



DATE: April 6, 2009

TO: Chairperson and Members of the Planning Commission

FROM: Development Services Department/Planning Division

SUBJECT: **CONSIDERATION OF A REGULAR COASTAL PERMIT (RC-1-09) TO PERMIT THE CONSTRUCTION OF A TRAIL CONNECTOR BRIDGE AND TWO OBSERVATION DECKS ALONG AN EXISTING NATURE TRAIL LOCATED ON THE BUENA VISTA LAGOON ECOLOGICAL RESERVE AT 2202 SOUTH COAST HIGHWAY IN OCEANSIDE, CALIFORNIA. THE PROJECT SITE IS ZONED OS (OPEN SPACE) AND IS WITHIN THE SOUTH OCEANSIDE NEIGHBORHOOD AND THE COASTAL ZONE. – APPLICANT: BUENA VISTA LAGOON AUDUBON SOCIETY IN ASSOCIATION WITH THE CALIFORNIA DEPARTMENT OF FISH AND GAME**

RECOMMENDATION

Staff recommends that the Planning Commission by motion:

1. Confirm issuance of a Class 4 categorical exemption for Minor Alterations to Land pursuant to Section 15304(d) of the California Environmental Quality Act.
2. Adopt Planning Commission Resolution No. 2009-P17 approving Regular Coastal Permit (RC-1-09) with findings and conditions of approval attached herein.

PROJECT DESCRIPTION AND BACKGROUND

Background: Buena Vista Lagoon is located in the cities of Oceanside and Carlsbad, and was originally a tidal lagoon system. A weir at the lagoon mouth was constructed in 1948 and the beach berm was subsequently developed with housing (St. Malo Community). By controlling water levels and severing tidal influences, the system was changed to a freshwater lake. The lagoon covers approximately 220 acres and has a watershed of approximately 20 square miles. Road fills for Interstate 5, Coast Highway, and the railroad line divide the lagoon into four basins. Most of the Buena Vista Lagoon is a state ecological reserve under the jurisdiction of the California Department of Fish and Game (CDFG).

Buena Vista Audubon Society (BVAS) is a 501 (c) 3 non-profit organization, and a fully accredited independent chapter of the National Audubon Society. The Audubon Nature Center at Buena Vista Lagoon was constructed in 1987 on land leased from the City of Oceanside, with funds obtained from the State of California Environmental License Plate program augmented with additional funds raised by BVAS. The site also contains a paved parking lot which lies within the CDFG Reserve. BVAS maintains and manages the nature center as a nature education facility. The nature center features an array of natural exhibits, including an extensive collection of native bird specimens. BVAS also maintains a native plant demonstration garden on the grounds immediately adjacent to the center.

Site Review: The project site covers approximately three acres on the north shore of the lagoon, east of South Coast Highway. An unimproved dirt trail follows along the top of an earthen dike system that impounds several ponds. Public access and use of this trail predates the construction of the Center. A dense cattail/bulrush thicket closely edges each side of the trail and extends out in to the shallow water of the ponds and lagoon.

The property is zoned OS (Open Space) and is situated within the South Oceanside Neighborhood and the original permit jurisdiction of the local coastal zone. Under the certified Local Coastal Program (LCP), any project within the "original permit jurisdiction" must ultimately obtain a coastal permit from the California Coastal Commission. Surrounding land uses included single and multi-family residences to the north, vacant residential land to the west, and the Buena Vista Lagoon to the east and south.

Project Description: The proposed application is comprised of one required entitlement.

Regular Coastal Permit (RC-1-09) represents a request for the following:

- (a) The construction of a trail connector bridge and two observation decks along an existing nature trail located on the Buena Vista Lagoon Ecological Reserve pursuant to Article 15 of the Oceanside Zoning Ordinance (OZO).

This project would consist of the installation of a 4' by 42' connector structure necessary to bridge an impassible portion of the existing trail. A secondary component of the project would be the installation of two 8' by 18' observation decks alongside the existing trail to facilitate open water views of the adjacent small pond. Both the connector and deck would consist of pre-fabricated components designed for temporary use and easy removal. No permanent foundations or anchoring devices would be utilized.

In addition, four interpretive signs would be attached and positioned below the top rail of the view deck safety railing. The signs, as currently planned, would provide educational information about various aspects of the birdlife of the lagoon, including common species, endangered species, common behavior, and migration. The educational message would be geared to young children and the general public.

The sites for the proposed view decks were selected to take advantage of natural bends in the existing trail. The trail comes closest to the edge of the water at these locations and provides for maximum views across the open pond. The cattails and bulrush reeds are currently being maintained by CDFG in these proposed viewing locations. Placing the decks at these locations would take advantage of CDFG's past efforts to maintain view corridors and minimize the need to clear additional vegetation.

The project is subject to the following Ordinances and City policies:

1. General Plan Land Use Element
2. Oceanside Zoning Ordinance (OZO)
3. Local Coastal Program (LCP)
4. California Environmental Quality Act (CEQA)

ANALYSIS

KEY PLANNING ISSUES

General Plan Compliance

The General Plan Land Use Map designation on the subject property is Open Space (OS). The proposed project is consistent with this designation and the goals and objectives of the City's General Plan as follows:

Recreational Trails Element (Sub-Element of the Circulation Element)

Long-Range Policy Direction: Pedestrian System

Goal: An interconnected network of pedestrian facilities within the City, linking recreational and other destinations.

Goal: Encourage walking through organized citywide programs sponsored by a variety of public and private groups.

Objective 8.4: The City should provide links and associated signage to pedestrian amenities such as Buena Vista Lagoon...

The Buena Vista Lagoon Audubon Center is listed in the General Plan's Equestrian and Pedestrian Circulation Master Plan as a pedestrian amenity. The City should encourage the use of the Audubon Center and its associated services, such as the existing nature trail. The enhancement of this trail will help meet the goals set forth in the Recreational Trails Element of the General Plan.

Zoning Ordinance

This project is located in an OS (Open Space) District. The trail connector and observation decks would be classified as accessory uses to the primary use of the project site as open space. Pursuant to Section 1520, accessory uses are permitted in OS Districts as long as they are incidental to the primary open space use. There are two primary open space uses in this case: the Buena Vista Lagoon Ecological Reserve and the Buena Vista Lagoon Audubon Society Nature Center.

Local Coastal Program Compliance

The proposed project is within the original permit jurisdiction of the Local Coastal Program (LCP) and complies with all provisions of this zone. Under the certified Local Coastal Program (LCP), any project within the "original permit jurisdiction" must ultimately obtain a coastal permit from the California Coastal Commission.

Pursuant to the LCP, environmentally sensitive habitat areas, including Buena Vista Lagoon, must be protected against significant disruption. Development adjacent to such habitats shall be sited and designed to prevent adverse environmental impacts (see discussion below). In addition, the City must work with other local, state, and federal agencies to ensure that adequate measures are provided to protect and enhance the Lagoon's sensitive resources. As the property owner of the Lagoon, CDFG is acting in association with BVAS as the applicant for this project. BVAS and CDFG have had extensive discussion regarding the proposed project.

DISCUSSION:

Issue: Will the construction of the trail connector and observation decks have a negative impact on Buena Vista Lagoon?

Through agreement with CDFG, BVAS volunteers currently conduct guided walks within the Reserve and along the trail to over 2,500 elementary school students and youth group members each year. The nature center also hosts close to 8,000 additional visitors each year and an unknown number of area residents walk this unfenced trail at various times through the year. In the absence of firm counts it is difficult to estimate trail usage with any reliability; however, it is felt that annual use of the trail is in excess of 5,000 individuals. The proposed project would significantly improve the function of the trail, making it a full loop trail with interpretive signage and an unobstructed view of the pond. Use of the trail following completion of this project is tentatively expected to double.

BVAS and CDFG have had extensive discussions regarding the proposed project, and have found few negative impacts. These potential impacts include degradation of trailside vegetation, accumulation of trash, and affects on nesting or foraging wildlife.

Since the project components themselves help define the trail and discourage off-trail use, adjacent vegetation is ultimately protected. In addition, the view decks provide easy access to the open water of the pond, thereby reducing the motivation for destructive reed-clearing efforts by frustrated trail users, including fisherman who import, and later discard on-site, wood pallets and other foreign materials used as makeshift decking to gain access to the water. Project plans call for BVAS volunteers to continue to conduct regularly scheduled monthly work parties along the trail, preventing any excess accumulation of trash.

The trail connector would bridge a gap on an existing dirt trail and the deck structures would be placed where CDFG currently maintains a cattail management program. The deck structures would provide a measure of natural control over the rapid growth of vegetation in these small areas, reducing the need for future chemical control measures. The deck structures would also provide a unique habitat – shaded, cattail-free, shallow water – which is expected to provide sanctuary and habitat for certain species of aquatic life. In addition, the design of the support structures for the trail connector and view decks minimizes the extent of their footprints in the wetland habitat.

Finally, the project schedule calls for the installation of the connector and decks to take place during the non-breeding season for all identified species of concern. Materials can be moved to the site and constructed by hand, further reducing potential wildlife disturbance. BVAS proposes to keep the connector and decks in place throughout the year, and as such, would avoid any potential impacts that might arise from a scheduled series of installations and removals.

ENVIRONMENTAL DETERMINATION

The proposed project is categorically exempt pursuant to Class 4, Minor Alterations to Land, Section 15304(d) of the California Environmental Quality Act.

PUBLIC NOTIFICATION

Legal notice was published in the North County Times and notices were sent to property owners and occupants of record within a 1500-foot radius of the subject property, individuals and/or organizations requesting notification, the applicant, and other interested parties. As of March 26, 2009, one letter of opposition had been received.

SUMMARY

Staff believes the proposed project is consistent with the objectives and policies of the Local Coastal Plan. The proposed project would enhance public access to a local, coastal nature preserve. Staff recommends that the Planning Commission approve the project. The Planning Commission action should be:

- Move to approve Regular Coastal Permit (RC-1-09) and adopt Planning Commission Resolution No. 2009-P17 as attached.

PREPARED BY:


Sally Schifman
Planner II

SUBMITTED BY:


Jerry Hittleman
City Planner

REVIEWED BY:

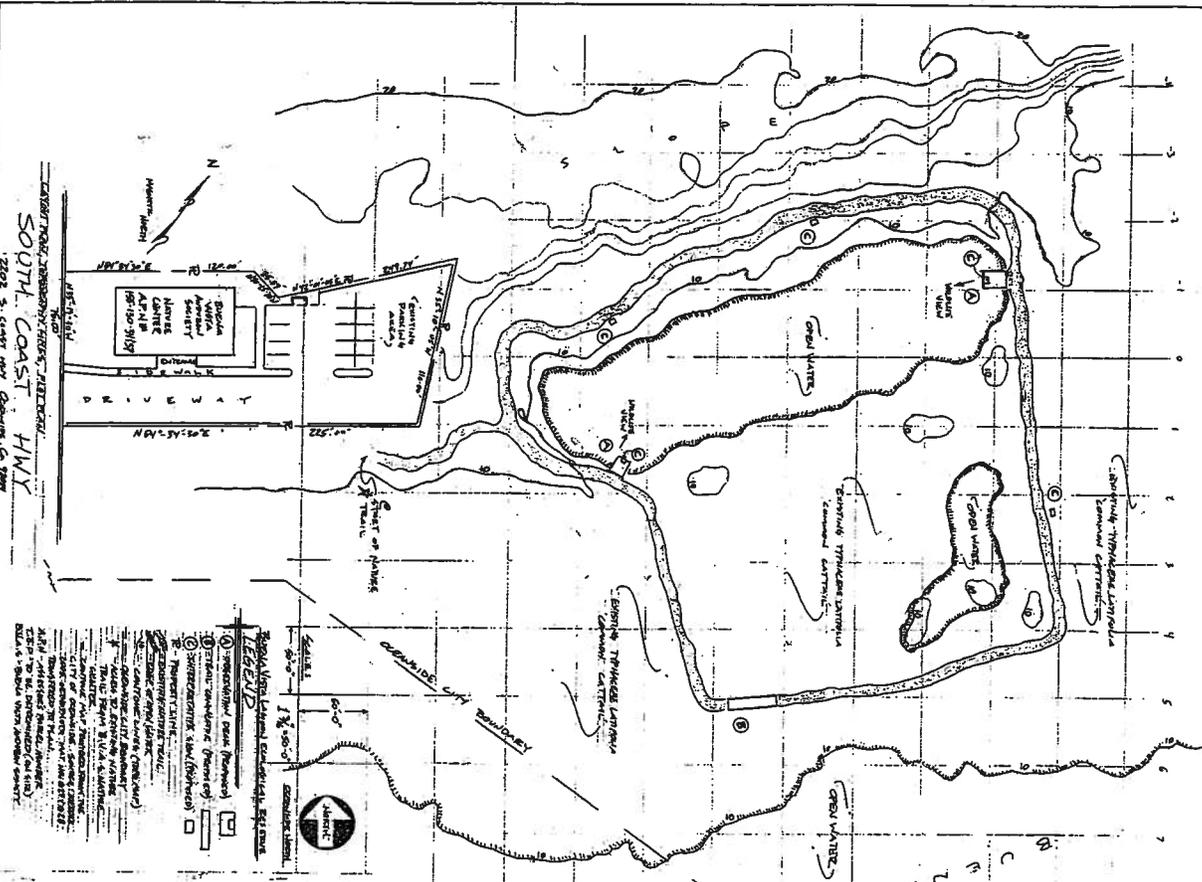
Richard Greenbauer
Senior Planner



JH/SS/fil

Attachments:

1. Site Plan and Elevations
2. Planning Commission Resolution No. 2009-P17
3. Correspondence

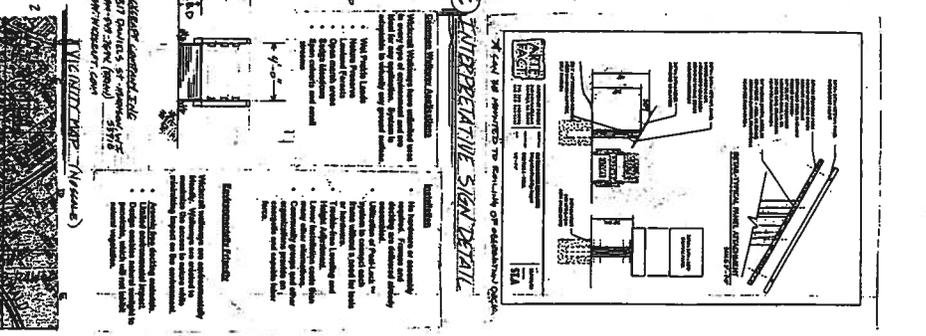
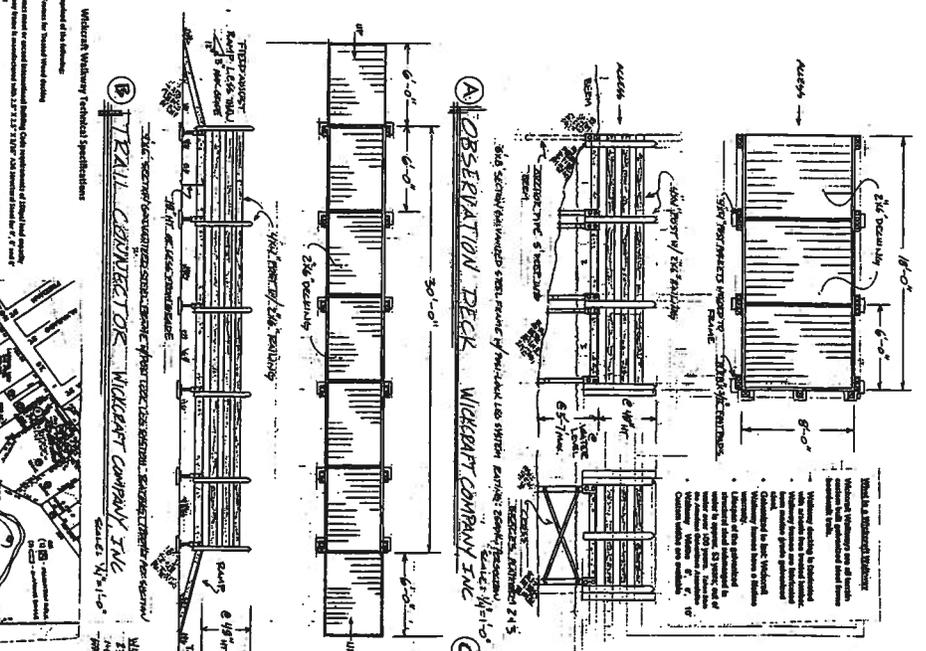


BOUENA VISTA LAGOON ECOLOGICAL RESERVE
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 BOUENA VISTA LAGOON ECOLOGICAL RESERVE

- LEGEND**
- 1. OBSERVATION DECK (PREFERRED)
 - 2. OBSERVATION DECK (ALTERNATE)
 - 3. INTERPRETIVE SIGN (PREFERRED)
 - 4. INTERPRETIVE SIGN (ALTERNATE)
 - 5. TRAIL CONNECTOR
 - 6. TRAIL CONNECTOR (ALTERNATE)
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 - 18. TRAIL CONNECTOR (ALTERNATE)
 - 19. TRAIL CONNECTOR (ALTERNATE)
 - 20. TRAIL CONNECTOR (ALTERNATE)

NOTES

1. All structures shall be constructed in accordance with the specifications of the International Building Code (IBC) and the International Residential Code (IRC).
2. All structures shall be constructed with a minimum of 2" x 4" framing.
3. All structures shall be constructed with a minimum of 1/2" x 1/2" joists.
4. All structures shall be constructed with a minimum of 1/2" x 1/2" joists.
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18. All structures shall be constructed with a minimum of 1/2" x 1/2" joists.
19. All structures shall be constructed with a minimum of 1/2" x 1/2" joists.
20. All structures shall be constructed with a minimum of 1/2" x 1/2" joists.



BOUENA VISTA LANDSCAPING
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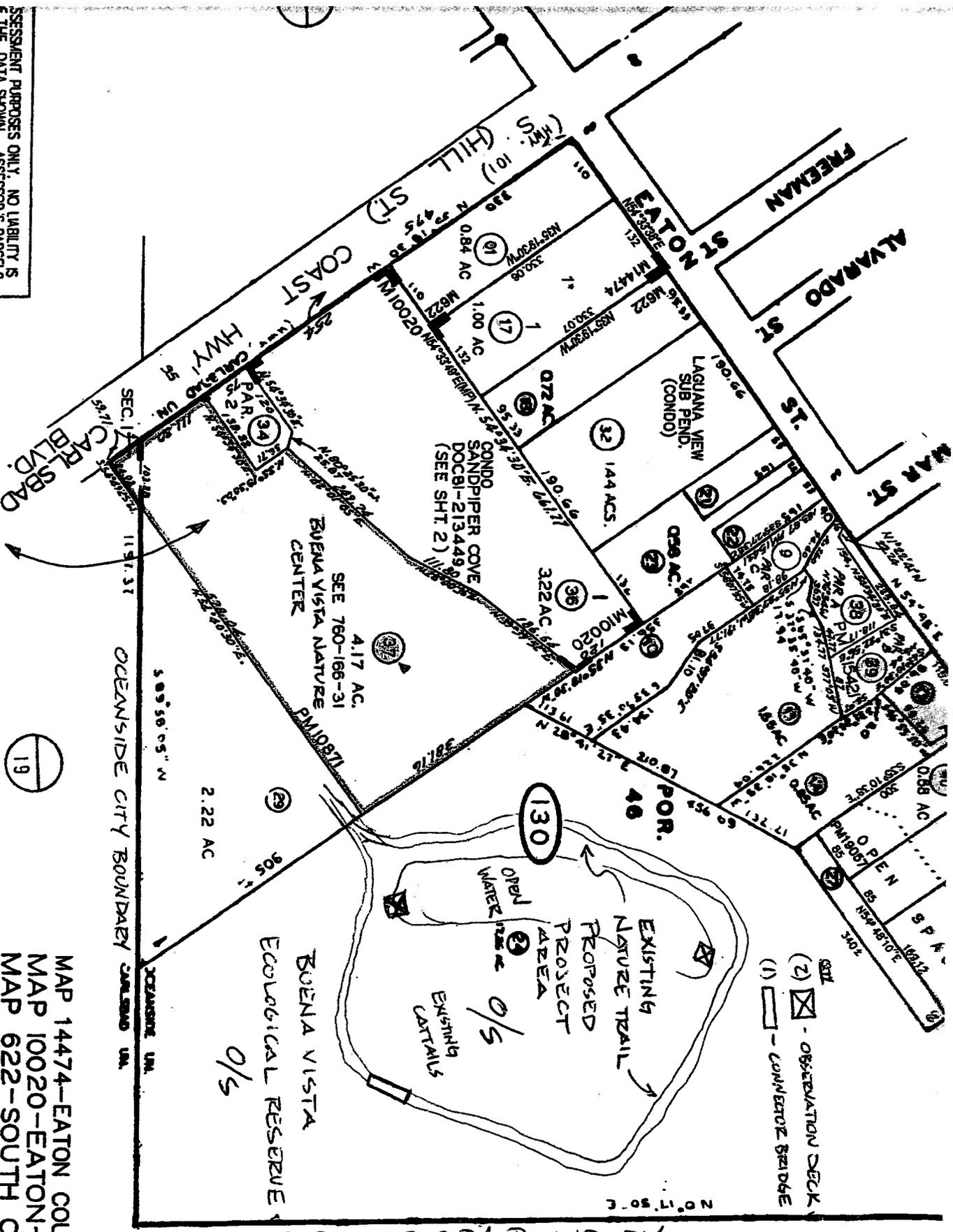
SCALE: SEE PLAN
 DATE: 11/14/06

ASSESSMENT PURPOSES ONLY. NO LIABILITY IS
 F THE DATA SHOWN. ASSESSOR'S PARCELS
 ALL SUBDIVISION OR BUILDING ORDINANCES.

AP BK 155 PG 13 SHT.10F 2

BUENA VISTA AUDUBON SOCIETY
 NATURE CENTER
 2202 S. COAST HWY, OCEANSIDE, CA

MAP 14474-EATON COURT
 MAP 10020-EATON-HILL SUB(C
 MAP 622-SOUTH OCEANSIDE F
 SEC 1-T12S-R5W-POR LOT 2



LEGEND
 (2) [Symbol] - OBSERVATION DECK
 (1) [Symbol] - CONNECTOR BRIDGE

OCEANSIDE CITY BOUNDARY

Appendix A

Buena Vista Lagoon Trail Connector and View Deck Project

Aerial View of Project Site



1 PLANNING COMMISSION
2 RESOLUTION NO. 2009-P17

3 A RESOLUTION OF THE PLANNING COMMISSION OF THE
4 CITY OF OCEANSIDE, CALIFORNIA APPROVING A
5 REGULAR COASTAL PERMIT ON CERTAIN REAL
6 PROPERTY IN THE CITY OF OCEANSIDE

6 APPLICATION NO: RC-1-09
7 APPLICANT: Buena Vista Lagoon Audubon Society in association with the
8 California Department of Fish and Game
9 LOCATION: 2202 South Coast Highway

9 THE PLANNING COMMISSION OF THE CITY OF OCEANSIDE, CALIFORNIA DOES
10 RESOLVE AS FOLLOWS:

11 WHEREAS, there was filed with this Commission a verified petition on the forms prescribed by
12 the Commission requesting a Regular Coastal Permit under the provisions of the Local Coastal
13 Program and Article 15 of the Zoning Ordinance of the City of Oceanside to permit the following:
14 construction of a trail connector bridge and two observation decks along an existing nature trail
15 located on the Buena Vista Lagoon Ecological Reserve;
16 on certain real property described in the project description.

17 WHEREAS, the Planning Commission, after giving the required notice, did on the 6th day of April,
18 2009, conduct a duly advertised public hearing as prescribed by law to consider said application.

19 WHEREAS, pursuant to the California Environmental Quality Act of 1970, and State Guidelines
20 thereto; this project has been found to be exempt from environmental review pursuant to the general rule
21 per Section 15061(b)(3);

22 WHEREAS, pursuant to Oceanside Zoning Ordinance §4603, this resolution becomes effective 10
23 days from its adoption in the absence of the filing of an appeal or call for review;

24 WHEREAS, studies and investigations made by this Commission and on its behalf reveal the
25 following facts:

26 FINDINGS:

27 For the Regular Coastal Permit:

- 28 1. The proposed project is consistent with the policies of the Local Coastal Program (LCP). Specifically, pursuant to the LCP, environmentally sensitive habitat areas, including Buena Vista Lagoon, must be protected against significant disruption. Development adjacent to such

1 habitats shall be sited and designed to prevent adverse environmental impacts. In addition, the
2 City must work with other local, state, and federal agencies to ensure that adequate measures are
3 provided to protect and enhance the Lagoon's sensitive resources. As the property owner of the
4 Lagoon, the California Department of Fish and Game (CDFG) is acting in association with
5 Buena Vista Audubon Society (BVAS) as the applicant for this project. BVAS and CDFG have
6 had extensive discussion regarding the proposed project. In addition, the proposed trail
7 connector and decks shall not substantially alter or impact existing public views of the coastal
8 zone area. On the contrary, the enhancement of the existing trail will improve public views of a
9 significant coastal resource.

- 10 2. The proposed project is situated east of South Coast Highway and will not obstruct any existing
11 or planned public beach access; therefore, the project is in conformance with the policies of
12 Chapter 3 of the Coastal Act.

13 NOW, THEREFORE, BE IT RESOLVED that the Planning Commission does hereby approve Regular
14 Permit (RC-1-09) subject to the following conditions:

15 **Building:**

- 16 1. Applicable Building Codes and Ordinances shall be based on the date of submittal for Building
17 Division plan check.
- 18 2. The granting of approval under this action shall in no way relieve the applicant/project from
19 compliance with all State and Local building codes.
- 20 3. Site development, parking, and access to the trail bridge and observation decks shall comply
21 with the State's Disabled Accessibility Regulations.
- 22 4. Compliance with the Federal Clean Water Act (BMP's) must be demonstrated on the plans.
- 23 5. The developer shall monitor, supervise and control all building construction and supporting
24 activities so as to prevent these activities from causing a public nuisance, including, but not limited
25 to, strict adherence to the following:
- 26 a) Building construction work hours shall be limited to between 7:00 a.m. and 6:00 p.m.
27 Monday through Friday, and on Saturday from 7:00 a.m. to 6:00 p.m. for work that is not
28 inherently noise-producing. Examples of work not permitted on Saturday are concrete and
grout pours, roof nailing and activities of similar noise-producing nature. No work shall
be permitted on Sundays and Federal Holidays (New Year's Day, Memorial Day, July 4th,

1 Labor Day, Thanksgiving Day, Christmas Day) except as allowed for emergency work
2 under the provisions of the Oceanside City Code Chapter 38 (Noise Ordinance).

- 3 b) The construction site shall be kept reasonably free of construction debris as specified in
4 Section 13.17 of the Oceanside City Code. Storage of debris in approved solid waste
5 containers shall be considered compliance with this requirement. Small amounts of
6 construction debris may be stored on-site in a neat, safe manner for short periods of
7 time pending disposal.

8 **Planning:**

- 9 6. This Regular Coastal Permit shall expire on April 6, 2012, unless implemented per the Zoning
10 Ordinance or unless the Planning Commission grants a time extension.
- 11 7. This Regular Coastal Permit approves only the construction of a trail connector bridge and two
12 observation decks along an existing nature trail located on the Buena Vista Lagoon Ecological
13 Reserve. All improvements will be similar in design and materials as shown on the plans and
14 exhibits presented to the Planning Commission for review and approval. No deviation from these
15 approved plans and exhibits shall occur without Planning Division approval. Substantial
16 deviations shall require a revision to the Regular Coastal Permit.
- 17 8. A covenant or other recordable document approved by the City Attorney shall be prepared by the
18 applicant and recorded prior to issuance of building permits. The covenant shall provide that the
19 property is subject to this resolution, and shall generally list the conditions of approval.
- 20 9. Prior to the transfer of ownership and/or operation of the site the owner shall provide a written
21 copy of the applications, staff report and resolutions for the project to the new owner and or
22 operator.
- 23 10. Failure to meet any conditions of approval for this development shall constitute a violation of the
24 Regular Coastal Permit.
- 25 11. Unless expressly waived, all current zoning standards and City ordinances and policies in effect at
26 the time building permits are issued are required to be met by this project. The approval of this
27 project constitutes the applicant's agreement with all statements in the Description and Justification
28 and other materials and information submitted with this application, unless specifically waived by
an adopted condition of approval.

- 1 12. Elevations and materials shall be substantially the same as those approved by the Planning
2 Commission. These shall be shown on plans submitted to the Building Division and Planning
3 Division.
- 4 13. The qualified biologist shall monitor construction activities throughout the duration of the
5 project to ensure that all practicable measures are being employed to avoid incidental
6 disturbance of habitat and any target species of concern outside the project footprint. The
7 project biologist shall be empowered to halt work activity if necessary and to confer with staff
8 from the City of Oceanside and CDFG to ensure the proper implementation of species and
9 habitat protection measures.
- 10 14. The limits of project disturbance shall be clearly defined and marked in the field and reviewed
11 by a biologist prior to initiation of work.
- 12 15. Artificial lighting adjacent to the preserve area shall not be permitted.
- 13 16. To avoid attracting predators of species of concern, the project site shall be kept clean of debris.
14 All food related trash items shall be enclosed in sealed containers and regularly removed from
15 the site. Pets of project personnel shall not be allowed on-site.
- 16 17. Construction employees shall strictly limit their activities, equipment, and construction
17 materials to the proposed footprint and designated staging areas and routes of travel. The
18 construction area(s) shall be the minimal area necessary to complete the project and shall be
19 specified in the construction plans. Construction limits shall be fenced with orange snow
20 screen. Exclusion fencing shall be maintained until the completion the completion of all
21 construction activities. All employees shall be instructed that their activities are restricted to the
22 construction areas.
- 23 18. If dead or injured listed species are located, initial notification must be made within three
24 working days, in writing to the Service's Division of Law Enforcement in Torrance California
25 and by telephone and in writing to the applicable jurisdiction, Carlsbad Field Office of the
26 FWS, and CDFG.

25 //////////////

26 //////////////

27 //////////////

28 //////////////

1 19. Construction activities shall be prohibited during breeding season, as determined by CDFG.
2 PASSED AND ADOPTED Resolution No. 2009-P17 on April 6, 2009 by the following vote, to

3 wit:

4 AYES:

5 NAYS:

6 ABSENT:

7 ABSTAIN:

8
9 _____
Claudia Troisi, Chairperson
Oceanside Planning Commission

10 ATTEST:

11
12 _____
Jerry Hittleman, Secretary

13 I, JERRY HITTLEMAN, Secretary of the Oceanside Planning Commission, hereby certify that this is a
14 true and correct copy of Resolution No. 2009-P17.

15
16 Dated: April 6, 2009

Sally Schiffman

From: Jan Rolston [cubist111@mac.com]
Sent: Wednesday, February 18, 2009 11:00 AM
To: Sally Schiffman
Subject: Re: Project RC-1-09 & 2100 S. Ditmar St.

I will send some photos of the view of the trail and proposed deck from my yard as well as the view of my home and other peoples homes from the trail at the location of the proposed east deck later this week.

Thanks,
Jan

On Feb 18, 2009, at 10:00 AM, Sally Schiffman wrote:

> Dear Jan,
>
> Thank you for your input on the Buena Vista Lagoon Trail and
> Observation Deck project (RC-1-09). This email will be placed in the
> project file and will be distributed to the Planning Commissioners at
> the public hearing. Please feel free to contact me with any further
> questions or concerns.
>
> Thank you,
>
> Sally Schiffman
> City of Oceanside Planning Division
> Planner II
> (760) 435-3520
>
> -----Original Message-----
> From: Jan Rolston [mailto:cubist111@mac.com]
> Sent: Wednesday, February 18, 2009 9:31 AM
> To: Sally Schiffman
> Subject: Project RC-1-09 & 2100 S. Ditmar St.
>
> Hi Sally,
> Thank you for getting back to me yesterday about my questions
> concerning the Buena Vista Lagoon trail connector and observation deck
> project.
>
> After looking at your maps on file at the Planning Department and then
> coming home to see how the project will impact my property and
> privacy, I am very unhappy with the location of the deck the east side
> of the trail.
>
> As I mentioned in my note to you, I have had my share of problems
> because of this trail. A public trail abuts my property line in a
> location that invites clandestine access to my yard and home by
> vagrants, robbers, and people coming from the coast highway who are
> running from the police. It is bad enough that the existing trail has
> a full view of my home. Tours of people come through carrying
> binoculars (which is very disconcerting) and this situation already
> creates a major invasion of my privacy. That the proposed east
> observation deck will be a natural stopping place that would have a

> keen view of my yard, my deck, my bedroom and the living room of my
> home is extremely upsetting. I have unhappily tolerated the lurking
> people with binoculars and disruptive noise from the daily visitors
> (along with my dogs who bark at them). That the project calls to
> connect the trail as well as build observation sites, I assume this
> will be incentive for more people to come and visit and more of a
> problem for me and the condominiums to the west of my property.
>
> If this project should somehow get approved I would beg that they
> change the location of the east deck to be on the southern portion of
> the trail where there are no homes and that no matter where the deck
> be located some kind of privacy barrier be erected or planted to
> protect the residents who live in proximity to the trail.
>
> Since the last toxic incident on the lagoon in 2008 that killed all
> the fish and left the water reeking, why on earth would anyone want to
> spend money on anything except making the lagoon healthy again? What a
> waste.
>
> I will be at the meeting April 6th at 7PM. Would you please let me
> know that you received this email?
> Thanks for any guidance you can give me on this matter.
> Sincerely,
> Jan Rolston
> 760-622-9181
>
>

Sally Schifman

From: Jan Rolston [cubist111@mac.com]
Sent: Wednesday, February 18, 2009 3:00 PM
To: Sally Schifman
Subject: RC-1-09 Photos

Sally,

These are photos I took today to show the proximity of the proposed east observation deck to my property and to my neighbors to the west of me.

Jan Rolston



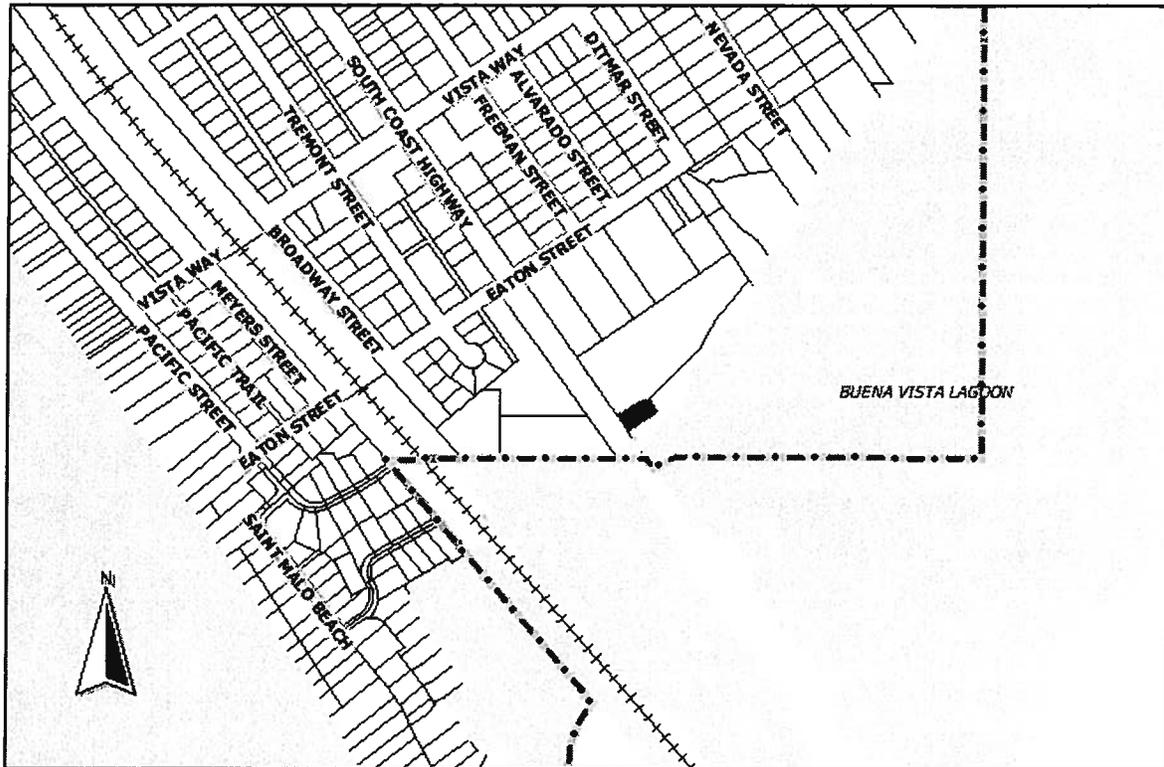
LOCATION OF THE PROPOSED EAST OBSERVATION DECK VIEWED FROM MY HOME



VIEW OF MY PROPERTY FROM THE PROPOSED EAST OBSERVATION DECK LOCATION



VIEW OF MY NEIGHBORS HOME FROM THE PROPOSED EAST OBSERVATION DECK LOCATION



File Number: RC-1-09

Applicant: Buena Vista Lagoon Audubon Society in association with the California Department of Fish and Game

Description:

REGULAR COASTAL PERMIT (RC-1-09) to permit the construction of a trail connector bridge and two (2) observation decks along an existing nature trail located on the Buena Vista Lagoon Ecological Reserve at 2202 South Coast Highway in Oceanside, California. The project site is zoned OS (Open Space) and is within the South Oceanside Neighborhood and the Coastal Zone.
- **BVL TRAIL CONNECTOR AND OBSERVATION DECKS**

Environmental Determination:

The project is exempt from the California Environmental Quality Act.

City of Oceanside, Planning Division
300 N. Coast Highway
Oceanside, CA 92054 (760) 435-3520

Trail Connector Observation Deck



Application for Public Hearing
 Community Development Department / Planning Division
 (760) 435-3520
 Oceanside Civic Center 300 North Coast Highway
 Oceanside, California 92054-2885

Received
 JAN 07 2009
 Planning Division

STAFF USE ONLY	
ACCEPTED	BY
1/7/09	SN

Please Print or Type All Information

PART I - APPLICANT INFORMATION

1. APPLICANT <i>Buena Vista Lagoon Audubon California Department of Fish & Game</i>	2. STATUS
3. ADDRESS <i>2202 S. Coast Highway, Oceanside 92054 4444 Viewridge Ave, San Diego 92123</i>	4. PHONE/FAX/E-mail <i>(760) 753-1266 (358) 867-4249</i>
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) <i>Buena Vista Landscaping - Wayne Brudi</i>	
6. ADDRESS <i>2116 Broadway, Oceanside Ca 92054</i>	7. PHONE/FAX/E-mail <i>(634) 872-1548 Cell (760) 231-5049 Fax buenvistalandsaping@cox.net</i>

HEARING
GPA
MASTER/SP.PLAN
ZONE CH.
TENT. MAP
PAR. MAP
DEV. PL.
C.U.P.
VARIANCE
COASTAL <i>RC-18-09</i>
O.H.P.A.C.

PART II - PROPERTY DESCRIPTION

8. LOCATION <i>Buena Vista Lagoon Ecological Reserve</i>		
10. GENERAL PLAN	11. ZONING <i>OS</i>	12. LAND USE <i>OS</i>

9. SIZE <i>Lagoon</i>
13. ASSESSOR'S PARCEL NUMBER <i>155-130-37</i>

PART III - PROJECT DESCRIPTION

14. GENERAL PROJECT DESCRIPTION
Trail Connector and observation decks along existing foot path to complete nature trail loop.

15. PROPOSED GENERAL PLAN <i>N/A</i>	16. PROPOSED ZONING <i>N/A</i>	17. PROPOSED LAND USE <i>N/A</i>	18. NO. UNITS <i>N/A</i>	19. DENSITY <i>N/A</i>
20. BUILDING SIZE <i>N/A</i>	21. PARKING SPACES <i>N/A</i>	22. % LANDSCAPE <i>N/A</i>	23. % LOT COVERAGE or FAR <i>N/A</i>	

PART IV - ATTACHMENTS

<input checked="" type="checkbox"/> 24. DESCRIPTION/JUSTIFICATION	<input checked="" type="checkbox"/> 25. LEGAL DESCRIPTION	26. TITLE REPORT
<input checked="" type="checkbox"/> 27. NOTIFICATION MAP & LABELS	<input checked="" type="checkbox"/> 28. ENVIRONMENTAL INFO FORM	<input checked="" type="checkbox"/> 29. PLOT PLANS
<input checked="" type="checkbox"/> 30. FLOOR PLANS AND ELEVATIONS	31. CERTIFICATION OF POSTING	32. OTHER (See attachment for required reports)

PART V - SIGNATURES

33. APPLICANT OR REPRESENTATIVE (Print): <i>Buena Vista landscaping Wayne Brudi</i>	34. DATE <i>12-31-08</i>	SIGNATURES OF ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).
Sign: <i>Wayne Brudi</i>	35. OWNER (Print) <i>Dept. of Fish Game</i>	
I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.		36. DATE <i>12-31-08</i> Sign: <i>Karen L. Miner</i>

Received

JAN 07 2009

Planning Division

Trail Connector and Observation Deck Project

at the

Buena Vista Lagoon Ecological Reserve

Received
JAN 07 2009
Planning Division

(Updated, December, 2006)

Contacts:

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jdhuckabay@sbglobal.com

Andrew Mauro
(760) 753-1266
akamauro@cox.net

Note: Some of the background information contained in this report was taken directly from the following source:

Buena Vista Lagoon Nature Trail Concept Plan

Prepared for Buena Vista Audubon Society by:

Jones & Stokes

340 East Palm Lane, Suite A275

Phoenix, AZ 85004

Contact: Mark Meyer; (602) 256-6662

November, 2001



Buena Vista Audubon Society

2202 S. Coast Highway

P.O. Box 540

Oceanside, CA 92049-0480



Buena Vista Audubon Society

Trail Connector and Observation Deck Project

at the

Buena Vista Lagoon Ecological Reserve

Background

Buena Vista Lagoon is located in the cities of Oceanside and Carlsbad, San Diego County, California, and was originally a tidal lagoon system. A weir at the lagoon mouth was constructed in 1948 and the beach berm was subsequently developed with housing. By controlling water levels and severing tidal influences, the system was changed to a freshwater lake. The lagoon covers approximately 220 acres and has a watershed of approximately 20 square miles. Road fills for Interstate 5, Pacific Coast Highway, and the railroad line divide the lagoon into four basins. Most of the Buena Vista Lagoon is a state ecological reserve under the jurisdiction of the California Department of Fish and Game (CDFG).

Buena Vista Audubon Society is a 501 (c) 3 non-profit organization, and a fully accredited independent chapter of the National Audubon Society. The Audubon Nature Center at Buena Vista Lagoon was constructed in 1987 on land leased from the City of Oceanside, with funds obtained from the State of California Environmental License Plate program augmented with additional funds raised by BVAS. The site also contains a paved parking lot which lies within the CDFG Reserve. BVAS maintains and manages the nature center as a nature education facility. The nature center features an array of natural exhibits, including an extensive collection of native bird specimens. BVAS also maintains a native plant demonstration garden on the grounds immediately adjacent to the nature center.

The full wetlands restoration of the Buena Vista Lagoon is the subject of on-going studies. As of the date of this letter, a base analysis and restoration feasibility study has been completed, and CDFG and the Coastal Conservancy are currently seeking a contractor to prepare the necessary CEQA/NEPA documents which will include a management plan. These documents will determine the preferred hydrologic regime as well as the proposed public use plan for the reserve. Discussions continue at various levels between regulatory agencies and interested environmental and civic groups, other governmental entities, and several public interest agencies. At this time there is no current timetable or identified funding source for the eventual restoration of the Buena Vista Lagoon.

Project Site, Present and Projected Use

The project site covers approximately 3 acres on the north shore of the lagoon, east of South Coast Highway. An unimproved dirt trail follows along the top of an earthen dike system that impounds several ponds. Public access and use of this trail predates the construction of the nature center. A dense cattail/bulrush thicket closely edges each side of the trail and extends out into the shallow water of the ponds and lagoon. In recent years, the tall reeds and limited sight lines along the trail have attracted individuals who have used the dense vegetation as cover for illegal activities. Through agreement with CDFG, BVAS volunteers conduct guided walks within the Reserve and along the trail to over 2,500 elementary school students and youth group members each year. The nature center also hosts close to 8,000 additional visitors each year, an unknown number of whom take the opportunity to take an unguided walk along the trail. Finally, an unknown number of area residents walk this unfenced trail at various times throughout the year. In the absence of firm counts it is difficult to estimate trail usage with any reliability, however, it is felt that annual use of the trail is in excess of 5,000 individuals. The proposed project would significantly improve the function of the trail, making it a full loop trail with interpretive signage and an unobstructed view of the pond. Use of the trail following completion of this project is tentatively projected to double.

Goal

The goal of this project is to provide an immediate improvement in the ability to safely promote educational and recreational opportunities at the Buena Vista Audubon Nature Center, assist CDFG in the management of the resources of the ecological reserve, and aid public law enforcement officials in preventing illegal activities from taking place within reserve boundaries. This project would enhance the existing nature trail at the Buena Vista Lagoon with a temporary trail connector and view deck designed to easily accommodate any future requirements associated with a future restoration project at the Buena Vista Lagoon.

Objectives

Several objectives have been identified that will support the project goal and help quantify the success of the project.

- *Provide a temporary connector link necessary to complete a loop educational trail that will serve local school groups, residents, and other visitors;
- *Increase viewing opportunities for those seeking to observe the marsh and its wildlife;

- *Promote awareness and appreciation of conservation and the natural habitat of the lagoon;
- *Provide improved access to the site for the general public and for youth groups on scheduled guided walks;
- *Improve the function and safety of the existing nature trail;
- *Discourage off-trail wandering by trail users;
- *Provide increased access to the site for resource agency staff engaged in managing the natural resources of the lagoon; and,
- *Provide increased access to the site for law enforcement officers patrolling the grounds to discourage unlawful acts.

Project Description

This project calls for the purchase and installation of a 4' X 42" connector structure necessary to bridge a wet and impassible portion of the existing trail. A secondary component of the project calls for the purchase and installation of (2) 8' X 18' observation deck alongside the existing trail to facilitate open water views of the adjacent small pond. Both the connector and deck would consist of pre-fabricated components designed for temporary use and easy removal. No permanent foundations or anchoring devices would be utilized.

The project also calls for the design and fabrication of four interpretative signs to be attached and positioned below the top rail of the view deck safety railing. The signs as currently planned would provide educational information about various aspects of the birdlife of the lagoon, including common species, endangered species, common behavior, and migration. The educational message will be geared to young children and the general public. An educational brochure planned as a future enhancement for this project would provide more detailed information on these topics.

Project components and materials would be delivered to the BVAS nature center and assembled on the paved parking lot. The narrow and marshy project site for the trail connector and view deck do not allow for the use of vehicles or other large equipment. All components will be carried by hand or wheelbarrow to the project site by the work crew. Once at the site, components will be set in place and bolted together. The only power equipment envisioned for this project would be cordless drills and screwdrivers.

The trail connector and view deck components were initially designed for seasonal use in the mid-western United States. They are easily removed from site and stacked for outside storage in climates much harsher than that experienced in Oceanside. The components are expected to have a usable life of from 10 to 20 years. Should it be necessary to remove and store the components for any reason, BVAS would be responsible for finding a suitable storage location. The total storage area needed would be approximately 10' X 10', and short term storage could be accommodated within the confines of the BVAS parking lot. If the components were not needed at Buena Vista Lagoon following a future lagoon restoration project, BVAS and CDFG would seek another nature reserve site within the county or state which might have a need for the system.

Product Specifications

Trail Connector

- ***(7)** 4' wide X 6' long stainless steel and/or galvanized metal framework support structures, with (16) attached legs adjustable to 1' - 2' height, to create a trail connector of 42' long X 4' wide
- * Assorted stainless steel and/or galvanized metal nuts, bolts, screws, section connectors, and hinges, as required
- * Treated cedar decking boards to cover
- * of treated cedar 2" X 6" platform safety rails
- * of galvanized pipe railing and support pipes

(2) View Decks

- ***(6)** 6' wide X 8' long stainless steel and/or galvanized metal framework support structures, with (24) attached legs adjustable to 8' height, to create 2 viewing deck of 8' wide X 18' long
- * Assorted stainless steel and/or galvanized metal nuts, bolts, screws, section connectors, and hinges, as required
- * Treated cedar decking boards to cover
- * of treated cedar 2" X " platform safety rails

The site for the proposed placement of the view deck was selected to take advantage of a natural bend in the existing trail. At the proposed site of the view deck, the trail comes closest to the edge of the water and provides a maximum view diagonally across the open water of the pond. The cattails and bulrush reeds at this location are currently being maintained by CDFG to provide a small view corridor into the pond. Placing the view deck at this location takes advantage of CDFG's past efforts to maintain this view corridor and minimizes the need to clear additional vegetation.

Interpretative Signage

- ***(4)** 30"W x 15"H x 1/4"D HPL outdoor grade panel
- ***(1)** 24"W x 36"H x 1/4"D HPL outdoor grade panel
- ***(5)** metal backing and support

The intent of the interpretive panels is to inform visitors about the significance of the area, and provide information about biological, geographical, and/or historical features of the surrounding habitats. The content will be aimed at grade school children and will align with California State curriculum standards. The panels will work in harmony with the view and aesthetics of the location. The panels will be safe for the visitor. All structures and graphic layouts will be designed to meet current ADA requirements of accessibility, height, and legibility. All materials and finishes of the panels and supports will be selected with thought of resistance to vandalism and weather conditions of the area. Every attempt will be made to include "green" design strategies which encourage a low impact on the environment. These might include using recycled or recyclable materials, energy-efficient products or processes, and/or local materials and manufacturers.

Predicted Impacts

BVAS and CDFG have had extensive discussions regarding the proposed Trail Connector and View Deck project, and have found few negative impacts. It is assumed that the project would result in a significant increase in trail usage. Increased trail usage could lead to impacts from degradation of trailside vegetation, affects on nesting or foraging wildlife, and accumulation of trash. These potential impacts are not considered significant and can be mitigated. The project components themselves help define the trail and discourage off-trail use, thereby protecting adjacent vegetation. The view deck provides easy access to the open water of the pond, thereby reducing the motivation for destructive reed-clearing efforts by frustrated trail users. The view deck is expected to curtail the current destructive practice of fisherman who import and later discard on site the wood pallets and other foreign materials they use as makeshift decking to gain an improvised access to the water. Plans call for BVAS volunteers to continue to conduct regularly scheduled monthly work parties along the trail throughout the life of this project, preventing any excess accumulation of trash.

The view deck would cover an 8' X 18' section of shallow pond, preventing direct sunlight from reaching the small amount of water beneath the deck. It would sit on eight support piers, each covering approximately 1' X 1' of pond bottom. The trail connector would cover a 4' X 42' section of marshy bog, preventing direct sunlight from reaching the wet ground beneath the structure. It would sit on 16 support piers. There will be some biological impact to areas beneath the two structures. It can be expected that most plant life will not survive under the structures, and eventually a more sterile, non-vegetated environment of shallow water and mud will prevail. This loss cannot be mitigated by project design, but is considered insignificant in terms of the size of the impact zone and the prevalence of this specific vegetative habitat throughout the lagoon. While this has not been documented by study, it is possible that certain animal species will colonize the more densely shaded and better protected habitat beneath the structures as a unique environment better suited to their needs. The vegetation under the footprint of both the deck and the connector trail segment is currently significantly degraded due to uncontrolled public use. The areas directly adjacent to these project sites are also degraded as trails and use areas continue to shift.

Several potential issues associated with this project have been identified, as well as the means to alleviate or mitigate these issues.

***Avoid the loss or degradation of wetlands habitat as a result of the placement of the trail connector and deck and their support structures.** *The trail connector will bridge a gap on an existing dirt trail. No new trail will be blazed as a result of this project. Specifications call for the connector to be 4' wide, the narrowest width of pre-fabricated connector structure commercially available. The deck structure will be placed at a spot where CDFG currently maintains a cattail management program. The deck structure will provide a measure of natural control over the rapid growth of vegetation in this small area, reducing the need for future chemical control measures. The deck structure will provide a unique habitat—shaded, cattail-free, shallow water—which is expected to provide sanctuary and habitat for certain species of aquatic life. The design of the support structure of the trail connector and view deck components minimizes the extent of its footprint in the wetland. The*

trail connector and viewing deck structures are expected to help control and direct foot traffic, thereby helping to minimize habitat degradation from off-trail exploration.

***Schedule any installation of project components during the non-breeding season.** *The trail connector and viewing deck is designed for quick and easy installation and/or removal. The schedule calls for installation to take place during the non-breeding season for all identified wildlife species of concern. Materials can be moved to site by hand and structures quickly erected, further reducing potential wildlife disturbance. BVAS proposes to keep the trail connector and deck in place throughout the year, and as such would avoid any potential impacts which might arise from a scheduled series of installations and removals.*

***Avoid an obtrusive project which detracts from the natural aesthetics of the site.** *The recommended product was selected specifically because of its unobtrusive low-profile and use of natural cedar wood decking.*

***Provide a project which minimizes any threat to the health and safety of trail users.** *The trail connector and deck components are manufactured to provide a solid, slip and trip-free surface. Side rails at the surface of the connector and deck provide a barrier to alert users to the edge of the platforms. Hand rails along the sides of the platforms provide stability and prevent users from stepping off.*

Project Augmentations

In addition to the connector trail, deck components, interpretative signage, and related hardware specified for this project, it is intended that several educational elements will be developed and produced as part of this project. Some of these educational programs would be developed following completion of the initial project, and would be incorporated into the on-going educational offerings of the Nature Center. These project augmentations might include any or all of the following:

- *A revised trail brochure.
- *Educational brochure dealing with issues relating to urban nature reserves.
- *Updated educational posters and displays for the CDFG kiosk.
- *New trail sign at the entrance to the loop nature trail.
- *A new lagoon conservation and natural history display to be located within the Nature Center.
- *Special educational materials and program featuring Native American culture at Buena Vista Lagoon Ecological Reserve.

CDFG has final approval of all materials or programs proposed for use on the Reserve.

Jurisdictions, Permits and Approvals

The project site is located within the City of Oceanside, within a State Ecological Reserve, on land owned and managed by CDF&G, and in wetlands subject to provisions of the California Coastal Act. This project will require permitting from the California Coastal Commission. Since no changes to the "bed, bank, or channel" will result from this project, a CDFG Streambed Alteration Agreement will not be necessary. Additionally, the proposed project will not alter navigable waters or reduce the current water quality, therefore, permits

from the U.S. Army Corps of Engineers and the Regional Water Quality Control Board also will not be needed.

Funding and Project Management

Full funding of this project up to a maximum of \$20,000 has been received by BVAS from a Community Enhancement Grant by the County of San Diego.

Buena Vista Audubon Society would be responsible for project management, including funding, product procurement, installation, on-going maintenance, development and implementation of related educational components. In its performance on this project, BVAS would be responsible for on-going coordination with CDFG and other agencies. This project is being undertaken with the full cooperation of CDFG. All work would be done under the oversight of the land manager and CDFG Biologist.

Alternatives Considered

The more ambitious interpretative nature trail project outlined in "Buena Vista Lagoon Nature Trail Concept Plan" (Jones & Stokes, November 2001), was intended to be a proposal for consideration as a permanent improvement constructed in conjunction with a future lagoon restoration project. This concept plan was drafted without input by CDFG, and has not yet been formally submitted to CDFG for review and comment. Until such time as the lagoon restoration project is implemented, it was felt that any proposed improvement to the existing nature trail should be easily removable and/or adaptable to the eventual lagoon restoration plan. Another temporary connector and deck product, "Connect-A-Dock" by Dockside Products of Castaic, CA, utilizes white plastic in its manufacture and was considered not in keeping with the natural environment of the nature trail. The "no project" alternative would leave a marshy, impassible gap in the existing nature "loop" trail, leaving two short dead end trail sections into the dense cattail thickets, with no open water views.

Buena Vista Audubon Society
2202 S. Coast Highway
P.O. Box 540
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Andrew Mauro
(760) 753-1266
akamauro@cox.net

**Buena Vista Lagoon
Trail Connector and View Deck Project**

Project Impact Summary Sheet

Positive Impacts from Project:

- *Increased public safety**
- *Increased public access**
- *Improved wildlife viewing opportunities**
- *Increased and improved public conservation educational outreach**
- *Increased resource management access and efficiency**
- *Increased maintenance access and efficiency**
- *Reduced potential for wetlands habitat destruction from unauthorized uses**
- *Reduced debris dumping**
- *Reduced potential for erosion at pond and lagoon edge**
- *Improved water quality**
- *Enhanced law enforcement capabilities**
- *Increased deterrent to illegal activities**

Offsets to Potential Negative Impacts from Project:

- *Impact from increased trail usage is offset by an expected reduction in off-trail exploration, and minimized by the density and depth of trailside vegetation.**
- *Impact from loss of vegetation due to new structures is minimized by structural design and site selection, and the relative insignificance of the project footprint as a percentage of similar adjacent vegetative habitat.**
- *Impact from loss of wetlands due to new structures is minimized by design, partially mitigated by possible benefits of a unique habitat usable by certain species, and offset by elimination of wetlands loss presently resulting from use of unauthorized improvised decking.**
- *Impact on wildlife during installation is minimized by avoidance of nesting season, rapid installation schedule, and avoidance of mechanical installation assistance.**

312A

LEGAL DESCRIPTIONS OF
DEPARTMENT OF FISH & GAME DONATION

JOB #7248

THAT PORTION OF TRACT 46 OF SOUTH OCEANSIDE IN THE CITY OF OCEANSIDE, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF NO. 622, FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, FEBRUARY 7, 1890, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY LINE OF HILL STREET AS CONVEYED TO THE STATE OF CALIFORNIA BY DEED RECORDED JANUARY 18, 1932 IN BOOK 74, PAGE 211 OF OFFICIAL RECORDS AND THE SOUTHERLY LINE OF EATON STREET; THENCE SOUTH 35°19'30" EAST, 659.00 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 54°34'30" EAST, 138.33 FEET; THENCE NORTH 35°19'30" WEST, 56.71 FEET; THENCE NORTH 42°01'05" EAST, 249.74 FEET; THENCE NORTH 28°00'36" EAST, 111.80 FEET; THENCE NORTH 39°38'37" EAST, 186.29 FEET; THENCE SOUTH 35°28'15" EAST, 381.06 FEET; THENCE SOUTH 54°40'30" WEST, 577.79 FEET TO THE NORTH LINE OF SECTION 1 TOWNSHIP 12 SOUTH, RANGE 5 WEST; THENCE NORTH 89°45'40" WEST, 103.88 FEET TO THE EASTERLY LINE OF HILL STREET; THENCE NORTH 35°19'30" WEST, 111.19 FEET TO THE TRUE POINT OF BEGINNING.

155-130-37 1155w Sec 36

LEGAL DESCRIPTIONS OF
DEPARTMENT OF FISH & GAME DONATION

JOB #7248

THAT PORTION OF LOT 2, SECTION 1, TOWNSHIP 12 SOUTH; RANGE 5 WEST,
SAN BERNARDINO MERIDIAN, IN THE CITY OF CARLSBAD, COUNTY OF SAN DIEGO,
STATE OF CALIFORNIA, ACCORDING TO THE OFFICIAL PLAT, DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE EASTERLY LINE OF HILL STREET AS SHOWN
ON SOUTH OCEANSIDE, MAP NO. 622, DISTANCE THEREON 770.19 FEET SOUTHERLY
OF THE SOUTHERLY LINE OF EATON STREET; THENCE NORTH 89°53'05" EAST,
103.88 FEET; THENCE SOUTH 54°40'30" WEST, 85.00 FEET TO THE EASTERLY
LINE OF HILL STREET; THENCE NORTH 35°19'30" WEST, 59.71 FEET TO THE
POINT OF BEGINNING.

155-130-37



NOTICE OF EXEMPTION

City of Oceanside, California

Post Date: 04/07/2009 Removal: 10/07/2009 (180 days)
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1. **APPLICANT:** Buena Vista Lagoon Audubon Society in association with the California Department of Fish and Game
2. **ADDRESS:** 2202 South Coast Highway, Oceanside, CA 92054
3. **PHONE NUMBER:** (760) 753-1266
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Sally Schifman
6. **PROJECT TITLE:** BVL Trail Connector & Observation Decks (RC-1-09)
7. **DESCRIPTION:** To obtain a Regular Coastal Permit to permit the construction of a trail connector bridge and two (2) observation decks along an existing nature trail located on the Buena Vista Lagoon Ecological Reserve. The project site is zoned OS (Open Space) and is within the South Oceanside Neighborhood and the Coastal Zone.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the City of Oceanside's Environmental Review Guidelines and the California Environmental Quality Act (CEQA), 1970. Therefore, the Environmental Coordinator has determined that further environmental evaluation is not required because:

- [x] The project is categorically exempt, Class 4, Minor Alterations to Land (Section 15304 (d)); or,
- [] "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- [] The project is statutorily exempt, Section , <name> (Sections 15260-15277); or,
- [] The project does not constitute a "project" as defined by CEQA (Section 15378).

Date: April 7, 2009

Sally Schifman, Planner II

cc: [x] Project file [x] Counter file [x] Library