

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST AREA

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Filed: October 23, 1997
49th Day: December 11, 1997
180th Day: April 21, 1998
Staff: EL-SD
Staff Report: November 4, 1997
Hearing Date: December 9-12, 1997

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-97-118

Applicant: City of San Diego, Water
& Wastewater Facilities

Agents: Jeffrey Shoaf
Hamid Yaghouboor
Manolito Ramirez

Description: Construction of sewer system improvements, including a new 14' x 30' underground overflow tank, replacement of an existing 8" sewer line with a 12" line for a distance of approximately 107 linear feet, installation of an 8" sewer drain for a distance of approximately 35 linear feet and installation of a 10" overflow drain for a distance of approximately 35 linear feet, at the site of an existing sewer pump station.

Site: 3001 Ingraham Street (just northeast of the intersection of Ingraham Street and Ski Beach Drive), Mission Bay Park, San Diego, San Diego County. APN 760-038-04

Substantive File Documents: Certified Mission Bay Park Master Plan

STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, 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 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Construction Schedule. Prior to issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, a final construction schedule, which shall be incorporated into construction bid documents. The schedule shall specify that construction shall not occur during the summer beach season (from Memorial Day weekend through Labor day) of any year.

2. Staging Areas/Access Corridors. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, detailed plans incorporated into the construction bid documents for the location of access corridors to the construction sites and staging areas. Access corridors and staging areas shall be located in a manner that has the least impact on public access via the maintenance of existing public parking areas and traffic flow on coastal access routes (Ingraham Street, in this instance). Use of public parking areas for staging/storage areas shall be minimized to the extent possible.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description/Visual Resources. The City of San Diego is proposing construction of an underground storage tank nearby an existing sewer pump station to accommodate emergency overflow situations. The tank will provide temporary storage area for sewage flows during times of peak flow or when the City's sewage system is otherwise overburdened. Associated sewer line extensions to connect the underground facility with the existing pump station are included in the proposal, along with the replacement of an existing 8" sewer line (to be abandoned in place) with a 12" line running from south of the existing pump station to an existing manhole in Ski Beach Drive. The two connecting pipelines will be 35 feet in length, and the upsized 12" sewer line will run for a distance of 107 linear feet. This development creates an enclosed system to accommodate excess flows; no new discharge points are herein proposed, and all flows into the overflow reservoir are recirculated back to the pump station and into existing facilities.

Section 30251 of the Coastal Act provides for the protection of scenic coastal areas and for the compatibility of new and existing development. The proposed sewer system improvements will all be located underground, so the only visual impacts will be temporary ones due to project construction. The site is located adjacent to a major coastal access route through Mission Bay Park, Ingraham Street, and at the entrance to the Ski Beach area of the park, which is on the east side of Vacation Isle. Ski Beach's public amenities include a boat launching ramp, waterski take-off and landing areas, swimming beaches, grassy play areas, restrooms, picnic tables/ramadas and a tot lot, which makes it a popular recreational destination, especially in summer. However, Special Condition #1 prohibits construction during the summer beach season, so the

short-term visual impacts associated with construction will be limited to those times of year when beach visitors are less numerous. Therefore, the Commission finds that the temporary visual impacts are being appropriately minimized, and the proposed development, as conditioned, is consistent with Section 30251 of the Act.

2. Public Access and Recreation. Many policies of the Coastal Act address the protection and enhancement of public access to the shoreline and the maintenance of public recreational opportunities. In particular, Section 30211 and 30223 provide that development shall not interfere with public access to the sea and that upland areas needed to support coastal recreation, such as public parking lots, shall be protected and maintained. In addition, Section 30604(c) requires a specific access finding for any development located between the first public road and the sea, which applies to any area within Mission Bay Park.

In this particular instance, the completed development, consisting entirely of subterranean improvements, will not affect public access in any way. It is only construction activities which have the potential to adversely affect public access, either by interfering with existing transportation patterns on public streets or by usurping public parking areas. The special conditions adequately address these concerns. Special Condition #1 prohibits construction activities during the summer beach season when park attendance is at its highest and conflicts between construction and recreational activities are most likely to occur.

Special Condition #2 requires the applicant to identify staging areas and access corridors, and to locate these in a manner which maintains traffic flow on Ingraham Street and preserves the maximum number of public parking spaces. Public parking lots on the east side of Vacation Isle are extensive, with many large/double spaces designed to accommodate cars pulling boats and recreational vehicles. Moreover, the actual project site is located several hundred feet distant from the water's edge and most of the previously-identified public amenities of Ski Beach. Except during summer and the Thunderboat races in mid-September, large areas of the parking lots remain vacant much of the time. Because construction can only occur outside the summertime, the potential use of a few parking spaces in the area of the parking lots closest to the existing sewer pump station should not adversely impact public access. Therefore, the Commission finds the proposed development, as conditioned, consistent with the cited Coastal Act policies, and with all other public access and recreation policies as well.

3. 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. As conditioned, such a finding can be made for the proposed project.

The east side of Vacation Isle is designated as Parkland in the certified Mission Bay Park Master Plan; this designation is applied to most turf and

beach areas, where general shoreline recreational activities are intended to occur. The City has not completed an implementation plan for the park, so the park remains under Coastal Commission permit authority as an area of deferred certification. However, most of Mission Bay Park, which was primarily built on filled tidelands, will remain under the Commission's original jurisdiction even after an implementation plan has been certified.

Sewer pump stations are components of the City's infrastructure, and are found throughout the City within all underlying land use and zoning categories. Thus, the system improvements proposed herein are consistent with the Parkland designation. In addition, as conditioned, the improvements have been found consistent with all applicable Chapter 3 policies of the Coastal Act. The Commission, therefore, finds that project approval should not prejudice the ability of the City of San Diego to complete a certifiable implementation program for Mission Bay Park.

4. 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 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.

As discussed herein, the proposed project will not cause significant adverse impacts to the environment. Specifically, the project, as conditioned, has been found consistent with the public access and visual resource policies of the Coastal Act. 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.

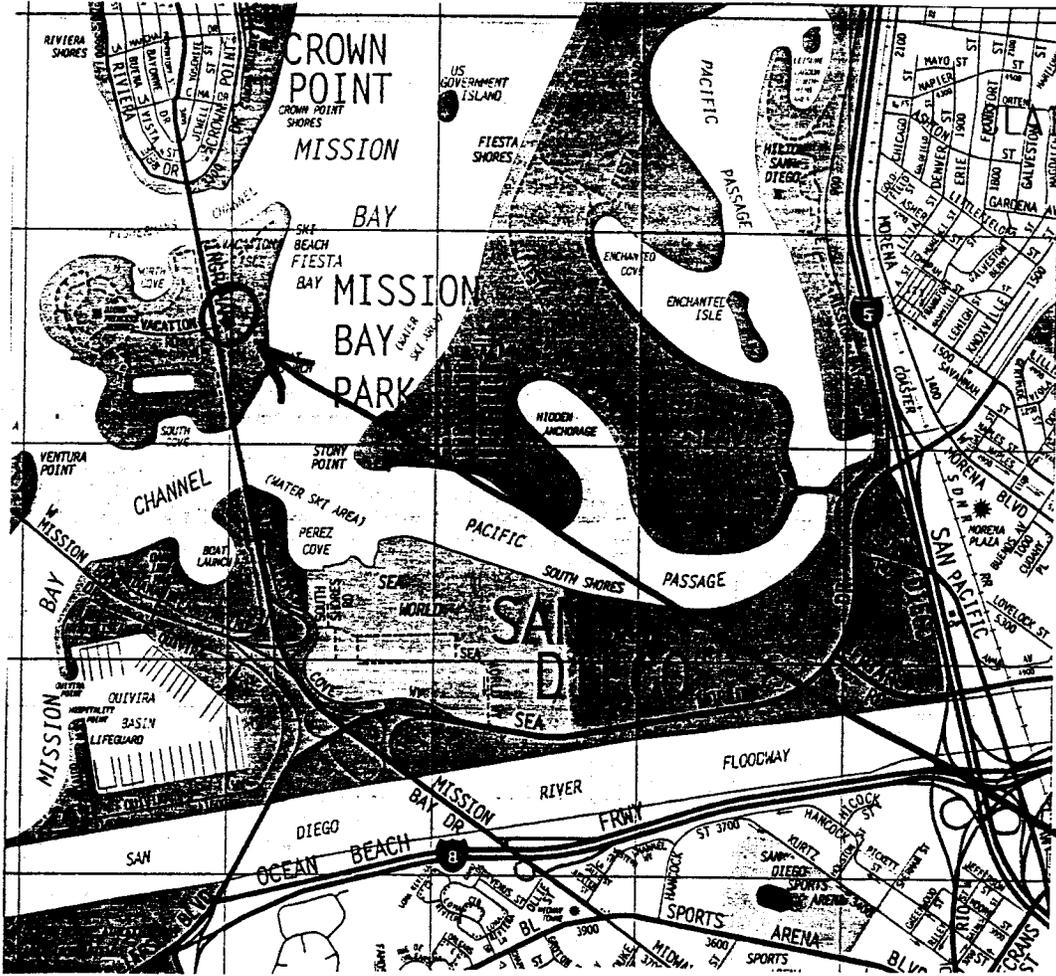
STANDARD CONDITIONS:

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.

(7118R)

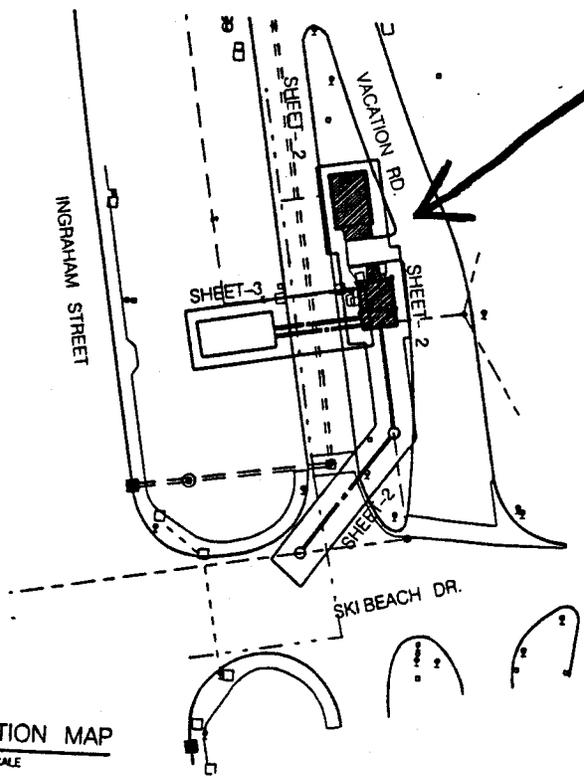
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Site

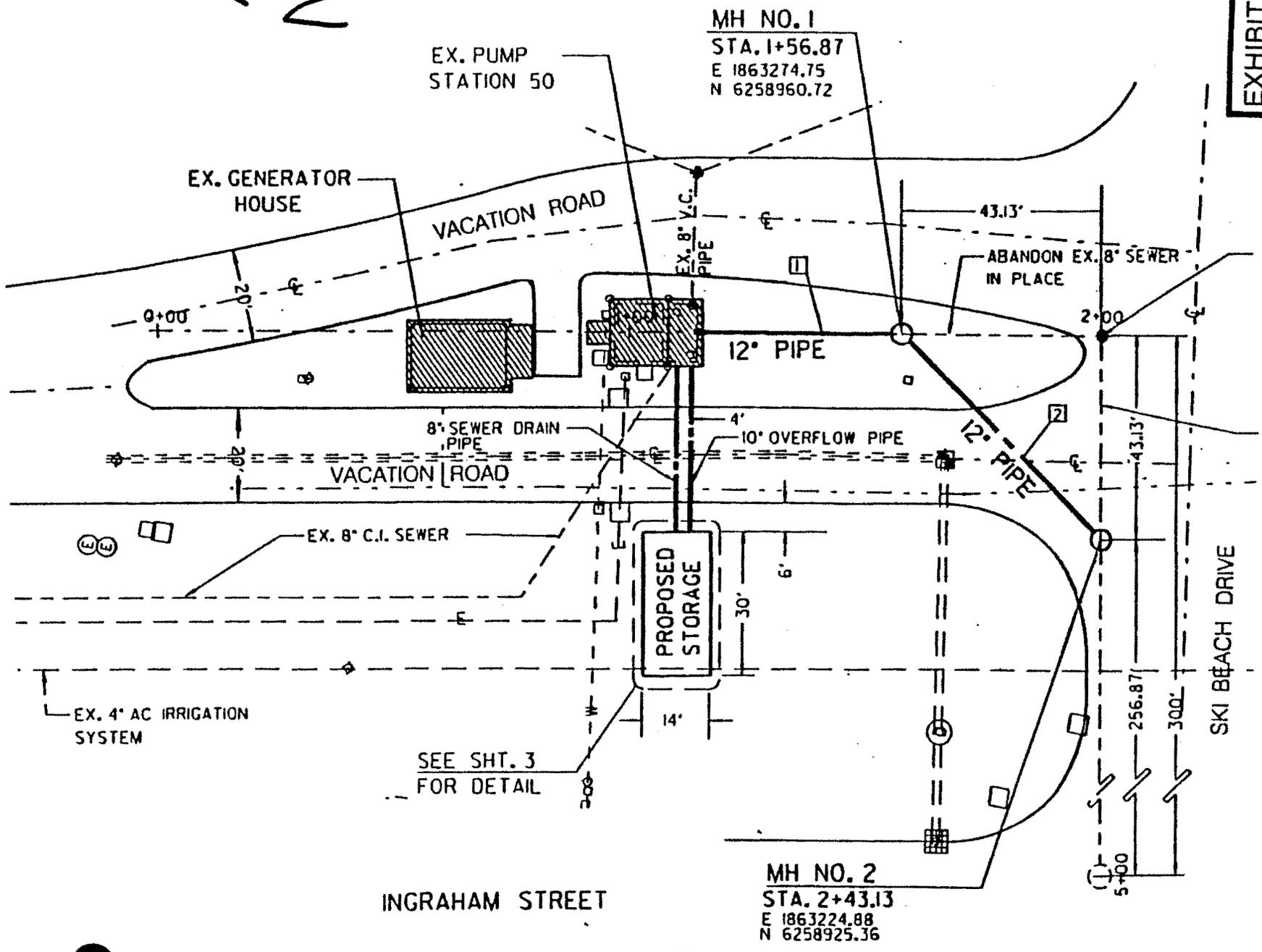
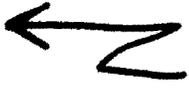


LOCATION MAP
NOT TO SCALE



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| EXHIBIT NO. 1 |
| APPLICATION NO. 6-97-118 |
| Vicinity Maps |
| California Coastal Commission |

6-97-118



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| EXHIBIT NO. 2 |
| APPLICATION NO. 6-97-118 |
| Site Plan |
| California Coastal Commission |

