

Staff Report 59

APPLICANT:

City of Del Mar

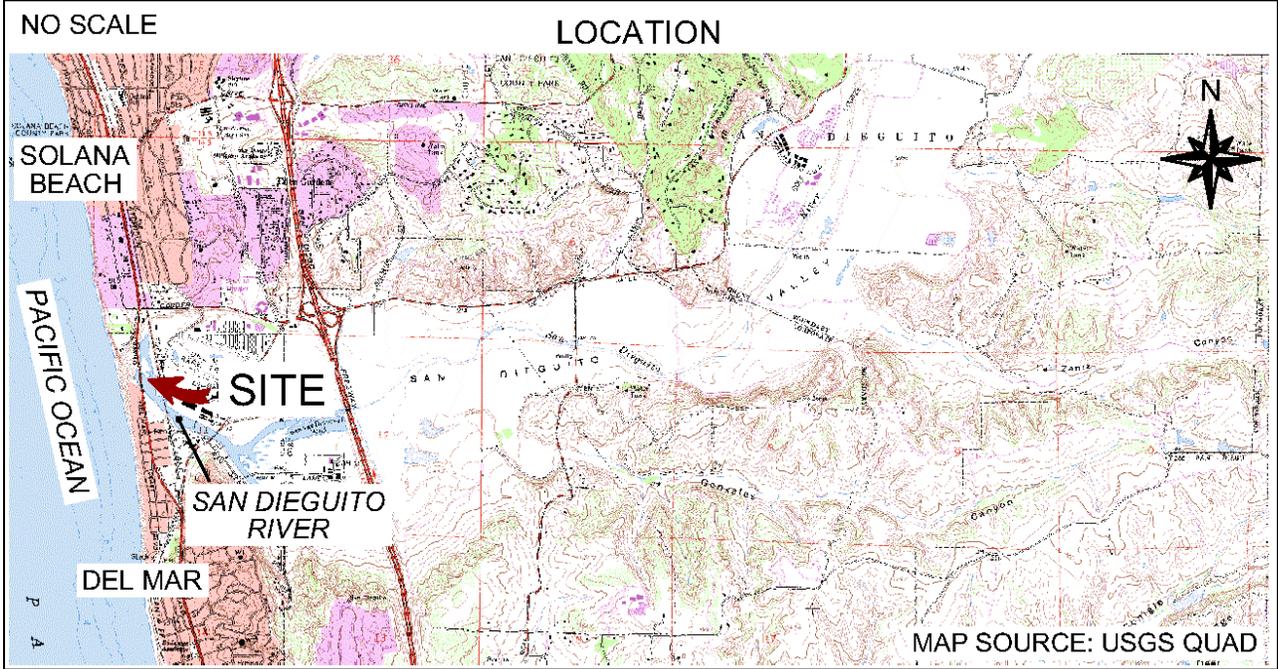
PROPOSED ACTION:

Amendment of General Lease – Public Agency Use

AREA, LAND TYPE, AND LOCATION:

Sovereign land in the San Dieguito River, near Del Mar, San Diego County (as shown in Figure 1).

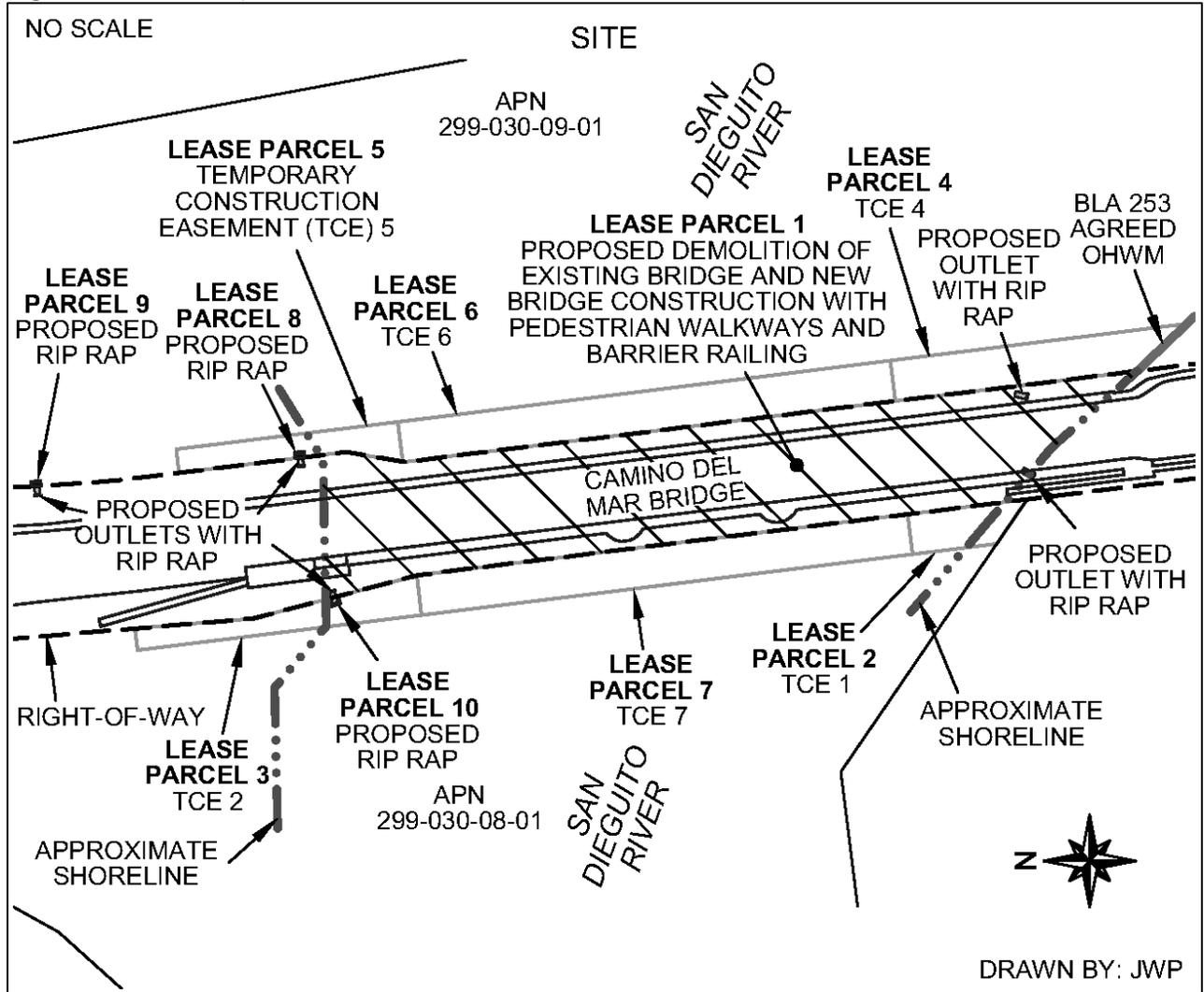
Figure 1. Location



AUTHORIZED USE:

Use of the existing Camino Del Mar Bridge (as shown in Figure 2).

Figure 2. Site Map



NOTE: This depiction of the lease premises is based on unverified information provided by the Lessee or other parties and is not a waiver or limitation of any State interest in the subject or any other property.

TERM:

49 years, beginning June 1, 2000.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rent if the Commission finds such action to be in the State's best interests.

PROPOSED AMENDMENT:

- Section 1, Land Use or Purpose, is deleted in its entirety and replaced with: Demolition of the existing Camino Del Mar Bridge, and the construction and use of a new vehicle bridge with bicycle and pedestrian lanes; and use of temporary construction easement areas in and adjacent to the San Dieguito River, as part of the Camino Del Mar Bridge Replacement Project (Project).
- Section 1, Authorized Improvements to be Constructed, is amended to read: One approximately 624-foot-long vehicle bridge with bicycle and pedestrian lanes.
- Section 2, Special Provision 1 is deleted in its entirety and replaced with: Lessee is authorized to conduct activities of the Camino Del Mar Bridge Replacement Project, substantially as described in the Camino Del Mar Bridge Replacement Project Mitigated Negative Declaration (MND) State Clearinghouse No. 2022050089. The MND and a Mitigation Monitoring and Reporting Program (MMRP) were adopted by Lessee on April 3, 2023. Lessee will fully carry out, implement, and comply with all mitigation measures and reporting obligations related to the land uses authorized by this lease and identified as the responsibility of the City of Del Mar, as set forth in the MMRP or as modified as permitted by law. The MMRP is attached as Exhibit C, and by this reference is made a part of this lease.
- Lessee shall not install, attach, or authorize the placement or expansion of any **other improvements on the bridge or within the Lease Premises without Lessor's** prior review and approval.
- Numerous provisions related to construction and post-construction requirements.
- Lessee, or its qualified contractor, shall conduct an external inspection and condition assessment of the Lease Improvements at least once every two years, performed by a licensed engineer. Upon request by Lessor, Lessee shall provide electronic copies of reports to Commission staff for review.
- All future repairs, structural modifications, or the abandonment/removal of any improvements within the Lease Premises shall require prior review and approval by Lessor.
- Section 3, Land Description, is deleted in its entirety and replaced with Section 3, General Provisions, attached hereto as Section 3 and by this reference made a part of the lease.

- Section 4 is deleted in its entirety.
- Exhibit A, Land Description, is added and attached hereto as Exhibit A and by this reference made a part of the lease.
- Exhibit B, Site and Location, is added and attached hereto as Exhibit B and by this reference made a part of the lease.

STAFF ANALYSIS AND RECOMMENDATION:

AUTHORITY:

Public Resources Code sections 6005, 6216, 6301, 6501.1, and 6503; California Code of Regulations, title 2, sections 2000 and 2003.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

On June 27, 2000, the Commission authorized a 49-year General Lease – Public Agency Use to the City of Del Mar for the maintenance of the existing Camino Del Mar Bridge, and the replacement and construction of the existing barrier railing and pedestrian walkway ([Item 48, June 27, 2000](#)). The Lease expires on May 31, 2049. The Lessee is now applying for an amendment to its General Lease – Public Agency Use to authorize the Camino Del Mar Bridge Replacement Project (Project) which includes the demolition of the existing Camino Del Mar Bridge (bridge), construction of the new bridge in the same location, and use of temporary construction easement areas for work in the San Dieguito River, near Del Mar, San Diego County.

The California Department of Transportation (Caltrans) originally built the bridge in 1932 and subsequently widened it in 1953, adding a pedestrian walkway and curb. The bridge was then transferred to the City of Del Mar (City). In 2000, the City contacted staff regarding proposed improvements to the bridge, and it was determined that the bridge had not previously been authorized by the Commission. The Commission authorized the **City's lease** of the bridge in 2000, and in 2001, the City replaced the pavement, pedestrian walkway, and railings.

In 2010, the bridge was determined to be eligible for rehabilitation funding under the Highway Bridge Program, but was later determined to be structurally deficient upon preparation of a Final Rehabilitation Strategy Report in 2012. Therefore, the Project involves the complete replacement of the existing functionally obsolete and seismically unsound two-lane bridge with a new bridge that meets modern

structural and seismic standards, while still providing for continued vehicle, pedestrian, and bicycle movement along Camino del Mar as it crosses the San Dieguito River, as well as coastal access to Del Mar Beach.

The proposed bridge replacement design consists of a five-span cast-in-place prestressed concrete box girder bridge spanning 624 feet between abutments, with an increased length of 28 feet and a width of 68.5 feet. The proposed bridge would increase its height by 7.7 feet at the center point to accommodate a mid-range sea level rise scenario of 38 inches by the year 2100 during a 100-year flood event. An additional 7.5 feet of bridge width would accommodate new two-way pedestrian and bicycle movement across the bridge. The proposed bridge would be slightly longer, wider, and higher than the existing bridge, but would still reduce the number of required support columns (piers) across the San Dieguito River.

The Project is planned to be constructed in five stages over 36 months, from March 2026 to March 2029, with work occurring on one half of the bridge at a time and involving five stages. The five stages of the Project include: 1) Site preparation; 2) East side bridge replacement; 3) West side bridge replacement; 4) Center median closure; 5) Demolition, site restoration, and final improvement. The five-stage method allows for the existing bridge to remain in use until the new bridge is constructed. During the demolition and construction of each side of the bridge, the opposite side would be used for traffic, bicycle lanes, and the pedestrian sidewalk.

Six temporary construction easement areas along the existing bridge would be required for temporary work trestles, 50-foot-wide elevated platforms that span the entire floodway from each abutment. The use of the temporary construction easement areas would only be required during the construction of the Project and would be removed by the end of Stage 5. Cofferdam systems, enclosures that provide a dry work environment within the river channel below the bridge, would be used to remove existing piers and install the new bridge foundations and columns.

According to the Lessee, the proposed bridge will offer significant public benefits to the Statewide public, which include but are not limited to reduction of traffic congestion; improvement of roadway and freeway operations and safety for multiple modes of transportation; and compliance with current American Association of State Highway and Transportation Officials, Caltrans, and local agency design standards. Additionally, the Project will include pedestrian and bicycle lanes which meet Americans with Disabilities Act requirements and facilitate connections to and from the new crossing and critical public safety

access to Del Mar Beach, North Beach (Dog Beach), and the River Path Del Mar trail along the San Dieguito River and the Pacific Ocean.

Promotion of public access to and use of California's navigable waters is a mandate of the California Constitution (article X, section 4), a condition of statehood in the Act of Admission of the State of California into the Union (9 Stat. 452, Sept. 9, 1850), and a responsibility of all involved public agencies pursuant to the common law Public Trust Doctrine. Often, the most logical location for access to a waterway is where a bridge crosses it. Kayakers, rafters, and others may use the public access easements around bridges to enter and exit navigable waterways. With those factors in mind, the Legislature adopted three code sections in 1972 to facilitate increased public access around bridges (Sts. & Hy. Code, §§ 84.5, 991, and 1809). All state or county highway projects and all city street projects that propose construction of a new bridge over a navigable waterway must consider, and report on, the feasibility of providing public access for recreational purposes to the waterway before the bridge is constructed. These code provisions apply to state agencies and city and county governments that approve bridge construction projects.

The City analyzed the impacts on public access under the Project and determined that the proposed changes represent permanent public access improvements by providing a safe bridge structure built to modern safety and seismic standards, facilitating public access up and down the coast. The Project will have temporary public-access impacts during construction, including 14 nighttime bridge closures over the 36-month construction calendar. After Project completion, about 0.36 acres of beach area adjacent to the existing roadway will be permanently lost to accommodate larger abutments and wider sidewalk approaches. The loss of the beach area will be offset by the multimodal public access amenities, including a new eastern sidewalk, two new Pacific Ocean-view overlooks, and the replacement of bike lanes and the western sidewalk. To assess the **Project's impact** on public beach parking, the City conducted a parking study that demonstrated that even on busy summer weekends, there was sufficient public parking within one mile of the beach to meet demand.

The proposed Project will provide necessary public safety improvements for a route that provides access to the coast. While there will be temporary traffic impacts, the City has committed to implementing measures to minimize impacts. Because vehicular, cycling, and pedestrian access will be maintained throughout the construction, multimodal public access will be permanently enhanced, and

temporary impacts minimized, the Project will not impact public access along the coast, and will enhance such access when the proposed Project is completed.

CLIMATE CHANGE:

INTRODUCTION:

The climate crisis and rising sea levels are impacting coastal California now. As underscored in the [State of California Sea Level Rise Guidance](#) (Ocean Protection Council, 2024), the combination of extreme weather events and the persistent and accelerating rise in sea levels will lead to increased coastal hazards, such as wave runup, storm surges, flooding, and erosion. <https://opc.ca.gov/wp-content/uploads/2024/05/California-Sea-Level-Rise-Guidance-2024-508.pdf> Shorelines will move inland due to rising seas, exposing more of the natural and human-built environment to coastal hazards. The resulting damage will occur repeatedly and incrementally over years and, in extreme cases, over the span of a few large winter storms. These impacts may affect structures subject to the proposed lease, located over the San Dieguito Lagoon, in the northwestern part of the City of Del Mar.

DATA & PROJECTIONS:

Sea levels along most of the California coast rose four to eight inches during the last century, and this trend will accelerate throughout this century. The current rate of sea level rise is triple the rate during the last century. There is growing confidence that by 2050 sea levels will be approximately ten inches higher than they were in 2000. The severity of sea level rise beyond 2050 is contingent on future levels of greenhouse gas emissions. The California Ocean Protection Council updated the State of California Sea Level Rise Guidance in 2024 to provide a synthesis of the best available science on sea level rise projections and rates for multiple emissions scenarios. To apply a precautionary approach, Commission staff evaluated the “intermediate-high” and “high” scenarios due to the vulnerability and exposure of the lease location and the continued global reliance on fossil fuels. The La Jolla tide gauge was used for the projected sea level rise scenario for the lease area, as listed in Table 1.

Table 1. Projected Sea Level Rise for La Jolla

Year	Intermediate-High (feet)	High (feet)
2040	0.7	0.8
2060	1.6	2.0
2080	3.1	4.1
2100	4.8	6.6

Source: Table 13, State of California Sea-Level Rise Guidance: 2024 Update

Note: Projections are with respect to a 2000 baseline.

ANALYSIS:

As explained in the Final MND for the Project, the hydraulics of the lagoon, tidal flow from the ocean, and scour patterns around the Camino Del Mar Bridge are highly complex. The replacement bridge would be slightly longer, wider, and higher than the existing bridge and would result in a reduction in the number of piers in the lagoon. The proposed additional 28 feet in bridge length and additional 7.7 feet in bridge height near the center of the bridge would accommodate a mid-range sea level rise scenario of 38 inches by the year 2100 during a 100-year flood event (National Research Council 2012). As part of the preliminary design process, other sea level rise scenarios (e.g., Ocean Protection Council State Guidance) were evaluated to determine the appropriate bridge height. An increased water surface elevation of 38 inches, corresponding to the National Research Council mid-range sea level rise scenario for 2100, is the highest elevation where the bridge remains partially useable (in service) during a 100-year flood event. In scenarios where the projected sea level rise exceeds an increased water surface elevation of 38 inches, the bridge would cease to be connected to a functional roadway system due to flooding of the connecting roadway to the south.

The new bridge may sustain substantial damage and degradation due to climate change and sea level rise over the lease term, requiring more frequent repairs and maintenance to retain its function. Stronger coastal erosion can wash away the soil and sediment supporting the bridge foundation structures, causing structural instabilities. The increased saltwater exposure from higher sea levels and rising groundwater can accelerate the corrosion of metal components and the deterioration of concrete foundations. Additionally, the bridge may experience increased damage from waves breaking closer and stronger to shore. Episodic or short-term events, such as extreme storms, very high or King tides, and El Niño events, alone or in combination, increase the current vulnerability of the lease

premises and could expose it to flooding, wave runup and overtopping, and erosion.

The Final MND for the Project states that the proposed bridge design would accommodate a sea level rise scenario of 38 inches by the year 2100, which is in excess of the 6.6 feet identified by the State of California Sea Level Rise Guidance: 2024 Update. If any future construction or activities on State land are needed to address climate change or other impacts, then those activities would require separate authorization from the Commission.

Regular maintenance, as referenced in the terms of the lease, may reduce the likelihood of severe structural degradation or dislodgement. Pursuant to the proposed lease, the Lessee acknowledges that the lease premises and adjacent upland (not within the lease area) are located in an area that may be subject to the effects of climate change, including sea level rise and rising groundwater levels.

CONCLUSION:

For all the reasons above, staff believes the issuance of the proposed lease amendment will not substantially interfere with the Public Trust rights to navigation, fishing, and commerce; or substantially interfere with Public Trust needs and values at this location, at this time, and for the term of the proposed lease amendment; and is in the best interests of the State.

OTHER PERTINENT INFORMATION:

1. Approval or denial of the application is a discretionary action by the Commission. Each time the Commission approves or rejects a use of sovereign land, it exercises legislatively delegated authority and responsibility as trustee of the State's Public Trust lands as authorized by law. If the Commission denies the amendment, the lessee will not be able to implement the Project. The lessee has no right to occupy the lease premises beyond May 31, 2049, and no right to a new lease or to renewal of any previous lease.
2. This action is consistent with the "Leading Climate Activism," "Meeting Evolving Public Trust Needs," and "Committing to Collaborative Leadership" Strategic Focus Areas of the Commission's 2021- 2025 Strategic Plan.

3. The purpose of the California Environmental Quality Act (CEQA) is to “avoid or minimize environmental damage where feasible.” (CEQA Guidelines section 15021).

An MND, State Clearinghouse No. 2022050089, and a Mitigation Monitoring and Reporting Program (MMRP) were prepared by the City and adopted on April 3, 2023, for this project. Staff reviewed these documents and determined that the MND adequately analyzes and mitigates all potentially significant adverse environmental impacts that fall within the Commission's jurisdiction.

Pursuant to CEQA Guidelines sections 15096, subdivision (g)(1), and 15097, subdivision (a), and in conjunction with approval of this Project, staff recommends that the Commission adopts [the City's MMRP](#) (provided for reference, as linked (Attachment B)) for the portion of the Project located on State lands, and delegates reporting and monitoring responsibilities to the City, as the CEQA lead agency, per CEQA Guidelines section 15097. The City will remain responsible for enforcing the MMRP, unless otherwise delegated by such agency or until the Project is completed per CEQA Guidelines section 15097.

4. This activity involves lands identified as possessing significant environmental values pursuant to Public Resources Code section 6370 et seq., but the activity will not affect those significant lands. Based upon participation from the agency nominating such lands through the CEQA review and permitting process, it is staff's opinion that the project, as proposed, is consistent with its use classification.

APPROVAL OBTAINED:

- City of Del Mar

APPROVALS REQUIRED:

- United States Army Corps of Engineers
- United States Fish and Wildlife Service
- National Oceanic and Atmospheric Administration
- San Diego Regional Water Quality Control Board
- California Coastal Commission

- California Department of Transportation
- California Department of Fish and Wildlife

RECOMMENDED ACTION:

It is recommended that the Commission:

CEQA FINDING:

Find that a Mitigated Negative Declaration, State Clearinghouse No. 2022050089, and a Mitigation Monitoring and Reporting Program (MMRP) were prepared by the City of Del Mar and adopted on April 3, 2023, for this project and that the Commission has reviewed and considered the information contained therein; that in the Commission's independent judgment, the scope of activities to be carried out under the lease amendment to be issued by this authorization have been adequately analyzed; that none of the events specified in Public Resources Code section 21166 or CEQA Guidelines section 15162 resulting in any new or substantially more severe significant impact has occurred; and, therefore no additional CEQA analysis is required.

Adopt the City of Del Mar's MMRP, without change, as mentioned above.

PUBLIC TRUST AND STATE'S BEST INTERESTS:

Find that the proposed lease amendment will not substantially interfere with the Public Trust needs and values at this location, at this time, and for the foreseeable term of the lease; and is in the best interests of the State.

SIGNIFICANT LANDS INVENTORY FINDING:

Find that this activity is consistent with the use classification designated by the Commission for the land pursuant to Public Resources Code section 6370 et seq.

AUTHORIZATION:

1. Authorize the amendment of Lease Number 8181, a General Lease – Public Agency Use, effective February 9, 2026, to authorize the demolition of the existing Camino Del Mar Bridge, and the construction and use of a new vehicle bridge with bicycle and pedestrian lanes; and use of temporary construction easement areas in and adjacent to the San Dieguito River; all other terms and conditions of the lease will remain in effect without amendment.

2. Authorize the Executive Officer or designee to replace exhibits in the lease upon submission, review, and approval of as-built plans detailing the final location of the new improvements, and to remove the temporary construction area, following construction.