

CALIFORNIA COASTAL COMMISSION

NORTH COAST AREA
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
(415) 904-5260

Th 5aPage: 1 of 9 pagesDate: March 21, 1997Permit Application No. **1-97-12****ADMINISTRATIVE PERMIT**

**APPLICANT: CITY AND COUNTY OF SAN FRANCISCO
RECREATION AND PARK DEPT.**

PROJECT DESCRIPTION: Restore public access and recreational facilities along the shoreline of the North Lake portion of Lake Merced, including: (1) regrading and realigning pathways to improve drainage and provide access for wheel chairs; (2) restoring existing retaining walls, catch basins, and drainage pipes; (3) replacing steps that provide access to existing fishing piers with wheel chair accessible ramps and new steps; (4) removing two existing fishing piers and restoring the shoreline, (5) reconstructing stormwater ourfalls, and (6) extending an existing concrete boat ramp.

PROJECT LOCATION: Along the shoreline of the North Lake basin of Lake Merced, off of Skyline Boulevard, in the City and County of San Francisco (APN 44-7283-01).

EXECUTIVE DIRECTOR'S DETERMINATION: The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C. Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.

This permit will be reported to the Commission at the following time and place:

Date: Thursday, April 10, 1997
Time: Meeting begins at 9:00 a.m., Item 5a
Place: Waterfront Hilton Beach Resort
21100 Pacific Coast Hwy
Huntington Beach

Tel. No. (714) 960-7873

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director



By: Robert Merrill

Title: Coastal Planner

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 this permit is reported to the Commission. 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 in the application for permit, subject to any special conditions 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 project during its development, 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.

EXECUTIVE DIRECTOR'S DETERMINATION (continued):

The Executive Director hereby determines that the proposed development is a category of development which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to Standard and Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act. If located between the nearest public road and the sea, this development is in conformity with the public access and public recreation policies of Chapter 3.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION:1. Project/Site Description

The San Francisco Recreation and Park Department proposes to restore public access and recreational facilities along the shoreline of the North Lake portion of Lake Merced. The improvements are designed to replace facilities that are deteriorating or do not meet accessibility standards for wheel chair users, and eliminate current safety hazards which have resulted from shoreline erosion and a drop in the water level of Lake Merced.

Lake Merced is located in the coastal zone within the Commission's retained jurisdictional area. Historically, Lake Merced was a coastal lagoon with a direct connection to the Pacific Ocean through a narrow channel that entered the ocean near the current Sloat Boulevard. By 1880, the channel was filled in both by longshore transport processes and human intervention, changing Lake Merced into a freshwater lake.

Lake Merced is used for many beneficial purposes. The Spring Valley Water District developed Lake Merced as a potable water supply for San Francisco in the 1870's. Although the Hetch Hetchy water system and other sources have replaced Lake Merced as the City's main source of potable water, the lake is still considered to be an emergency source of both potable water and water for fire-fighting. The Spring Valley Water District eventually sold Lake Merced to the City of San Francisco in 1930, which has managed the lake as an emergency water supply ever since. In 1950, jurisdiction over the surface of the lake was granted to the San Francisco Recreation and Park Department to develop beneficial recreational uses at the lake while still maintaining its status as an emergency water supply. Today, the lake is used by thousands of people for various coastal recreational pursuits including fishing and boating, wind-surfing, jogging, picnicking, bicycling and bird watching. Other recreational uses related to aesthetic enjoyment occur on surrounding lands, such as shooting and golfing at several golf courses.

Besides its value as an emergency water supply source and for coastal recreation, Lake Merced also provides important habitat for wildlife. Fish and wildlife species are extensive at Lake Merced, including a variety of fish, vegetation, birds, amphibians, mammals and reptiles. Trout are stocked by the California Department of Fish and Game, and warm water fish are also present. A total of sixteen special-status wildlife species are known to occur or have potential to occur at Lake Merced.

Lake Merced is a surface expression of the Westside Basin aquifer, meaning among other things, that the lake is fed largely by ground water that seeps into the lake from the surrounding underground aquifer. The Westside Basin aquifer extends from north of Golden Gate Park to the San Francisco International Airport. Portions of the aquifer currently are in a state of overdraft, meaning that withdrawals of water from the system exceed ground water recharge. At the same time, Lake Merced has been experiencing a sharp drop in lake levels, dropping from approximately 22 feet in 1984 to 14 feet in 1994.

The specific improvements proposed include nine principal components. All of the development is proposed along the southwest shoreline of North Lake, one of the three lake basins that collectively form Lake Merced.

First, existing wood retaining walls that lined portions of the former shoreline of the lake before the drop in the level of the lake, would be removed. In their place, and elsewhere along portions of the pathways, the City would construct new dry stack stone walls to retain the hillside that consist of large boulders stacked on top of each other generally two deep, and placed at an approximately 1:1 slope. The affected retaining walls and the dry stack stone walls are shown in Exhibit 4 of this report, each labeled with the number 1.

Second, the existing paths leading to the picnic area and piers would be regraded, realigned, and resurfaced. The resurfacing would be performed in such a manner that stormwater run-off would be directed onto adjacent grassy areas to minimize the amount of storm water which drains directly into the lake as a water quality enhancement. The existing pathways to be reconstructed are shown in Exhibit 4, each labeled with the number 2.

Third, several new pathways designed to Americans with Disabilities Act (ADA) standards would be constructed to provide better wheelchair access to picnic facilities and an existing fishing pier. The new pathways are shown in Exhibit 4, each labeled with the number 3.

Fourth, two sets of hazardous concrete steps that extend from pathways down to two existing wooden fishing piers would be removed and replaced with steps and landings built into the shoreline and handrails. The steps leading to the middle fishing pier would be replaced by a wooden walkway meeting ADA standards. The steps to be replaced or removed are shown in Exhibit 4, each labeled with the number 4.

Fifth, two of the existing wooden fishing piers that no longer provide adequate access to lake waters due to dropping lake levels and which present certain safety hazards would be removed. As noted above, new steps and landings would be constructed in their place to provide access to the shoreline. The two fishing piers to be removed are shown in Exhibit 4, labeled with the number 5.

Sixth, the parking lot would be improved with speed bumps, traffic striping, and new medians to improve both auto and pedestrian safety. The parking lot is shown in Exhibit 4, labeled with the number 6.

Seventh, a concrete pad at the existing boat ramp would be replaced. The boat ramp is shown in Exhibit 4, labeled with the number 7.

Eighth, a total of eight storm drains with outfalls would replace existing drainage facilities. The head end of the drains would be equipped with catch basins to allow sediment and debris to settle out before discharge through generally 10-inch-in-diameter drain pipes buried underground. The outfalls would discharge to an area of crushed rock bedding placed just under the grade

of the lake bottom. An approximately 15-foot-long by 5-foot-wide bed of 15-18-inch-in-diameter large rocks would overlay the crushed rock bedding at the grade of the lake bottom. A detail of a typical storm drain is shown in Exhibit 4.

Finally, an existing concrete boat ramp would be extended down to the water's edge of the lake as it exists at its current level.

The project site is bisected by the boundary between the Commission's jurisdiction and the coastal jurisdiction of the City and County of San Francisco. Therefore, portions of the proposed project are outside of the Commission's jurisdiction. The City has determined that the portions of the project within its jurisdiction are exempt under its LCP from coastal development permit requirements.

2. Dredging and Filling of Coastal Waters.

Part of the proposed project involves extending the existing concrete boat ramp down to the lower lake levels that currently exist at the lake. The lower portion of the extension, the portion that actually extends into the lake would be a form of structural fill in coastal waters. In addition, portions of the eight new or reconstructed stormdrain outfalls would extend below the southwestern edge of North Lake. To install the lines, trenches would be excavated, pipelines would be installed, a bed of crushed rock would be placed just under the grade of the lake bottom, and a layer of large rock boulders would cover the bed of crushed rock at lake bottom grade level. The excavation work and placement of the pipe, backfill, and rock constitutes dredging and filling of a coastal waters.

Coastal Act Section 30233(a) allows dredging and the placement of structures or other fill in coastal waters, wetlands, and estuaries, but only when the purpose of the project is for one of the eight allowable uses stated in Section 30233(a), where feasible mitigation measures have been provided to minimize adverse environmental effects, and where there is no feasible less environmentally damaging alternative. Additionally, Coastal Act Section 30231 requires that new development not adversely impact the biological productivity of coastal waters.

a. Permissible Use:

The proposed boat ramp extension qualifies under Section 30233(4) as a permissible use for fill, as an expanded boating facility. The proposed outfall construction qualifies under Section 30233(a)(5) as a permissible use for fill, for "incidental public service purposes," because the project is a necessary component of a system for carrying stormwater runoff from the park facilities at Lake Merced. Section 30233(a)(5) specifically mentions pipes and outfall lines as types of development associated with incidental public service purposes.

b. Feasible Mitigation Measures:

The area to receive the fill consists of a muddy lake bottom. A total of approximately 600 square feet of this habitat would be permanently displaced by the rock layer to be installed over the underground discharge points. The portions of the lake bottom excavated for the pipelines would be only temporarily disturbed, as some of the excavated bottom material would be backfilled over the pipeline trenches after the pipelines have been installed, allowing the muddy lake bottom habitat to reform above the pipelines. The muddy lake bottom provides habitat for various kinds of invertebrates. In the locations where the pipelines would be backfilled, it is expected that invertebrates would quickly recolonize. The rock cover for the discharge beds would permanently displace muddy bottom habitat. However, the new rock that is proposed may provide habitat for other kinds of invertebrates such as barnacles and mussels. Rocky habitat of this type is less abundant in the lake than the muddy bottom habitat and creating the habitat as part of the project may increase biological diversity. The extension of the concrete boat ramp would similarly cover muddy bottom habitat. The sides of the ramp may provide some offsetting rocky habitat to offset for the loss of muddy bottom, although the top of the ramp would probably not, as it would be scoured by the launching of boats. Nonetheless, the impact on muddy bottom habitat is not significant as the total additional coverage of lake bottom is only approximately 100 square feet. Therefore, the Executive Director finds that no additional mitigation is necessary for both the minor temporary and permanent displacement of bottom habitat by the outfall and boat ramp extension construction.

Various species of waterfowl are known to nest in marshy areas of Lake Merced. According to the staff of the Department of Fish & Game, some of these nesting sites may be near the project site. To avoid disturbance of nesting waterfowl, the Fish & Game staff has recommended that project construction not start before June 1 to avoid the nesting season. In addition, to avoid excessive sedimentation of lake waters from construction, the Fish & Game staff has recommended that work not occur during the rainy season, from October 15 to April 15. Accordingly, the Executive Director has attached Special Condition No. 1, which limits the construction season in accordance with the recommendations of the Department of Fish & Game.

Demolition of two existing fishing piers and other portions of the existing development at the site may cause debris to enter the waters of Lake Merced, which could adversely affect water quality and recreational activities. The Executive Director therefore attaches Special Condition No. 2 to the permit which requires that all debris be removed from the site upon completion of the project, and that placement of the debris in the coastal zone at a location other than in a licensed landfill will require a coastal development permit.

The Executive Director finds that as conditioned, the proposed project would provide feasible mitigation measures to minimize adverse environmental effects of the project.

c. Project Alternatives:

No feasible alternatives to the proposed project resulting in less environmental damage have been identified. The outfall construction work in the lake is necessary to handle drainage from the public access area. As proposed, the outfall design would minimize impacts to the Lake. By burying the outfall pipelines under the bottom of the lake, and by discharging to a crushed rock bed placed below the surface of the lake bottom, the design minimizes the total amount of net new fill in the lake. By simply extending the boat ramp as proposed to reach the lower water levels of the lake, the project avoids more extensive fill in the lake that would be required to construct a new ramp in a different location. Therefore, the Executive Director finds that there are no feasible less environmentally damaging alternatives to the proposed project.

3. Public Access.

Coastal Act Sections 30210, 30211, and 30212 require the provision of maximum public access opportunities, except where adequate access exists nearby, or where the provision of public access would be inconsistent with public safety. Coastal Act Section 30211 specifically states that development shall not interfere with the public's right of access to the sea where acquired through use. In applying these policies, however, the Commission is limited by the need to show that any required public access is necessary to offset a project's adverse impact on existing or potential public access.

The proposed project would benefit public access in that it will enhance and restore public access and recreational facilities at Lake Merced, a public park facility. As the project will benefit public access, the Executive Director finds that the proposed project is in conformance with the public access policies of the Coastal Act.

4. California Environmental Quality Act (CEQA).

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as modified by any conditions of approval, 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 above, alternatives have been considered and the project has been mitigated to avoid or minimize impacts on coastal resources, specifically to nesting waterfowl, water quality, and recreational activities. Therefore, the project, as conditioned, will not result in a significant adverse effect on the environment within the meaning of CEQA.

SPECIAL CONDITIONS:

1. Limits of Work Season

All construction activities shall be limited to the period of the year between October 15 and June 1 to minimize adverse impacts to nesting waterfowl during the spring and to avoid excessive sedimentation of lake waters during the winter from stormwater runoff through the construction site.

2. Debris Removal

All debris shall be removed from the site upon completion of the project. Placement of the debris in the coastal zone at a location other than in a licensed landfill will require a coastal development permit.

ACKNOWLEDGMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS:

I/We acknowledge that I/we have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

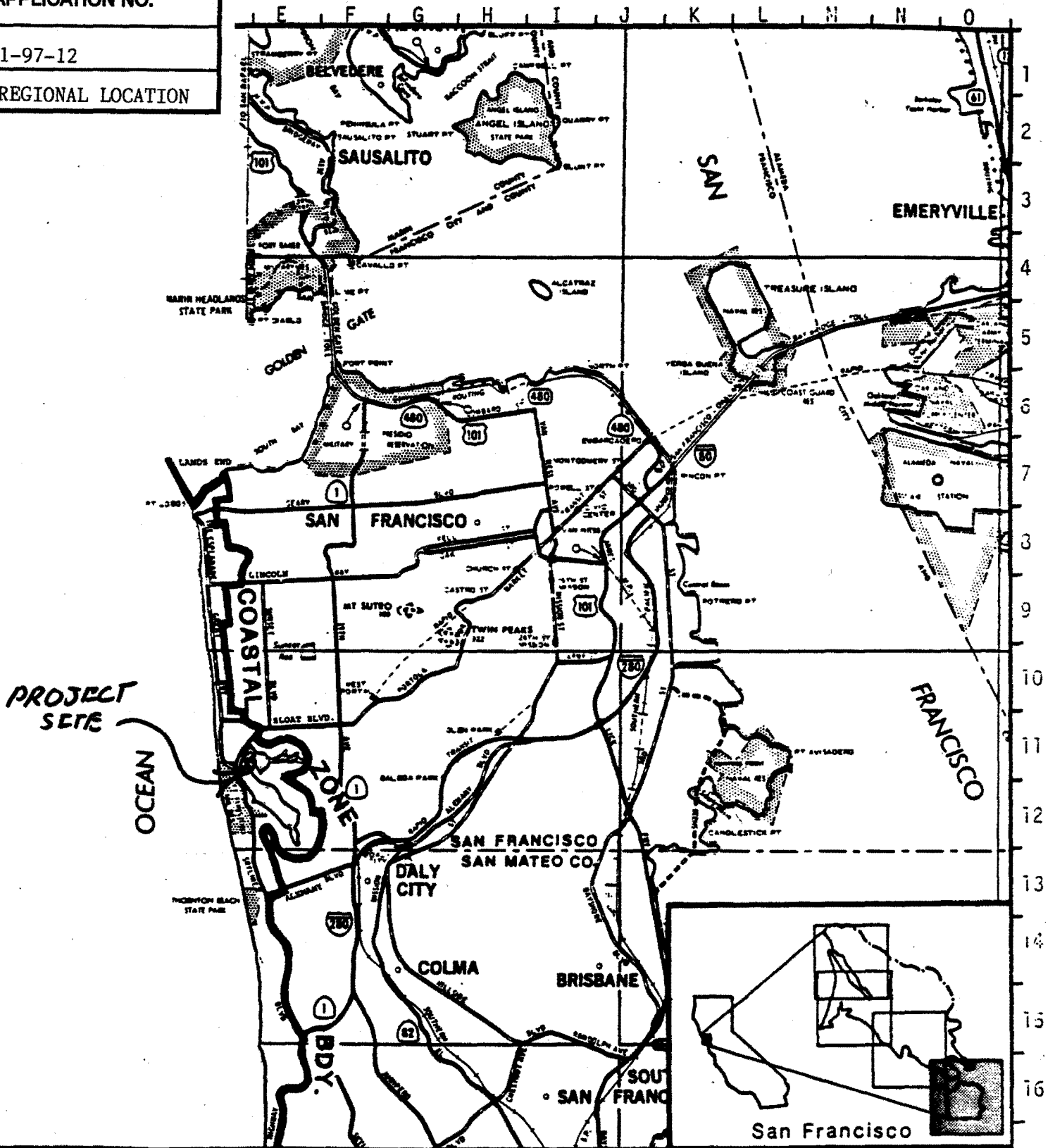
Date of Signing

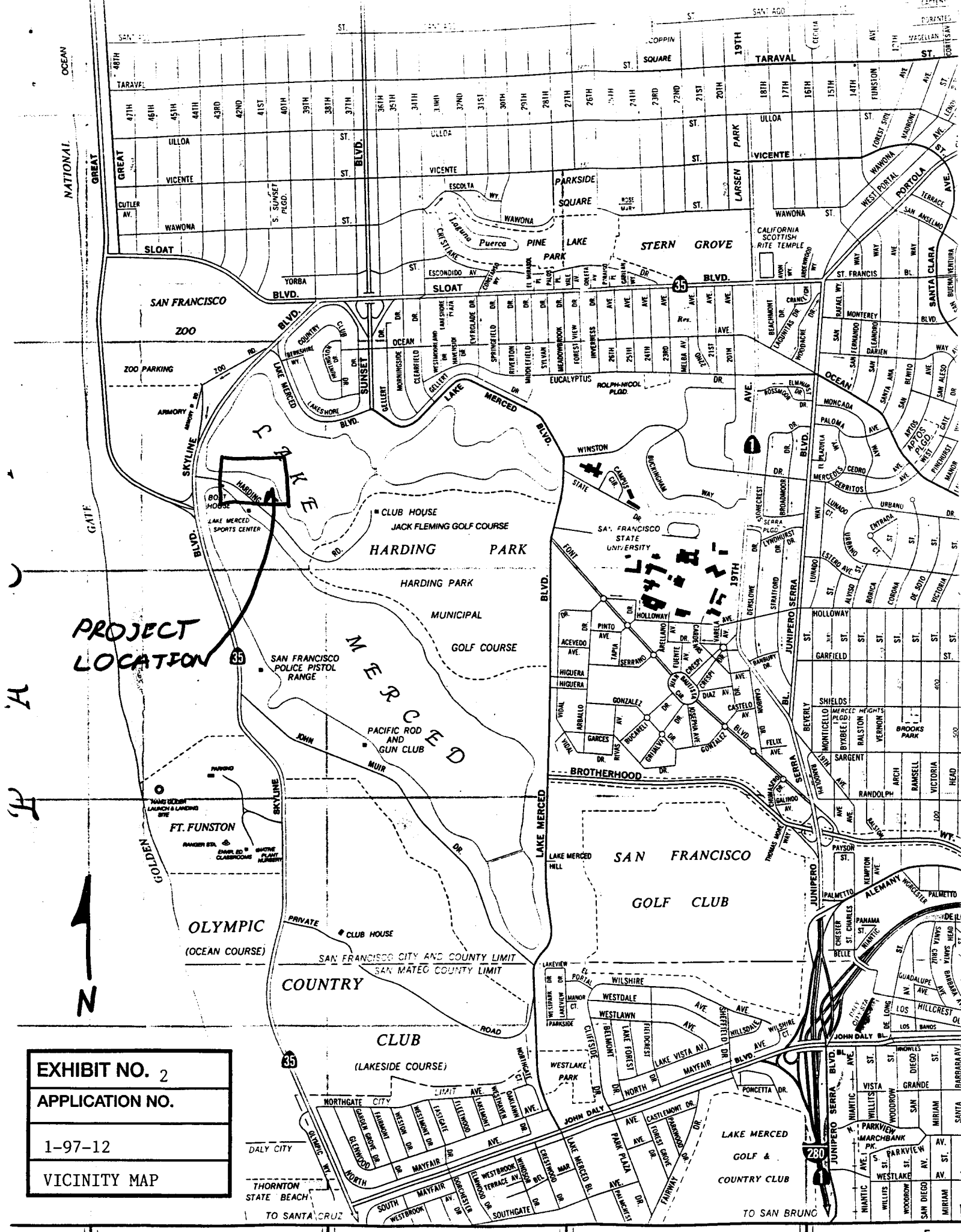
EXHIBIT NO. 1

APPLICATION NO.

1-97-12

REGIONAL LOCATION



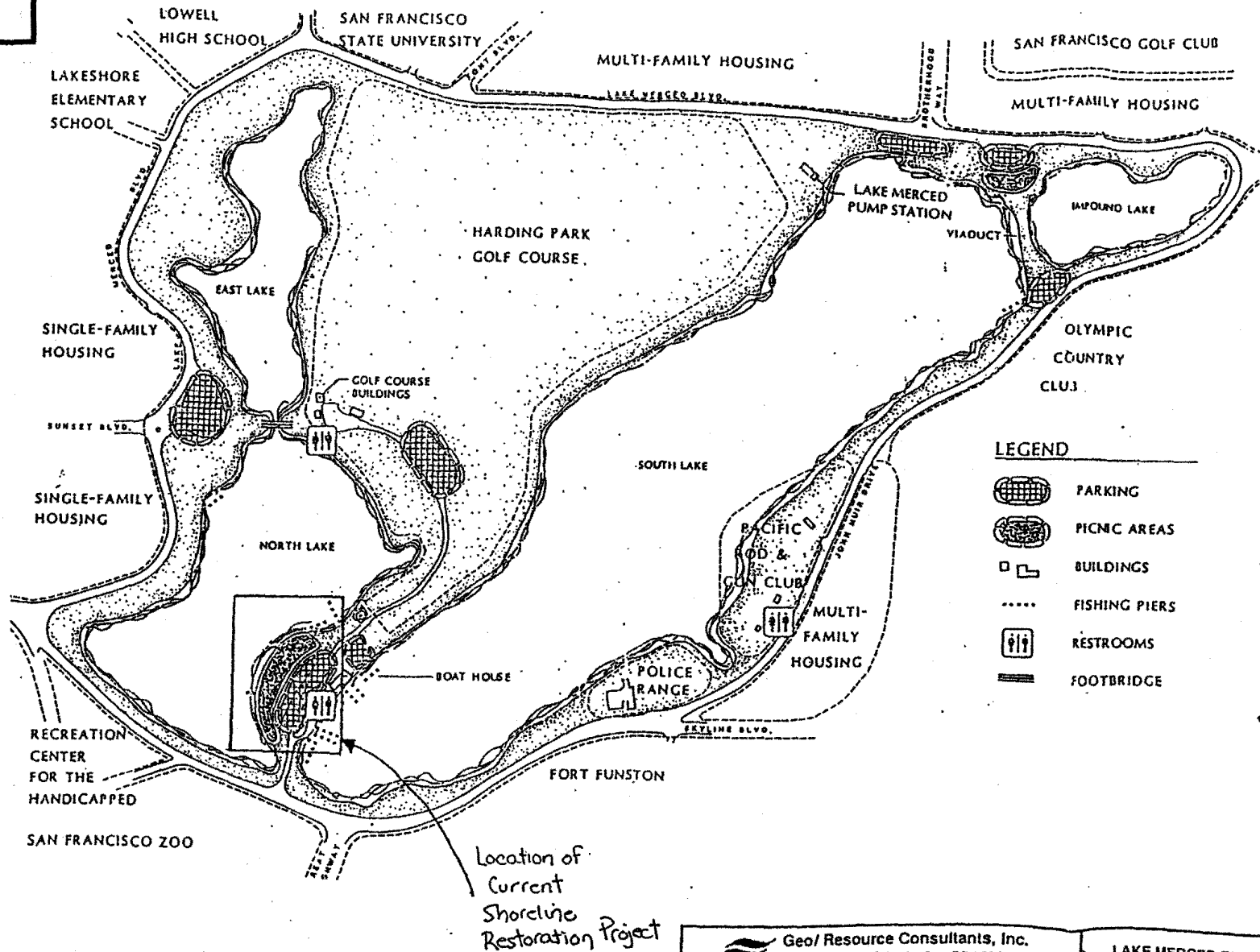


PROJECT
LOCATION

EXHIBIT NO. 2
APPLICATION NO.
1-97-12
VICINITY MAP

EXHIBIT NO.	3
APPLICATION NO.	
1-97-12	
LOCATION	

ATTACHMENT 1 PROJECT LOCATION



REFERENCE: Lake Merced Recreation and Open Space Master Plan, Draft, June 1990 City and County of San Francisco

Geo/Resource Consultants, Inc.
 GEOLOGISTS / ENGINEERS / ENVIRONMENTAL SCIENTISTS
 505 BEACH STREET, SAN FRANCISCO, CALIFORNIA 94133

Job No. 1756-001 Appr. *ELV* Date 2/18/93

LAKE MERCED EXISTING LAND USES
 LAKE MERCED WATER RESOURCE
 PLANNING STUDY
 SAN FRANCISCO, CALIFORNIA

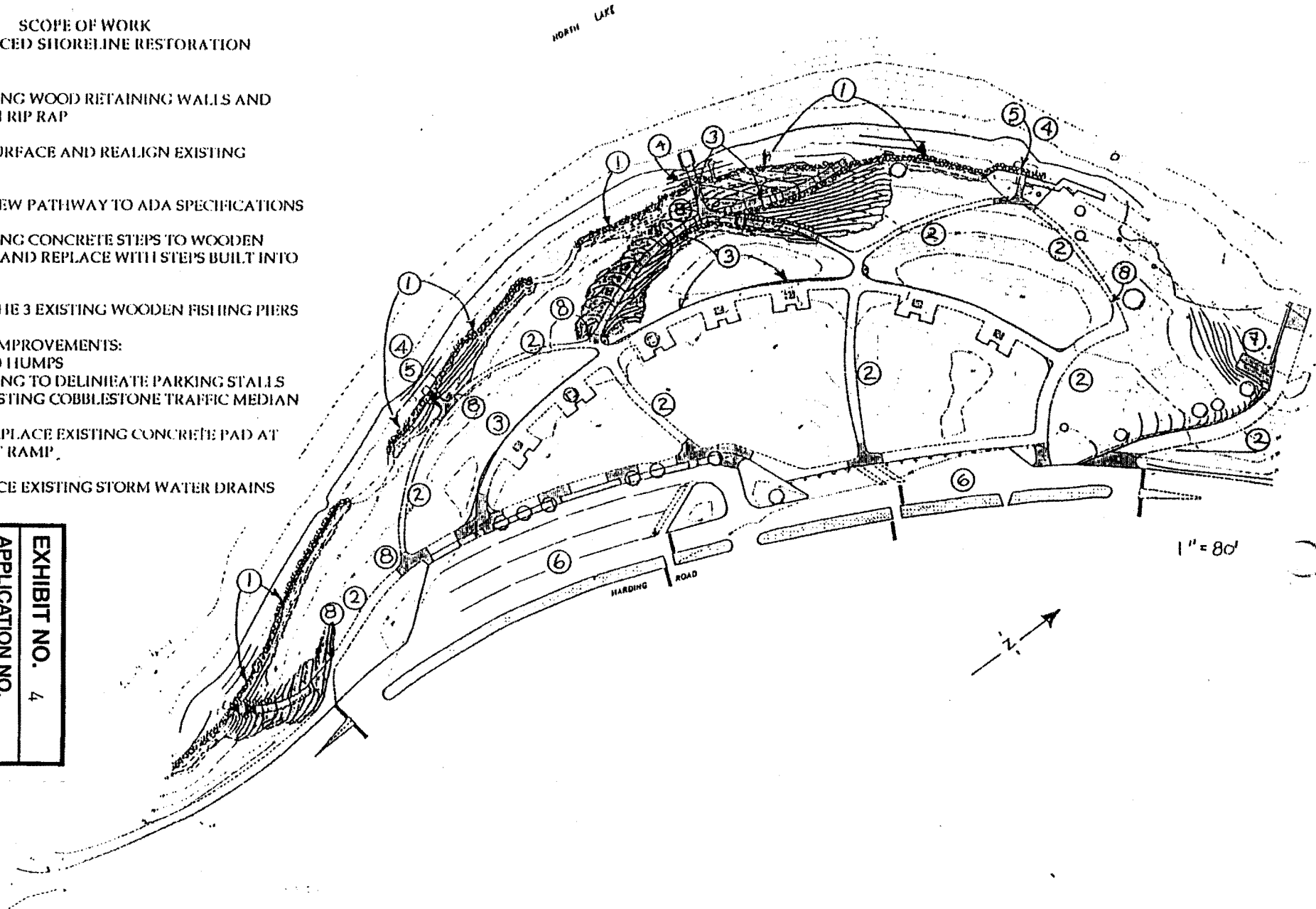
FIGURE
 2-2

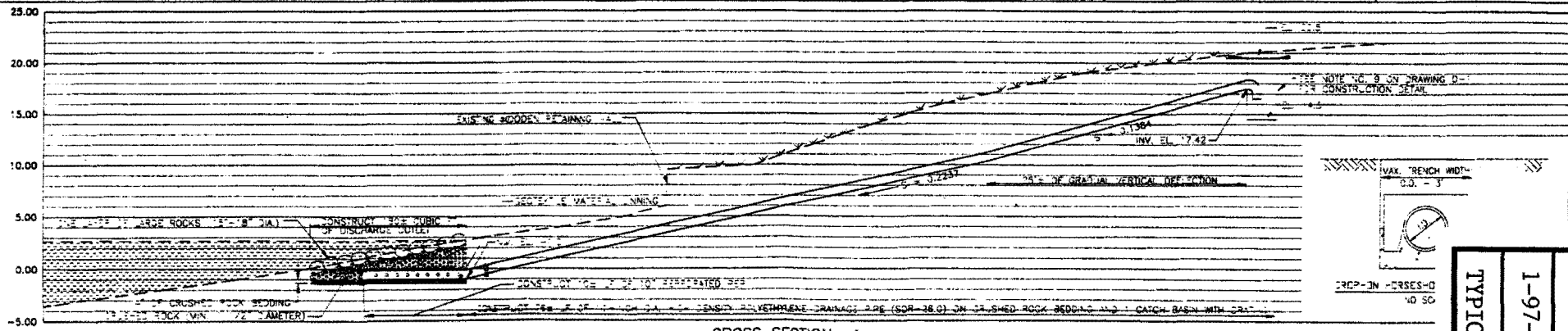
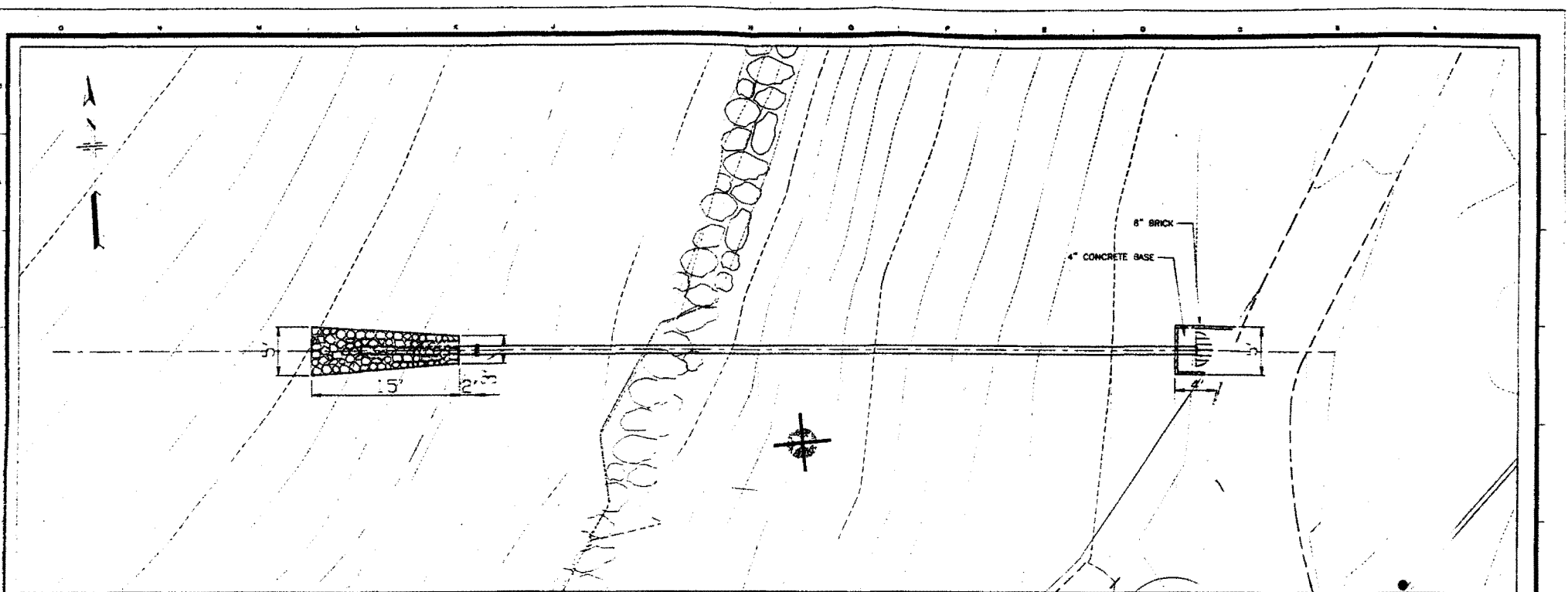
ATTACHMENT 3 SCOPE OF WORK

SCOPE OF WORK LAKE MERCED SHORELINE RESTORATION

1. REMOVE EXISTING WOOD RETAINING WALLS AND REPLACE WITH RIP RAP
2. REGRADE, RESURFACE AND REALIGN EXISTING PATHWAYS
3. CONSTRUCT NEW PATHWAY TO ADA SPECIFICATIONS
4. REMOVE EXISTING CONCRETE STEPS TO WOODEN FISHING PIERS AND REPLACE WITH STEPS BUILT INTO SHORELINE
5. REMOVE 2 OF THE 3 EXISTING WOODEN FISHING PIERS
6. PARKING LOT IMPROVEMENTS:
INSTALL SPEED HUMPS
TRAFFIC STRIPING TO DELINEATE PARKING SPOTS
CONTINUE EXISTING COBBLESTONE TRAFFIC MEDIAN
7. REPAIR AND REPLACE EXISTING CONCRETE PAD AT EXISTING BOAT RAMP
8. REPAIR/REPLACE EXISTING STORM WATER DRAINS

EXHIBIT NO. 4
APPLICATION NO.
1-97-12
SCOPE OF WORK





CROSS SECTION

DESIGNED: DATE ED 1/97 DRAWN: DATE GY 1/97 CHECKED: DATE MK 1/97	APPROVED SECTION MANAGER DATE DIVISION MANAGER DATE	SCALE: 1" = 5' SHEET OF SHEETS 2 OF 9	LAKE MERCED 3-OCELINE RESTORATION CATCH BASIN AND DRAINAGE PLAN AND PROFILE
<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="width: 15%;"> <p>REFERENCE INFORMATION & FILE NO. OF SURVEY</p> </div> <div style="width: 30%; text-align: center;"> <p>BUREAU OF ENGINEERING DEPARTMENT OF PUBLIC WORKS CITY AND COUNTY OF SAN FRANCISCO</p> </div> <div style="width: 50%; text-align: right;"> <p>EXHIBIT NO. 5</p> <p>APPLICATION NO.</p> <p>1-97-12</p> <p>TYPICAL OUTFALL</p> </div> </div>			