CALIFORNIA COASTAL COMMISSION
SAN DIEGO AREA
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W17a

Click here to see correspondence received and appended to the staff report on November 12.

Filed:	Sept. 17, 2010
180th Day:	March 16, 2011
Extension Request:	March 16, 2011
Final Date for Commission Action:	June 14, 2011
Staff:	T. Ross-SD
Staff Report:	March 30, 2011
Hearing Date:	April 13-14, 2011

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.

Summary of Staff's Preliminary Recommendation:

Staff is recommending approval with several special conditions. The main concern regarding the proposed development is the impacts the structure will have on existing public views of La Jolla Shores, the Cove, the coast and the ocean. The location of the proposed development is currently developed with two (2) parking lots (P012, P013) and significant unobstructed coastal views are available across the site from both directions of La Jolla Shores Drive. Construction of the MESOM building would partially- to fully-interrupt these views.

The project was previously scheduled for review before the Commission at its October 2010 meeting in San Diego. However, the applicant requested a postponement to respond to the staff's recommendation of denial.

Since the time of the initial coastal development permit application, the applicant has proposed a number of redesigns of the project to reduce public view impacts, however, UCSD had stated that the current design has reached a point where any additional building design modifications would substantially limit the building's *functionality*. Specifically, the University has indicated that the project design requires that each laboratory space be directly adjacent to an office space and have direct service vehicle access via high bay doors, thereby creating a limited floor plan configuration and an additional burden of high ceilings. In addition, UCSD has indicated that given site-specific site grade considerations and the need to have large truck access to the building, there is no ability to lower the building by lowering the grade. Beyond the potential for redesign, the University has also researched and eliminated a number of alternative sites.

To address the significant visual impacts associated with the building, the University has proposed a three-component program by which some public views will be provided and enhanced, some additional public access amenities will be constructed, and all other existing public coastal views within the Scripps Institution of Oceanography (SIO) will be protected from future development. Specifically, UCSD has proposed a vegetation removal plan that includes removing and/or thinning vegetation at three different locations within SIO that are currently obstructing coastal views, thereby opening three new vantage points while traveling along La Jolla Shores Drive. The second component includes the construction of two public overlook areas. One overlook will be located directly adjacent to the MESOM building and the second located at the current Southwest Fisheries Science Center (SWFSC) just north of the MESOM site. The final component proposed is a restriction on all future new development on the SIO campus to elevations that would not result in impacts to public views. The restriction on future development would remain in perpetuity and would be memorialized through a Memorandum of Agreement (MOA) between UCSD and the Coastal Commission and recorded as a deed restriction. With these proposed mitigations, as further refined in the proposed special conditions, staff has determined that the impacts on public visual resources has been mitigated to the maximum extent feasible.

Additional special conditions pertain to the protection and water quality and biological resources, and restrictions for landscaping associated with the MESOM building directly. It is only through the incorporation of all of the recommended special conditions that the proposed project can be found consistent with all the applicable policies of the Coastal Act.

Standard of Review: Chapter 3 policies of the Coastal Act

Substantive File Documents: University of California, San Diego "Draft" Long Range Development plan; Certified La Jolla – La Jolla Shores LCP Land Use Plan (2004); University of California Draft initial Study and Mitigated Negative Declaration dated March 4, 2011; 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.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 6-10-41 pursuant to the staff recommendation.***

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not 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 complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Vegetation Removal, Revegetation and Management. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final Vegetation Removal, Revegetation and Maintenance Plan for review and written approval of the Executive Director. Said plan shall be in substantial conformance with the vegetation removal and maintenance proposals submitted by the University of California San Diego through correspondence dated January 6, January 24, and March 1, 2011 and, at minimum, shall include the following:

A. Vegetation Removal

1. In those areas shown on the aerial photo attached as Exhibit #5.a and the accompanying street-level photos of particular vegetation also attached as Exhibit #5 subsections "b"-"g", vegetation that interferes with views to La Jolla Cove, La Jolla Shores, the coast, and the ocean shall be removed and/or thinned. In some cases, subject to Executive Director approval, a limited amount of vegetation may be retained to "frame" existing coastal views.

2. In order to address potential erosion issues, the removal of existing trees shall be performed in a manner that does not include the removal of tree root structures. The removal plan shall address any associated drainage issues and shall consider the installation of new vegetation, if necessary, for erosion control.

3. The vegetation identified in attached Exhibit #5 for removal/thinning shall be removed/thinned prior to or concurrent with construction of the MESOM building.

4. To avoid potential impacts to the nesting bird breeding period, no landscaping activities will be permitted between the dates of March 1st to August 31st of any year.

5. The applicant shall submit "as-built" plans within 30 days of the completion of vegetation removal. Confirmation that all vegetation that was identified as necessary to remove to provide unobstructed, framed coastal views has been removed, will be subject to the review and written approval of the Executive Director. If the Executive Director determines that additional vegetation removal is necessary, the applicant shall submit a revised Vegetation Removal and Management Plan, subject to the Executive Director's review and approval, before removing the remaining vegetation.

B. Revegetation

1. Any new vegetation at the locations designated in Exhibit #5 may not exceed a height of 24 inches above ground level. Maintenance of cleared areas shall be included to maximize coastal views.

2. Replacement of any removed trees with new trees shall be provided at a 1:1 ratio for mature trees, and a 1:3 ratio for immature trees. The replacement trees shall be native, non-invasive species, with preference given to Torrey Pines. The specific size, species, and location of the replacement trees shall be subject to the review and written approval of the Executive Director. The location of such replacement trees shall be within the Scripps Institute of Oceanography (SIO) campus and shall not be located in areas where there is a potential for impacts to coastal views. Revegetation shall be completed prior to occupancy of the MESOM building.

C. Maintenance and Monitoring

1. Three years from the date of the receipt of occupancy for the MESOM building, the applicant shall submit for review and approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, which certifies that the existing landscaping at the revegetation and removal sites identified in Exhibit #5 are in conformance with the Vegetation Removal and Maintenance Plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates that the landscaping is not in conformance with or has failed to meet the requirements specified in this condition, the applicant, or successors in interest, shall submit, within 30 days of the date of the submission of the monitoring report, a revised or supplemental Vegetation Removal and Maintenance Plan for the review and written approval of the Executive Director. The revised Vegetation Removal and Maintenance Plan must be prepared by a licensed Landscape Architect or a qualified Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

This remedial Vegetation Removal and Maintenance Plan shall be implemented within 30 days of the date of the Executive Director's approval of it. Remedial measures shall be repeated as necessary to meet the requirements of this condition.

The permittee shall undertake the development in accordance with the approved Vegetation Removal, Revegetation and Maintenance Plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

2. Construction of Public Overlooks. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final public overlook plan for review and written approval of the Executive Director. Said plan shall

be in substantial conformance with the public overlook proposals submitted by the University of California San Diego through correspondence dated January 6, January 24, and March 1, 2011 and, at minimum, shall include the following:

A. The first public overlook west of the proposed Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory structure shall be located as identified by attached Exhibit #6, shall be in substantial conformance with the Meander View Point Concept submitted by the applicant, and shall include the following:

1. A minimum of five public parking spaces that will be available for public use at each site. Such use may only be restricted to free one hour parking between the hours of 8 a.m. – 9 p.m. March through October and 8 a.m. – 7 p.m. November – February.

2. Appropriate public informational and directional signage for the public viewpoint shall be provided at the viewpoint, on Biological Grade Road and on north- and south-bound La Jolla Shores Drive. Proposed signage shall be subject to review and written approval by the Executive Director.

3. The overlook shall be constructed in substantial conformance with the overlook previously proposed by UCSD and as identified by attached Exhibit #6. The Plan shall include, at minimum, a public path leading from the parking lot to the overlook and one (1) public bench. The path shall be constructed either as a sidewalk or a path consisting of decomposed granite.

4. Construction of the public overlook shall be completed and it shall be available for public use prior to or concurrent with the occupancy of the MESOM building.

B. The second public overlook shall be constructed at the Southwest Fisheries Science Center (SWFSC) site and shall include the following:

1. Public parking spaces available for public use at this site. Such use may be restricted to one hour parking between the hours of 8 a.m. – 9 p.m. March through October and 8 a.m. – 7 p.m. November through February.

2. Appropriate directional signage for this public viewpoint shall be provided on north- and south-bound La Jolla Shores Drive.

3. The applicant shall include this required public overlook in its application for a coastal development permit (CDP) or in a Nation Oceanic and Atmospheric Administration (NOAA) Consistency Determination (CD) for the removal of a portion of the existing SWFSC building located north of the subject site. Prior to submitting such an application, the applicant shall

submit a proposal for the specific design of the overlook. Such proposal shall be subject to review and written approval of the Executive Director prior to its inclusion in a CDP or CD application.

The permittee shall undertake the development in accordance with the approved public overlook plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the plan shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

3. Restrictions on Future Development. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall enter into a Memorandum of Agreement (MOA) with the Commission regarding a future development plan for the Scripps Institution of Oceanography (SIO) campus. The MOA shall contain limits on future development of the SIO campus that are in substantial conformance with the plans proposed by the University of California San Diego through correspondence dated January 6, January 24, and March 1, 2011 and as depicted by attached Exhibit #7, and, at minimum, shall include the following:

A. Future Development

1. Future development along the west side of La Jolla Shores Drive at Scripps Institute of Oceanography (SIO) shall be sited and designed so as to not block public views from La Jolla Shores Drive towards La Jolla Cove, La Jolla Shores, the coast, and the ocean. This requirement shall be implemented by restricting the height of future development so that it does not exceed the elevation of La Jolla Shores Drive at any point adjacent to the development, as depicted by attached Exhibit #7. The height limitation shall be applicable to all future buildings, accessory structures, and landscaping, except as noted below.

2. The height restriction described in section "A.1." of this condition shall be applicable to any structures located in the area on the west side of La Jolla Shores Drive from La Jolla Shores Lane to El Paseo Grande. This height restriction shall also be applicable to the area on the south/east side of La Jolla Shores Drive between Discovery Way (at Coast Apartments) and the new Southwest Fisheries Science Center site on the east side of La Jolla Shores Drive and Shellback Way.

3. Prior to undertaking any future redevelopment of buildings in this area, the applicant shall conduct a site-specific evaluation analysis for the existing building and that specific section of La Jolla Shores Drive adjacent to that building. The elevations of La Jolla Shores Drive (Above Mean Sea Level [AMSL]) as would be applicable for the height limitation on future development are generally depicted by attached Exhibit #7, entitled "Scripps

Institution of Oceanography View Enhancement and Preservation Development Guidelines." The implementation of the allowable height limit for future development shall be achieved by the applicant's submittal, together with a future coastal development permit application, of a survey indicating the proposed building site and the corresponding height of La Jolla Shores Drive in accordance with the locational restriction identified in Section "A.1" above.

B. Existing Development

1. Certain existing buildings, identified in Section "B.2." of this condition, exceed the height limit required in Section "A.1." of this condition. These buildings shall be permitted to remain, and their respective building sites may be redeveloped, but any new structures on these sites shall not exceed the height of the existing building on the site, and the new development shall occupy substantially the same footprint as the existing building.

2. The existing buildings that shall be allowed to maintain their elevation above La Jolla Shores Drive are shown in attached Exhibit #7, entitled "Scripps Institution of Oceanography View Enhancement and Preservation Development Guidelines." Specifically, the identified buildings, their accompanying sites, and the elevations of the existing structures are:

   a) Scripps Seaside Forum (four buildings) (66 feet AMSL)

   b) Sverdrup Hall (87 feet)

   c) Vaughan Hall (90 feet)

   d) Institute for Geophysics and Planetary Physics (IGPP) Revelle Laboratory (southwest building) (156 feet)

   e) IGPP Revelle Laboratory (southeast building) (172 feet)

   f) IGPP Revelle Laboratory (northeast building) (189 feet)

   g) MESOM Building (228 feet)

   h) Southwest Fisheries Science Center (263 feet).

   i) SIO Library *

*The maximum height of the existing SIO Library is 142 feet AMSL on the northernmost section of the building and 134 feet AMSL of the remaining section of the building. In order to accurately reflect the architecture of the existing building (northerly portion of the building is higher in elevation than the southerly portion of the building), however, any redevelopment

of this building site would similarly be limited to heights that are the same as the existing building (higher in the northern portion and lower in the remaining portion, so that any new southerly portion could not be built to the same height as the current northerly portion).

3. As described in more detail in section "A.3." of this condition, the implementation of the allowable height limit for re-development of the existing building sites identified above shall be achieved by the applicant's submittal, together with a future coastal development permit application, of a survey indicating the proposed building site, the existing building height, and the corresponding height of La Jolla Shores Drive.

4. Existing landscaping adjacent to the identified existing buildings shall be permitted to remain at its existing height. New landscaping adjacent to existing buildings shall be permitted only if coastal views are protected.

5. New landscaping in areas not adjacent to existing buildings shall be: limited to 24 inches in height above adjacent ground level; designed to eliminate any potential impacts on public views of La Jolla Cove, La Jolla Shores, the coast, or the ocean; and subject to review and approval by the Executive Director.

6. The existing test tower at the Hydraulics Lab exceeds the height of La Jolla Shores Drive. Routine repair and maintenance of this existing structure is permitted. However, no increase in height or bulk of the structure would be permitted without a separate coastal development permit approval by the Commission. Additionally, any repair and maintenance activities that result in the cumulative replacement of more than 50% of the existing structure shall require Commission review and approval. Any replacement or relocation of the existing structure would also require Commission review and approval.

7. The applicant shall demonstrate that each of the restrictions outlined in this special condition shall be incorporated into its normal project planning and design process. In addition, the applicant shall demonstrate that it will include review and coordination with the Commission in its normal project planning.

8. The MOA shall also include notice, implementation and enforceability provisions to ensure that the requirements of the MOA will be binding and enforceable against the applicant and its successors in interest similar to those able to be achieved by an easement.

9. **PRIOR TO COMMENCEMENT OF CONSTRUCTION OF THE MESOM BUILDING**, the required Memorandum of Agreement, containing the development limitations outlined in this special condition shall be documented and memorialized in an appropriate document recorded against each of the properties subject to the restrictions outlined in the MOA. This recorded document shall be in a form and content acceptable to the Executive Director.

4. Final Landscaping Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan for the MESOM Building for review and written approval of the Executive Director. Said plan shall be in substantial conformance with the draft landscape plan submitted by THA Architecture dated June 18, 2010, and shall include the following:

a. A plan showing the type, size, extent and location of all trees/shrubs on the site including the proposed irrigation system and other landscape features;

b. All landscaping shall be drought-tolerant and either native or non-invasive plant species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.

c. In order to preserve public views, all proposed landscaping shall be maintained so that it does not exceed the height of the MESOM building. All proposed landscaping shall be sited so that it will not result in impacts to views of La Jolla Cove, La Jolla Shores, the coast, or the ocean.

d. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the MESOM building.

e. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.

f. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

g Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, which certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates that the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in

interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

The permittee shall undertake the development in accordance with the approved landscape plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

5. Water Quality/BMPs.

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final Water Quality Management Plan (WQMP), prepared by a licensed water quality professional, for review and written approval of the Executive Director. The WQMP shall be based on the following documents, including (1) the Draft Environmental Impact Report prepared by Dudek, dated March 4, 2011; (2) the Preliminary Drainage Study for Marine Ecosystem Sensing, Observation and Modeling Laboratory (MESON) prepared by Nasland Engineering, dated October 9, 2009; (3) UCSD Storm Water Pollution Prevention Best Management Practices Handbook, February 2006; (4) UCSD 2004 Long Range Development Plan Final EIR-Hydrology and Water Quality, Sep 2004; (5) UCSD Storm Water Management Plan, March 2003. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) (site design, source control and treatment control) designed and implemented to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site and to minimize water quality impacts to surrounding coastal waters. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

1. Impervious surfaces, especially directly connected impervious areas, shall be detached and minimized, and alternative types of pervious pavement shall be used where feasible.
2. Landscaping shall be integrated throughout the site.
3. Roof drains shall be directed to landscape areas prior to discharging to storm drain facilities.
4. Straw waddles, silt fences, check dams, stabilized construction entrances and exits, dust control and good housekeeping practices shall be used during construction.
5. Irrigation and the use of fertilizers and other landscaping chemicals shall be minimized.

6. Efficient Irrigation Measures including water saving irrigation heads and nozzles, flow sensors, automatic rain sensors and multiple programming capabilities shall be used.
7. A Fertilizer and Landscape Management program shall include Integrated Pest Management (IPM) practices and the use of a drought tolerant planting palette. Additionally, a perforated under-drain system shall be used in landscaped areas and beneath paved parking areas to promote infiltration.
8. Trash, recycling and other waste containers, as necessary, shall be provided. All waste containers anywhere within the development shall be covered, watertight, and designed to resist scavenging animals.
9. Storm drain inlets and catch basins shall be properly stenciled or labeled.
10. For parking lots: pervious concrete or permeable asphalt concrete shall be used to enable storm water permeation; bioretention systems shall be developed using plants; vegetated and/or rock swales shall be created; and trees shall be planted, combined with stone reservoir recharge beds.
11. All parking lots shall be swept and litter shall be removed on a weekly basis, at a minimum. The parking lots shall not be sprayed down or washed down unless the water used is directed through the sanitary sewer system or a biofiltration area.
12. A BMP treatment drain shall be designed and implemented to collect and treat runoff and remove pollutants of concern (including heavy metals, oil and grease, hydrocarbons, trash and debris, sediment, nutrients and pesticides) through infiltration, filtration and/or biological uptake. The drainage system shall also be designed to convey and discharge runoff from the developed site in a non-erosive manner. Where possible, low-impact, sustainable features such as curb cuts and bioswales or infiltration/detention basins shall be used.
13. Catch basin filter inserts shall be installed in catch basins.
14. Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.
15. All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, and where necessary, cleaned-out and/or repaired at the following minimum frequencies: (1) prior to October 15th each year; (2) during each month between October 15th and April 15th of each year and, (3) at least twice during the dry season.
16. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
17. It is the permittee's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specifications.

B. The permittee shall undertake development in accordance with the approved program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the approved program shall occur without an amendment to

this coastal development permit unless the Executive Director determines that no amendment is legally required.

6. Final Plans. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans for the proposed Marine Ecosystem Sensing, Observation, and Monitoring (MESOM) project. Submitted plans shall be in substantial conformance with the plans submitted by THA Architecture dated April 26, 2010 and shall document that in no case shall the proposed building exceed 228' roof height and 229' stack height as depicted on the visual simulation attached as Exhibit #4.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit amendment unless the Executive Director determines that no additional amendment is legally required.

7. As-Built Plans. **WITHIN 60 DAYS FOLLOWING COMPLETION OF THE PROJECT**, the applicant shall submit as-built plans of the approved building verifying that the building has been constructed in conformance with the approved plans.

8. Deed Restriction.

A. PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT, the landowner shall execute and record against the parcel(s) governed by this permit a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property; and (2) imposing the Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The deed restriction shall include a legal description of the entire parcel or parcels governed by this permit. The deed restriction shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the terms and conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

B. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the landowner shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

9. Removal of Excess Excavated Material**. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall provide evidence to the

Executive Director of the location of the disposal site for all excess excavated material from the site. If the disposal site is located in the Coastal Zone, the disposal site must have a valid coastal development permit for the disposal of fill material. If the disposal site does not have a coastal permit, such a permit will be required prior to the disposal of material.

10. Project Modifications. Only that work specifically described in this permit is authorized. No impacts to ESHA are proposed or permitted. Any additional work requires separate authorization from the Executive Director. **If, during construction, site conditions warrant changes to the project, the San Diego District office of the Coastal Commission shall be contacted immediately prior to any changes to the project in the field.** No changes to the project shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

IV. 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 Institute 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 University of California, San Diego (UCSD) campus is located adjacent to the communities of La Jolla and University City within the northwest portion of the City of San Diego (ref. Exhibit #1). The main campus consists of three distinct but contiguous geographic entities; the Scripps Institute of Oceanography (SIO) (179 acres), located between the Pacific Ocean to the west and Torrey Pines Road to the east; the west campus (669 acres), located west of Interstate 5 (I-5), which includes the Torrey Pines Gliderport and Torrey Pines Center North; and the east campus (266 acres), located between I-5 and Regents Road. The SIO portion of the campus, where the project is proposed, is located west of Torrey Pines Road and includes a span of approximately 3,000 feet of ocean frontage. The SIO area is developed with the Stephen Birch Aquarium, Scripps Pier, the NOAA South West Fisheries Science Center, the Hydraulics Building, and the SIO library, amongst others. Development at SIO is constrained by steep slopes, significant coastal views, coastal bluffs, and a deep coastal Canyon

"skeleton Canyon" that originates southeast of Expedition Way and runs south to the campus property line.

The proposed project would be located on an approximately 1.2-acre parcel in the SIO portion of campus. The site is bounded to the north and west by Biological Grade (a private street), to the south and west by Isaacs Hall and to the east by La Jolla Shores Drive (ref. Exhibit #3). The project site currently supports UCSD parking lots P012 and P013, which contain a total of 84 parking spaces.

The proposed building will be three stories, 44 ft. high, and accommodate approximately 38,600 sq. ft. of gross square feet (GSF), with 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 80,000 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, the Chapter 3 policies of the Coastal Act are the standard of review.

2. **Visual Resources.** The main concern associated with the proposed development is the impacts it would create 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 latter 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 #9).

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, La Jolla Shore 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, La Jolla Shores, and the ocean. La Jolla Cove and La Jolla Shores are two of the primary tourist destinations in San Diego County and include such attractions as the San Diego La Jolla Underwater Park Ecological Reserve, Children's Pool, the sand boat launch, 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 La Jolla Shores/La Jolla Cove area.

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 across the subject site become intermittent and less expansive due to a decrease in elevation of the road and an increase in the amount of vegetation obstructing views.

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 structure at this location that could 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 it can provide no further design changes, nor grade the site lower, without compromising the programmatic requirements stipulated by its awarded grant to construct the building. Specifically, the applicant has 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, further redesigning the building to eliminate these view impacts is not an acceptable option for UCSD.

Since further redesign is not feasible, UCSD considered alternative project 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) 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 thus would not provide the connectivity desired by the University. Additionally, there is no current seawater access, and thus the seawater access would have to be constructed at a cost of approximately $4.1 Million. Lastly, the access for vehicles larger than 28 feet tall would be limited and would have to be constructed. This alternative site was therefore 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 #8). 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. Additionally, the site did not have access to seawater, and thus would require a new access to be constructed at a cost of approximately $0.94 Million. Both of these constraints lead to UCSD eliminating the DSD site as an alternative.

Thus, the applicant has determined that the building design cannot be further refined to avoid all visual impacts, and alternative sites on the campus are not available to meet the requirements of the project. In other words, the applicant has determined that there are not any other alternative sites and that the impacts have been reduced to the maximum extent feasible. Without the potential for redesign or relocation, the last remaining option possible to make the MESOM building proposal consistent with the Costal Act is to provide mitigation for the adverse impacts associated with the project. As such, the University has developed a three-component program designed specifically to effectively mitigate for the adverse impacts to public views resulting from the proposed project. It includes vegetation removal, construction of public overlooks and restrictions on future development on the SIO campus. This program has been incorporated into the University's coastal development permit through Special Condition Nos. 1, 2 and 3. These special conditions will be discussed separately and in greater detail below.

A. Vegetation Removal, Revegetation, and Management Plan. The primary visual concern attributed to the proposed project is direct public view blockage of the ocean, La Jolla Shores and the Cove from La Jolla Shores Drive as it extends through the campus. Therefore, mitigation for the proposed impacts should include the provision of new or enhanced views of the same vantages. University Staff have identified those locations on the campus where such views can be provided and agreed to prepare a plan to address how and where such views will be provided.

Special Condition #1 requires the University to develop a vegetation removal, revegetation, and management plan that serves to open up three additional vantage points along La Jolla Shores Drive that are currently obstructed by vegetation (ref. Exhibit #5). The first area is located at the northern boundary of the SIO campus and is titled "Middle Mesa" (ref. Exhibit #5). At this location, an existing stand of Eucalyptus trees located south and west of La Jolla Shores Drive currently obstructs all views south to La Jolla Shores, La Jolla Cove and the ocean. Commission and University staff visited this site and identified the trees necessary to open these obstructed views. However, some trees will remain and others only thinned in order to maintain some vegetation to frame the vantage point. With the removal of trees at this location, unobstructed views of the ocean and the La Jolla coastline will be made available to motorists and pedestrians as they travel south on La Jolla Shores Drive at this location. Special Condition #1 requires the exact number of trees to be removed and/or thinned to be finalized subject to the review and approval by the Executive Director.

The second area for vegetation removal, titled "North Scripps", is located further along La Jolla Shores Drive, just north of the proposed MESOM site and adjacent to the driveway entrance to the existing Southwest Fisheries Science Center (SFSC) (ref. Exhibit #5). Again, a stand of Eucalyptus trees currently obstructs views west to the ocean and south to La Jolla Shores and La Jolla Cove. These trees are located in such a manner that thinning is not an option to open views, and instead complete removal of all obstructing trees is necessary. Again, Commission staff visited the site and concurred that the proposed tree removal could be sufficient to open up an additional vantage point.

The third area proposed for vegetation removal is located towards the southern end of the SIO campus and is titled "South Scripps" (ref. Exhibit #5). At this location there are multiple ornamental trees and shrubs that currently obstruct views of La Jolla Cove and La Jolla Shores from La Jolla Shores Drive. At this location the University is proposing to remove the majority of trees and shrubs obstructing these views. However, in this case the University is proposing to maintain the coral trees that currently line La Jolla Shores Drive. Again, staff has visited this site and concurs that removing the vegetation, but maintaining the coral trees, would provide a framed vantage point and would not result in obstruction of the desired views. Again, while the trees and shrubs proposed for removal have been tentatively identified, Special Condition #1 requires the University to submit a final plan that is subject to the review and approval by the Executive Director that identifies the exact trees and shrubs to be removed.

Because trees of any kind represent a certain visual and biological value, Special Condition #1 further requires the University to submit a revegetation plan to mitigate for the impacts caused by the removal of trees as well as a revegetation plan for Sites 1, 2, and 3, as identified above. Specifically, the condition requires the University to mitigate for all mature trees removed at a 1:1 mitigation ratio, and non-mature trees at a 1:3 mitigation ratio. The location where the required trees will be planted has not been specifically indentified, aside from requiring that the proposed revegetation areas cannot be located in an area where planted trees may impact coastal views. As such, Special Condition #1 requires the University to specifically identify the locations for revegetation, subject to the review and approval by the Executive Director. Additionally, Special Condition #1 requires that revegetation shall be completed prior to occupancy of the MESOM building and requires that the plant palette for revegetation consist of non-invasive, native trees with preference given to Torrey Pines. For the areas where vegetation was removed to open views (Middle Mesa, North Scripps, and South Scripps), Special Condition #1 requires that any replanting of these areas may not exceed 24" in height and shall be maintained to maximize the opened vantage areas.

Lastly, Special Condition #1 requires the University to submit "as-built" plans within 30 days of the completion of vegetation removal. Based on the as-builts, if it is concluded that additional vegetation removal is necessary to adequately open up these identified vantage points, the condition additionally requires the University to submit a *revised* vegetation removal plan to assure that the vantage areas are adequately unobstructed.

B. Construction of Public Overlooks. While the impacts of the MESOM building are associated mostly with views while either walking or driving along La Jolla Shores Drive, the construction of two (2) public overlooks within the SIO campus will serve to provide alternative vantage points as well as improved public access.

Special Condition #2 requires the University to construct two (2) improved pubic overlooks. This first overlook will be located west of the MESOM site, and adjacent to the coastal bluff (ref. Exhibit #6). Currently, there is an unimproved trail that ends at a level area inland of the coastal bluff. At this location, expansive views of both the open ocean, and, to a lesser extent, La Jolla Shores and Cove are possible. Special Condition #2 requires the University to improve the existing public access trail with either concrete or decomposed granite, and to construct at least one (1) bench. The special condition also requires public overlook signage on both north- and south-bound La Jolla Shores Drive, so the public, while driving, walking, or biking, is made aware of the overlook, as the trail and bluff are not visible from the road. Additionally, the condition requires the allocation of five (5) of the existing parking spaces, including one (1) handicap space just south of the MESOM site to be reserved for public use and as access to the overlook. Through this special condition, parking will be made available to the public between the hours of 8 a.m. and 9 p.m. March through October, and 8 a.m. and 7 p.m. November through February. Currently, all of these spaces are restricted to permit parking, so by requiring them to be left open to the public, access opportunities are created where currently none exist. The development of this overlook has been required, through Special Condition #2 to be open and available to the public concurrent with the occupancy with the MESOM building.

Through discussion between UCSD and Commission staff, a second public overlook location was also identified; located at the existing SWFSC building site. However, currently the construction of the overlook and improvements similar to those discussed above are not possible. Due to bluff stability concerns associated with certain portions of the SWFSC building, the SWFSC is currently being reconstructed adjacent and just inland of its existing site. Once the construction is complete, many of the departments within the existing SWFSC will be relocated to the new building, and the potentially unstable buildings will be removed. It is at the time that the old buildings are removed that the location of the second public overlook can be most accurately assessed. As such, Special Condition #2 requires that UCSD make the second public overlook part of the project associated with the coastal permit and/or federal consistency process associated with the removal of these threatened buildings. It is expected that views from an overlook at this location will be expansive both up and down coast

C. Restrictions on Future Development. The final component of the proposed mitigation measures has been developed to protect the remaining views along La Jolla Shores Drive westward. This protection will be accomplished through the incorporation of Special Condition #3. The intent of this special condition is to restrict future development within the SIO campus by limiting the height of future new development to

elevations equal to or below the elevation of the adjacent La Jolla Shores Drive. Within this special condition, there are three separate components, one to address currently developed sites, one to address currently undeveloped sites, and the method by which this special condition shall be maintained/implemented in perpetuity.

For background purposes, La Jolla Shores Drive as it extends through the campus, ranges in elevation between +240' MSL (at the north end) and +60' MSL at the south. The future building restrictions would extend from La Jolla Shores Lane south to El Paso Grande (Ref. Exhibit #1). The current development pattern within the SIO campus is a mix of developed, partially developed and vacant and or landscaped areas. Through the first component of this special condition all new development, on currently vacant/landscaped area, or land developed by only parking lots would be limited to the height of La Jolla Shores Drive, at that location (ref. Exhibit #7). Specifically, when a coastal development permit request is submitted by UCSD, Special Condition #3 requires it to submit a survey indicating the proposed building site and the corresponding height of La Jolla Shores Drive adjacent to the site. With this condition, no buildings would be permitted at elevations higher than that of the adjacent La Jolla Shores Drive, as determined by the required survey. Additionally, only landscaping that would not result in impacts to coastal views, would be permitted.

The second component of Special Condition #3 was developed to address areas that are currently developed. In these cases, if an existing building is currently developed at an elevation higher than La Jolla Shores Drive, any future development of the site on which it is located would be allowed to maintain the existing height, but in no case would new development be permitted at an elevation higher than the existing structure. As an example, the elevation of Vaughn Hall is 90 feet above AMSL. Therefore, any future redevelopment on that site would be restricted to a maximum elevation of 90 feet AMSL. Additionally, any proposed redevelopment would have to substantially conform to the existing building footprint in those areas that may impact public views. As an example, if the existing building is obstructing views through its north to south orientation (or the building's width), any future development could not propose an increased building width. Alternatively, if the building's orientation is such that the depth of the building is obstructing coastal views, then any future development would not be permitted to increase the existing building footprint's depth. The special condition further lists all existing buildings and their respective heights to memorialize which buildings may be redeveloped beyond the elevation of La Jolla Shores Drive and to what extent (ref. Exhibit #7). Lastly, the second component restricts future landscaping on these developed sites to a height that will not impact views of La Jolla Shores, La Jolla Cove, the coast or the ocean as seen from La Jolla Shores Drive. Therefore, the second component of Special Condition #3 ensures that in the future, there will be no additional coastal view impacts associated with any redevelopment proposals on the SIO campus.

The third and last component of Special Condition #3 requires the University to document and memorialize the development restrictions outlined in all components of Special Condition #3 and record them against the two (2) lots that comprise the SIO

campus. Special Condition #3 requires that a Memorandum of Agreement be prepared that includes all the identified restrictions, and requires the recorded document to be in a form and content acceptable to the Executive Director. In addition, it requires the applicant to demonstrate how each of the restrictions outlined in this special condition will be incorporated into its normal project planning and design process and further requires the applicant to demonstrate that it will include review and coordination with the Commission in its normal project planning within the SIO campus. Lastly, Special Condition #3 requires that the MOA include notice, implementation and enforceability provisions to ensure that the requirements of the MOA will be binding and enforceable against the applicant and its successors in interest.

In conclusion, through a cooperative effort, the University has worked extensively with Commission staff to come up with a project that has been redesigned to be the least environmentally impactive design, all potential alternatives have been examined, and all feasible mitigation measures have been included. Because there are no further redesign options, Special Condition Nos. 6, 7, and 8 require submittal of final plans, as-built plans, and a deed restriction, respectively, to assure that the most resent project design (with the least visual impacts) will be constructed. Specific mitigation measures include vegetation removal that will open three currently obstructed vantage points, construction of two new and improved public overlooks, and restriction of all future development so that it will be constructed in a manner that protects all remaining coastal views. It is only through these special conditions, addressing both the MESOM building directly and the associated mitigation measures that the proposed project can be found consistent with the applicable policies of the Coastal Act.

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 #10).

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, a well as all visitors to the NOAA SWFSC building. Furthermore, the Environmental Impact Report (EIR) associated with the construction of the SWFSC found 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.

Additionally, as previously discussed, Special Condition #2 requires the construction of two (2) pubic overlooks, the result of which will be an improvement to the existing public access opportunities in this area. The accessory improvements associated with these overlooks include signage on both north- and south-bound La Jolla Shores Drive, public parking, and improved public trails and public benches, all of which will provide additional public access to the coast as well as amazing views of La Jolla Shores, La Jolla Cove, the coast in general and the ocean. Currently the parking at these locations is restricted to permit parking only. Through this special condition, parking will be made available to the public between the hours of 8 a.m. and 9 p.m. March through October, and 8 a.m. and 7 p.m. November through February. As such, public access opportunities will be *improved* associated with the construction of the MESOM building. The project can, therefore, be found consistent with the Coastal Act policies pertaining to public parking and public access.

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. 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. Proposed site design measures also include straw waddles, silt fences, check dams, stabilized construction entrances and exits, and dust control. However, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require additional water quality measures. Specifically, Special Condition #5 requires the applicant to implement

additional post-construction BMPs, including minimizing the use of irrigation and fertilizers, directing drainage from all impervious surfaces through structural BMPs such as vegetative or other media filter devices effective at removing and/or mitigating pollutants, sweeping the parking lots with a vacuum regenerative sweeper on a weekly basis, and on-going maintenance of the drainage and filtration system.

Because the specific location for exported material has yet to be identified, Special Condition #9 requires the applicant to provide evidence to the Executive Director of the location of the disposal site for all excess excavated material from the site. If the disposal site is located in the Coastal Zone, the disposal site will require a valid coastal development permit for the disposal of fill material, and, if, the disposal site requires a coastal permit, such a permit will be required prior to the disposal of material.

Therefore, with the implementation of the proposed BMPs and additional requirements included as Special Condition Nos. 5 & 9, the potential water quality impacts resulting from the proposed development will be reduced to the maximum extent practicable, and the project can therefore, be found consistent with the Coastal Act policies pertaining to water quality.

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) 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.

These mitigation measures are important, but they still raise concerns regarding the protection of ESHA. The project does not include any impacts to ESHA; however, if project modifications required in the field do result in impacts to coastal sage, this removal of vegetation could be inconsistent with the Coastal Act. Some of the habitat downslope of the project site is considered occupied coastal sage scrub habitat. While the Commission's staff biologist has not visited the site, it is reasonable to presume that this occupied coastal sage would be considered ESHA. Thus, removal of this vegetation could not be permitted through the Coastal Act. As such, Special Condition #10 requires that if, during construction, site conditions warrant changes to the project, including any construction activities that will result in impacts to ESHA, the San Diego District office of the Coastal Commission shall be contacted immediately prior to any changes to the project in the field. No changes to the project shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required. As such, the project, as conditioned, will be consistent with the Coastal Act policies pertaining to the protection of sensitive habitat.

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. Special Condition #4 requires the University to provide final plans substantially in conformance with the landscaping currently proposed and discussed above.

Lastly, as previously discussed, Special Condition #1 requires the removal of vegetation in three areas within the SIO campus. While the vegetation being removed is not

considered ESHA, the Commission recognizes that all trees provide some type of habitat value. As such, Special Condition #1 requires that the impacts associated with the removed trees be mitigated. Specifically, the condition requires that loss of all mature trees be mitigated at a 1:1 ratio, and the loss of immature trees at a 1:3 ratio. Additionally, the condition requires that all the replacement trees planted as mitigation be native, non-invasive, and gives preference to Torrey Pines. Torrey Pines are a native tree that not only is considered valuable, but may also provide nesting habitat for many rare, migratory bird species. As such, the biological value of any habitat lost associated with the proposed MESOM building will be maintained, and potentially increase.

Therefore, any concerns relating to the protection of biological resources have been adequately addressed by the applicant, or required through special conditions.

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 LDRP, 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, the 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, as conditioned, has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project, will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

6. **Consistency with the California Environmental Quality Act (CEQA).** UCSD is the lead agency and the Commission is a responsible agency for the purposes of CEQA review. The University prepared a mitigated negative declaration for the project, concluding that, as mitigated, it would not result in any significant adverse effects to the environment. 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 conditioned in order to be found consistent with the public access, water quality, biological resource and visual resource policies of the Coastal Act. Mitigation measures include vegetation removal to open public views, an improved public access project, and the recordation of a Memorandum of Agreement between the UCSD and the Coastal Commission limiting the height of all future new development within the Scripps Institute of Oceanography (SIO) to the elevation of La Jolla Shores Drive. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that, as conditioned, the proposed project is the least environmentally-damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.

2. Expiration. If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.

3. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.

4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

RIVERSIDE COUNTY

REGIONAL LOCATION MAP

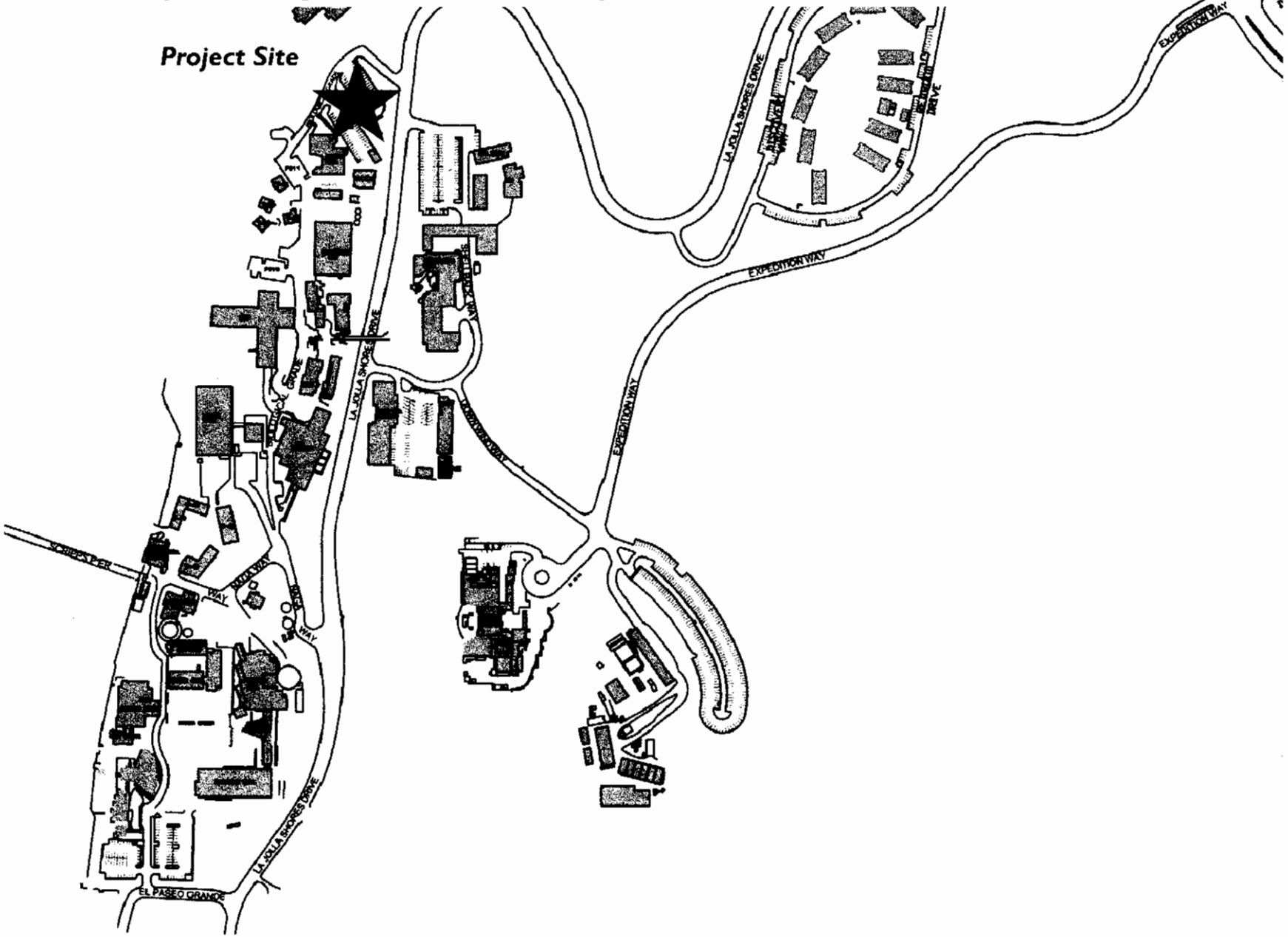
Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory

EXHIBIT NO. 1
APPLICATION NO. 6-10-041
Location Maps
Page 1 of 2
California Coastal Commission

RECEIVED
MAY 17 2010
CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

LOCATION MAP AND SURROUNDINGS

Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory

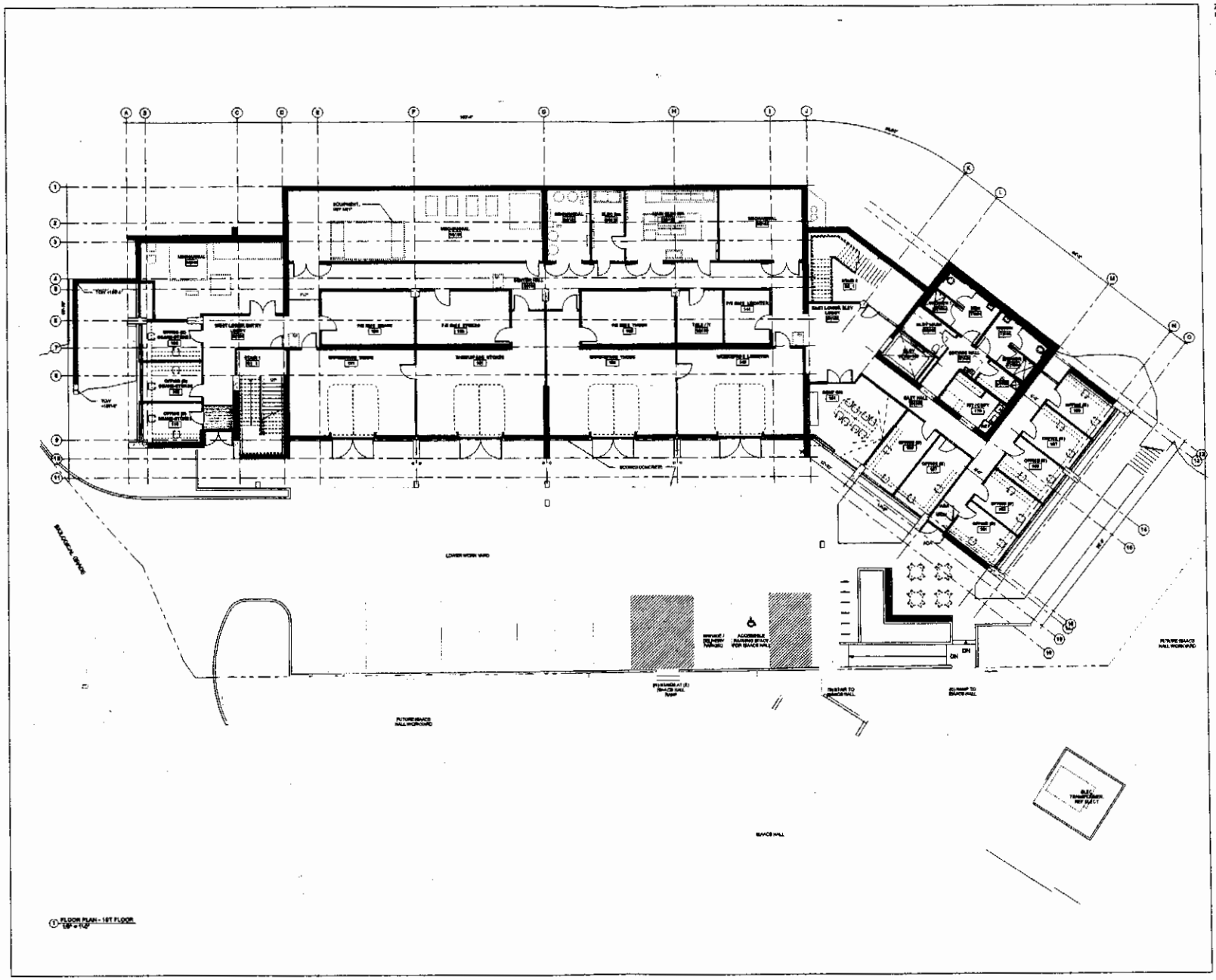


SIO MESOM LABRATORY

Illustrative

MAY 2010

EXHIBIT NO. 2
APPLICATION NO. **6-10-041**
Site Plans
Page 1 of 11
California Coastal Commission



1 FLOOR PLAN - 1ST FLOOR
1/8" = 1'-0"

ARCHITECT
THA

CONSULTANT

STAMP
NOT FOR CONSTRUCTION

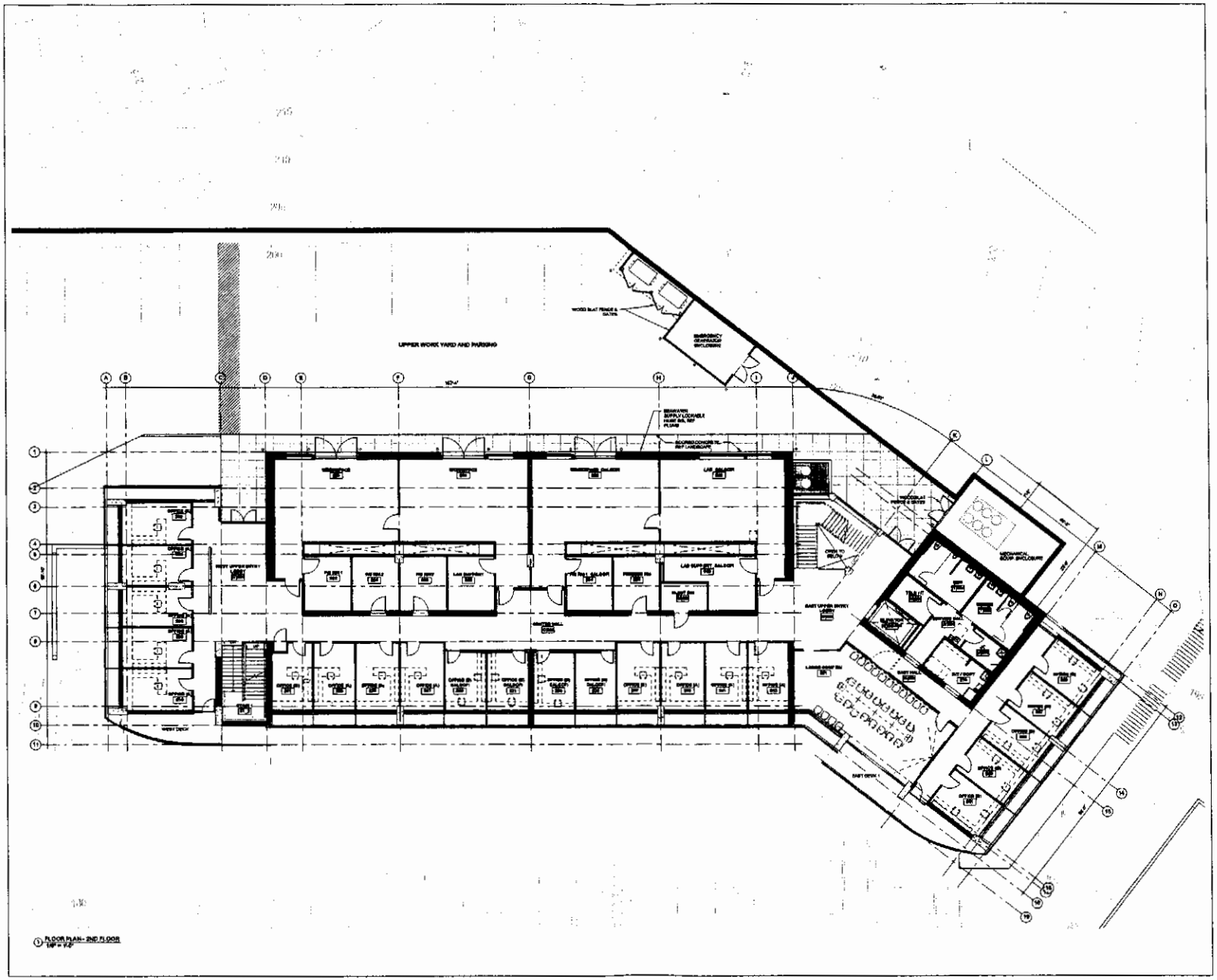
REVISION NO | DATE

KEY PLAN - [NTS]

SIO MESOM LABORATORY

UCSD SIO
ISSUANCE
CONSTRUCTION DOCUMENTS - 50%
PROJECT NUMBER
SIO-4329 THA-00803
DATE
JUNE 10, 2019
SCALE
1/8" = 1'-0"
DRAWING TITLE
FLOOR PLAN - FIRST FLOOR
FINISH FLOOR ELEV: +194'-6"

SHEET NUMBER
A-100



1 FLOOR PLAN - 2ND FLOOR
1/8" = 1'-0"

ARCHITECTS
THA

CONSULTANT

STAMP
NOT FOR CONSTRUCTION

REVISION NO. DATE

KEY PLAN - (NTS)

TRUE NORTH PLAN NORTH

SIO MESOM LABORATORY

UCSD SIO
Scripps Institution of Oceanography
Division of Ships
La Jolla, CA 92093

ISSUANCE
CONSTRUCTION DOCUMENTS - 90%

PROJECT NUMBER
SIO-4325 TH#-80862

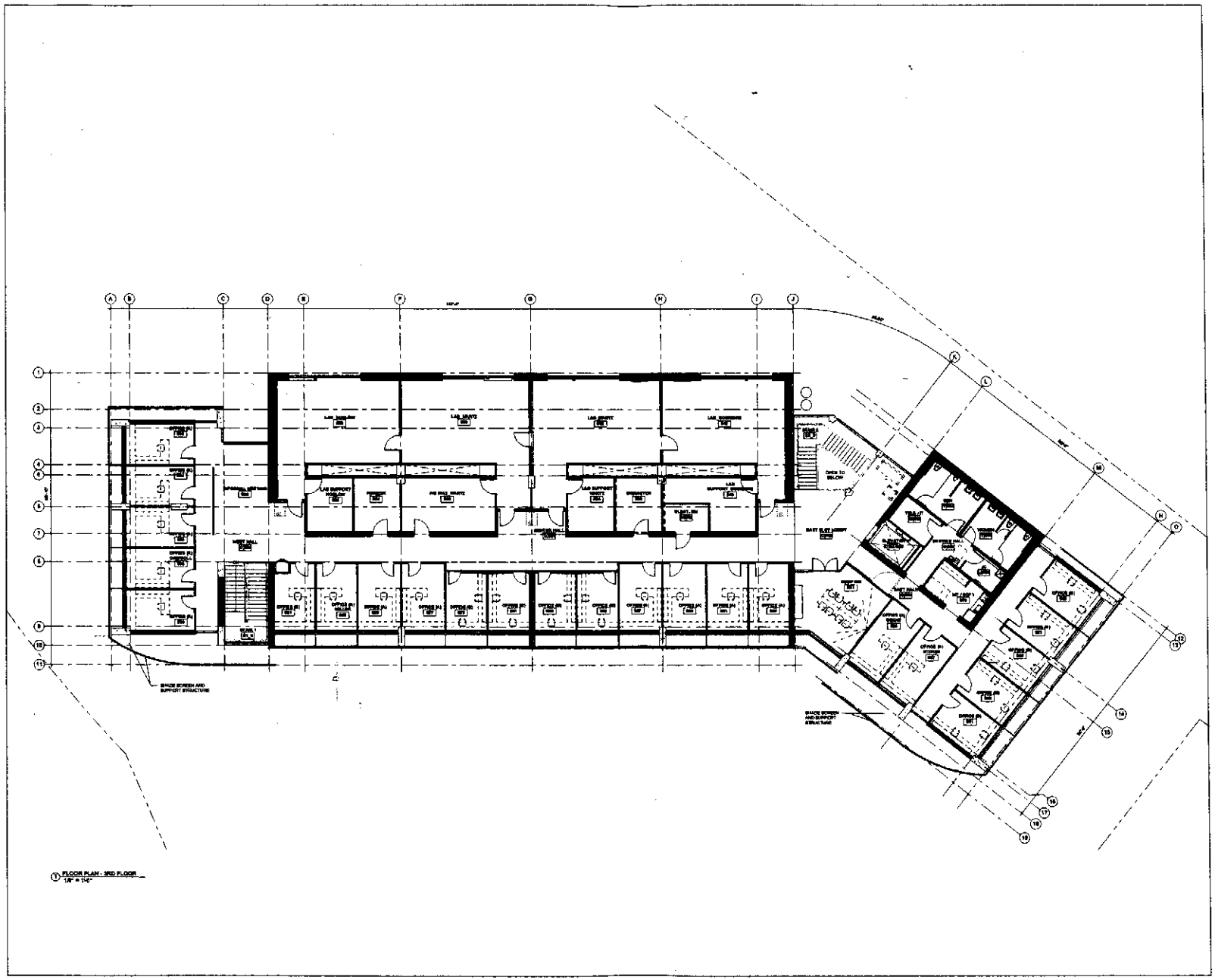
DATE
JUNE 16, 2010

SCALE
1/8" = 1'-0"

DRAWING TITLE
FLOOR PLAN - SECOND FLOOR

FINISH FLOOR ELEV:
+100'-0"

SHEET NUMBER
A-101



1 FLOOR PLAN - 3RD FLOOR
1/8" = 1'-0"

THA

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

CONSTRUCTION DOCUMENTS - 90%

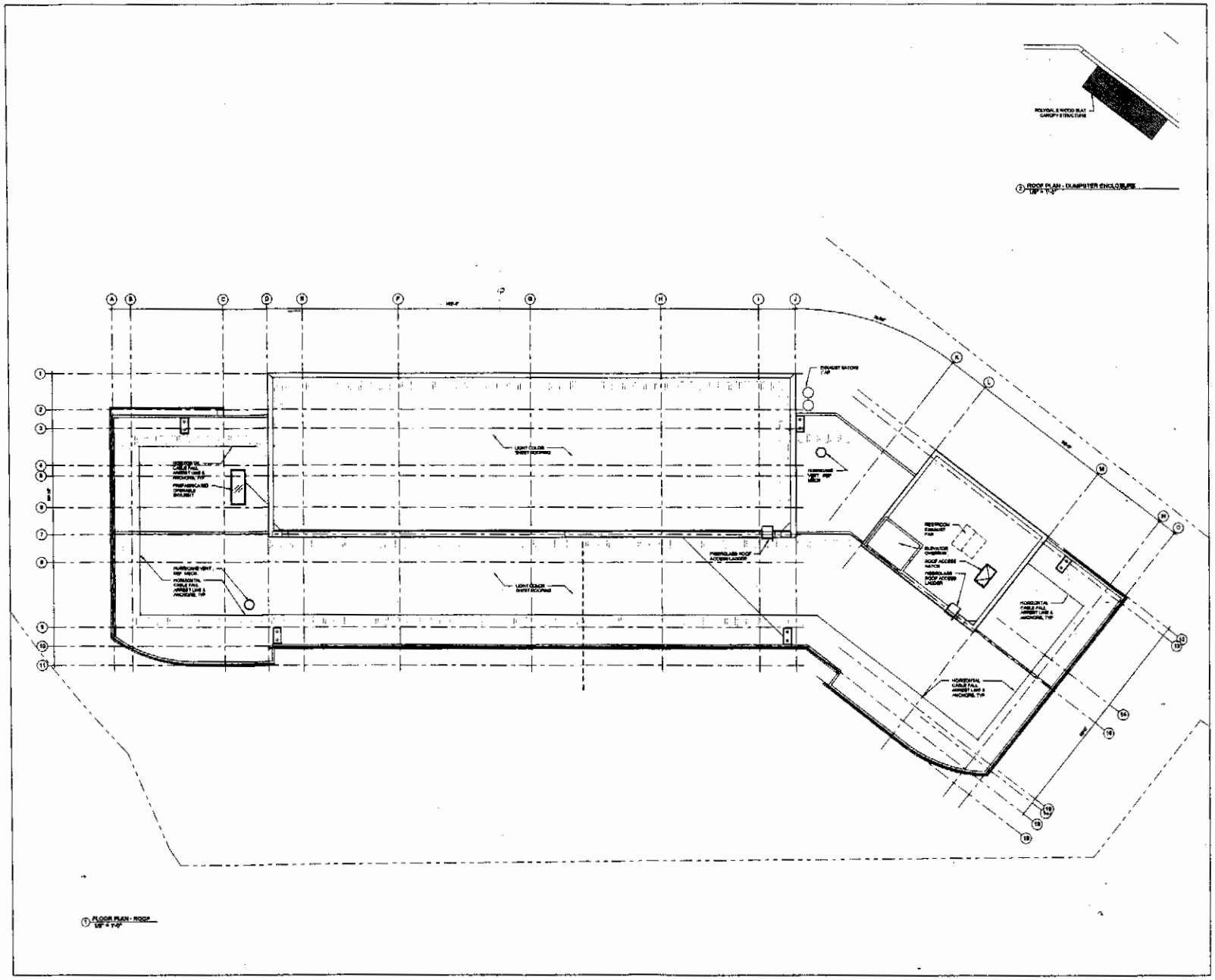
JUNE 16, 2010

1/8" = 1'-0"

FLOOR PLAN - THIRD FLOOR

FINISH FLOOR ELEV.
+213'-0"

A-102



ARCHITECT

THA

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

UCSD SIO

CONSTRUCTION DOCUMENTS - 50%

JUNE 16, 2010

FLOOR PLAN - ROOF

A-103

GENERAL NOTES :
EXTERIOR ELEVATIONS

A. REF CIVIL DRAWINGS FOR GRADING.

B. REF A-301 DRAWINGS FOR ADDITIONAL EXTERIOR DETAILS NOT REPRESENTED ON THIS SHEET.

C. REF A-600 DRAWINGS FOR EXTERIOR FRAME TYPES.

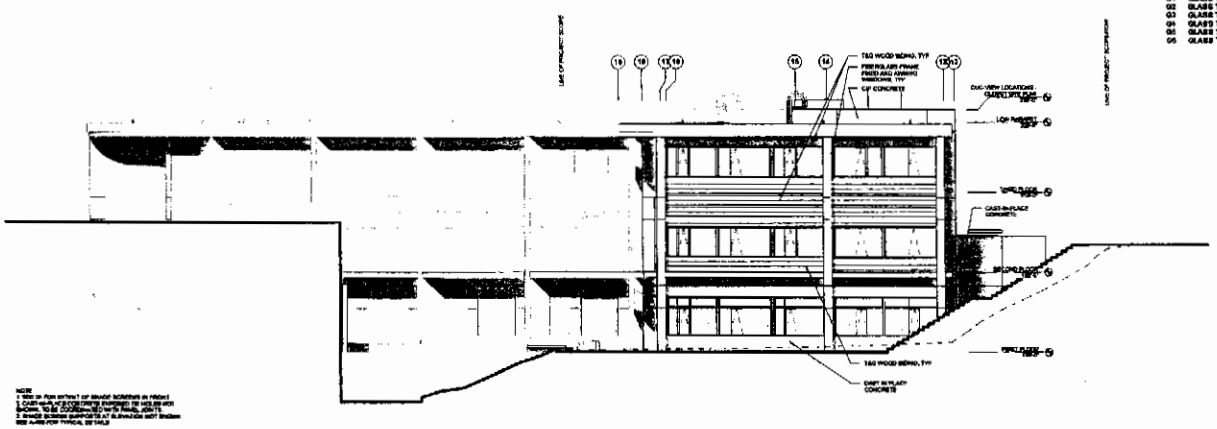
D. ALL EXTERIOR WINDOWS THAT OPEN WITH AN ADJACENT PATH OF TRAVEL, SHALL PROJECT NO MORE THAN 4" (MINIMUM)

WINDOW SHADE TYPES

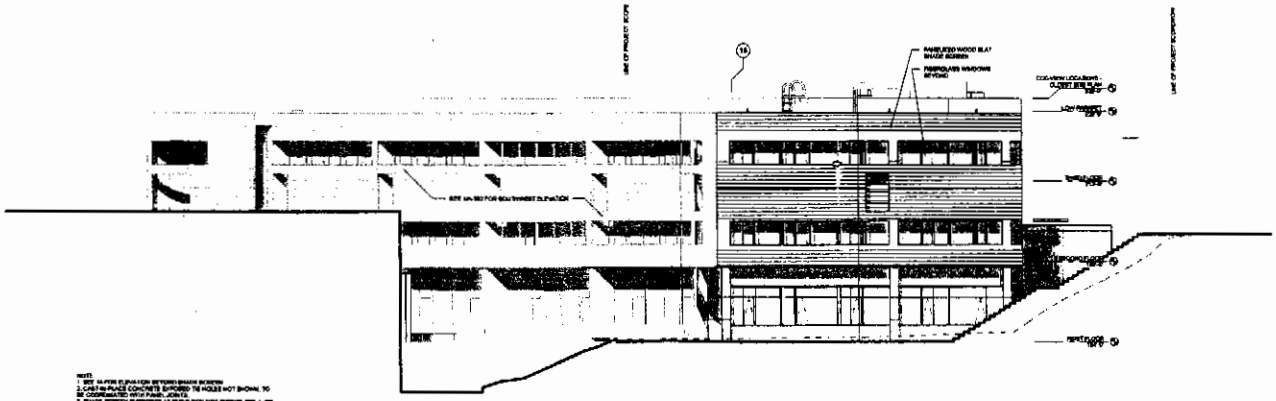
RS1 ROLLER SHADES
RS2 ROLLER SHADES

GLAZING TYPES

G1 GLASS TYPE 1, REF SPEC
G2 GLASS TYPE 2, REF SPEC
G3 GLASS TYPE 3, REF SPEC
G4 GLASS TYPE 4, REF SPEC
G5 GLASS TYPE 5, REF SPEC
G6 GLASS TYPE 6, REF SPEC



1 SOUTH ELEVATION
1/8" = 1'-0"



2 SOUTH ELEVATION - SHADE SCREEN
1/8" = 1'-0"

THA

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

UC SD SIO
Scripps Institution of Oceanography
9500 Gilman Drive
La Jolla, CA 92037

CONSTRUCTION DOCUMENTS - 60%

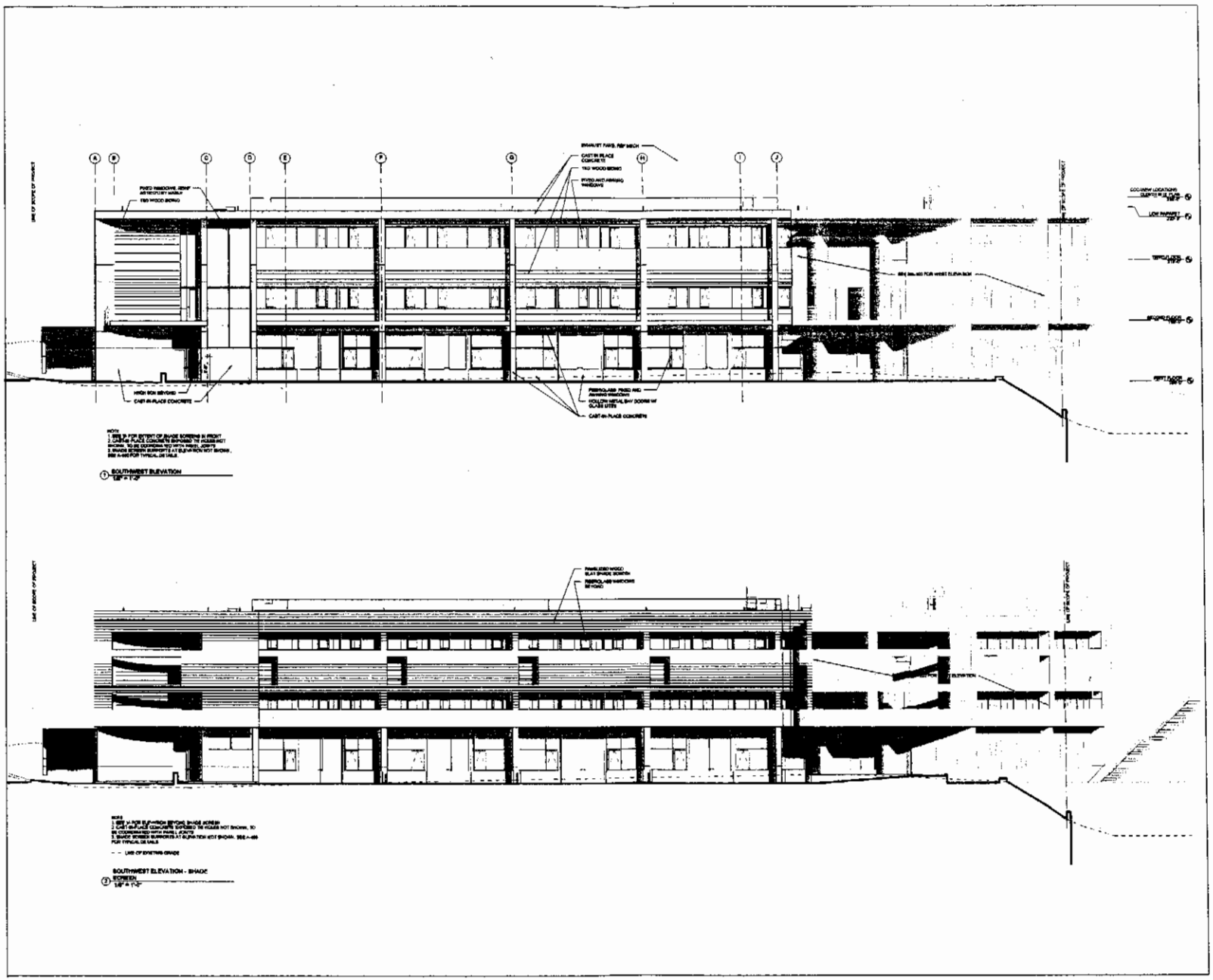
PROJECT NUMBER
SIO-4335 THA-20062

DATE
JUNE 18, 2018

SCALE
As indicated

DRAWING TITLE
ELEVATIONS, EXTERIOR

SHEET NUMBER
A-200



THA

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

UC SD SIO

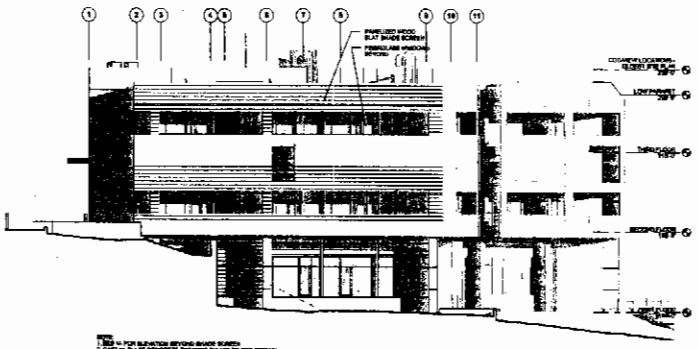
CONSTRUCTION DOCUMENTS - 50%

JUNE 18, 2018

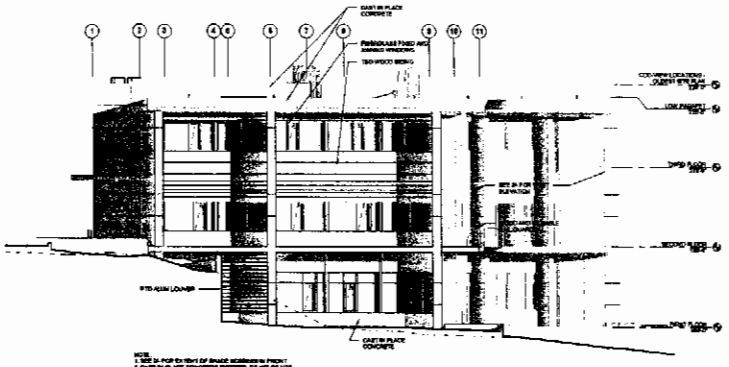
1/8" = 1'-0"

ELEVATIONS, EXTERIOR

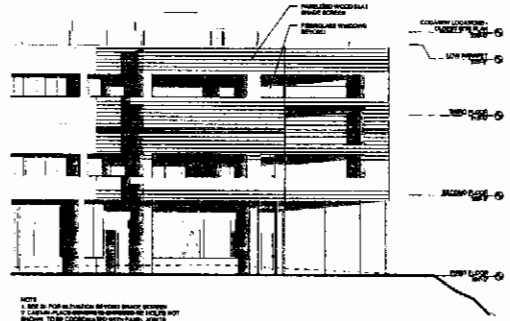
A-201



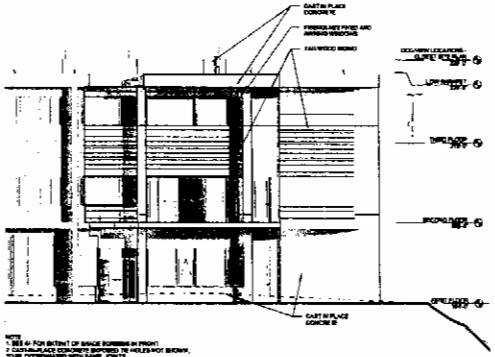
3 NORTH ELEVATION - SHADE SCREEN
1/8" = 1'-0"



1 NORTH ELEVATION
1/8" = 1'-0"



4 WEST ELEVATION - SHADE SCREEN
1/8" = 1'-0"



2 WEST ELEVATION
1/8" = 1'-0"

ARCHITECT
THA

CONSULTANT

STAMP
NOT FOR CONSTRUCTION

REVISION NO DATE

KEY PLAN - (NTS)

SIO MESOM LABORATORY

UCSD SIO

ISSUANCE
CONSTRUCTION DOCUMENTS - 90%

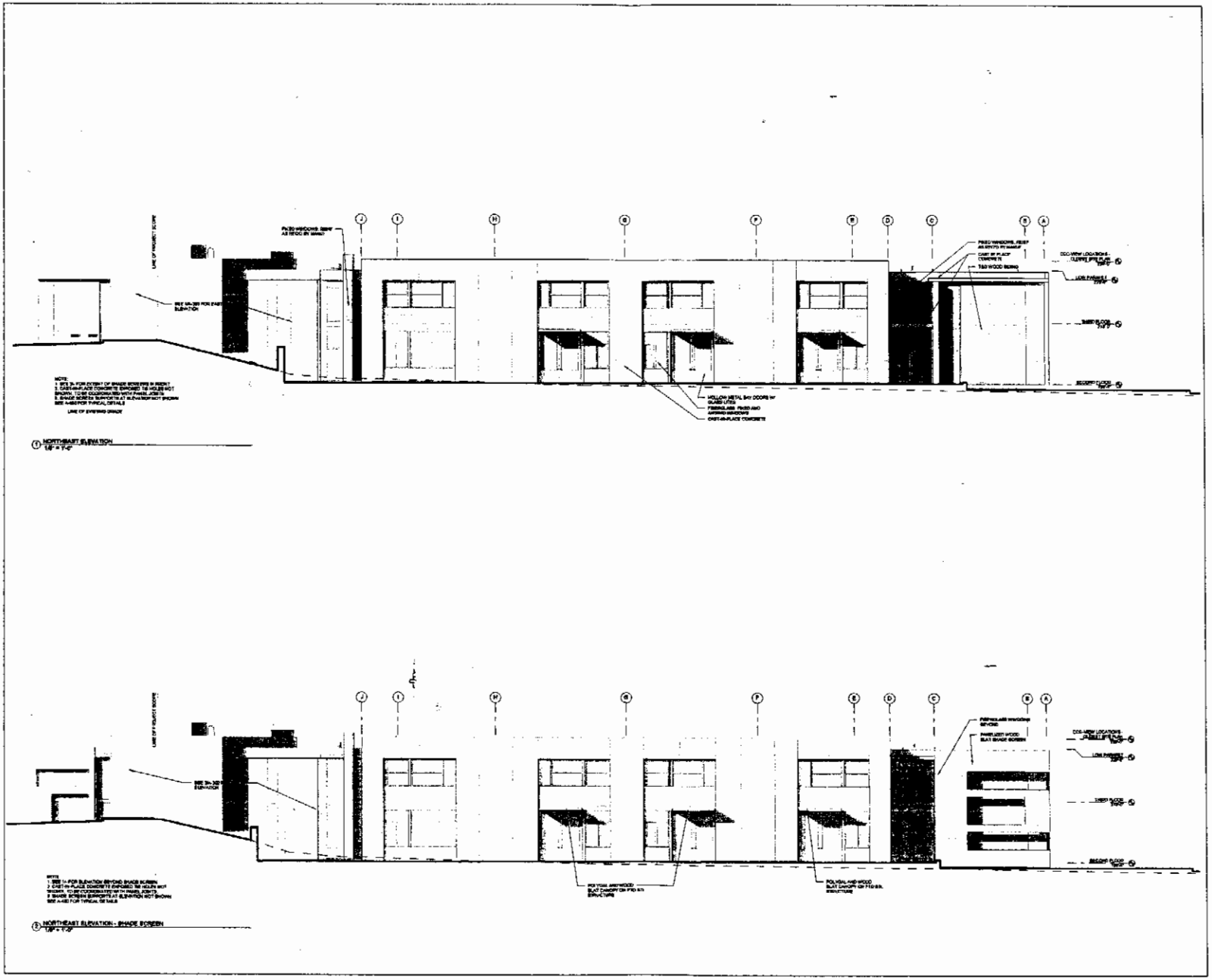
PROJECT NUMBER
SIO-4305 THA-09N2

DATE
JUNE 15, 2018

SCALE
1/8" = 1'-0"

DRAWING TITLE
ELEVATIONS, EXTERIOR

SHEET NUMBER
A-202



① NORTHEAST ELEVATION
1/8" = 1'-0"

② NORTHEAST ELEVATION - SHADE SCREEN
1/8" = 1'-0"

THA

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

UCSD SIO

CONSTRUCTION DOCUMENTS - 50%

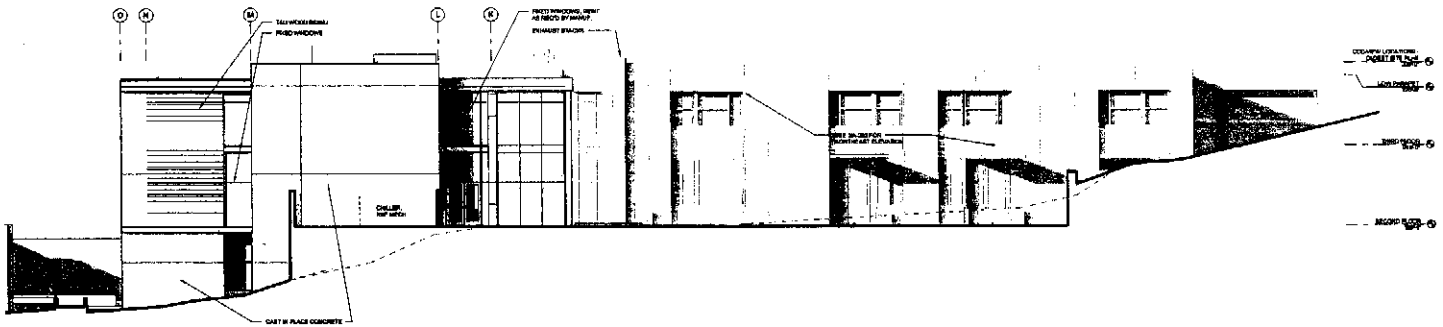
PROJECT NUMBER: SIO-4336 THA-80863

DATE: JUNE 18, 2010

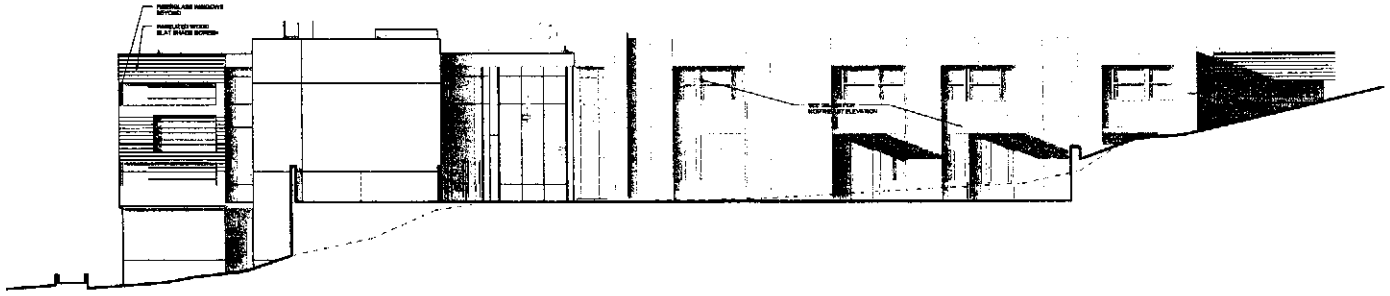
SCALE: 1/8" = 1'-0"

DRAWING TITLE: ELEVATIONS, EXTERIOR

SHEET NUMBER: A-203



1 EAST ELEVATION
1/8" = 1'-0"



2 EAST ELEVATION - SHADE SCREEN
1/8" = 1'-0"

ARCHITECTS
THA

CONSULTANT

STAMP

NOT FOR CONSTRUCTION

REVISION NO DATE

KEY PLAN - (NTS)

SIO MESOM LABORATORY

UC SD SIO
Scripps Institution of Oceanography
9500 Gilman Drive
La Jolla, CA 92037

ISSUE/STATUS
CONSTRUCTION DOCUMENTS - 50%

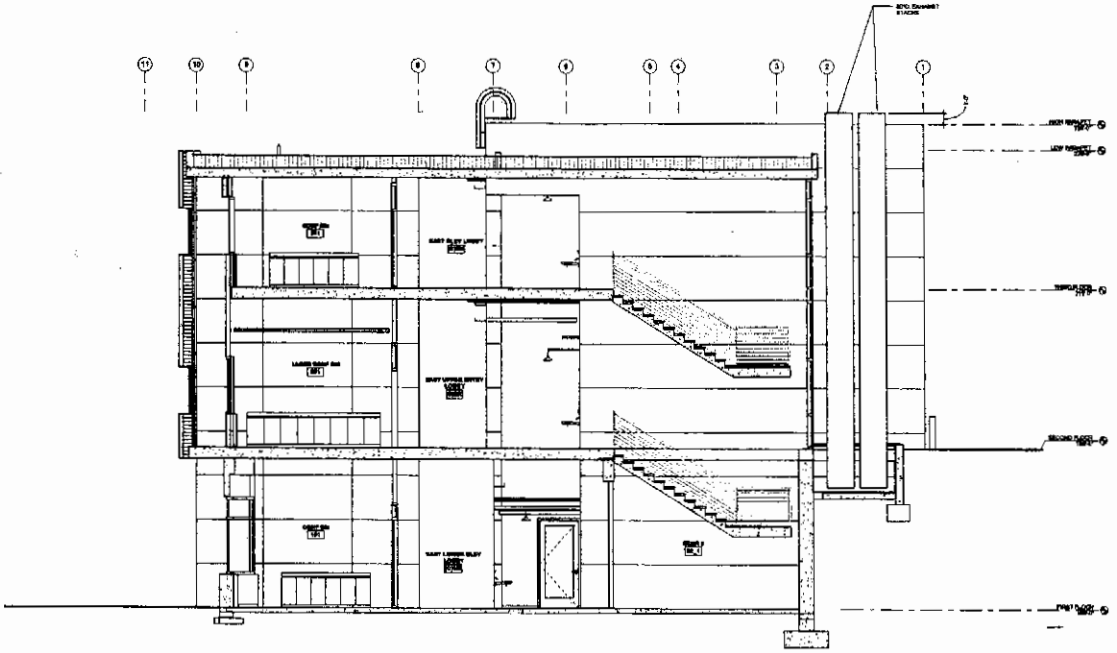
PROJECT NUMBER
SIO-1205 THA-09903

DATE
JUNE 19, 2010

SCALE
1/8" = 1'-0"

DRAWING TITLE
ELEVATIONS, EXTERIOR

SHEET NUMBER
A-204



① BUILDING SECTION
1/8" = 1'-0"

ARCHITECTS
THA

CONSULTANT

NOT FOR CONSTRUCTION

REVISION NO. DATE

KEY PLAN - (NTS)

SIO MESOM LABORATORY

ISSUANCE
CONSTRUCTION DOCUMENTS - 90%

PROJECT NUMBER
SIO-4335 THA-18802

DATE
JUNE 16, 2010

SCALE
1/8" = 1'-0"

DRAWING TITLE
EXHAUST STACK SECTION

SHEET NUMBER
A300

CDP Application No. 6-10-41 Exhibit #3 (1 of 3)

CDP Application No. 6-10-41 Exhibit #3 (2 of 3)

SITE PHOTO—I

Marine Ecosystem Sensing, Observation and Modeling (MESOM) Laboratory

Lot P013

CDP Application No. 6-10-41 Exhibit #3 (3 of 3)

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'

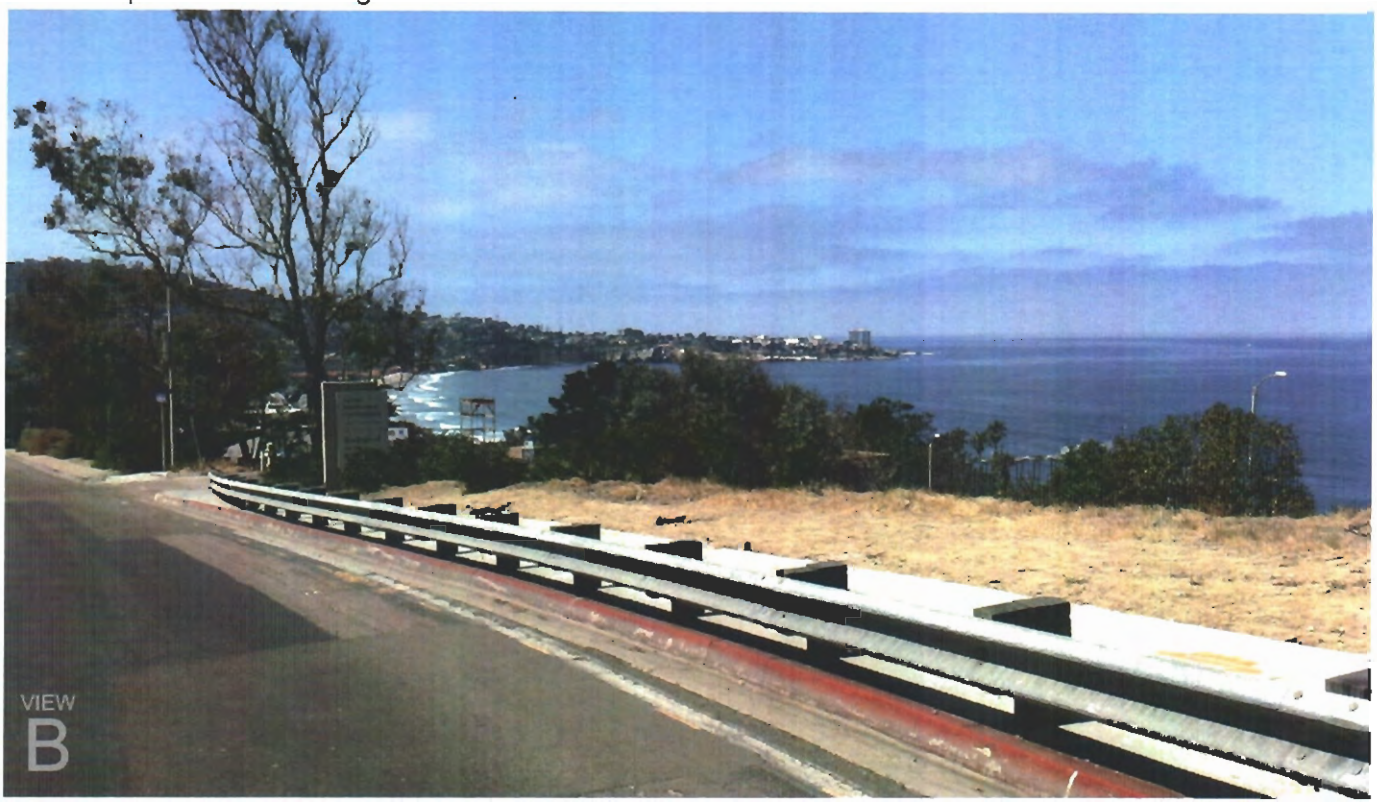
University of California San Diego **MESOM LABORATORY** Scripps Institution of Oceanography

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

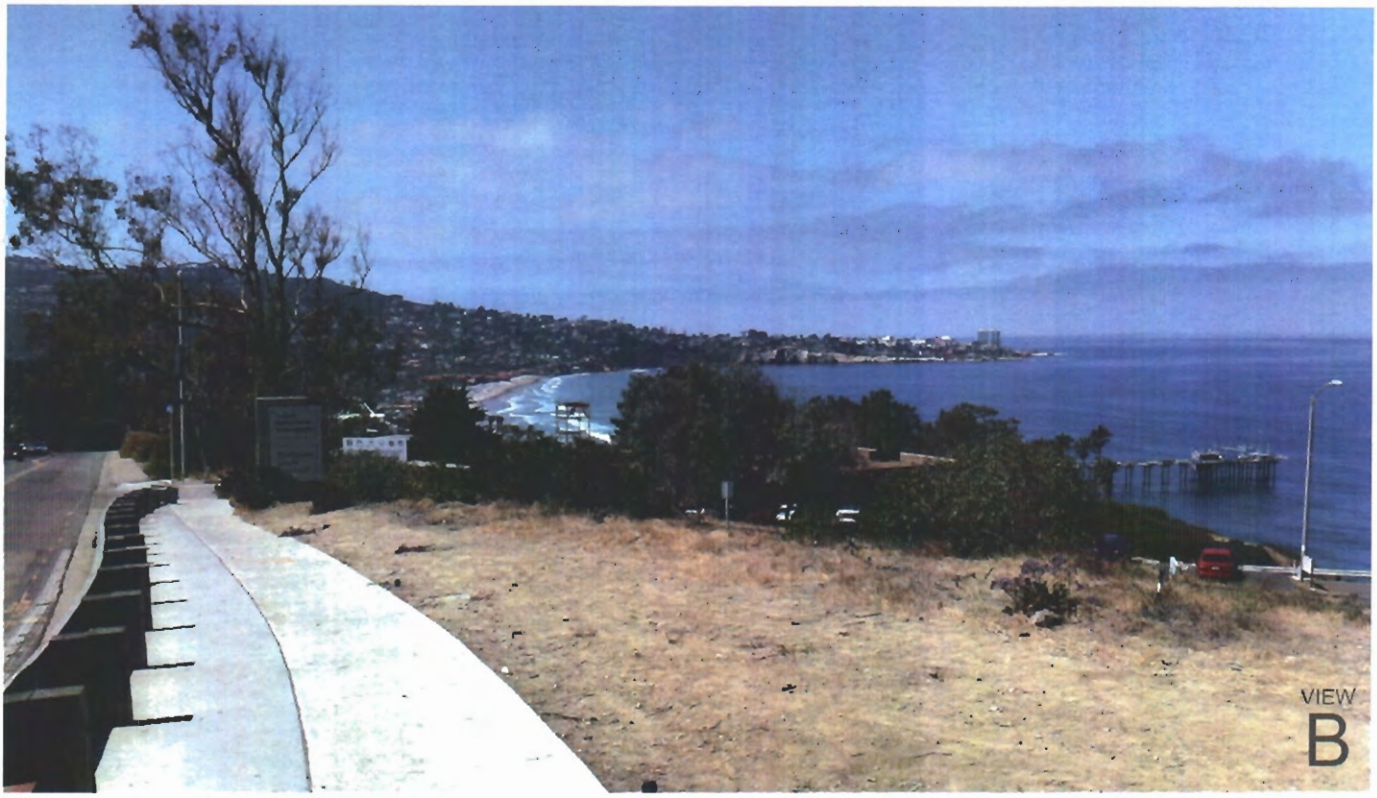


Car Perspective with Proposed MESOM Building

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

University of California San Diego **MESOM LABORATORY** Scripps Institution of Oceanography

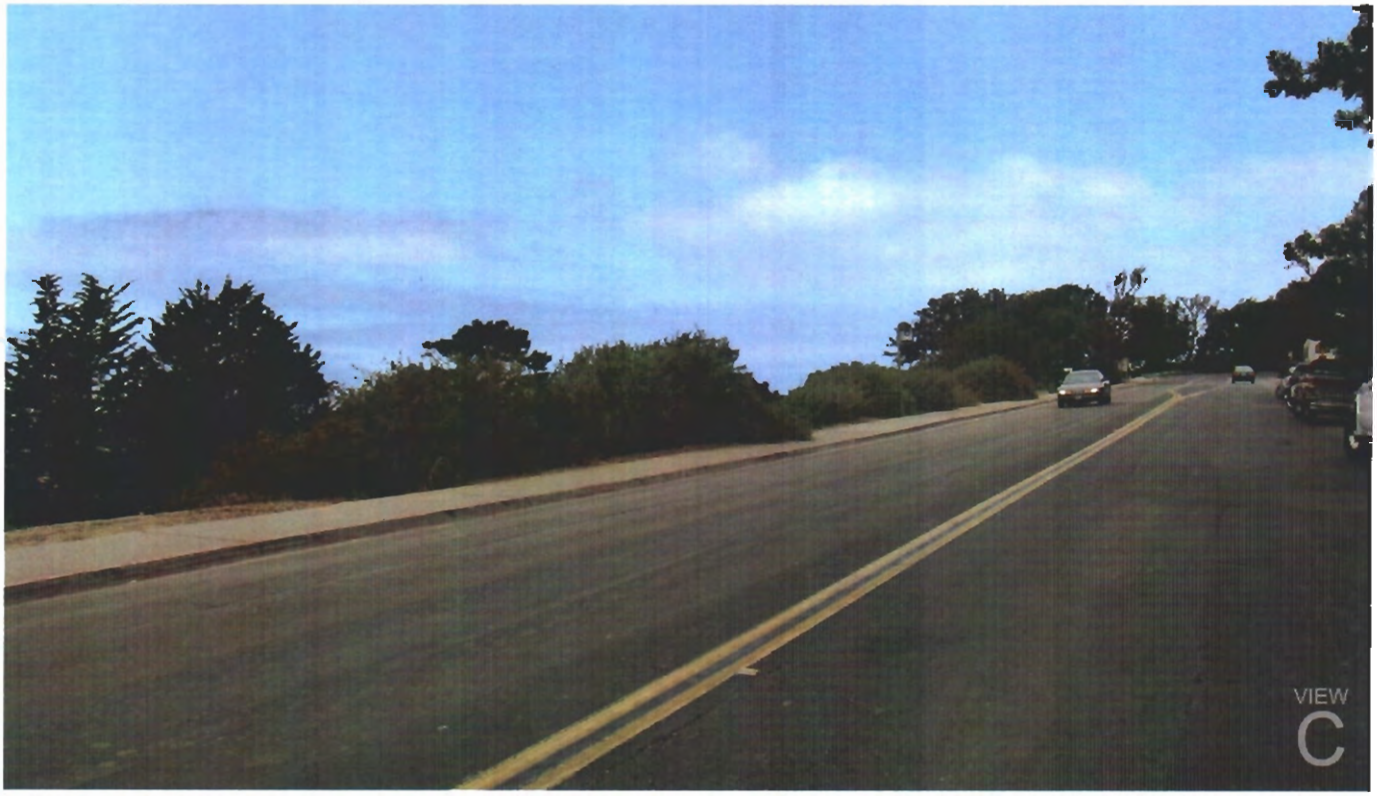
Pedestrian Perspective of Existing Condition



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

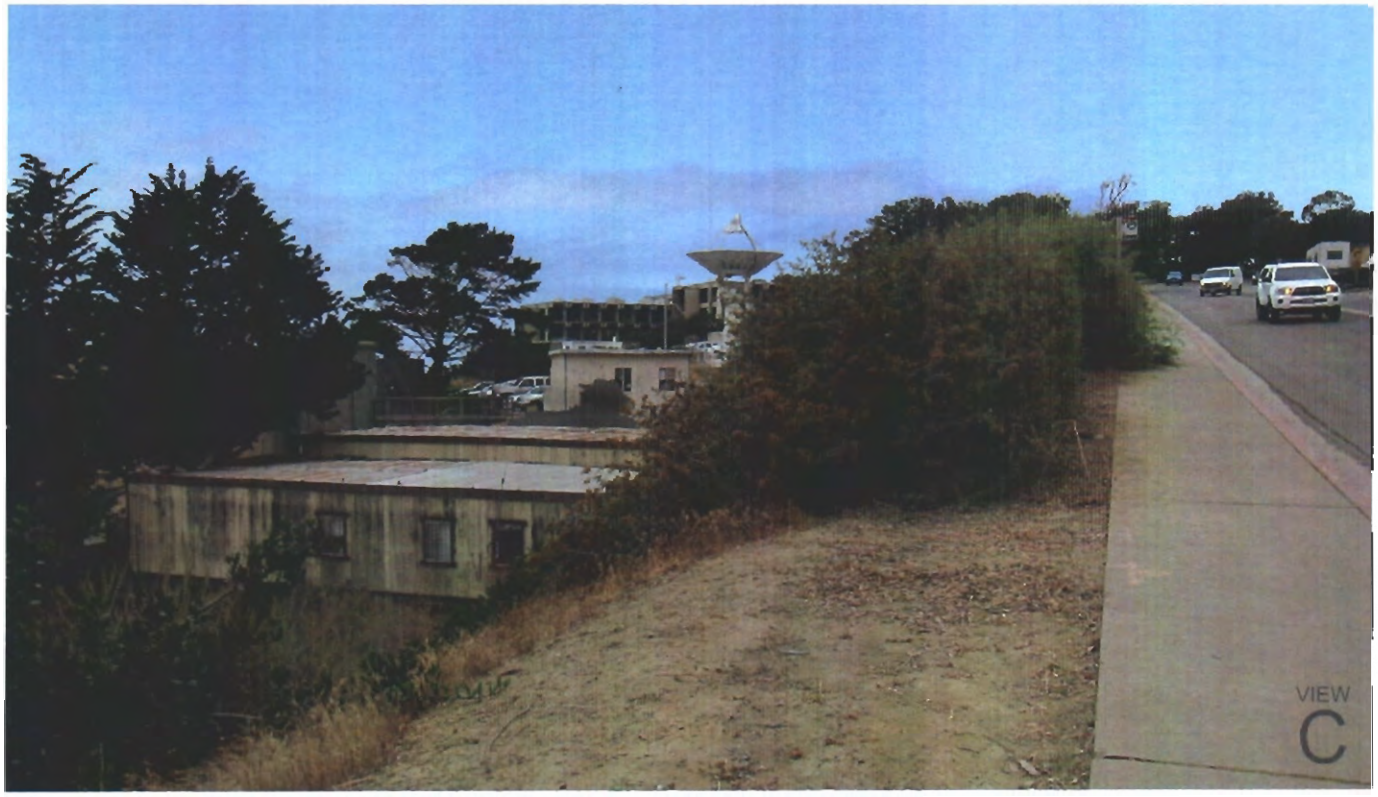


Car Perspective with Proposed MESOM Building

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

University of California San Diego **MESOM LABORATORY** Scripps Institution of Oceanography

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'

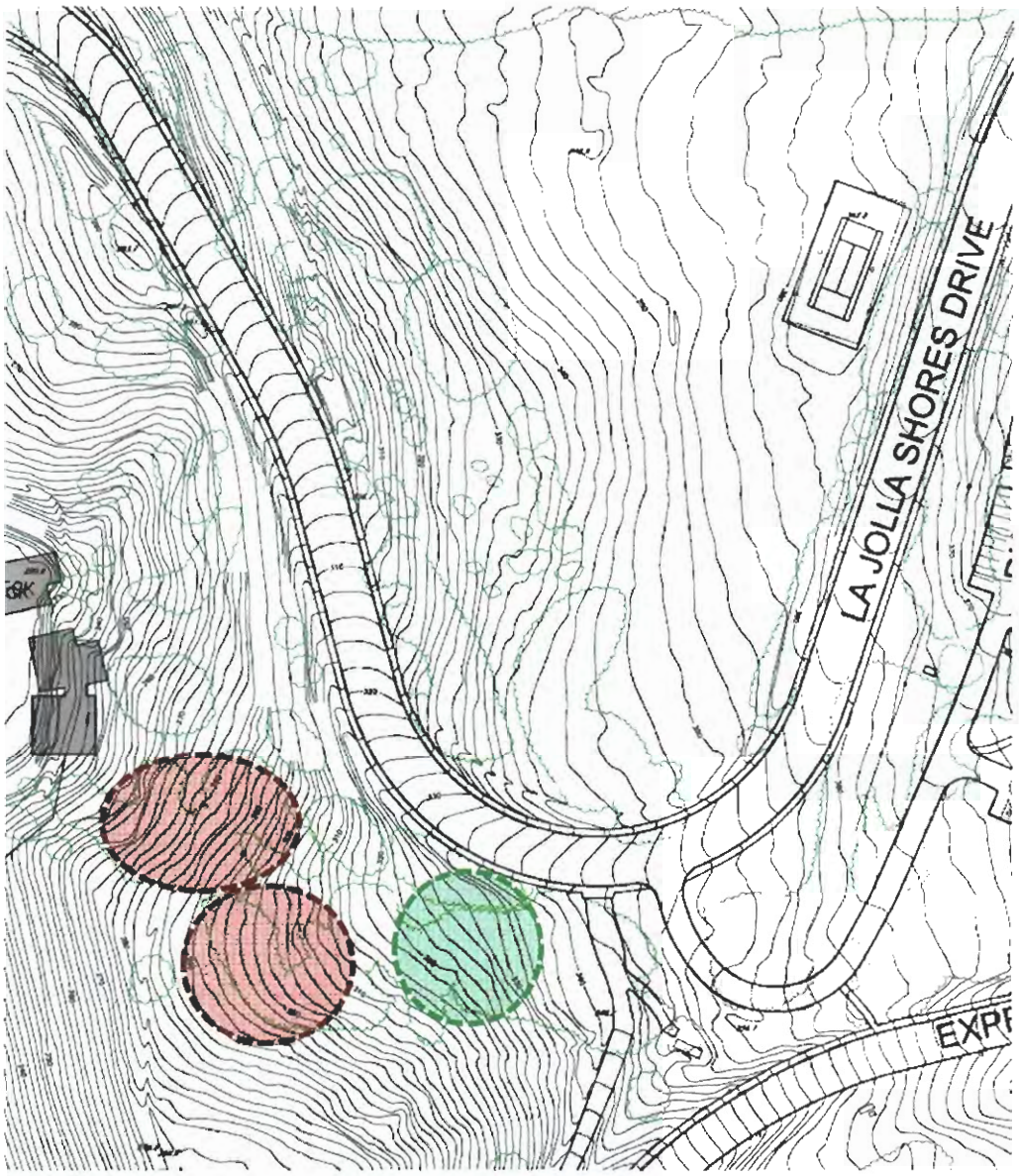
University of California San Diego **MESOM LABORATORY** Scripps Institution of Oceanography

VEGETATION MANAGEMENT LOCATIONS

1. Middle Mesa Eucalyptus Trees, La Jolla Shores Drive
2. North Scripps Eucalyptus trees, La Jolla Shores Drive
3. South Scripps Trees and Shrubs (ornamentals), La Jolla Shores Drive
4. South Scripps Trees and Shrubs (ornamentals), La Jolla Shores Drive

VEGETATION MANAGEMENT MAP

CDP Application No. 6-10-41
Exhibit #5R

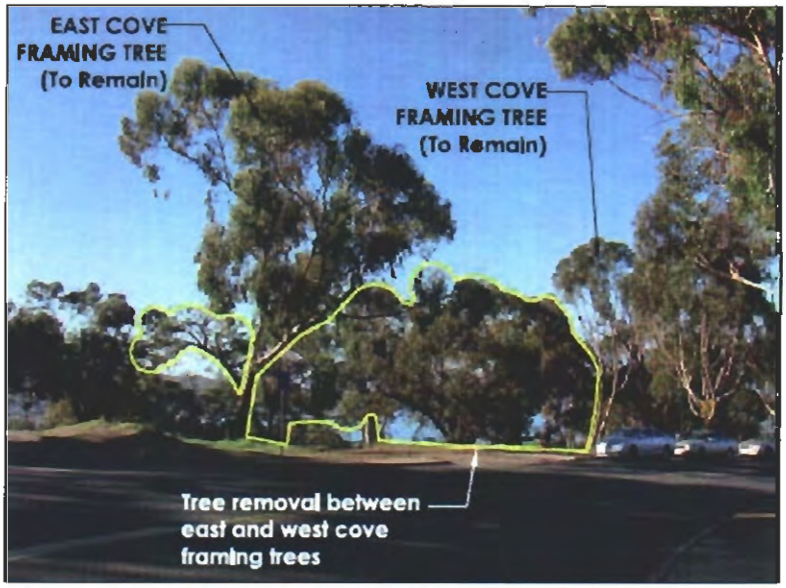


Area of Vegetation Removal

Areas of Vegetation Thinning

Vegetation Management Area 1

CDP Application No. 6-10-41 Exhibit #5B



AREA 1 VEGETATION MANAGEMENT PLAN

CDP Application No. 6-10-41 Exhibit #5C (1 of 2)

LARGER "CENTERPIECE" TREES TO REMAIN;
(smaller trees to be removed)

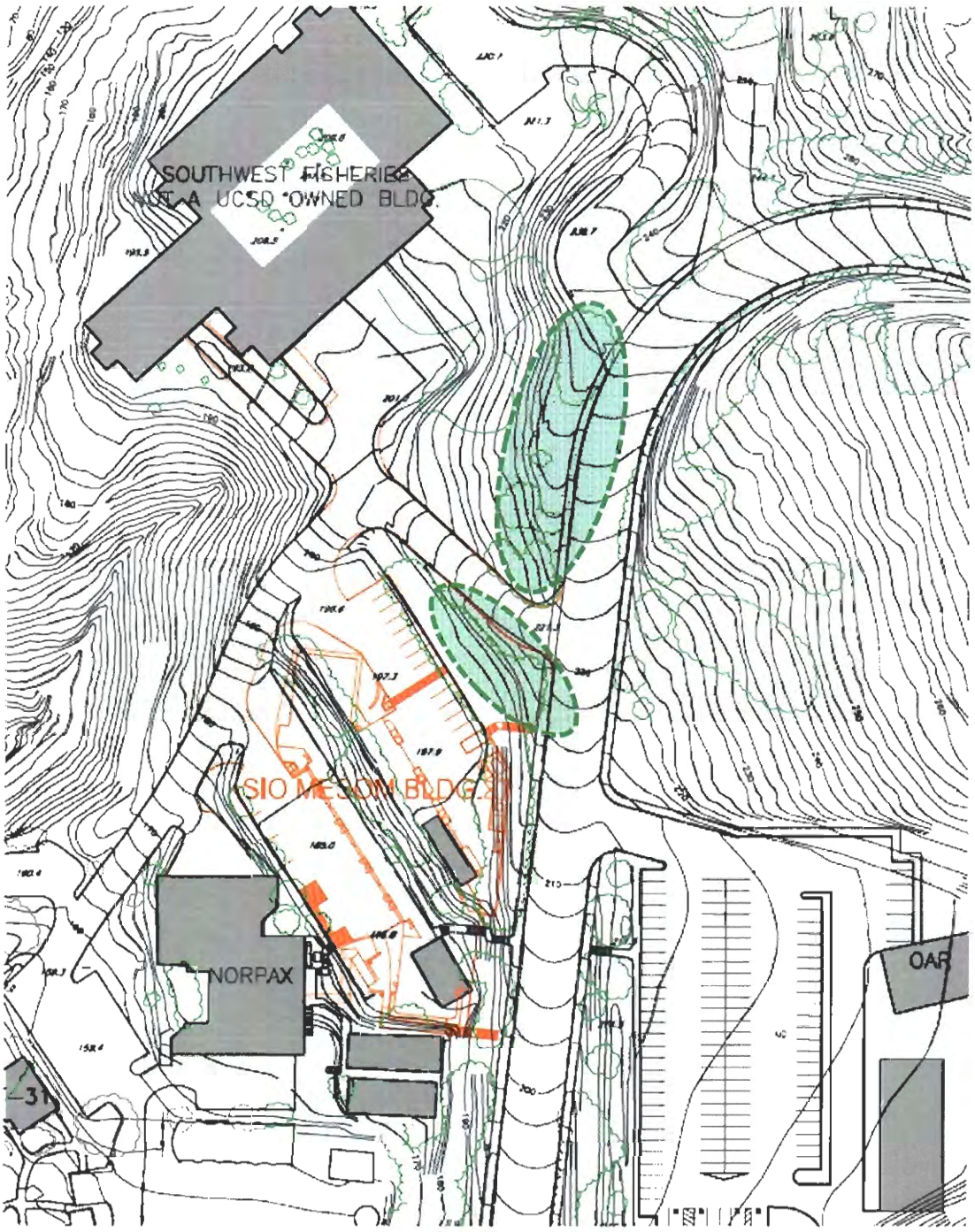
LARGER "CENTERPIECE" TREE TO REMAIN

SMALLER TREES TO BE REMOVED (tagged with orange tape)

AREA 1 VEGETATION MANAGEMENT PLAN

TREE THINNING STRATEGY

CDP Application No. 6-10-41 Exhibit #5C (2 of 2)



Area of Vegetation Removal

Vegetation Management Area 2

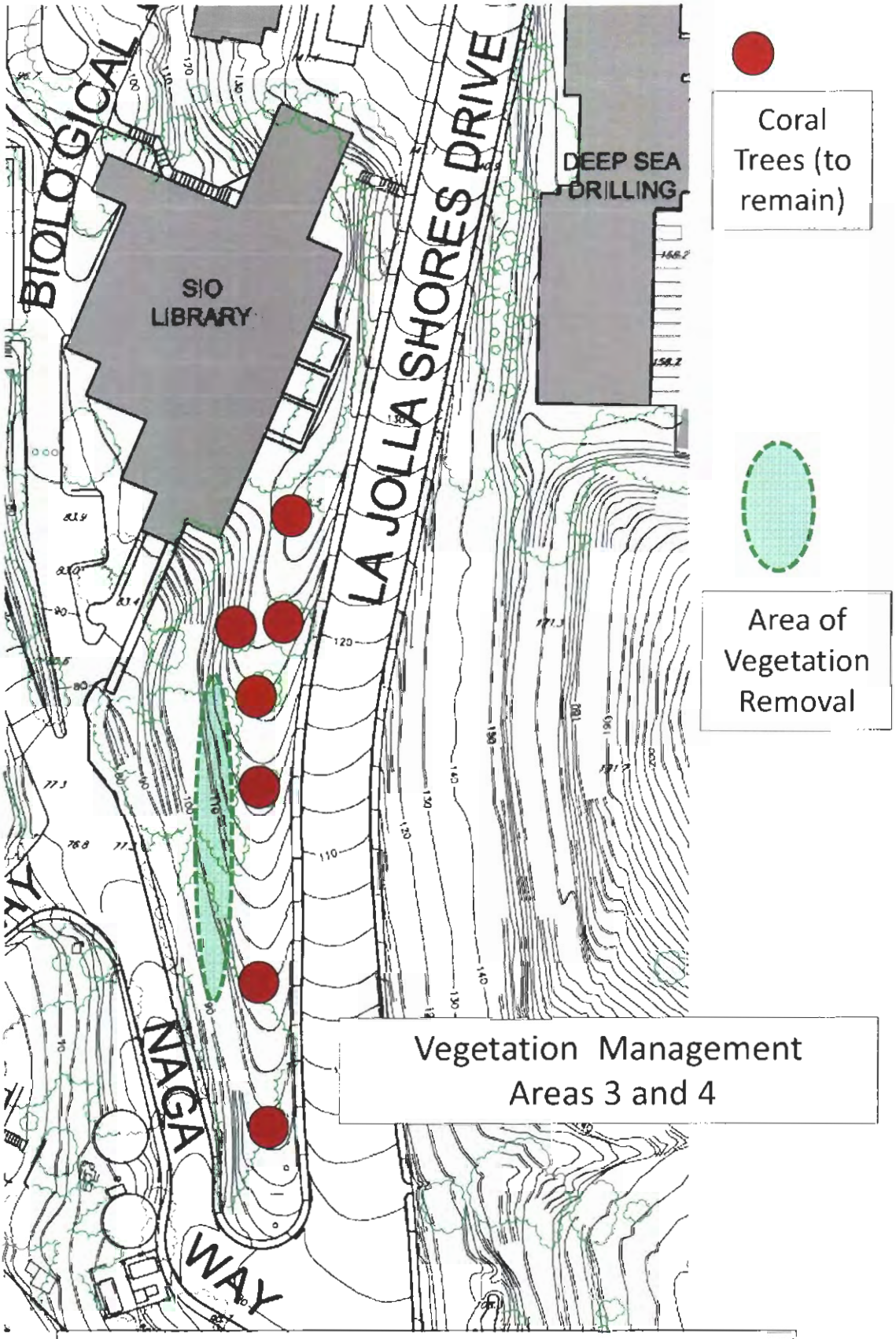
CDP Application No. 6-10-41 Exhibit #5D

② TREES TO BE REMOVED TO CREATE OPEN WATER VIEW CORRIDOR
NORTH SCRIPPS, VEHICULAR PERSPECTIVE

TREES TO BE REMOVED TO CREATE OPEN WATER VIEW CORRIDOR
NORTH SCRIPPS, PEDESTRIAN PERSPECTIVE

Area 2

CDP Application No. 6-10-41 Exhibit #5E



CDP Application No. 6-10-41 Exhibit #5F

③ TREES AND SHRUBS TO BE REMOVED TO CREATE VIEW CORRIDOR
SOUTH SCRIPPS

VIEW BEYOND TREES AND SHRUBS TO BE REMOVED
SOUTH SCRIPPS

Area 3

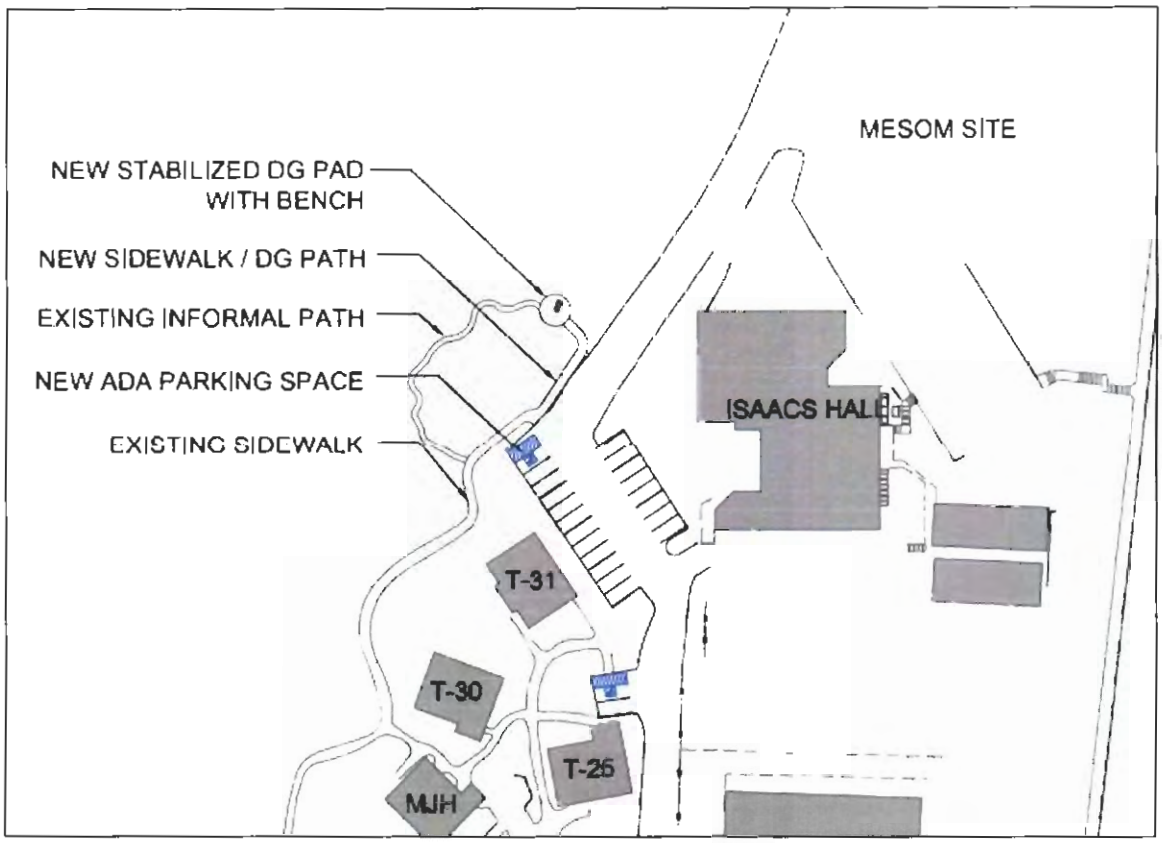
CDP Application No. 6-10-41 Exhibit #5G (1 of 2)

④ TREES AND SHRUBS TO BE REMOVED TO CREATE VIEW CORRIDOR
SOUTH SCRIPPS

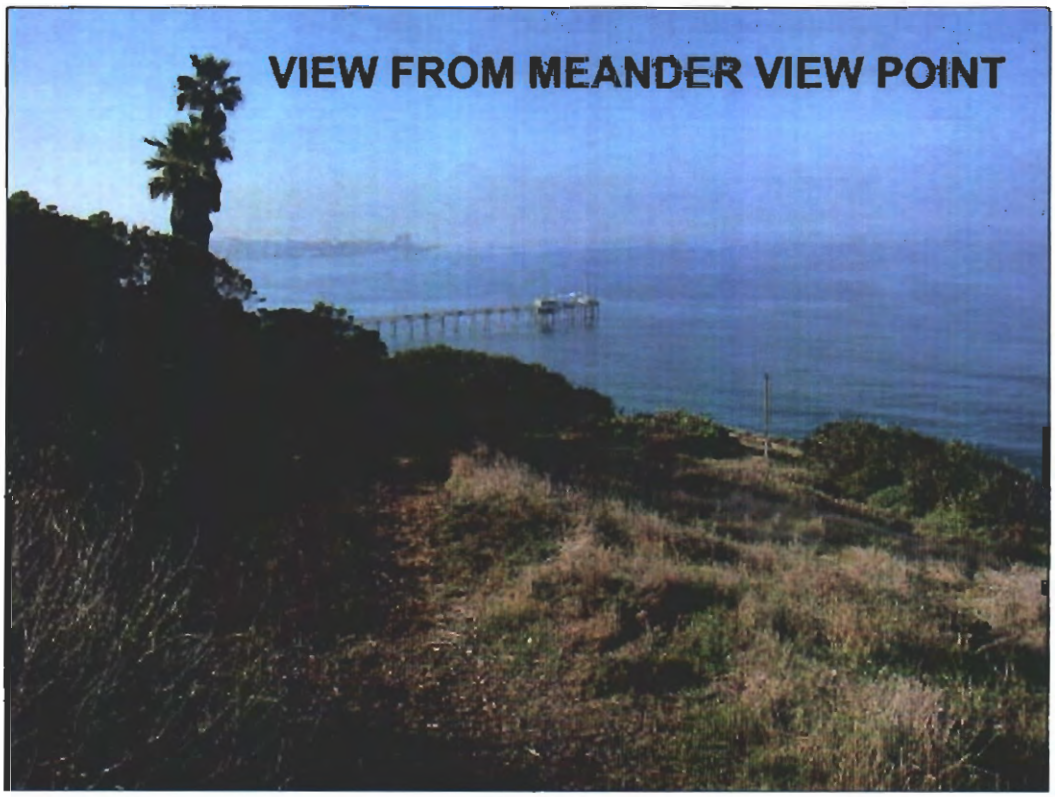
VIEW BEYOND TREES AND SHRUBS TO BE REMOVED
SOUTH SCRIPPS

Area 4

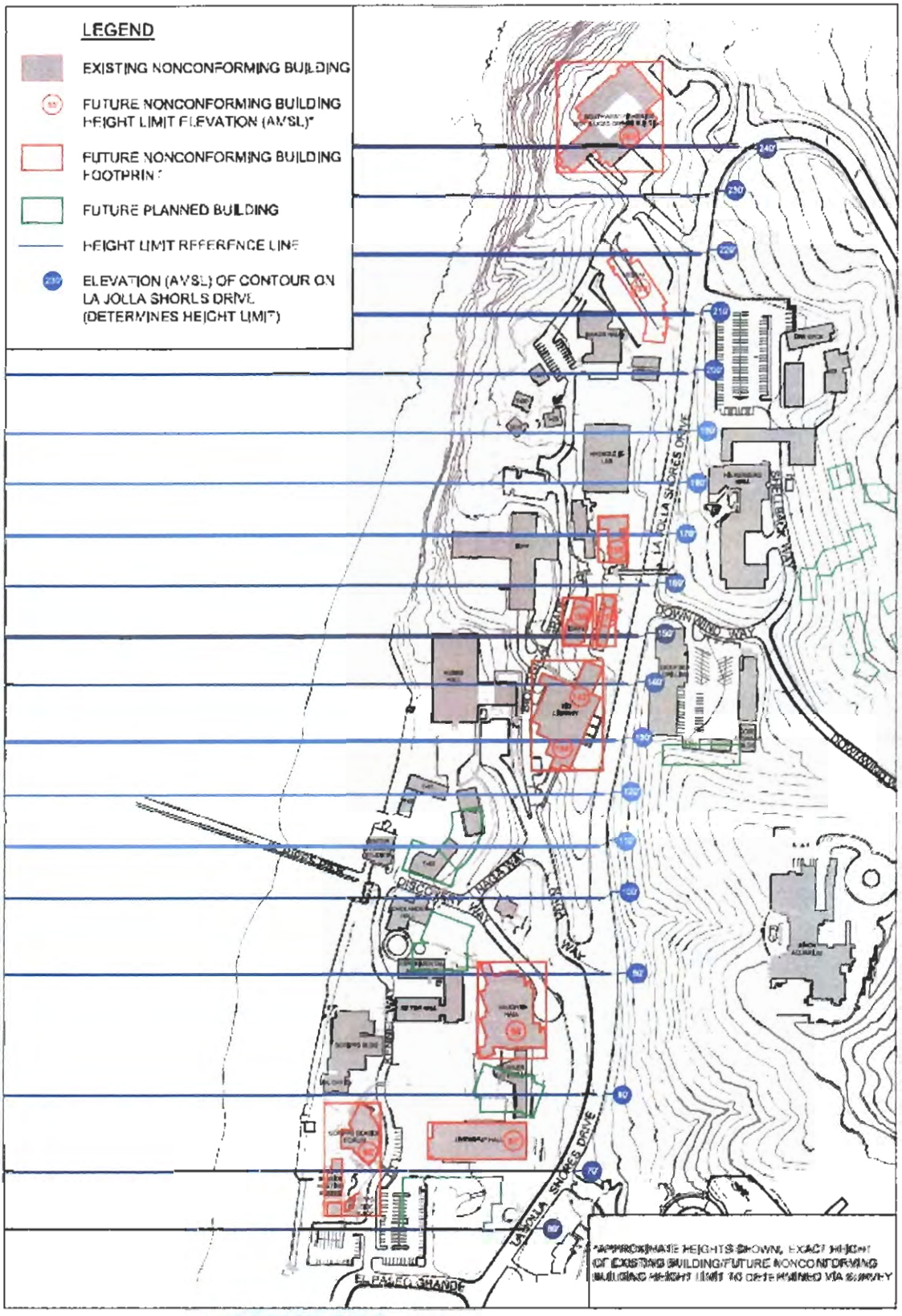
CDP Application No. 6-10-41 Exhibit #5G (2 of 2)



MEANDER VIEW POINT CONCEPT



CDP Application No. 6-10-41 Exhibit #6



Scripps Institution of Oceanography
View Enhancement and Preservation
Development Guidelines

UCSD physical & community planning

CDP Application No. 6-10-41 Exhibit #7

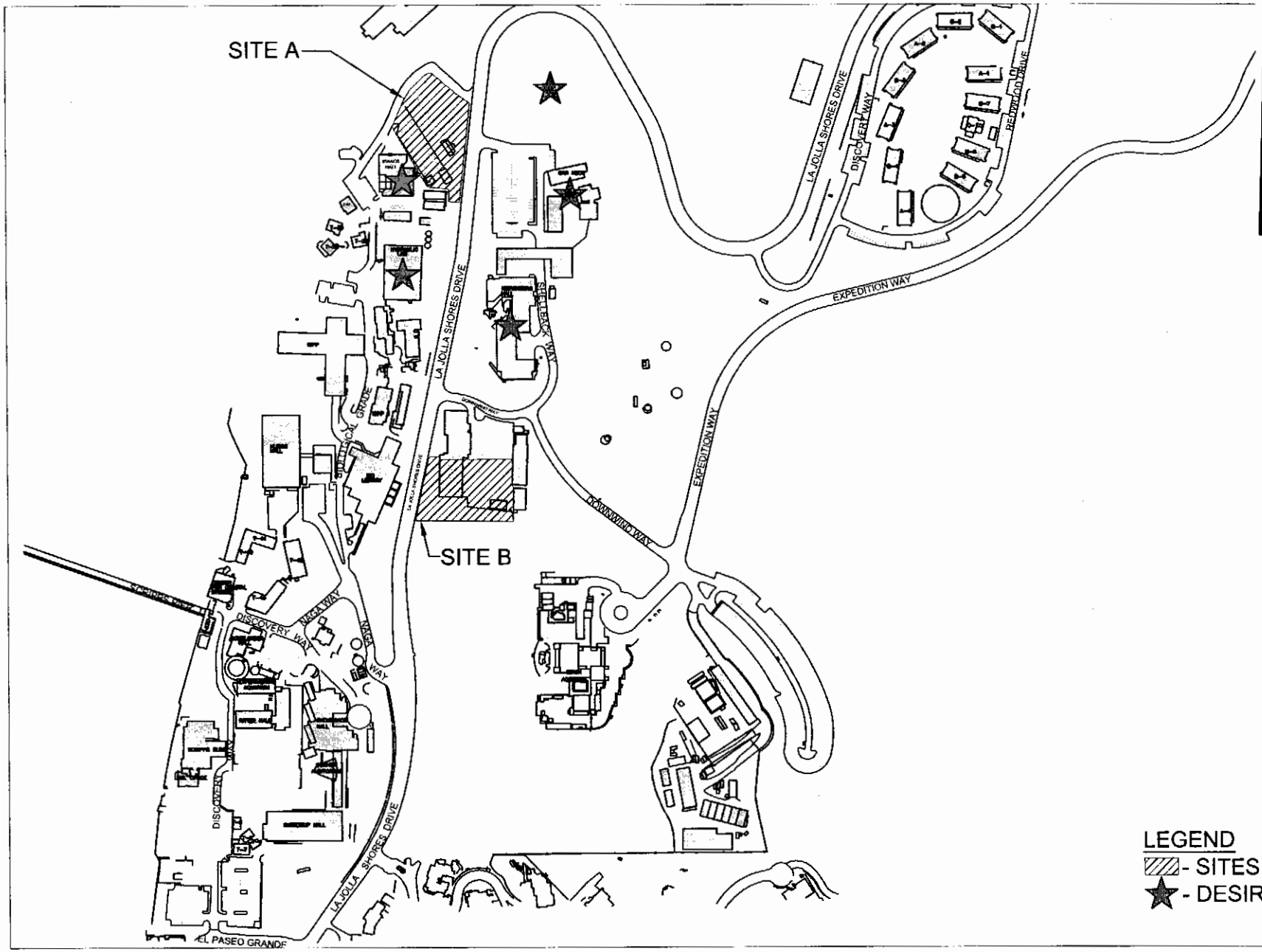


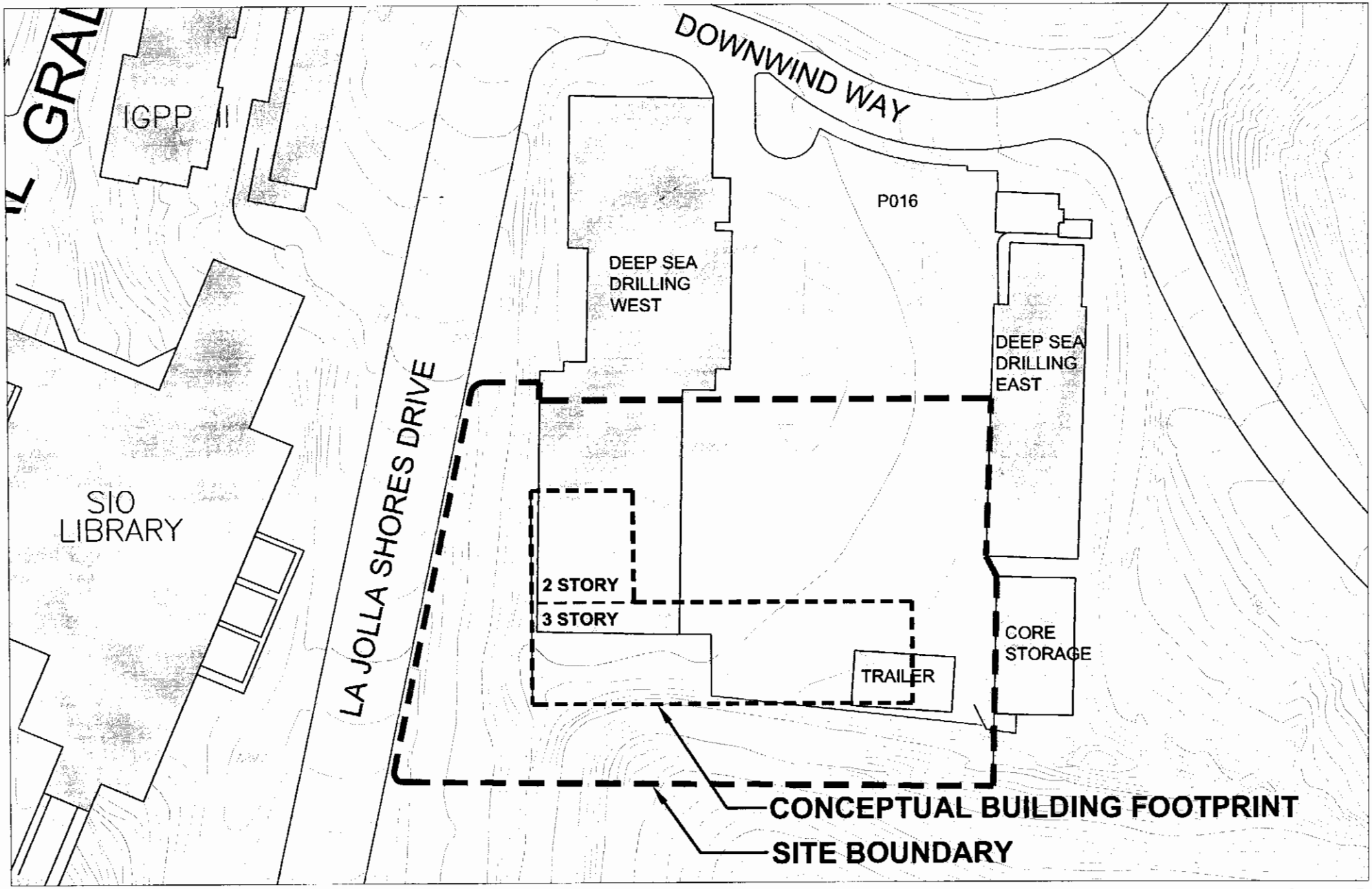
EXHIBIT NO. 8
APPLICATION NO. 6-10-041
Alternative Sites
Page 1 of 3
California Coastal Commission

NORTH

0' 400' 800'

NIST BUILDING
SITE CONTEXT
SCRIPPS INSTITUTION OF OCEANOGRAPHY
FIGURE 1

Created On 12-8-08
UCSD Physical Planning Department
F:\Departments\Physical\Projects\Scripps Institution of Oceanography\DoC Grant Building\NIST CCPC_121808.dwg

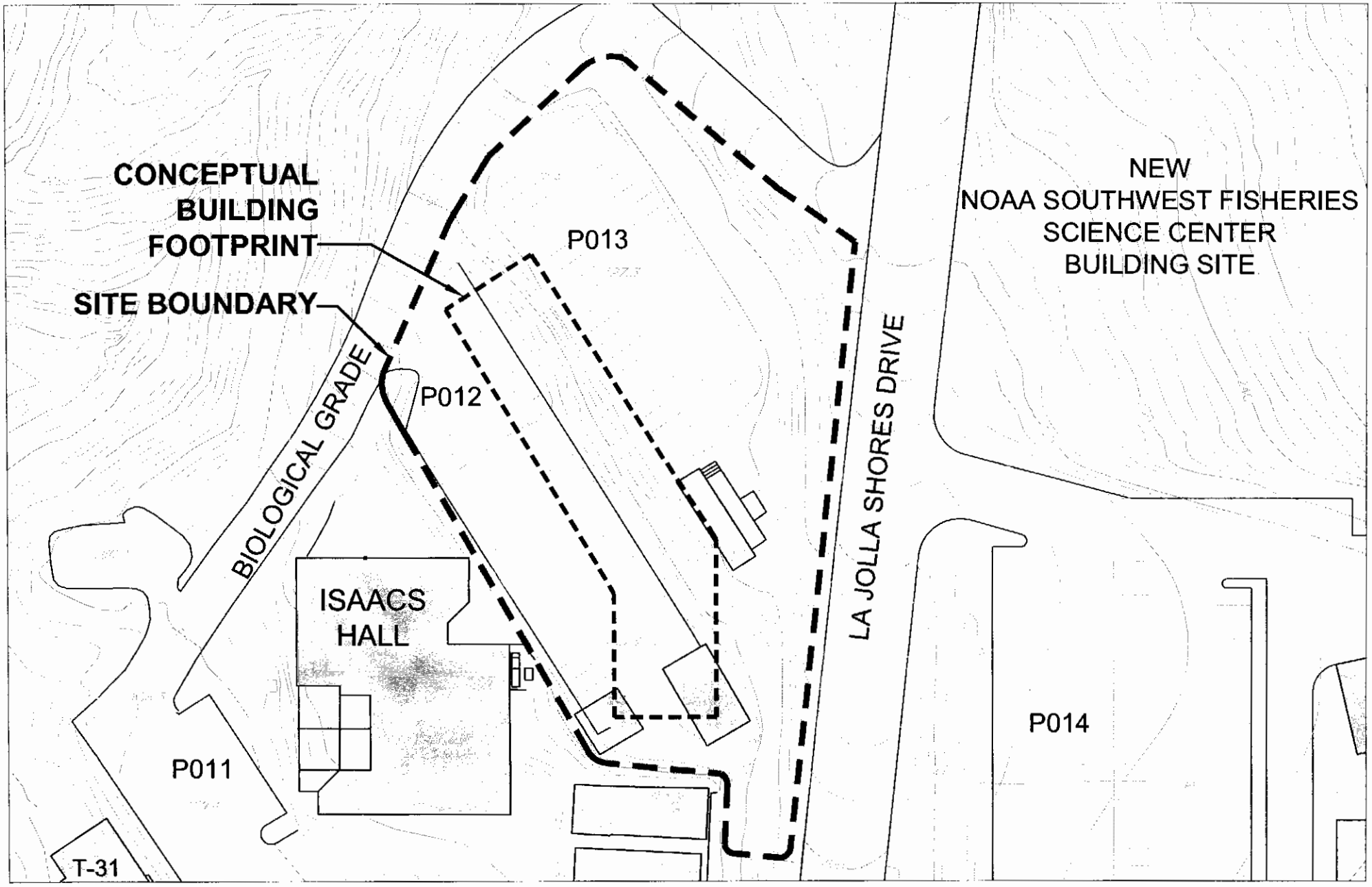


NORTH

0' 60' 120'

NIST BUILDING
SITE B: DEEP SEA DRILLING COMPLEX
SCRIPPS INSTITUTION OF OCEANOGRAPHY
FIGURE 3

Created On 12-8-08
UCSD Physical Planning Department
F:\Departments\Physical\Projects\Scripps Institution of Oceanography\DoC Grant Building\NIST CCPC_121808.dwg



NIST BUILDING
SITE A: NORTH OF ISAACS HALL
SCRIPPS INSTITUTION OF OCEANOGRAPHY
FIGURE 2

Created On 12-8-08
UCSD Physical Planning Department
F:\Departments\Physical\Projects\Scripps Institution of Oceanography\DoC Grant Building\NIST CCPC_121808.dwg

1. Torrey Pines City Park
2. La Jolla Farms Road
3. Scripps Natural Reserve
4. Bluff - top easement at La Jolla Shores Lane
5. Ellentown 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 Frescota
16. Prestwick Drive
17. Vallecitos
18. Avenida de la Playa
19. Calle del Cielo
20. Pottery Canyon Park
21. Costabelle 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. Senn Way
46. Rue de Roark
47. Coast Blvd. Park and South Coast Blvd.
48. View corridor at southwest side of Scripps Hotel site, from Prospect Street
49. La Jolla Community Center Park, Cuvier Street
50. From top of Cuvier Street at Prospect
51. Via Capri (portions)

View Cone
Defined by 90° angle radiating lines from public vantage point (the centerline of the street) to the corners of the buildable envelope as defined by the setbacks of each corner property closest to the ocean or shoreline.

note: All views are to a coastal body of water

View Corridor
Unobstructed framed view down a public right-of-way

Viewshed
Usually from high elevations looking down over large areas

Intermittent or Partial Vista

Roads from which coastal body of water can be seen

Scenic Overlook
Defined as a view over private property from a public right-of-way.

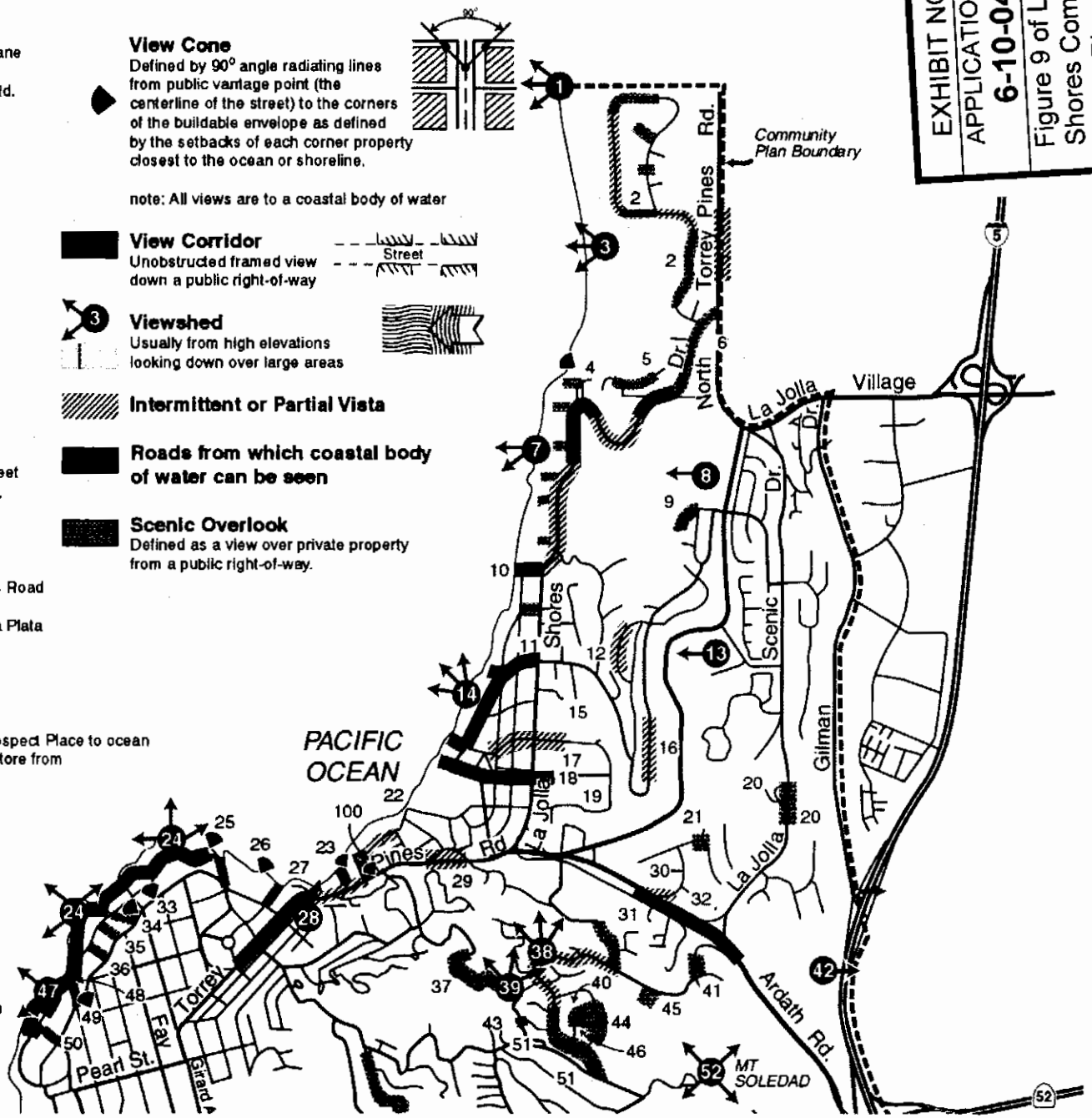
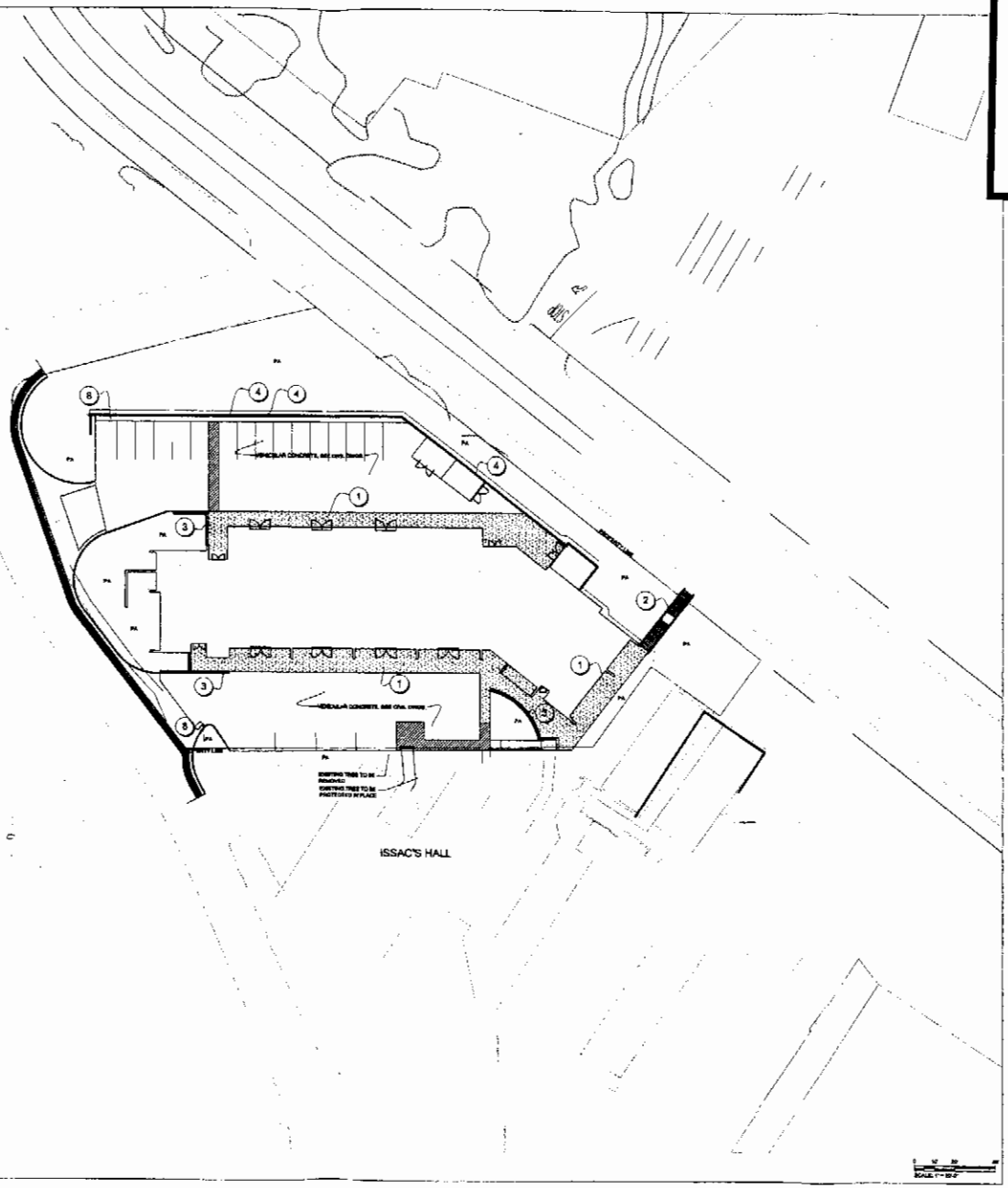


EXHIBIT NO. 9
APPLICATION NO. 6-10-041
Figure 9 of La Jolla Shores Community Plan
California Coastal Commission

LANDSCAPE CONSTRUCTION LEGEND

	SYMBOL	DESCRIPTION	DETAIL
1		TYPE 1: 4" COLORED CONCRETE BROOM WITH AGGREGATE AGGREGATE: COLOR: FINISH: HEAVY SANDBLAST	1/L-1.2
2		WOODEN STEPS	3/L-1.2
3		C.I.P. CONCRETE SEAT WALL 1'-6" H x 1'-8" W COLOR: FINISH: ACID ETCH	7/L-1.2
4		CAST-IN-PLACE CONCRETE RETAINING WALL (BY OTHERS)	
5		HIDDEN EXPANSION JOINT	3/L-1.2
6		EXPANSION JOINT	4/L-1.2
7		SAWCUT JOINT	3/L-1.2
8		SWALE	6/L-1.2

PA = PLANTING AREA



LANDSCAPE CONSTRUCTION NOTES

1. CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING AND SCHEDULING ALL LAYOUT WORK WITH UNIVERSITY REPRESENTATIVE (M.A. SAN / SAME).
2. PRIOR TO START OF CONSTRUCTION, CONTRACTOR SHALL CONTACT UTILITY SERVICES TO VERIFY LOCATION OF ALL UNDERGROUND UTILITIES.
3. CONTRACTOR SHALL REPAIR AT NEARER JOINT EXPOSING, ANY DAMAGE, WHETHER INSIDE OR OUTSIDE OF THE LIMIT OF CONTRACT LINE, TO UTILITY SYSTEMS, SURFACE PAVEMENTS, POTHOLES OR STRUCTURES THAT ARE NOT SPECIFICALLY INDICATED TO BE REMOVED OR RELOCATED AS PART OF THE PROJECT CONSTRUCTION.
4. ALL DIMENSIONS AND ELEVATIONS ON THIS DRAWING ARE IN FEET, UNLESS OTHERWISE STATED.
5. THE CONTRACTOR SHALL EXERCISE PARTICULAR CARE WHILE WORKING IN THE VICINITY OF ACTIVE UTILITY AND DRAINAGE STRUCTURES. IN THE EVENT THAT ANY EXISTING STRUCTURES OR UTILITIES ARE DAMAGED AND THE SERVICES DISRUPTED, THEY SHALL BE IMMEDIATELY REPAIRED AND THE SERVICE RESTORED AS DIRECTED BY THE ARCHITECT AT NO COST TO THE OWNER.
6. THE CONTRACTOR SHALL KEEP ALL DRAINAGE FACILITIES AFFECTED BY HIS/HER CONSTRUCTION OPERATIONS CLEAN AND FULLY OPERATIONAL AT ALL TIMES.
7. PRIOR TO THE COMPLETION OF ANY CONCRETE CONSTRUCTION, ALL FORM WORK AND STEEL REINFORCEMENT SHALL BE OBSERVED AND APPROVED BY THE UNIVERSITY REPRESENTATIVE.
8. ALL ELECTRICAL JUNCTION BOXES FOR LIGHTS SHALL BE LOCATED IN PLANTING AREAS AND APPROVED BY THE UNIVERSITY REPRESENTATIVE, STAKE LOCATION PRIOR TO INSTALLATION.
9. REFER TO GRADING PLANS AND CIVIL ENGINEER'S DRAWINGS FOR DRAINAGE STRUCTURES AND ELEVATIONS PRIOR TO INSTALLATION OF WALKWAYS, FOOTINGS, AND OTHER STRUCTURES.
10. ALL WALKWAYS SHALL HAVE SMOOTH CONTINUOUS SURFACES.
11. UNLESS OTHERWISE NOTED, ALL DIMENSIONS ARE TO THE INSIDE OF CURB FACE.
12. VERIFY ALL CONDITIONS AT JOB SITE AND NOTIFY UNIVERSITY'S REPRESENTATIVE OF DIMENSIONAL ERRORS, OMISSIONS OR DISCREPANCIES BEFORE BEGINNING ANY WORK.
13. CONTRACTOR TO OBTAIN ALL NECESSARY PERMITS PRIOR TO CONSTRUCTION.
14. LANDSCAPE SYMBOLS: A SYSTEM OF DIAGRAMMATIC SYMBOLS AND NOTATIONS ARE USED IN THESE DRAWINGS. WHEN NOTATION CAREFULLY NOTIFY UNIVERSITY REPRESENTATIVE AND REQUEST CLARIFICATION OF ANY UNCLEAR NOTATION OR DISCREPANCY PRIOR TO COMMENCING WORK.
15. THE LANDSCAPE ARCHITECT IS NOT RESPONSIBLE FOR THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES OR FOR SAFETY PRECAUTIONS OR PROGRAMS UTILIZED IN CONNECTION WITH CONTRACTORS FAILURE TO CARRY OUT WORK IN ACCORDANCE WITH CONTRACT DOCUMENTS.
16. ALL ARCHITECTURAL INFORMATION IS SHOWN FOR REFERENCE ONLY. REFER TO ARCHITECTURAL CONSTRUCTION DRAWINGS FOR SPECIFIC AND ADDITIONAL INFORMATION.

SCALE: 1" = 20'-0"

EXHIBIT NO. 10
APPLICATION NO.
6-10-041
Parking Plan

California Coastal Commission

Wallace Roberts & Todd, Inc.
1333 Columbia Street, Suite 305 (619) 696-2330
San Diego, CA 92101 fax 619.696.7202

NOT FOR CONSTRUCTION

SIO MESOM LABORATORY

UCSD SIO
Scripps Institution of Oceanography
9500 Gilman Drive
La Jolla, CA 92037

ISSUANCE
DESIGN DEVELOPMENT - 60%

PROJECT NUMBER
09002

DATE
MAY 5, 2010

SCALE
1/16" = 1'-0"

DRAWN BY
Author

DRAWING TITLE
LANDSCAPE CONSTRUCTION PLAN

SHEET NUMBER
L-1.1

W 17a

Permit No. 6-10-041
Opposed

4 April 2011

California Costal Commission
San Diego Coast District
7575 Metropolitan Drive, Ste 103
San Diego, CA 92108-4421

We are appalled that UCSD would even consider additional buildings to block the ocean view.

We purchased the property at 8585 El Paseo Drive in April 2008 and watched as UCSD proceeded with their last construction across the street from our home. We lost a considerable part of our view. This was supposed to be the end of their construction. Now, UCSD intends to further encroach on our view with a three-story building. Why should UCSD be permitted to proceed with blocking a view corridor when an individual property owner would not even dare to ask for a permit?

Another consideration is parking. The available parking spaces in this area are already grossly inadequate. Not only does the proposed permit eliminate two parking lots, the new construction will require additional parking.

We are hopeful that the Commission will find this request for a permit as unreasonable as we do.

Thanks for the consideration,

M. Ann Paterson Cleghorn
346-090-22
Patterson Company
70 S Val Vista Dr. #A 3609
Gilbert, AZ 85296-1374

RECEIVED
APR 08 2011
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Letter of Opposition 71