

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Landscaping Plan. Prior to the issuance of the coastal development permit, the applicant shall submit for the review and written approval of the Executive Director, a detailed landscape plan indicating the type, size, extent and location of all plant materials, the proposed irrigation system and other landscape features. Drought tolerant native or naturalizing plant materials shall be utilized to the maximum extent feasible, consistent with the surrounding vegetation, i.e., Maritime Succulent Scrub. Special emphasis shall be placed on the installation of plant elements to visually screen the proposed 120 foot-long retaining wall. In addition, a planting schedule shall be included which indicates that the planting plan shall be implemented no later than 60 days from commencement of water tank operations.

2. Pedestrian Trail Plan. Prior to the issuance of the coastal development permit, the applicant shall submit for the review and written approval of the Executive Director, plans for the pedestrian trail indicating the location and proximity of the trail to the Point Loma Ecological Reserve Area. No encroachment on existing native vegetation, as identified on Figure 15 of the Final Environmental Impact Report for Point Loma Wastewater Treatment Plant Master Plan, dated February 23, 1996, shall be permitted.

3. Disposal of Graded Spoils. Prior to the issuance of the coastal development permit, the applicant shall identify the location for the disposal of graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

Findings and Declarations.

The Commission finds and declares as follows:

1. Project Description. The City of San Diego proposes to construct a 650,000-gallon underground water tank and a 5,000-gallon above-ground potable water tank on the site of an existing 45,000-gallon tank, to serve the industrial, fireflow and potable water requirements of the Point Loma Wastewater Treatment Plant (PLWTP). The applicant proposes to grade and excavate approximately 6,400 cubic yards of earth onsite to accommodate the placement of the 650,000-gallon tank. Approximately 4,970 cubic yards of the material will be used to bury the tank and to recontour the site consistent with the surrounding slopes. Approximately 1,430 cubic yards of export is proposed. Since the location of the proposed export was not identified in the submitted application, condition #3 has been attached requiring the applicant to identify the site prior to the release of the coastal development permit. In addition, a retaining wall, approximately 120 feet long will be constructed

at the base of the slope. The wall will be a maximum of 15 feet in height for no more than the center 30 feet and will taper to less than a foot at each end. The existing tank will be removed upon completion of the project. A 12 inch, approximately 470-foot-long water pipeline will be constructed within an existing easement extending from the new 650,000-gallon tank west to the PLWTP. An adjacent 2.6 acre site west of the water tanks site will be cleared of non-native plants, with a portion of the site being used as a construction staging area. Additional construction staging areas have been secured from the U.S. Navy on sites north of the existing 45,000-gallon tank, west of Cabrillo Memorial Drive. Upon completion of the water tank installations, the 2.6 acre site will be revegetated with native vegetation, specifically, Maritime Succulent Scrub. An approximately 6-acre site located west of the 2.6-acre site is also proposed to be planted with native vegetation, hydroseeded and furnished with a temporary irrigation system. In addition, the applicants propose to install an approximately 3-foot-wide, 900-foot-long pedestrian trail made of decomposed granite along the eastern perimeter of the PLWTP. This path will be constructed in place of an existing maintenance access path located adjacent to the existing brow ditch which traverses the top of slope above and east of the PLWTP facilities. The entire path of the proposed trail will lie within the boundaries of the Point Loma Ecological Reserve Area (ERA). This path will be the first portion of an envisioned 1300-foot-long employee/visitor trail to traverse the eastern perimeter of the PLWTP. The trail will not be available to the general public since the beginning and ending points of the path will be within the boundaries of the PLWTP.

The proposed development is located west of and access from Cabrillo Memorial Drive at Ashburn Road on the south end of the Point Loma Peninsula. The Point Loma Wastewater Treatment Plant lies to the west at a lower elevation. The water tank portion of the project is contained within an easement granted to the City by the U.S. Navy. A portion of the construction activities will also require an encroachment permit from the California Department of Transportation for a shoring system to retain excavation during construction to be located under State Route 209 (Cabrillo Memorial Drive). The 2.6-acre site west of the water tank installations consists mostly of U.S. Navy property. The approximately 6-acre site west of the 2.6-acre site lies within the property boundaries of the PLWTP.

2. Growth Impacts. Section 30254 of the Act states, in part:

New or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provisions of this division. . .

The proposed development for replacement of an existing 45,000 gallon water tank with 5,000- and 650,000-gallon tanks is required to serve the existing industrial, potable and fire protection needs of PLWTP. The existing 45,000-gallon tank which currently serves the PLWTP must be refilled approximately ten/times each day. The future industrial water peak demands are projected to total approximately 490,000 gallons per day (gpd), and fire flow requirements are estimated to be an additional 360,000 gpd. Since approximately 150,000 gallons of water for fire fighting needs is available

offsite at City and Navy facilities nearby, the applicants believe the new development will be adequate to serve the needs of the PLWTP. The subject development is not being proposed to accommodate redevelopment or new growth in the area beyond what has been planned for in the City's certified LCP. Treatment capacity is governed by the size and number of sedimentation basins and outfall capacity. It is estimated that the plant is presently operating at 180 million gallons per day (mgd); however, each of the sedimentation basins can treat approximately 20-22 mgd of influent for a maximum total of 240 mgd which is what PLWTP is designed to accommodate. No increases to the maximum capacity of the plant will occur as a result of the proposed project. As such, the project will not result in growth inducement and, therefore, the Commission finds the development consistent with Section 30254 of the Act.

3. Visual Resources. Section 30251 provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The subject sites and the PLWTP are located north of the Cabrillo National Monument, a popular visitor destination. As proposed, the development will not be visible to motorists along Cabrillo Memorial Drive or to visitors at the tidepool area south of the facility. The 650,000-gallon tank will be buried underground and, because of the slope of the site, the top of the 15-foot-high, 5,000-gallon tank will not be visible to motorists. An existing earth berm on the southern side of the PLWTP and the existing topography of the project site will effectively block views of the 5,000-gallon tank and the proposed retaining wall from visitors to the tidepool area southwest of the site. The proposed 5,000-gallon tank and the proposed 120-foot-long retaining wall will be visible, however, from the Pacific Ocean and the PLWTP.

To mitigate the visual impacts of these features, the applicant proposes to paint the above-ground water tank and the retaining wall with an earth-tone color. Since a detailed landscape plan was not submitted with the application, condition #1 has been attached requiring submission of plans with special emphasis in use of plant elements to screen the proposed 120-foot-long retaining wall. In addition, the proposed water tank, while similar in height to the existing structure is only about one-third of its diameter and, therefore, will be a visual improvement over the existing structure. The applicants maintain that viewers of the site from one to two miles offshore will be unable to discern any man-made or unnatural improvements. In addition, with the removal of existing non-native vegetation (ice plant) and the proposed revegetation program for the construction site and adjacent areas, the overall visual quality of the subject site will be greatly enhanced. Since the only views affected by this development are those of employees and visitors of PLWTP and distant views from the Pacific Ocean, the Commission finds that there will be no visual impacts of statewide significance engendered by the subject proposal. Therefore, the Commission finds that the proposed development, as conditioned, is fully consistent with Section 30251 of the Act.

4. Biological Resources. Section 30240 of the Coastal Act requires that new development within and adjacent to environmentally sensitive habitat be sited and designed to prevent significant impacts on habitat values. Some portions of the proposed development lie within the U.S. Navy's Ecological Reserve Area (ERA). The ERA is an area of approximately 614 acres on U.S.

Navy property set aside to protect sensitive biological resources on the federal reserve at Point Loma. The western boundary of the ERA at the subject site generally follows the eastern boundary of the PLWTP. The eastern boundary of the ERA is the easement containing the existing 45,000 gallon water tank adjacent to Cabrillo Memorial Drive.

The proposed development does not include the removal of any environmentally sensitive habitat either on the site of the water tank construction or the adjacent revegetation sites. In order to avoid potential impacts from accidental grading outside the proposed construction areas, the applicants propose to clearly identify and stake the locations of all adjacent sensitive habitat. In addition, during construction, dust control measures will be implemented to protect nearby plants and wildlife.

Initially the applicant had proposed only to remove existing iceplant along the existing easement where the 470-foot-long water line is proposed. In consultation with the Navy, however, the applicants have agreed with the Navy's recommendation to remove all iceplant from the adjacent 2.6-acre site. Upon completion of the construction activities, the site will be revegetated by the Navy with native plant species consistent with the goals and objectives of the ERA. The applicant also proposes to revegetate an approximately 6-acre site immediately west of the 2.6-acre site. Much of this 6 acre site lies within the ERA but it includes the highly disturbed and graded slopes which border the east side of the PLWTP. The project will involve the revegetation and hydroseeding of native plant species and the temporary installation of an irrigation system.

The applicant has also proposed the construction of a pedestrian trail in place of an existing maintenance trail located adjacent to the existing brow ditch which traverses the eastern perimeter of the PLWTP. A representative of the applicant has indicated the proposed trail will lie within the boundaries of the ERA. As stated previously, much of the ERA east of the PLWTP is highly disturbed without vegetation. However, since the plans submitted with the application do not clearly indicate the physical relation of the trail to the ERA, Condition #2 has been attached requiring the applicants to submit revised plans indicating the location and proximity of the trail to the ERA. The plans must be reviewed and approved by the Executive Director to ensure that no existing native vegetation will be impacted. Since the proposed development, as conditioned, will not impact existing environmentally sensitive habitat, but will, in fact, enhance disturbed areas and create additional habitat, the Commission finds that the proposed development is fully consistent with Section 30240 of the Act.

5. Public Access. Section 30252 of the Act requires, among other things, that new development provide adequate parking. The proposed development is temporary in nature and does not involve the construction of any manned facilities. Construction worker parking is proposed off-site at nearby U.S. Navy property and no public parking areas will be impacted by the development. Only temporary traffic delays may occur as machinery and equipment are moved to the project site. Since no impacts to public parking are proposed and the development will not result in the need for employee parking, the Commission finds the development consistent with Section 30252 of the Coastal Act.

Sections 30211 and 30212 of the Act provide, in part, that development shall not interfere with the public's right of access to the sea, and that access should be provided in new development except, where adequate access already exists. Currently, there is no public access to the shoreline through the project site. The upland area contains the PLWTP and, below the bluff, the shoreline consists of rocky headlands interspersed with previously constructed revetments. Due to the revetments and the rocky headlands, lateral access opportunities have been relatively non-existent at the subject site since the time of plant construction. Also, due to the nature of the sewage treatment facility, public use of the area is restricted for safety reasons. With construction of the proposed water tank structures and revegetation areas, shoreline access will not be diminished beyond that which currently exists. However, adequate public access exists to the south of the subject site at the Cabrillo National Monument which encourages public access to the tip and westerly side of Point Loma. Shoreline viewing areas are available at the monument and along the access road south of the treatment plant facility, but only limited access to the shoreline is allowed because of the sensitive marine resources (tidepools) found at the base of the bluffs. Since adequate access exists nearby, no existing public access will be affected by the development and requiring public access would be inconsistent with public safety, the Commission finds the development consistent with Sections 30211 and 30212 of the Act.

6. Local Coastal Planning. Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. Such a finding can be made for the proposed development, as conditioned.

The subject sites are located within an unzoned geographic areas included in the Peninsula Community Plan segment of the City of San Diego Local Coastal Program which designates the property as Public Utility. The PLWTP properties are within an area not included in the City of San Diego's certified Local Coastal Program, and the Commission retains permit jurisdiction over the site at this time. Pursuant to the above findings, the Commission finds the proposed development to be consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, approval of the project should not prejudice the ability of the City of San Diego to implement its certified LCP or to continue developing a certifiable Master Plan for the facility.

7. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the visual resource policies of the Coastal Act. The visual impacts will be mitigated through the required landscaping plan. In addition, the project has been found consistent with the public access and biologic resource policies of the Coastal Act. 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 the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

1. Notice of Receipt and Acknowledgement. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. 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.

(6078R)

6-96-78

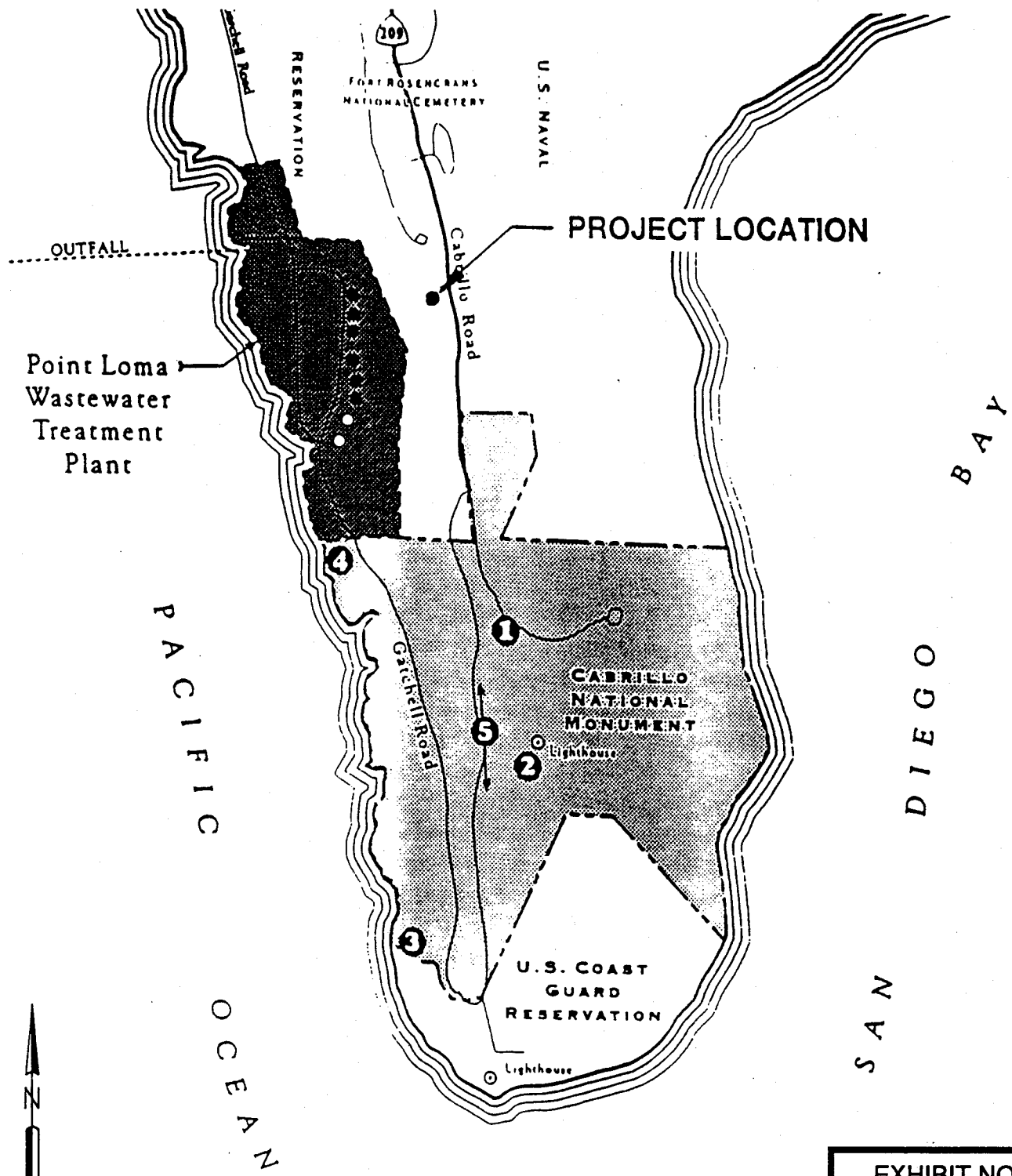


EXHIBIT NO. 1
APPLICATION NO.
6-96-78
Vicinity Map
California Coastal Commission

POINT LOMA WATER TANK AND PIPELINE PROJECT

CORRAO · BRADY GROUP
CIVIL AND ENVIRONMENTAL ENGINEERS

6-96-78

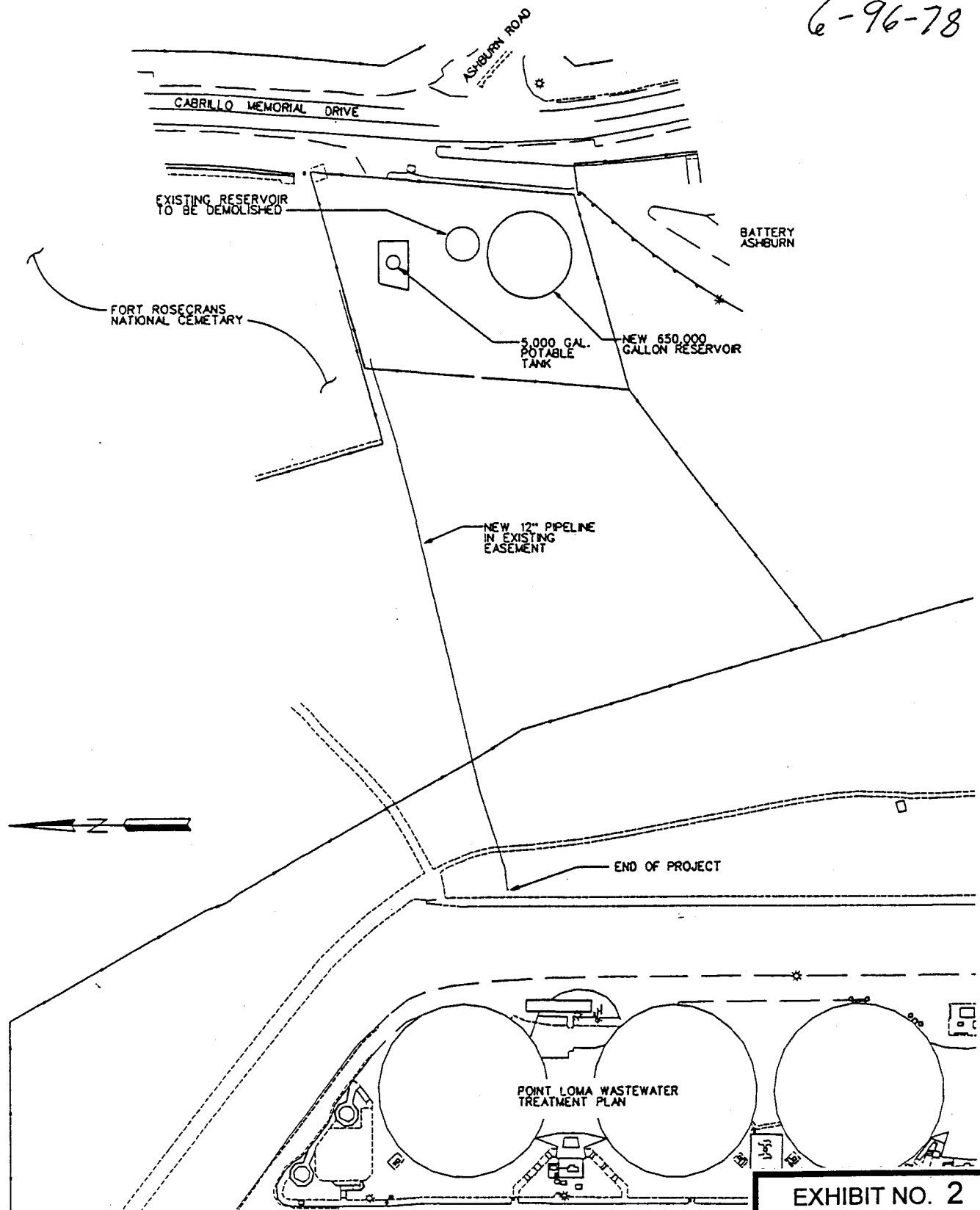


EXHIBIT NO. 2
APPLICATION NO.
6-96-78

Site Plan

CORRAO · BRADY GROUP
CIVIL AND ENVIRONMENTAL ENGINEERS

POINT LOMA WATER TANK AND PIPELINE PROJECT

California Coastal Commission

6-96-78

NATIVE REVEGETATION MAP

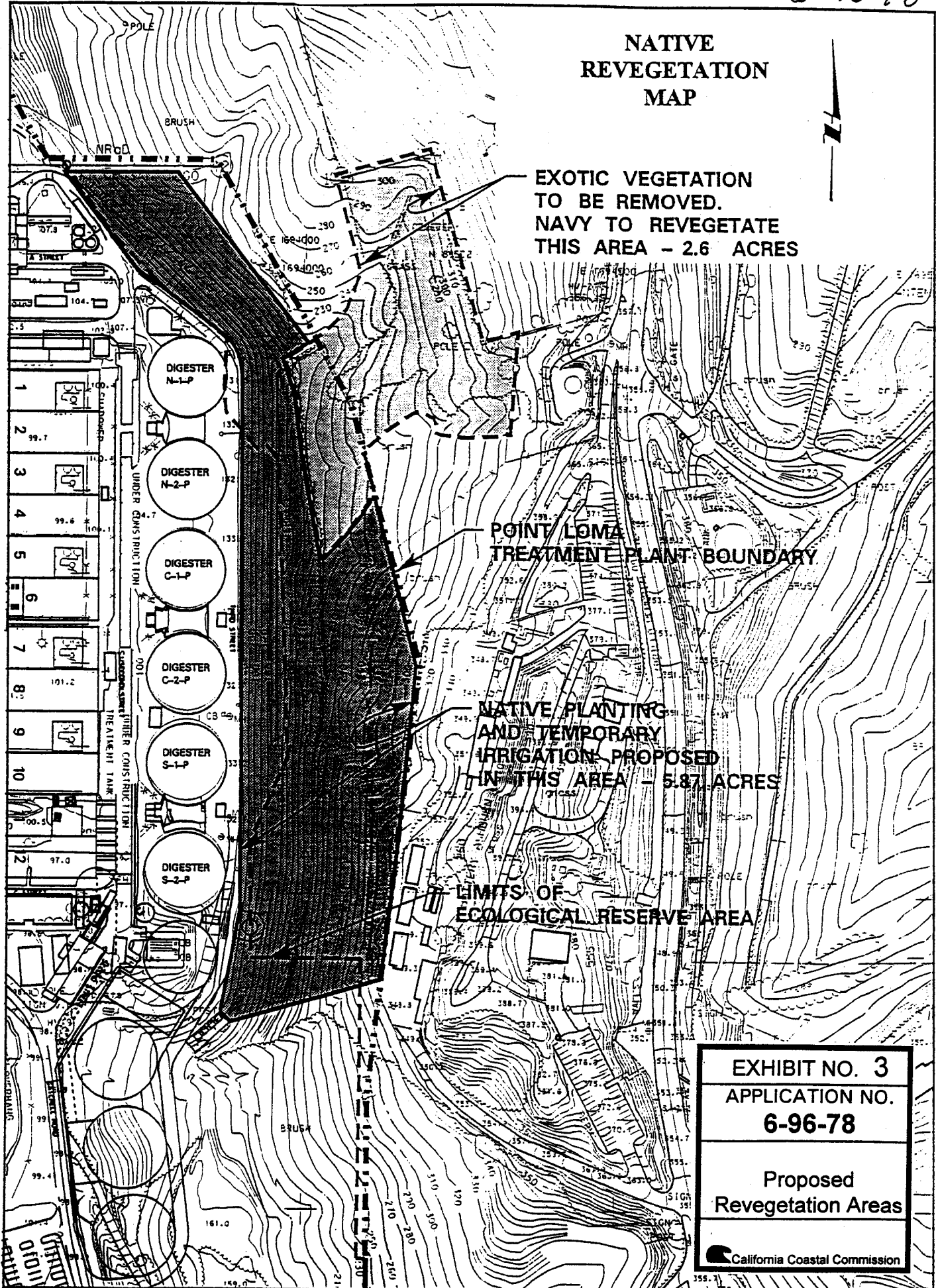


EXOTIC VEGETATION TO BE REMOVED. NAVY TO REVEGETATE THIS AREA - 2.6 ACRES

POINT LOMA TREATMENT PLANT BOUNDARY


NATIVE PLANTING AND TEMPORARY IRRIGATION PROPOSED IN THIS AREA - 5.87 ACRES

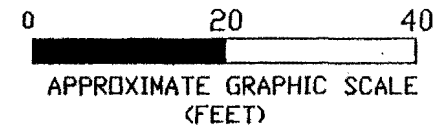
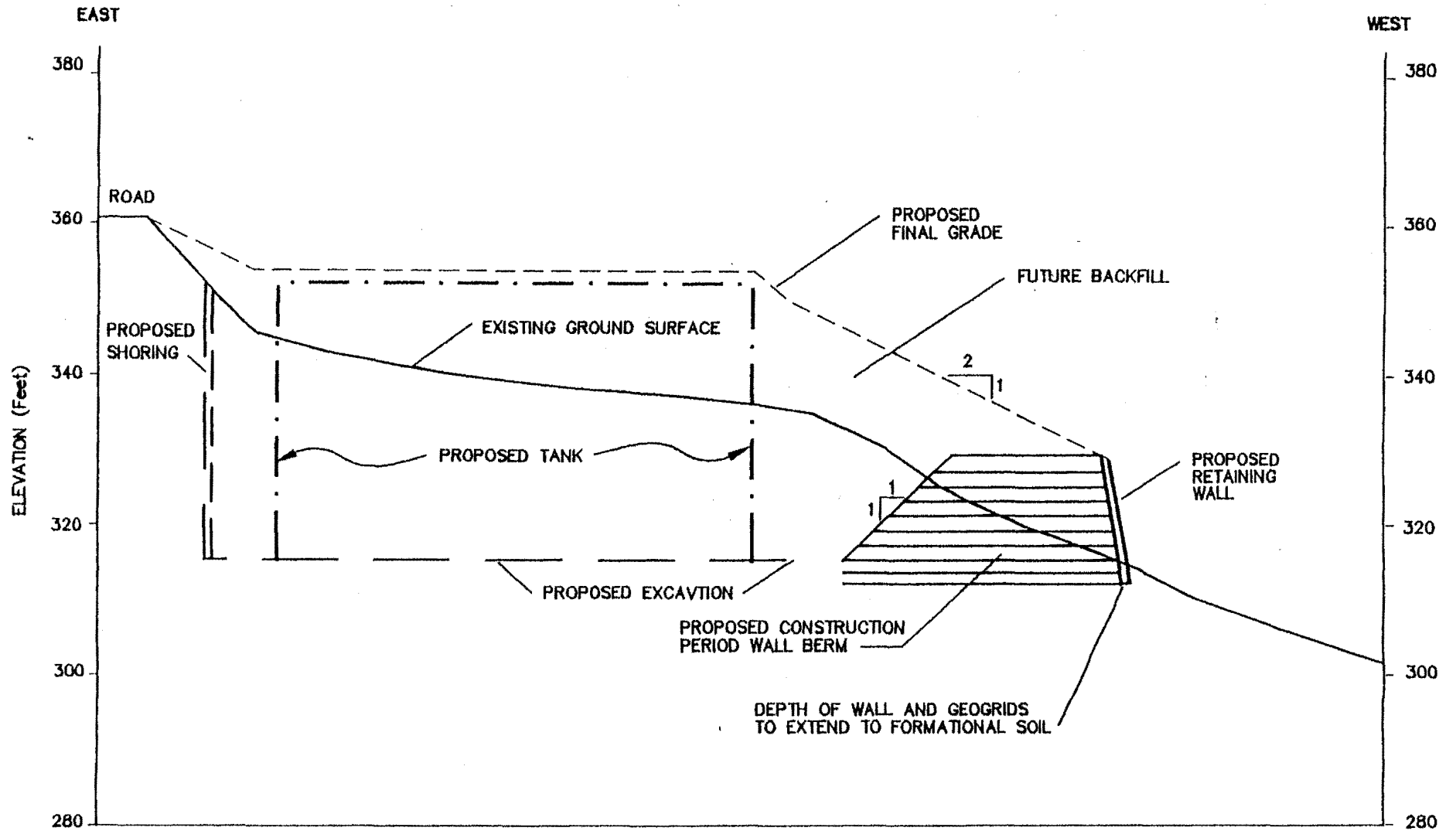
LIMITS OF ECOLOGICAL RESERVE AREA



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EXHIBIT NO. 3
APPLICATION NO.
6-96-78
Proposed Revegetation Areas
 California Coastal Commission



California Coastal Commission
 EXHIBIT NO. 4
 APPLICATION NO.
 6-96-78
 650,000-Gallon Tank
 and Retaining Wall
 Grading Plan

**PROPOSED GRADING - WATER TANK
 POINT LOMA TANK AND PIPELINE**

FN: 93-274	DRAWN BY: cb	CHECKED BY: <i>lmc</i>	PROJECT NO: 93-274	DATE: 11-6-95	FIGURE NO: 1
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