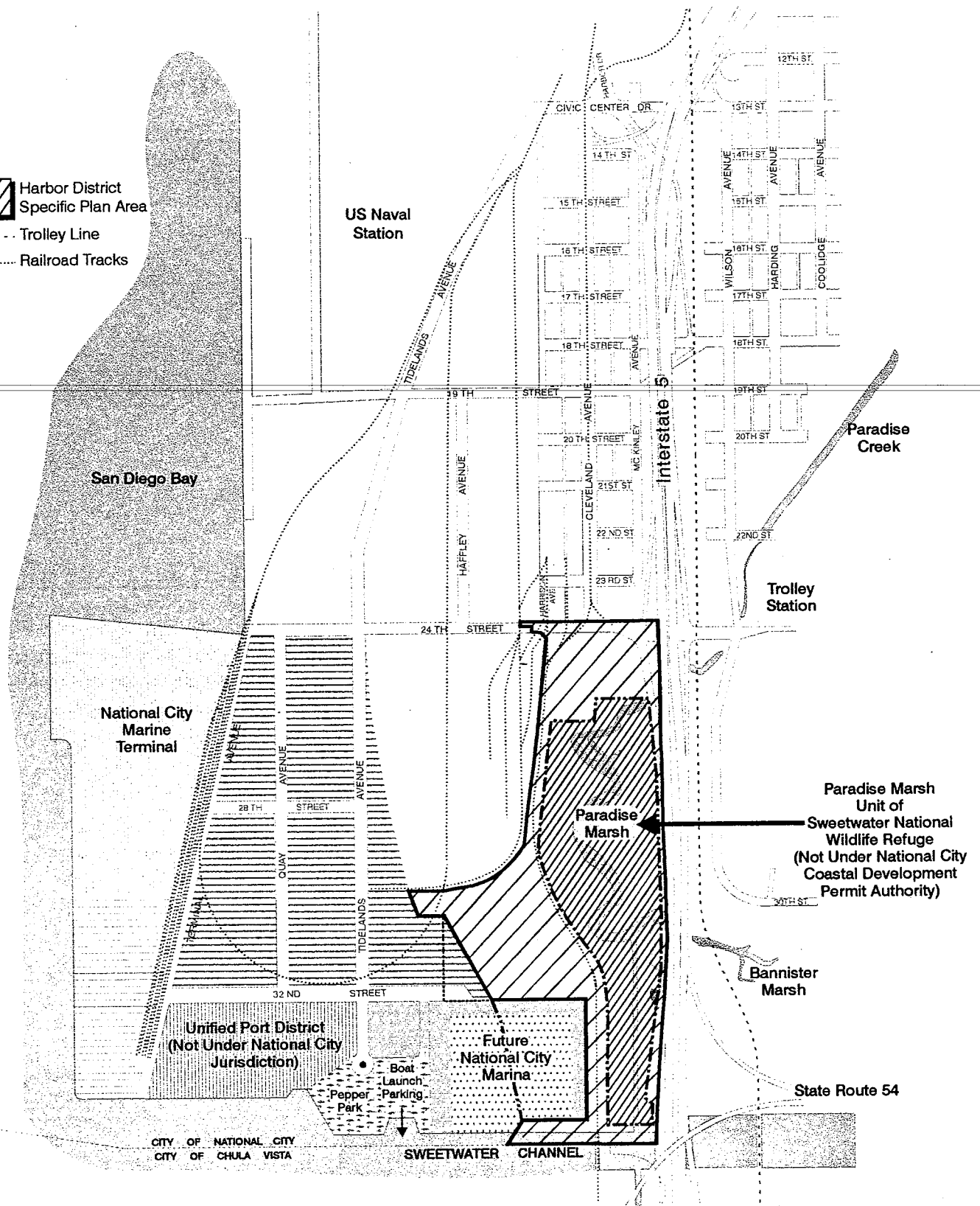


Figure 1.2
Vicinity

**NATIONAL CITY HARBOR DISTRICT
LCP - SPECIFIC AREA PLAN**



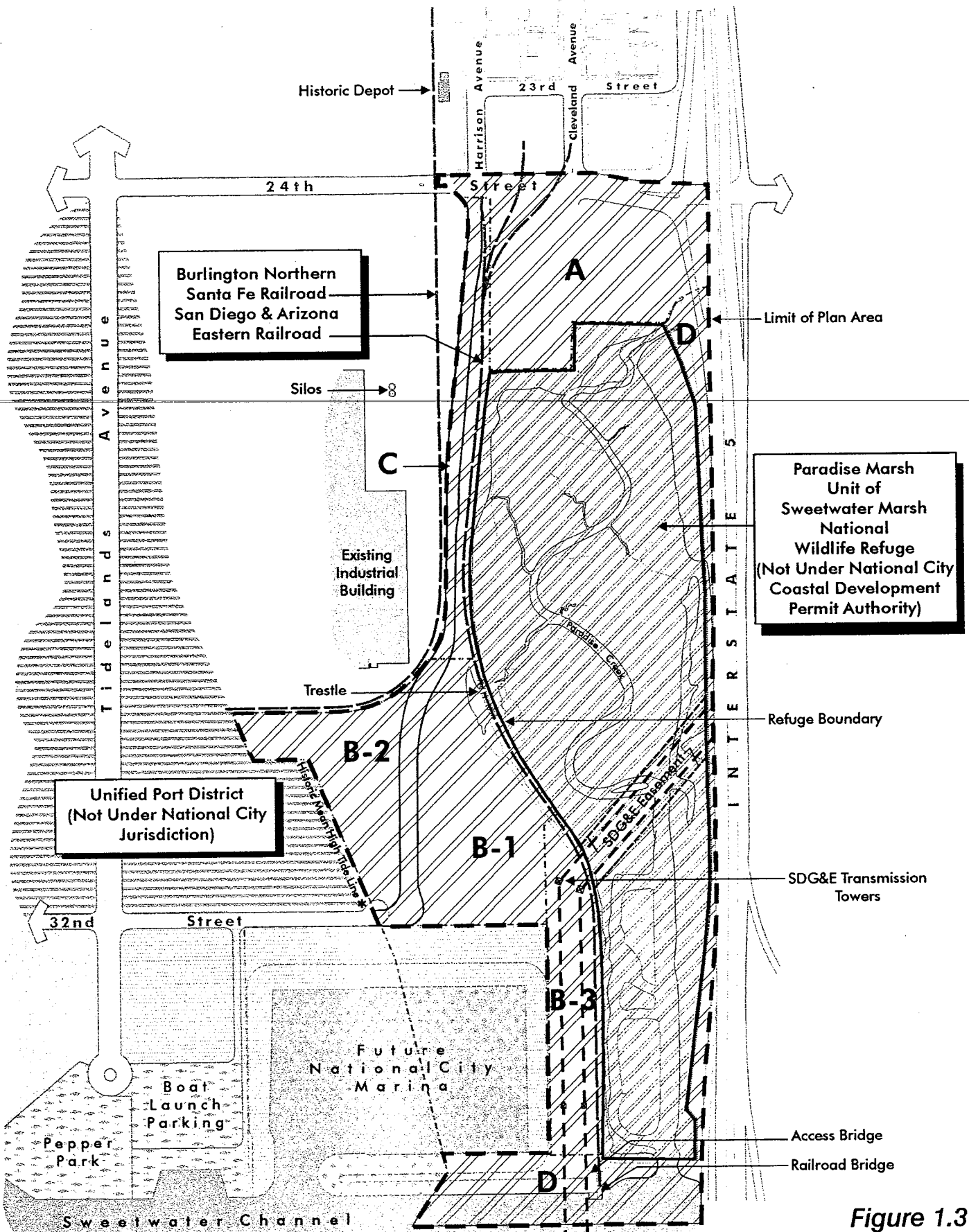


Figure 1.3
 Plan Area and Subareas
 NATIONAL CITY HARBOR DISTRICT
 LCP - SPECIFIC AREA PLAN



“Combined General Plan/Zoning Map”, dated September 10, 1996, which incorporates the certified LCP, as amended, governs implementation of this Plan.)

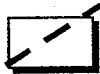



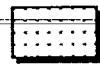


Subarea A has been severely impacted by human activities over the past 120 years, including through extensive filling and grading for railroad transportation; as a landfill, battery, and burn dump, slaughterhouse site; and for street and other infrastructure facilities. The area at present generally drains toward Paradise Marsh. Notwithstanding any appearances to the contrary, the paved street segments in this subarea were vacated by the City and only several large de facto exclusive utility easements by San Diego Gas and Electric Company (“SDG&E”), including for a 69 kv electric line, remain.

- **Subarea B**, ±16.4 acres, is also designated for tourist commercial use in the certified LCP. It includes a major utility corridor (consisting of the San Diego & Arizona Eastern Railroad (“SD&AE”) railroad track, 40-year old pressurized oil pipeline, and high voltage electric transmission lines and towers) on filled historic wetlands of Paradise Marsh and San Diego Bay. The fill occurred between 1941 and 1968, variously in conjunction with United States Navy ship channel dredging projects in the Bay. ±10.9 acres within Subarea B are owned in fee by the Port District, but remain outside the Port’s master planning jurisdiction pursuant to the Coastal Act.²
- **Subarea C**, ±5.4 acres, consists of natural and filled lands designated for tourist commercial and medium industrial uses, but which have primarily been used for railroad trackage. The SDG&E oil pipeline also traverses this subarea, which may be redeveloped with the Harrison Avenue Public Access Corridor between W. 24th Street and 32nd Street.
- **Subarea D**, ±10.7 acres in size, extends some 900 feet east-west in and along the northern levee of the Sweetwater Channel and runs north some 3,300 feet north to Paradise Creek, between the I-5 freeway pavement edge on the east and the edge of Sweetwater Marsh National Wildlife Refuge to the west.

The Plan refers to four other adjacent areas, which are, however, outside the Harbor

² An additional ±1.8 acres owned in fee by the Port in this area are located in Subarea C, Harrison Avenue Public Access Corridor. In addition, the “National City Marina” area (±9.6 acres) addressed by CCC effective certification of Port Master Plan Amendment No. 19, although part of the City’s certified LCP “CT-CZ” district, is not included in this Specific Area Plan because the Port is simultaneously to this Plan processing a Coastal Act §30710 legal geographical boundary amendment to include said marina area within its coastal development permit jurisdiction. To facilitate orderly and coordinated planning, as envisioned in both the City’s LCP and the Port Master Plan, National City respectfully requests CCC and the Port to schedule the Port’s boundary amendment in this area immediately preceding this Plan/LCP Amendment, to avoid unintentional creation of a coastal program area of deferred certification within the City of National City.

LEGEND

-  Harbor District Specific Area Plan Boundary
-  Tourist Commercial-Planned Development-Coastal Zone
-  Tourist Commercial-Coastal Zone
-  Open Space Reserve-Coastal Zone
-  Medium-Manufacturing-Coastal Zone
-  Refuge Boundary
-  Open Space-Coastal Zone

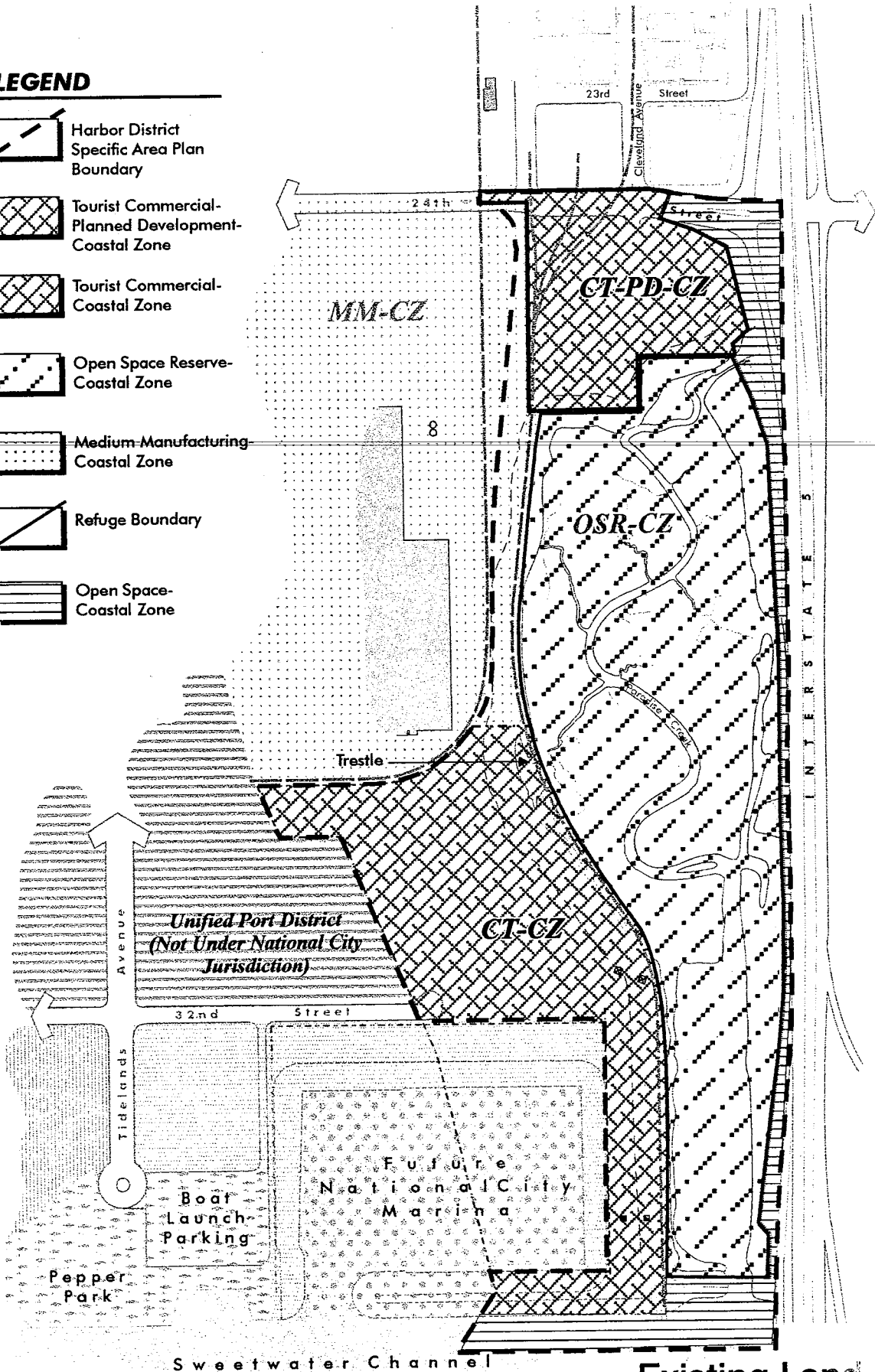


Figure 1.4

Existing Land Use/Zoning

**NATIONAL CITY HARBOR DISTRICT
LCP - SPECIFIC AREA PLAN**



District Specific Area Plan boundaries:

- (a) the federally owned and operated Paradise Marsh unit of the Sweetwater Marsh National Wildlife Refuge, and
- (b) Planning Subareas 55 ("Lumber Yards", 58 ("Boat Launching Ramp"), and 59 ("Marina") within the jurisdiction of the Port District .

1.2 Consultation and Public Participation

The CDC's preparation of the Plan has involved coordination and consultation with and among City departments, as well as with officials and staff of the Port District, County of San Diego ("County"), California Coastal Commission ("Coastal Commission" or "CCC"), California State Coastal Conservancy ("Coastal Conservancy" or "SCC"), California Department of Fish and Game ("CDFG"), United States Fish and Wildlife Service ("USFWS"), Metropolitan Transit Development Board ("MTDB"), San Diego Area Council of Governments ("SANDAG"), representatives of non-governmental organizations, interested property owners, and members of the public.

The CDC and the City of National City express their appreciation to all of the persons, organizations, and agencies that have contributed to the preparation and review of this Plan.

During preparation and local review of the Plan, the CDC, City Planning Commission, and City Council have conducted the following public workshops and public hearings, for which notice was provided by CDC:

- 1. City Council Workshop, December 8, 1997
- 2. Combined City Council and Planning Commission Workshop, March 18, 1998.
- 3. Planning Commission Hearing and Recommendation to City Council, July 20, 1998.
- 4. City Council and CDC Public Hearing, July 28, 1998.

The Public Review Draft of the Plan was publicly noticed and available for six weeks before City Council adoption of it, including with clarifying changes in response to comments, on July 28, 1998.

1.3 Harbor District Area Plan Objectives

The objective of the Plan is to be fully consistent with, and adequate to carry out, the requirements of the certified LCP Land Use Plan and Implementation Program for all of the following:

- (a) The conservation of Paradise Marsh, adjacent delineated wetlands, and associated plant and animal species, in coordination with the USFWS, CDFG and interested non-governmental organizations and persons.
- (b) The design and implementation of permanent functional habitat buffers around Paradise Marsh and adjacent wetlands, in cooperation with the National Wildlife Refuge.
- (c) Attractive, convenient, environmentally sustainable, and safe multi-modal public access to existing, approved, or planned recreational facilities within the Harbor District, and in adjacent Port Planning Subareas 58 and 59, including through the extension of the Harrison Avenue Public Access Corridor and appropriate linkages with the San Diego Bayshore and Sweetwater River Bikeway systems.
- (d) Site- and development-specific conservation and development standards that protect coastal habitat, public access, recreational, visual, and cultural resources, contribute to high quality appearance and design, and provide for economically feasible commercial recreational facilities and uses.
- (e) Appropriately sized and located infrastructure, including traffic circulation and parking, to support permitted density and intensity of uses within the Harbor District and adjacent priority uses.
- (f) Participation by the CDC in Specific Area planning, inter-agency coordination, property acquisition, and pre-project feasibility analyses to lead and assist in achieving the objectives and standards of the Plan.

1.4 Current Conditions

The Planning Area is in a blighted condition (mid-1998). The area is characterized by predominantly weedy vegetation interspersed with outdoor storage areas and miscellaneous industrial structures.

A steep, man-made fill bank, ranging in elevation from ± 18 feet to ± 30 feet MLLW, separates the Planning Area uplands from Paradise Marsh and adjacent delineated wetlands southeast of the BNSF Railroad "Weyerhaeuser" spur track. The western Planning Area uplands are also separated from Paradise Marsh by the SD&AE Railroad berm, which was constructed along the marsh's western border in the 1870's. Paradise Marsh, which was previously owned by the Sante Fe Land Investment Company, became a unit of the Refuge in 1988 through settlement of litigation. Direct surface hydrologic continuity with the area west of the berm is now limited to the vicinity of the ± 130 foot-long wooden trestle over the historic Paradise Creek outflow channel. To the east, Paradise Marsh is defined by the ± 20 -acre fill that supports I-5, the interchange with State Route 54, and the adjacent visible remains of a regional burn dump landfill.

Native vegetation occurs in the marsh and along its landward margins (Salt marsh bird's beak, *Cordylanthus maritimus*), as well as on exposed Bay Point Formation outcrops along its western edge, but much of the man-made fill margin and Planning Area upland is characterized by ruderal and exotic species. Broom baccharis scrub

has colonized substantial parts of Subarea B.

Although the Refuge boundary is posted with signs prohibiting entry, no structural or effective vegetative barriers exist at present to preclude human, vehicular, and predacious animal entry into the marsh from adjacent uplands. Indicators of such intrusion include remnants of human transient habitation, detritus, canine footprints, scat, vehicle tracks, household garbage dump areas, surface rilling and slope raveling, and marsh mud removal pits (reportedly for equestrian application).

Sustained background, and intermittently elevated, noise levels throughout the Planning Area and marsh are generated by vehicular traffic on I-5 to the east, and by maritime industrial, general industrial, truck, and railroad cargo movement to the west and north.

Paradise Creek, which extends +4,000 feet northeast of I-5 into urbanized and industrialized Paradise Valley, feeds into Paradise Marsh. Water quality within Paradise Marsh and adjacent delineated wetlands is likely to be affected, particularly during and after peak rainfall runoff periods, by discharges of hydrocarbons and heavy metals from proximate industrial sources and roadways throughout the urbanized Paradise Valley watershed. Outside the coastal zone, Paradise Creek east of I-5 contains remnant wetland vegetation despite substantial degradation and filling along its edges. A silt trap incorporated into the Paradise Creek culvert beneath I-5 functions to retard sedimentation of Paradise Marsh, but requires regular maintenance to maximize its potential effectiveness. The burn dump that straddles the inflow of Paradise Creek into the marsh, as well as subsurface hazardous materials north of the marsh, may additionally adversely affect marsh water quality.

1.5 Jurisdiction and Applicability

National City presently exercises coastal development permit jurisdiction, pursuant to its effectively certified LCP, over the area west of I-5 and north of W. 24th Street, as well as in the land areas east of I-5 and south of the Sweetwater Channel/ wetlands complex. Upon effective certification of the Harbor District Specific Area Plan by the Coastal Commission, National City will also assume coastal development permit authority over development and use in those parts of the Planning Area that are located above the mean high tide line, outside the boundary of the National Wildlife Refuge, and outside the Port Master Plan jurisdiction of the Port District. Pursuant to Coastal Act §30603(a), all coastal development permits approved by the City for development located in the Planning Area between I-5, W. 24th Street, or Harrison Avenue/32nd Street and Paradise Marsh or the Sweetwater Channel are appealable to the Coastal Commission by any person who has standing to make such an appeal.

Because local government coastal development permit authority does not extend to federal activities, the National City LCP policies relating to land owned by the federal government are advisory only, and have no binding effect on federal activities. Plan provisions do, however, directly address issues related to protecting, preserving, and enhancing Paradise Marsh in consultation and cooperation with the USFWS, which

would be used as guidance in review of development requiring a coastal development permit or federal consistency review from the California Coastal Commission.

Similarly, land uses immediately adjacent to the Planning Area, but located within the granted tidelands jurisdiction of the Port District, which are addressed in the certified Port Master Plan, are also depicted only for informational and reference purposes in this Plan. The Port District has acquired Port Parcel 103-100 (formerly known as the "Barkett Property"), ±10 acres of which, located south of the 32nd Street right-of-way and east of the historic mean high tide line, are included in SDUPD's certified Port Master Plan to facilitate construction of the approved National City Marina³. The portion of Parcel 103-100 north of the National City Marina project area remains in the City's LCP jurisdiction by joint agreement of the City and the Port.⁴

1.6 Definitions

This Plan uses several terms of art in the California Coastal Management Program, which are defined below:

1.6.1 "Coastal Development Permit" is the entitlement for use granted (or denied) by the California Coastal Commission, pursuant to the California Coastal act of 1976, as amended (Division 20, California Public Resources Code), or a city, county, or city and county acting pursuant to its certified local coastal program, (§30103)

1.6.2 "Cumulative" or "cumulative effect" means the incremental effects of an individual project which shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects. (§30105.5)

1.6.3 "Development" means, whether on land, in or under water:

- the placement or erection of any solid material or structure;
- the discharge or disposal of any dredged material, or of any gaseous, liquid, solid, or thermal waste;
- grading, removing, dredging, mining, or extraction of any materials;
- change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with California Government Code Section 66410), and any other division of land, including lot splits, except where the land division is brought about in connection with the purchase of such land by a public agency for recreational use;
- change in the intensity of use of water, or of access to it;
- construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal

³ Certified Port Master Plan Amendment No. 19, 1994; US Army Corps of Engineers Section 404 permit, 1997.

⁴ Memorandum of Understanding between the CDC of National City and SDUPD, June, 1997.

- utility;
the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with California Public Resources Code Section 4511). (§30106)

1.6.4 “**Environmentally Sensitive (Habitat) Area**” means any area, on land or water, 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 development. (§30107.5)

1.6.5 “**Feasible**” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors. (§30108)

1.6.5 “**Fill**” means earth, or any other substance or material, including pilings placed for the purposes of erecting structures thereon, placed in a submerged area. (§30108.2)

1.6.6 “**Local Coastal Program**” means a city, county, or city and county’s land use plan(s), zoning ordinance(s), zoning district map(s), and within sensitive coastal resource areas, other implementing actions which, when taken together, meet the requirements of, and implement the provisions and policies of, this division at the local government level. (§30108.6)

1.6.7 “**Structure**” means, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line. (§30106)

1.7 Maps and Graphics

With the exception of Figure 3.1, the maps and other graphics contained in the Harbor District Specific Area Plan are illustrative only. Where differences may exist between said maps or graphics and the mandatory standards contained in the Specific Area Plan, the mandatory standards govern.

CHAPTER 2. PUBLIC ACCESS

2.1 Introduction

Chapter 2 contains the comprehensive Public Access Component of the Specific Area Plan, as required by §30500(a) and the certified LCP Land Use Plan. This Chapter provides the specific standards and other implementation methodologies to protect existing, and to maximize new, public access and recreational opportunities for all the people, consistent with the conservation of Paradise Marsh habitats, buffers, and other environmentally sensitive resources.

This Chapter is organized into four parts:

- A concise Summary of Existing Conditions
- LCP Access Standards and Objectives
- Harbor District Public Access and Circulation Program (including Public Access Element Map, Sections, and Street Project Locations)
- Mandatory Public Access and Circulation Standards

2.2 Summary of Existing Conditions

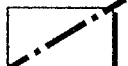


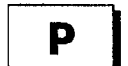







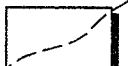
The Harbor District at present (mid-1998) lacks a functional system for public pedestrian, bicyclist, or vehicular recreational access to and along its shoreline.

With the exception of a narrow sidewalk along the north side of W. 24th Street, no pedestrian walkways or bicycle ways exist from east of I-5 to the Harbor District, or within it. Recreational vehicular access to Pepper Park and the Boat Launching Ramp, which are located on Port lands outside the planning area, must pass through the heavy truck traffic corridors of W. 24th Street and Tidelands Avenue. Informal public access to Paradise Marsh, the Sweetwater Channel, and points to the south occurs along the SD&AE Railroad track, the SDG&E service road track, the Channel north levee, and the paved SDG&E easement that appears as the southerly extension of Cleveland Avenue.

Previously proposed extensions of Tidelands Avenue across the Channel to connect with the Chula Vista Mid-Bayfront, and of 32nd Street across Paradise Marsh to connect with the I-5/State Route 54 interchange, were declined by the Coastal Commission in other planning proceedings. (The companion technical LCP Amendment deletes the reference to the Tidelands Avenue extension from the National City LCP.) Segmental extensions of the San Diego Bayshore and Sweetwater River Bikeways in the planning area have been approved and funded, but remain unbuilt pending determinations of final alignment in areas south of the Harbor District.



LEGEND

-  Public Access Way
-  Bikeway
-  Harrison Avenue Public Access Corridor (Vehicle, Pedestrian and Bikeway)
-  Auto, Handicap and Bicycle Parking
-  Public Park
-  View Points
-  Public Plaza
-  Property Line
-  Plan Area Boundary
-  Refuge Boundary
-  100' Buffer Line
-  Access Point

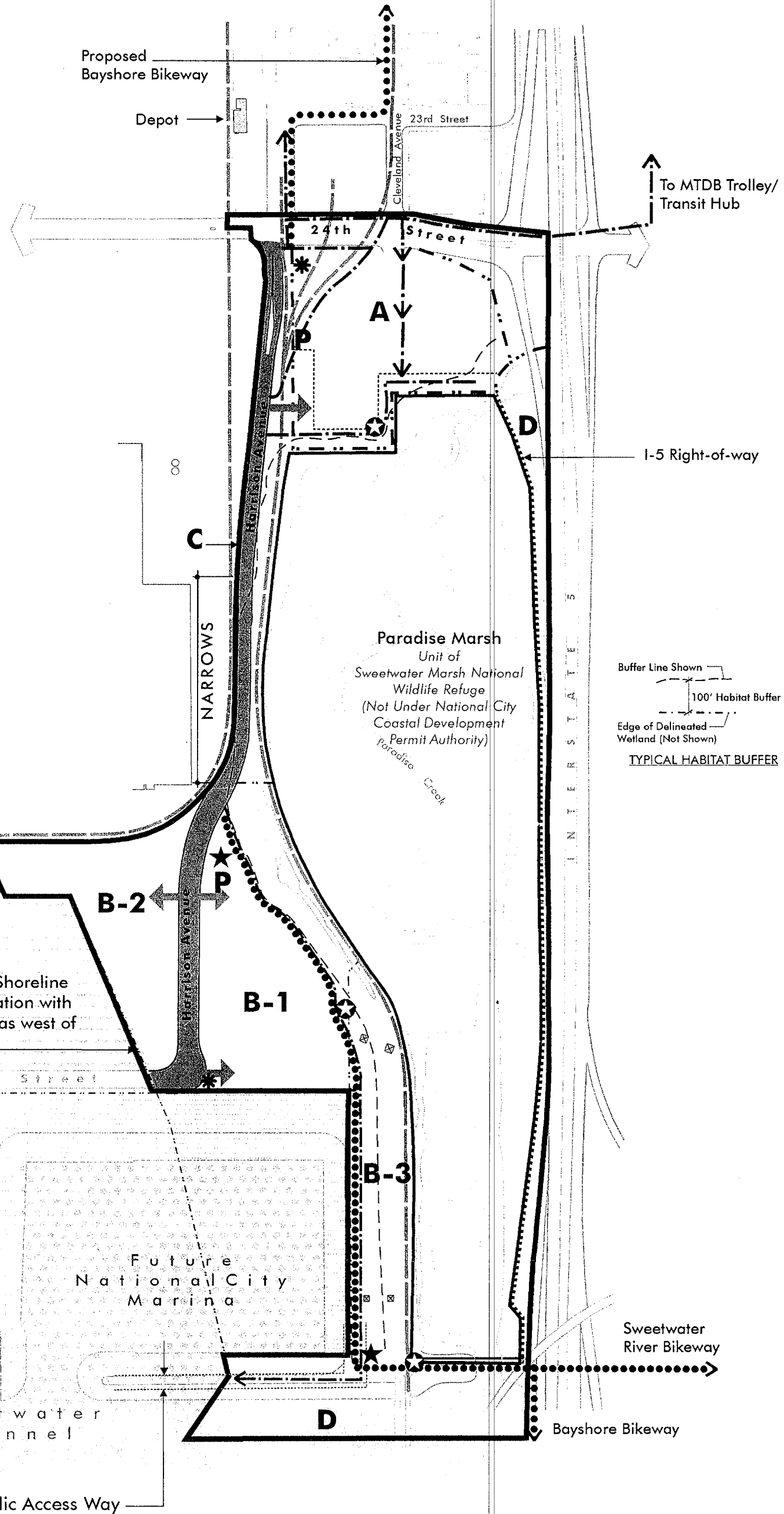


Figure 2.1
Public Access Element
NATIONAL CITY HARBOR DISTRICT
LCP - SPECIFIC AREA PLAN



Note:
All Graphic Locations
are "Typical."

2.3 LCP Access Standards and Objectives

In the context of the overall redevelopment and beautification of the Harbor District, the certified LCP public access and recreation policies mandate substantial pedestrian, bicyclist, and recreational vehicular access improvements, consistent with Paradise Marsh and other habitat conservation. These public access and recreational opportunities are afforded high priority in the LCP Land Use Plan, including through the required correlation of otherwise permitted densities and intensities of use and development to safeguard functional access capacities. (The applicable specific environmental protection standards of this Plan are addressed in Chapter 3.)

The LCP Land Use Plan specifically requires the Plan to address and implement the following circulation, access, and recreational elements:

- An attractive and multi-modal W. 24th Street, between I-5 and Harrison Avenue, to serve as the Gateway to the Harbor District.
- Extension of Harrison Avenue between W. 24th Street and 32nd Street, upland of the delineated wetlands and functional wetland buffers, to serve existing (Pepper Park, Boat Launch) and planned (Marina, commercial recreational, park) uses.
- Completion and optimal alignment of the San Diego Bayshore and extension of the Sweetwater River Bikeways to provide a significant environmentally sustainable regional recreational amenity in which the Harbor District serves as a hub.
- A unified network of pedestrian public accessways, including to and around Paradise Marsh, the Sweetwater Channel, and the Marina site, consistent with protection of environmentally sensitive areas, traditional public use areas, and State public access improvement and performance standards.
- Coordination with the Port District in the location, improvement, and carrying capacities of public access and circulation elements.
- Provision of adequate on-site vehicular and bicycle parking to accommodate generated demand(s).

2.4 Harbor District Public Access and Circulation Program

Continued population growth in the South San Diego Bay region, when taken together with regional bikeway, recreational, wildlife area conservation, and National City Marine Terminal cargo expansion programs, is likely to significantly increase the already substantial demand for shoreline public access and recreational opportunities in the Harbor District, as evidenced by recent (June 26-July 6, 1998) weekend, holiday, and work day traffic counts for Pepper Park and the Boat Launching Ramp.

(Urban Systems Associates, 1998.)

As shown in Figure 2.1 (Public Access Element Map), the Plan provides the following specific access and circulation improvements:

- A continuous pedestrian public accessway system that connects the San Diego Trolley/Transit Hub east of I-5 along the north side of W. 24th Street with Subarea A at Cleveland Avenue, and along Harrison Avenue with Subarea B, the Marina, and Pepper Park. Typical accessway sections are shown in Figures 2.2 (W. 24th Street), 2.3, 2.4 and Section 7 of Figure 2.5 (Harrison Avenue), and Section 8 of Figure 2.5 (San Diego Bayshore Bikeway).
- A diagonal public accessway from near the intersection of W. 24th Street and Cleveland Avenue to the westerly side of Subarea A, consistent with the LCP Land Use Plan public access map.
- A public accessway near the southerly boundary of Subarea A, to overlook the restored northern Paradise Marsh bluff area and buffer.
- A public accessway along the Sweetwater Channel levee, to extend westerly towards the planned entrance to the Marina.
- The vehicular, landscaping, and lighting components of W. 24th Street, between I-5 and Harrison Avenue, as shown in Sections 1 and 2 of Figure 2.2 and in Figure 2.7.

Based on preliminary traffic and engineering studies, the Plan proposes expansion of the W. 24th Street right-of-way to the south to create dedicated turn lanes at Cleveland Avenue and Harrison Avenue, synchronized traffic movement, and prohibition of specified heavy truck traffic to achieve a planned traffic capacity of 20,000 Average Daily Trips (ADT's) at a Level of Service ("LOS") D. Table 2.1 shows that of this capacity, 1,800+ ADT's in W. 24th Street, between I-5 and Harrison Avenue, are allocated to priority public access and recreational traffic from existing and planned uses, while another 4,450 ADT's are allocated to commercial recreational traffic. (The allocation assumes that 100% of the public access, public recreational, and commercial traffic generated by the Harbor District, Marina, and Pepper Park/Boat Launch Ramp will travel via W. 24th Street in the Planning Area.)

- The vehicular, bikeway, landscaping, lighting, and buffer components of Harrison Avenue, between W. 24th Street and 32nd Street, as shown in Sections 3-7 of Figures 2.3, 2.4, and 2.5, and in Figures 2.8 and 2.9. The Plan proposes construction of the Harrison Avenue "extension" with a design capacity of 7,500 ADT's (LOS D) to serve public access, public recreational, and commercial recreational traffic generation from Sub-

area B and Port planning subareas 58 (Pepper Park/Boat Launch) and 59 (Marina). Anticipated demand at build-out pursuant to the Plan is projected to be 6,347 ADT's (weekdays), 6,430 ADT's (non-holiday weekend days), and 7,146 ADT's (weekend holidays). Provision is made for emergency parking bays and median turn lanes into Subareas A and B, including at the small park at the historic outflow of Paradise Creek into San Diego Bay at the northern tip of Subarea B-1. Heavy trucks will be prohibited by signage on W. 24th Street and, in cooperation with the Port District, on Tidelands Avenue and 32nd Street, from using Harrison Avenue "extension".

- A 90-degree turn connection between Harrison Avenue and 32nd Street, and minor extension of 32nd Street westward to the historic Mean High Tide Line (the jurisdictional boundary between this Plan and the Port District in this area).

To address the anticipated growth in cargo throughput at the National City Marine Terminal (which is located on Port lands) and associated heavy truck traffic volumes, the Plan further recommends a coordinated National City-Port District truck traffic management program to achieve the following objectives:

- (a) Provide for efficient truck traffic in W. 24th Street between the Marine Terminal, Interstate Highway 5, and points south, for which W. 24th Street represents the functional existing and proposed improved truck route.
- (b) Provide for truck traffic between the Marine Terminal and points north and east to utilize the recently improved and enhanced Tidelands Avenue truck corridor via the Civic Center interchange and the 19th Street undercrossing with I-5.
- (c) Establish a noise reduction zone in W. 24th Street, between I-5 and Harrison Avenue.
- (d) Reduce, and if feasible eliminate, heavy truck traffic during daylight hours on weekends and holidays between May 1 and October 30, the peak annual recreation period, that utilizes W. 24th Street between I-5 and Harrison Avenue to access destinations to the north of W. 24th Street.

2.5 Mandatory Public Access and Circulation Standards

The following standards constitute mandatory requirements for all new development in the Harbor District. The standards of Plan Chapters 3, 4, 5, and 6, and the relevant sections of the certified LCP, City Land Use Code, and of §30604(c) also apply.¹

¹ §30604(c) requires the City, when acting on any coastal development permit in the area bounded by W. 24th Street, Harrison Avenue extension (after it is constructed), the Sweetwater Channel, and I-5, to find specific development project consistency with the public access and recreation policies of the Coastal Act, including §30210-30214, 30220-30224, and 30252. The Harrison Avenue extension project is also subject to this requirement.

NATIONAL HARBOR DISTRICT SPECIFIC AREA PLAN

Certified by the California Coastal Commission

CHAPTER 2

November 5, 1998

Table 2.1. Traffic Generation by Land Use Type in Planning Area.

LAND USE(SUBAREA)	TRAFFIC GENERATION (TR=Trips)	PEAK HOUR (pm)	WEEKDAY/END	ADT'S (AvDailyTrips)
TOURIST-COMMERCIAL				
Restaurant (SA A)	4000SFx1Tr/10SF	32 (pm,8%)	weekend/weekday	400
Restaurant (SA B)	6000SFx1Tr/10SF	48 (pm,8%)	weekend/weekday	600
Lodging (SA A)	175 rms x 6Tr/rm	84 (pm,8%)	weekend/weekday	1050
Lodging (SA B)	150 rms x 6Tr/rm	72 (pm,8%)	weekend/weekday	900
Retail Com. (SA A)	10000 SF x 40/kSF	36 (pm,9%)	weekend/weekday	400
Retail Com. (SA B)	10000 SF x 40/kSF	36 (pm,9%)	weekend/weekday	400
Bikeway-orient. Rest-Com.	4000SF x .5Tr/10SF	16 (pm,8%)	weekend/weekday	200
MARINE REL. INDUSTRY	22.5Tr/ac x 3.6 ac	10 (pm,12%)	weekend/weekday	81
BOAT LAUNCH RAMP & PEPPER PARK	Actual traffic counts June 26-July 6, 1998	85 (pm,11%) 71 (pm,9%)	weekend/weekday non-holiday/wkndday	748 840
		165(pm,11%)	holiday weekend day	1547
MARINA PLAZA	72Tr/ac x 0.1 ac	1 (pm,14%)	weekend/weekday	7
PARADISE MARSH PARK	72Tr/ac x 0.3 ac	2 (pm,14%)	weekend/weekday	14
RAILCAR ART PROJECT	72Tr/ac x 0.6ac	3 (pm,7%)	weekend/weekday	43
VISTA POINTS	40Tr/ac x 0.1ac	1 (pm,25%)	weekend/weekday	4
MARINA	4 Tr/slip x 250 slips	70 (pm,7%)	weekend/weekday	1000
MARINA-REL. OFFICE	10000SF x 50 Tr/SF	65 (pm,13%)	weekend/weekday	500
TOTAL DEMAND av wknd		561(pm,9%)	weekeday	6347
T. DEMAND n-h wknd d		547(pm,9%)	non-holiday weekend	6439
T. DEMAND hol wknd d		641(pm,9%)	holiday weekend	7146
HAR. AV. Av wknd dem		409(pm,9%)	weekday	4495
HAR. AV. N-H wknd d D		395(pm,9%)	non-holiday weekend	4587
HAR.AV. HOL WKND d D		489(pm,9%)	holiday weekend	5296
HARRISON AVE CAP.		900(pm,12%)		7500
EXISTING W.24ST TRAF	Actual traffic counts (26.6.-06.7.1998)	999(pm,10%) 555(pm,15%)	weekday 5 day av non-holidaywkndday	10110 3661
		295(pm,13%)	holiday weekend day	2310
	May 1997 USA Rpt	1045(pm,15%)	weekday	7000
SUM HDSAP TOTL DEM & EXIST W24ST TRAF		1475(pm,9%) 1031(pm,11%)	weekday non-holidaywkndday	16359 9260
		771(pm,10%)	holiday weekend day	7909
IMPRVD W24ST CAP.		2400(pm,12%)		20000
UNALLOCATED CAP.		925 (pm,25%) 1369(pm,13%)	weekday non-holidaywkndday	3641 10740
		1629(pm,14%)	holiday weekend	12091

NOTES TO TABLE 2.1:

1: Table 2.1 is based on data from various sources, including square [cont'd on page 2-7]

2.5.1 Location of Accessways and Circulation Elements

All pedestrian accessways, bicycle ways, streets, public parking areas, parks, and vista points shall be located as shown in Figure 2.1, Public Access Element.

2.5.2 West 24th Street

The vehicular and pedestrian access improvements in the expanded West 24th Street right-of-way shall, in addition to the requirements of Section 2.5.1, be consistent with and implement Figures 2.2 and 2.7 to provide:

- (a) A minimum average daily traffic capacity, between the intersections with Harrison Avenue and I-5, of 20,000 ADT's (LOS D). Each intersection shall also function at a minimum LOS D.
- (b) Pedestrian accessways, accessible to persons with disabilities, in the location(s) and dimension(s) as shown on Figure 2.1, and on Sections 1 and 2 of Figure 2.2, provided that:
 - (1) If the slope of W. 24th Street between I-5 and Cleveland Avenue renders access by handicapped persons infeasible or inconsistent with applicable design standards, the City may provide an alternative and additional functional location for this accessway in, or adjacent to, the Harbor District.
 - (2) The diagonal westerly crosswalk of W. 24th Street at the intersection with Cleveland Avenue, as shown in Figure 2.1, may be located within the design intersection at the discretion of the City Engineer to avoid bisecting the left-turn pocket median, as shown in Figure 2.7.
- (c) Continuous and directional signage of public accessways.

Notes to Table 2.1, cont'd:

footages (Rick Eng. Co., 1997, 1998); development intensities (Rick Planning Group, Dall & Associates, 5/1998); traffic generation (Linscott et al., after San Diego Traffic Impact Manual, 1997, and Katz et al., 1997, both prepared for SDUPD). A supplemental traffic study was conducted by Urban Systems Associates between June 26-July 6, 1998. Actual traffic counts for the existing Pepper Park/Boat Launching Ramp were found to be 150-243% larger than projections based on SDUPD's assessment of traffic generation from the Chula Vista boat launching ramp/park, which yielded a projected 450 ATD's for Pepper Park and the Boat Launching Ramp. See Note 2, below, for meanings of abbreviations.

2: "SA A" means Subarea A; "SA B" means Subarea B"; SF means square feet; "Bikewy-orient. Rest-Com." means Bayshore Bikeway oriented restaurant-commercial use; "ac" means acre; "av" means average; "wkndday" means weekend day; "marina-rel. office" means marina related office use/development; "wkd" or "wknd" means weekend; "n-h" means non-holiday; "d" means day; "hol" means holiday; "T" means total; "HAR" means Harrison; "AV" means avenue; "D" or "dem" means demand; "W24ST" means West 24th Street; "Traff" means traffic; "USA Rpt" means the May, 1997 traffic report by Urban Systems Associates; "Exist" means existing; "Imprvd" means improved; "CAP" means capacity.

- (d) A striped bicycle lane may be placed in each of the west- and eastbound emergency parking lanes shown in Figure 2.2, between the undercrossing of I-5 and Harrison Avenue, if the City Engineer, in consultation with Caltrans, determines it to be feasible, including through appropriate additional signage, requirements to walk bicycles through the undercrossing, or other means to provide for bicyclist safety.

2.5.3 Harrison Avenue Public Access Corridor

The Harrison Avenue Public Access Corridor, between W. 24th Street and the connection with 32nd Street at the historic Mean High Tide Line, shall be designed, constructed, and maintained consistent with:

- (a) The location(s) of travel lanes, turn lanes, medians, bicycle and public access ways, habitat buffers, retaining walls, and landscaping corridors shown in Figures 2.1, 2.6, 2.7, and 2.8, provided that all requirements of Chapters 3 shall specifically also apply.
- (b) The location(s) of travel lanes, turn lanes, medians, bicycle and public access ways, habitat buffers, retaining walls, and landscaping corridors in sections shown in Figures 2.3, 2.4, and Section 7 of Figure 2.5, provided that all requirements of Chapters 3, and 5 shall specifically also apply.
- (c) The requirement to provide for a vehicular capacity of 7,500 ADT's at a LOS D.
- (d) The requirement to prohibit heavy trucks, over 12,000 pounds gross weight, except during emergencies declared by the City police or fire chief.

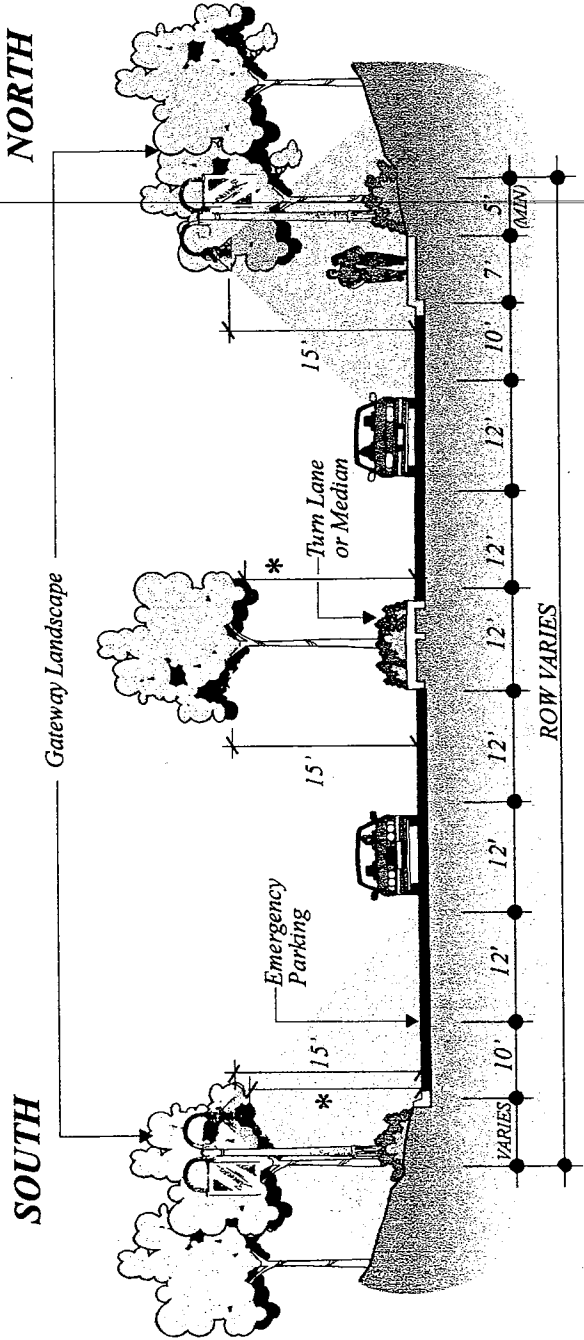
2.5.4 Marina Plaza-32nd Street

A landscaped and functionally enhanced $\pm 4,500$ square foot (SF) plaza, including sidewalks and other hardscape improvements, shall be provided on the south side of the intersection of Harrison Avenue Public Access Corridor and 32nd Street in Subarea B to provide for a public vista overlooking the Marina.

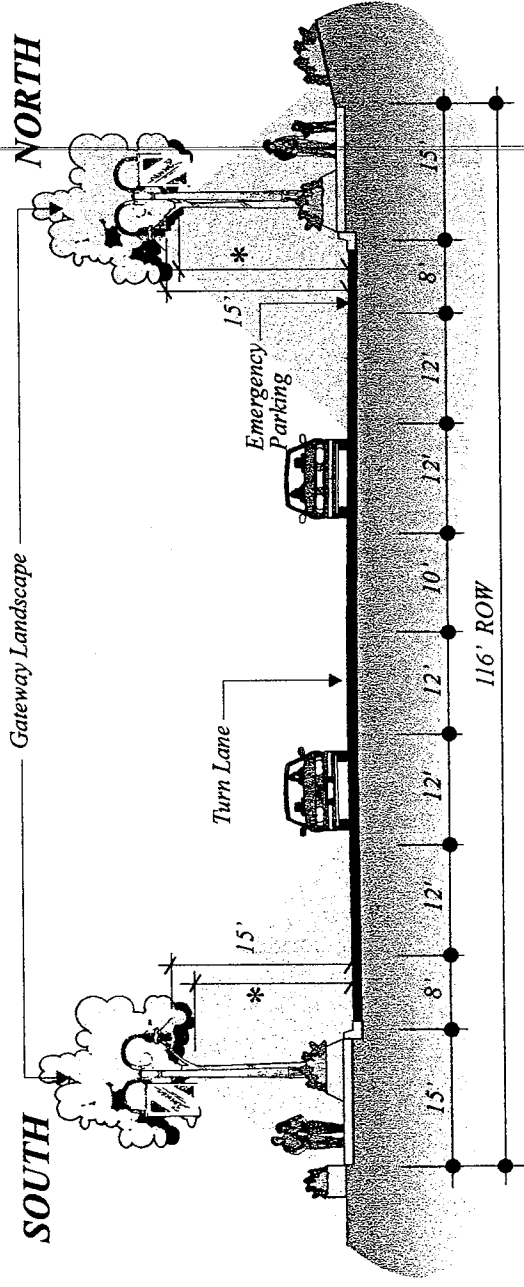
2.5.5 Subarea A

Public access and recreational improvements in Subarea A, between W. 24th Street and the habitat buffer of Paradise Marsh, shall be located, designed, constructed, and maintained as shown in Figures 2.1, 2.2 and 4.1, to provide:

- (a) A continuous public walkway along the north side of W. 24th Street, between I-5 and Harrison Avenue, with a minimum width of six (6) feet..
- (b) Crosswalks on W. 24th Street at Cleveland Avenue and Harrison Avenue.
- (c) A continuous public walkway along the diagonal between Cleveland Avenue and Harrison Avenue Public Access Corridor, as shown in Figure 2.1, with a minimum width of six (6) feet.



TYPICAL SECTION 1



TYPICAL SECTION 2

* - 13.5' Clearance (Typical)

SCHEMATIC ILLUSTRATIVE
NOTE: SECTION VIEW FACING WEST.

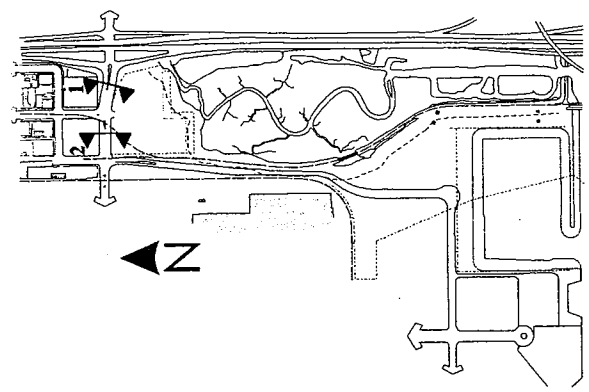
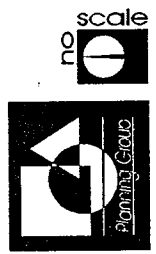
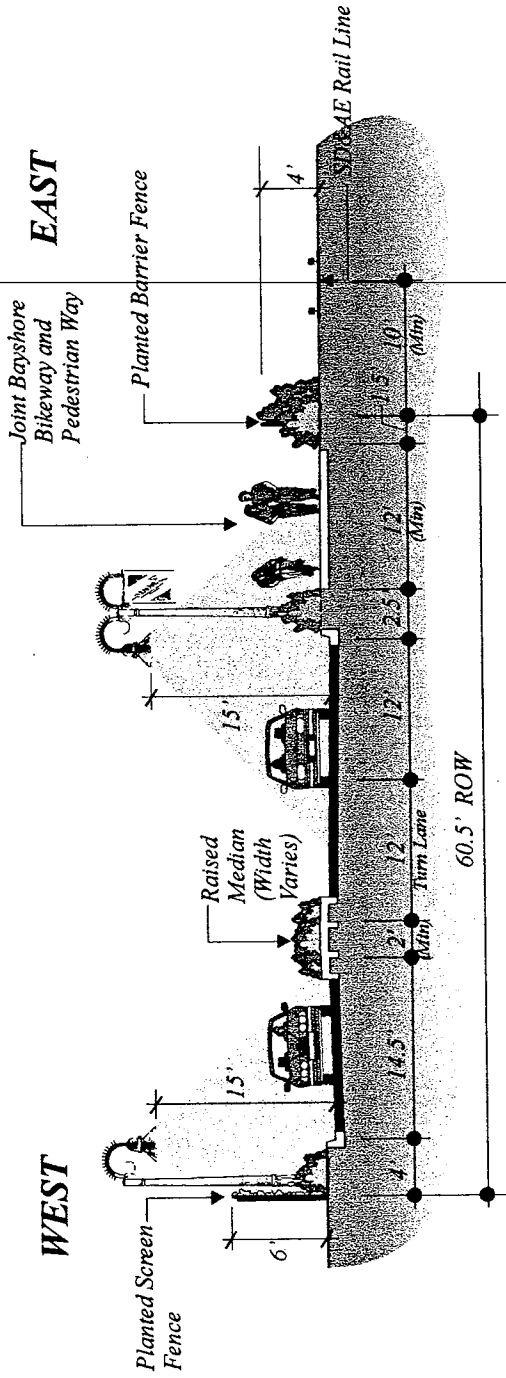
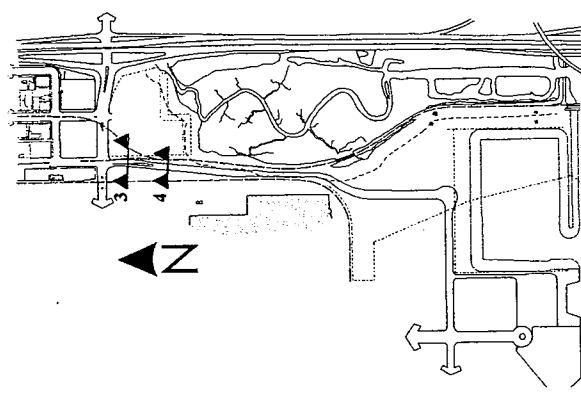


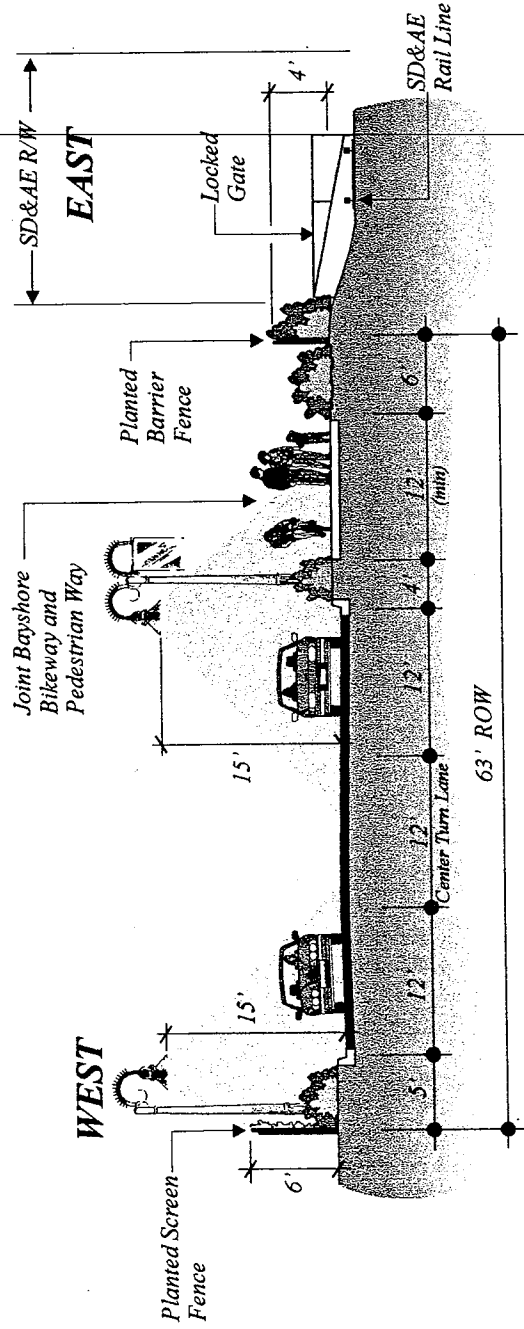
Figure 2.2
24th Street



TYPICAL SECTION 3



**Figure 2.3
Harrison Avenue**



TYPICAL SECTION 4

SCHEMATIC ILLUSTRATIVE

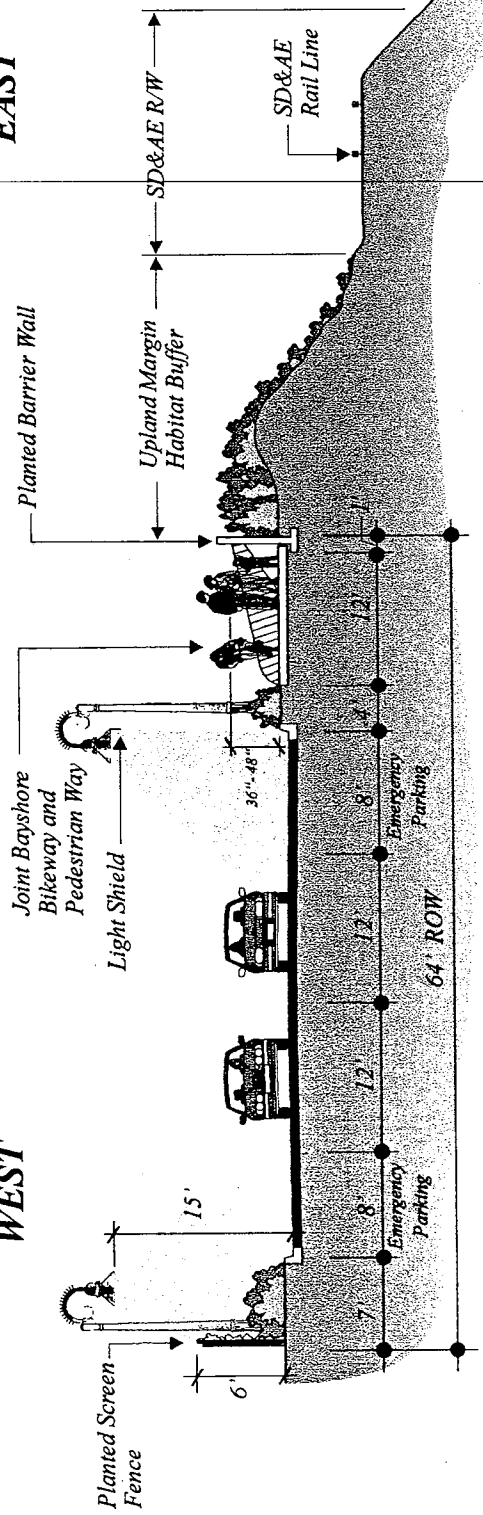
NOTE: SECTION VIEW FACING NORTH.

1. Requires Coordination and Approval from Caltrans for bikeway standards.
2. Street Lighting has a 15' clearance.
3. Perch Proof Lighting & Signage.



WEST

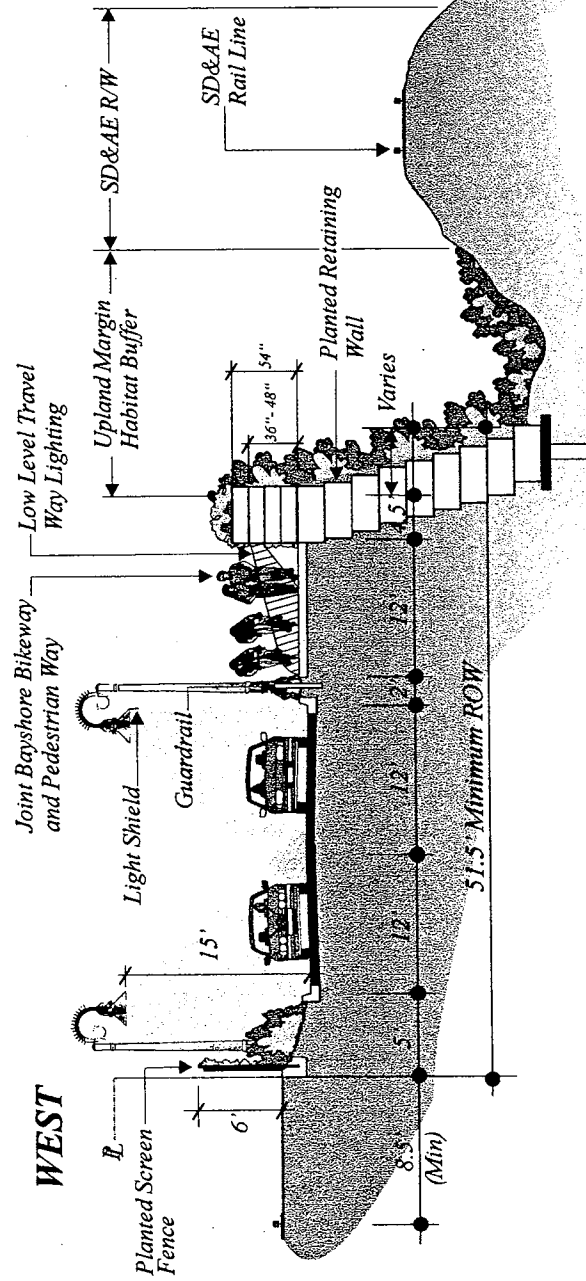
EAST



TYPICAL SECTION 5

WEST

EAST



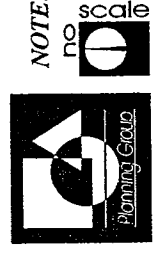
TYPICAL SECTION 6 (THE NARROWS)

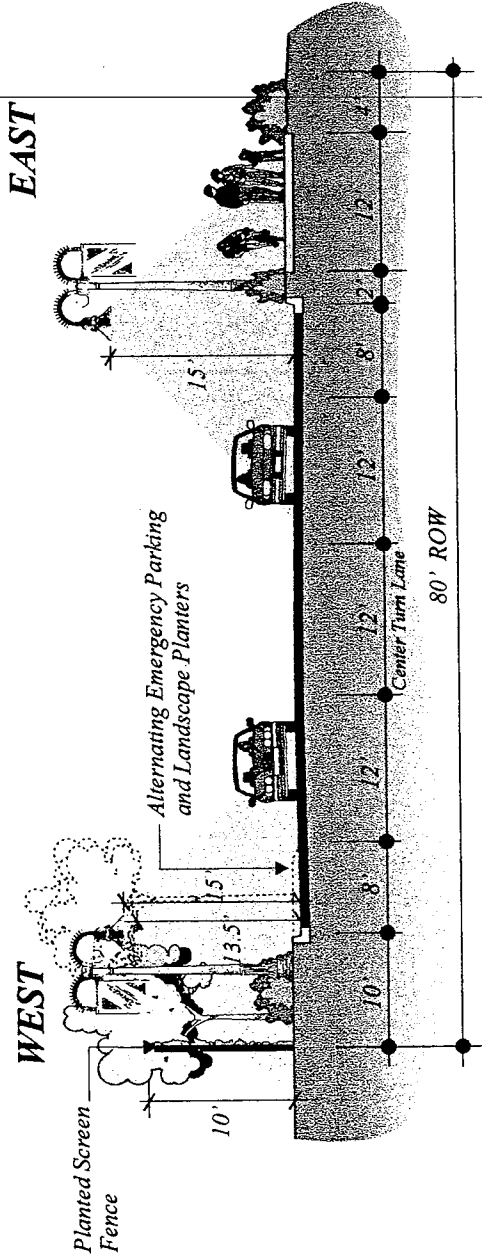
Figure 2.4
Harrison Avenue

SCHEMATIC ILLUSTRATIVE

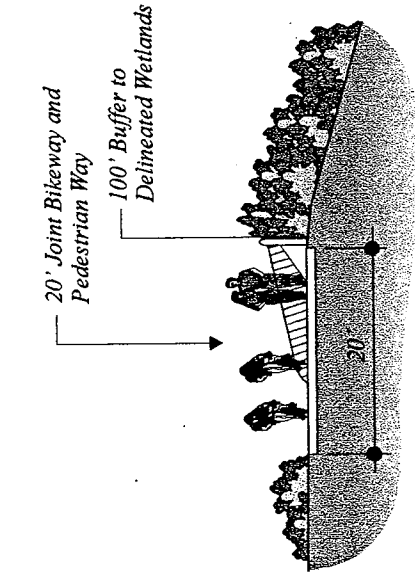
NOTE: SECTION VIEW FACING NORTH.

1. Requires Coordination and Approval from Caltrans
2. Street Lighting is a minimum of 15 feet in height.
3. Perch Proof Lighting & Signage.





TYPICAL SECTION 7



TYPICAL SECTION 8

Public Access Way/Bikeway

SCHEMATIC ILLUSTRATIVE

NOTE: SECTION VIEW FACING NORTH.

1. Requires Coordination and Approval from Caltrans for bikeway standards.
2. Street Lighting is a minimum of 15 feet in height.
3. Perch Proof Lighting & Signage.

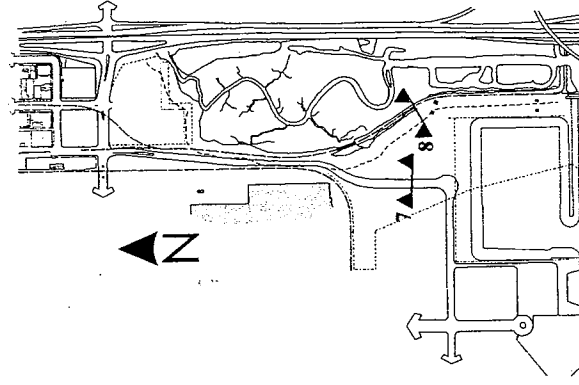


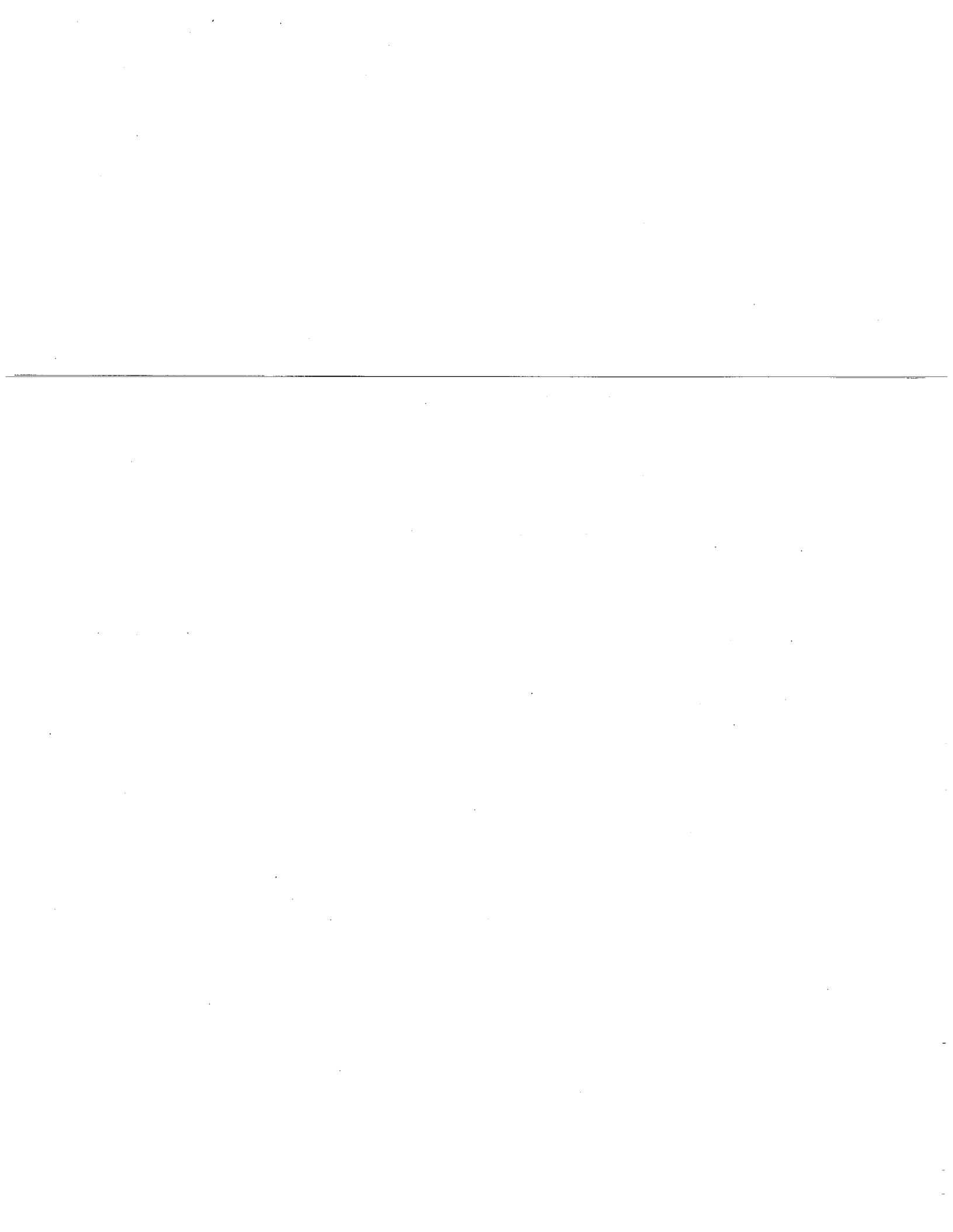
Figure 2.5
Harrison Avenue

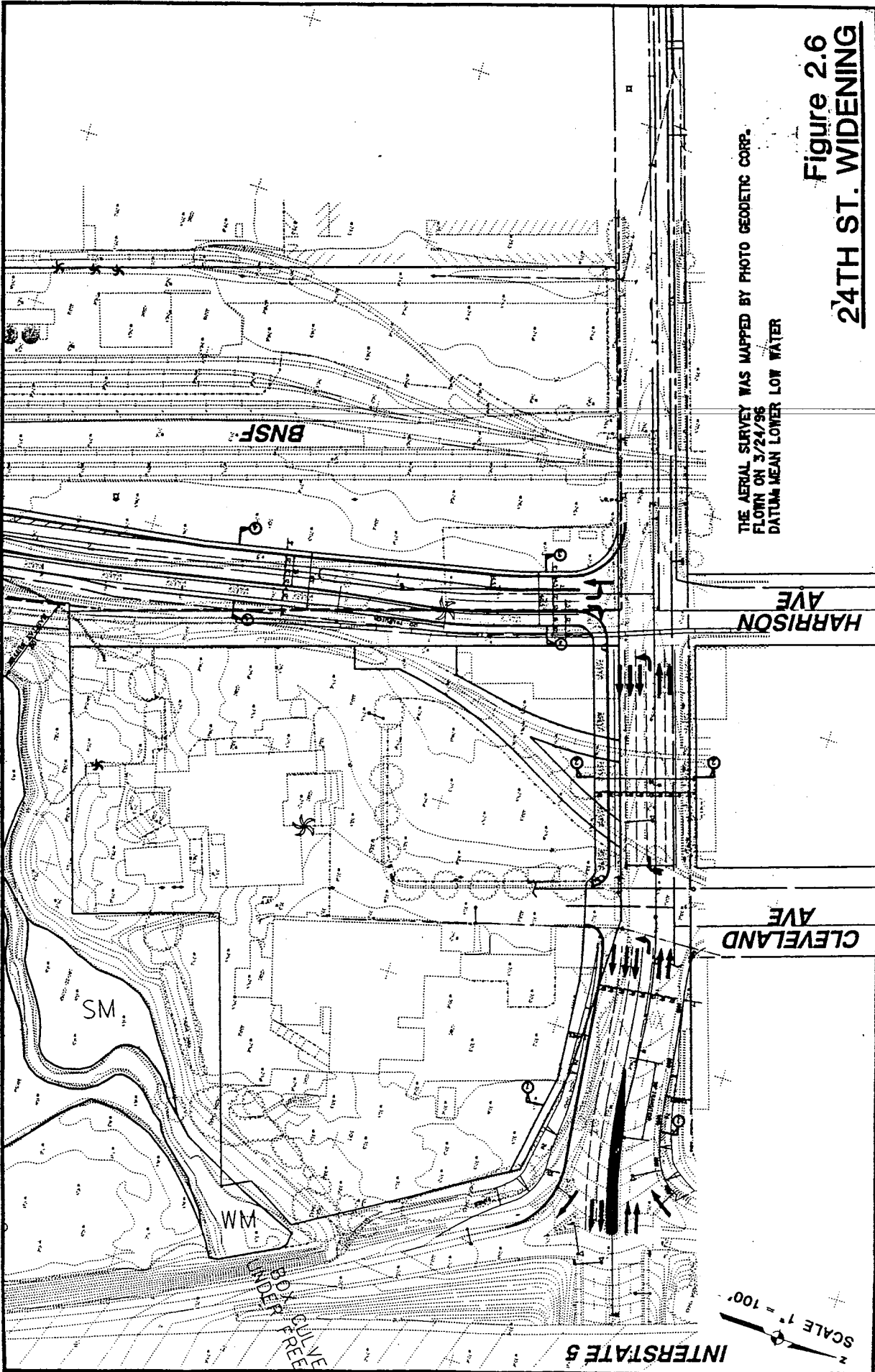
- (d) A public walkway between W. 24th Street and Harrison Avenue in the Driveway Access and Setback Area, as shown in Figure 4.1, to connect with the six-foot wide blufftop path shown in Fig. 2.1, provided that all standards of Chapter 3 shall apply to the latter.
- (e) A public vista point, as shown in Figure 2.1, with a minimum size of 1,000 SF, provided that all standards of Chapter 3 shall apply to it.
- (f) A minimum of 10 public access vehicular, including handicapped accessible, parking spaces, and 15 bicycle parking spaces.

2.5.6 Subarea B

Public access and recreational improvements in Subarea B, south of the "Narrows", shall be located, designed, constructed, and maintained as shown in Figures 2.1, 2.3, 2.4, 2.5, and 4.2, to provide:

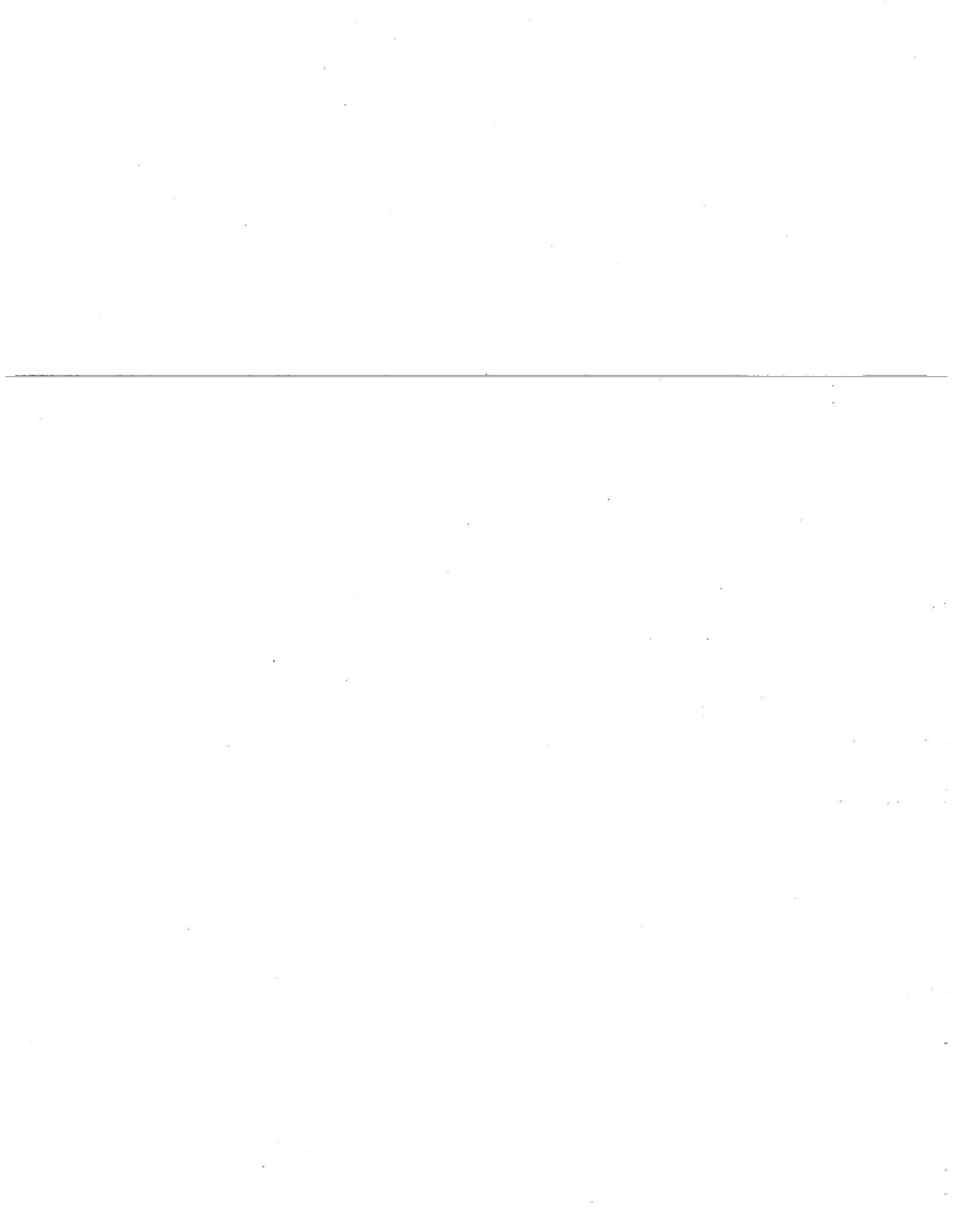
- (a) A 15,000 SF landscaped public park at the historic outflow of Paradise Creek into San Diego Bay, as shown in Figures 2.1 and 4.2, including 10 vehicular and 25 bicycle parking spaces, environmental interpretive materials, and visitor support facilities.
- (b) The segment of the San Diego Bayshore Bikeway, as shown in Figure 2.1, between the curve in Harrison Avenue at the northerly end of Subarea B and the intersection with the Sweetwater River Bikeway to the south.
- (c) The pedestrian walkway, between the curve in Harrison Avenue at the northerly end of Subarea B and the intersection with the Sweetwater River Bikeway to the south, as shown in Figures 2.1 and 2.5 (Section 2), provided that it may be combined in a 20-foot wide path with the respective Class I bikeway(s).
- (d) A public vista point east of Subarea B-1, as shown in Figure 2.1, with a maximum size of 1,000 SF, provided that all standards of Chapter 3 shall apply to it.
- (e) A minimum 2,000 SF landscaped public park near the southeasterly corner of the National City Marina site and north of the Sweetwater Channel northerly levee, as shown in Figure 2.1, including with 25 bicycle parking spaces, provided that consideration shall be given to extending this park along the entire westerly side of Subarea B-3, overlooking the Marina boat basin, if feasible.
- (f) A pedestrian walkway from the public park described in (e), along the the Sweetwater Channel levee, westward towards the entrance to the Marina boat basin, with a minimum width of six (6) feet..
- (g) A public accessway along the southerly boundary of Subarea B-1, between the Bayshore Bikeway/public accessway and the plaza at the intersection of Harrison Avenue and 32nd Street, with a minimum width of six (6) feet.





THE AERIAL SURVEY WAS MAPPED BY PHOTO GEODETIC CORP.
 FLOWN ON 3/24/96
 DATUM: MEAN LOWER LOW WATER

Figure 2.6
24TH ST. WIDENING



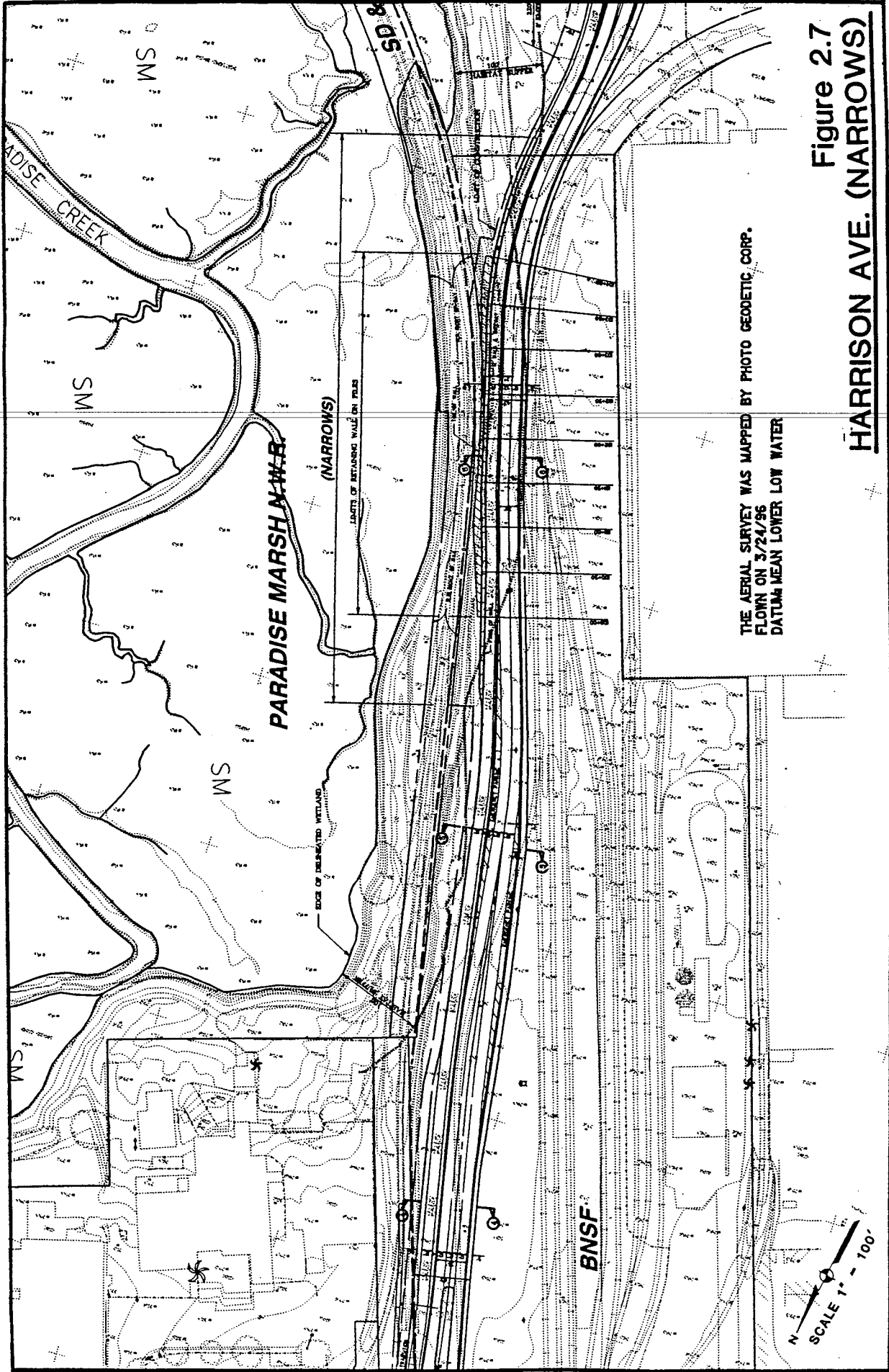
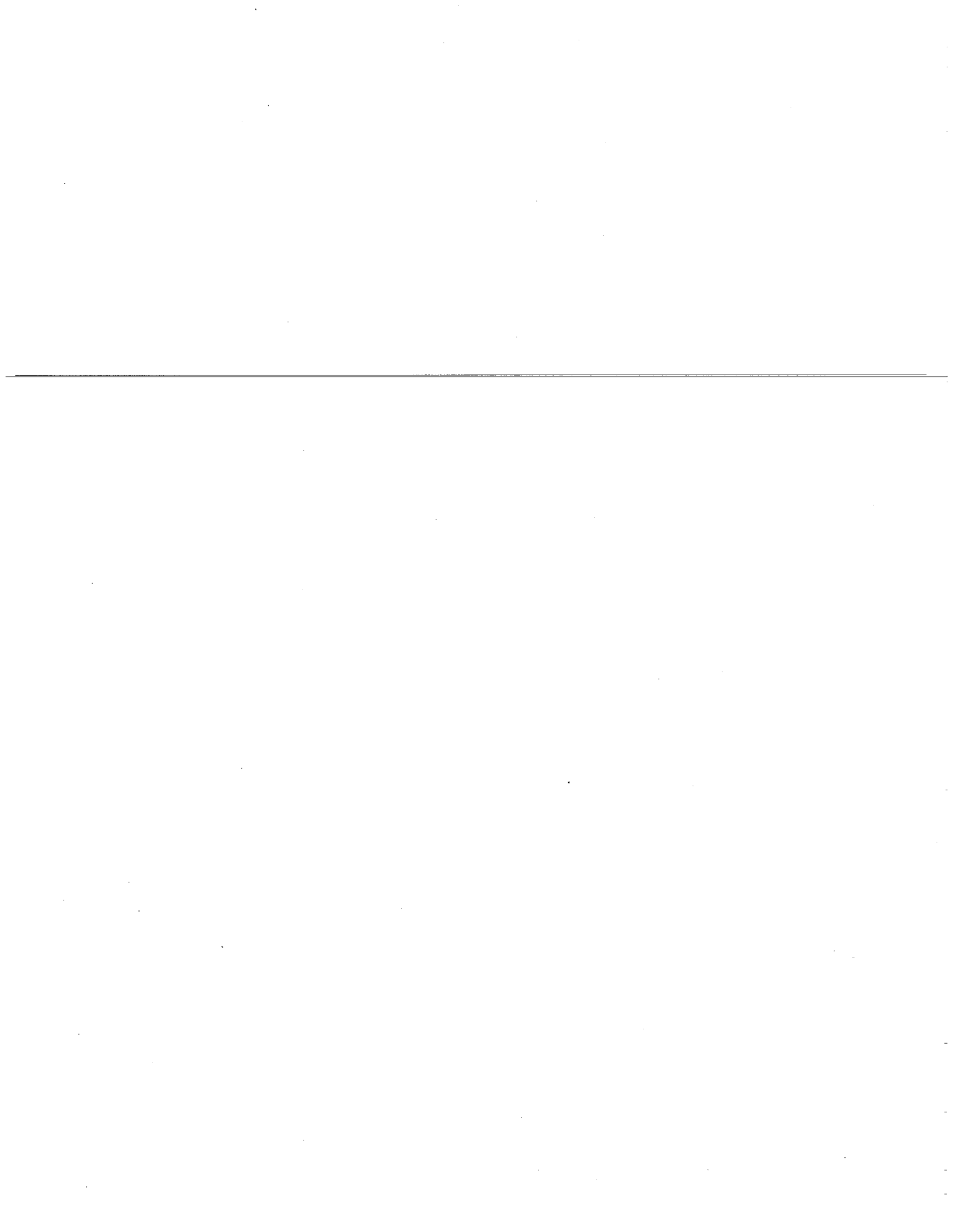
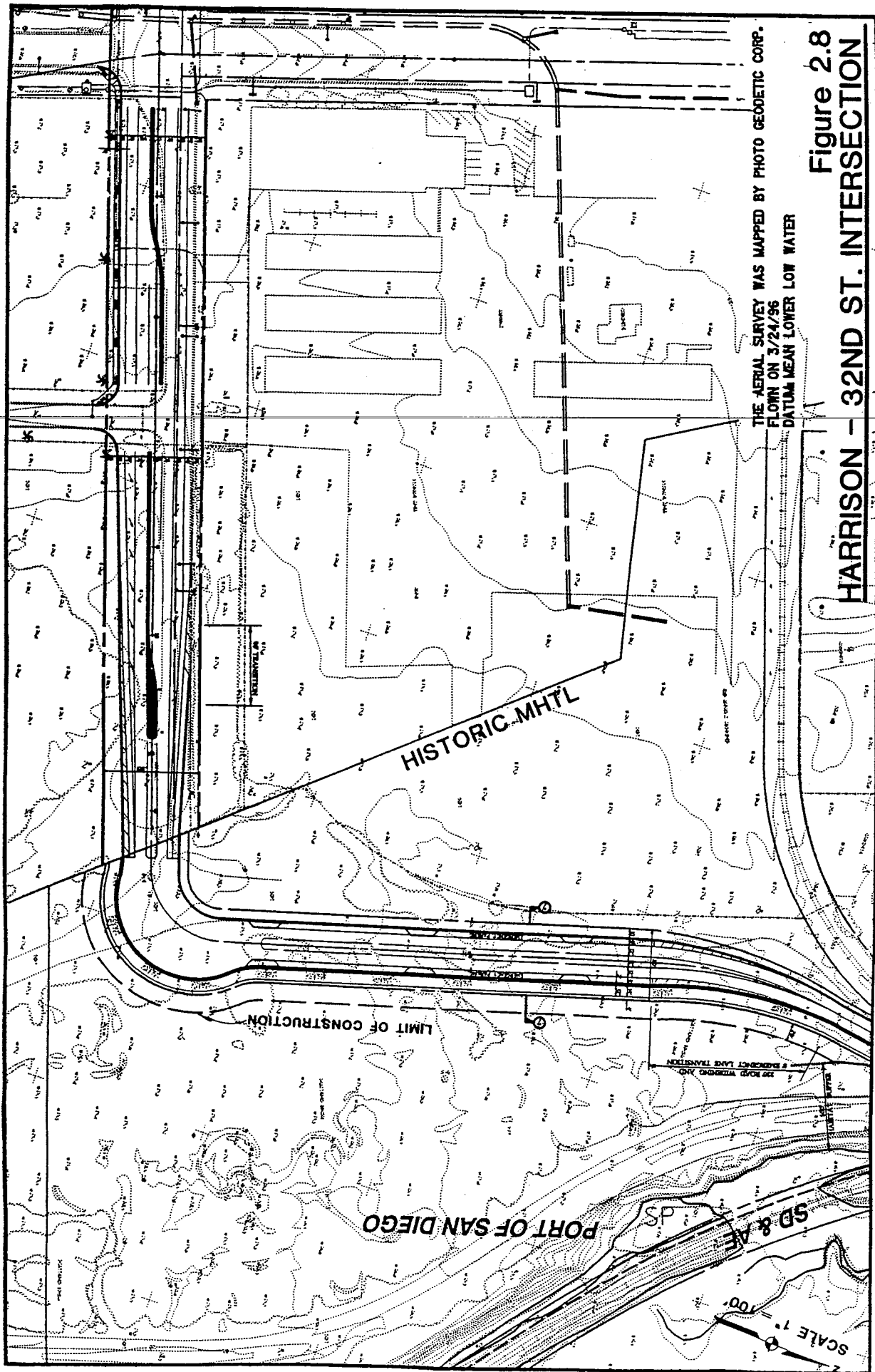


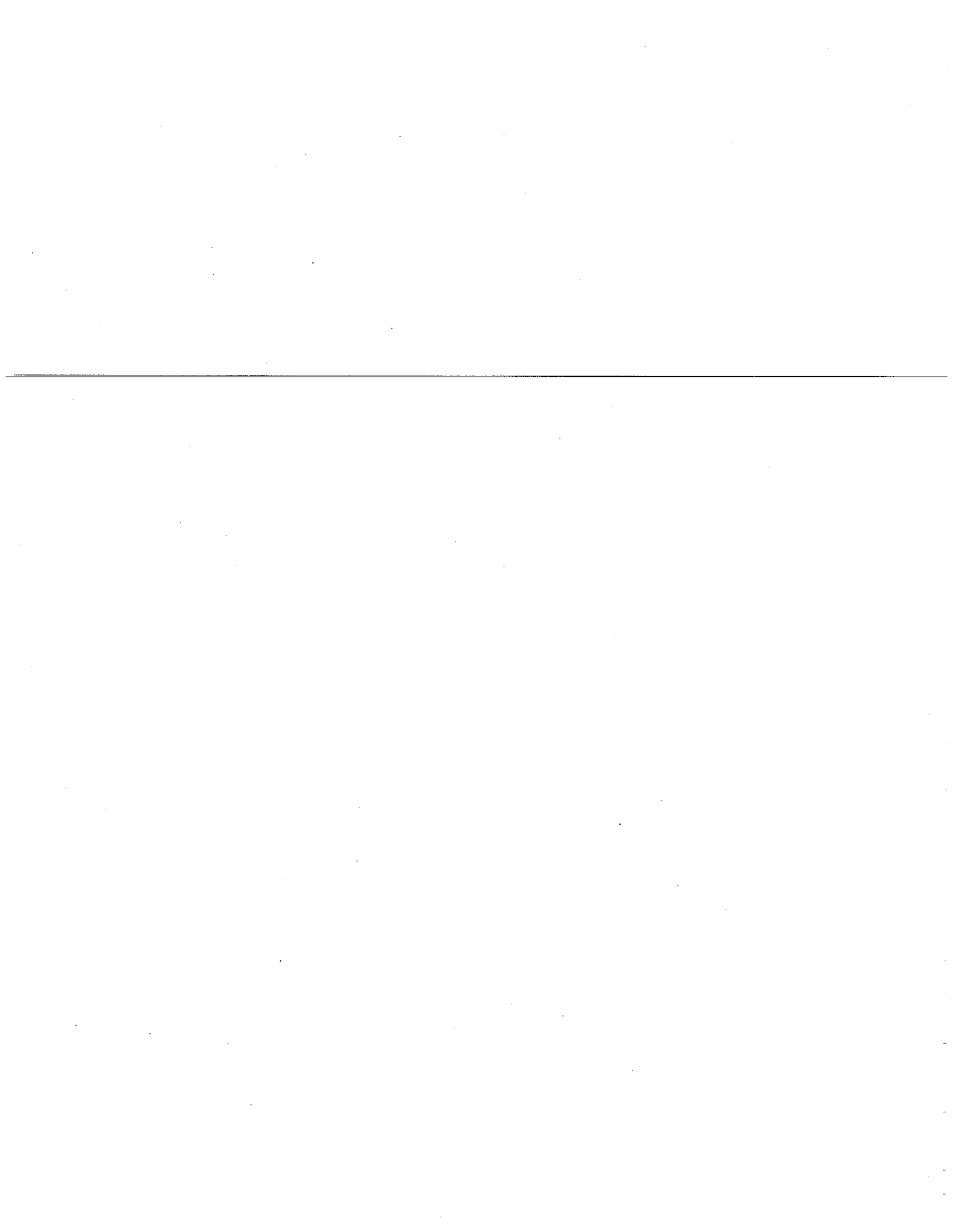
Figure 2.7
HARRISON AVE. (NARROWS)





THE AERIAL SURVEY WAS MAPPED BY PHOTO GEODETIC CORP.
 FLOWN ON 3/24/56
 DATUM MEAN LOWER LOW WATER

Figure 2.8
HARRISON - 32ND ST. INTERSECTION



In addition, the Plan encourages the US Fish and Wildlife Service to locate an appropriately sized marsh habitat viewing platform on lands owned by the United States of America, in the southwesterly fill area between the Paradise Marsh wetlands and the Sweetwater River Bikeway, as shown for illustrative purposes on Figure 2.1, if it can be provided without adversely affecting the recently (July, 1998) identified population of Salt marsh bird's beak in this area.

2.5.7 Implementation

- (a) Implementation of the public access, recreation, and circulation program components provided in Sections 2.5.2 and 2.5.5 shall occur in conjunction with the redevelopment of Subarea A. Implementation of these components provided in Section 2.5.3 shall occur in conjunction with the extension of Harrison Avenue (Subarea C). Implementation of the components provided in Section 2.5.6 shall occur in conjunction with the development of Subarea B. However, implementation of program components on otherwise undeveloped public property within the jurisdiction of the City is subject to the availability of funds.
- (b) As part of any action, prior to the construction of Harrison Avenue between W. 24th Street and 32nd Street, on any development located in the Planning Area, the Planning Commission or City Council shall make a specific finding of development consistency with this Plan, the certified LCP, and California Public Resources Code (Coastal Act) Sections 30210-30214, 30220-30224, and 30252, as required by Coastal Act Section 30604(c).
- (c) Pursuant to and in furtherance of Title 14, California Code of Regulations Section 13574(b), the Community Development Commission of the City of National City shall serve as the designated agency of the City to process the recordation of all necessary legal documents regarding the acceptance, opening, operation, and maintenance of any public accessway, open space, or conservation easement, or other restriction on the use of land, that is required as a condition of approval of any coastal development permit, including in the event that a coastal development permit, in which said Community Development Commission is the applicant or co-applicant, is assigned to another person. Upon completion of the recordation of said documents, the Community Development Commission shall, within five working days, forward a copy of (1) the coastal development permit conditions, (2) findings of permit approval, and (3) copies of the legal documents pertaining to said public access, open space, or conservation easement, or other restriction, to the executive director of the California Coastal Commission.

CHAPTER 3. WETLAND HABITAT CONSERVATION PROGRAM

This Chapter provides a wetland delineation and habitat characterization (Section 3.2), mandatory wetland conservation policies (Section 3.3), and wetland habitat buffer standards (Section 3.4), to ensure maximum protection of sensitive wetland habitats and endangered species within and adjacent to the Harbor District planning area, in conformity with the certified National City Local Coastal Program ("LCP") and the Coastal Act of 1976, as amended.

In addition, this Chapter also provides mandatory policies for the protection of any potential paleontological or archaeological resources (Section 3.5) within the planning area.

3.1 LCP Standards, Objectives, and Requirements for the Harbor District and Paradise Marsh Wetland Habitat Conservation Program

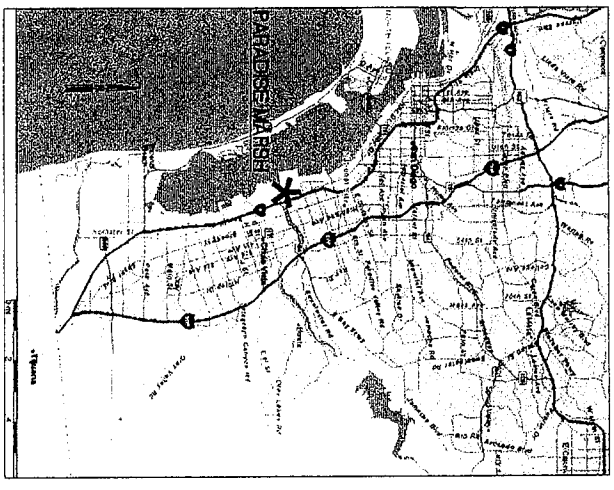
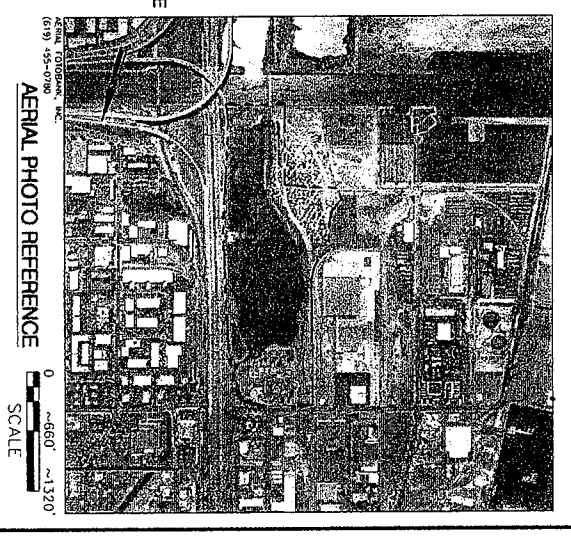
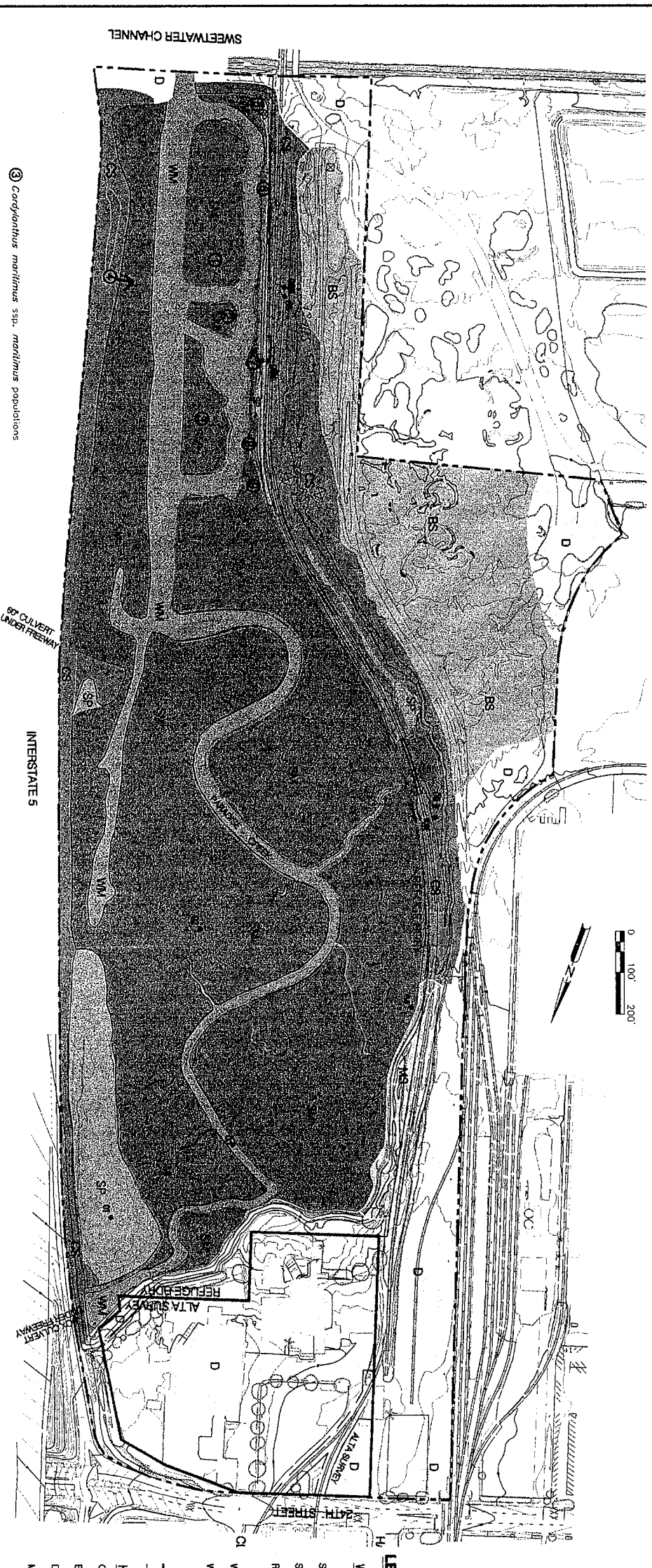
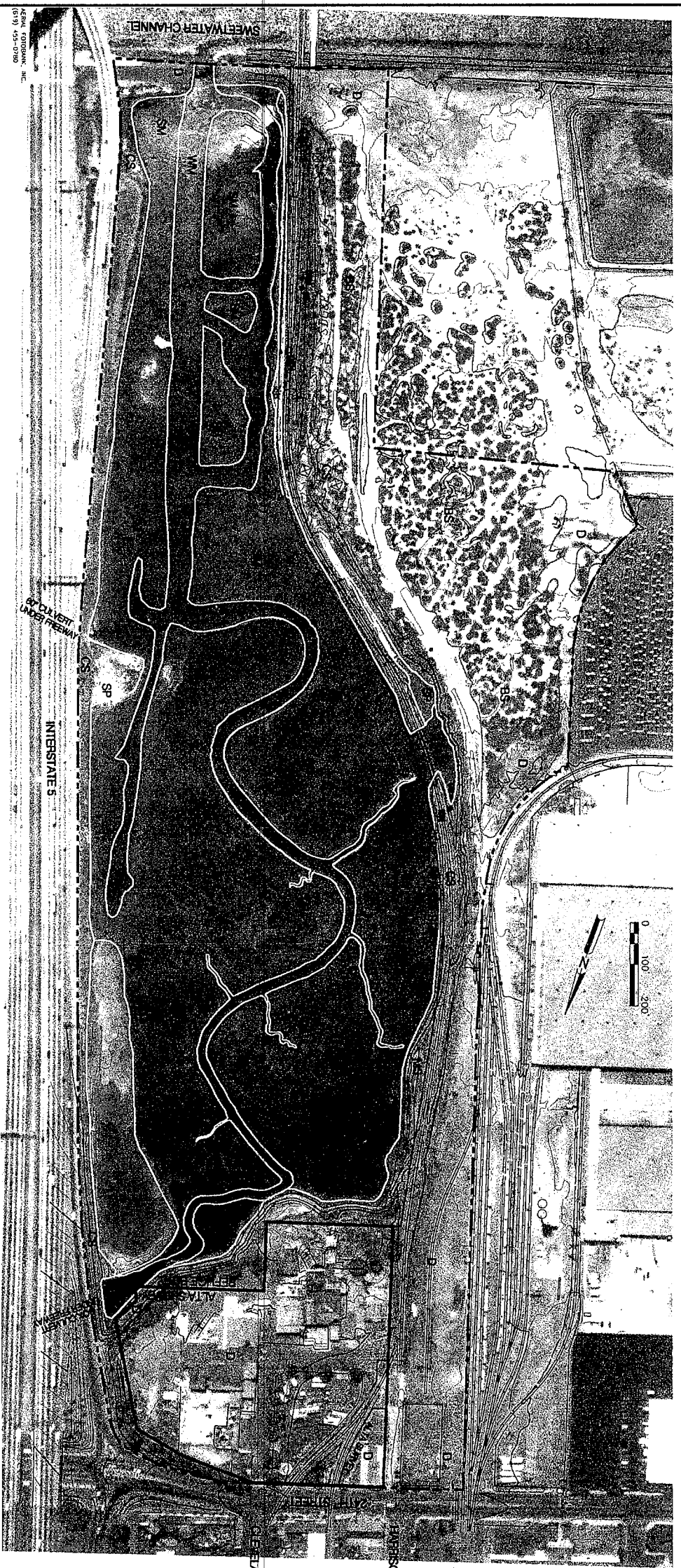
The certified LCP identifies wetlands within and adjacent to the Harbor District as "valuable and sensitive biological resources" which require a special level of protection from the effects of adjacent upland uses, including those impacts which could result from implementation of the Harbor District Specific Area Plan.

The largest designated "sensitive and valuable" wetland resource in the vicinity of the Planning Area is Paradise Marsh. Although in private ownership until 1988, Paradise Marsh is now part of the Sweetwater Marsh National Wildlife Refuge ("National Wildlife Refuge"), under the ownership and management of the U. S. Fish and Wildlife Service.

"Sensitive and valuable" wetland characteristics also extend as a result of tidal action to a small pocket of salt marsh located within the Planning Area in a topographically confined area beyond the National Wildlife Refuge western boundary in the vicinity of the SD&AE Railroad trestle. In addition, wetlands occur in a small ditch along the western SD&AE Railroad right-of-way, and along the SDG&E fuel oil pipeline between the SD&AE right-of-way and the upland bank, south of the SD&AE trestle, which are also within the Planning Area. (See Figure 3.1.)

Although these wetlands are presently subject to adverse impacts from the disturbed condition of the adjacent uplands, the high ambient noise levels associated with Interstate Highway 5 and adjacent industrial activities, and pollution entering the marsh from Paradise Creek and storm water runoff, they nonetheless provide valuable habitat and support many species of plants and animals, including the endangered saltmarsh bird's beak, light-footed clapper rail, and Belding's Savannah Sparrow.

The certified LCP requires protection for these wetland resources from potential impacts from human intrusion, natural and domestic animal predation, motorized and non-motorized vehicle impacts, trash and garbage, sedimentation and non-point



LEGEND

WATERS OF THE U.S.		ACREAGE	
WETLAND CLASSIFICATION	WITHIN REFUGE	OUTSIDE OF STUDY AREA	TOTAL
SM	28.0	0.5	28.5
SP	2.4	0.3	2.7
RD	-	<0.1	<0.1
WATERS			
WM	6.3	0.0	6.3
WT	0.2	0.0	0.2
TOTAL	36.9	0.8	37.7
HABITAT CLASSIFICATION (UPLAND)			
STUDY AREA		ACREAGE	
REFUGES BLDG		70.6	
HABITAT CLASSIFICATION (UPLAND)			
CS	8		
BS	7		
D	17		
MS	1		
TOTAL	33		

PROJECT NOTES

- GROSS STUDY AREA: 307.4 ACRES
- TOPO BASE PROVIDED BY THE PORT OF SAN DIEGO
- PROJECT ENGINEER: BICK ENGINEERING COMPANY
- AERIAL PHOTO FROM 06 SEP 18 1997 AT 11:45 AM (NOI) 10K
- FIELD DELINEATION CONDUCTED ON SEP 18, 2016 & 7, 1997

DESIGNATION BY: DAVID WEITZ & JEFF GLADNER
 DRAWN BY: ANDREW PRICE
 CHECKED BY:
 PROJECT NO.: NATIONAL WQ DWG (R14)
 REVISION:

DAVID B. KELLEY
 President / Field Supervisor
Kelley & Associates Environmental Sciences, Inc.
 210 F Street, # 51, Irvine, California 92614 TEL: 949-259-1222 FAX: 949-259-2925

PARADISE MARSH WETLAND DELINEATION AND HABITAT MAP
 National City, California
 SHEET 1 OF 1
 August 14, 1998

Figure 3.1

③ *Cardiophorus maritimus* ssp. *maritimus* populations

source pollution (including landscaping irrigation and seepage), night lighting, and increased noise which could result from new upland activities.

The certified LCP also requires preparation of detailed conservation standards of sufficient specificity to ensure that wetland resources will be protected from incompatible uses, and that implementation of public access and tourist commercial uses within the Harbor District will avoid adverse effects on Paradise Marsh and adjacent wetland resources.

Chapter 3 of the Harbor District Specific Area Plan incorporates detailed wetland habitat conservation program policies, as well as detailed provisions for significant physical, structural, and vegetative habitat buffers, to implement these LCP requirements.

3.2 Survey of Harbor District Wetland and Upland Habitats

The certified LCP marsh preservation policies rely on the detailed description of Paradise Marsh habitats, resource values, and recommendations prepared by RECON (1981), and incorporated in the City's certified Land Use Plan ("LUP") as Appendix II.

In addition, pursuant to the requirements of certified LUP Marsh Preservation Policy 1, Paradise Marsh and other planning area wetlands have been delineated as part of an updated biological survey and site characterization conducted for National City by Kelley & Associates Environmental Sciences, Inc. ("K&AES") between September 1997 and July 1998. The wetland delineation and upland habitat map prepared by K&AES is incorporated as Figure 3.1, and updated plant and animal species lists are found in Tables 3.1 and 3.2.

K&AES and Jeff Glazner also conducted a rare plant survey from September 1997 through early July 1998. The initial surveys during fall 1997 focused on habitat assessment and the wetland delineation. An "early season" survey was conducted on February 23 and 24, 1998; a mid-late season survey was conducted on April 23 and 24, 1998; and a final late season survey was conducted on July 3, 1998.

3.2.1 Methodology. K&AES habitat mapping was based on field reconnaissance during the study period; review of current aerial photography of the subject area at high tide (September 1997) and low tide (March 1996); review of historic charts and aerial photographs; and consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game staff. Data from site visits during the study period were recorded on a 1":100' scale acetate overlay of the September 1997 high-tide aerial photograph, on three-parameter data sheets, and in a field notebook. Habitats were systematically mapped as boundaries were determined; and three-parameter data points were placed in key problematic locations, and in areas where characterization was required.

Wetland and deepwater habitats are characterized according to the Cowardin/

National Wetlands Inventory classification system (1979) and Barbour and Major (1977). Terrestrial habitats are characterized according to Barbour and Major (1977), Beauchamp (1986), and Holland (1988).

Standard survey techniques were employed for the rare plant survey. Key characteristics for each target species were reviewed prior to the surveys including appropriate habitat and diagnostic morphological features. All areas of the site were surveyed, with the most attention given to those habitats most likely to support target species.

Target species were determined by reviewing the California Department of Fish and Game's Natural Diversity Data Base for the three coastal quadrangles in the project region (National City, Point Loma, and Imperial Beach), and the California Native Plant Society's Inventory of Rare and Endangered Vascular Plants of California, in consultation with USFWS Refuge staff. The list was narrowed down to fifteen species with a designation of CNPS List 2 or higher, whose habitat was at least remotely present on the project site, shown below.

**List of Potentially Occurring Rare Plant Species -
 Paradise Marsh and Harbor District Area**

		FED	STATE	CNPS
<i>Ambrosia chenopodiifolia</i>	San Diego bur-sage	-	-	2
<i>Ambrosia pumila</i>	dwarf burr ragweed	SC	-	1B
<i>Aphanisma blitoides</i>	Aphanisma	SC	-	1B
<i>Astragalus tener var. titi</i>	coastal dunes milk-vetch	PE	E	1B
<i>Atriplex pacifica</i>	south coast saltbush	SC	-	1B
<i>Chorizanthe orcuttiana</i>	San Diego spineflower	E	E	1B
<i>Cordylanthus maritimus</i> sp. maritimus	saltmarsh bird's beak	E	E	1B
<i>Cordylanthus orcuttianus</i>	Orcutt's bird's beak	SC	-	2
<i>Dudleya attenuata</i> ssp. orcuttii	Orcutt's dudleya	SC	-	2
<i>Euphorbia misera</i>	cliff spurge	-	-	2
<i>Lasthenia glabrata</i> ssp. coulteri	Coulter goldfields	SC	-	1B
<i>Lotus nuttallianus</i>	Nuttall's lotus	SC	-	1B
<i>Orobanche parishii</i> ssp. brachyloba	short-lobed broomrape	SC	-	1B
<i>Phacelia stellaris</i>	Brand's phacelia	-	-	1B
<i>Stylocline citroleum</i> oil	nest straw	SC	-	1B

Table 3.1
 Harbor District Wetland Habitat Conservation Program
 K&AES Survey: Plant Species Observed in the
 Paradise Marsh Study Area
 (September/October 1997 & February/July 1998)

<u>Scientific Name*</u>	<u>Common Name</u>	<u>Habitat**</u>
<i>Acacia melanoxydon</i>	blackwood acacia	3
<i>Ambrosia psilostachya</i>	western ragweed	2,3,5
<i>Amsinckia menziesii</i>	fiddleneck	3,5
<i>Artemisia californica</i>	California sagebrush	2,3
<i>Astragalus</i> sp.	milk-vetch	5
<i>Atriplex canescens</i> ssp. canescens	shadscale	2,3
<i>Atriplex semibaccata</i>	Australian saltbush	2,3
<i>Avena fatua</i>	wild oat	3,4,5
<i>Baccharis salicifolia</i>	mule-fat	2,3,5
<i>Baccharis sarothroides</i>	broom baccharis	2,3,4,5
<i>Batis maritima</i>	turtleweed	1a
<i>Brassica nigra</i>	black mustard	3,4,5
<i>Bromus diandrus</i>	ripgut brome	2,3,4,5
<i>Bromus madritensis</i>	compact brome	2,3,4,5
<i>Calystegia macrostegia</i> ssp. intermedia	south coast morning glory	2
<i>Camissonia cheiranthifolia</i> ssp. suffruticosa	beach evening primrose	2,3,4,5
<i>Carpobrotus chilensis</i>	sea fig	3,4,5
<i>Carpobrotus edulis</i>	sea fig	3,5
<i>Centaurea melitensis</i>	totalote	2,3,4,5
<i>Chenopodium californicum</i>	California goosefoot	3,5
<i>Chenopodium murale</i>	nettle-leaved goosefoot	4,5
<i>Chrysanthemum coronarium</i>	crown daisy	2,3,5
<i>Coryza canadensis</i>	Canada horseweed	3,5
<i>Cordylanthus maritimus</i> ssp. maritimus	salt marsh bird's beak	1a
<i>Cortaderia jubata</i>	Andes grass	3
<i>Croton californicus</i>	California croton	4
<i>Cuscuta salina</i> var. <i>major</i>	goldenthread	1a
<i>Cynodon dactylon</i>	bermudagrass	2,3,5
<i>Datura wrightii</i>	toluaca	3
<i>Dichelostemma capitatum</i>	bluedicks	2
<i>Distichlis spicata</i>	inland saltgrass	1a,1b,2,3,4,5
<i>Dudleya edulis</i>	fingertips	2
<i>Encelia californica</i>	California (coastal) encelia	2,3

* Native Species in **Bold**

** See Figure 3.1 (Page 3-2) and Table 3.1 (Page 3-8).

Table 3.1
 Harbor District Wetland Habitat Conservation Program
 K&AES Survey: Plant Species Observed in the
 Paradise Marsh Study Area
 (September/October 1997 & February/July 1998)
 (continued)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Habitat</u>
<i>Eriogonum fasciculatum</i>	California buckwheat	2,3,4
<i>Erodium botrys</i>	longbeak stork's bill	2,3,4,5
<i>Erodium cicutarium</i>	redstem stork's bill	2,3,4,5
<i>Eschscholzia californica</i>	California poppy	3
<i>Eucalyptus</i> spp.	gum	5
<i>Euphorbia spathulata</i>	warty spurge	4
<i>Eucrypta chrysanthemifolia</i>	common eucrypta	2
<i>Foeniculum vulgare</i>	fennel	3,4,5
<i>Frankenia salina</i>	alkali heath	1a,1b
<i>Gnaphalium bicolor</i>	two-color cudweed	2,3,4
<i>Gnaphalium californicum</i>	ladies' tobacco	3
<i>Gnaphalium canescens</i> ssp. <i>beneolens</i>	everlasting cudweed	2,3,4
<i>Heliotropium curassavicum</i>	salt heliotrope	3,4
<i>Heterotheca grandiflora</i>	telegraphweed	2,3,4,5
<i>Hordeum murinum</i>	foxtail barley	2,3,4,5
<i>Isocoma menziesii</i> var. <i>menziesii</i>	Menzies' jimmyweed	2,3,4
<i>Isomeris arborea</i>	bladderpod	2
<i>Jaumea carnosa</i>	marsh jaumea	1a
<i>Lantana camara</i>	lantana	3
<i>Limonium californicum</i>	western marsh-rosemary	1a
<i>Lobularia maritima</i>	sweet alyssum	5
<i>Lolium perenne</i>	English ryegrass	2,3,5
<i>Lotus corniculatus</i>	birdfoot trefoil	3
<i>Lycium brevipes</i> var. <i>brevipes</i>	desert-thorn	2,3
<i>Lycium californicum</i>	California box thorn	2
<i>Lycopersicon esculentum</i>	tomato	4
<i>Malosma laurina</i>	laurel leaf sumac	3
<i>Malva parviflora</i>	cheeseweed	5
<i>Marah macrocarpus</i>	Cucamonga manroot	2
<i>Marrubium vulgare</i>	horehound	2
<i>Medicago polymorpha</i>	burclover	2,3,4,5
<i>Melilotus alba</i>	white sweetclover	2,3,4,5
<i>Melilotus officinalis</i>	yellow sweetclover	2,3,4,5
<i>Mesembryanthemum crystallinum</i>	crystalline iceplant	3
<i>Mesembryanthemum nodiflorum</i>	slender-leaved iceplant	3

Table 3.1
Harbor District Wetland Habitat Conservation Program
K&AES Survey: Plant Species Observed in the
Paradise Marsh Study Area
 (September/October 1997 & February/July 1998)
 (continued)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Habitat</u>
<i>Mirabilis californica</i>	California four o'clock	2
<i>Monanthochloe littoralis</i>	shoregrass	1a,1b,3
<i>Myoporum laetum</i>	ngaio tree	3
<i>Nassella pulchra</i>	purple needlegrass	3
<i>Nicotiana glauca</i>	tree tobacco	3,4,5
<i>Olea europaea</i>	olive	3,4
<i>Opuntia ficus-indica</i>	tuna	2
<i>Opuntia littoralis</i>	coast prickly pear	2
<i>Opuntia oricola</i>	chaparral pricklypear	2
<i>Opuntia prolifera</i>	cholla	2
<i>Oxalis pes-caprae</i>	Bermuda buttercup	2,3,4
<i>Pennisetum setaceum</i>	crimson fountaingrass	2,3,5
<i>Pinus halapensis</i>	aleppo pine	5
<i>Piptatherum miliaceum</i>	smilo grass	2
<i>Poa annua</i>	annual bluegrass	3,4
<i>Polygonum arenastrum</i>	common knotweed	3
<i>Polypogon monspeliensis</i>	annual beard grass	5
<i>Raphanus sativus</i>	wild radish	2,3,4,5
<i>Rhus integrifolia</i>	lemonade berry	2,3
<i>Rhynchelytrum repens</i>	Natal grass	2,3
<i>Rumex crispus</i>	curly dock	3,5
<i>Salicornia bigelovii</i>	Bigelow's pickleweed	1a
<i>Salicornia subterminalis</i>	Parish's pickleweed	2
<i>Salicornia virginica</i>	pickleweed	1a,1b
<i>Salix lasiolepis</i>	arroyo willow	3
<i>Salsola tragus</i>	tumbleweed	5
<i>Sambucus mexicana</i>	elderberry	3
<i>Schinus molle</i>	Peruvian pepper tree	3,5
<i>Schinus terebinthifolius</i>	Brazilian pepper tree	3
<i>Schismus barbatus</i>	common Mediterranean grass	2,3,4,5
<i>Scirpus californicus</i>	California tule	1c
<i>Senecio vulgaris</i>	common groundsel	3,4,5
<i>Solanum douglasii</i>	Douglas' nightshade	4
<i>Sonchus oleraceus</i>	common groundsel	3,4,5
<i>Spartina foliosa</i>	California cord grass	1a
<i>Spergularia rubra</i>	red sandspurry	5
<i>Stephanomeria virgata</i>	rod wirelettuce	2,3

Table 3.1
Harbor District Wetland Habitat Conservation Program
K&AES Survey: Plant Species Observed in the
Paradise Marsh Study Area
 (September/October 1997 & February/July 1998)
 (continued)

<u>Scientific Name</u>	<u>Common Name</u>	<u>Habitat</u>
<i>Suaeda californica</i>	California sea-blite	1a,1b
<i>Tamarix parviflora</i>	tamarisk	3
<i>Taraxacum officinale</i>	common dandelion	5
<i>Trifolium</i> spp.	clover	3,5
<i>Triglochin maritima</i>	seaside arrow-grass	1a
<i>Typha domingensis</i>	southern cattail	1c
<i>Urtica urens</i>	dwarf nettle	2,3,4,5
<i>Washingtonia filifera</i>	California fan palm	3
<i>Xanthium strumarium</i>	cocklebur	5
<i>Yucca schidigera</i>	Mohave yucca	2

Habitats:

- 1a = Coastal Saltmarsh (wetland)
- 1b = Saltpan (wetland)
- 1c = Railroad ditch (wetland)
- 2 = Maritime Succulent Scrub (upland)
- 3 = Coastal Scrub (upland)
- 4 = Broom Baccharis Scrub (upland)
- 5 = Disturbed (upland)

3.2.2 Summary of Planning Area and Adjacent Habitats. The Planning Area is adjacent to the intertidal salt marsh and tidal channels of the Paradise Marsh unit of the Sweetwater Marsh National Wildlife Refuge, which hosts the federally listed endangered light-footed clapper rail, the state-listed endangered Belding's savannah sparrow, and in the summer of 1998 supports nine subpopulations of federally and state-listed endangered saltmarsh bird's beak (*Cordylanthus maritimus* ssp. *maritimus*).

Within the Planning Area itself, limited wetland areas are located west of the SD&AE Railroad tracks in the vicinity of the trestle, consisting of a small pocket of intertidal salt marsh, a narrow band of salt pan, and a small wetland community along a narrow railroad ditch.

The Planning Area uplands are largely disturbed as a result of past and current industrial uses, and are characterized by sparse ruderal non-native vegetation.

The manmade fill in the vicinity of Subarea B now supports a successional broom baccharis community. Vegetation on the slopes which separate upland communities from the wetlands generally consists of disturbed mixed native Coastal Scrub, with an undisturbed mature Maritime Succulent Scrub community located in the Bay Point Formation outcrop along the northwest margin of Paradise Marsh.

Of the fifteen plant species targeted for the rare plant survey that are listed in Section 3.2.1, saltmarsh bird's beak (*Cordylanthus maritimus* ssp. *maritimus*) was the only species found within the study area, and is apparently located entirely within the USFWS Refuge at nine sites around the southern third of the marsh.

No threatened, endangered, or rare species or their habitat were identified outside of the confines of the National Wildlife Refuge boundaries.

Topography, soils, level of disturbance, aspect, and amount of available water all affect the species composition of each of the Planning Area habitats, as described in more detail below.

Salt Marsh (Wetland. Native -no development activities proposed)

The most prominent habitat type in the vicinity of the Planning Area are the **intertidal salt marsh wetlands** of Paradise Marsh, the vegetated bottomland and estuarine zone at the mouth of Paradise Creek. This remnant community, which resembles "Southern Coastal Salt Marsh" as described by Holland (1986), or "Pickleweed Series" more recently described by Sawyer and Keeler-Wolf (1995), has been modified by changes in hydrology, some restoration efforts, the development of a new outlet channel into the Sweetwater River, and by filling of some areas and re-routing of the creek in others. It is confined by the Bay Point Formation (a Pleistocene marine terrace mantled by Huerhuero loams [Bowman, 1973]) which forms the bluffs along the northwestern margin of the marsh, fill materials associated with Interstate 5, a railroad berm, dredge spoils (along the south-central and southwestern margins), and levees at the southern end where the creek empties into the Sweetwater Channel. The salt marsh is inundated with each high tide. Vegetation is dense and typically multilayered with many rhizomatous species. Height of the vegetation correlates to the presence of California cordgrass (*Spartina foliosa*),

which is the tallest species in the marsh (± 3 feet), and is generally determined by how many layers of prostrate species are present. Matting has been observed throughout the marsh to depths of 1-2 feet.

The dominant salt marsh species include California cordgrass, turtleweed (*Batis maritima*), alkali heath (*Frankenia salina*), marsh jaumea (*Jaumea carnosa*), western marsh-rosemary (*Limonium californicum*), pickleweed (*Salicornia virginica*, *Salicornia bigelovii*), California sea-blite (*Suaeda californica*), and seaside arrow-grass (*Triglochin maritima*). These species are distributed throughout the marsh, though some bare tidal flats appear at low tide. The most noticeable species (cordgrass) is related to an as yet undefined association of substrate and water depth. The most obvious communities are the vegetated emergent salt marsh and the mostly non-vegetated tidal channels. Distinct intra-marsh vegetation communities within the Refuge boundaries were not classified.

Although not identified within Paradise Marsh during the 1981 RECON Survey, or in other more recent surveys of the area, nine subpopulations of saltmarsh bird's beak (*Cordylanthus maritimus* ssp. *maritimus*) were identified during early July 1998 scattered along the southern third of the Refuge boundary perimeter, and on the raised salt marsh islands apparently created as part of a recent restoration project. All subpopulations are located along the margins of the marsh.

Transitional communities between the salt marsh wetlands and the uplands (constituted by abrupt edges in some cases and flat benches occupied by salt pans in others) are characterized by sometimes dense stands of saltgrass (*Distichlis spicata* var. *spicata*) and shoregrass (*Monanthochloe littoralis*), with some patches of pickleweed and alkali heath admixed across the transition zone.

A small offset pocket of the larger marsh lies outside the Refuge boundaries, beneath and west of the SD&AE Railroad trestle in the remnant channel of the original Paradise Creek outflow along the west-central margin of the marsh. This area remains hydrologically connected to Paradise Marsh because of the gap in the railroad berm under the trestle. It has a healthy stand of cordgrass and pickleweed and is in relatively good condition. A buried SDG&E fuel oil pipeline which runs north to south along the west side of the railroad track crosses under this pocket, as well as in the vicinity of other delineated wetlands described below. It is through the berm gap that tidal waters which may be responsible for the salt pans along the axis of the pipeline and along the west side of the railroad tracks move at times of high tide or high runoff.

Saltpan (Wetland. Native -no development activities proposed)

The **salt pans** are located near the upper wetland limits which are inundated during higher high tides, and/or are hydrologically-connected to high soil water levels and tidal subbing. There are three forms of saltpan in the vicinity, all resembling mud flats with thin salty crusts and little or no vegetation. The largest saltpan area occurs along I-5 in the northeastern portion of the marsh. This area is a former solid waste dump and is elevated approximately two feet above the primary marsh floor. Its side slopes are densely vegetated but its flat surface is mostly bare ground. More classic saltpan occurs along the southwestern portion of the marsh along what appears to be a former utility road or constructed bench. It is homogeneously flat, lacks vegetation, and supports a thin salt crust. The third saltpan form is located west of the SD&AE Railroad trestle between the SD&AE Railroad and the SDG&E transmission tower footing. The northern portion of this saltpan is similar to the form just to the east on the opposite site of the railroad tracks. The southern portion of this saltpan is inundated for extended periods during higher high tides. The duration of ponding depends on frequency of tidal flooding and seasonal variations in runoff. Ponding is extended during the wet months, probably due to slower percolation rates through saturated soils and upslope recharge of surrounding fill materials.

Table 3.2
Harbor District Wetland Habitat Conservation Program
Animal Species Observed in Paradise Marsh Study Area
(1997-98 K&AES Survey)

Birds

<i>Agelaius phoeniceus</i>	red-winged blackbird
<i>Anas platyrhynchos</i>	mallard
<i>Aphelocoma coerulescens</i>	scrub jay
<i>Ardea alba</i>	great egret
<i>Ardea herodias</i>	great blue heron
<i>Bucephala albeola</i>	bufflehead
<i>Buteo jamaicensis</i>	red-tailed hawk
<i>Butorides striatus</i>	green heron
<i>Calypte anna</i>	Anna's hummingbird
<i>Carpodacus mexicanus</i>	house finch
<i>Casmerodius albus</i>	common egret
<i>Catoptrophorus semipalmatus</i>	willet
<i>Ceryle alcyon</i>	belted kingfisher
<i>Charadrius vociferus</i>	killdeer
<i>Circus cyaneus</i>	northern harrier
<i>Colaptes auratus</i>	northern flicker
<i>Columba livia</i>	rock dove
<i>Corvus brachyrhynchos</i>	crow
<i>Egretta thula</i>	snowy egret
<i>Empidonax oberholseri</i>	dusky flycatcher
<i>Euphagus cyanocephalus</i>	Brewer's blackbird
<i>Falco sparverius</i>	kestrel
<i>Fulica americana</i>	American coot
<i>Gallinago gallinago</i>	common snipe
<i>Himantopus mexicanus</i>	black-necked stilt
<i>Larus spp.</i>	seagull
<i>Lanius ludovicianus</i>	loggerhead shrike
<i>Mergus merganser</i>	merganser
<i>Mimus polyglottos</i>	mockingbird
<i>Numenius americanus</i>	long-billed curlew
<i>Nycticorax nycticorax</i>	black-crowned night heron
<i>Oxyura jamaicensis</i>	ruddy ducks
<i>Pandion haliaetus</i>	osprey
<i>Passerculus sandwichensis beldingi</i>	Belding's savannah sparrow
<i>Passer domesticus</i>	house sparrow
<i>Phalacrocorax auritus</i>	double-crested cormorant
<i>Pipilo fuscus</i>	brown towhee
<i>Podiceps auritus</i>	horned grebe
<i>Psaltriparus minimus</i>	bushtit

Table 3.2
Harbor District Wetland Habitat Conservation Program
Animal Species Observed in Paradise Marsh Study Area
(1997-98 K&AES Survey)
(continued)

Birds

<i>Rallus limicola</i>	Virginia rail
<i>Recurvirostra americana</i>	American avocet
<i>Sayornis nigricans</i>	black phoebe
<i>Sayornis saya</i>	Say's phoebe
<i>Sterna forsteri</i>	Foster's tern
<i>Sturnella neglecta</i>	western meadowlark
<i>Sturnus vulgaris</i>	European starling
<i>Turdus migratorius</i>	American robin
<i>Tyrannus verticalis</i>	western kingbird
<i>Zenaida macroura</i>	mourning dove

Reptiles

<i>Sceloporus occidentalis</i>	western fence lizard
<i>Uta stansburiana</i>	side-blotched lizard

Mammals

<i>Lepus californicus</i>	California black-tailed hare
<i>Spermophilus beechyi</i>	California ground squirrel

Where the margins of these salt pans are flat or slightly sloped and occupy an elevated position a few inches higher than the pans, pickleweed, alkali heath, California sea-blite, iceplant, saltgrass, and shoregrass comprise the dominant vegetation. Although the pans support few vascular plants, they may provide foraging areas for wading birds and are probably invertebrate-rich.

Railroad Ditch (Wetland, Mixed Native [disturbed] -no development proposed)

A linear, topographically depressed **ditch wetland** lies along the western side of the southern reach of the SD&AE Railroad line, and along the presumed axis of the SDG&E fuel oil pipeline. The bottom of the ditch lies at approximately the same elevation as the marsh. The marsh wetland boundary approaches to within about 20 feet of the ditch in places. Tidal flux appears to influence water levels in the bottom of the ditch. In one section, this connection is well enough developed to support wetland vegetation. A colony of California tule (*Scirpus californicus*) and a sparse population of southern cattail (*Typha domingensis*) define the area. Within the ditch, but just outside of the wetland, Andes grass (*Cortaderia jubata*, also known as Pampas grass) is the dominant species. Other common associated species include broom baccharis (*Baccharis salicifolia*) and tree tobacco (*Nicotiana glauca*).

Broom Baccharis Scrub (Upland, Mixed Native [disturbed] -Subarea B)

Broom baccharis upland habitat is located west of the marsh in soils forming in sandy dredged fill materials. This habitat is an open (more than 50% bare ground), strikingly homogeneous community on the flat upper surface of the fill materials (not unlike a creosote bush scrubland in the desert) and is nearly a monoculture of broom baccharis. Biomass is concentrated around the bases of the regularly-spaced broom baccharis shrubs, which can attain heights of eight feet and widths of ten feet. The shrubs provide shelter and an area where organic matter accumulates. These areas support the highest species diversity in the habitat. Areas between the shrubs are typically sandy and support scattered herbaceous species. Some native species found scattered through this community include California buckwheat (*Eriogonum fasciculatum*), beach evening primrose (*Camissonia cheiranthifolia* ssp. *suffruticosa*), cudweed (*Gnaphalium bicolor* and *G. canescens*), lemonade berry (*Rhus integrifolia*), and telegraph weed (*Heterotheca grandiflora*), and several non-native weeds including tumbleweed (*Salsola tragus*) and common Mediterranean grass (*Schismus barbatus*). The eastern edges of this community support additional native Coastal Scrub species in more protected areas.

Maritime Succulent Scrub (Upland, Native -buffer)

This "bluff" community along the northwestern margin of Paradise Marsh represents the only area of marsh edge that has not been graded and extensively disturbed. This remnant has been isolated by the construction of the marsh-side SD&AE Railroad track in the 1870's. The bluff, whose toe forms an abrupt edge with the marsh wetlands, is an outcrop of the Bay Point Formation, a Pleistocene-age marine terrace. Bay Point Formation soils were mapped in this area as Huerhuero loams (Bowman, 1973), and are partially indurated (cemented) about 12 to 15 inches below the surface (the indurated peds are capped with layered carbonate accumulations). On the northern and western edges of the marsh, the Bay Point Formation (where it occurs) has been covered with fill materials (most commonly dredge spoils). In the bluff area, the marsh abuts the Bay Point Formation.

The slopes on the east side (abutting the marsh) and west side (abutting the railroad tracks) of the bluff are very steep (about 1:1 slopes) or vertical. On the east side slope, the edge between the upland vegetative communities of the bluff and the marsh wetland vegetation is abrupt; the west side was cut when the railroad was built and is revegetating to a mixture of native and non-native species. This community resembles the Southern Coastal Scrub described by Holland (1986) and contains enough native succulent plants to fit the description of Maritime Succulent Scrub as described by Beauchamp (1986). The community in this area is dominated by native woody

shrubs including California sagebrush (*Artemisia californica*), lemonade berry, California (coastal) encelia (*Encelia californica*), California four o'clock (*Mirabilis californica*), California boxthorn (*Lycium californicum*), and California buckwheat (*Eriogonum fasciculatum*); and herbaceous perennials including dudleya (fingertips) (*Dudleya edulis*), coast prickly pear (*Opuntia littoralis*), Cucamonga manroot (*Marah macrocarpus*), south coast morning glory (*Calystegia macrostegia* ssp. *intermedia*) and cholla (*Opuntia prolifera*). Everlasting cudweed (*Gnaphalium canescens* ssp. *beneolens*) is common in the herbaceous layer, particularly along the base of the west side. Fingertips deserves special mention as an interesting remnant of the pre-disturbance native community. The plants appear to be clinging precariously to the higher positions of this undisturbed soil. Individuals in the population appear to be quite old (20+ years?). The 1997-98 rainy season has allowed the bluff's dudleya community to expand, and the population is healthy.

This native upland Maritime Succulent Scrub habitat occupies approximately one acre of the study area. While it is characterized by strong populations of native species, there is nevertheless a significant presence of invasive non-native species. Crown daisy (*Chrysanthemum coronarium*) is the most dominant invasive species (as it is in most of the upland habitats on the site), particularly on a portion of the bluff with a recently-exposed surface resulting from a small slump. Wild oats (*Avena fatua*) and ripgut brome (*Bromus diandrus*) are also abundant. Where native perennial shrubs occur, they are the dominant plants and are dense enough to shade out most annual natives and weed species.

Coastal Scrub (Upland, Mixed Native [disturbed] -buffer, Subarea C)

This plant community is a **mixed Coastal Scrub** shrubland occurring in a band along the western edge of the salt marsh. Native species found throughout this area include broom baccharis, Menzies' jimmyweed (*Isocoma menziesii* var. *menziesii*), desert-thorn (*Lycium brevipes* var. *brevipes*), California buckwheat, lemonade berry, and rod wirelettuce (*Stephanomeria virgata*). The area also supports numerous non-native species including Andes grass (particularly along the railroad ditch where there is more available water), crown daisy, ripgut brome, wild oat, and tumbleweed. A spreading colony of California fan palm (*Washingtonia filifera*), which is native to California but not the San Diego area, occurs near the electrical transmission tower bases on the southwestern upland perimeter of the marsh. Other large non-native shrubs including ngaio tree (*Myoporum laetum*) and blackwood acacia (*Acacia melanoxylon*), are scattered along the railroad alignment.

Disturbed (Upland, Non-Native -buffer, Subareas A, B, and C)

Sparse ruderal vegetation, impacted by regular disturbance from vehicle traffic, clearing, and/or construction, characterizes the heavily traveled sandy "fill" in Subarea B to the southwest, the proposed Harrison Avenue Public Access Corridor (Subarea C), including the areas near the active rail yard, and the developed industrial area along the north end of the study area (Subarea A), which is the most intensely disturbed. Subarea A is a mostly paved industrial zone, with nearly pure stands of Crown daisy, as well as ornamental pines, eucalyptus, iceplant, tumbleweed, and Mediterranean grasses.

3.3 Harbor District Wetland Habitat Conservation Policies

In reliance upon the 1981 RECON study, the certified National City LCP (Land Use Plan Chapter 5 and Implementation Program Section 5) establishes standards for wetlands protection which, based on the updated K&AES biological survey data and site characterization, remain valid for general applicability to development in the vicinity of Paradise Marsh and adjacent wetlands within the Planning Area.

However, unique site-specific physical characteristics, historic and current uses, and certified LCP goals for public access, recreation, and tourist-commercial uses within the Planning Area, in proximity to the Paradise Marsh unit of the Sweetwater Marsh National Wildlife Refuge and other delineated wetlands, require greater specificity, as well as refinement and flexibility, in effectively implementing those standards which are provided in this Plan.

Because the California Coastal Commission has deemed the entire Harbor District planning area to be ineligible for coverage by the City's adopted categorical exclusions, all new development within the Harbor District is subject to the coastal development permit process set forth in the certified LCP and this Specific Area Plan.

3.3.1 Wetland Habitat Conservation Policies for New Development. In addition to other applicable policies and standards of the certified LCP and this Plan, the following wetland habitat conservation policies shall be applicable to *all new development* within the Harbor District Planning Area.

3.3.2 Siting of New Development. New development within the Planning Area shall be consistent with all applicable standards of the certified National City LCP, and all applicable policies set forth in other chapters of this Plan. New development within the Planning Area shall also conform to the following wetland habitat conservation policies:

- (a) **No Wetland Encroachment.** Except as provided in 3.3.2(d)(1)-(5), all other new development shall avoid any structural encroachment into Paradise Marsh and the delineated wetlands mapped in Figure 3.1.
- (b) **Avoidance of Impacts.** New development, including that which is allowed pursuant to Section 3.3.2(d), shall be sited, designed, constructed, and maintained to avoid both direct and indirect adverse effects to Paradise Marsh and adjacent delineated wetlands.
- (c) **Limitation on New Development in Wetlands.** No new development, uses, or activities shall be allowed within delineated wetlands, except as provided in Section 3.3.2(d).
- (d) **New Development Permitted Within Delineated Wetlands:** New development in areas located within the Harbor District's delineated wetlands, as mapped in Figure 3.1, shall be limited to:
 - (1) The removal of rubbish, debris, and exotic invasive plant species.
 - (2) Wetland restoration and enhancement, including site remediation.
 - (3) Possible future improvements to tidal flow and flushing in Paradise Marsh, consistent with a marsh restoration program to be developed and funded cooperatively by state and federal wildlife agencies, the California Coastal Commission, the State Coastal Conservancy, U. S. Army Corps of Engineers, San Diego Unified Port District, and National City.
 - (4) Scientific and educational research programs.
 - (5) With respect to any portions of the SD&AE Railroad right-of-way, and the SDG&E fuel oil pipeline and electrical transmission tower corridors, that

may be located within or adjacent to delineated wetlands, activities shall be limited to current allowed operations, repair, and maintenance, revegetation consistent with the standards for the upland margin habitat buffer set forth in Section 3.4 of this Chapter, and site remediation if required. Future relocation of any such facilities outside of delineated wetlands and buffers shall be allowed and encouraged.

(e) **New Development Permitted Within the Upland Margin Habitat Buffer.** New development in the upland margin habitat buffer, as depicted in Figure 3.2, that are located within 100 feet of delineated wetlands (as mapped in Figure 3.1), shall be limited to the Harrison Avenue Public Access Corridor improvements through the Narrows, and once the Harrison Avenue Public Access Corridor construction is completed, to the construction, repair, and maintenance of the following:

- (1) Development of a vegetated upland margin habitat buffer, consistent with the standards set forth in Section 3.4, including but not limited to:
 - removal of rubbish, debris, and exotic invasive plant species;
 - recontouring of fill slopes;
 - revegetation;
 - irrigation required for reestablishment of native vegetation;
 - maintenance; and,
 - additional actions as may be required, in consultation with the U. S. Fish and Wildlife Service and California Department of Fish and Game, to ensure achievement of buffer habitat functions.
- (2) Structural buffers and barriers on the upland border of the habitat buffer, designed in consultation with the U. S. Fish and Wildlife Service and the California Department of Fish and Game, and constructed consistent with the standards set forth in Section 3.4, to protect against adverse wetland impacts from upland activities.
- (3) Marsh observation interpretive facilities ancillary to the Harrison Avenue Public Access Corridor, and other upland public access, cultural resource interpretive informational facilities, trails, and observation platform(s) along the northern and western boundaries of Paradise Marsh, as provided in Chapter 2, that are located in consultation with the U. S. Fish and Wildlife Service and the California Department of Fish and Game, to permit viewing of Paradise Marsh, without allowing physical access or visual intrusion into the marsh.
- (4) Adjacent to the Harrison Avenue Public Access Corridor's eastern border where its alignment is constrained on the west by the adjacent BNSF tracks, a vegetated retaining wall to be integrated into the upland margin habitat buffer design standards set forth in Section 3.4, in consultation with the U. S. Fish and Wildlife Service and the California Department of Fish and Game.
- (5) Scientific and educational research programs.
- (6) Site remediation.
- (7) With respect to any portion of the SD&AE Railroad right-of-way, and the SDG&E fuel oil pipeline and electrical transmission tower corridors, that may be located within or adjacent to the mapped upland margin habitat

buffer, activities shall be limited to standard permitted operations, repair, and maintenance, and revegetation consistent with the upland margin habitat buffer standards set forth in Section 3.4 of this Chapter, and site remediation, if required. Future relocation of any such facilities outside of delineated wetlands and buffers shall be allowed and encouraged.

3.3.3 Other Conditions of New Development

- (a) New development, if otherwise found to be consistent with the provisions of the Plan, shall be conditionally approved to ensure compliance with the performance criteria of the Wetland Habitat Conservation Program and all other applicable certified National City LCP and Specific Area Plan location, design, and construction standards.
- (b) New development shall be subject to periodic monitoring and reporting to determine whether all applicable performance criteria are being reasonably met, and whether additional or revised criteria may be necessary to avoid direct and indirect adverse effects on Harbor District wetland resources.
- (c) Additional requirements for protecting Paradise Marsh from physical intrusion may be imposed if adherence to the standards set forth in this plan are deemed inadequate to ensure protection of the biological resources of Paradise Marsh.
- (d) All coastal development permits, including all standard and special conditions thereto, issued for any property within the Planning Area shall be recorded with the Office of the County Recorder for the County of San Diego.
- (e) Prior to the issuance of a coastal development permit for any new development, a new site-specific wetland survey or site-specific update of the wetlands mapped in Figure 3.1 shall be required. All of the policies contained in Chapter 3 of the Specific Area Plan shall apply to wetlands and wetland buffers delineated at the time of coastal development permit issuance.

3.3.3.1 Setbacks

- (a) New development is generally required to maintain at least a 100-foot setback from Paradise Marsh and the Harbor District's delineated wetlands mapped in Figure 3.1.
- (b) A reduced setback shall be allowed where it can be demonstrated that unalterable physical constraints preclude attainment of a 100-foot setback, provided that the maximum feasible setback is sustained, and it can be demonstrated, pursuant to certified LUP Marsh Preservation Policy 2, that the maximum feasible setback will serve as an adequate buffer to protect wetland resources from adverse impacts, although it may not achieve the full buffer value provided by the 100-foot setback to be attained in the remainder of the planning area.
- (c) Development eligible for exception from the 100-foot setback requirement shall be limited to the Harrison Avenue Public Access Corridor improvements through the "Narrows", with a minimum structural setback of not less than 45 feet and a minimum construction setback of not less than 35 feet; and to the uses set forth in Sections 3.3.2(d) and 3.3.2(e), and Part (d) of this section.

- (d) In addition, subject to the concurrence of the U. S. Fish and Wildlife Service and the California Department of Fish and Game, carefully screened and sited passive public access improvements may be located in the landward-most 15 feet of the wetland buffer/setback areas.
- (e) Habitable structures shall be set back at least 100 feet from the National Wildlife Refuge boundary in Subarea A, and 200 feet from the National Wildlife Refuge boundary in Subarea B.

3.3.3.2 Buffers

- (a) The setbacks set forth in Section 3.3.3.1(a)-(d) shall also be designated as wetland habitat buffers, including the Harrison Avenue Public Access Corridor vegetated retaining wall, although the wall is not expected to provide significant habitat values.
- (b) Consistent with other applicable LCP location, design, and construction standards, both structural and vegetated habitat buffers shall be designed and constructed, consistent with the provisions of Section 3.4, to protect the biological resources of Paradise Marsh and the delineated wetlands mapped in Figure 3.1 from:
 - (1) human intrusion
 - (2) natural and domestic animal predation
 - (3) motorized and non-motorized vehicle impacts
 - (4) littering, and trash and garbage disposal
 - (5) erosion, sedimentation, and non-point source pollution, including from landscaping irrigation and seepage
 - (6) night lighting within the wetlands and buffers
 - (7) new sources of noise generation in excess of background noise documented by RECON (1998)
- (c) **No Buffer Encroachment.** Except as provided in Sections 3.3.2(d), 3.3.2(e), and 3.3.3.1(b) - (d), new development shall avoid any structural encroachment into the upland margin habitat buffer mapped in Figure 3.2.

3.3.3.3 Vegetation and Landscaping. Although the only environmentally sensitive habitats presently identified within the Planning Area are the delineated wetlands which are protected from new development encroachment, all new vegetation and landscaping within the Planning Area shall be subject to a landscaping and/or revegetation plan, as follows:

- (a) **Habitat Buffer, Landscaping and Revegetation Plans.** A landscaping and/or revegetation plan shall be required as part of the submittal of any coastal development permit application, and shall include, but not be limited to, the following:
 - a site plan showing location of areas to be landscaped
 - the plant palette to which planting will be limited;
 - description of site preparation, vegetation establishment, irrigation, and maintenance requirements; and,
 - a monitoring, reporting, and remediation plan.

An exemption from this requirement may be allowed, based on a demonstration that existing on-site vegetation and/or landscaping conform to the requirements of the certified LCP and this Plan, and that the proposed development will have no impacts on that existing, conforming vegetation.

- (b) **Consultation with USFWS and CDFG.** All habitat buffer, landscaping, and/or revegetation plans for areas within 200 feet of Paradise Marsh and other delineated wetlands shall be prepared in consultation with the U. S. Fish and Wildlife Service and California Department of Fish and Game, and with respect to habitat buffer plans, shall be prepared according to all habitat buffer standards set forth in Section 3.4.
- (c) **Mandatory Use of Native Species.** Utilization of drought-resistant native species acceptable to the U. S. Fish and Wildlife Service and the California Department of Fish and Game, including broom baccharis and other native species listed in Tables 3.4 and 3.5, shall be required within all habitat buffers, and within 200 feet of Paradise Marsh and adjacent delineated wetlands, as mapped in Figure 3.1.
- (d) **Recommended Use of Native Species.** Utilization of drought-resistant native species acceptable to the U. S. Fish and Wildlife Service and the California Department of Fish and Game, including those listed in Tables 3.4 and 3.5, shall be encouraged throughout the Harbor District Specific Planning Area. Broom baccharis and other complementary native species shall be used in Harbor District upland landscaping, including park and plaza areas, to the maximum extent feasible.
- (e) With the concurrence of the U. S. Fish and Wildlife Service and the California Department of Fish and Game as to species selection and irrigation method, **non-invasive, non-native grasses** may be used in public park landscaping located upland of the 100' wetland buffer/setback. If seepage is detected at or near wetland elevations in the vicinity of such areas, landscaping and/or irrigation methods shall be modified to correct the condition.
- (f) **Limitations on Use of Herbicides, Pesticides, and Fertilizers.**
 - (1) Within 100 feet of Paradise Marsh and adjacent delineated wetlands, application of herbicides, pesticides, and fertilizers shall be restricted to those prescribed by the U. S. Fish and Wildlife Service and California Department of Fish and Game. (List on file.)
 - (2) In areas more than 100 feet from Paradise Marsh and other delineated wetlands, herbicides, pesticides, and fertilizers shall be applied in a manner that precludes adverse effects on wetland habitats and buffers.
- (g) **Prohibited Plant Species.** The use of plant species, whether native or exotic, which are determined by U. S. Fish and Wildlife Service or California Department of Fish and Game to be invasive of wetlands, including but not limited to those listed in Table 3.3, is prohibited within the Planning Area.
- (h) **Additional Requirements.** Additional landscaping and vegetation requirements may be imposed if adherence to the standards set forth in this plan are determined by the Harbor District Conservation Monitoring Advisory Committee to be inadequate to ensure protection of the biological and physical resources of Paradise Marsh.

3.3.3.4 Trash disposal. The following measures shall be implemented to

Table 3.3
Invasive or Exotic Species to be Eradicated and
Prohibited Within Planning Area

Present On Site:

<u>Scientific Name</u>	<u>Common Name</u>
<i>Acacia melanoxylon</i>	blackwood acacia
<i>Carpobrotus chilensis</i>	sea fig
<i>Carpobrotus edulis</i>	sea fig
<i>Chrysanthemum coronarium</i>	crown daisy
<i>Cortaderia jubata</i>	Andes grass
<i>Cynodon dactylon</i>	bermudagrass
<i>Eucalyptus</i> spp.	gum
<i>Lantana camara</i>	lantana
<i>Mesembryanthemum crystallinum</i>	crystalline iceplant
<i>Myoporum laetum</i>	ngaio tree
<i>Nicotiana glauca</i>	tree tobacco
<i>Olea europaea</i>	olive
<i>Opuntia ficus-indica</i>	tuna
<i>Pinus halapensis</i>	aleppo pine
<i>Schinus molle</i>	Peruvian pepper tree
<i>Schinus terebinthifolius</i>	Brazilian pepper tree
<i>Tamarix parviflora</i>	tamarisk
<i>Washingtonia filifera</i>	California fan palm
<i>Xanthium strumarium</i>	cocklebur

Potentially Present on Site:

<i>Arundo donax</i>	giant reed
<i>Myoporum parvifolium</i>	trailing myoporum
<i>Pennisetum</i> spp.	perennial fountain grass
<i>Ricinus communis</i>	castor bean

reduce the threat of adverse effects from litter entering Paradise Marsh, the National City Marina, public parks, vista points, and public accessways, as well as the storm drain system; and to avoid attraction of avian and terrestrial predators that may adversely affect endangered and other species in Paradise Marsh :

- (a) A physical barrier shall be constructed along the southern edge of the the public accessway in Subarea A adjacent to the northern boundary of the National Wildlife Refuge, and along the eastern edge of the Harrison Avenue Public Access Corridor and the San Diego Bayshore Bikeway in Subareas B and C, to prevent litter from entering the marsh or the upland margin habitat buffers.
- (b) Easily accessible litter receptacles shall be placed at regular intervals along all streets/sidewalks, Bikeway crossings, public facilities, and in private businesses.
- (c) Outdoor litter receptacles shall be covered and designed to prevent avian and terrestrial predator intrusion.
- (d) Outdoor litter receptacles shall be secured to prevent overturning and spills.
- (e) Receptacles shall be frequently emptied and marked with multi-lingual educational signs, including at least English and Spanish.
- (f) Litter control shall be a special condition of all coastal development permits issued within the Harbor District, and shall be affirmatively enforced.
- (g) Prior to, or concurrent with, the issuance of the first Harbor District coastal development permit, the City Council of the City of National City shall ensure that a refuse control ordinance is in effect which adequately provides for the enforcement of litter control and waste management measures for the commercial and coastal related development within the Planning Area, and establishing fines and other measures to encourage compliance.
- (h) To reduce the cost of litter clean-up and adverse effects on the environment, the sale by all vendors within the Harbor District of products using bags, containers, or packaging constructed of non-biodegradable materials shall be discouraged, and may be subject to a disincentive fee, for deposit in the Harbor District Conservation Fund, if deemed necessary by the City to remediate litter impacts.
- (i) Additional trash disposal requirements may be imposed if adherence to the standards set forth in this section are deemed inadequate to ensure protection of the biological and physical resources of Paradise Marsh.

3.3.3.5 Commercial/Coastal-Related Development Waste

To reduce the threat of adverse effects from waste generated by permitted "tourist Commercial" uses and conditionally allowed "coastal-related development" in the Planning Area, and to avoid attraction of avian and terrestrial predators that may adversely affect endangered and other species in Paradise Marsh :

- (a) Waste from all commercial and coastal-related development shall be placed in waste receptacles meeting the minimum standards set forth below, and approved as to compliance as part of all occupancy permits.
- (b) No waste from commercial and coastal-related development shall be allowed to be stored outdoors (temporarily or permanently), except in an approved

- covered and secured container.
- (c) All dumpsters and other waste receptacles used by commercial and coastal-related development shall be covered and designed to prevent intrusion by avian and terrestrial predators.
 - (d) All dumpsters and other waste receptacles used by commercial and coastal-related development shall be secured to prevent overturning and spills.
 - (e) All dumpsters and other waste receptacles used by commercial and coastal-related development shall be regularly emptied.
 - (f) Proper waste disposal shall be a special condition of all coastal development permits issued within the Harbor District, and shall be affirmatively enforced.
 - (g) Additional waste disposal requirements may be imposed if adherence to the standards set forth in this section are deemed inadequate to ensure protection of the biological resources of Paradise Marsh.
 - (h) Failure to comply with prescribed waste disposal requirements shall be grounds for revocation of the conditional use permit for operation of any commercial and coastal-related development in the Planning Area.

3.3.3.6 Lighting and Utility Facilities

- (a) **Night Lighting.** No night lighting shall be allowed to encroach within, or illuminate, Paradise Marsh and the delineated wetlands mapped in Figure 3.1, or the habitat buffer mapped in Figure 3.2.
- (b) All perimeter lighting for public access and interpretive facilities, the Harrison Avenue Public Access Corridor alignment, and the public recreation and tourist-commercial uses permitted in Subareas A and B, shall be designed and located to direct light away from Paradise Marsh and minimize perching opportunities for avian predators.
- (c) Any new or relocated utility facilities, including utility poles, within the planning area shall be designed and located to minimize perching opportunities for avian predators.

3.3.3.7 Visual Screening and Protection. To prevent or reduce other visual disturbances to Paradise Marsh and its fauna:

- (a) Public access to Paradise Marsh and other delineated wetlands shall be restricted to the public access corridors and interpretive facilities described in Chapter 2, and mapped in Figure 2-1 of the Plan, except with the special permission and approval of the U. S. Fish and Wildlife Service.
- (b) Public access corridors and interpretive facilities shall be screened from view within the marsh by a vegetated habitat buffer to avoid disturbances from human and vehicular activity to birds utilizing the marsh, particularly Belding's savannah sparrows within 100 feet of the marsh margins.
- (c) In Subarea A, to the north of Paradise Marsh, all habitable structures shall be set back at least 100 feet from the Paradise Marsh/National Wildlife Refuge boundary, and shall be stepped back, consistent with the height limits set forth in Chapter 4, not to exceed 40 feet, to minimize visibility from the marsh floor.
- (d) In Subarea B, to the west of Paradise Marsh, north of 32nd Street, all habitable

structures shall be set back at least 200 feet from the Paradise Marsh/National Wildlife Refuge boundary, and shall be stepped back, consistent with the height limits set forth in Chapter 4, not to exceed 35 feet, to minimize visibility from the marsh floor.

3.3.3.8 Animal Control

- (a) Unleashed domestic pets are prohibited within the Planning Area.
- (b) National City Animal Control Officers shall work cooperatively with the U. S. Fish and Wildlife Service Refuge staff to control and remove from the Planning Area domestic and feral animals that pose a threat to the endangered and other sensitive species of Paradise Marsh; and may enter into a memorandum of understanding with respect to animal control within the National Wildlife Refuge boundaries.

3.3.3.9 Noise. Permitted noise levels within new development in the Planning Area shall not result in an increase in noise within Paradise Marsh above the current 65 dBA, based on the January 1998 noise survey conducted by RECON.

3.3.3.10 Erosion, Sedimentation, and Pollutant Discharges. To reduce erosion, sedimentation, and water-borne pollutant discharges into Paradise Marsh and other delineated wetlands, all grading and drainage within the Planning Area shall comply with the standards set forth in Sections 3.3.3.11 and 3.3.3.12, as well as the following:

- (a) Except for activities related to the implementation of the upland margin habitat buffer set forth in Section 3.4 below, all areas disturbed by otherwise allowed vegetation removal or earthwork shall be revegetated within 30 days of the completion of construction, or by November 1, whichever occurs first, in conformance with an approved Revegetation Plan, and the standards set forth in Section 3.3.3.3 and Section 3.4.
- (b) To reduce the amount of water-borne pollutants entering the storm drainage system, and eventually San Diego Bay, three-chambered oil-grease-sediment traps, or other appropriate filter mechanisms, shall be installed within the new storm drain system extension, including intakes in streets, parking lots, and other paved and landscaped areas, and existing intakes within the planning area.
- (c) To ensure effective functioning, traps shall be cleaned prior to November 1 each year, and inspected and cleaned either:
 - monthly through April 30; or,
 - within one week of every rainfall event totaling 1/2 inch or more in a 24-hour period, *whichever is more frequent.*
- (d) Failure to comply with prescribed sedimentation and pollutant discharge requirements shall be grounds for revocation of the conditional use permit for operation of any commercial and coastal-related development in the Planning Area.
- (e) Additional requirements may be imposed if adherence to the standards set forth

in this Plan are deemed inadequate to ensure protection of the biological and physical resources of Paradise Marsh from the adverse effects of sedimentation and pollutant discharge.

3.3.3.11 Drainage. All new development within the Planning Area shall be designed, graded, and constructed to prevent drainage of storm water or landscape irrigation runoff into Paradise Marsh and other delineated wetlands, including:

- (a) Storm drain runoff into Paradise Marsh shall be prohibited.
- (b) All storm water drainage from impermeable surfaces, and from new development, within the Planning Area shall be to storm drains.
- (c) A physical barrier shall be constructed along the southern edge of the the public accessway adjacent to the northern boundary of the National Wildlife Refuge, and along the eastern edge of the Harrison Avenue Public Access Corridor, to prevent any surface water from entering the marsh or the upland margin habitat buffers.
- (d) As a special condition of coastal development permit approval, new development shall implement treatment or structural control Best Management Practices (BMPs), including, but not limited to, biofilters, detention basins, infiltration systems, and regular sweeping of impermeable surfaces to remove pollutants from streets, parking lots, and landscaped areas, including prior to the start of the rainy season to minimize the flow of storm runoff pollutants into the storm drain system.
- (e) Failure to comply with prescribed BMP requirements shall be grounds for revocation of the conditional use permit for operation of any commercial and coastal-related development in the Planning Area.
- (f) Storm water entering or originating within the Planning Area shall be periodically monitored, in cooperation with the San Diego Regional Water Quality Control Board, SDUPD, Caltrans, other public agencies, and public utilities, and reported to the public and property owners.
- (g) Additional remediation measures and requirements may be imposed if the standards set forth in this section are deemed inadequate, based on the monitoring results, to ensure protection of the biological resources of Paradise Marsh from the adverse effects of drainage originating in the Planning Area.

3.3.3.12 Grading and Construction. All grading within the Planning Area shall be carried out in a manner that will prevent adverse impacts to Paradise Marsh and other delineated wetlands, as well to the upland margin habitat buffer, and consistent with all applicable standards in the Plan, including but not limited to:

- (a) Project grading plans shall be reviewed and approved in writing by a qualified biologist, prior to issuance of a grading permit, to avoid impacts on wetlands and the planned upland margin wetland habit buffer set forth in Section 3.4.
- (b) Prior to issuance of a grading permit, "NO ENTRY-NO GRADING, NO CONSTRUCTION, NO STAGING" zones shall be clearly marked on grading plans around the perimeters of Paradise Marsh, the Harbor District's delineated wetlands, and the planned upland margin wetland habit buffer set forth in

Section 3.4.

- (c) Project grading specifications, to be submitted for approval along with grading plans, shall also delineate all construction access routes, including those located outside of existing City streets and/or the construction site.
- (d) Project grading plans shall also designate the precise location(s) for on-site storage or stockpiling of excavated topsoil during construction, subject to the review and approval of the biologist, in consultation with the U. S. Fish and Wildlife Service and the California Department of Fish and Game.
- (e) Where grading is allowed by a coastal development permit within 500 feet of a delineated wetland, the biologist, in consultation with the U. S. Fish and Wildlife Service and California Department of Fish and Game, may also require fencing or other means to protect the habitat or buffer area from direct or indirect impacts.
- (f) Construction vehicle and other equipment fueling, lubrication, and maintenance shall occur, to the maximum extent feasible, outside of the Harbor District boundaries.
- (g) When fueling, lubrication, and maintenance are necessary within the Harbor District boundaries, it shall occur on paved surfaces, and shall be prohibited within 300 feet of Paradise Marsh or other wetlands.
- (h) Staging areas and construction zone footprints for new development are specifically prohibited in any wetland or, following its completion, the planned upland margin habitat buffer restoration area set forth in Section 3.4.
- (i) Staging areas and construction zone footprints shall be delineated on project grading plans and shall be reviewed and approved, in writing, by a qualified biologist.
- (j) If staging areas are located outside the construction footprint, they shall be surveyed for biological values and approved by a qualified biologist for absence of significant biological resources.
- (k) Grading or construction activities shall be scheduled and conducted in consultation with staff of the US Fish and Wildlife Service and the California Department of Fish and Game to avoid adverse impacts on sensitive species and habitats.
- (l) Erosion and siltation of areas adjacent to, or downstream of, the project site due to grading or construction activities shall be avoided or minimized, including through rigorous adherence to an erosion control plan that is based on a 6-hour, 100-year recurrence rainfall event.
- (m) The erosion control plan shall be included in project grading plans, and reviewed and approved in writing by a qualified biologist; and its implementation shall be overseen by the contract supervisor.
- (n) The erosion control plan shall include, as appropriate, the utilization of silt fences, siltation basins, sand bags, hay bales, or other devices to direct runoff and stabilize graded or devegetated areas during project construction and revegetation.
- (o) A site restoration plan, including detailed native plant palettes and methods for establishing successful native revegetation, shall be provided by the project applicant as part of the application for a coastal development permit.
- (p) The site restoration plan shall be reviewed and approved by a qualified

biologist in consultation with the US Fish and Wildlife Service and California Department of Fish and Game.

- (q) Additional requirements may be imposed if adherence to the standards set forth in this section are deemed inadequate to ensure protection of the biological and physical resources of Paradise Marsh and adjacent delineated wetlands from the adverse effects of grading.

3.3.3.13 Other Construction Standards. As a condition of coastal development permit issuance:

- (a) Every applicant shall be required to inform all construction contractors in writing as part of the bidding process about the biological constraints of project sites within the Planning Area.
- (b) "NO ENTRY-NO GRADING, NO CONSTRUCTION, NO STAGING" zones around the perimeters of Paradise Marsh, adjacent delineated wetlands, and (after completion of the Harrison Avenue Public Access Corridor and the upland margin habit buffer set forth in Section 3.4) wetland habitat buffers, shall be clearly marked on construction drawings provided to the contractor(s).
- (c) All such "NO ENTRY-NO GRADING, NO CONSTRUCTION, NO STAGING" zones shall be flagged and staked in consultation with the project biologist prior to commencement of any grading or construction.
- (d) The "NO ENTRY-NO GRADING, NO CONSTRUCTION, NO STAGING" zone markers shall be maintained throughout the construction period.
- (e) Construction-related vehicles shall be limited to existing roads, or clearly marked new access routes approved as part of, and consistent with, coastal development and grading permit requirements.
- (f) Prior to commencement of construction, construction access routes shall be marked by flags, stakes, or similar devices, and those markings shall be maintained throughout construction.
- (g) All vehicles shall be required to stay within such designated routes, even if backing out is required for egress from the site.
- (h) Contractor equipment shall be checked for leaks prior to utilization in the Planning Area, at the beginning of each construction day, and be certified by the contractor in writing to be leak-free.
- (i) A mandatory contractor education program shall be conducted by a qualified biologist with practical experience in construction to fully inform contractors and all construction personnel, without exception, of the biological resources associated with projects in the Harbor District, including about:
 - (i) the nature of, and purpose(s) for, the resource protection;
 - (ii) field identification by contractors of sensitive resource areas, including buffers, as shown on project maps or marked on the ground by flags, fencing, or by other means;
 - (iii) biologically sensitive construction techniques, and prohibited activities within delineated wetlands or wetland habitat buffers, including staging areas, equipment access, and disposal or temporary placement of new or excavated materials, earth, or any other substance;
 - (iv) the City's methodology for promptly addressing questions or resolving

- conflicts that may arise during construction; and,
- (v) consequences of non-compliance, including penalties and enforcement.
- (j) Permit applicants are responsible for any adverse impacts to wetland, wetland habitat buffer, other biological resources, or other coastal resources, which may occur as a result of, or related to, construction activities, and in addition to other remediation or penalties that may be imposed, shall be required to replace or restore any impacted resources at a ratio of at least 1:1.

3.3.3.14 Harbor District Conservation Monitoring Advisory Committee. Following certification of the Harbor District Specific Area Plan, the Mayor and City Council of National City shall establish and appoint members to a Harbor District Conservation Monitoring Advisory Committee. In addition to community representation to be determined by the Mayor and Council, this committee shall also include at least one representative from the California Department of Fish and Game, the U. S. Fish and Wildlife Service, the California Coastal Commission, the State Coastal Conservancy, the California Native Plant Society, and the Audubon Society.

3.4 Paradise Marsh Habitat Buffer Standards

3.4.1 Paradise Marsh Habitat Buffer Standards: Purpose and Contents. The Paradise Marsh Habitat Buffer Standards set forth in this section contain design goals and establishment criteria, representative buffer plant species palette and cross sections, and specific implementation, maintenance, and monitoring standards, which together provide the specificity necessary to meet the Wetland Habitat Conservation Program requirements set forth in Chapter V and Section V of the certified National City LCP, and the detailed standards set forth in the preceding Section 3.3 of this Plan.

3.4.2 Final Vegetation Plans. Coastal Development Permit applications for public access improvements and/or tourist-commercial development in Subarea A, and for construction of the Harrison Avenue Public Access Corridor in Subarea C, shall contain detailed plans for establishing the native vegetation habitat buffers required to implement the Paradise Marsh Habitat Buffer Standards set forth in Section 3.4 of this Plan.

Prior to issuance of a coastal development permit to implement the standards, or any segment thereof, final vegetation plans shall be prepared in consultation with, and be submitted to, the U. S. Fish and Wildlife Service, the California Department of Fish and Game, and the executive director of the California Coastal Commission for their review and concurrence within fifteen (15) days of submittal.

3.4.3 Habitat Buffer Design. The National City Harbor District Specific Plan provides for both direct and indirect benefits to Paradise Marsh resources, which have suffered significant diminution and degradation from past and present heavy industrial uses and wetland fill. These benefits will be achieved through the provision of both structural and non-structural buffering techniques to reduce the effects of human intrusion into the marsh, as well as through the imposition of stringent Wetland

Habitat Conservation Program safeguards and standards on upland development and uses.

The Plan's major non-structural wetland protection feature is the establishment of a vegetated habitat buffer, consisting of native Coastal Scrub, and where feasible, native Maritime Succulent Scrub, plant communities along the northern and western upland margins of Paradise Marsh, adjacent to the proposed public access improvements, as shown in Figure 3.2.

Design Goals and Benefits. The wetland habitat buffer has been designed to:

- (1) Establish a vegetated buffer, in conjunction with an upland structural barrier and additional structural design features, certified LCP buffer standards, and "best management practices", to protect Paradise Marsh and adjacent wetlands from the potentially negative intrusive effects of upland public access corridor and recreation activities.
- (2) Provide transitional upland refugia for marsh fauna during periods of high tide inundation, and other upland habitat functions; and,
- (3) Protect and, where feasible, enhance Paradise Marsh water quality through direction of drainage away from the marsh, sedimentation and erosion control, and a coordinated Paradise Creek restoration program for the area inland of the coastal zone.

3.4.4 Buffer Establishment Criteria

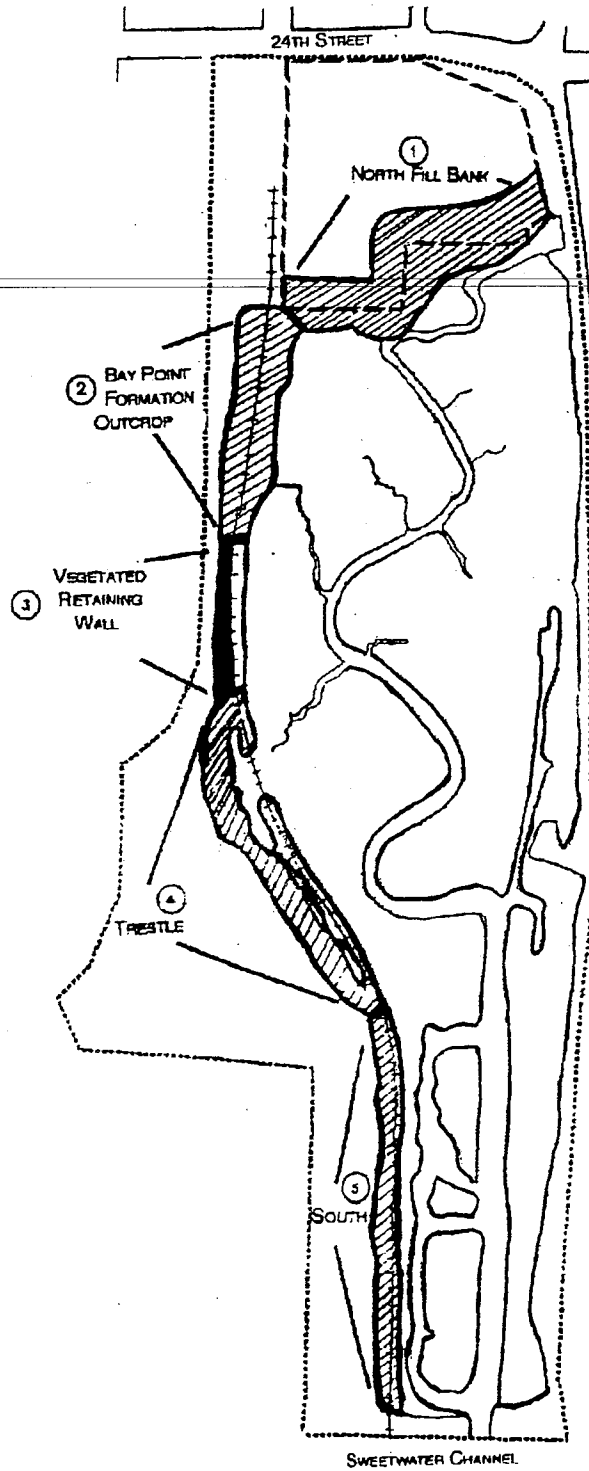
3.4.4.1 Vegetated Upland Margins as Wetland Habitat Buffers. Vegetated upland margins offer natural buffering for wetland flora and fauna by providing visual screening (from inside the marsh looking out, and from outside the marsh looking in), shading and light deflection, wind shelter, and noise deflection and absorption; and by serving as physical impediments to intrusion by humans, terrestrial predators, on-and-off-road vehicles, and trash.

Vegetated margins comprised of native species can also provide important refugia for wetland fauna during periods of high tide inundation, as well as wind and temperature buffering, foraging, shelter, and nesting areas for some species.

In addition, vegetated upland margins can contribute to improved wetland water quality by stabilizing the soils of exposed upland banks during ebb-tide drawdown. They also trap sediments, and diffuse and disperse the impacts of rain and surface runoff, helping to prevent soil-particle detachment, and thereby reducing sediment loads and pollutants in surface waters entering the wetlands.

3.4.4.2 Reference Community Selection: Upland Margin Native Maritime Succulent Scrub Habitat Buffer. In consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game, a native Maritime Succulent Scrub community (Figure 3.3) which presently grows in the relatively undisturbed remnant Bay Point Formation outcrop along the SD&AE Railroad right-of-way near the

Figure 3.2
Paradise Marsh Upland Margin Habitat Buffer Segment Map



northwestern corner of Paradise Marsh, has been selected as the reference community for vegetating the proposed upland margin habitat buffer, although site-specific conditions may result in establishment of a broader Coastal Scrub community.

3.4.4.3 Plant Community Selection Criteria. Plants within the native Coastal Scrub/Maritime Succulent Scrub community were selected for use in the upland margin habitat buffer because they provide high habitat value, are suitable for site conditions (climate, limited water supply, aspect, slope, soils, etc.), and can serve the intended protective buffer functions. In addition, proposed expansion of the existing maritime succulent scrub community along the northern and western margins of Paradise Marsh will have the beneficial effect of augmenting the increasingly rare occurrence of this native plant community along the San Diego shoreline.

3.4.4.4 Plant Species Selection Criteria. Selection of the specific plant species palette to be used as revegetation planting materials has been made based upon analysis of the diverse stand of native plants growing in the on-site reference community.

In addition to ensuring adaptation to site conditions and suitability to fulfill one or more protective buffer functions, special attention has been given to the selection of local native plant species from the reference community that can most closely replicate its vegetative layers and structure in the new upland margin habitat buffer. Taller species that could serve as perches for avian predators, and those requiring extensive irrigation to become established, have been avoided.

Because native species that are present on-site or in the immediate vicinity are most likely to be successfully established in a revegetation effort, the reference community is also expected to serve as a source for suitable plant materials (seeds and cuttings).

3.4.4.5 Upland Margin Habitat Buffer Species Palette. The Maritime Succulent Scrub species palette for the proposed upland margin habitat buffer, based upon the on-site reference community, is listed in Table 3.4, and graphically depicted in Figure 3.3. Plants are arranged with an emphasis on their respective statures and roles in replicating the vegetative layers and structure of the reference community. Table 3.4 also lists several shrubs and taller-statured species from nearby native plant communities which, though not presently found at Paradise Marsh, could enhance the habitat buffer composition.

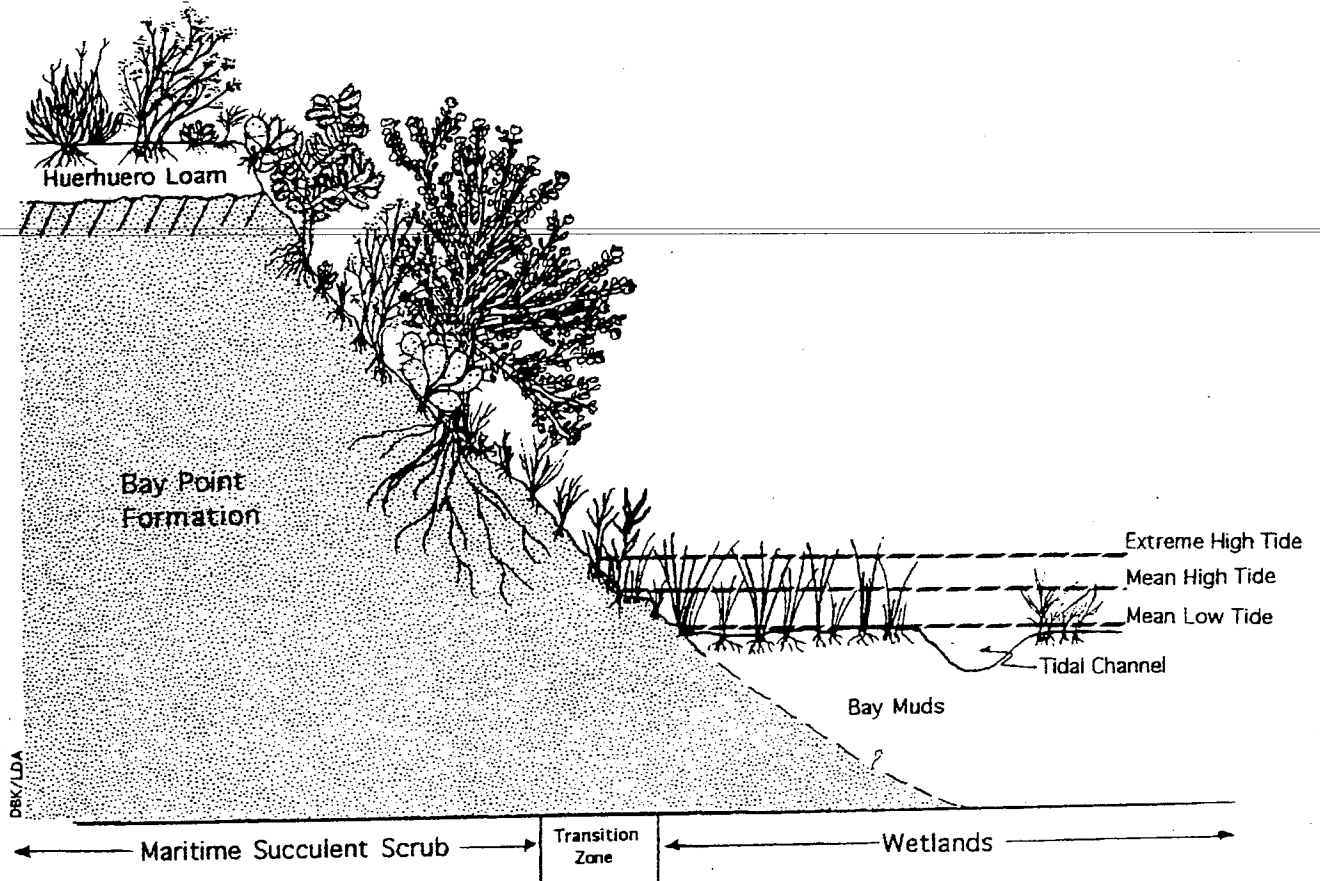
In Table 3.5 a list of suggested native species which would be suitable for the vegetated retaining wall, as well as upland landscaping adjacent to the habitat buffer, is also provided.

3.4.5 Buffers and Margins: Design Features and Constraints

3.4.5.1 Site Variability. Even within this relatively small Planning Area, conditions within the upland margins of Paradise Marsh vary considerably with respect

Figure 3.3

Paradise Marsh Upland Margin Habitat Buffer
 Maritime Succulent Scrub Community
 Reference Site



Cord Grass	=====
Turtleweed	=====
Pickleweed	=====
Salt Grass	=====
Shore Grass	=====
Sagebrush	=====
Buckwheat	=====
Prickly Pear	=====
Cholla	=====
Broom	=====
Baccharis	=====
Fingertips	=====
Desert Thorn	=====
Lemonade Berry	=====
Mojave Yucca	=====
Shadscale	=====
Encelia	=====

to a range of physical factors, including degree of soil disturbance and compaction, soil moisture (seasonal fluctuations in water status, water-holding capacity, depth to groundwater, recharging characteristics, etc.), slope, aspect, exposure, wind protection, soil particle size, erodibility, surface texture, root penetrability, land use history, and contamination.

As an example, the most obvious and fundamental difference is in the upland substrate adjoining the marsh. Along one portion of the western margin are outcrops of the Bay Point Formation and mapped native Huerhuero soils, with admixed construction "fill" materials along the northern margin, and highly variable dredge-spoil "fill" soils along the western margin from the SD&AE Railroad trestle south to the Sweetwater River Flood Control Channel.

In recognizing this variability, it is possible to tailor restoration design to meet location-specific constraints. To meet these constraints, species composition and diversity and density of ground cover may be expected to vary from segment to segment within the upland margin habitat buffer.

3.4.5.2 Habitat Buffer Segments. To accommodate buffer site variations, five general Habitat Buffer planning segments are proposed, as mapped in Figure 3.2, and summarized below. A program for eradication of exotic and invasive species will be undertaken in all buffer segments.

- (1) **North Fill Bank** (located within the USFWS National Wildlife Refuge boundary along the northern edge of Paradise Marsh, adjacent to Subarea A): Successful revegetation is expected to require some recontouring and possible augmentation with native soils. Where Bay Point Formation soils (mapped as Huerhuero loams by the Soils Conservation Service) can be exposed through the recontouring process, or imported from another location within the Planning Area, the chances of establishing native Coastal Scrub and Maritime Succulent Scrub communities are improved. This segment is expected to be implemented in conjunction with public access and tourist-commercial development within Subarea A, pending further geotechnical and soils investigations by the USFWS which will guide final design parameters and the implementation schedule in this area. (See Figure 3.4.)
- (2) **Bay Point Formation Outcrop** (located west of the SD&AE right-of-way, starting at the southwesterly corner of Subarea A): Because of close similarities in site characteristics, this location is expected to be the best suited of the buffer segments for establishing plants from the nearby reference Maritime Succulent Scrub community, as shown in Figure 3.3. This segment will be implemented in conjunction with development of the Harrison Avenue Public Access Corridor.
- (3) **Vegetated Retaining Wall** (located immediately to the south of the Bay Point Formation Outcrop): In the constrained Narrows the Harrison Avenue Public Access Corridor will require reinforcement of its eastern bank face with a

Table 3.4
Paradise Marsh Upland Margin Habitat Buffer
Maritime Succulent Scrub Community

Overstory: Tall-Statured Species

<i>Baccharis sarothroides</i>	broom baccharis
<i>Lycium brevipes</i> var. <i>brevipes</i>	desert-thorn
<i>Rhus integrifolia</i>	lemonade berry
<i>Yucca schidigera</i>	Mohave yucca

Mid-Canopy: Moderate-Statured Species

<i>Artemisia californica</i>	California sagebrush
<i>Atriplex canescens</i> ssp. <i>canescens</i>	shadscale
<i>Encelia californica</i>	coastal encelia
<i>Eriogonum fasciculatum</i>	California buckwheat
<i>Opuntia littoralis</i>	coast prickly pear
<i>Opuntia prolifera</i>	cholla

Ground Cover:

<i>Distichlis spicata</i>	inland saltgrass
<i>Dudleya edulis</i>	dudleya (fingertips) (lady fingers) (Live-for-Evers)

Potential Supplemental Shrubs:

<i>Arctostaphylos glandulosa</i> ssp. <i>crassifolia</i>	Del Mar manzanita
<i>Malosma laurina</i>	laurel sumac
<i>Salvia apiana</i>	white sage

Table 3.5
Recommended Native Species for Inclusion in the
Harrison Avenue Public Access Corridor Retaining Wall*
and other Harbor District Landscaping

<u>Scientific Name</u>	<u>Common Name</u>	<u>Location</u>
<u>Large Shrubs</u>		
<i>Artemisia californica</i>	California sagebrush	RWall*
<i>Atriplex canescens</i> ssp. <i>canescens</i>	shadscale	RWall*
<i>Ceanothus verrucosus</i>	barranca brush	
<i>Ceanothus cyaneus</i>	San Diego ceanothus	
<i>Ceanothus tomentosus</i>	Ramona lilac	
<i>Dendromecon rigida</i>	tree poppy	
<i>Heteromeles arbutifolia</i>	toyon	
<i>Lycium brevipes</i> var. <i>brevipes</i>	desert-thorn	
<i>Malosma laurina</i>	laurel leaf sumac	
<i>Rhamnus californica</i>	California coffee berry	
<i>Rhus integrifolia</i>	lemonade berry	
<i>Simmondsia chinensis</i>	jojoba	
<u>Medium Shrubs</u>		
<i>Encelia californica</i>	Coastal encelia	Rwall*
<i>Encelia farinosa</i>	California brittlebush	
<i>Fremontodendron californicum</i>	fremontia	
<i>Eriogonum fasciculatum</i>	California buckwheat	Rwall*
<i>Eriogonum pravifolium</i>	bluff buckwheat	
<i>Isomeris arborea</i>	bladderpod	
<i>Lupinus longifolius</i>	longleaf bush lupine	
<i>Salvia apiana</i>	white sage	
<i>Salvia mellifera</i>	black sage	
<u>Small Shrubs</u>		
<i>Atriplex leucophylla</i>	sea-scale	
<i>Coreopsis maritima</i>	sea dahlia	
<i>Croton californicus</i>	California croton	RWall*
<i>Euphorbia misera</i>	cliff spurge	
<i>Lycium californicum</i>	California box thorn	RWall*
<i>Mirabilis californica</i>	California four o'clock	RWall*

Table 3.5
Recommended Native Species for Inclusion in the
Harrison Avenue Public Access Corridor Retaining Wall*
and other Harbor District Landscaping
(continued)

Succulents

<i>Agave shawii</i>	Shaw's agave	
<i>Dudleya edulis</i>	fingertips	RWall*
<i>Ferocactus viridescens</i>	coast barrel cactus	
<i>Opuntia littoralis</i>	coast prickly pear	RWall*
<i>Opuntia prolifera</i>	cholla	Rwall*
<i>Yucca schidigera</i>	Mohave yucca	RWall*

Trailing Plants

<i>Abronia umbellata</i>	pink sand verbena	
<i>Calystegia macrostegia</i> ssp.intermedia	south coast morning glory	Fence
<i>Camissonia cheiranthifolia</i> ssp.suffruticosa	beach evening primrose	RWall*
<i>Lonicera subspicata</i>	southern honeysuckle	Fence

Grasses

<i>Distichlis spicata</i> ssp. <i>spicata</i>	coastal salt grass
<i>Monanthochloe littoralis</i>	shoregrass
<i>Nassella lepida</i>	foothill needlegrass
<i>Nassella pulchra</i>	purple needlegrass

retaining wall structure. Although unlikely to provide significant habitat values, the selected plantable wall design will provide a vegetated buffer connecting with the habitat buffers to the north and south. (See Figure 3.5.) The plant selection identified in Table 3.5 and illustrated in Figure 3.5 for this segment is based on engineering specifications for the retaining wall planter boxes. Implementation will occur in conjunction with development of the Harrison Avenue Public Access Corridor.

- (4) **Trestle** (located south of the vegetated retaining wall): Because the existing soils and fill materials consist of coarse dredge spoils, the habitat buffer to be established in this segment will take advantage of the fill soil characteristics, using plants that are characteristic of mixed Maritime Succulent Scrub and Coastal Scrub communities (see Figure 3.6). This segment will be implemented in conjunction with development of the Harrison Avenue Public Access Corridor.
- (5) **South** (located between the Trestle planning segment and the Sweetwater River Flood Control Channel): The most important buffer restoration effort for this segment will be control of exotic and invasive species, followed by selection and planting of native plant species characteristic of mixed Maritime Succulent Scrub and Coastal Scrub communities that are suitable for survival in this disturbed setting. This segment will be implemented in conjunction with development of the Harrison Avenue Public Access Corridor and eastern public accessway improvements. (See Figure 3.6.)

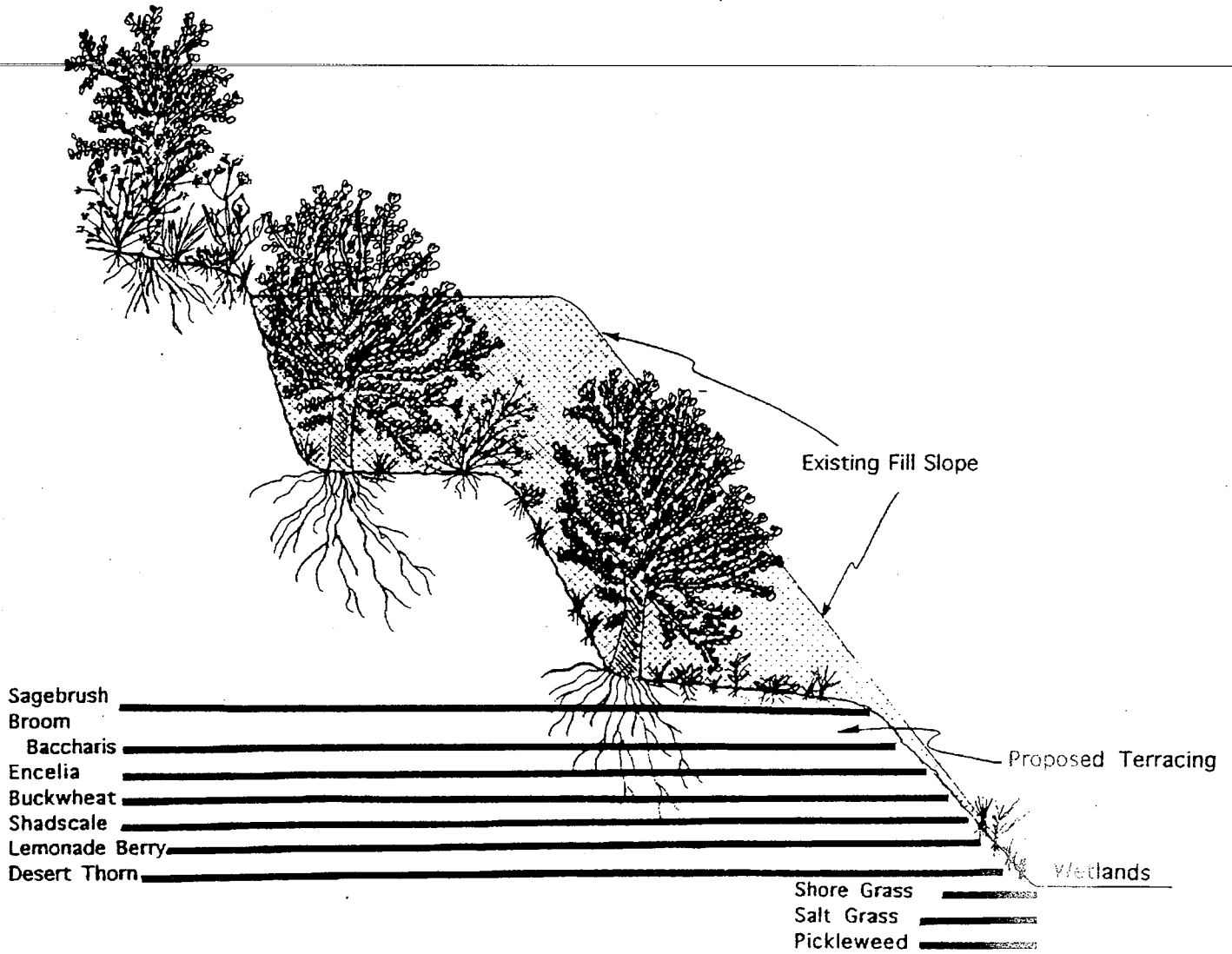
In addition, provided that habitat for saltmarsh bird's beak is enhanced and not adversely affected, revegetation along the Sweetwater River Flood Control Channel and the Caltrans I-5 right-of-way may be undertaken with the agreement, cooperation, and funding of affected agencies.

3.4.6 Upland Margin Habitat Buffer Implementation

Habitat buffer plans required to implement the Upland Margin Habitat Buffer Standards shall contain the following components, and shall be submitted in conjunction with the coastal development permit application for development and/or remediation of Subarea A, with respect to Buffer Segment 1; and for construction of the Harrison Avenue Public Access Corridor, including the San Diego Bayshore Bikeway, with respect to Buffer Segments 2-5:

- (a) **Site Preparation:**
 - (1) Exotic Species Eradication. (where, when, what)
 - (2) Recontouring. (why, where, what, when)
 - (3) Soil supplement/import (why, where, what)
 - (4) Assembling Planting Materials (slips, clippings, seeds, transplants)
 - (5) Timing (re season, and Harrison Avenue Public Access Corridor construction)
 - (6) Phasing

Figure 3.4
Paradise Marsh Upland Margin Habitat Buffer
Coastal Scrub/Maritime Succulent Scrub Community
(Northern Bank)





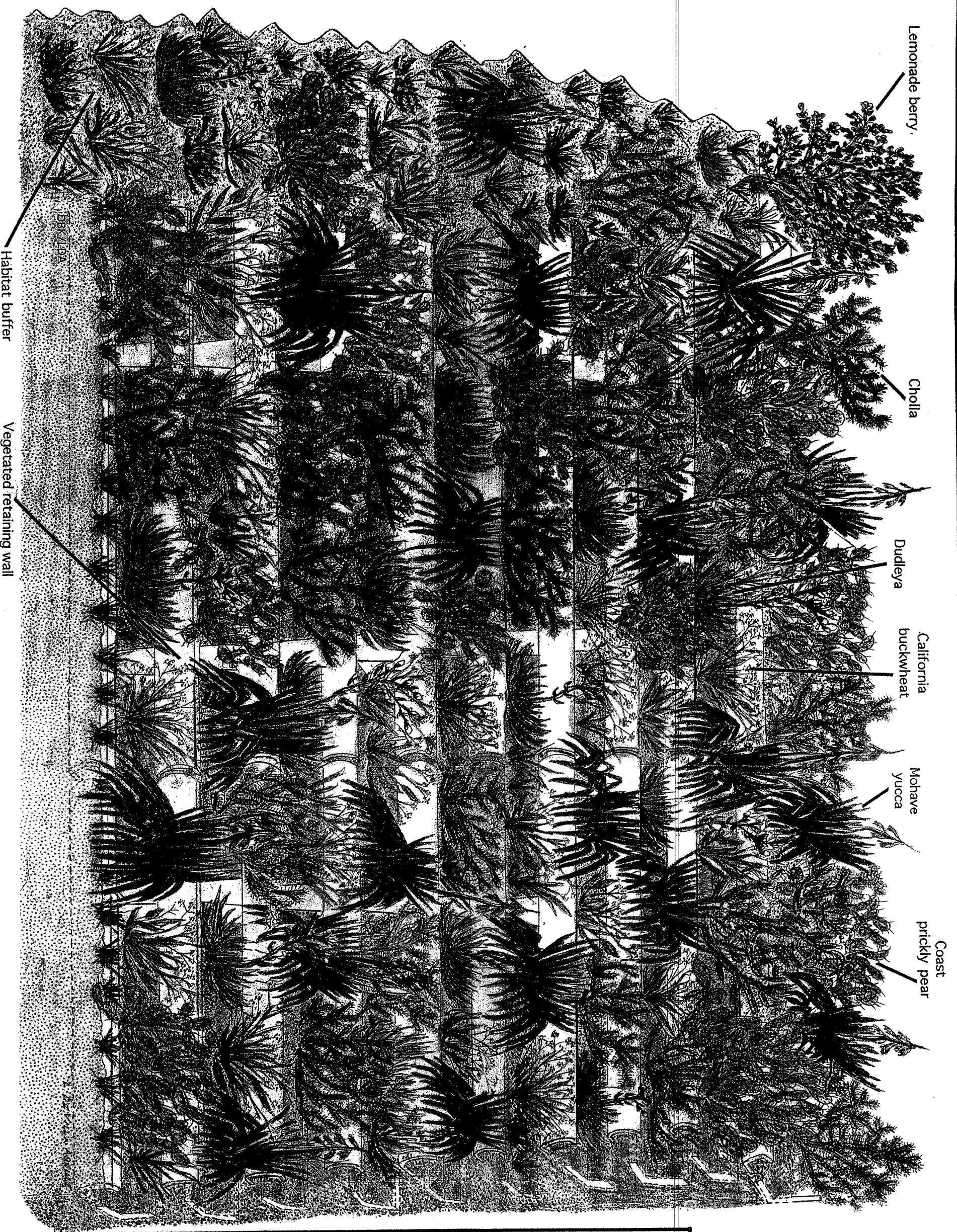
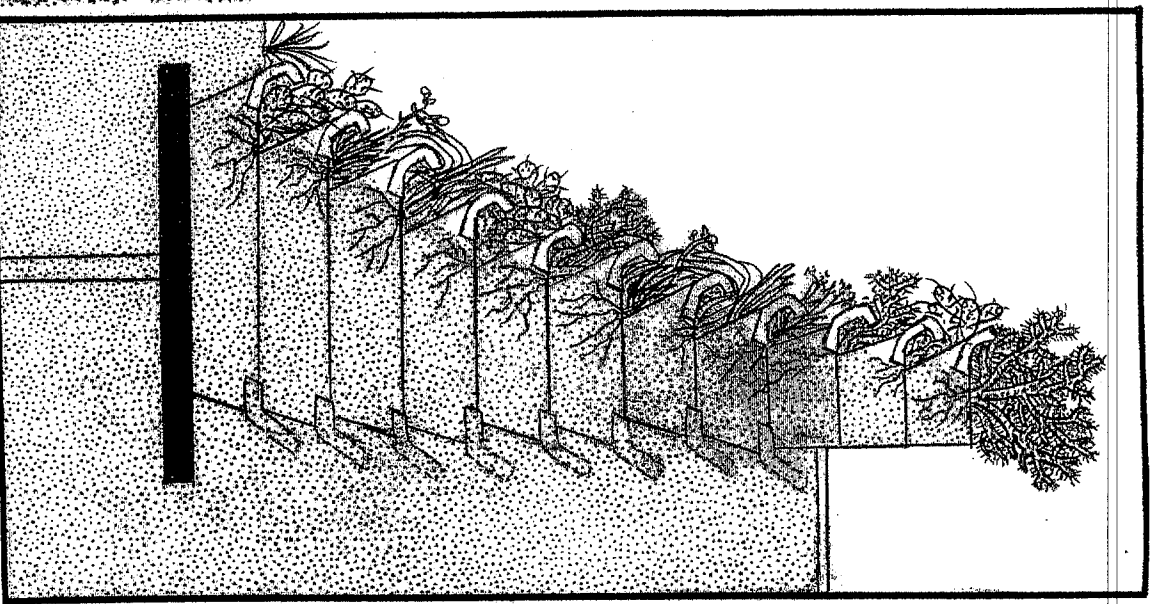
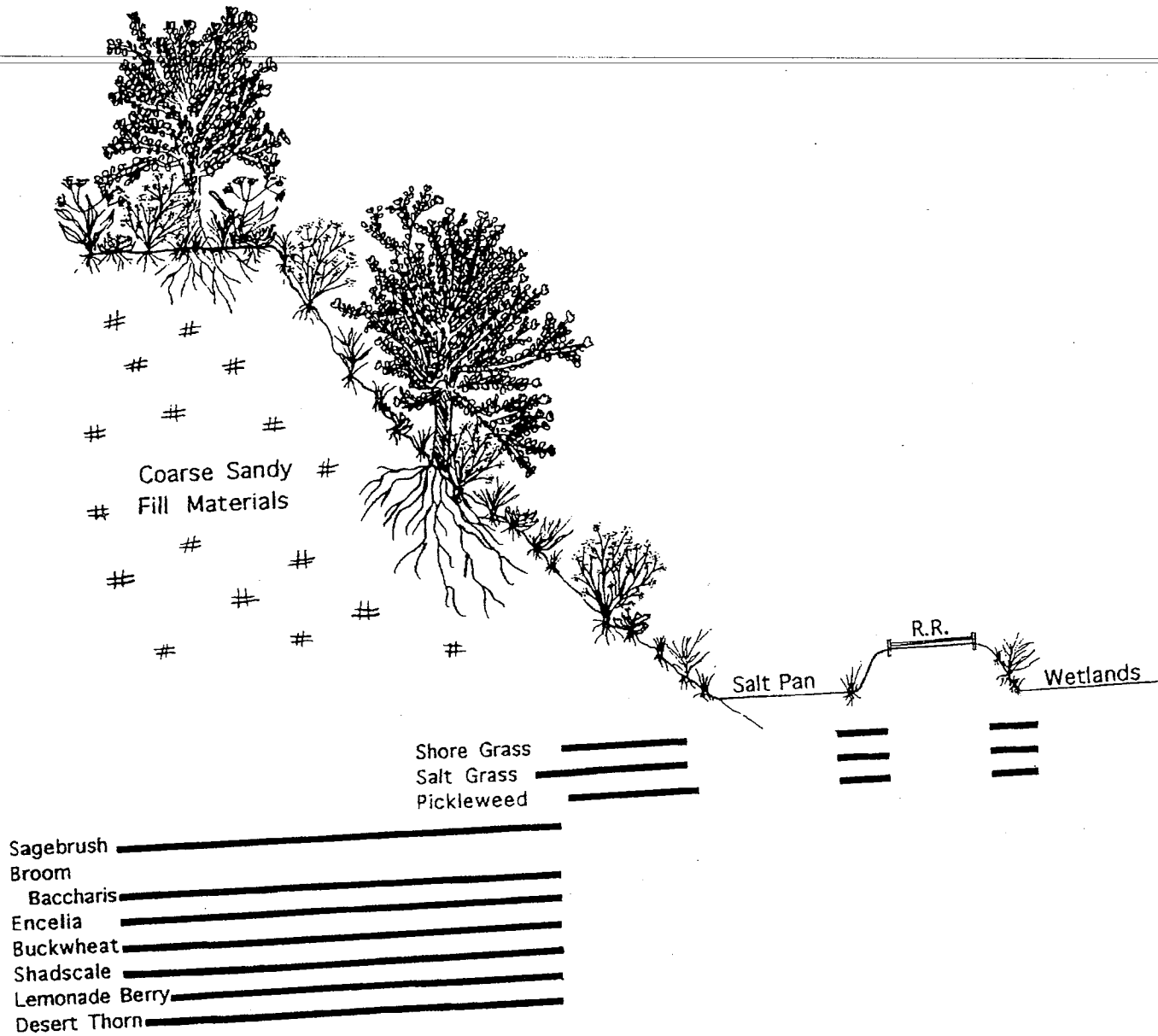


Figure 3.5
Vegetated Retaining Wall
Buffer Segment



Vegetated Retaining Wall Cross-Section

Figure 3.6
 Paradise Marsh Upland Margin Habitat Buffer
 Coastal Scrub/Maritime Succulent Scrub Community
 (Western Bank)



- (7) Wetland Protection Measures
 - (8) Area(s) to be Excluded from Revegetation
 - (9) Interim Soils Stabilization
 - (10) Consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game
- (b) **Planting:**
- (1) Timing (re season, and construction schedule)
 - (2) Phasing
 - (3) Wetland Protection Measures
 - (4) Consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game
-
- (c) **Post-Planting Care and Nurturing:**
- (1) Irrigation
 - (2) Fencing
 - (3) Screening
 - (4) Weeding and Pest Control
 - (5) Consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game
- (d) **Maintenance:**
- (1) Agency Responsibility
 - (2) Funding
 - (3) Consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game
- (e) **Monitoring:**
- (1) Objectives
 - (2) Biological Performance Standards (number of reproductive plants per unit, coverage, etc.)
 - (3) Methodology
 - (4) Agency Responsibility
 - (5) Funding
 - (6) Consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game
 - (7) Reports
 - (8) Remedial actions to achieve biological performance standards
- (f) **Implementation Schedule and Budget:**
- (1) Schedule (site preparation through monitoring, including milestones for performance standard attainment)
 - (2) Independent Biologist Oversight (site preparation through monitoring)
 - (3) Consultation with U. S. Fish and Wildlife Service and California Department of Fish and Game
 - (4) Budget and Funding

3.5 Other Conservation Program Goals: Archaeological and Paleontological Resources

3.5.1 Archaeological and Paleontological Resources in Proximity to Wetlands. The California Coastal Act affords a high level of protection to both archaeological and paleontological resources within the coastal zone.

Coastal California is believed to have been the region of the state most densely occupied by indigenous peoples prior to European settlement. Because the rich biological resources of coastal wetlands and estuaries, including San Diego Bay, afforded especially valuable sources of food, these areas often contain "pre-contact" artifacts or other significant archaeological resources. The proximity of Paradise Marsh to Planning Area uplands suggests that this area may also have been traversed by indigenous people(s) seeking access to its food sources.

3.5.2 Archaeological and Paleontological Resources Within the Harbor District Planning Area. The northern portion of the Planning Area adjacent to the marsh consists primarily of the late Pleistocene Bay Point Formation which substantially predates the presence of early human activity in the vicinity of Paradise Marsh. The southern portion, however, consists of filled former tidelands, where dredge spoils deposition over the past fifty years now covers the natural topography, and any archaeological or paleontological resources that may have been present.

Minor surficial deposits of oyster shells have been observed overlying the Bay Point Formation within the northwestern quadrant of the Planning Area. However, archaeological investigations by Roeder (1979), Laylander (1993), and RECON (1998) as part of the reconnaissance for preparation of this Specific Area Plan, have uncovered no artifacts or other evidence of significant archaeological resources either associated with the shell deposits or within the Planning Area as a whole.

In addition, although significant plant and animal fossil-bearing strata have been encountered in the Bay Point Formation at other locations within the greater San Diego area, there is no indication that the Bay Point Formation underlying the northern portion of the Planning Area contains any paleontologically significant materials.

3.5.3 Coastal Act Policies. The Coastal Act mandates the protection of significant archaeological and paleontological resources. Avoidance of disturbance is encouraged, and where unavoidable, mitigation of the adverse impacts of development upon these resources is required.

Coastal Act (Public Resources Code) Section 30001.5 states:

"The Legislature finds and declares that the basic goals of the state for the coastal zone are to:

- "(a) Protect, maintain, and where feasible, enhance and restore the overall quality of the coastal zone environment and its natural and

artificial resources... “. (Emphasis added.)

Coastal Act (Public Resources Code) Section 30244 states:

“Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.”

The Coastal Commission guidelines rank a site’s significance based on site integrity, research potential, ethnic and historical value, and the potential for public appreciation.

3.5.4 Plan Marsh Restoration Program Standards and Policies to Protect Archaeological Resources. Although no archaeologically significant artifacts or paleontological resources have been identified within the Planning Area, the Plan sets forth the following standards to ensure that no archaeological or paleontological resources that may be present are threatened with disturbance or destruction as a result of activity within the Planning Area.

- 3.5.4.1** All coastal development permits for projects located west of the SD&AE Railroad between the projection of (vacated) 25th Street on the north, and the westward curve of the BNSF Railroad on the south, shall be conditioned to require ongoing archaeological and paleontological monitoring during all construction and development activity which involves grading, excavation, or other disruptions to the surface of, and/or materials at depth beneath, the project site.
- 3.5.4.2** In addition, *all* coastal development permits for projects throughout the Planning Area shall be conditioned to provide that, in the event that archaeological or paleontological resources are encountered during any construction or development phase of a project, all activity which could damage or destroy these resources shall be suspended until:
- (a) representatives of the Kumeyaay or designated other appropriate local Native American group have been notified and consulted, with respect to archaeological resources;
 - (b) the site has been examined by a qualified archaeologist and/or paleontologist, as appropriate; and,
 - (c) mitigation measures have been developed to address the impacts of the construction or development activities.
- 3.5.4.3** The appropriate contact for Native American notification and consultation shall be determined by reference to the San Diego County listing maintained by the California Native American Heritage Commission located in Sacramento (phone: 916/653-4082).
- 3.5.4.4** The appropriate contact for notification and consultation regarding paleontological materials is the San Diego Natural History Museum

(phone: 619/232-3821).

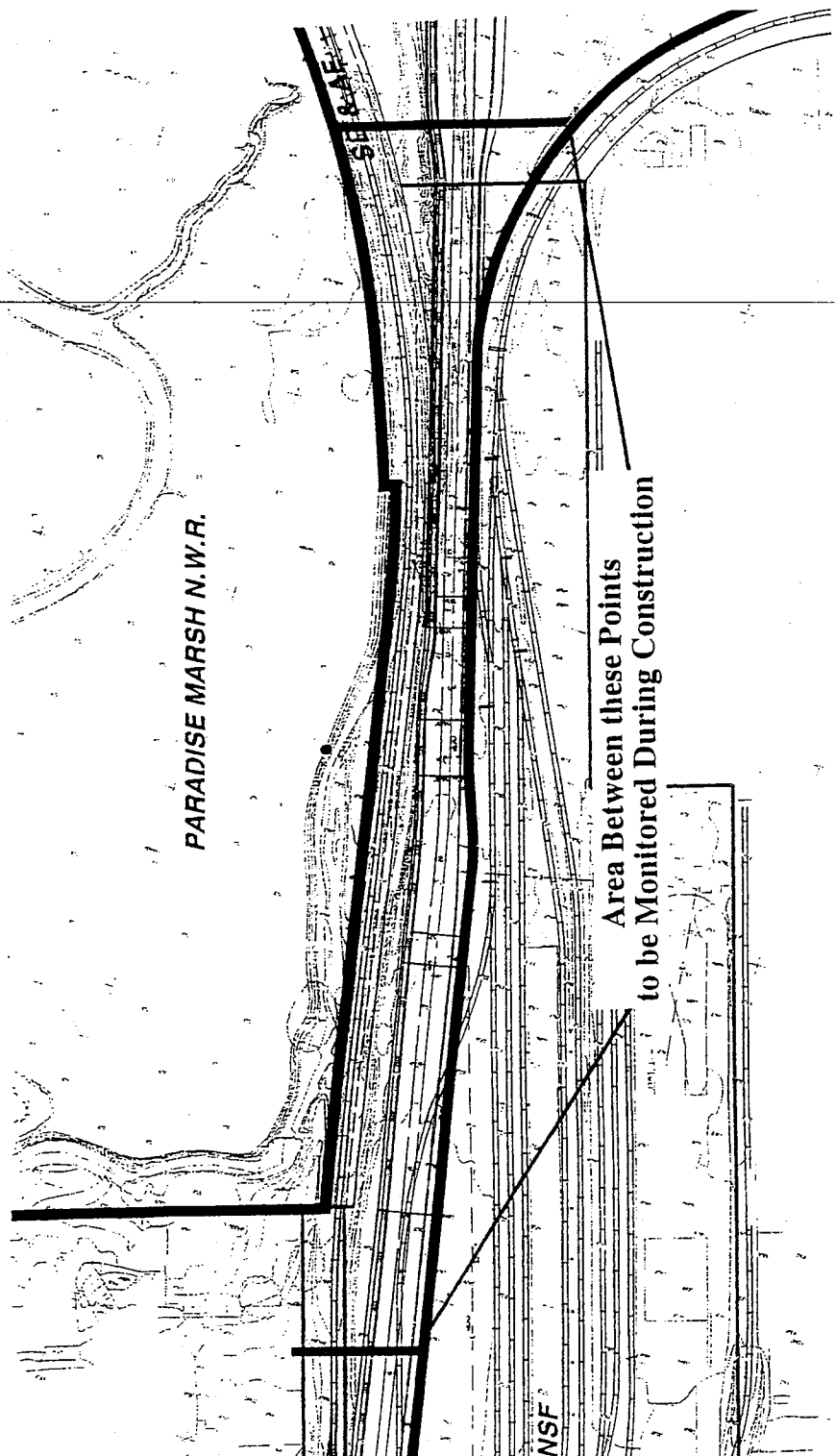
- 3.5.4.5** Persons who meet the U. S. Department of the Interior minimum standards for archaeological consultants, and/or who appear on the approved lists prepared by the San Diego State University South Coastal Information Center and the State Office of Historic Preservation, shall be deemed "qualified" to conduct the archaeological studies and prepare the recommendations required in this section.
- 3.5.4.6** Persons who appear on the approved list prepared by the San Diego Natural History Museum shall be deemed "qualified" to conduct the paleontological studies and prepare the recommendations required in this section.
-
- 3.5.4.7** A mitigation plan for any archaeological or paleontological resource encountered during construction shall be required to detail the measures necessary to protect significant resources from impacts during the construction and/or development stage, and during future use of the site.
- 3.5.4.8** All archaeological or paleontological studies undertaken within the Planning Area, whether as part of preapplication development studies, in conjunction with an ongoing permitted development project, or in the course of academic research, shall meet the following criteria:
- (a) At upland sites at least 100 feet from the nearest boundary of delineated wetlands in the Planning Area, no coastal development permit shall be required for an archaeological or paleontological reconnaissance "walkover" conducted by a qualified archaeologist or paleontologist for purposes of identification of visible archaeological or paleontological materials, and involving only incidental subsurface testing to determine or confirm the presence of an archaeological or paleontological resource.
 - (b) All other archaeological or paleontological investigations shall require a coastal development permit, and shall contain the following conditions of approval:
 - (1) the directing archaeologist or paleontologist having the qualifications set forth in Sections 3.5.4.5 and 3.5.4.6, or a qualified designee, shall be at the site at all times when work is in progress.
 - (2) for investigations within the Harbor District's delineated wetlands, a Section 404 permit from the U. S. Army Corps of Engineers may also be required.
 - (3) for investigations within wetlands or mapped habitat buffer areas, a biologist may be required to monitor the work, which must be conducted in a manner which minimizes impacts to vegetation, and which must be fully restored at

- the end of the investigation.
- (4) archaeological or paleontological excavations outside of the habit buffer which are not a permanent part of permitted construction should be backfilled or otherwise restored to their original condition.
 - (5) all operations shall be conducted in a manner to prevent the erosion of land, the pollution of water resources and damage to the watershed, and to prevent or reduce to the maximum extent possible, the scarring of the land.
 - (6) Within six weeks of the conclusion of the field work, a synopsis of the new materials found and their archaeological or paleontological significance shall be filed with the State Office of Historic Preservation, the California Coastal Commission, and the National City Planning Director.
 - (7) No later than one year after completion of field work, a final report on the excavation and analysis shall be submitted to the State Office of Historic Preservation, the California Coastal Commission, and the National City Planning Director.

3.5.4.9 To increase public awareness of the Kumeyaay culture and its relationship to San Diego Bay, a marsh overlook for cultural interpretation shall be developed in consultation and cooperation with the Kumeyaay community, as provided in the Public Access Component of this Plan.

Figure 3.7

Area Requiring Archaeological and Paleontological Monitoring



CHAPTER 4. TOURIST COMMERCIAL RECREATION

4.1 LCP Standards, Objectives, and Requirements

At present (mid-1998), the Harbor District offers no tourist or other commercial recreational facilities. However, the designation in the certified Local Coastal Program ("LCP") Land Use Plan of the two major subareas within the Planning Area for tourist commercial recreational uses is central to redevelopment of the Harbor District from its present deteriorated conditions. The LCP assigns highest priority to overnight lodging, boating, and associated secondary uses in these areas.

To implement a coherent, attractive, and functional recreational commercial reuse of the Planning Area, the LCP identifies Subarea A for planned tourist commercial development. (See Figure 1.3 for subarea locations.) Hotel or motel facilities, restaurants, and other tourist commercial uses are noted by the certified Land Use Plan (LUP) as appropriate uses in this subarea between Paradise Marsh and W. 24th Street, immediately west of I-5. Parts of the natural Baypoint and alluvial formations in Subarea A are overlain with substantial quantities of undocumented fill and burn deposits. (Ninyo & Moore, 1998.)

For Subarea B, the LUP assigns highest priority to marina development (which has since been approved in the area south of 32nd Street within the expanded Port District jurisdiction), hotel/motel and restaurant facilities, recreational vehicle park/campground, boat dry storage and service facility, and/or public park areas.

The LUP further requires correlation of the intensity of planned public access, recreational, and commercial recreational development with traffic circulation capacities on Harrison Avenue and W. 24th Street through this Specific Area Plan. As noted in Chapter 1, and required pursuant to the certified LCP in Chapter 3 of this Plan, the location, design (including buffering), construction, and maintenance of Harrison Avenue, as well as the individual developments within Subareas A and B, must also be consistent with the marsh preservation and other habitat protection policies of the LCP and other applicable laws.

The LUP also provides, and this Plan implements, continued coordination between National City and the Port District for concurrent planning, conservation, and development of lands within the Port's and the City's respective jurisdictions to achieve high quality tourist commercial and public recreational uses.

4.2 Tourist Commercial Redevelopment

This Plan implements the guidance of the certified LCP with regard to furthering economically feasible, attractive, and environmentally sustainable commercial recreational redevelopment in Subareas A and B through the following provisions:

- (a) The location, design, construction, and maintenance of Harrison Avenue Public Access Corridor are specifically predicated on a wetland

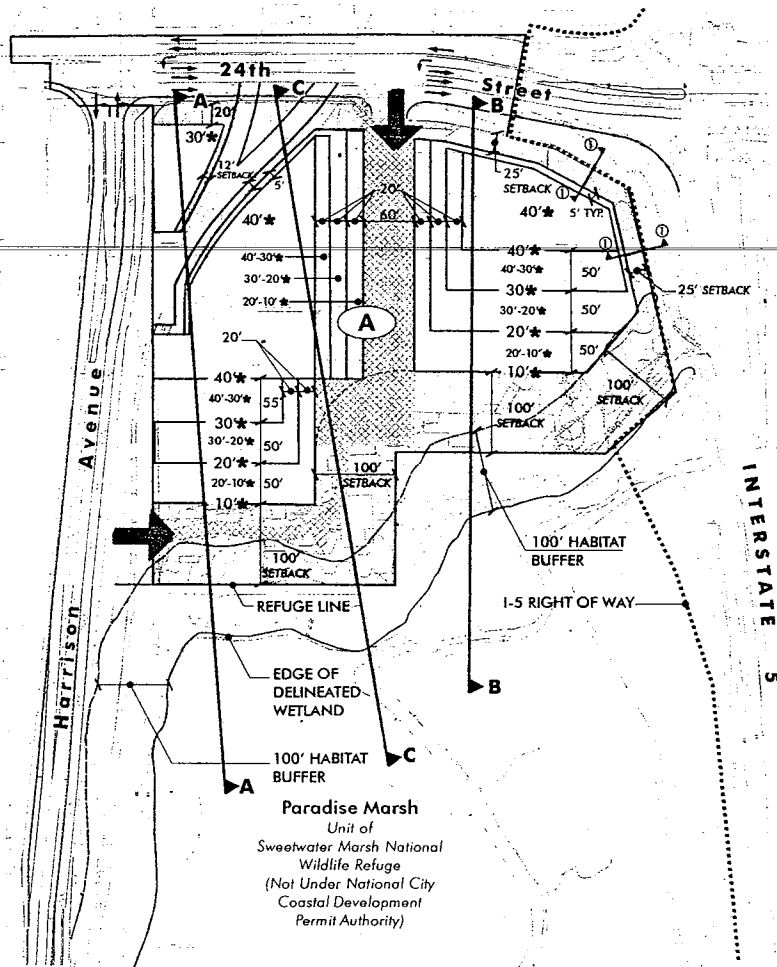
delineation, buffer, and environmental controls program (as specified in Chapter 3 of this Plan) to avoid adverse impacts on Paradise Marsh or adjacent wetland habitats.

- (b)** Similarly, the pedestrian, bicyclist, and vehicular capacity of Harrison Avenue Public Access Corridor (7,500 ATD's at LOS D¹) is designated to correlate with planned and otherwise permitted specific public access, recreational, and commercial recreational densities and intensities of use in Subareas A and B through the year 2015.² In the interest of separating access and recreational traffic from heavy truck traffic on Tidelands Avenue, which presently constitutes the only route to and from Pepper Park and the Boat Launching Ramp, the entire vehicular traffic capacity of Harrison Avenue is reserved for public access, public recreation, and otherwise permitted commercial uses .
- (c)** Immediate traffic capacity improvement and coordination measures are provided by the Plan for W. 24th Street, between I-5 and Harrison Avenue, including at key intersections (I-5 southbound on-ramp, Cleveland Avenue, Harrison Avenue), as described in Chapter 2. Specific traffic volumes in W. 24th Street are reserved for public access, recreational, and commercial recreational uses. (See Table 2.1.) In addition, the Plan incorporates the agreement between the Port District and the City to proceed with a longer-term truck traffic reduction and management program for the Harbor Gateway.³
- (d)** Planned commercial development is permitted within the building envelopes shown in Subarea A (see Figure 4.1). It may include a lodging facility, a restaurant, and/or tourist-commercial retail space, all subject to specified setback, buffer, height, structural terracing, site environmental and geotechnical analysis, and raptor perch-proofing requirements. Buildings are required to be set back a minimum of 100 feet from any delineated wetland and 100 feet from the boundary of the National Wildlife Refuge. On site parking (based on standard criteria), a public vista point, and public accessways are also required. Underground parking is preferred, if it is economically feasible. The status of utility easements is required to be addressed as part of any application for a coastal development permit approval for redevelopment in Subarea A, including the proposed widening of W. 24th Street.
- (e)** Tourist commercial development, including uses that support or are associated with the Marina, are permitted within the building envelopes in Subarea B (see Figure 4.2). Such development may include a lodging facility, a restaurant, marina-related office and/or retail commercial space, boat building, repair, dry storage, and ancillary services. The same environmentally based development standards as in Subarea A apply in








¹ Urban Systems Associates, 1997, 1998; Rick Engineering Company, 1998.

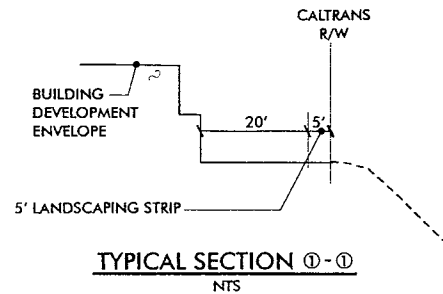
² Based on the City traffic consultant's build-out projections, including in the industrial area, marine terminal, and Port District commercial recreation-designated areas to the west of the Harbor District.

³ As noted in Chapter 1, the policies and requirements of the Plan regulate development and uses within the local coastal program jurisdiction of the City of National City. However, continued cooperation between the Port District and the City is anticipated to address and manage both Port Terminal and City-generated truck traffic in W. 24th Street.



LEGEND

-  Maximum Height (MH) of the Building Development Envelope (above existing grade)
-  MH Control Point (Building Development Envelope)
-  MH Variance between Control Points (Building Development Envelope)
-  Setback Area- No Habital Structures
-  Paved- Driveway Access with Landscaping (Public Access)
-  Access Point
-  100' Habitat Setback Line

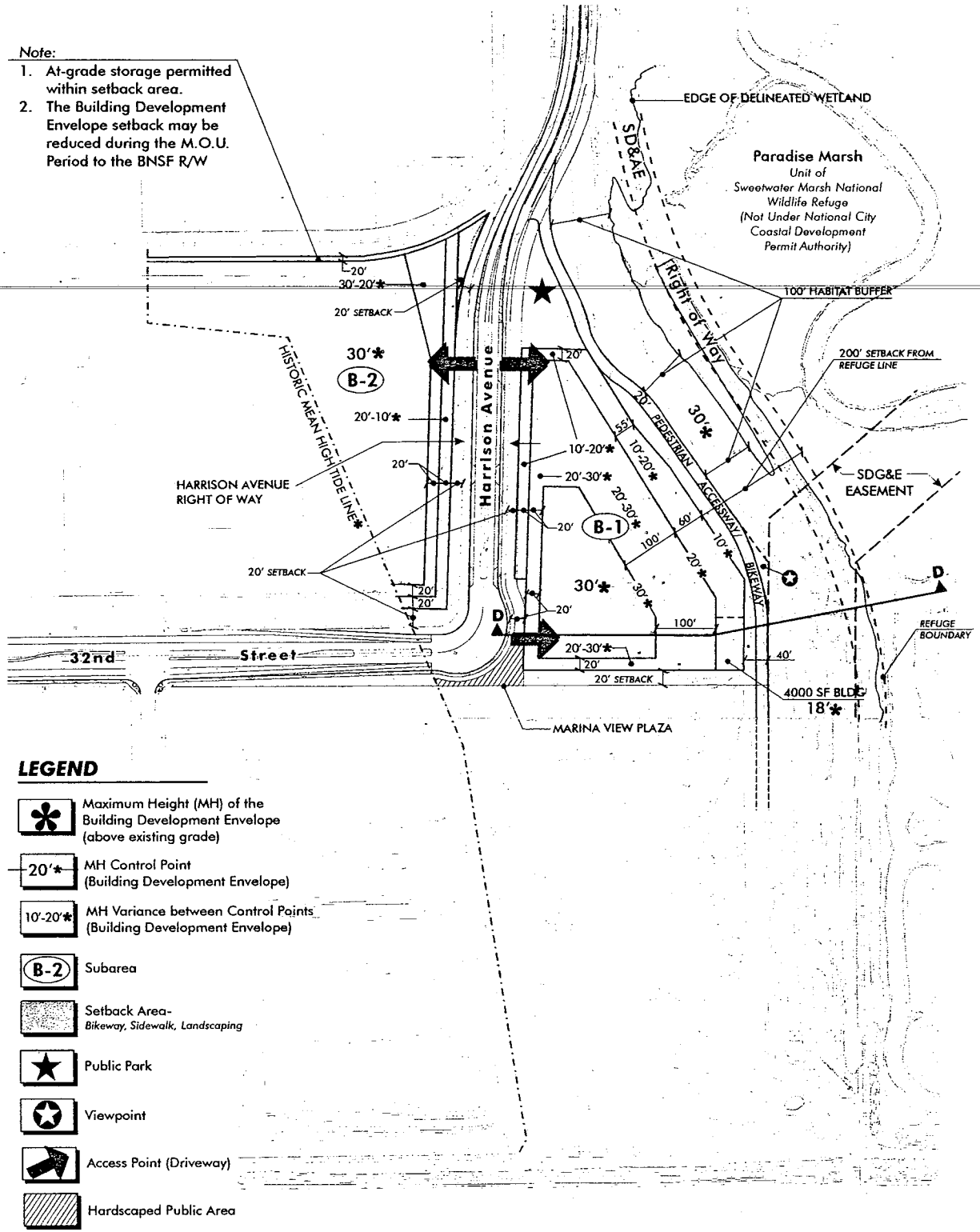


Note:
All Graphic Locations
are "Typical."

Figure 4.1
Development Envelope - Subarea "A"
NATIONAL CITY HARBOR DISTRICT
LCP - SPECIFIC AREA PLAN

Note:

1. At-grade storage permitted within setback area.
2. The Building Development Envelope setback may be reduced during the M.O.U. Period to the BNSF R/W



LEGEND

- Maximum Height (MH) of the Building Development Envelope (above existing grade)
- MH Control Point (Building Development Envelope)
- MH Variance between Control Points (Building Development Envelope)
- Subarea
- Setback Area- Bikeway, Sidewalk, Landscaping
- Public Park
- Viewpoint
- Access Point (Driveway)
- Hardscaped Public Area



Note:
All Graphic Locations
are "Typical."

Figure 4.2
Development Envelope - Subarea "B"
NATIONAL CITY HARBOR DISTRICT
LCP - SPECIFIC AREA PLAN

Subarea B, except that a combined 200-foot buffer and setback of buildings from the Refuge boundary generally applies in Subarea B because of its flat topography. Vehicular parking, which likely cannot be economically feasibly undergrounded because of high groundwater, is permitted to the west (landward) of the San Diego Bayshore Bikeway. Permitted structures are required to present a maritime or traditional National City design theme. As part of its objective to increase the aesthetic quality of Subarea B, the Plan does not contemplate either a recreational vehicle park or campground.

- (f) Consistent with its historic marine-related cargo storage uses over the past thirty years (since the area was created by hydraulic fill), the Plan allocates the Port District-owned Subarea B-2, west of the landscaped Harrison Avenue, to continued specified maritime cargo storage uses pursuant to a conditional use permit procedure defined in Chapter 6. However, Subarea B-2 may, under defined conditions contained in the MOU between National City and the Port District, also be acquired from the Port and be utilized for tourist-commercial uses enumerated in the Plan.
- (g) Subarea B-3, which consists of the SDG&E utility corridor and the SD&AE railroad corridor, may be used in the area to the west of the 100-foot wetland habitat buffer for screened at-grade automobile parking or boat dry storage, in addition to the existing subsurface oil pipeline and above-ground electric transmission lines and towers.

4.3 Mandatory Commercial Recreational Development Standards

The following mandatory standards shall apply to all commercial recreational development in Subareas A and B. The standards of Chapters 2, 3, 5, and 6 shall also apply.

4.3.1. Subarea A

- (a) All tourist-commercial and recreational commercial development in Subarea A shall be subject to planned development permit processing, provided that the standards of this Plan shall constitute minimum standards for the design, development, redevelopment, and maintenance of uses in the Subarea.
- (b) The highest priority use in Subarea A shall be for an overnight lodging facility, with a maximum of 175 rooms or suites, provided that:
 - (1) All buildings shall be located within the envelopes, and subject to the setbacks, habitat buffers, and terracing as shown in Figure 4.1, "Development Envelope - Subarea 'A'".
 - (2) Building height shall not exceed the Marsh View Plane, as shown in Figure 5.1, or 40 feet above existing grade as of March 24, 1996, whichever is less; provided that if the vegetated berm height at the property line with the National Wildlife Refuge is reduced at the time of coastal development and planned development

- permit approval below the five (5) feet shown in Figure 5.1, then the Marsh View Plane and resulting permissible building height shall also be proportionately reduced.
- (3) All buildings shall be perch-proofed against raptors who may prey on species in Paradise Marsh.
 - (4) Maximum building coverage, excluding subterranean parking, shall not exceed 50% of the gross lot area.
 - (5) Automobile parking shall be provided at one space for every guest room or suite, plus
 - (i) one additional parking space for every ten (10) rooms or suites up to and including fifty (50);
 - (ii) one additional parking space for every twenty (20) rooms or suites over fifty (50); and
 - (iii) one space for every two employees of the lodging facility, provided that demonstrated provision of mass transit passes, bicycle parking spaces, or other means within an annually reviewable parking management program shall be granted a proportionate reduction in employee parking requirements. Underground guest parking shall be preferred, if it is economically feasible.
 - (6) The location and design of public vehicular, bicyclist, and pedestrian accessways on any lot within Subarea A that is developed with a lodging facility shall conform to Figure 2.1 and the standards of Section 2.5.5, and shall be made available for public use no later than the date on which the lodging facility is granted an occupancy permit; provided, however, that the diagonal street conceptually shown in the LUP Public Access Map to extend between W. 24th Street near Cleveland Avenue and Harrison Avenue may be relocated as shown in Figure 4.1
 - (7) As a condition of coastal development permit issuance, public accessways shall be signed and maintained for the duration of any permitted development, consistent with the standards of the Coastal Commission-State Coastal Conservancy access guidelines and applicable law.
- (c) A restaurant of up to 4,000 SF may be permitted in Subarea A, provided that:
- (1) The building shall be located within the envelopes, and subject to the setbacks, habitat buffers, and terracing as shown in Figure 4.1, "Development Envelope - Subarea 'A'".
 - (2) Building height shall not exceed the Marsh View Plane, as shown in Figure 5.1, or 40 feet above existing grade as of March 24, 1996, whichever is less; provided that if the vegetated berm height at the property line with the National Wildlife Refuge is reduced at the time of coastal development and planned development permit approval below the five (5) feet shown in Figure 5.1, then the Marsh View Plane and resulting permissible building height shall also be proportionately reduced.

- (3) All buildings shall be perch-proofed against raptors who may prey on species in Paradise Marsh.
 - (4) Cumulative maximum building coverage of a restaurant and lodging facility shall not exceed 60% of the gross lot area.
 - (5) Automobile parking shall be provided at a ratio of 1 space per 100 SF of gross restaurant area, plus one space for every two employees of the lodging facility, provided that demonstrated provision of mass transit passes, bicycle parking spaces, or other means within an annually reviewable parking management program shall be granted a proportionate reduction in employee parking requirements.
 - (6) The location and design of public vehicular, bicyclist, and pedestrian accessways on any lot within Subarea A that is developed with a restaurant shall conform to Figure 2.1 and the standards of Section 2.5.5, and shall be made available to public use no later than the date on which the lodging facility is granted an occupancy permit.
 - (7) As a condition of coastal development permit issuance, public accessways shall be signed and maintained for the duration of any permitted development, consistent with the standards of the Coastal Commission-State Coastal Conservancy access guidelines and applicable law.
- (d) Tourist commercial retail uses may be permitted in Subarea A, provided that:
- (1) The building(s) shall be located within the envelopes, and subject to the setbacks, habitat buffers, and terracing as shown in Figure 4.1, "Development Envelope - Subarea 'A'".
 - (2) Building height shall not exceed the Marsh View Plane, as shown in Figure 5.1, or 40 feet above existing grade as of October 1, 1997, whichever is less; provided that if the vegetated berm height at the property line with the National Wildlife Refuge is reduced or relocated to the north at the time of coastal development and planned development permit approval below the five (5) feet shown in Figure 5.1, then the Marsh View Plane and resulting permissible building height shall also be proportionately reduced.
 - (3) All buildings shall be perch-proofed against raptors who may prey on species in Paradise Marsh.
 - (4) Cumulative maximum building coverage of a tourist commercial retail use shall not exceed 50% of the gross lot area if it is the only commercial use type in Subarea A, and shall not exceed 65% of it is part of a mixed commercial use development that also includes a lodging facility and/or a restaurant.
 - (5) Automobile parking shall be provided at a ratio of 1 space per 200 SF of gross retail commercial area, plus one space for every two employees, provided that demonstrated provision of mass transit passes, bicycle parking spaces, or other means within an annually reviewable parking management program shall be

- granted a proportionate reduction in employee parking requirements.
- (6) The location and design of public vehicular, bicyclist, and pedestrian accessways on any lot within Subarea A that is developed with a retail commercial development shall conform to Figure 2.1 and the standards of Section 2.5.5, and shall be made available to public use no later than the date on which the retail commercial facility is granted an occupancy permit.
 - (7) As a condition of coastal development permit issuance, public accessways shall be signed and maintained for the duration of any permitted development, consistent with the standards of the Coastal Commission-Coastal Conservancy access guidelines and applicable law.
 - (8) In addition to complying all other applicable standards of the Plan, the maximum density of any stand-alone retail commercial development in Subarea A shall be based on a demonstration that project-specific peak hour and peak day traffic generation will not adversely effect public access or recreational opportunities in the Harbor District or Port subareas 58 and 59, or that it will cause a cumulative build-out LOS E in W. 24th Street between the I-5 interchange and Harrison Avenue, inclusive.
- (e) The existing SD&AE Railroad spur tracks that diagonally cross the northwesterly part of Subarea A constitute a permitted use, provided that:
- (1) any structure shall be located a minimum of twelve (12) feet from the center of each spur track, and,
 - (2) a minimum horizontal separation of twenty (20) feet shall be provided between any exterior building wall and the property boundary to provide paved emergency response equipment access.
- (f) The "Railcar Art Project" shall be located in the landscaped northwesterly lot of Subarea A, consistent with Figure 2.1, provided that any structure to house it shall not exceed thirty (30) feet above existing grade as of March 24, 1996.
- (g) As part of a Planned Development application, the applicant may reallocate the densities of use assigned to lodging, restaurant, or commercial retail space within Subarea A to one or more of the other permitted uses in Subarea A, provided that the proposed development shall meet all other applicable standards of this Plan and the City's Land Use Code.

4.3.2. Subarea B

- (a) An overnight lodging facility, not to exceed 150 rooms, shall have first priority for use of Subarea B-2, provided that:
- (1) The building(s) shall be located within the envelopes, and subject to the setbacks, habitat buffers, and terracing as shown in Figure 4.2, "Development Envelope - Subarea 'B'". Site-specific

- geotechnical studies shall be conducted as part of any structural development design, including, but not limited to occupied structures and roadways, to determine appropriate design to assure structural stability in this area with a high potential for ground liquefaction.
- (2) Building height shall not exceed the Marsh View Plane, as shown in Figure 5.2, or 30 feet above existing grade as of March 24, 1996, whichever is less, provided that a one story building, not to exceed 18 feet in height above existing grade as of October 1, 1997 and 4,000 SF in area, may be located west of the Bayshore Bikeway, in Subarea B-1, near the two northerly SDG&E electric transmission towers located in Subarea B-3.
 - (3) Buildings shall be terraced (stepped) as shown in Figure 5.2 and shall be perch-proofed.
 - (4) Maximum building coverage shall not exceed 50% of the gross lot area.
 - (5) At grade automobile parking shall be provided at a ratio of 1 space per guest room, plus one space for every two employees, provided that demonstrated provision of mass transit passes, bicycle parking spaces, or other means within an annually reviewable parking management program shall be granted a proportionate reduction in employee parking requirements.
 - (6) The location and design of public vehicular, bicyclist, and pedestrian accessways on any lot within Subarea B that is developed with a lodging facility shall conform to Figure 2.1 and the standards of Section 2.5.6, and shall be made available for public use no later than the date on which the facility is granted an occupancy permit.
 - (7) As a condition of coastal development permit issuance, public accessways shall be signed and maintained for the duration of any permitted development, consistent with the standards of the Coastal Commission-State Coastal Conservancy joint access guidelines and applicable law.
- (b) Boating and marina-related support uses, as permitted pursuant to Section 6.4.(a)(1) and (2), provided that:
- (1) The maximum intensity of building envelope permitted pursuant to Section 6.4.(a)(1)(B), (C), (D), and (E) shall be 10,000 SF.
 - (2) The maximum intensity of building envelope permitted pursuant to Section 6.4.(a)(1)(H) shall be 20,000 SF.
- (c) Restaurant space, not to exceed 10,000 SF, may also be permitted in Subarea B-1, provided that:
- (1) The building(s) shall be located within the envelopes, and subject to the setbacks, habitat buffers, and terracing as shown in Figure 4.2, "Development Envelope - Subarea 'B'".
 - (2) Building height shall not exceed the Marsh View Plane, as shown in Figure 5.2, or 25 feet above existing grade as of March 24,

- 1996⁴, whichever is less, provided that a one story building, not to exceed 18 feet in height and 4,000 SF in area, may be located west of the Bayshore Bikeway near the southeasterly corner of Subarea B-2 in consultation with the USFWS to avoid adverse impacts on National Wildlife Refuge habitats, habitat buffers, and species that utilize them.
- (3) Buildings shall be terraced (stepped) as shown in Figure 5.2 and shall be perch-proofed.
 - (4) Maximum building coverage shall not exceed 50% of the gross lot area.
 - (5) At grade automobile parking shall be provided at a ratio of 1 space 100 SF, plus one space for every two employees, provided that demonstrated provision of mass transit passes, bicycle parking spaces, or other means within an annually reviewable parking management program shall be granted a proportionate reduction in employee parking requirements.
 - (6) The location and design of public vehicular, bicyclist, and pedestrian accessways on any lot within Subarea B that is developed with a restaurant shall conform to Figure 2.1 and the standards of Section 2.5.6, and shall be made available for public use no later than the date on which the facility is granted an occupancy permit.
 - (7) As a condition of coastal development permit issuance, public accessways shall be signed and maintained for the duration of any permitted development, consistent with the standards of the Coastal Commission-State Coastal Conservancy access guidelines and applicable law.
- (d) Subarea B-3 may be utilized for utility corridor uses, consistent with all applicable laws; the public access and recreational facilities shown in Figure 2.1; screened at-grade automobile parking; and boat dry storage. Removal of the unsightly electric transmission towers and lines, as well as of the oil pipeline, which contains toxic materials (fuel oil or diesel fuel) at all times, is strongly encouraged.

4.3.3 Application Requirements

Application(s) for development in Subareas A, B, or C shall be accompanied by:

- (a) a complete geotechnical study to assure structural stability, which, for Subarea A and the portions of Subareas B and C located within 500 feet of the National Wildlife Refuge, shall take into account any plans of the USFWS to restore or remediate its filled property adjacent to Subareas A, B, or C;
- (b) a Phase 2 environmental site assessment to identify any contaminants or toxic materials on or beneath the development project site, including in soils and groundwater, and any required clean-up or remediation plan

⁴ Aerial survey of the Harbor District mapped by Photo Geodetic Corp from flight information on March 24, 1996.

- therefor, which shall take into account any plans of the USFWS to restore or remediate its filled property adjacent to Subareas A, B, or C;
- (c) a complete grading plan to demonstrate that development of the site will not discharge any storm runoff from Subareas A, B, or C into Paradise Marsh, Paradise Creek, or adjacent delineated wetlands during a 6-hour, 100-year storm event, provided that the grading plan shall reference and reincorporate any joint USFWS-National City runoff and sedimentation control program for restored habitat, habitat buffer, or other setback areas;
 - (d) a landscaping plan that implements the requirements of Chapters 3 and 5;
 - (e) a traffic study and parking plan that demonstrates compliance with the requirements of Chapter 2 and of Sections 4.3.1.(b)(5), (c)(5), and (d)(5);
 - (f) a public access plan to and along Paradise Marsh, consistent with the requirements of Chapters 2 and 3; and,
 - (g) a Marsh View Plane analysis that implements the requirements of Chapter 5; and,
 - (h) demonstration that any previously existing above-ground electric easement(s) within Subarea A, east of the westerly side of the intersection of W. 24th Street and Harrison Avenue, or in Subareas B-1, B-2, or C, have been cleared from the title of the parcel(s) on which the development is proposed.

CHAPTER 5. VISUAL RESOURCES

5.1 LCP Standards, Objectives, and Requirements

5.1.1 Enhancement of the Area's Visual Identity

The Harbor District is a visually blighted area. It is characterized by dilapidated buildings; dredged material, debris, and rubble fill slopes; barbed wire fencing; abundant trash and detritus; haphazardly stored and quasi-abandoned industrial materials; weeds and other invasive species; eroded and unvegetated public corridors; an unkempt rail line; a partially graded burn dump; looming electric utility towers and lines; and encampments for homeless or transient persons. In the middle of the area lies Paradise Marsh, which was planned to be completely filled as recently as the early 1970's, was "restored" in the early 1990's in the historic sandy delta of Paradise Creek and Sweetwater River, and remains substantially degraded in the late 1990's.

Nonetheless, the remnant Paradise Marsh, natural Bay Point Formation outcrop, and their proximity to major California and international freeways offer remarkable urban visual assets, which invite enhancement and support:

- Along 3,300 lineal feet of I-5 immediately east of Paradise Marsh, more than 75,000 daily southbound highway travelers view the Marsh, but without benefit of its clean-up, or of environmental education. By the year 2015, over 117,000 daily southbound motorists will see this remarkably resilient urban wetland.
- The 900 foot long public viewshed to Paradise Marsh from the westbound State Route 54 ramp to northbound I-5.
- The 1,000 foot long public viewshed to Paradise Marsh, the Sweetwater Channel, San Diego Bay, and Sweetwater Marsh from westbound Route 54 to southbound I-5.
- The southbound I-5 off-ramps to and from West 24th Street, which offer important views of Paradise Marsh, including to almost 1,400 travelers during the peak commute hour. And,
- The limited view from the paved extension of Cleveland Avenue, south of W. 24th Street, and along apparent W. 25th Street, to Paradise Marsh.

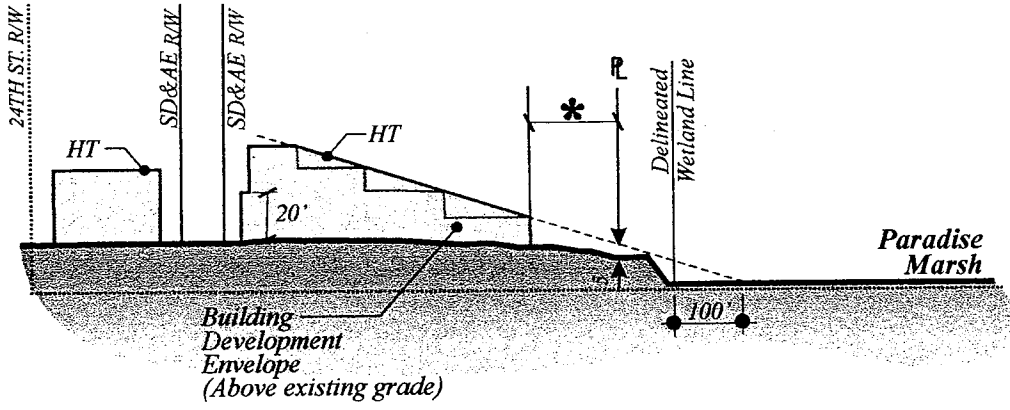
No other public views of Paradise Marsh, Sweetwater Channel, or San Diego Bay are available from the Harbor District.

However, the certified LCP proposes to dramatically change and improve the deteriorated visual quality of the Harbor District, including through (a) creation of a landscaped entry gateway along W. 24th Street and the Harrison Avenue

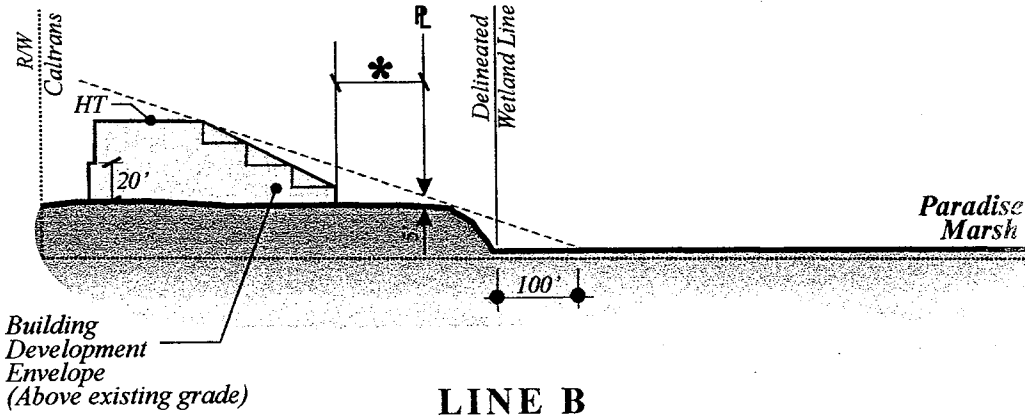
Extension; (b) landform and native vegetation restoration through creation of viable Paradise Marsh habitat buffers; (c) location of public vista points and small parks or plazas, including to overlook the National City Marina; (d) extension of carefully located pedestrian and bicycle ways around Paradise Marsh, as well as to and along the Sweetwater Channel; and (e) opening of attractive visual corridors from public streets and places to and along the Marsh and Channel.

This Plan implements the City's vision of a rejuvenated and aesthetically enhanced Harbor District through the following measures:

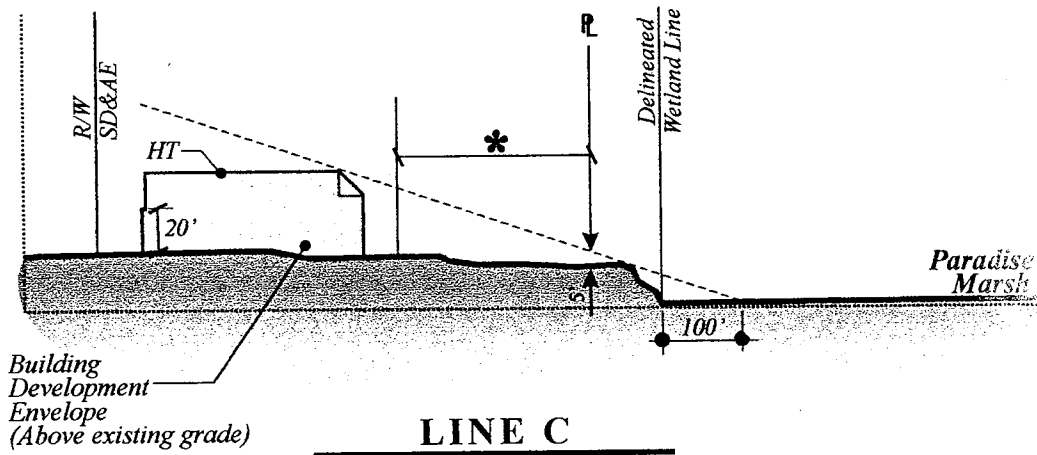
- (a) Along **W. 24th Street**, 775 lineal feet of landscaped gateway to the Harbor District in Subarea A, as shown in Figure 2.2. Buildings in Subarea A will be required to be set back a minimum of twenty-five (25) feet from the W. 24th Street right-of-way.
- (b) In the **tourist-commercial planned development district** of Subarea A, south of W. 24th Street, a visual corridor towards Paradise Marsh either along the diagonal public street and accessway shown in the certified Land Use Plan Map, or along the entry from 24th Street at Cleveland Avenue to the vista point overlooking the Marsh, as shown in Figure 4.1. To harmonize permitted buildings with the landform of Subarea A and the adjacent Marsh, as well as for avian species conservation through the Marsh View Plane analysis, buildings will be required to be set back substantially from the current fill bluff and to be terraced (stepped) within development envelopes, as shown in Figures 4.1 and 5.1.
- (c) Near the **top of the restored bluff overlooking Paradise Marsh**, a continuous public walkway that connects the tourist commercial district and vista point with the Harrison Avenue Public Access Corridor, and will offer sweeping views of the Marsh and its restored buffers.
- (d) From W. 24th Street to 32nd Street, the landscaped **Harrison Avenue Public Access Corridor** (Subarea C) includes (from east to west) a restored and vegetated habitat buffer, a combined pedestrian and Class I bikeway, automobile travel and turn lanes, emergency parking bays, and a six (6) to ten (10) foot high landscaped security fence to partly screen industrial, railroad, and maritime cargo uses to the west. (See Figures 2.3, 2.4, 2.5, 2.6, and 2.7.) The pedestrian and bikeway will afford sweeping views of Paradise Marsh over the vegetated habitat buffers (see Figures 2.3 and 2.4). Engineering for drainage and safety cause the roadway elevation to be lowered relative to existing grades, while a 48-54 inch safety wall is required along the east side of the Corridor, which together will likely limit motorist marsh viewing opportunities to southbound travelers opposite Subarea A and persons in high profile vehicles.
- (e) Between the park at the apex of Subarea B and the Sweetwater Channel, the combined **pedestrian and San Diego Bayshore Bikeway** diverge from Harrison Avenue to follow the landward edge of the wetland habitat buffer or the utility corridor. As shown in Section 8



LINE A



LINE B



LINE C

HT - Maximum Building Development Envelope Heights per Fig. 4.1

* 100' Setback from \mathcal{L}



Figure 3.1
 Subarea "A" Marsh View Plan Sections
 NATIONAL CITY HARBOR DISTRICT
 LCP - SPECIFIC AREA PLAN

Fig. 5.1, by RPG of Figure 2.5, this accessway segment is heavily landscaped in the transition area from the habitat buffer and is further provided with an six (6) to (10) foot high visual barrier fence on its landward (westerly) side (see Figures 2.3, 2.4, and 2.5).

- (f) In Subarea B, all buildings except for the Bikeway-oriented facility, will be set back (1) a minimum of 100 feet from the combined pedestrian and Bayshore Bikeway, (2) a minimum of 70 feet from the park at the apex of Subarea B-2, (3) a minimum of 20 feet from the right-of-way of Harrison Avenue, and (4) a minimum of 20 feet from the boundary with the Marina site. Height limits are governed by the Marsh View Plane, as shown in Figure 5.2. As shown in Figure 4.2, permitted buildings in subarea B-2 are required to be terraced (stepped) within envelopes that protect avian species in the Marsh, while creating a significant southbound view corridor in Harrison Avenue towards the Marina and Sweetwater Channel. No views exist from along 32nd Street, east of the proposed intersection with Harrison Avenue, towards the Marsh; thus, the proposed higher (30 foot) building envelope shown in Figure 4.2 will block no marsh or water views. In fact, it will help screen the base of the looming utility towers between it and Paradise Marsh.
- (g) Suitable hard-edge and container landscape restoration of the northern Sweetwater Channel levee in Subarea D, which is naturally Revegetating in some areas with pickleweed, will occur in conjunction with construction of the combined Sweetwater River-San Diego Bayshore Bikeway segments and westerly extension of the minimum six (6) feet wide pedestrian accessway towards the Marina entrance.
- (h) Vista points in Subareas A and B-3 will be improved with habitat buffer compatible viewing platforms, including screening, to afford the public both prime marsh viewing and wildlife observation points, but without adversely affecting sensitive species.
- (i) The Railcar Art Project triangle, the two parks in Subarea B, and the Marina View Plaza at the intersection of Harrison Avenue and 32nd Street will each contribute landscaped greenspace or pavement with landscape containers to define visually important, attractive and publicly accessible locations in the Harbor District.
- (j) A native landscape restoration project is proposed to be performed by the CDC, in cooperation with the USFWS, California State Coastal Conservancy, and Caltrans. The State of California owns the highly visible, but aesthetically unattractive, 3,500 foot-long segment of filled land in Subarea D that lies between the southbound I-5 freeway travel lanes and the Paradise Marsh upland edge, for which a native landscape restoration project is proposed to enhance the area's aesthetics. No significant habitat values were previously reported in this area because of its substrate composition, elevation, and location relative to the freeway; however, recent field surveys have identified one of the nine listed endangered *Cordylanthus maritimus* (Salt-marsh birds beak) sub-populations in this area. A low height environmental information sign, to inform I-5 motorists about Paradise Marsh, is Fig. 5.2, to be revised by RPG.

recommended for location on suitable uplands.

5.1.2 Commercial and Recreational Areas North and West of Paradise Marsh Buffers

The certified LCP requires commercial and recreational areas, and all development within them, to be of the highest aesthetic quality to remediate the blighted existing conditions in the Harbor District. The Plan provides that this goal be achieved through six primary components:

- (1) Intensive landscaping, to the maximum extent feasible with low-water usage native plants, of all public and private areas, consistent with habitat conservation objectives.
- (2) Designation of a public vista point each in Subareas A and B.
- (3) Designation a continuous public viewshed around and to Paradise Marsh, in which no new developments, except those specifically permitted to provide public access, habitat restoration, and environmental education shall be allowed.
- (4) Two public parks and a public plaza.
- (5) Definition and application of the Marsh View Plane standard to delimit and control building height in Subareas A and B. (No buildings are allowed in Subareas C or D.)
- (6) Mandatory application of the City's Land Use Code development, design, and maintenance standards (Chapter 18.102) throughout the Harbor District.

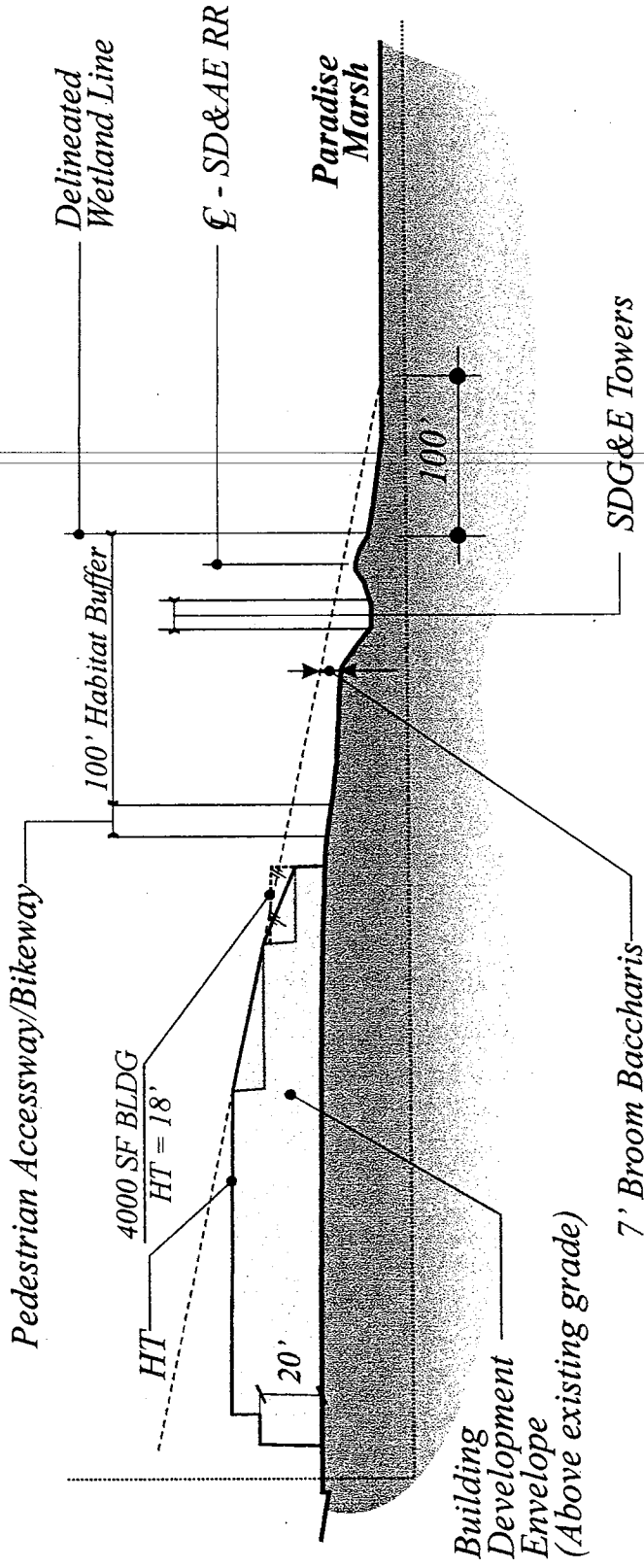
5.2. Mandatory Visual Quality Standards

The following mandatory visual quality protection, enhancement, and maintenance standards apply to any coastal development permit or conditional use permit for any development in the Planning Area, including extension of any said permit. No exceptions or exclusions shall be granted to, or from, these standards.

5.2.1 Visual Protection Areas.

The following constitute designated public visual protection areas in which new development, unless specifically permitted, is prohibited:

- (a) Paradise Marsh habitat buffer and building setback areas areas, except as provided in Chapter 3.
- (b) All delineated wetlands adjacent to Paradise Marsh, as shown on Figure 3.1, except as provided in Chapter 3.
- (c) West 24th Street, between I-5 and Harrison Avenue.
- (d) Harrison Avenue Public Access Corridor, between W. 24th Street and 32nd Street.
- (e) 32nd Street, between Harrison Avenue and the historic Mean High Tide Line (Port District-National City jurisdictional boundary).



LINE D

HT - Maximum Building Development Envelope Heights per Fig. 4.2

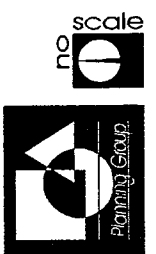


Figure 5.2
 Subarea "B" Marsh View Plan Section
 NATIONAL CITY HARBOR DISTRICT
 LCP - SPECIFIC AREA PLAN

- (f) The vehicular accessway into Subarea A from the intersection of W. 24th Street and Cleveland Avenue, as shown in Figure 4.1.
- (g) The vista points, public parks, and plaza shown on Figure 2.1, provided that incidental public access, view platform, or deck improvements shall be permitted, consistent with Chapter 3 standards.
- (e) All public accessways, including bikeways, shown in Figure 2.1.

5.2.2 Wetland Habitat Buffers and Refugia. Wetland habitat buffer(s) and refugia shall be designed, implemented, and maintained to be visually attractive, consistent with the standards for habitat conservation provided in Chapter 3.

5.2.3 Native Vegetation Required.

- (a) Native vegetation (see Tables 3. 4 and 3.5) shall be required in all buffers and shall be preferred in all upland landscaping within the Planning Area, consistent with the standards for habitat conservation provided in Chapter 3.
- (b) Harrison Avenue Public Access Corridor shall be landscaped and maintained with native vegetation, consistent with the species list contained in Table 3.5, provided that non-invasive non-native species may be utilized to achieve 80% areal coverage of the landscaped security fence within two (2) years following the opening of the roadway to public use. Non-native species shall, to the maximum extent feasible, be eliminated from the landscaping palette to encourage native plants to become established.
- (c) The edges of the San Diego Bayshore Bikeway, between Paradise Creek Park and Marina View Park, shall be landscaped with native vegetation, provided that:
 - (1) Where the Bikeway abuts the habitat buffer, or is located within its landward 15 feet, the landscaping shall be integrated with the habitat buffer.
 - (2) Where the Bikeway abuts the tourist commercial development (parking) area of Subarea B-1, an intervening minimum 10-foot wide landscaped corridor shall be designed, constructed, and maintained to screen the parking area from the Bikeway.
- (d) The Sweetwater River Bikeway, between I-5 and Sweetwater Channel Vista Point, shall be designed, constructed, and maintained to create an aesthetically attractive access corridor, consistent with habitat conservation, levee structural integrity, and human safety, including through:
 - (1) Integrating native vegetation into safety barriers along the Paradise Marsh and Sweetwater Channel sides of the Bikeway, to the maximum extent feasible.
 - (2) Encouraging the revegetation of human-made slopes on the Sweetwater Channel northern levee with native vegetation.
 - (3) Providing environmental-educational signs, boards, or other

suitable materials to inform visitors of the area's habitat values and their protected status.

5.2.4 Marina Plaza.

The plaza at the foot of Harrison Avenue, where it overlooks the proposed National City Marina, shall be designed, located, and maintained consistent with the following provisions:

- (a) Location and design shall enhance, and not block, public views from Harrison Avenue, 32nd Street, and the extension of the Sweetwater River Bikeway to Pepper Park and to the National City Marina.
- (b) Vegetation with aesthetically attractive native plants, consistent with the species list in Table 3.4 to help protect nearby environmentally sensitive habitats against invasive vegetation or avian predation. Palm trees shall be prohibited.
- (c) Night lighting shall be directed and shielded to avoid illumination of environmentally sensitive areas.
- (d) The plaza shall be located completely within the jurisdiction of the City of National City.

5.2.5 Parks

The Parks shown in Figure 2.1 shall be designed, located, and maintained consistent with the following standards:

- (a) Perimeter native landscape vegetation, consistent with the plants listed in Tables 3.4 and 3.5, provided that:
 - (1) Vegetation along the West 24th Street and Harrison Avenue boundaries of the Railcar Art Project shall not be of a height that will block visual continuity for motorists between the Harbor Gateway and Harrison Avenue Public Access Corridor.
 - (2) Vegetation at the boundaries of the park at the apex of Subarea B shall not exceed a maximum of six feet above existing grade to avoid visual isolation of the park and introduction of new avian perches near Paradise Marsh, adjacent wetlands, and their buffers.
 - (3) Vegetation at the park near the southeasterly corner of the Marina shall be located to afford views of the Marina and Sweetwater Channel, while screening views from the park of the SDG&E electric transmission towers to the maximum extent feasible; provided, that such vegetation shall not exceed a maximum of six feet above existing grade to avoid visual isolation of the park and introduction of new avian perches near Paradise Marsh, adjacent wetlands, and their buffers.
- (b) The parks may include turf areas, not to exceed 500 SF in each park.
- (c) Park and landscape maintenance shall utilize best management

practices, including integrated pest control, and avoid, or minimize, the utilization of chemical fertilizers, pesticides, and herbicides. Landscape management shall avoid runoff into, or sedimentation of, the National Wildlife Refuge, adjacent delineated wetlands, or wetland habitat buffers.

5.2.6 Tourist-Commercial Development: Subarea A

Tourist-commercial development(s) and use(s) in Subarea A shall be designed, located, and maintained consistent with the following standards:

- (a) All structures and landscaping shall be located below the Marsh View Plane (see Figures 5.1), provided that all permitted tourist commercial buildings shall be terraced (stepped), as shown in Figure 4.1 and that underground automobile parking shall be preferred, if feasible.
- (b) All tourist commercial structures, including restaurant, lodging, or retail facilities, shall maintain a minimum 100 foot buffer from the property line of the National Wildlife Refuge, consistent with the standards of Chapter 3 and as shown in Figure 4.1.
- (c) Landscaping within 200 feet of Paradise Marsh, Paradise Creek, or any delineated wetland shall utilize native vegetation, eradicate all presently existing non-native plant species in Subarea A, and limit the use of introduced species to those that are non-invasive of wetlands, consistent with the standards of Chapter 3.
- (d) Permitted development shall utilize building colors, materials, and textures that are compatible, and do not conflict, with the natural palette of Paradise Marsh, the Bay Point Formation, and coastal San Diego County.
- (e) Landscaped visual areas shall be utilized between W. 24th Street and tourist commercial development in Subarea A, including as shown in Figure 2.2, Sections 1 and 2.
- (f) Building setbacks from the access driveway from W. 24th Street into Subarea A shall be as shown in Figure 4.1 (if it is constructed), including to provide an expanding public view corridor to the vista point and Paradise Marsh through the building setback area. No buildings, structures, or landscaping that block(s) public views shall be permitted in the view corridor.
- (g) Coastal development permit review of any structure in Subarea A shall include analysis and written findings of consistency with all of the standards of this Chapter and with Chapter 18.102 of the City's Land Use Code.
- (h) Consistent with Coastal Commission regulations, open space easements, to run with the land during the economic life of the approved development, shall be recorded for all visual protection areas, including, but not limited to public view corridors, accessways, and habitat buffer areas, as a condition of the coastal development permit.

5.2.7 Tourist-Commercial Development: Subarea B

Tourist-commercial development(s) and use(s) in Subarea B shall be designed, located, and maintained consistent with the following standards:

- (a) Location of all structures and landscaping below the Marsh View Plane (as shown in Figure 5.2), provided that terraced (stepped) buildings shall be required, as shown in Figure 4.2.
- (b) All tourist commercial buildings shall be set back a minimum of 200 feet from the property line of the National Wildlife Refuge, provided that:
 - (1) A commercial facility of up to 4,000 SF, and not to exceed 18 feet in height above existing grade, that is oriented principally towards users of the Bikeways and pedestrian accessways may be located in the southeasterly part of Subarea B-1, consistent with all applicable standards of Chapter 3. Perch-proofing of the building shall be required.
 - (2) Screened automobile parking shall not be permitted within 100 feet upland of a delineated wetland or within ten feet of the landscaped westerly or easterly edge of the San Diego Bayshore Bikeway.
- (c) Landscaping within 200 feet of Paradise Marsh, Paradise Creek, or any delineated wetland shall utilize native vegetation, eradicate all presently existing non-native plant species in Subarea B, and limit the use of introduced species to those that are non-invasive of wetlands, consistent with the standards of Chapter 3.
- (d) Permitted development shall utilize building colors, materials, and textures that are compatible, and do not conflict, with the natural palette of Paradise Marsh, the Bay Point Formation, and coastal San Diego County.
- (e) Landscaped visual areas shall be utilized between Subarea B-1 and the adjacent San Diego Bayshore Bikeway, the Park at the apex of Subarea B, SDG&E electric transmission towers, and Harrison Avenue, as shown in Figure 2.5.
- (f) Buildings in Subarea B shall utilize a nautical or traditional National City design theme.
- (g) Coastal development permit review of any structure in Subarea B shall include analysis and written findings of consistency with all of the standards of this Chapter and with Chapter 18.102 of the City's Land Use Code.

5.2.8 32nd Street Extension

The extension of 32nd Street to Harrison Avenue, as shown in Fig. 2.8, shall be landscaped to:

- (a) Screen maritime-related cargo or marina-related industrial development or uses from public view, to the maximum extent feasible.

- (b) Utilize native vegetation, consistent with the species list in Table 3.5 and the standards of Chapter 3, provided that non-native species that are not invasive of wetlands or other environmentally sensitive habitats shall be permitted, to assist in achieving 80% areal coverage of the landscaped security fence within two (2) years. Non-native species shall be removed as native plants become established.

5.2.9 Marsh View Plane Analysis

To protect avian species in Paradise Marsh and adjacent wetlands from predation by raptors who perch on building ledges in the Harbor District that afford direct lines of sight into the Marsh, all development within the Planning Area shall be reviewed for consistency with the marsh view plane as shown (in typical form) in Figures 5.1 and 5.2 and depicted (typically) as to site utilization in Figures 4.1 and 4.2. Where a development is proposed in a Subarea, or for an area within Subareas A or B, that is not addressed in these figures, a supplemental marsh view plane analysis shall be performed as a part of coastal development permit application review to effectuate its purposes. The marsh view plane, as typically depicted in Figures 5.1 and 5.2, is defined from points at 100 foot intervals that runs 100 feet to marshward of, and parallel to, the delineated wetlands edge (mapped as to present location in Figure 3.1) and from such points in a straight line immediately above the five (5) foot high vegetated berm, as shown in Figures 4.1 (for Subarea A) and 4.2 (for Subarea B), to the far edge of the respective planning subarea (W. 24th Street for Subarea A and Harrison Avenue or the historic Mean High Tide Line for Subarea B). The "plane" constitutes the surface described by these points, taking into account grade elevational differences defined by the location of the vegetated berm as well as the maximum structural heights provided by Section 5.3.1.

5.3. Mandatory Development Standards

5.3.1 Heights

Structural height limits within the Planning Area shall be as follows:

- (a) In Subarea A (CT-PD-CZ District), the maximum height of structures, as measured from existing grade as of March 24, 1996, shall be limited by the Marsh View Plane, as shown in Figure 5.1, or 40 feet, whichever is less, provided that:
 - (1) Placement of earth or other solid material without benefit of a coastal development permit shall not be counted in establishing the existing grade.
 - (2) A roof or other covering of the Railcar Art Project may be up to 30 feet in height.
- (b) In Subarea B (CT-CZ District), the maximum height of tourist commercial structures above existing grade as of March 24, 1997 shall be limited by the Marsh View Plane, as shown in Figure 5.2, or 30 feet, whichever is less, provided that:

- (1) Placement of dredge spoils or other materials without benefit of a coastal development permit shall not be counted in establishing the existing grade.
 - (2) Streets, parking areas, bikeways, pedestrian ways, vista points, parks, and their appurtenances shall be located at, or near, existing grade elevations consistent with public safety, storm water drainage away from Paradise Marsh and other wetlands, and other applicable standards of this Plan.
- (c) In Subarea C (Harrison Avenue Public Access Corridor), no structures are permitted other than those listed below, and as shown in Chapter 2:
- (1) The combined pedestrian-bicycle-vehicular lanes, including foundations and storm-water drainage systems.
 - (2) The safety barrier, lighting, and security landscaped fence; provided that all structures that rise above the elevation of native landscaping in the habitat buffer shall be perch-proofed throughout the life of the project.
 - (3) The minimum necessary retaining wall, landscaped with native vegetation; provided that it shall achieve and maintain 80% vegetative coverage after two years.
 - (4) Directional and traffic signs; painted signs in the lanes shall be preferred.
- (d) Structural development is prohibited in Subarea D except for the following:
- (1) The existing levee along, and SD&AE and SDG&E bridges over, Sweetwater Channel.
 - (2) Sweetwater River and San Diego Bayshore Bikeway improvements consistent with approved coastal development permit(s).
 - (3) Park, Vista Point, and levee accessway improvements.
 - (4) Incidental relocation of the SDG&E fuel oil pipeline consistent with Chapter 6..

5.3.2 Building Bulk, Mass, Setbacks, and Visual Characteristics

In addition to other applicable standards, building bulk, mass, setbacks, and visual characteristics in the Planning Area shall comply with the following standards:

- (a) Within Subarea A:
- (1) No building shall be located within 25 feet of the W. 24th Street right-of-way, as shown in Figure 4.1.
 - (2) No building shall be located within 25 feet of the edge of the State of California right-of-way for the southbound on-ramp to I-5, as shown in Figure 4.1.
 - (3) No building shall be located within 50 feet of the easterly edge of the Harrison Avenue Public Access Corridor (Subarea C).
 - (4) No building shall be located within twelve (12) feet of the center line of any railroad track.

- (5) The first 2 feet, measured horizontally, of any building fronting on W. 24th Street or on Harrison Avenue Public Access Corridor, shall be limited to two stories (not to exceed 20 feet) above existing grade as of March 24, 1996, and any otherwise allowed additional stories shall incorporate an additional 2-foot setback relative to the lower two stories. (See Fig. 4.1.)
 - (6) The first 20 feet, measured horizontally, of any building fronting on the entry driveway into Subarea A from W. 24th Street shall be limited to 20 feet in height, as shown in Figure 4.1.
 - (7) Building elements facing Paradise Marsh shall incorporate a 50-foot setback, respectively, between the first and second, and the second and third stories, consistent with the Marsh View Plane standard in Section 5.2 and as shown in Figure 4.1, provided that balcony railings and separation walls, outdoor furniture, and rooflines within the Marsh View Plane may be utilized in these setback areas.
 - (8) No building shall utilize reflective glass or surfaces, or exterior lighting that illuminates Paradise Marsh, any delineated wetland, or any wetland habitat buffer or refugia.
 - (9) No impervious surface shall drain into Paradise Marsh, any delineated wetland, or any wetland habitat buffer or refugia during a 6-hour, 100-year recurrence storm event.
 - (10) All utilities shall be undergrounded.
 - (11) Structures and landscaping shall be located, and be maintained, so as to provide minimum 20-foot paved horizontal access and 13.5-foot vertical clearance for emergency response vehicles and equipment.
- (b) Within Subarea B:
- (1) No building shall be located within twenty (20) feet of the Harrison Avenue right-of-way, provided, however, that up to 10 feet of this distance adjacent to the building may be permitted to be utilized for outdoor dining, seating, or other commercial or marina-oriented services.
 - (2) The first 20 feet, measured horizontally, of any building fronting on Harrison Avenue shall be limited to one story above existing grade as of October 1, 1997.
 - (3) Building elements facing Paradise Marsh shall incorporate a 120-foot setback between the first and second, and any otherwise feasible second and third stories, as shown in Figure 4.2, provided that balcony railings, roof lines below the Marsh View Plane, and outdoor furniture may be utilized in the setback areas.
 - (4) Notwithstanding section (b)(3), a commercial building, not to exceed 4,000 SF and 18 feet in height above existing grade, may be located in the southeastern part of Subarea B-1 adjacent to and west of the combined Bayshore Bikeway and pedestrian accessway to primarily serve these public access and recreational

- uses.
- (5) Building elements facing the National City Marina shall be limited to 20 feet above existing grade as of March 24, 1996, as shown in Figure 4.1.
 - (6) All utilities serving development within the Subarea shall be undergrounded. Relocation and removal of the SDG&E electric transmission lines is recommended at the earliest feasible opportunity.
 - (7) No impermeable surface shall drain into Paradise Marsh, any delineated wetland, or any wetland habitat buffer, including, but not limited to, during a 6-hour, 100-year recurrence storm event.
 - (8) No building shall utilize reflective glass or surfaces, or exterior lighting that illuminates Paradise Marsh, any delineated wetland, any wetland habitat buffer, or any other environmentally sensitive habitat area.
 - (9) The building height limit in Subarea B-2, as shown in Figure 4.2, shall be 30 feet above existing grade as of March 24, 1996, provided that a 20 foot setback for any development from the westerly edge of the Harrison Avenue right-of-way and a 20 foot height limit for structures fronting on Harrison Avenue or 32nd Street applies, as also shown in Figure 4.1.
 - (10) Structures and landscaping shall be located, and be maintained, so as to provide minimum 20-foot paved horizontal access and 13.5-foot vertical clearance for emergency response vehicles and equipment.

5.3.3 Unified Building Design

All buildings shall adhere to, and carry out, a unified building design theme in the Harbor District, as follows:

- (a) Within Subarea A, buildings shall have exteriors that combine wood and other natural materials to formulate a texture and color scheme that is compatible with the natural colors of Paradise Marsh, the Bay Point Formation, and coastal San Diego County.
- (b) Within Subarea B, building exteriors shall be compatible with a nautical or traditional National City design theme.

5.3.4 Signs

Signs in the Planning Area shall be regulated as follows:

- (a) Public access and directional signs shall, at a minimum, be located at or near all street intersections, where public accessways cross each other or with streets, at and near the 24th Street Trolley Station, and along I-5 north and south of the 24th street offramps. Signs shall be consistent with the format and appearance of the Joint Coastal

- Commission-State Coastal Conservancy Public Access Guidelines.
- (b) Building-mounted signs shall be allowed in Subareas A and B, provided that they:
 - (1) Serve on-premise commercial or marina-related industrial uses only;
 - (2) Do not exceed fifty (50) square feet in size;
 - (3) Do not illuminate any part of Paradise Marsh, adjacent delineated wetlands, habitat buffers, or environmentally sensitive areas;
 - (4) Are located at least one (1) foot below the Marsh View Plane.
 - (c) Free standing on- or off-premise commercial signs, and roof-mounted signs, are prohibited throughout the Planning Area.
 - (d) Off-site commercial advertising signs are prohibited throughout the Planning Area.
 - (e) No provision of this Section shall be deemed to supersede applicable and more stringent provisions of the National City Land Use Code regarding signs.
 - (f) Environmental, cultural, and historical interpretive signs may be placed in parks, plazas, along public accessways and bicycleways, and along the landward side of habitat buffers in consultation with, and pursuant to agreement of, the USFWS, provided they are compatible with the Marsh View Plane and all applicable provisions of Chapter 3. Environmental interpretive signs should identify and explain the native plants and animals within the National Wildlife Refuge, adjacent delineated wetlands, wetland habitat buffers, Paradise Creek, and other nearby environmentally sensitive areas.

5.3.5 Antennae

Location of any antenna is prohibited in the Specific Plan Area if it is visible from Paradise Marsh, I-5, West 24th Street/Harbor Gateway, Harrison Avenue Public Access Corridor, any public vista point, plaza, or park, or if it extends within one (1) foot of the Marsh View Plane, as shown in Figures 4.1, 4.2, 5.1, and 5.2. Additional Marsh View Plane analysis shall be required if an antenna is proposed outside the areas covered by said Figures. This Section does not govern any location of antennae within the legal geographical jurisdiction, as amended, of the Port District pursuant to the California Coastal Act.

5.3.6 SDG&E Electric Transmission Towers and Lines

The four SDG&E electric transmission towers and lines in and through the Planning Area shall constitute a legal non-conforming use in Subareas B-3 and D until the date of the expiration of the license for, the decommissioning of, or the existence of a feasible alternative to, the South Bay Electric Power Generating Station, with which they are connected, at which point they shall be removed as blight at the earliest feasible time, but in any case no later than 180 days following the date of any of the above conditions.

5.4 Harbor District Advisory Committee

The Plan recommends that the Mayor and City Council appoint a Harbor District Advisory Committee, to consist of representatives of the community, schools, property owners, interested regional, state, and federal agencies, and other interested persons with special knowledge, ability, or expertise to fulfill the following functions in support of the continuing implementation of the Plan:

- (a) Preparation of an annual monitoring report about the implementation of the Plan and presentation of it, including any recommendations, as appropriate, for its improvement, to the Mayor, Council, Planning Commission, Coastal Commission, USFWS, and Port District.
- (b) Leadership in an on-going Paradise Marsh, Paradise Creek, habitat buffer, park and other landscaped area clean-up and maintenance program, in cooperation with community groups, businesses, schools, and public agencies.
- (c) Organization of an annual "Harbor District Festival" to celebrate the economic and environmental revitalization of the National City Bayfront.

CHAPTER 6. MARINE-RELATED INDUSTRY

6.1 Historical Background

Since the 1870's, the National City Bayfront has been host to major regional San Diego Bay industrial, transportation, and naval facilities. At one time it served as the main southwestern U.S. rail yard for the Atchison Topeka and Santa Fe Railroad, and it is now largely occupied by a United States Naval Station, the 24th Street Marine Terminal in the Port District, and numerous marine-related and general industrial uses.

During the past 57 years, the Bayfront land area has been dramatically expanded by filling. In 1941, approximately 170 acres were filled out to the U.S. Bulkhead Line (immediately west of Terminal Way), between 26th Street on the south and the foot of 8th Street near Harbor Drive on the north, for naval vessel berthing.

By 1946, in connection with dredging of 10.1 million cubic yards along the eastern part of Central San Diego Bay to increase its navigational depth from -20 feet to -30 feet MLLW, an additional 230 acres were filled to "provide excellent sites for commercial airports" in the areas south of 26th Street and in the salt marsh and mudflats at the historical mouth of Paradise Creek. Concurrently, historic Paradise Creek was channelized from within Paradise Marsh, northeast of the SD&AE Railroad trestle, through the fill to San Diego Bay, in the "24th Street Channel".

In 1968, the 253-acre 24th Street Marine Terminal was created through further fill in the area west of Terminal Way, between the present Sweetwater Channel Wharf on the south and the foot of 24th Street on the north. In conjunction with this project, the man-made "24th Street Channel" was also filled and the linear Paradise Creek Channel, southwest of "Bannister Marsh", was relocated to the center of the man-made "connector marsh" in the area of the delta of the historic Sweetwater River.

Since the late 1960's, the westerly part of Planning Subarea B ("Subarea B-2", located to the west of the proposed alignment of Harrison Avenue Public Access Corridor, south of the BNSF spur track curve and adjacent to the Port Planning Subarea 55, "Lumber Yards") has been utilized for storage of maritime lumber, building, and more recently automobile cargo in conjunction with evolving market utilization of the National City Marine Terminal on Port lands. These historical cargo storage uses are conditionally permitted by this Plan to continue in the area west of Harrison Avenue Public Access Corridor within Subarea B-2 for the duration of the Memorandum of Understanding between the San Diego Unified Port District and the City Regarding this area (to the year 2002).

The SD&AE Railroad (formerly, "Coronado Belt Line") was constructed in its current alignment on earthen fill in, and on the Paradise Creek trestle over, Paradise Marsh, and through the Bay Point Formation at the southwesterly corner of Subarea A in the 1870's. In the mid-1920's, this rail line ran along the east side of Harrison Avenue north to 13th Street, where it turned east and north. At present (1998), this rail line, now owned by Metropolitan Transit Development Board, is generally inactive. Other

diagonal spur tracks cross Subarea A to continue north in Cleveland Avenue and in the alley between it and Harrison Avenue.

Substantial fill of the Paradise Creek channel and adjacent Paradise Marsh, between the present I-5 freeway on the east and the SD&AE Railroad right-of-way of the west, has also occurred. In 1928, the road from 24th Street south to the area of the present Sweetwater Channel was located on ± 1.5 acres of fill of the historic Paradise Marsh, but the I-5 fill in that same segment now covers ± 20 acres. An additional ± 2 acres constitute part of the "Davy's" burn dump landfill, west of I-5 and apparently on both sides of the present (1998) Paradise Creek channel. Between 1928 and 1997, other land fill for industrial uses, including with contaminated materials, in Subarea A encroached into the Marsh and Creek, for a distance of up to ± 310 feet. (Ninyo & Moore, 1998.)

In 1959-1960, SDG&E constructed a 10-inch pressurized heavy fuel oil pipeline to the west of the San Diego & Arizona Eastern (SD&AE) Railroad track and near the edge of Paradise Marsh. This 4.5-mile long transfer pipeline, which holds 1,600-1,800 barrels and has a throughput capacity of 50,000 barrels (12 hours) to 230,000 barrels (36 hours), connects the utility's South Bay electricity generating station in Chula Vista with the oil tanker terminal at the National City Marine Terminal. Along some 1,550 feet of the westerly edge of the National Wildlife Refuge in Paradise Marsh, the pipeline is located within ± 25 -40 feet of the delineated wetlands. For some 210 feet in the area of the railroad trestle over the historic outflow of Paradise Creek and the salt pan that extends south of it, the pipeline crosses or is located beneath delineated wetlands within Subarea B and C. (Rick Engineering Company, 1998.) The pipeline also crosses over the Sweetwater Channel.

According to the pipeline oil spill contingency plan, the average number of fuel oil transfers is 2.33 per year, with an average through put of 84,000 barrels. However, the contingency plan posits a "worst case" oil spill, involving No. 6 oil, of 47,000 barrels. The Contingency Plan's "response strategy" to such an event is to:

- (1) "quickly boom both sides of Paradise Creek and the Sweetwater Channel" (to contain the oil in Paradise Marsh),
- (2) "attempt to slow the spread of oil into San Diego Bay by utilizing a series of booms to deflects the oil toward shoreside collection points", and,
- (3) "cleanup will be largely collecting oil from boom and bermed areas, collecting absorbents, and using skimmers."

In a companion "Risk and Hazard Analysis and Offsite Consequence Analysis for the 24th Street [National City] Marine Terminal and Pipeline", the potential for recovery of oil in a spill involving the facility is identified as "about half of the spill", or some 23,000 barrels (987,000 gallons). An equal amount would remain in Paradise Marsh and adjacent wetlands, although lighter fractions of petroleum would evaporate and likely contribute to locally significant air quality reduction. The Contingency Plan finds the "The response to a worst case oil spill will probably be inadequate." Based on this information as a whole, and the fact that the liquids transported through the pipeline

are considered by the California Coastal Management Program as among the most damaging to wetland resources, this Plan recommends a program to abandon the pipeline in place (after appropriate cleaning and sealing) and to replace it, as may be necessary, by an alternative upland route through or around the Harbor District.

6.2 LCP Standards, Objectives, and Requirements

In 1998, the National City Marine Terminal is one of two San Diego Bay maritime commercial terminal within the Port District. The certified National City LCP Land Use Plan (1988) identifies it as "the only one [port terminal] capable of expansion" on San Diego Bay. After years of relative underutilization, the Terminal has experienced a significant (412%) increase in cargo tonnage throughput during 1996-97, largely due to phenomenal growth in maritime automobile import-export. Further increase in cargo volumes are anticipated during 1998.

Coastal Act §30255, which is referenced in the certified LCP Land Use Plan, establishes locational criteria for coastal-dependent (and coastal-related) industrial development, as follows:

"Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in the division [i.e., the Coastal Act], coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-related uses they support."

At the Marine Terminal, the primary coastal-related use consists of handling and storage of maritime cargoes, including imported-exported automobile and light trucks, lumber, other building materials, containers, and bulk cargo. Maritime cargo storage occurs both within the Marine Terminal, west of Terminal Street, as well as within Port Master Plan Subareas 55 (involving lumber and automobiles), 57 (automobiles), 58 (automobiles), 59 (automobiles), and on ±4.4 acres within Specific Area Plan Subarea B, which has been generally used to store lumber, automobiles, and similar cargoes. The certified LCP also provides that if different industrial land uses compete for available industrial land, priority shall be given to marine related industrial uses. In recent years, the Port District has stored dredged materials on the property it acquired in Subarea B to allow the to dry, before hauling the off-site and outside the coastal zone for disposal. Such temporary use is permitted only in conjunction with excavation of fill material to create National City Marina boat basin.

Other LCP standards, objectives and requirements that apply to marine-related industrial development and use in the Planning Area include:

- (a) New marine-related industry shall be prohibited in Subareas B-1 and B-3, generally east of Harrison Avenue, and in Subarea C, Harrison Avenue Public Access Corridor.
- (b) All new development shall incorporate adequate on-site parking to accommodate generated demand.

- (c) Marine-related truck traffic shall be prohibited in Harrison Avenue Public Access Corridor, between W. 24th Street and the historic mean high tide line at 32nd Street.
- (d) Development shall provide landscaping and other design elements to create and maintain appropriate visual separation between industrial uses to the west of Harrison Avenue Public Access Corridor and the public access corridor and Paradise Marsh to the east.
- (e) The intensity of permitted development shall be reviewed for impacts on traffic circulation.
- (f) Paradise Marsh, and adjacent delineated wetlands in the Specific Area Plan, and their valuable and sensitive biological resources, shall be preserved, including through avoidance of adverse effects from new development and implementation of appropriate buffers.
- (g) The dumping of rubbish or commercial waste into the marsh area, adjacent wetlands, and storm drains shall be prohibited.
- (h) Drainage shall be directed to existing street drains from new development or remodeling of existing development. Potential increase in storm water runoff from new development, or in pollutant loadings, shall be appropriately controlled and maintained to avoid adverse erosion, sedimentation or other impacts on wetlands, or on water quality.
- (i) Landscaping utilizing native species shall be preferred; plant species that are invasive of wetlands shall be prohibited.
- (j) Development in Subarea B shall assure and maintain the highest aesthetic quality through appropriate height limits, landscape elements, signage, and public view protection.
- (k) Harrison Avenue Public Access Corridor shall be designed, constructed, and maintained as a landscaped gateway to Subarea B, the National City Marina, Pepper Park, and the Boat Launching Ramp.

6.3 Coordinated Planning with the Port District

The certified National City LCP provides for coordination between the Specific Area Plan and the Port District Master Plan planning and implementation program to address and encourage concurrent high quality and feasible development of tourist, commercial and recreational areas west of Paradise Marsh.

Similarly, the certified Port Master Plan provides that "(t)he Port District will remain sensitive to the needs (of), and cooperate with(,) adjacent communities and other appropriate governmental agencies in Bay and tideland development", including that it "will at all times attempt to relate tidelands to the uplands". The certified Port Master Plan further provides that "(t)he Port District will integrate the tidelands into a functional regional transportation network", including through "(p)roviding pedestrian linkages" and "encouraging development of non-automobile linkage systems to bridge the gap between pedestrian and major mass (transit) systems.

That cooperative relationship between the Port District and National City has been evidenced in:

- The certified Port Master Plan Amendment (“PMPA”) No. 19, which in 1994 authorized the National City Marina project to be excavated from previously placed fill between 32nd Street and the Sweetwater Channel;
- The Memorandum of Understanding (“MOU”) between the National City Community Development Commission and SDUPD in 1997, which forms the functional basis for the City’s implementation of the Specific Area Plan mandate contained in the LCP;
- Pursuant to the MOU and parallel to the Specific Area Plan process during 1998, the Port District’s preparation of an amendment to its legal geographical jurisdictional boundary to fully include that area of PMPA 19 within the certified Port Master Plan and convey coastal development permit jurisdiction therefor to SDUPD, and thereby establish new jurisdictional boundaries between the Port and City, which are reflected in this Plan, as well as in the companion clean-up LCP Land Use Plan Amendment.

6.4 COASTAL-RELATED DEVELOPMENT: MANDATORY STANDARDS

(a) Marina-Related Uses

(1) Permitted Uses

In addition to the tourist-commercial uses permitted in Subarea B pursuant to Chapter 4, marina-related industry may be permitted in Subarea B, consistent with all other applicable provisions of the Plan, and subject to approval of a conditional use permit and coastal development permit, including for:

- (A) A boatyard for small craft boat building and repair;
- (B) A boat chandlery;
- (C) Marine hardware and electronic sales and repairs;
- (D) Sail making and repairs, including of boat covers and similar materials;
- (E) Marine engine repairs;
- (F) Boat sales, displays, and rentals;
- (G) Boat dry storage;
- (H) Upland support uses, including, but not limited to, office or other commercial space for harbor master; water taxi; boatyard; boat sales, services, and storage; and related professional services; and
- (I) Temporary events, lasting fewer than ninety (90) days, associated with transient boat races, including regattas; provided that they do not impede public use of accessway, as shown on Figure 2.1.

(2) Mandatory Requirements and Conditions

Marina-related permitted development and use shall conform to the following requirements and conditions, in addition to all applicable provisions of the Plan and the certified LCP:

- (A) The listing of permissible uses in Part 6.4.a.(1).
- (B) The Plan conservation and development standards, as provided in Chapter 3.
- (C) Coordination, prior to the filing of a coastal development permit application, among the development applicant, the Community Development Commission of National City, and the Port District to harmonize proposed marina-related development uses in Subarea B with development and uses in Port Planning Subareas 55, 55, and 59.
- (D) Coordination with the USFWS, Coastal Commission, and CDFG during the project design phase to identify, avoid, and/or fully mitigate unavoidable impacts on coastal resources, including listed threatened or endangered species, and on public access to and along the shoreline.
- (E) Public hearing before the Planning Commission and City Council which may be conducted in joint session.

(3) Prohibited Uses:

- (A) All development and uses enumerated in Part 6.4.a.(1) are prohibited in the rights-of-way of Harrison Avenue Public Access Corridor and of 32nd Street, within the Planning Area.
- (B) Spray-painting of boats or boat components outside enclosed and ventilated areas.
- (C) Discharge of any toxic material or liquid onto the ground, into Paradise Marsh or an adjacent wetland, directly or indirectly into the storm water drainage system, or into the air.
- (D) Exterior boatyard-related uses that would adversely affect the National Wildlife Refuge, any adjacent wetlands, any habitat buffer, or any public accessway, provided that boats may be transported across the public accessway along the southerly boundary of Subarea B-1, as shown in Figure 2.1, to the Marina.
- (E) Any uses which would generate noise levels that would exceed 65 dbA within Paradise Marsh, any other delineated wetland, any wetland habitat buffer area, or any part of the National Wildlife Refuge.
- (F) Utilization of any light fixtures that would illuminate Paradise Marsh, any other delineated wetland, any wetland

habitat buffer, or any environmentally sensitive habitat area.

(b) Maritime Cargo Storage

(1) Permitted Uses.

Maritime cargo, limited to automobiles, trucks, and containers, shall be a conditionally permitted use Subarea B-2, west of Harrison Avenue, subject to the following conditions:

- (A) Cargo shall only be stored to the west of the Harrison Avenue Public Access Corridor landscaped security fence and setback area, as provided in Section 4.2.
- (B) The plan conservation and development standards, as contained in Chapters 3 apply.
- (C) The maximum height of stored cargo in Subarea b-2 shall, to the maximum extent feasible, not exceed the height of the landscaped security fence and adjacent landscaping, as depicted in (typical) Section 7 of Figure 2.5.
- (D) Ingress and egress for truck traffic that serves maritime cargo storage in Subarea B-2 shall be prohibited on Harrison Avenue Public Access Corridor and on 32nd Street, east of the historic mean high tide line.
- (E) Coordination, prior to coastal development permit application, among the development applicant, the Community Development Commission of National City, and the Port District is strongly recommended to harmonize proposed marine-related development and uses in Port Planning Subareas 55, 58, and 59 with this Plan.
- (F) Coordination is strongly recommended with the USFWS, Coastal Commission, and CDFG during the project design phase to identify, avoid, and/or fully mitigate unavoidable impacts on coastal resources, including listed threatened or endangered species, and on public access to and along the shoreline, including recreational resources.
- (G) Public hearing before the Planning Commission and City Council, which may be conducted in joint session, shall be required.

(2) Interim Permitted Uses

The temporary storage by the Port District of fill from the excavation of the National City Marina boat basin shall be permitted in Subarea B-2, consistent with the US Army Corps of Engineers Section 404 permit, for up to 180 days following the date on which a coastal development permit is issued for the Marina boat basin, prior to the end of which period the material shall be removed removal of the material to a location outside

the National City coastal zone.

(3) Prohibited Uses

The following uses are prohibited in connection with, or separate from, maritime cargo storage in Subarea B-2:

- (A) Temporary or permanent storage of dredged materials from outside Port Planning Subarea 59.
- (B) Storage of hazardous materials, except in incidental minor quantities that are ancillary to otherwise permitted uses (including, but not limited to, fuel in vehicles).

- (C) Drainage of storm water runoff into Paradise Marsh or any other delineated wetland within the Planning Area, as depicted in Figure 3-1.
- (D) Utilization of Harrison Avenue Public Access Corridor and of 32nd Street, east of the historic Mean High Tide Line, for truck traffic, truck or trailer parking, and loading or unloading equipment associated with maritime cargo storage or handling in Subarea B-2.
- (E) Employee parking associated with maritime cargo storage or handling, or with commercial recreational uses, at any time along Harrison Avenue Public Access Corridor or along 32nd Street, between Harrison Avenue Public Access Corridor and the historic Mean High Tide Line.
- (F) Any uses which would generate noise levels that would exceed 65 dBA within Paradise Marsh or adjacent delineated wetlands.
- (G) Maritime cargo storage is prohibited in the Harbor District Specific Plan Area outside of Subarea B-2, as defined in Part 6.4.b.(1) and shown in Figure 1.3.

(4) Conditional Use Permit Procedures

- (A) A conditional use permit pursuant to Section 6.4(a) shall be considered in conjunction with a coastal development permit application for development in Subarea B-2. The procedures for obtaining a Conditional Use Permit for marina related development and uses, or for maritime cargo storage, in Subarea B-2 shall be those contained in Chapter 18.116 of the City Land Use Code; provided, that where differences occur between Chapter 18.116 and the provisions of the Plan, the latter shall govern.
- (B) A conditional use permit for otherwise permitted maritime cargo storage in Subarea B-2 shall be issued for the period of the Memorandum of Understanding (MOU) between the CDC and the Port District, dated June 26,

- (B) Any substantial change in the location, use, intensity of use, or level of protection against the spillage of petroleum products or other hazardous substances by the pipeline shall trigger mandatory coastal development permit review of such development, including consideration of whether there is a continued need for the pipeline.

(2) Relocation and Abandonment in Place

- (A) If a continued need for the pipeline is demonstrated, and the provisions of Section (c)(2)(B) apply, consideration shall be given to the following program, which shall constitute a permitted implementation action undertaken to protect the public health and safety:
 - (i) Preference shall be given to incorporating a comparably sized new oil pipeline, with effective monitoring and control equipment, in an engineered conduit on uplands within either the Harrison Avenue Public Access Corridor (Subarea C) and public access corridors in Subareas B and D, between W. 24th Street and the SDG&E utility bridge over Sweetwater Channel, or location of the new pipeline in Tidelands Avenue, 32nd Street, and to connect with the public access corridors in Subareas B and D, between W. 24th Street and the SDG&E utility bridge over Sweetwater Channel;
 - (ii) Instituting a maximally effective oil pipeline monitoring, oil spill containment, and clean-up program, including through avoidance by design of utilizing Paradise Marsh, adjoining delineated wetlands, the Sweetwater Channel, and the National Wildlife Refuge as oil spill containment or recovery areas; and,
 - (iii) Abandoning the existing pipeline in-place after purging, cleaning, inerting, sealing, and otherwise containing it, consistent with applicable laws, and with appropriate monitoring and remediation, as necessary to comply with all the standards of Chapter 3.
- (B) The Plan recommends that the Mayor and City Council petition the Governor and State Legislature to fund, in conjunction with SDG&E, a program to implement Section (c)(2)(A).

1997, provided that:

- (i) A submittal of a purchase offer to the Port District for the ±7.2 acres of land referenced in, and pursuant to the provisions of, part 11 of the MOU shall toll a 180-day period, commencing on the date of said submittal, by the of which the condition use permit for maritime cargo shall cease, and any stored cargo shall be removed by the person entitled to store such cargo.
- (ii) In the event that monitoring of the cargo storage area and landscaped security fencing identifies potentially significant adverse effects from these facilities on coastal resources, including, but not limited to listed threatened and endangered species, the provisions of Chapter 3 shall apply.
- (iii) If the purchase offer referenced in Section (3)(B)(i), above, does not occur before July 1, 2002, then the Port District may apply for, and the City shall approve, an amendment to an approved conditional use permit and coastal development permit for marine-related cargo storage to extend their terms, respectively, by five (5) years, subject to a finding of continued consistency with the policies of Chapter 3 and the continuance of all previous conditions of approval. said permits may be renewed for subsequent five year terms, provided that the City makes a finding, after consultation with USFWS, CDFG, and the Coastal Commission that there are no materially changed circumstances either in the development or use, or in the natural and restored resources of Paradise Marsh, adjacent delineated wetlands, or public access to and along the shoreline, and to recreational areas.

(c) Oil Pipeline

(1) Existing Facility

- (A) The National City Transfer Station-South Bay Power Plant oil pipeline that is located in Planning Subareas A (24th Street right-of-way), B, C, and D constitutes a pre-existing use and as such shall be allowed to operate, consistent with all applicable laws, and be maintained and repaired, consistent with its Certificate of Convenience and Necessity from the California Public Utilities Commission, the California Oil Spill Prevention and Response Act of 1990, and the maintenance and repair provisions of §30610(d).

CHAPTER 7. SUPPORTING DOCUMENTS

Available in the Office of the Community Development Commission of the City of
National City or the Planning Department of the City of National City.