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**GREG COX**  
**SUPERVISOR, FIRST DISTRICT**  
San Diego County Board of Supervisors

September 28, 2010

APPROVAL

OCT 05 2010

California Coastal Commission  
San Diego Coast District

Ms. Bonnie Neely, Chairwoman  
California Coastal Commission  
45 Fremont Street, Suite 2000  
San Francisco, CA 94105-2219

**SUBJECT: Coastal Development Permit Application No. 6-10-41 (MESOM Laboratory at Scripps Institution of Oceanography)**

Dear Chairwoman Neely and Commissioners:

As San Diego County Supervisor representing the First District, I urge you to approve UC San Diego's pending application for a coastal development permit to build the Marine Ecosystem, Sensing, Observation and Modeling (MESOM) Laboratory on the campus of the Scripps Institution of Oceanography (SIO). This new research laboratory will expand California's capacity to develop marine sensor technologies and ecosystem forecast models critical for effective and efficient coastal and ocean ecosystem management.

In November 2008, SIO successfully competed for a \$12 million award from the U.S. Department of Commerce (DoC) National Institute of Standards and Technology (NIST) to be used toward construction of the building. SIO is uniquely and ideally suited to take full advantage of the opportunities made possible by this new laboratory through its expertise and strong institutional partnerships with local, state, and federal agencies. Scripps possesses a deep familiarity with California's ecosystem management needs and will be able to effectively apply newly developed techniques and technologies to the challenges facing the State.

Throughout the design process, Scripps and UCSD staff coordinated with the staff of the California Coastal Commission (CCC) to ensure preservation of view corridors. Scripps and the project architects (THA Architecture) executed a number of steps to redesign the building to preserve and protect views from La Jolla Shores Drive to the greatest extent possible, including modifying the building footprint, removing equipment and exhaust

**LETTER OF SUPPORT**

Ms. Bonnie Neely, Chairwoman  
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fans from the roof, and reducing interior ceiling height. No further design changes can be made at this point without compromising the programmatic requirements stipulated in the NIST grant award.

Scripps actively makes itself available to – and indeed is a vital part of – the community. For example, I recently toured the Scripps Nimitz Marine Facility and a member of my staff is meeting with SIO staff to discuss community partnerships in conducting beach water quality testing through San Diego County. As it works to improve its facilities and make gains in research, Scripps remains dedicated to the San Diego region and to preserving the strong relationship it has had with the community for over a century.

In combination with the efforts Scripps is making to ensure the least possible disruption to the community, the benefits of this project to the region and to California are significant. According to the prime contractor, Rudolf and Sletten, the project will, over the course of its 20-month construction timeline, employ 500-700 local construction workers, engineers, architects, and consultants. Over the long-term, the research in this building will sustain or create employment for approximately 87 researchers, staff and students at SIO/UCSD. For the positions among these that already exist, the new space will enable Scripps to expand research capabilities, generating more research dollars and scientific discoveries.

I respectfully encourage the CCC to provide the necessary approval for the project. Advanced technology and platform development will enable existing and new ocean observations to be conducted less expensively, more broadly, and more consistently to inform ecosystem-forecasting models.

Thank you for your time.

Sincerely,

*Signature on file*

GREG COX  
Supervisor, First District

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## CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA  
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# F8e

Filed: September 17, 2010  
180th Day: March 16, 2011  
Staff: TRoss-SD  
Staff Report: September 29, 2010  
Hearing Date: October 13-15, 2010

REGULAR CALENDAR  
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-10-041

Applicant: University of California, San Diego      Agent: Milt Phegley

Description: The construction of a 38,600 sq ft Marine Ecosystem Sensing, Observation, and Modeling (MESOM) research and education facility, including a three story laboratory, office, conference and support space, at a location currently utilized by two parking lots (Lot Nos. P012 & P013).

Lot Area	51,272 sq. ft.
Building Coverage	13,387 sq. ft. (26%)
Pavement Coverage	21,012 sq. ft. (41%)
Landscape Coverage	16,873 sq. ft. (33%)
Parking Spaces	20
Plan Designation	Academic (LRDP)
Ht abv fin grade	44 feet (maximum)

Site: West of La Jolla Shores Drive, south of Biological Grade, in current parking lots (P012 and P013), University of California, San Diego (UCSD), Scripps Institution of Oceanography campus, La Jolla, San Diego, San Diego County.

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STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

Staff is recommending denial of the project due to significant impacts to coastal views. The project's location (west of La Jolla Shores Drive) will obstruct significant views of the coast. The specific project site is located in a particularly sensitive vantage area where the combination of the elevation of La Jolla Shores Drive and the lack of development and tall vegetation allow for expansive ocean views while travelling both north and south along the roadway. Additionally, this particular location will not only obstruct blue and white water ocean views, but will also obstruct some of the best, and last remaining views of La Jolla Cove. Again, this section of La Jolla Shores Drive is located in an area of high enough elevation that the public can view La Jolla Cove in its

entirety. As such, Commission staff and UCSD have worked cooperatively in an attempt to eliminate these view impacts for the past twelve months. However, none of the redesigns proposed by UCSD to date have eliminated the above mentioned view impacts. At this time, UCSD has indicated that any further redesign would compromise the function of the proposed three-story facility, and is not something it would support. Without the elimination of all impacts to coastal views, the project, as proposed, cannot be found consistent with the Coastal Act, and must be denied.

Standard of Review: Chapter 3 policies of the Coastal Act

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Substantive File Documents: University of California, San Diego “Draft” Long Range Development plan; Certified La Jolla – La Jolla Shores LCP Land Use Plan (2004); National Institute of Standards and Technology Building Site Evaluation prepared for the proposed MESOM Building; Preliminary Drainage Study for Marine Ecosystem Sensing Observation and Modeling (MESOM) Laboratory prepared by Nasland Engineering, dated October 9, 2009.

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I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

**MOTION:**     *I move that the Commission approve Coastal Development Permit No. 6-10-041 pursuant to the staff recommendation.*

**STAFF RECOMMENDATION OF APPROVAL:**

Staff recommends a **NO** vote. Failure of this motion will result in denial of the permit and adoption of the following resolutions and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

**RESOLUTION TO DENY THE PERMIT:**

The Commission hereby **denies** a coastal development permit for the proposed development on the grounds that the development will not conform with the policies of Chapter 3 of the Coastal Act and will prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit would not comply with the provisions of Chapter 3. Approval of the permit would not comply with the California Environmental Quality Act because there are feasible mitigation measures or alternatives that would substantially lessen the significant adverse impacts of the development on the environment.

## II. Findings and Declarations.

The Commission finds and declares as follows:

### 1. Detailed Project Description.

The University of California at San Diego (UCSD) is proposing to construct the Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory on the Scripps Institution of Oceanography (SIO) campus. In November 2008, the U.S. Department of Commerce (DoC)/National Institute of Standards and Technology (NIST), awarded Scripps Institution of Oceanography (SIO) a \$12 million grant to construct the MESOM Laboratory on the Scripps campus at UC San Diego in La Jolla. The MESOM building will be located on the west side of La Jolla Shores Drive, south of Biological Grade in the SIO Coastal Observations Neighborhood and across the street from the new NOAA Southwest Fisheries Building that is currently under construction (ref. Exhibit #1). The project site currently consists primarily of two parking lots (P012 & P013) separated by a small landscaped slope such that the two parking lots are at different elevations.

The proposed building will be three stories, 44 ft. high, and accommodate approximately 38,600 sq. ft. of gross square feet (GSF) and 21,300 sq. ft. of assignable square footage (ASF). Assignable square footage can be assigned to a specific office, person, department, etc. Whereas gross square footage (GSF) includes communal areas such as bathrooms, hallways, stairways, etc. Included in the assignable square footage (ASF) is approximately 18,000 sq. ft. of laboratory, office, and conference and support space. Laboratory space will occupy approximately 9,000 sq. ft. while a combination of office, conference, and support space will occupy the remaining 9,000 sq. ft. Program agencies require that each laboratory space is directly adjacent to an office space and have direct service vehicle access via high bay doors, thereby creating the limited floor plan configuration. The MESOM project will house approximately 85 students, staff and faculty. Most of these represent a consolidation and reallocation of space for existing students, staff, and faculty.

The MESOM facility will house a new multidisciplinary program at Scripps aimed at integrating the development of physical, biological and chemical sensors – and the autonomous ocean-going platforms to support them – to conduct long-term observation of the ocean ecology of the California Current Ecosystem (CCE), and then forecast changes to the CCE based on coupled physical and biological/ecological numerical models.

The applicant has indicated that currently, SIO lacks sufficient space to support the growing field of marine ecosystem research. In addition to providing additional laboratory space for new programs, the building will also allow Scripps to consolidate researchers from a variety of disciplines, who would otherwise be split across five or six buildings, thereby promoting interdisciplinary collaboration.

The focus of the largest laboratories will be the development of the sensor and platform technology needed to gather data necessary for integrated physical and biological models. These laboratories require service yard access. As stated by UCSD, SIO presently does not have enough of this type of space to meet current research demands. A goal of the building design will be to provide all ten sensor/platform laboratories with service yard access, so equipment can be carried from inside the laboratory to the exteriors on sealed concrete floors of adequate strength to support a small forklift with loads of 50,000 to 80,00 lbs. The labs will have a minimum interior clear working height of 14' with doors approximately 10'w x 12'h. The site will allow service access on two sides of the building, each on a different level. According to the applicant, this dual-level service yard access is an essential component of the project design.

The City of San Diego does have a certified LCP for most of its coastal zone. However, the UCSD campus segments in La Jolla are not part of that program and remain an area of deferred certification where the Commission retains coastal development permit authority. Thus, Chapter 3 policies of the Coastal Act are the standard of review.

2. Findings for Denial. The proposed project will result in significant impacts to existing public coastal views. The two primary grounds for denial, impacts to public views, and potential alternative sites, are discussed individually and in greater detail below.

A. Visual Resources. The main concern associated with the proposed development is the impacts to existing coastal views from La Jolla Shores Drive across the site and to the ocean. While the Coastal Act is the standard of review, the City of San Diego's certified Land Use Plan (the La Jolla – La Jolla Shores Community Plan) and UCSD's Long Range Development Plan (LRDP), also have applicable policies, all of which are stated below, with the later two included as guidance.

Section 30251 of the Act states, in part, the following:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas...

Page 46 of UCSD's Long Range Development Plan states:

Landscaping and the siting and massing of buildings within a neighborhood will preserve view corridors for the campus and community whenever possible.

Policy No. 2 – Visual Resources – of the La Jolla Community Plan states:

- a. Public views from identified vantage points, to and from La Jolla’s community landmarks and scenic vistas of the ocean, beach, and bluff areas, hillsides and canyons shall be retained and enhanced for public use.
- b. Public views to the ocean from the first public roadway adjacent to the ocean shall be preserved and enhanced, including visual access across private coastal properties at yards and setbacks.

Figure 9 of the La Jolla Community Plan also identifies La Jolla Shores Drive as an area that contains scenic overlooks, intermittent or partial vistas, and is also considered to be a road from which the Pacific Ocean can be seen (ref. Exhibit #6).

The proposed development includes the construction of a 38,600 sq. ft., 3-story, 44 ft. high building that will include laboratories, offices, conference rooms and service areas. The project site is located in an area west of La Jolla Shores drive and is currently developed with two parking lots (ref. Exhibit Nos. 2 & 4). Because there are no structures at this location, there are existing coastal views from La Jolla Shores Drive, across the proposed building site and to the coast, including views of blue water, white water, and La Jolla Cove (ref. Exhibit #4). Because of the view opportunities along this roadway, the City of San Diego’s certified Land Use Plan (La Jolla – La Jolla Shores Community Plan) identifies La Jolla Shores Drive as an area that “contains scenic overlooks, intermittent or partial vistas, and is also considered to be a road from which the Pacific Ocean can be seen.” Commission staff has visited the site on numerous occasions and concurs that this section of La Jolla Shores provides significant views of La Jolla Cove and the ocean. La Jolla Cove is one of the primary tourist destinations in San Diego County and includes such attractions as the San Diego La Jolla Underwater Park Ecological Reserve, Children’s Pool, the sand boat launch, La Jolla Shores, Scripps Pier, and Kellogg Park. This unique combination of attractions provides an iconic view of a picturesque southern California beach.

The most significant view impacts result from the elevational differences from La Jolla Shores Drive, across the subject site, and to the ocean. The western boundary of the site is bordered by coastal bluffs averaging 150-180 ft. high. The elevation of the subject site ranges from 185-195 ft. Mean Sea Level (MSL), and the elevation of La Jolla Shores Drive adjacent to the project site ranges from 200-220 ft. MSL; the result being an expansive viewshed from the higher elevations of La Jolla Shores Drive. Additionally, to the south, the bluffs decline down to sea level at La Jolla Cove, resulting in additional views that expand from the subject site, south, across the entire cove.

This particular section of La Jolla Shores Drive provides significant ocean views while travelling both north and south along the roadway. While travelling south along La Jolla Shores Drive the street curves westward at the current SWFSC and then straightens out north of the project site. Vantage points begin just south of the SWFSC site and then open into a 270° view of the ocean to the west and white water and La Jolla Cove to the

south. This unobstructed view remains while travelling south toward the subject site and then becomes partially interrupted by a mature eucalyptus tree directly south of the project site. South of this point views become intermittent and less expansive due to a decrease in elevation and the amount of vegetation obstructing views increases.

As one travels north on La Jolla Shores Drive views are predominantly obstructed due to a combination of the low elevation of La Jolla Shores Drive, vegetation and development located west of the roadway. However, as one travels north toward the subject site elevation increases and the obstructions due to vegetation and development are eliminated. Blue water views begin immediately south of the subject site and these blue water views continue for a couple hundred feet and then again begin to become obstructed by development and vegetation. The view opportunities then terminate as the roadway curves inland.

The proposed structure will result in partial to full view blockage of these significant views from all vantages (ref. Exhibit #4).

As previously stated, the proposed building will be approximately 44 ft. high. The finished floor elevation for the development, based on the grading plans, is approximately 184 ft. MSL; thus the proposed maximum elevation of the building is 228 ft. MSL. Again, the approximate elevation of La Jolla Shores Drive adjacent to the site is between 200–220 ft. MSL. As such, the proposed building's maximum elevation will be 8-28 ft. taller than La Jolla Shores Drive and will significantly obstruct all existing vantage points of La Jolla Cove and the ocean (ref. Exhibit #4). One would expect that any portion of a structure higher than the elevation of La Jolla Shores Drive would result in impacts to coastal views, allowing for a few foot margin of error, given that a person walking or driving in a car would be probably about 4-6 ft. above the elevation of the road. As such, in the absence of grading, the tallest permitted structure at this location to avoid view impacts would be limited to the height of La Jolla Shores Drive, or between 5 ft and 35 ft. tall.

Over the last 12 months, Commission staff has been working with UCSD to address concerns pertaining to the blockage of coastal views. During this time, UCSD has proposed numerous building modifications, including: 1) modifying the overall building footprint; 2) shifting the position of the building; 3) removal of all mechanical equipment and exhaust fans from the roof; 4) sinking the building further into the site; 5) reducing the interior ceiling height. However, even with these changes, the finished building height will still be on average 8-28 ft. higher than the elevation of La Jolla Shores Drive and will thus still result in significant view impacts, as ocean views will be lost.

As previously discussed, one of the primary goals associated with the project design is the provision of access to the service yard for all sensor/platform laboratories. This feature also presents the biggest obstacle in addressing impacts to coastal views. According to the applicant, further modifications to the height of the building (to eliminate view blockage) would also render the service yard access by all desired labs infeasible. In essence, redesigning the project to eliminate coastal view impacts would



result in a building envelope less than half the size of the proposed building. UCSD has indicated that they can provide no further design changes, nor grade the site lower, without compromising the programmatic requirements stipulated by their awarded grant to construct the building. Specifically, the applicant(s) have indicated that decreasing the elevation of the building further would prevent all of the laboratories from access to the service yard, and, as such, the desired function of the building would be compromised. Thus, redesigning the building to eliminate these view impacts is not an acceptable option for UCSD, and because the project cannot be redesigned to eliminate these impacts, the project cannot be found consistent with the Coastal Act, and must be denied.

It is important to note that the Commission staff agrees with UCSD that the MESOM facility will undoubtedly provide a valuable long-term facility facilitating essential observations and models of the California Current Ecosystem, and that these observations and models will also undoubtedly be valuable tools in addressing the effects of climate change. However, as proposed, the development is inconsistent with the Coastal Act, which is the legal standard of review. UCSD has submitted to the Commission documentation identifying two other locations for siting the facility that were eliminated during the project planning phase as not meeting the project objectives. While perhaps not ideal, these locations could accommodate the MESOM facility and are not located in an area where views to the coast are as valuable and sensitive as the proposed site. These alternatives are discussed in greater detail below.

In conclusion, because redesigning the project to eliminate the identified significant impacts to coastal views is not favored by UCSD and because the proposed project cannot be found consistent with the visual resource policies of the Coastal Act, it must be denied.

#### B. Alternative Locations.

The purpose of the proposed MESOM building is to provide a unique multi-disciplinary facility that would allow collaboration by multiple fields of marine sciences (physical, ecological, chemical) to work cooperatively and would enable valuable informational exchange. According to the applicant, the benefits and requirements resulting from the various disciplines working in close physical proximity were important factors in the rationale for the siting and the design of the building. The design of the facility would need to include a number of laboratories large enough to assemble oceanographic equipment. Additionally, the MESOM program requires easy movement of this equipment into and out of the laboratories, and thus, as many labs as possible need to have direct access to the service yard through garage-type doors. In addition, these garage-type doors need to be large enough to transport the equipment from the laboratories, to the service yard, then be deployed to the ocean, and ultimately retrieved and brought directly back to the laboratories. All of these requirements created a unique array of constraints for the building design, and thus potential project sites were limited due to these constraints.

Additionally, given the strong academic connections with the Scripps Institute of Oceanography (SIO), only sites within the SIO neighborhood were considered for the project. The grant awarded by the U.S. Department of Commerce (DoC)/National Institute of Standards and Technology (NIST) requires that the facility be located in reasonable proximity to the existing and future NOAA facilities and SIO research departments that have a similar research emphasis.

An additional desire of UCSD is to allow the MESOM building to serve as the central facility for the Coastal Observations (CO) Neighborhood. The Coastal Observations (CO) Neighborhood is comprised of Isaacs Hall (a marine studies based laboratory/research facility), and the Hydraulics Lab. The proposed site would serve to function as the geographical anchor for the CO neighborhood. Additionally, the proposed location is directly adjacent to the new NOAA South Western Fisheries Science Center (SWFSC), the Keck Ocean Atmosphere Research Facility, and Nierenberg Hall, all of which would support additional collaboration. Thus, proximity to the CO Neighborhood and the surrounding marine science facilities created additional constraints for site selection, and these two constraints (building design and proximity to other facilities) lead to UCSD choosing the proposed project location.

During the planning stages, UCSD reviewed two alternative sites for the MESOM building other than the proposed site. The first area reviewed was in the area of the Scripps Upper Mesa, and included a site south and west of Torrey Pines Road. However, this location was not within walking distance of the above mentioned buildings and was therefore immediately eliminated.

The other alternative site reviewed by UCSD is the Deep Sea Drilling (DSD) site, located just south of the proposed MESOM site, and on the east side of La Jolla Shores Drive (ref. Exhibit #5). This building site is not located in the CO Neighborhood but would still be within walking distance of Isaacs Hall, the Hydraulics Lab, SWFSC, the KECK facility and Nierenberg Hall. However, service truck accessibility would be limited to one side and level of the building as opposed to two sides being available at the current proposed location. UCSD concluded that this limitation would significantly limit the number of laboratories accessible to the service yard. As previously discussed, direct access by the labs to the service yard is one of the primary objectives for the MESOM facility, and, as such, UCSD also eliminated the DSD site as an alternative.

The Commission disagrees that the two alternative sites are not feasible locations for the MESOM facility, particularly given the concerns associated with the chosen project site. Compromises such as having buildings located beyond what UCSD considers an acceptable walking distance, or non-ideal access to the service yard should not be disregarded. While the Commission understands that the proposed location may be the most desirable based on building design requirements and its adjacency to other marine science buildings, it still must be found consistent with the Coastal Act, and thus, cannot significantly obstruct valuable existing public views.

In summary, the project is proposing a 3-story, 44 ft. high structure in an area with significant and unique coastal views. As a result of the proposed development, a considerable proportion of these views will be obstructed. Over the course of the previous year, UCSD has proposed several revisions in attempt to reduce, but not eliminate, impacts, and as such, the impacts to coastal views remain significant. Most recently, UCSD has indicated that any further revisions to the building design are not feasible. UCSD has also determined that relocation of the facility elsewhere is not feasible. However, the Commission has reviewed two alternatives provided by UCSD and disagrees that the alternative sites are not viable options.

3. Public Access/Transportation. Section 30252 of the Coastal Act states, in part:

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation...

In addition, 30253(4) also states:

New Development shall:

[...]

(4) Minimize energy consumption and vehicles miles traveled....

The proposed project site is located west of a major coastal access route, La Jolla Shores Drive, and is proposed in an area currently developed with two parking lots (P012 and P013) providing a total of 84 parking spaces. As proposed, the project would result in a net decrease in parking spaces, replacing the existing 84 parking spaces associated with the parking lots with 20 parking spaces to serve the proposed MESOM facility.

Two driveways, both accessed from Biological Grade, would provide vehicular access to the project site. The upper yard would provide the majority of parking spaces (15 spaces), and the lower yard would include parallel parking for the remaining five spaces. During periodic loading and unloading of laboratory equipment, the five parking spaces along the southern side of the building would be temporarily unavailable for automotive parking (ref. Exhibit #7).

As previously stated, the project will displace two current parking lots resulting in a net decrease in parking spaces, from 84 to 20 spaces. As such, 64 parking spaces will thus be displaced by the proposed facility. Because La Jolla Shores Drive is a major coastal route, the concern is that by removing existing parking, UCSD employees/students that currently utilize parking lots P012 & P013 will park somewhere else, creating a spillover

effect, which may result in the employees/students usurping parking spaces currently utilized by the public for coastal access. To address this concern, the applicant has provided information on parking on the SIO campus and surrounding area. According to the applicant, the NOAA Southwest Fisheries Science Center (SWFSC), currently under construction across La Jolla Shores Drive from the subject site will provide 220 parking spaces in an underground parking structure when it opens in fall 2012. This will accommodate all NOAA SWFSC employees, some of whom currently park in Lots P012 and P013, as well as all visitors to the NOAA SWFSC building. Furthermore, the Environmental Impact Report (EIR) associated with the construction of the SWFSC cited that the new center would generate the need for 123 parking spaces, and as proposed the SWFSC will provide 220. Thus, the additional parking provided by the SWFSC will be sufficient to accommodate the parking displaced by the construction of the MESOM Building. Furthermore, and as indicated by UCSD, the MESOM building will mostly include students and staff that are already on the campus in other locations and will more accurately result in a shift of parking needs rather than the creation of new demand.

The campus has, and will maintain, its award-winning ride-sharing program. According to information provided by UCSD, in the year 2000, 34% of those coming to the campus did so in shared-vehicles. UCSD also has an extensive shuttle program on campus. Specifically, the SIO Shuttle provides service between the main campus (five stops) and the SIO campus (8 stops). The shuttle operates Monday-Friday year-round from 7:15 a.m. to 9:00 p.m. with 30 minute frequency of service. Fifteen minute frequency of service is provided from 7:30 - 9:30 a.m. and 3:30 - 5:30 p.m. during fall, winter and spring quarters. The SIO shuttle provides a connection between the SIO campus and MTS bus routes which serve the main campus.

With regard to alternative transportation to the campus and public transit, there are several bus routes that operate on La Jolla Shores Drive on weekdays and weekends. Bus stops exist near La Jolla Shores Drive at Biological Grade, Downwind Way and Naga Way, all in close proximity to the SIO campus. UCSD and SANDAG are actively planning for the proposed Mid-Coast light rail transit (LRT) project. Two stations are proposed on the UCSD campus. Both the UCSD shuttle service and MTS bus service will be provided at both stations. SANDAG currently projects completion of the light rail project no earlier than 2016. Although LRT service to the UCSD campus is not expected before 2016, the existing SIO shuttle provides a connection to the main campus which is served by five MTS routes, including Tr. 150 which provides service between the campus and the Old Town Center. A bus route from North County also serves the main campus.

The project can, therefore, be found consistent with the Coastal Act policies pertaining to public parking. However, given the remaining concerns associated with public views, the project as a whole cannot be found consistent with the Coastal Act, and must be denied.

4. Biological Resources/Water Quality. Sections 30230, 30231, and 30240 address the protection of biological resources and water quality and state the following, in part:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored...

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff,...

Section 30240

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

A. Water Quality.

The proposed project involves constructing a 38,600 sq. ft. 3-story building, as an infill project, in an area currently developed with two parking lots. Construction of the facility would involve the removal of approximately 4,200 cubic yards (c.y.) of cut and 355 c.y. of fill; approximately 3,845 c.y. of material would be exported off site and disposed of in an approved location. The maximum cut on site would be 15 feet, and the maximum fill on site would be 7' 6". The proposed development may result in impacts to water quality in that 1) it will modify the topography on the site, and thus potentially alter the runoff pattern; and 2) it may increase the amount of impervious surface at the UCSD campus. The project triggers an additional concern in that it is located directly adjacent to an Area of Special Biological Significance (ASBS).

In an effort to help protect our oceans and maintain natural water quality within some of the most pristine and biologically unique sections of California's coast, the state created the ASBS designation in the 1970s. Today, there are 34 such areas – sometimes referred to as State Water Quality Protection Areas – in California. The La Jolla shores/ Scripps area is home to two ASBSs due to its unique marine diversity and opportunity for public use and research. Following establishment of these areas, in 1983, the State Water Board's Ocean Plan officially prohibited all polluted runoff and discharges into ASBSs.

The applicant has indicated that the proposed project is located mostly on asphalt covered parking lots and construction of the project *reduces* the amount of impervious surfaces.

Additionally, the project includes various permanent water quality measures to address any concerns relating the construction of the MESOM building. These measures include revegetating the slopes, the installation of a bioswale on the north side of the parking lot, installation of stone mulch at the building façade where paving or sidewalk does not abut the building, and the installation of splash block cobble at all roof drain outlets.

The project also includes landscaping that has been integrated to increase the amount of on-site pervious area over existing conditions as feasible for storm water to infiltrate, rather than flow over the site. Project landscaping serves to slow down, collect, store, and naturally filter storm water before it flows into the existing and proposed storm drain facilities. All impervious surfaces have been detached and minimized where feasible.

Construction BMPs include straw waddles, silt fences, check dams, stabilized construction entrances and exits, and dust control. In general, UCSD implements the principles outlined in its Storm Water Pollution and Prevention Best Management Practices (SWPPBMP) Handbook. The project can, therefore, be found consistent with the Coastal Act policies pertaining to water quality. However, given the remaining concerns associated with public views, the project as a whole cannot be found consistent with the Coastal Act, and must be denied.

#### B. Biological Resources.

The project site is currently occupied by two parking lots and vegetation is located in between the two parking lots and on the eastern and western project boundaries. As such, the removal of this vegetation may result in impacts to biological resources.

The entire 1.2-acre project site was mapped as urbanized in 2001 as part of the 2004 Long Range Development Plan (LRDP) EIR, and adjacent areas to the west of Biological Grade were mapped as Diegan coastal sage scrub. In order to confirm the status of urbanized areas on site and the status of Diegan coastal sage scrub in adjacent areas, a biological resources reconnaissance survey was conducted by Dudek on July 21, 2009. The survey area included the entire 1.2-acre project site as well as off-site areas extending 20 feet beyond the western and northern edge of Biological Grade. Paved parking areas and structures associated with Isaacs Hall were mapped as urbanized. Non-irrigated areas with non-native landscaping located between the parking areas and along La Jolla Shores Drive were mapped as disturbed habitat. Off-site areas to the north of the project include disturbed habitat and urbanized areas, while off-site areas west of the project and downslope of Biological Grade include disturbed habitat and Diegan coastal sage scrub.

No sensitive plant or animal species were observed within the study area or on site, and their potential to occur is low due to the lack of native habitat. In addition, there are no records of California gnatcatcher within the study area or in habitat areas located within 500 feet of the project. However, adjacent Diegan coastal sage scrub located downslope to the west of the project site is considered suitable for California gnatcatcher and it is assumed that the species could occur. In addition, eucalyptus trees located within

disturbed habitat areas along La Jolla Shores Drive have the potential to be used by nesting raptors.

In order to address these concerns, UCSD has included mitigation measures to eliminate any potential impacts to biological resources. Additionally, while the construction of the MESOM building will not impact any sensitive habitat as proposed, UCSD has also included mitigation measures to address any unforeseen and unexpected impacts to biological resources. These measures include the following requirements: 1) all work will be contained within the project site and existing roadways; 2) three additional surveys to determine the presence/absence of the coastal California gnatcatcher; 3) mitigation for all impacts to Diegan coastal sage scrub at a 2:1 ratio, regardless of whether or not it is occupied, through on-site preservation in the UCSD Park; 4) if habitat located within any impact area is determined to be occupied Diegan coastal sage scrub, habitat shall not be removed during the gnatcatcher breeding season; and lastly, 5) a preconstruction surveys for raptor nests. Removal of trees with active nests or major construction activities within 500 feet of active nests shall not be allowed during the breeding season until a qualified biologist determines that the nest is no longer active.

Additionally, all existing vegetated areas will be restored using a native plant palette that is compatible with the area's natural flora and precipitation patterns. Much of the existing vegetation would be removed as a result of site grading and the placement of the structure and utility work. Replacement vegetation is proposed to be California coastal sage scrub and other native species adapted to the site conditions. Relatively level areas near the structure would be planted with native or non-native, non-invasive species. Thus, any concerns relating to the protection of biological resources have been adequately addressed by the applicant. That being said, given the remaining concerns associated with public views, the project as a whole cannot be found consistent with the Coastal Act, and must be denied.

5. Local Coastal Planning. The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically the Scripps Institution of Oceanography (SIO) campus is within the La Jolla Shores segment or the City's LCP. UCSD does, however, have the option of submitting an LRDP for Commission review and certification.

While UCSD has submitted a draft LRDP, its EIR and topographic maps to the Commission staff informally, as an aid in analyzing development proposals, the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the future. The proposed structure is consistent with the University's draft LRDP to accommodate campus growth.

As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Since the proposed development has been found inconsistent with the Chapter 3 policies regarding protection of coastal views, the Commission finds that approval of the proposed project will prejudice the ability of

UCSD to prepare a certifiable Long Range Development Plan for its campus and therefore, it is denied.

6. Consistency with the California Environmental Quality Act (CEQA).

Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been found inconsistent with the Chapter 3 policies of the Coastal Act. The proposed development includes the construction of a 3-story facility including laboratories, offices and conferences rooms and is located west of La Jolla Shores Drive. This location currently provides blue and white water views of the ocean, as well as views of La Jolla Shores. The proposed development would partially to completely obstruct the existing viewshed. The applicant has submitted two feasible alternative sites that would substantially lessen any significant adverse impacts the development of the MESOM building would have on the identified coastal views. Therefore, the Commission finds that the proposed project is not the least environmentally damaging alternative and is not consistent with the requirements of the Coastal Act to conform to CEQA.



# REGIONAL LOCATION MAP

RIVERSIDE COUNTY

*Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory*

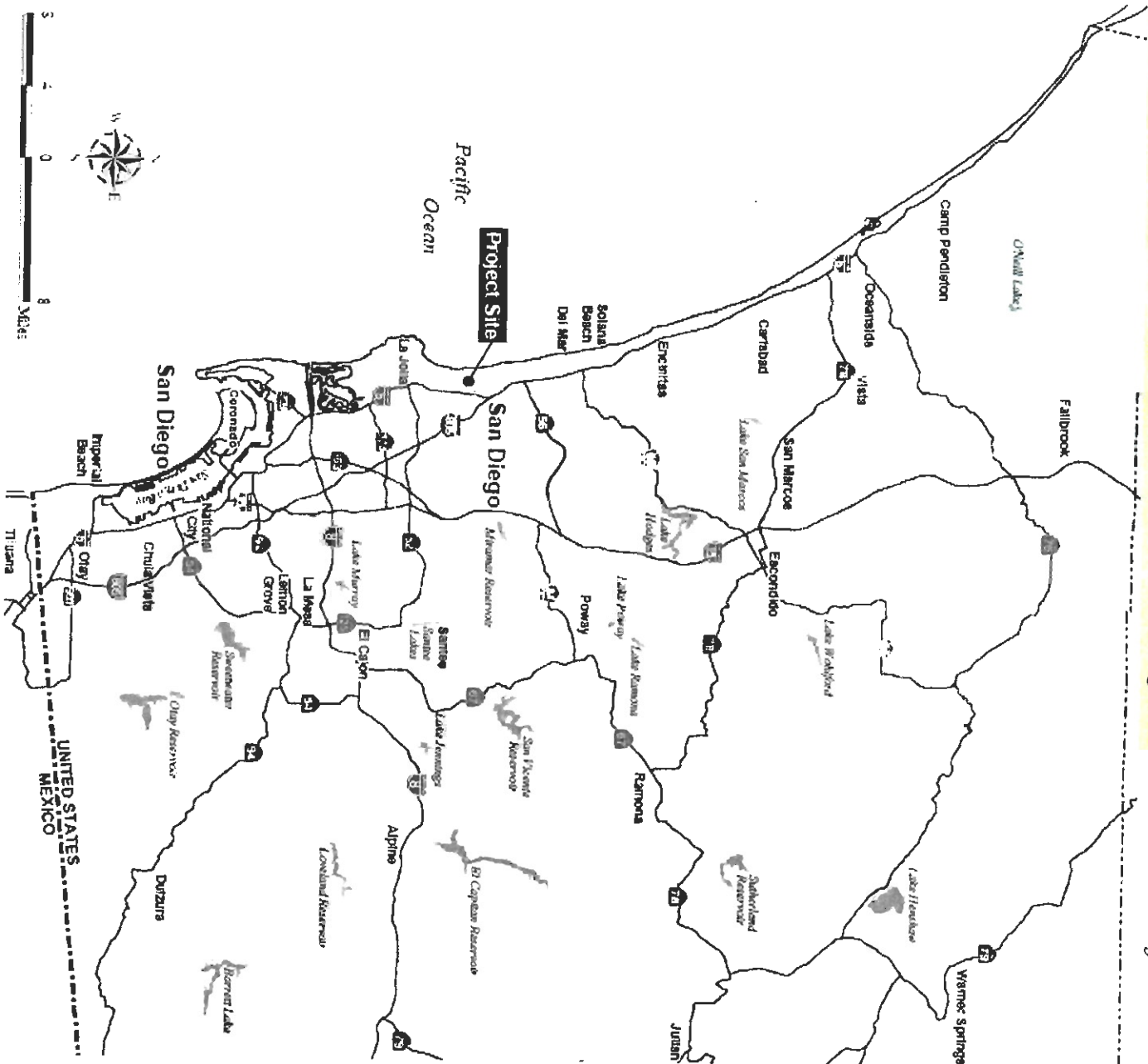
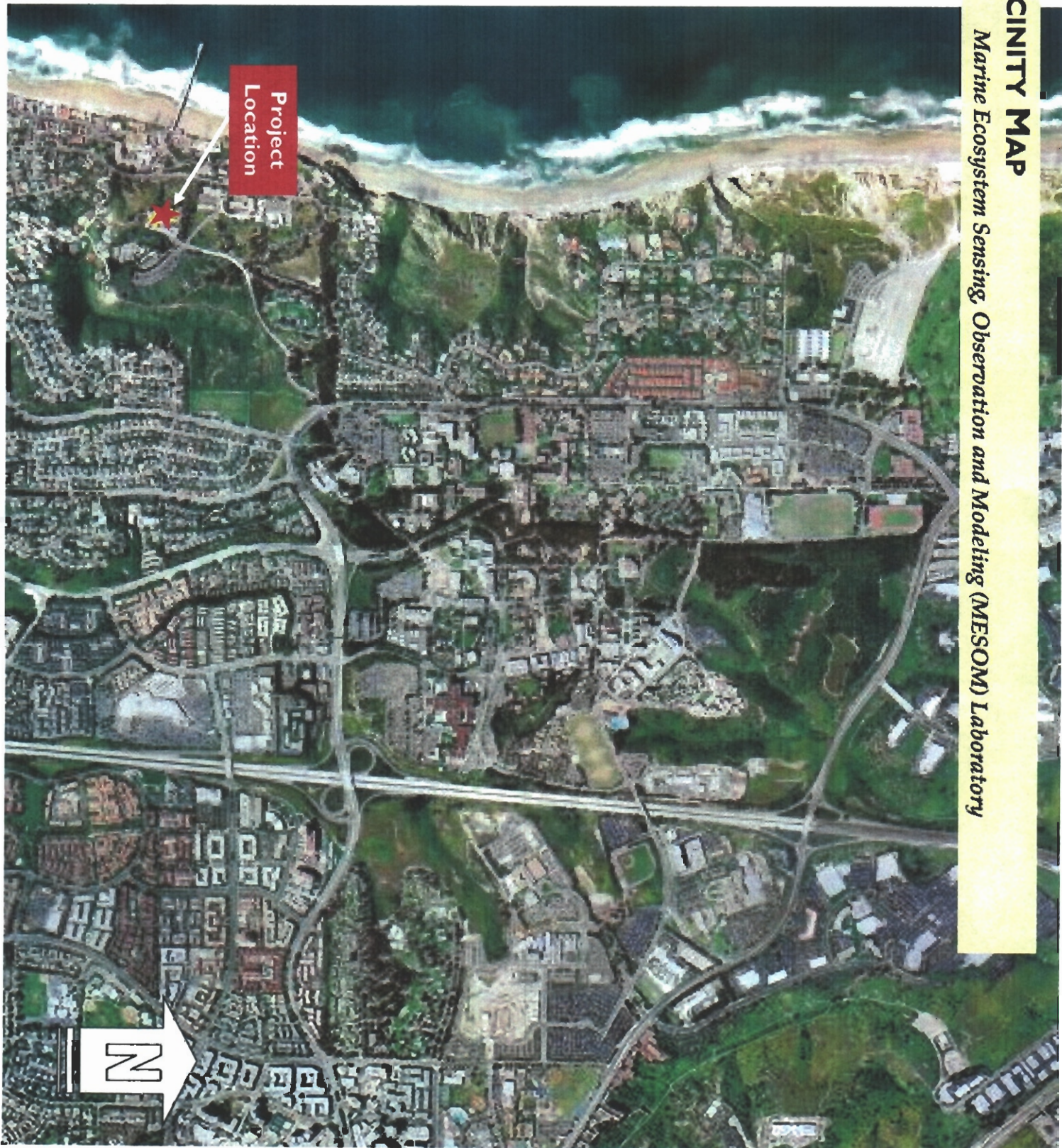


EXHIBIT NO. 1
APPLICATION NO.
<b>6-10-041</b>
Location Maps
Page 1 of 3
California Coastal Commission

**RECEIVED**  
MAY 17 2010  
CALIFORNIA COASTAL COMMISSION  
SAN DIEGO COAST DISTRICT

# VICINITY MAP

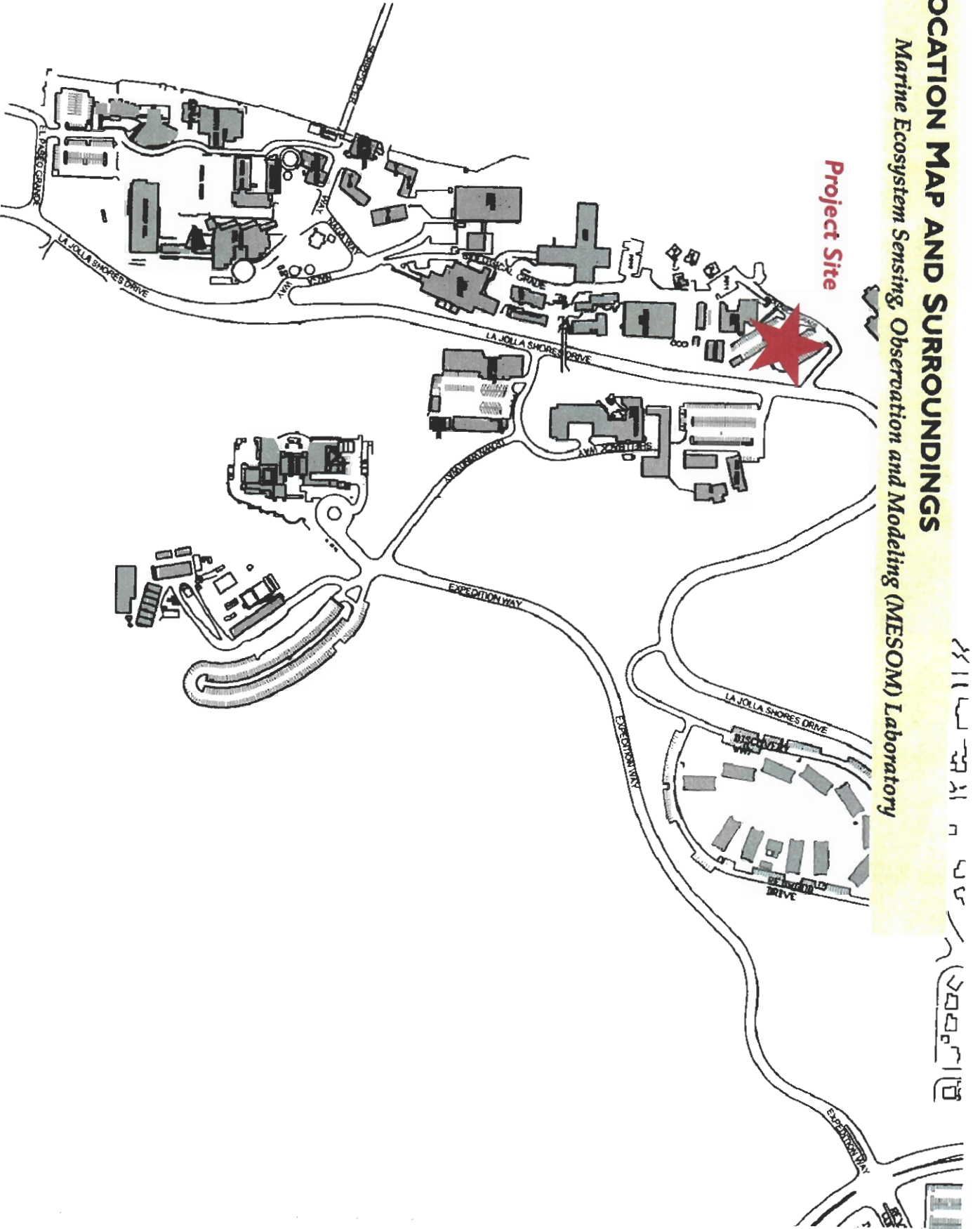
*Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory*



# LOCATION MAP AND SURROUNDINGS

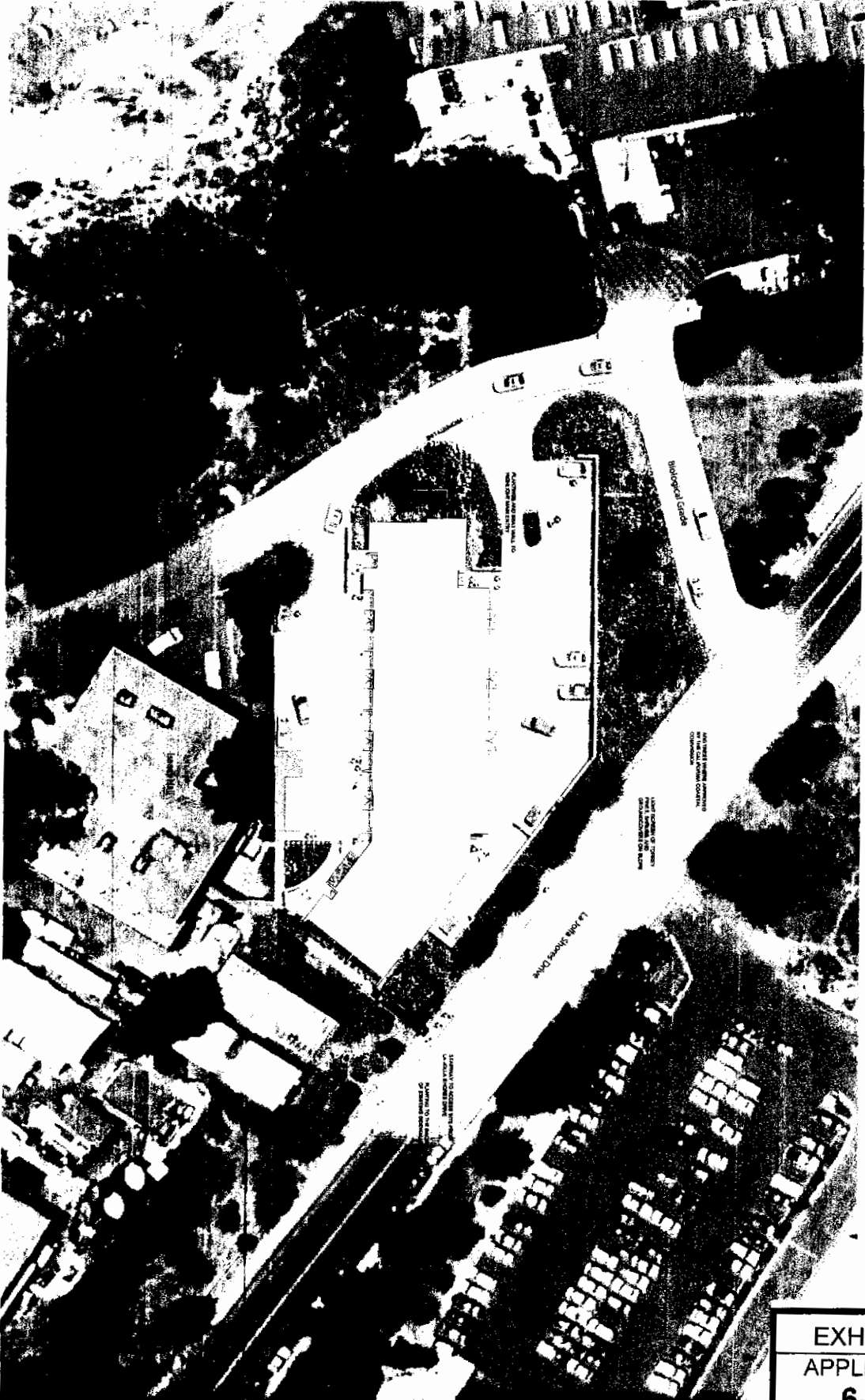
Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory

**Project Site**



WRT

MAY 2010

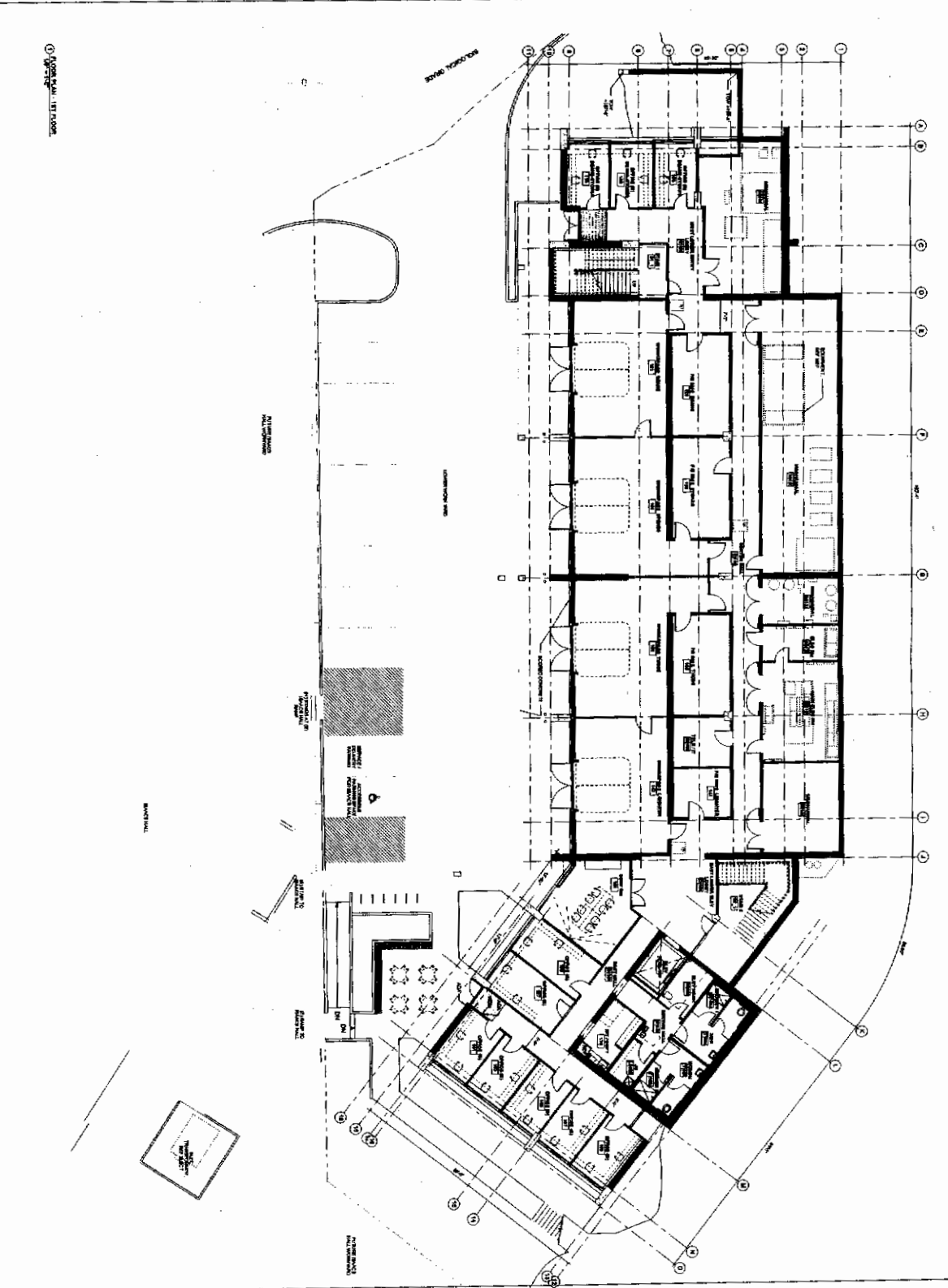


SIO MESOM LABRATORY  
Illustrative

EXHIBIT NO. 2
APPLICATION NO. <b>6-10-041</b>
Site Plans
Page 1 of 11
 California Coastal Commission

CONSTRUCTION

NOT FOR CONSTRUCTION



① Mesom Lab Floor

**SIO MESOM LABORATORY**

PROJECT NO. 100-100-100  
 DATE: 10/10/10  
 DRAWING NO. 100-100-100  
 SHEET NO. 100-100-100  
 PROJECT: SIO MESOM LABORATORY  
 FLOOR PLAN - FIRST  
 DATE: 10/10/10  
 BY: [Name]  
 CHECKED: [Name]  
 APPROVED: [Name]

A-100

NOT FOR CONSTRUCTION

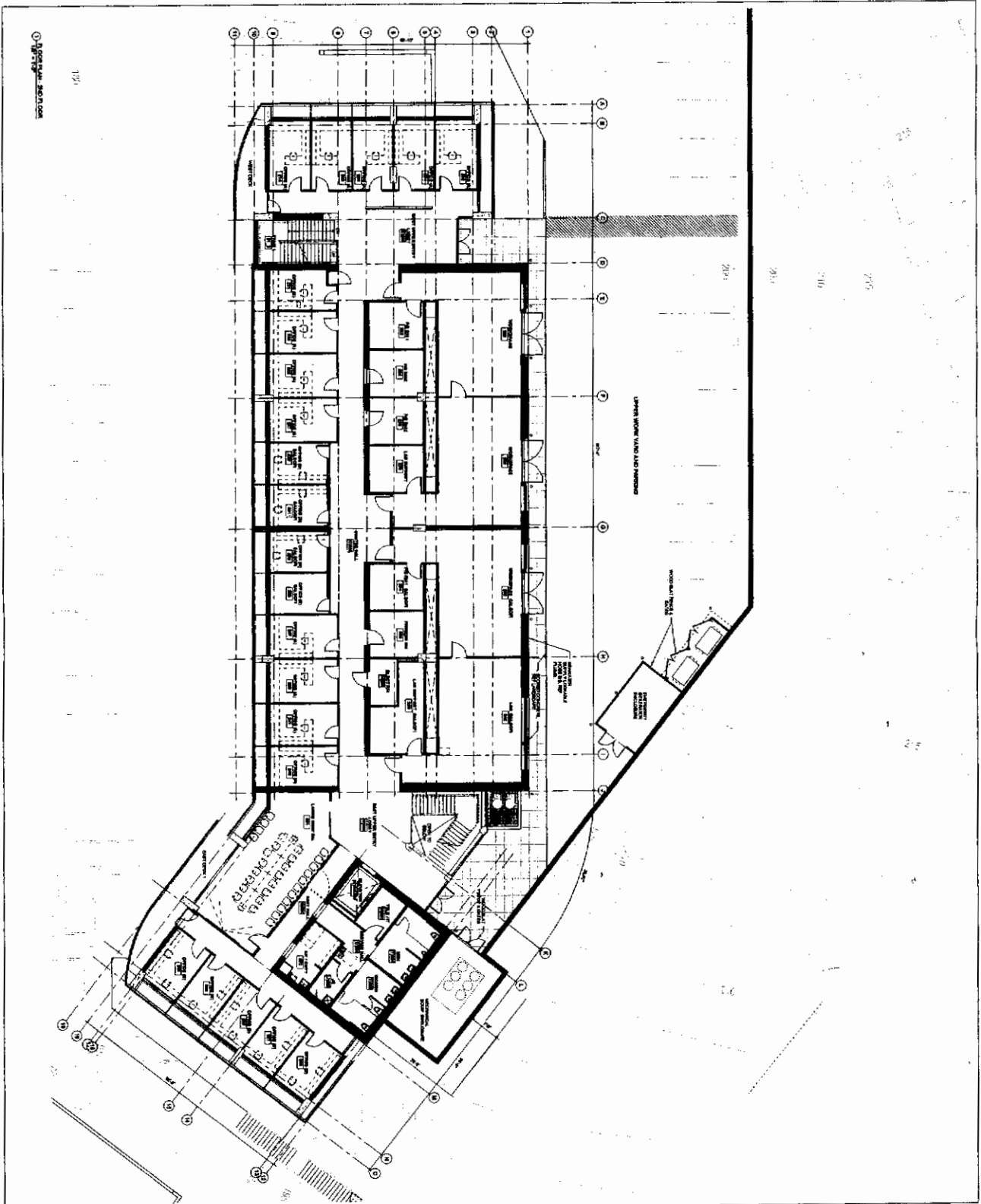
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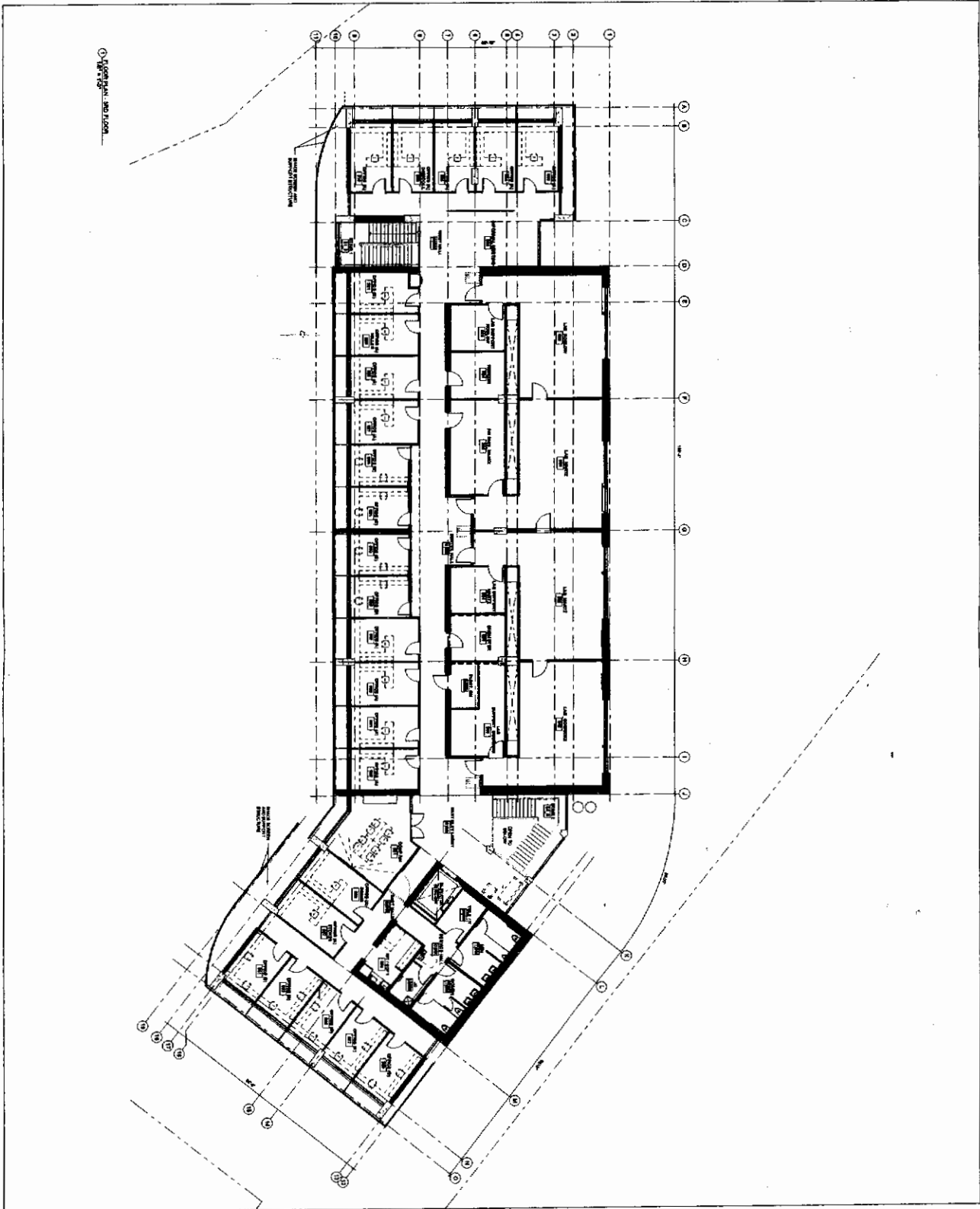
**STO MESOM LABORATORY**

VERNER BOGNER ARCHITECTS  
 1000 UNIVERSITY AVENUE, SUITE 100  
 ANN ARBOR, MI 48106  
 PROJECT NUMBER: 200-0002  
 DATE: 03.2005  
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 FLOOR PLAN - SECOND FLOOR  
 PARTIAL COMPLETION

A-101



1/2" = 1'-0"

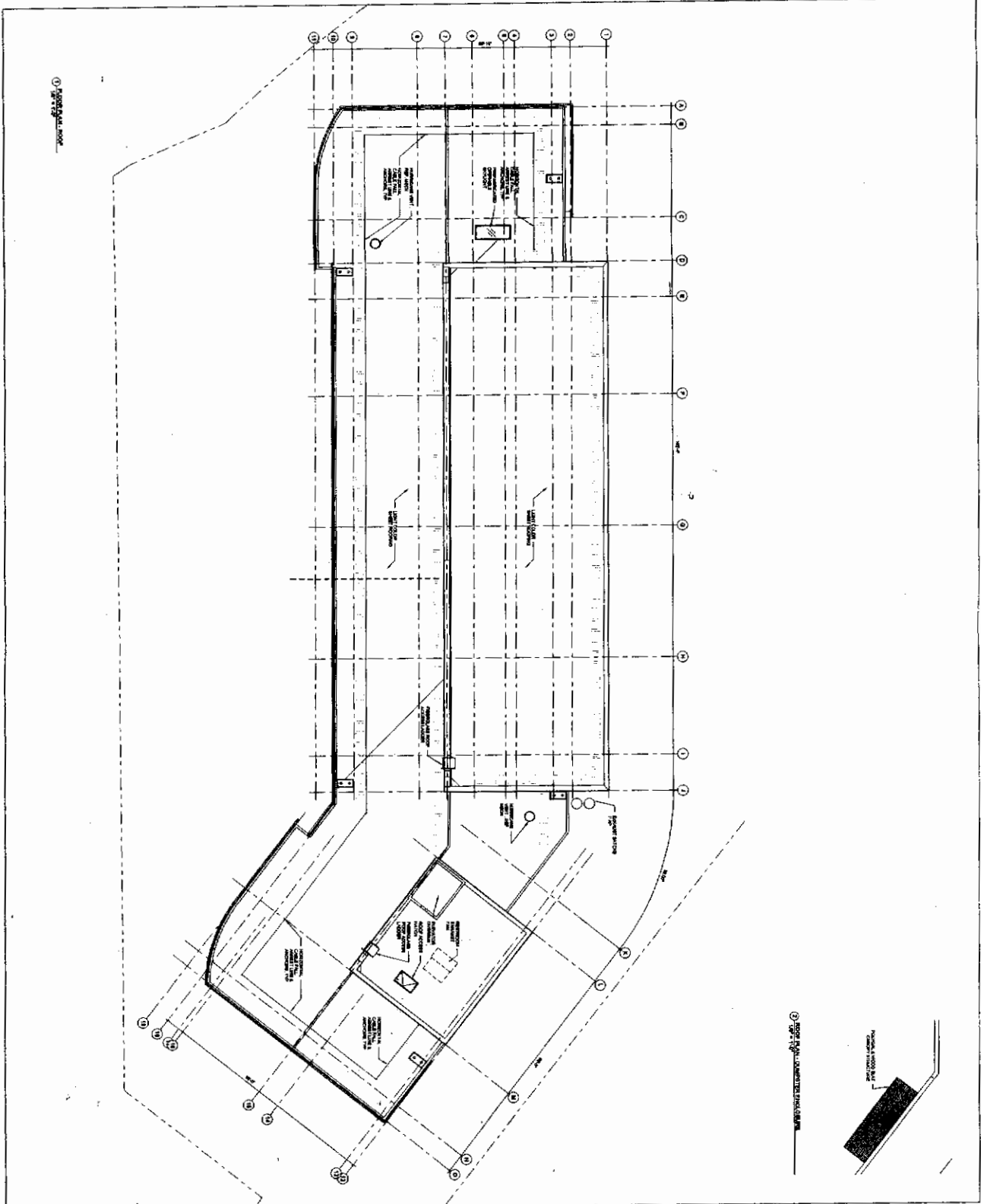
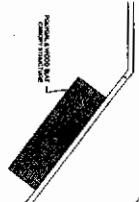


① Floor Plan - 3RD FLOOR

**SIO MESOMI LABORATORY**

PROJECT NO. 2018-001  
 PROJECT NAME: SIO MESOMI LABORATORY  
 PROJECT LOCATION: 2018-001  
 PROJECT OWNER: SIO  
 PROJECT ARCHITECT: THA  
 PROJECT DATE: 08/2018  
 PROJECT SCALE: 1/8" = 1'-0"  
 PROJECT FLOOR: THIRD FLOOR  
 PROJECT ROOM NO.: 301-400

A-102



① FLOOR PLAN - ROOF

② ROOF PLAN - LABORATORY BUILDING

NOT FOR  
 CONSTRUCTION

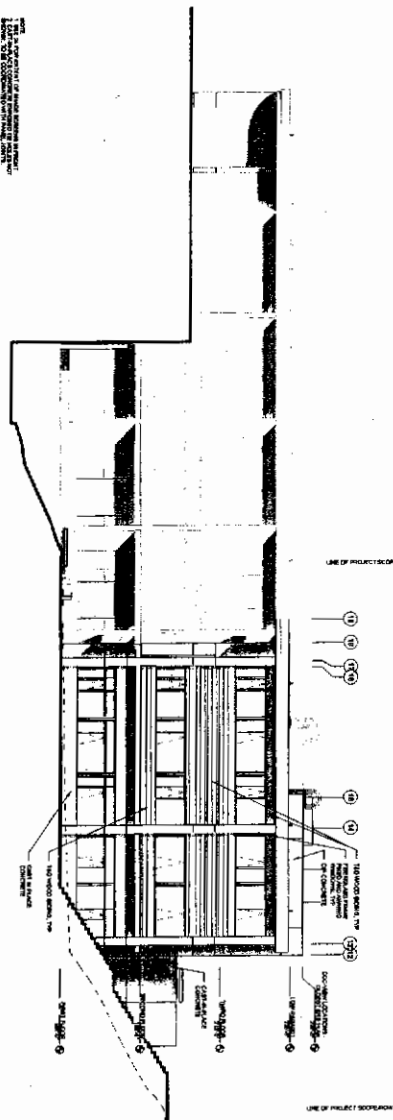
THA  
 310 WESCOM  
 LABORATORY

USE NO SCALE  
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 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 PROJECT NUMBER: 10-000000  
 SHEET NUMBER: 10-000000  
 DATE: 10/10/10  
 SCALE: 1/8" = 1'-0"  
 FLOOR PLAN - ROOF

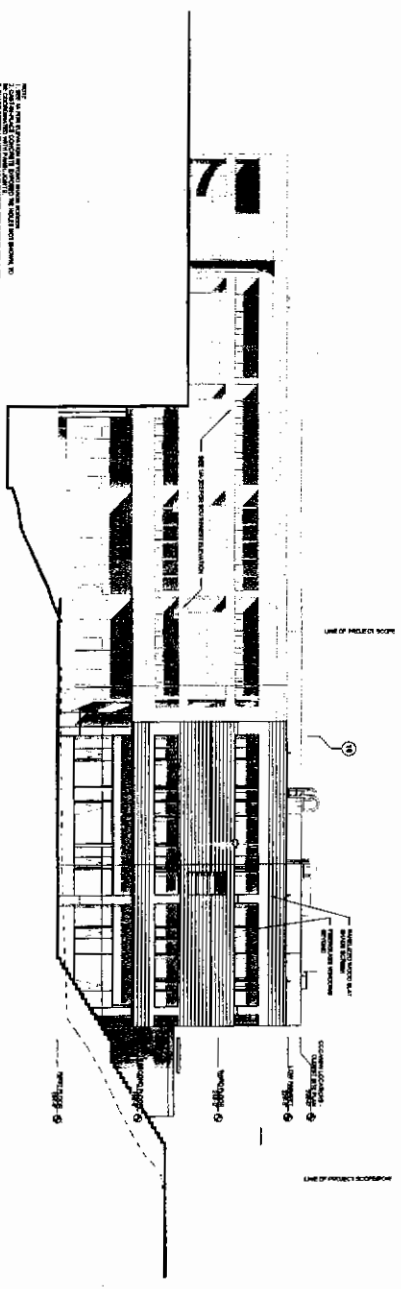
A-103



- 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.
- 2. ALL MATERIALS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
- 3. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- 4. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
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- 50. ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.



1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.



1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

A-200

NOT FOR CONSTRUCTION

DATE

NO.

PROJECT NAME

328 S. 13th St.  
SIO MESOM  
LABORATORY

OWNER

DESIGNER

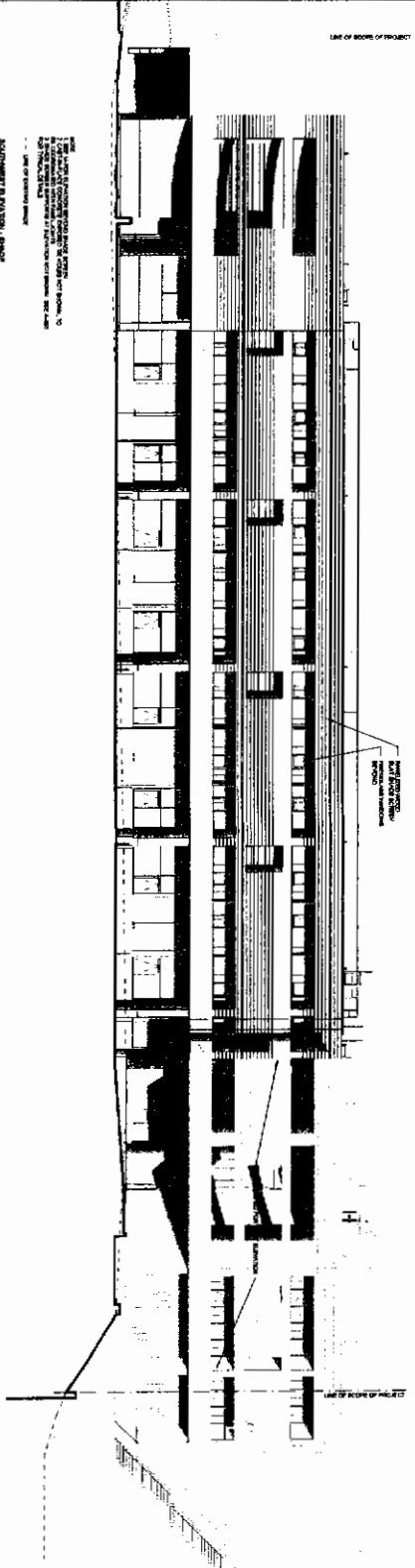
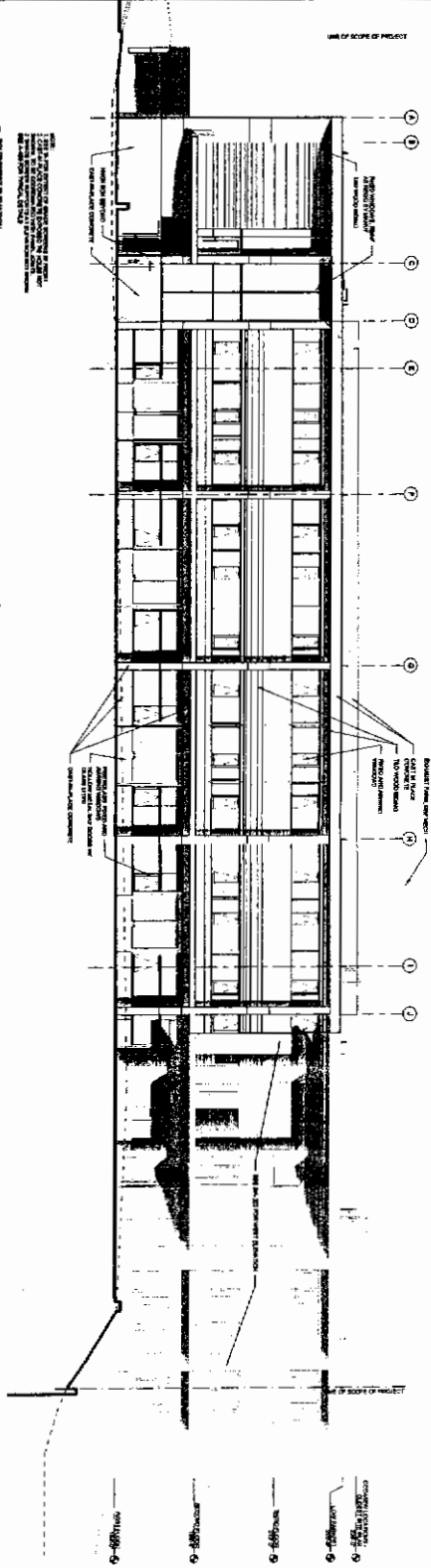
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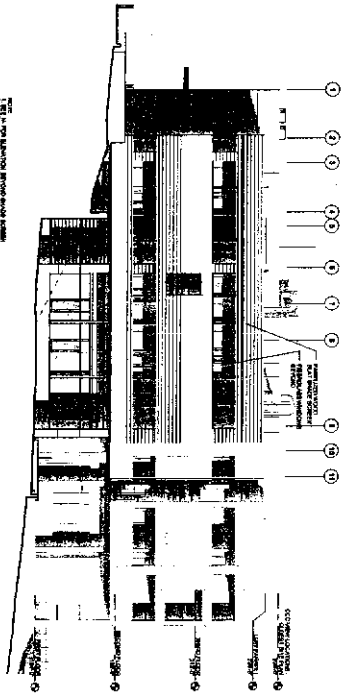
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ELEVATIONS: EXTERIOR

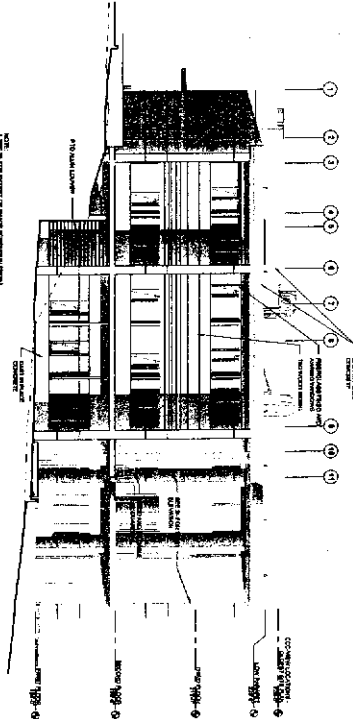
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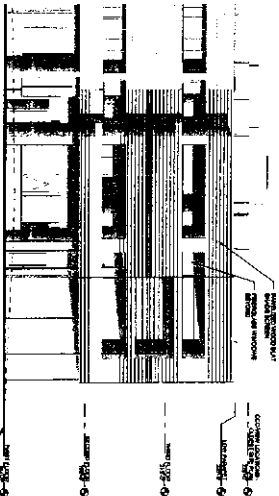
THA ARCHITECTS  
1001 10th St. N  
Minneapolis, MN 55412  
TEL: 612.338.8800  
WWW.THA-ARCHITECTS.COM



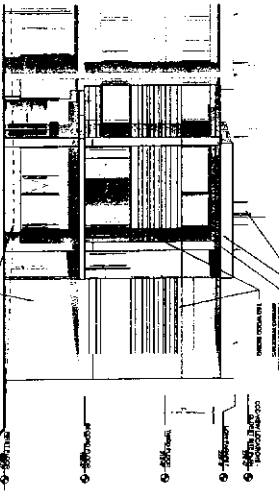
① WEST ELEVATION, MAIN FLOOR



① WEST ELEVATION



① WEST ELEVATION, MAIN FLOOR



① WEST ELEVATION

NOT FOR CONSTRUCTION

**SIO MESOM LABORATORY**

**ELEVATIONS EXTERIOR**

NOT FOR CONSTRUCTION

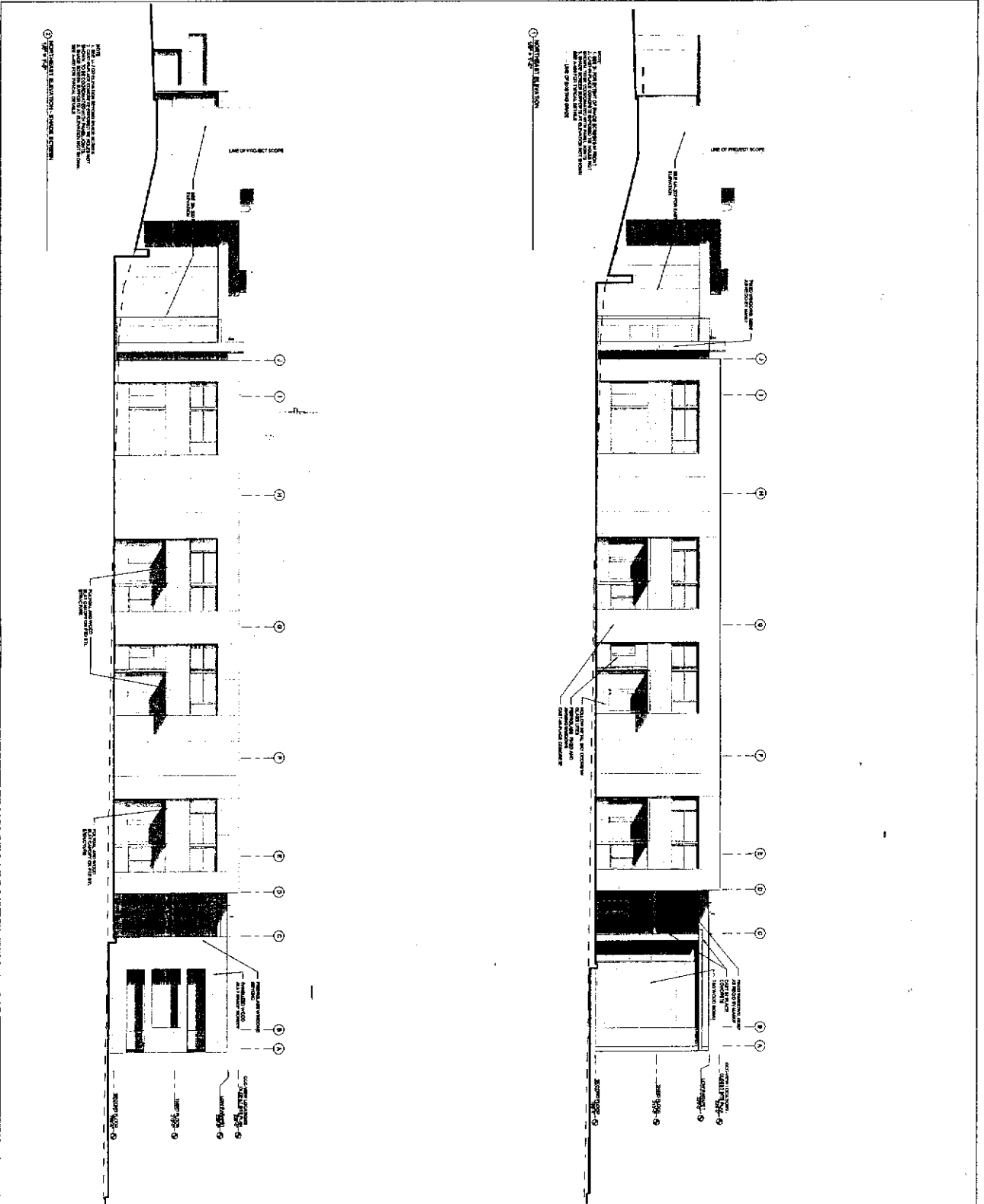
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PROJECT: SIO MESOMI LABORATORY

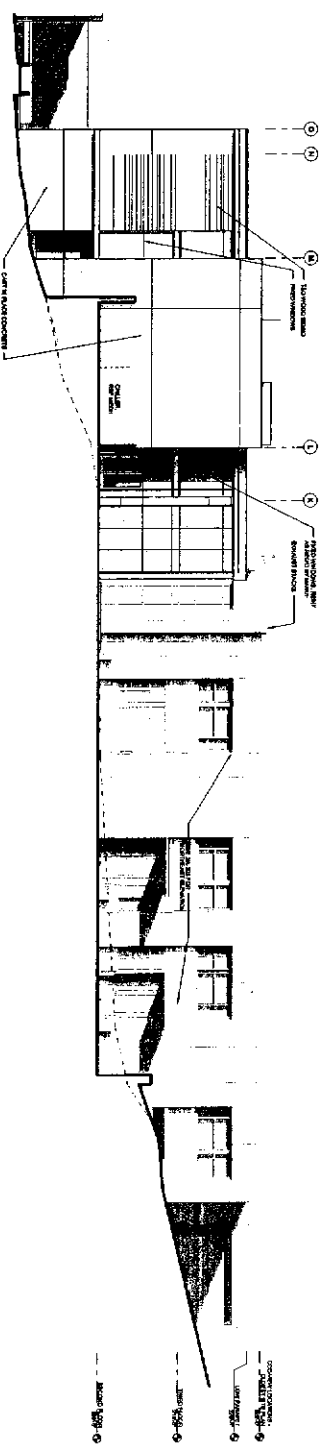
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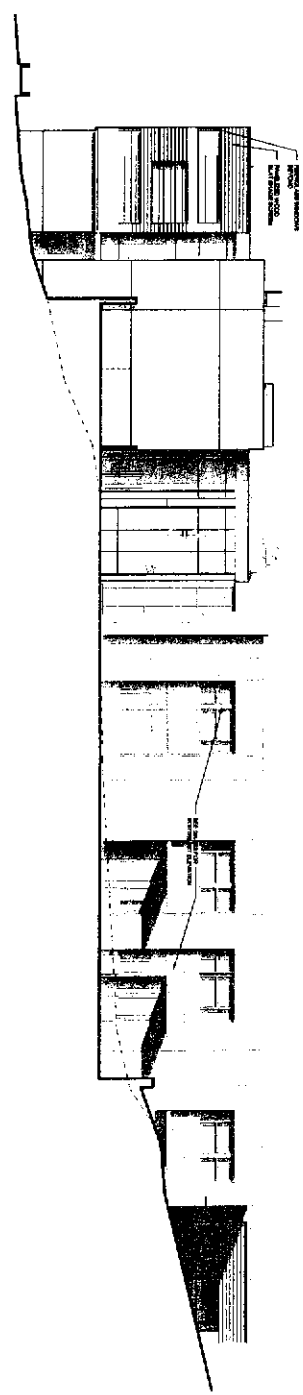
A-203



**THA**  
THE HOUSE OF ARCHITECTURE



1-1 SECTION THROUGH LABORATORY AND CENTRAL CORE  
 1:1  
 2:1



2-2 SECTION THROUGH LABORATORY AND CENTRAL CORE  
 1:1  
 2:1

NOT FOR  
 CONSTRUCTION

SCALE 1/8" = 1'-0"

**S/O MESCUM LABORATORY**

LABORATORY  
 MESCUM LABORATORY  
 LABORATORY  
 300-1234  
 555-1234  
 555-1234  
 555-1234  
 555-1234  
 555-1234

A-204

# THA

CONTRACT NO.

NOT FOR CONSTRUCTION

DATE

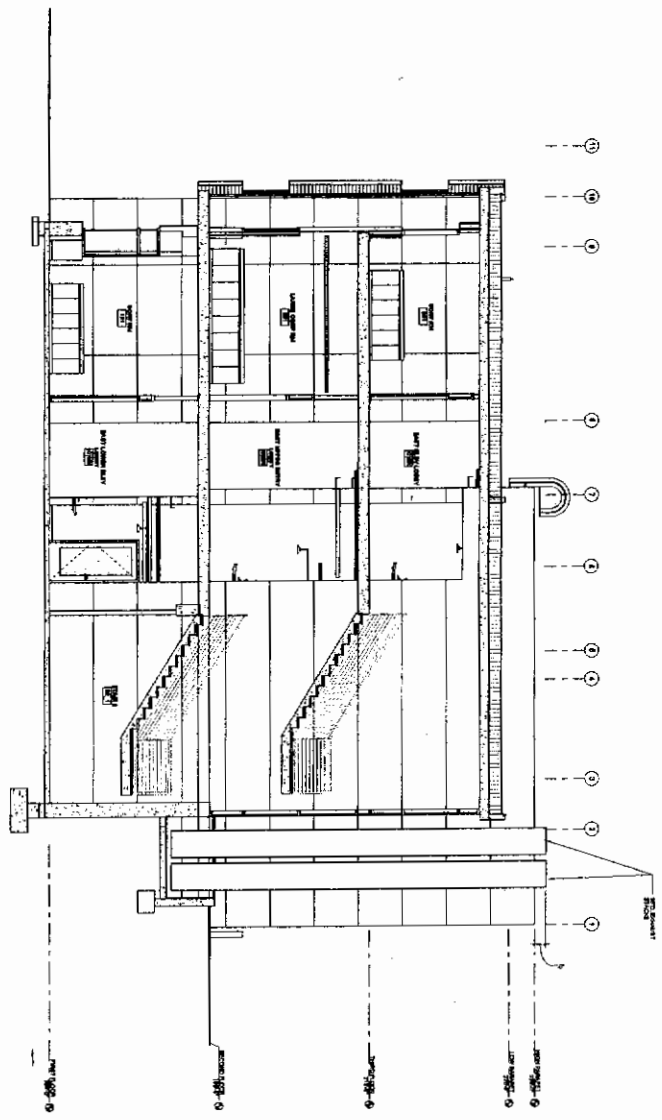
SCALE

DATE

**SIO MESOM  
LABORATORY**

DESIGNED BY  
DRAWN BY  
CHECKED BY  
DATE  
PROJECT NO.  
CLIENT  
CONTRACT NO.  
SHEET NO. OF  
SCALE

A300



SECTION

**AERIAL**

*Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory*



EXHIBIT NO. 3
APPLICATION NO.
<b>6-10-041</b>
Site Photos
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 California Coastal Commission

**SITE PHOTO—1**

*Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory*





# SITE PHOTO—2

*Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory*



Car Perspective of Existing Condition



Car Perspective with Proposed MESOM Building



Total Gross Square Footage 38,600 | Total Assigned Square Footage 21,300 | Roof height: 228' Above Sea Level | Total Building height 44'

Pedestrian Perspective of Existing Condition



Pedestrian Perspective with Proposed MESOM Building



Total Gross Square Footage 38,600 | Total Assigned Square Footage 21,300 | Roof height: 228' Above Sea Level | Total Building height 44'

Car Perspective of Existing Condition



Car Perspective with Proposed MESOM Building



Total Gross Square Footage 38,600 | Total Assigned Square Footage 21,300 | Roof height: 228' Above Sea Level | Total Building height 44'

Pedestrian Perspective of Existing Condition



Pedestrian Perspective with Proposed MESOM Building



Total Gross Square Footage 38,600 | Total Assigned Square Footage 21,300 | Roof height: 228' Above Sea Level | Total Building height 44'

Car Perspective of Existing Condition



Car Perspective with Proposed MESOM Building



Total Gross Square Footage 38,600 | Total Assigned Square Footage 21,300 | Roof height: 228' Above Sea Level | Total Building height 44'

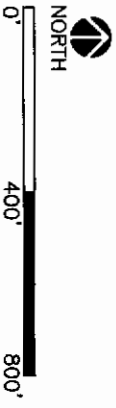
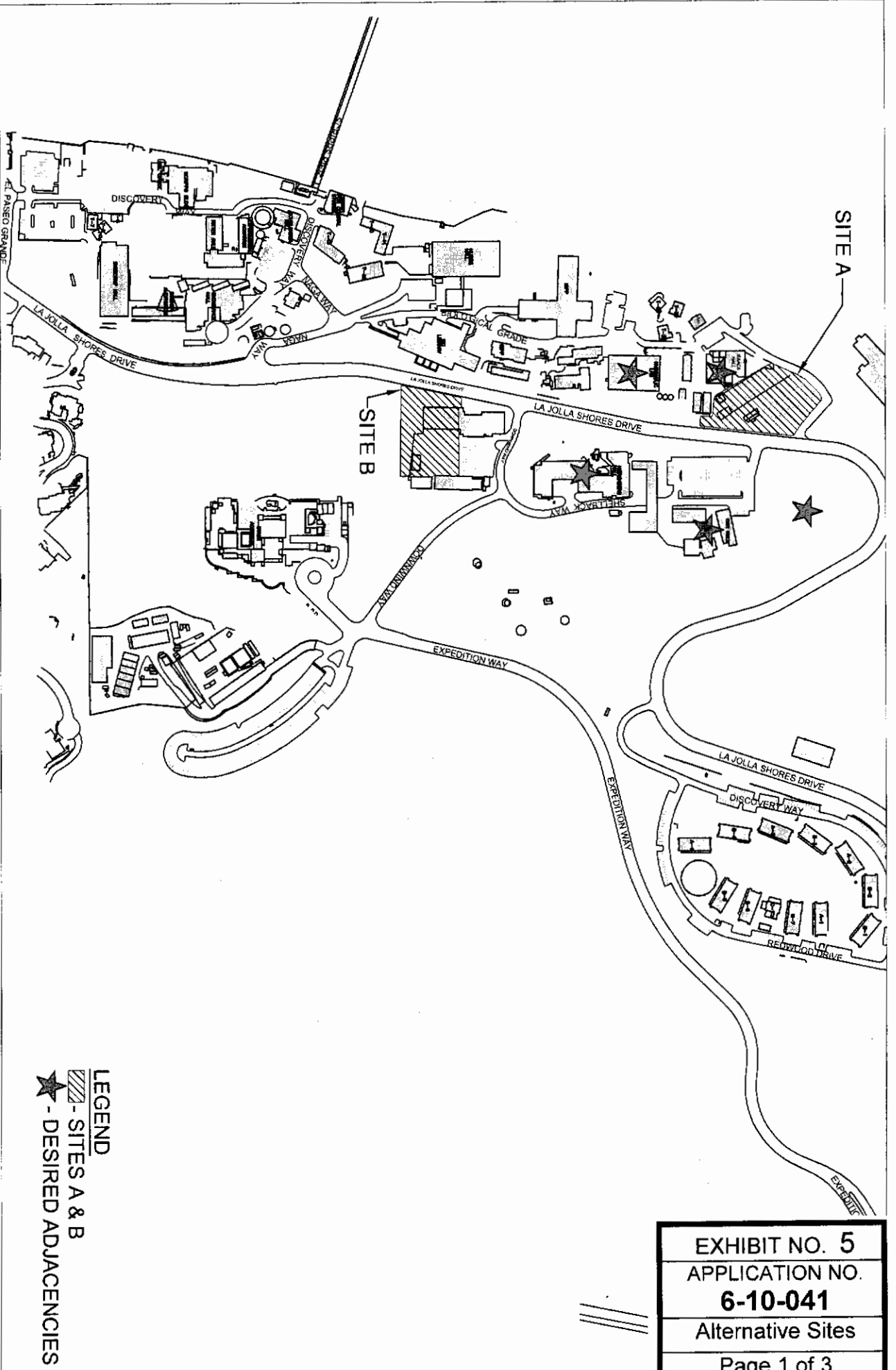
Pedestrian Perspective of Existing Condition



Pedestrian Perspective with Proposed MESOM Building



Total Gross Square Footage 38,600 | Total Assigned Square Footage 21,300 | Roof height: 228' Above Sea Level | Total Building height 44'



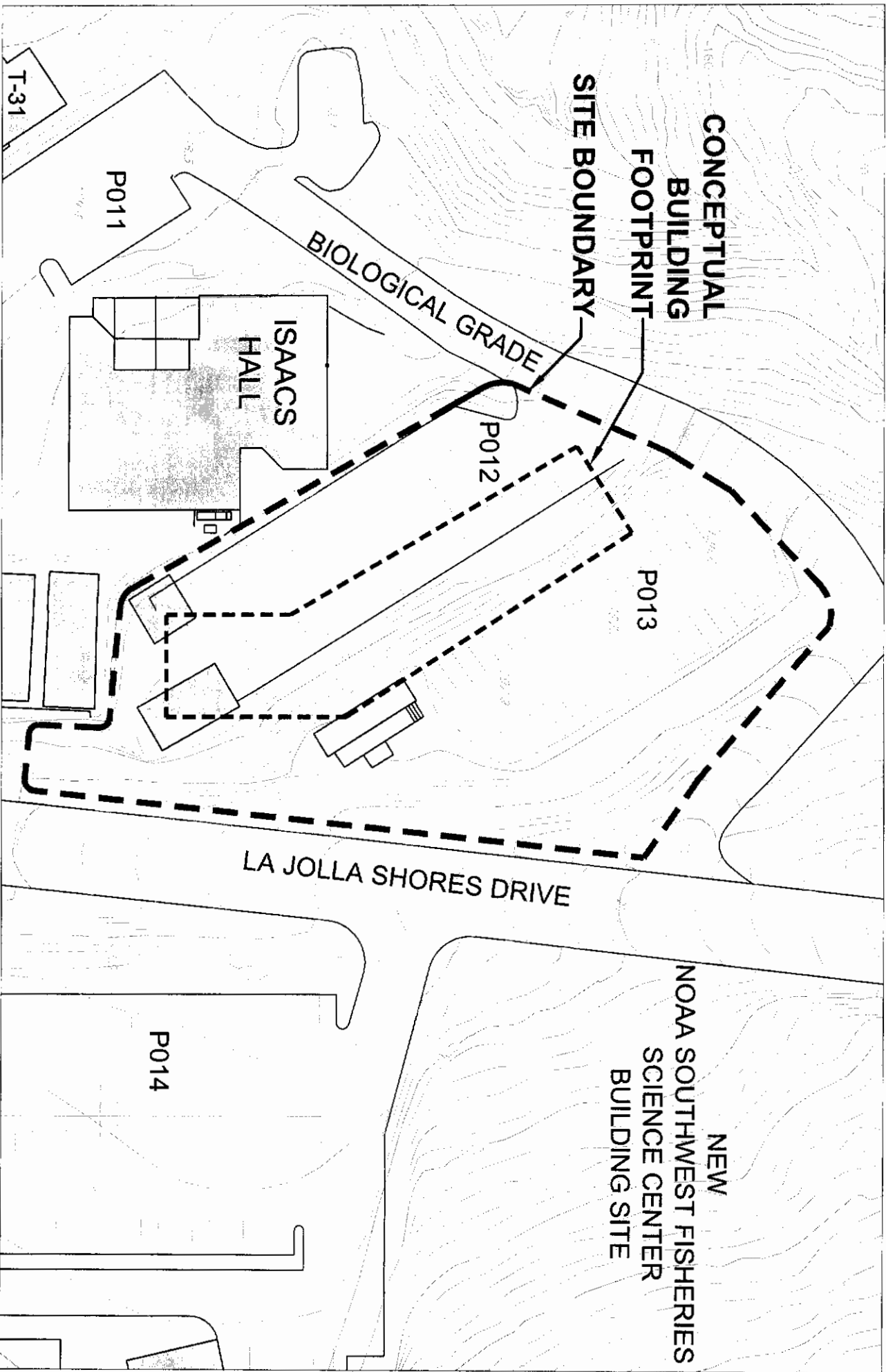
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 [Star] - DESIRED ADJACENCIES

EXHIBIT NO. 5
APPLICATION NO.
<b>6-10-041</b>
Alternative Sites
Page 1 of 3
California Coastal Commission

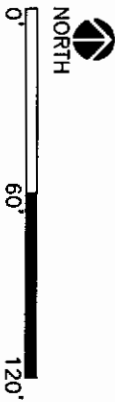
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 UCSD Physical Planning Department  
 F:\Departments\Physical\Projects\Institution of Oceanography\Doc Grant Building\NIST CCPC\_121808.dwg

**NIST BUILDING  
 SITE CONTEXT  
 SCRIPPS INSTITUTION OF OCEANOGRAPHY  
 FIGURE 1**





NIST BUILDING  
 SITE A: NORTH OF ISAAC'S HALL  
 SCRIPPS INSTITUTION OF OCEANOGRAPHY  
 FIGURE 2



1. Torrey Pines City Park
2. La Jolla Farms Road
3. Scripps Natural Reserve
4. Bluff - top easement at La Jolla Shores Lane
5. Elentown Road
6. La Jolla Shores Drive from Torrey Pines Rd.
7. La Jolla Shores Dr. (looking south from the vicinity of Scripps Institution of Oceanography)
8. Allen Field
9. Bordeaux Ave., western half
10. El Paseo Grande after it turns east
11. Camino del Oro after it turns east
12. Whale Watch Way
13. Cliffridge Park
14. Kellogg Park
15. Calle Frescola
16. Preswick Drive
17. Vallecitos
18. Avenida de la Playa
19. Calle del Clalo
20. Pottery Canyon Park
21. Costabella Drive
22. Spindrift Drive, South of the Marine Room Restaurant
23. Charlotte Park at the foot of Charlotte Street
24. Coast Blvd., Children's Pool, Shell Beach, Ellen B. Scripps Park & La Jolla Cove
25. Prospect St. and Cave Street
26. Coast Walk
27. North end of Park Row
28. View of La Jolla Shores from Torrey Pines Road
29. Public open space on Torrey Pines Road between St. Louis Terrace and Calle de la Plata
30. Azure Coast Drive
31. Hidden Valley Road
32. Ardath Road
33. Girard Avenue
34. Jenner Street
35. View corridor easement through 7963 Prospect Place to ocean
36. Easement across from John Coal Book Store from Prospect Street and Recreation Center
37. Hillside Drive (portions)
38. Caminito Avola/Via Avola
39. Via Siena at Hillside Drive
40. Rue Denise
41. Portions of La Jolla Scenic Drive South
42. Mt. Soledad, north of Ardath Road
43. Rue Adriane
44. Rue Michael
45. Sann Way
46. Rue de Roark
47. Coast Blvd. Park and South Coast Blvd. Hotel site, from Prospect Street
48. View corridor at southwest side of Scripps La Jolla Community Center Park
49. La Jolla Community Center Park, Cuyler Street
50. From top of Cuyler Street at Prospect
51. Via Capri (portions)

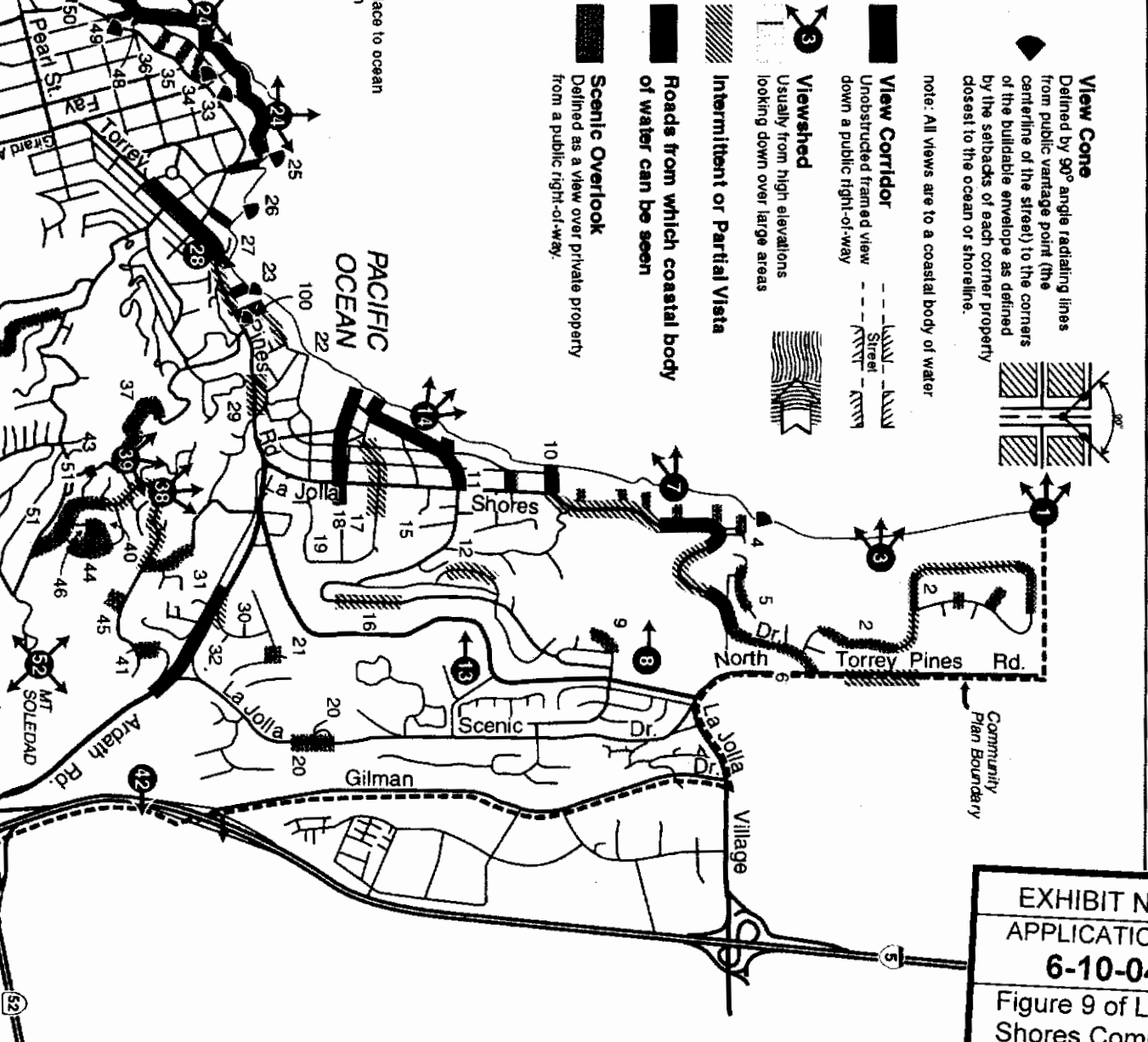


EXHIBIT NO. 6  
APPLICATION NO.  
**6-10-041**  
Figure 9 of La Jolla Shores Community Plan

California Coastal Commission

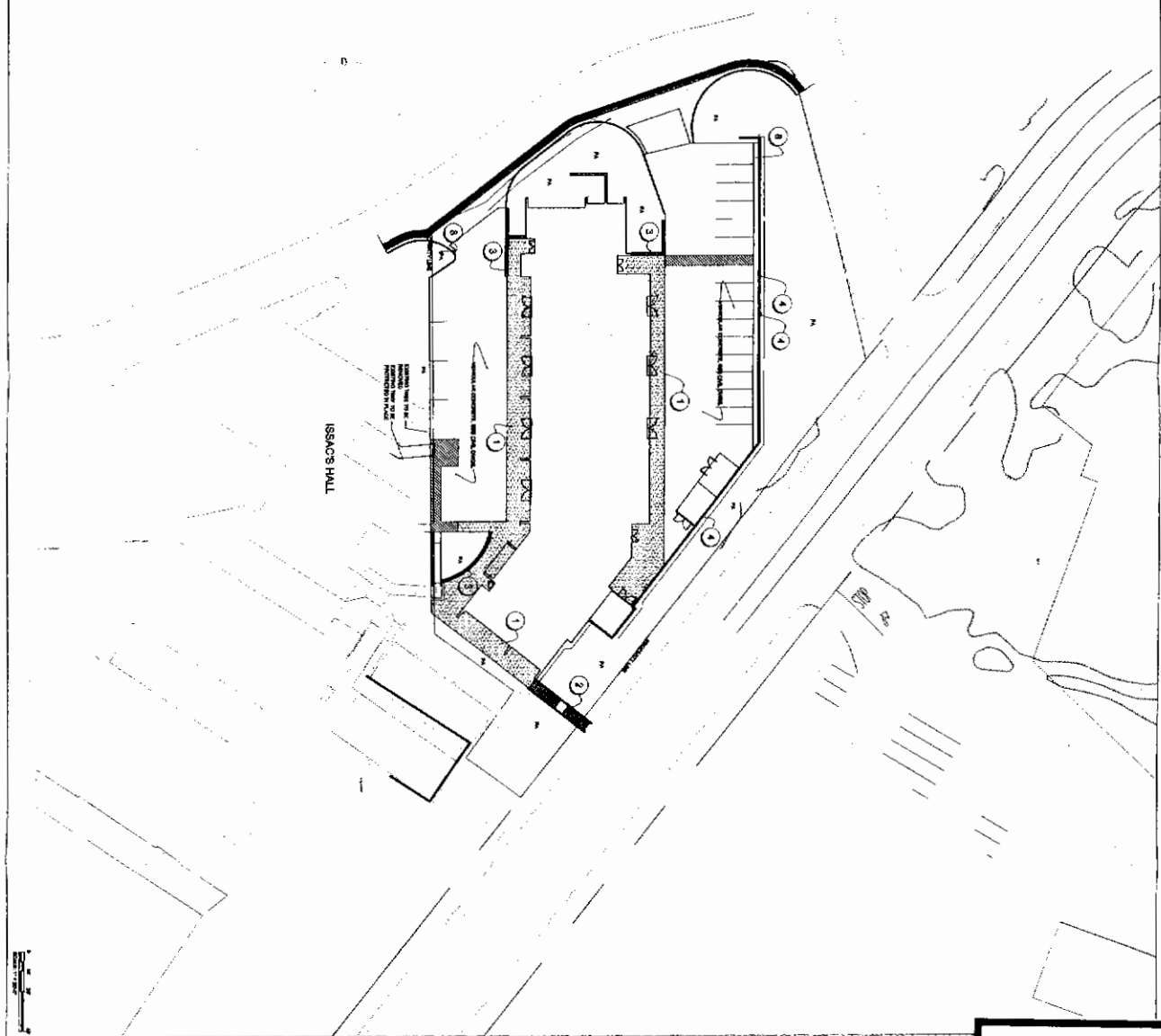
### LANDSCAPE CONSTRUCTION LEGEND

SYMBOL	DESCRIPTION	DATA
(1)	TYPE 3 EXPOSED CONCRETE SET WITH AGGREGATE FILL & COARSE SAND FINISH	SL4.2
(2)	WOODEN FENCE	SL4.3
(3)	CURB	SL4.4
(4)	CLAY CONCRETE BENT WALL	SL4.5
(5)	CLAY CONCRETE SET WITH AGGREGATE FILL & COARSE SAND FINISH	SL4.6
(6)	CRACK-RESISTANT CONCRETE SET WITH AGGREGATE FILL & COARSE SAND FINISH	SL4.7
(7)	REINFORCED CONCRETE	SL4.8
(8)	GRASS	SL4.9
(9)	SPACED JOINT	SL4.10
(10)	REINFORCING BAR	SL4.11

NOT PLANNING AREA

### LANDSCAPE CONSTRUCTION NOTES

1. CONSTRUCTION SHALL BE ACCORDING TO THE CONSTRUCTION AND COMPLETION ALL PARTS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE SPECIFICATIONS FOR ALL MATERIALS AND WORKMANSHIP.
2. ALL CONSTRUCTION SHALL BE ACCORDING TO THE CONSTRUCTION AND COMPLETION ALL PARTS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE SPECIFICATIONS FOR ALL MATERIALS AND WORKMANSHIP.
3. ALL CONSTRUCTION SHALL BE ACCORDING TO THE CONSTRUCTION AND COMPLETION ALL PARTS SHALL BE CONSTRUCTED TO MEET THE REQUIREMENTS OF THE SPECIFICATIONS FOR ALL MATERIALS AND WORKMANSHIP.
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**EXHIBIT NO. 7**

**APPLICATION NO.**

**6-10-041**

**Parking Plan**

Walden Builders & Tool, Inc.  
 1111 Camino Del Rio East, Suite 200  
 San Diego, CA 92108

NOT FOR  
 CONSTRUCTION

California Coastal Commission

1111 Camino Del Rio East, Suite 200  
 San Diego, CA 92108  
 (619) 444-1111  
 FAX: (619) 444-1112  
 WWW: WWW.WALDENB.COM

DESIGN DEVELOPMENT - WMB  
 ARCHITECT - WMB  
 DATE: 10/10/03  
 SCALE: 1/4" = 1'-0"  
 SHEET: 1 OF 1  
 PROJECT: SIEMENS HALL  
 LANDSCAPE CONSTRUCTION PLAN

**SIEMENS HALL  
 LABORATORY**

L-1-1  
 DATE: 10/10/03