

F 3a

NORTH CENTRAL COAST DISTRICT

ADMINISTRATIVE ITEM

FRIDAY, MAY 12, 2000

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- a. **SAN FRANCISCO PUBLIC UTILITIES COMM -- 2-00-011 (San Francisco)**

CALIFORNIA COASTAL COMMISSION

NORTH CENTRAL COAST DISTRICT
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5260
FAX (415) 904-5400

**F 3a**

Date Filed: March 24, 2000
49th Day: May 12, 2000
180th Day: September 20, 2000
Staff: MJW-SF
Staff Report: April 21, 2000
Hearing Date: May 12, 2000
Item Number: F 3a

ADMINISTRATIVE PERMIT

APPLICATION FILE NO.: 2-00-011

APPLICANTS: San Francisco Public Utilities Commission

PROJECT DESCRIPTION: Repair and maintenance of the Lincoln and Lake Merced storm water outfalls on Ocean Beach. Project includes removing accumulated sand, replacing existing pipe grill and concrete plug, installing new tide gates, regalvanizing surfaces, and placing approximate 182 cubic yards of sand on beach.

PROJECT LOCATION: The outfalls are located at the Lincoln Way extension and south of Fort Funston Bluffs west of Lake Merced. (Exhibit 1).

EXECUTIVE DIRECTOR'S DETERMINATION: The Executive Director determines that the proposed development qualifies for approval through the issuance of an administrative permit pursuant to Public Resources Code Section 30624. The findings for this determination and for any special conditions follow.

NOTE: This permit shall not become effective until it is reported to the Commission at its next scheduled meeting. If one-third or more of the appointed Commissioners request, the Executive Director's permit issuance shall not be effective, and the application shall be set for public hearing at a subsequent Commission meeting.

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

DATE: May 12, 2000
TIME: Meeting Begins at 9:00 a.m., Item F 3a
PLACE: Fountain Grove Inn
101 Fountain Grove Parkway
Santa Rosa, CA
(707) 578-6101

IMPORTANT – Prior commencement of any development authorized herein, the following must occur:

1. The permittee must sign the acknowledgement and acceptance of the permit and conditions on pages 6 - 7 of this permit and return same to the Commission's offices; and
2. The permittee must receive the Notice of Permit Waiver Acceptance verifying that the Commission has concurred with the Executive Director's determination as stated above.

PETER DOUGLAS

Executive Director

By: Michael Watson

Title: Coastal Program Analyst

1.0 FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

1.1 Project Description and Location

The City of San Francisco has three operational outfalls along Ocean Beach, two of which are in need of repair and maintenance. The outfalls are located at the extensions of Lincoln Way and south of Fort Funston Bluffs west of Lake Merced. The outfalls measure approximately 10' in height and 30' in width and extend out onto Federal property in the Golden Gate National Recreation Area. The Commission retains permitting authority for projects within the coastal zone. (Exhibit 2)

In order to perform the repair and maintenance work, sand accumulation will be removed from inside the outfalls and the surrounding areas. The applicant plans to excavate and relocate the sand on the beach above the high tide line. All encountered trash and debris will be disposed of off-site. Sand will be removed from the outfalls by hand or small front-end loader (i.e., bobcat). And a service vehicle is required to transport materials to and from the job site. (Exhibit 3)

The repair work consists of rebuilding and strengthening tide gates and/or fabricating new tide gates to reduce salt water intrusion and sand build up into the system. Resurfacing/galvanizing metal parts and surfaces, replacing pipe grill, concrete repair, and wood tooling are all necessary tasks to completing the work. (Exhibits 4 & 5)

1.2 Coastal Act Issues

1.2.1 Public Access

Coastal Act Section 30210 states:

In carrying out the requirements of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Coastal Act Section 30211 states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Coastal Act Section 30212 states in relevant part:

(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:

(1) It is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,

(2) Adequate access exists nearby,

(b) For purposes of this section, "new development" does not include:

(5) Any repair or maintenance activity for which the Commission has determined, pursuant to Section 30610, that a coastal development permit will be required unless the Commission determines that the activity will have an adverse impact on lateral public access along the beach.

The applicant does not propose to construct any new outfalls or extensions to existing outfalls on the beach, but rather proposes to repair and service the City's existing structures. The project site is located in the Golden Gate National Recreation Area, a heavily used 3 mile stretch along Ocean Beach from the Cliff House south to Fort Funston. Access is served by several large parking lots at both the north and south ends of the beach as well as parking at the Beach Chalet restaurant. Tourist buses routinely make stops at the north end of the beach at the Cliff House. The beach also has numerous vertical access points along the Great Highway on either side of the project site. The north end of the beach, at the site of the Lincoln Way outfall, is characterized by a wide berm, over which the public will easily be able to traverse during low tide (i.e., when construction is present).

Thus, excellent access opportunities exist to and along the beach, in and around the proposed construction site. As such, the Commission finds that the repair and maintenance work does not interfere with the public's right to access nor does it qualify as a "new" development under Section 30212 (b)(5). Additional public access is not warranted.

However, it is precisely the abundance of access opportunities and their proximity to the proposed repair sites that poses a threat to public safety. A vast amount of beach access originates near the proposed staging and work areas. This is also a popular dog-walking beach and the only city beach where dogs are allowed off-leash. Thus, to ensure the safety of the public and its property the Commission attaches Special Condition No. 1, requiring the applicant to place temporary fencing around the work site and staging area for the duration of the project and until such a time as the work is completed. The applicant will take special care to fence the areas when heavy machinery is being operated and during after-hours when construction is idle.

The Commission finds that the proposed project, as conditioned, will adequately provide public safety and that the project is consistent with Sections 30210, 30211, and 30212 of the Coastal Act.

1.2.2 Water Quality Protection

Coastal Act Section 30231 states:

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, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Coastal Act Section 30232 states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The repair and maintenance project poses a potential risk of a spill of fuels, lubricants, paint, and other hazardous substances through the use of mechanized vehicles and hazardous substances within the tide zone. In order to reduce the chances that hazardous substances are released into the marine environment, the Commission attaches Special Condition No. 2 (SC-2). SC-2 requires the applicant to implement spill prevention and containment measures designed to minimize the risk of a hazardous substance spill from affecting coastal or marine waters. These measures include making use of a staging area(s) for fabricating tide gates and galvanizing metal, refueling vehicles, mixing and storing of materials such as concrete and paint, containment structures such as tarps and a catch basin placed around the work-site to minimize the risk of a spill and capture any construction debris, trash and debris collection and disposal, and preventing runoff from any materials that may be used or stockpiled in the parking lots during the project.

The Commission finds that the spill prevention and containment measures required under Special Condition 2 are adequate to protect the quality of coastal waters by preventing spills of hazardous substances. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Sections 30231 and 30232 of the Coastal Act.

1.2.3 Environmentally Sensitive Habitat Area (ESHA)

Coastal Act Section 30240 states in part:

(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.

In March of 1993, the U.S. Fish and Wildlife Service listed the Pacific Coast population of the Western snowy plover as "threatened" under the Endangered Species Act (ESA) of 1973, as amended. The ESA directs Federal agencies to use their authorities to further the purposes of the Act, which include conservation and recovery of listed species. In so doing, the National Park Service (NPS) who oversees the Golden Gate National Recreation Area has determined that the Lincoln Way outfall is within the habitat area of the snowy plover. NPS identified July 1st to May 15th as the timeframe when the plover roosts on Ocean Beach and activities on the beach need to be restricted. During this time heavy equipment operation on the beach is limited to life threatening emergency operations.

The Lincoln Way outfall already exists in the established ESHA. The proposed repair and maintenance work is dependent on the location of the outfall. The work plan calls for the use of a small "bobcat" type front loader to bulldoze sand on the beach. Service vehicles are also needed to ferry materials to and from the outfalls during the course of the repair. These activities pose a threat to snowy plovers because they have the potential to significantly disrupt the birds behavioral patterns such as breeding, feeding or sheltering. The use of heavy machinery may also result in significant habitat modification or degradation. Thus, in order to reduce the chances for disruptions to the snowy plovers, the Commission attaches Special Condition No. 3, requiring that all work commence no sooner than May 15th and terminate no later than July 1st. This condition applies to the Lincoln Way outfall exclusively, since it alone was determined to be located within the critical habitat of the snowy plover.

Therefore, the Commission finds that the proposed project, as conditioned, will not adversely affect the habitat values of the beach and is therefore consistent with Section 30240 of the Coastal Act.

1.2.4 California Environmental Quality Act

Section 13096 of the California Code of Regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, 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 that the activity may have on the environment.

The proposed project has been conditioned to be found consistent with the policies of the Coastal Act and to minimize all adverse environmental effects. Mitigation measures have been imposed to protect public safety and property, implement spill prevention and containment measures, and minimize disruptions to endangered species and ESHA.

As conditioned, there are no feasible alternatives or feasible mitigation measures available, beyond those required, which would substantially lessen any significant adverse impact, which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, and can be found consistent with Coastal Act requirements to conform to CEQA.

2.0 CONDITIONS

2.1 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 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.** The Executive Director or the Commission will resolve any questions of intent of interpretation of any conditions.
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.

2.2 Special Conditions

1. **Public Access.** The applicant shall place temporary fencing around the work site and staging area for the duration of the project and until such a time as the work is completed. The applicant will take special care to fence the areas when heavy machinery is being operated and during after hours when construction is idle.
2. **Water Quality Protection.** The applicant shall make use of staging areas for refueling vehicles and mixing and storing of materials such as concrete and paint. At no time shall

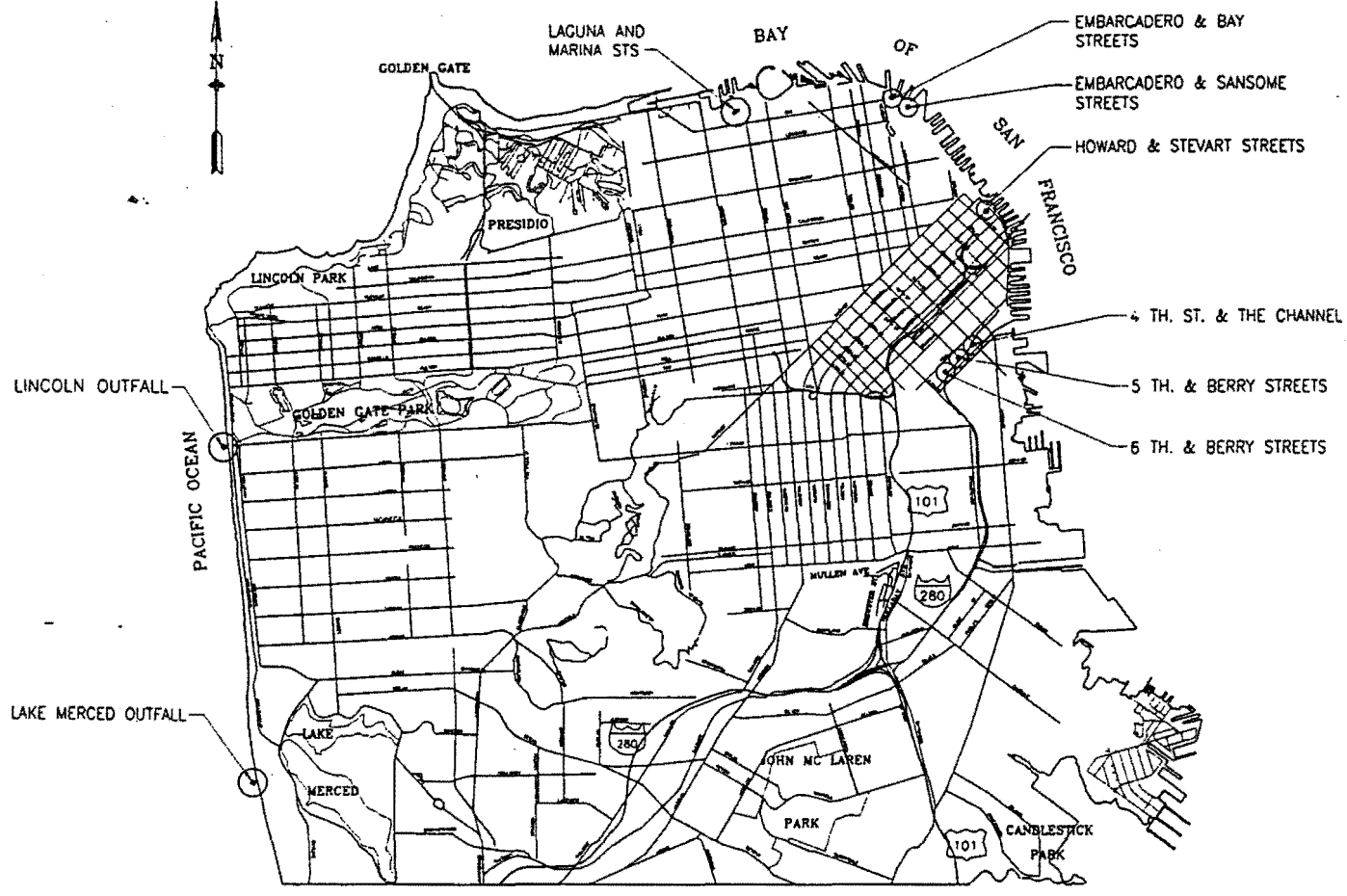
refueling of any vehicles occur on the beach. Galvanizing of metal parts and fabrication of the tide gates will be performed to the maximum extent possible in the staging area. All hazardous materials such as paint, concrete, etc., shall not be stored on the beach. The applicant shall place containment structures such as tarps and a catch basin around the work-site to minimize the risk of a spill and capture any construction debris. All other trash and debris encountered and/or created on the beach throughout the course of the project will be disposed off-site daily. The applicant is also responsible for protecting the catch basins in the parking lots from sediment runoff from any materials that may be used or stockpiled in the parking lots during the project.

3. **Environmentally Sensitive Habitat Area.** All work at the Lincoln Way outfall shall commence no sooner than May 15th and terminate no later than July 1st.

ACKNOWLEDGEMENT 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 Signature _____ Date of Signing: _____



LOCATION MAP
NOT TO SCALE

EXHIBIT NO.	1
APPLICATION NO.	
	2-00-011
	Sheet 1

ISSUED FOR BID	
NO.	DATE
DESCRIPTION	
BY	APP.
TABLE OF REVISIONS	
CHECK WITH TRACING TO SEE IF YOU HAVE LATEST REVISION	

REFERENCE INFORMATION
& FILE NO. OF SURVEYS



UTILITIES ENGINEERING BUREAU
PUBLIC UTILITIES COMMISSION
CITY AND COUNTY OF SAN FRANCISCO




GENERAL NOTES

1. IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA PUBLIC CONTRACT CODE SECTION 3300, A BID SUBMITTED TO A PUBLIC AGENCY BY A CONTRACTOR WHO IS NOT LICENSED IN ACCORDANCE WITH CHAPTER 9 OF THE BUSINESS AND PROFESSIONS CODE SHALL BE CONSIDERED NON-RESPONSIVE AND SHALL BE REJECTED BY THE PUBLIC AGENCY.
2. AT THE TIME THIS CONTRACT IS BID THE CONTRACTOR SHALL POSSESS A STATE OF CALIFORNIA CLASS "A" GENERAL ENGINEERING CONTRACTORS LICENSE.

EXHIBIT NO. 1
APPLICATION NO.
2-00-011
Sheet 2

CONTRACT NO. CW-257		
CITY AND COUNTY OF SAN FRANCISCO		
PUBLIC UTILITIES COMMISSION		
UTILITIES ENGINEERING BUREAU		
APPROVED	APPROVED	PUC DRAWING No.
MANAGER UTILITIES ENGINEERING BUREAU	DIVISION MANAGER CITY DISTRIBUTION DIVISION SAN FRANCISCO WATER DEPARTMENT	

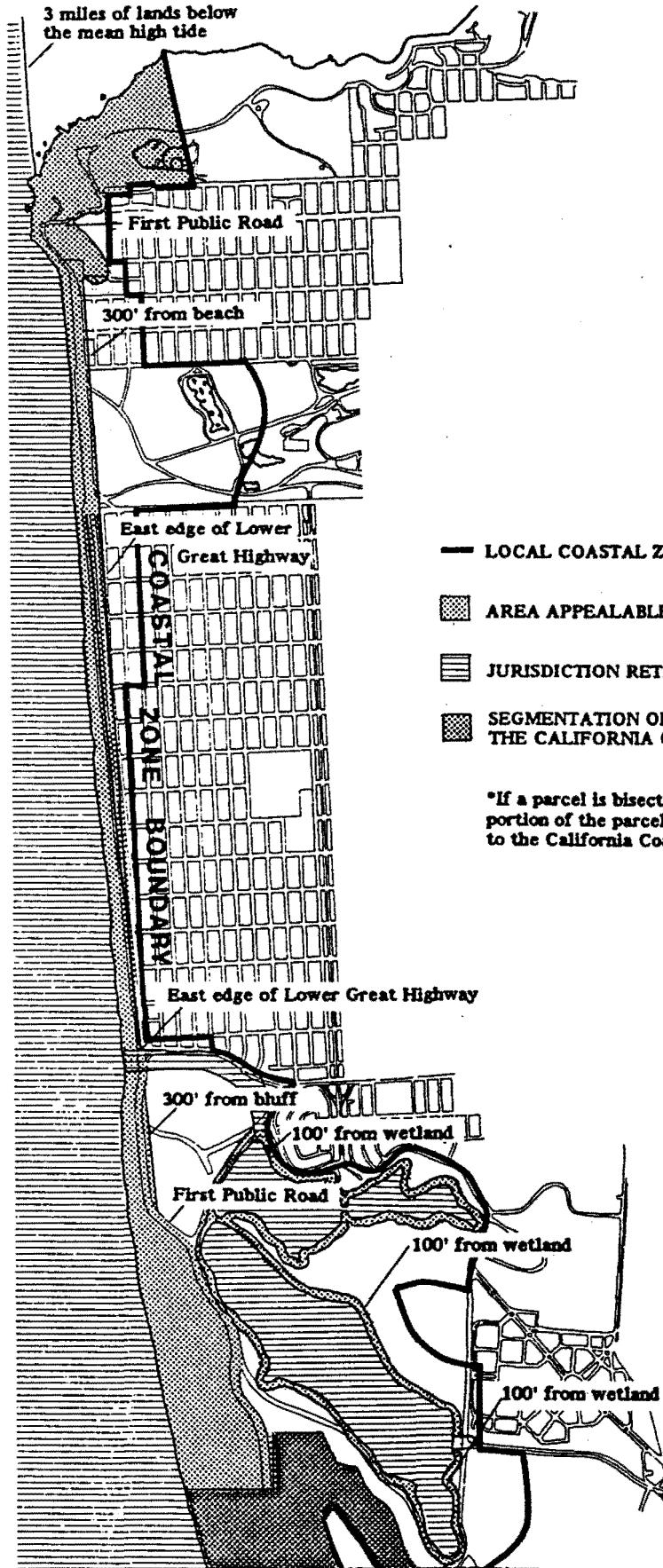
	DPW APPROVAL		SCALE: AS SHOWN	SHEET OF SHEETS		SAN FRANCISCO WATER DEPARTMENT OUTFALL REPAIRS AT VARIOUS LOCATIONS LOCATION MAP AND GENERAL NOTES	SHEET NO.	
	R.T. 10/99	DATE:		SECTION MANAGER	DATE:		1 of 11	S-1
	S.C. 10/99	DATE:		DIVISION MANAGER	DATE:			SPECIFICATION NO. CW-257
	K.L. 10/99	DATE:		CITY ENGINEER	DATE:			REV. NO.

EXTERNAL REFERENCES: XRETS
FONTIS USED: FONTIS

SCALE FACTOR: XX
PLOT SCALE: 1=1

ORIGIN: SECTION

FILE NAME: 1802N-S1.DWG
DATE: --/--/---



- LOCAL COASTAL ZONE PERMIT AREA
- ▨ AREA APPEALABLE TO THE CALIFORNIA COASTAL COMMISSION*
- ▤ JURISDICTION RETAINED BY THE CALIFORNIA COASTAL COMMISSION
- ▩ SEGMENTATION OF OLYMPIC COUNTRY CLUB AREA BY THE CALIFORNIA COASTAL COMMISSION

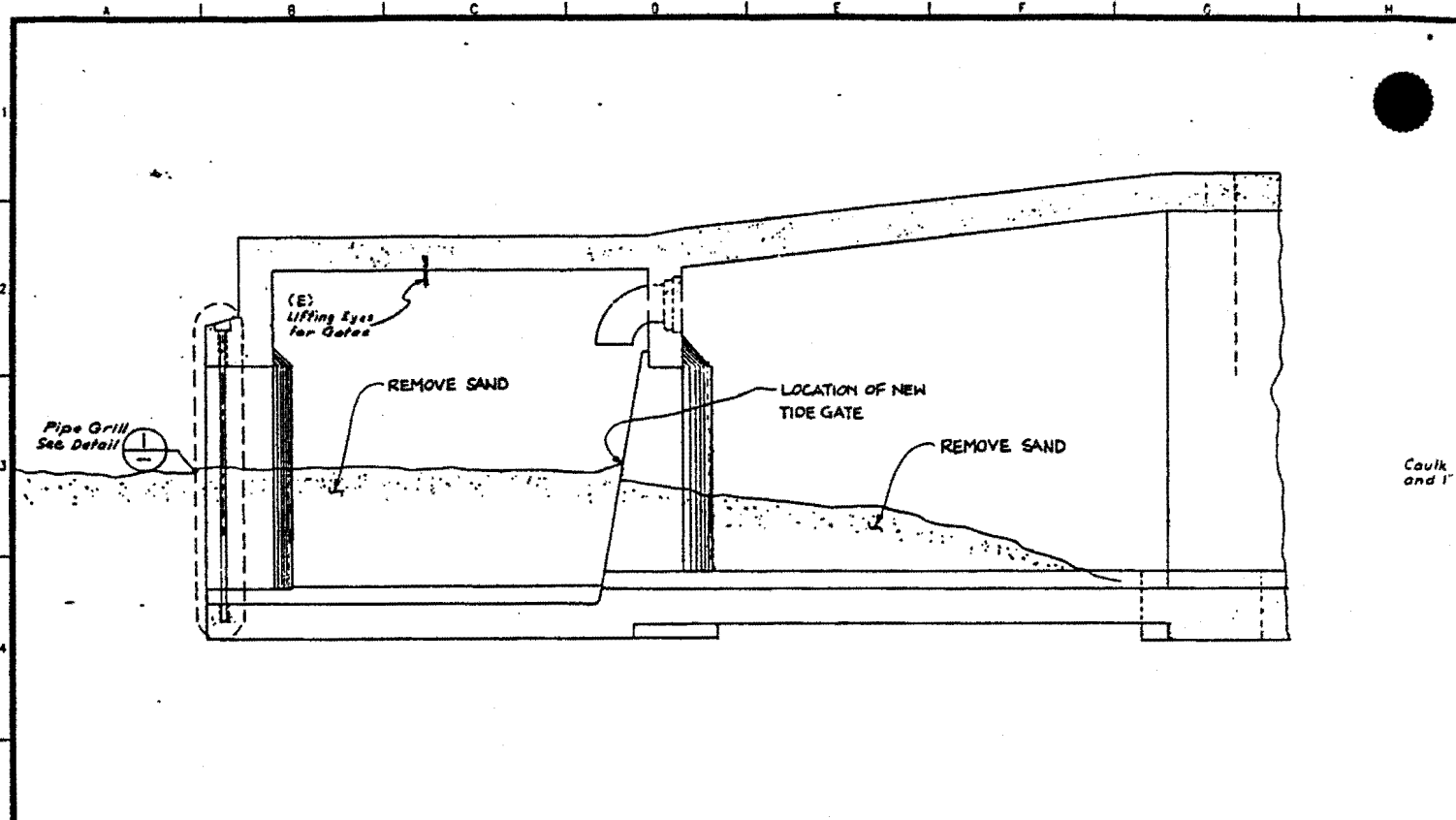
*If a parcel is bisected by the appeal area boundary, only that portion of the parcel within the appeal area is subject to appeal to the California Coastal Commission.



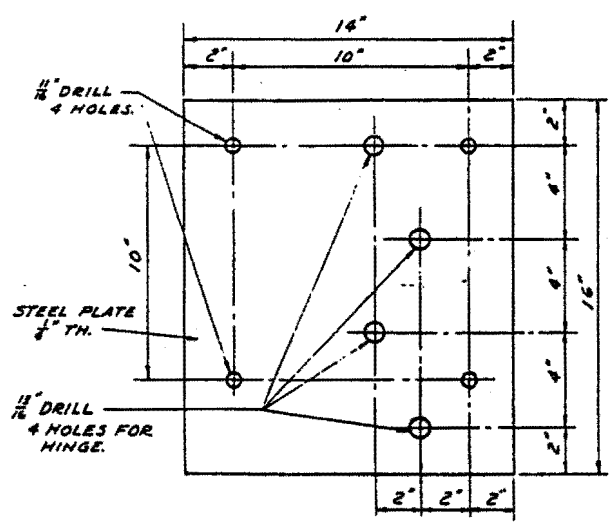
**COASTAL
ZONE
AREA**

Map 1

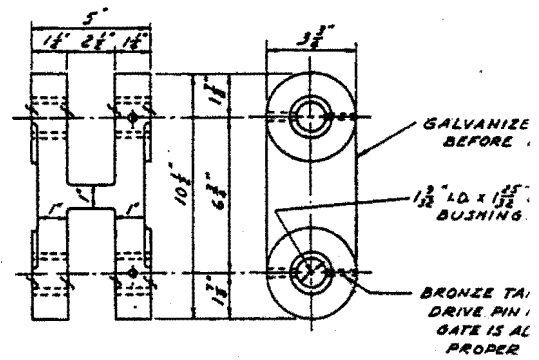
EXHIBIT NO. 2
APPLICATION NO.
2-00-011



LONGITUDINAL SECTION
LINCOLN OUTFALL SIMILAR
3/8" = 1'-0"



HINGE SUPPORT PLATE
(FOR BACK AND FRONT OF TIDE GATE)
4 REQUIRED FOR EACH GATE, 2 LH & 2 R.H.
SCALE: 3" = 12"



HINGE LINK
2 REQUIRED FOR EACH GATE
CAST STEEL-ANNEALED
SCALE: N.T.S.

EXHIBIT NO. 3
APPLICATION NO.
2-00-011
Sheet 1

NO.	DATE	DESCRIPTION	BY	APP.

ISSUED FOR BID

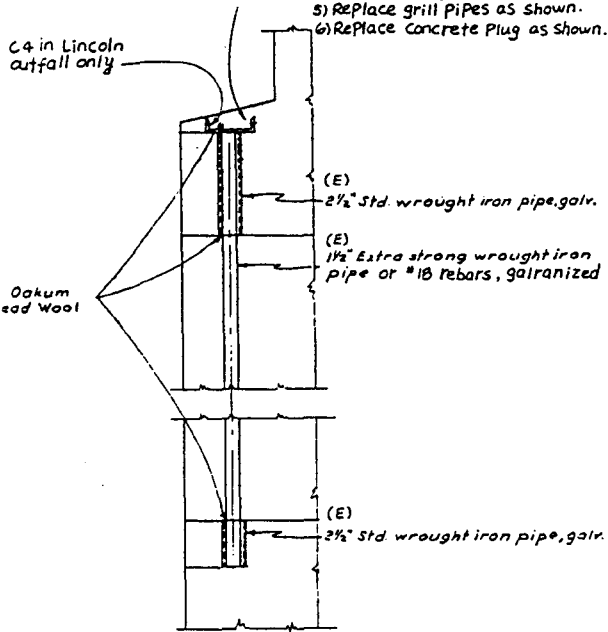
TABLE OF REVISIONS
CHECK WITH TRACING TO SEE IF YOU HAVE LATEST REVISION

REFERENCE INFORMATION
& FILE NO. OF SURVEYS



ENGINEERING BUREAU
PUBLIC UTILITIES COMMISSION
CITY AND COUNTY OF SAN FRANCISCO

- For access to install new tide gates:
- 1) Remove sand in front and behind gates.
 - 2) Remove concrete plug and C4 (Lincoln outfall only).
 - 3) Remove grill pipes.
 - 4) Install tide gates.
 - 5) Replace grill pipes as shown.
 - 6) Replace concrete plug as shown.



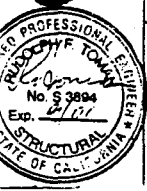
DETAIL  PIPE GRILL
NOT TO SCALE

EXHIBIT NO. 3
APPLICATION NO.
2-00-011
Sheet 2

CONTRACT NO. CW-257		
CITY AND COUNTY OF SAN FRANCISCO		
PUBLIC UTILITIES COMMISSION		
UTILITIES ENGINEERING BUREAU		
APPROVED	APPROVED	PUC DRAWING No.
MANAGER UTILITIES ENGINEERING BUREAU	DIVISION MANAGER CITY DISTRIBUTION DIVISION SAN FRANCISCO WATER DEPARTMENT	

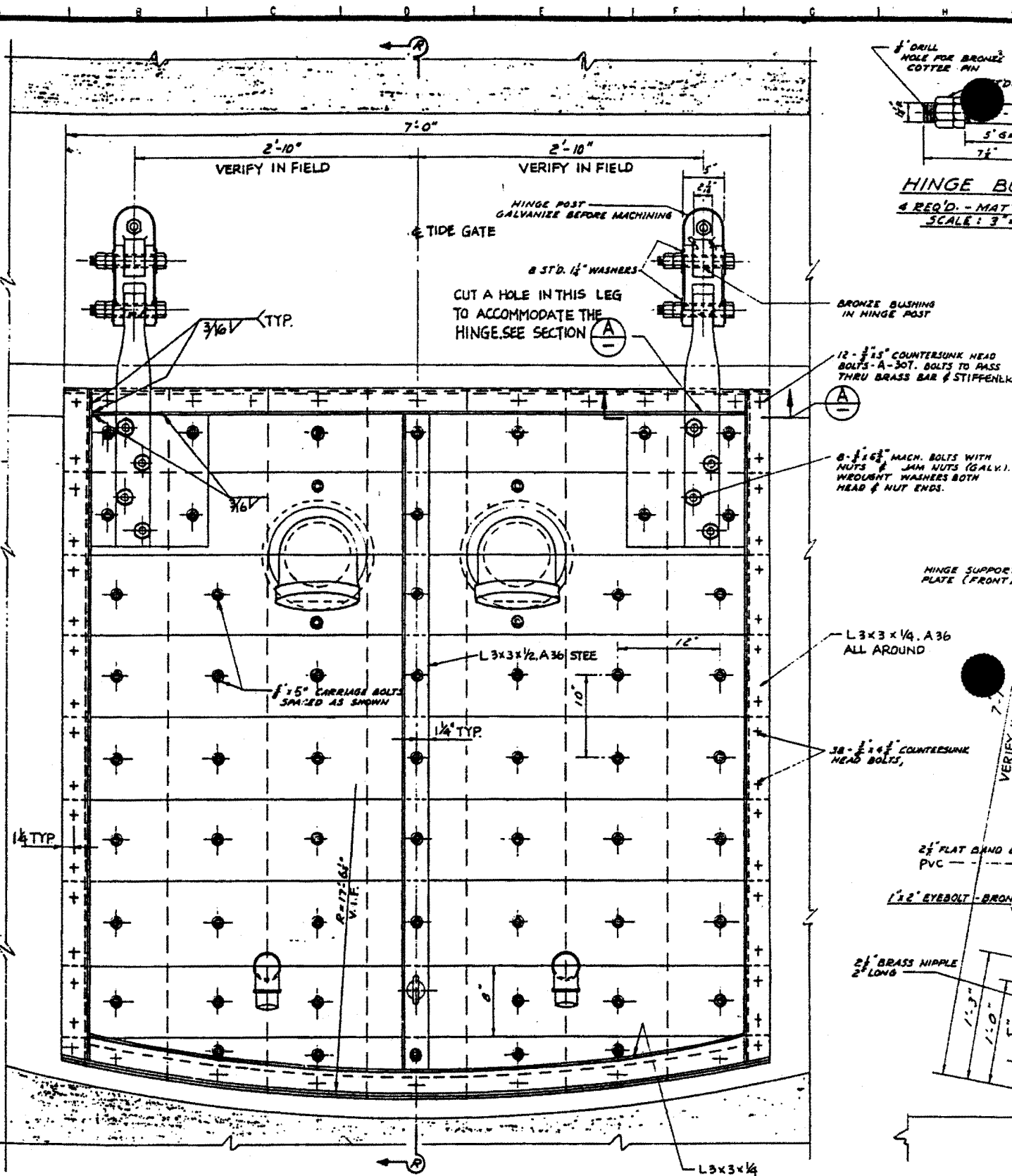
EXTERNAL REFERENCES: XRETS
 FONTS USED: FONTS
 SCALE FACTOR: XX
 PLOT SCALE: 1=1
 ORIGIN: SECTION

CASTING
FINISHING.
 BRONZE
 PIN 8.
 PLACE AFTER
 TESTED TO
 SITUATION.



DPW APPROVAL		SCALE:	SHEET NO.	
R.T. 10/99	<i>D. H. ...</i> 12/99	AS SHOWN	SAN FRANCISCO WATER DEPARTMENT	
DESIGNED: DATE:	SECTION MANAGER DATE:		OUTFALL REPAIRS AT VARIOUS LOCATIONS	
S.C. 10/99	<i>Sam ...</i> 4/2/00	SHEET OF SHEETS	S-9	
DRAWN: DATE:	DIVISION MANAGER DATE:	9 OF 11	LAKE MERCED OUTLET STRUCTURE	
K.L. 10/99	<i>...</i> 11/2/20		TIDE GATES (SHT. 2)	
CHECKED: DATE:	CITY ENGINEER DATE:		SPECIFICATION NO. CW-257	
			REV. NO.	

J.E. NAME: --/--/--
 SITE: --/--/--



TIDE GATE
3 ASSEMBLIES REQ'D.
SCALE: 1 1/2" = 1'-0"

EXHIBIT NO. 5
APPLICATION NO.
2-00-011
Sheet 1

NO.	DATE	DESCRIPTION	BY	APP.

ISSUED FOR BID

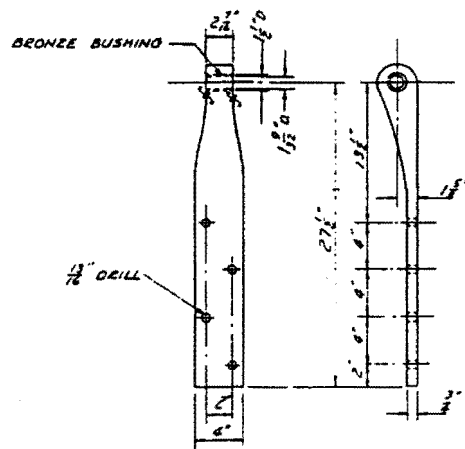
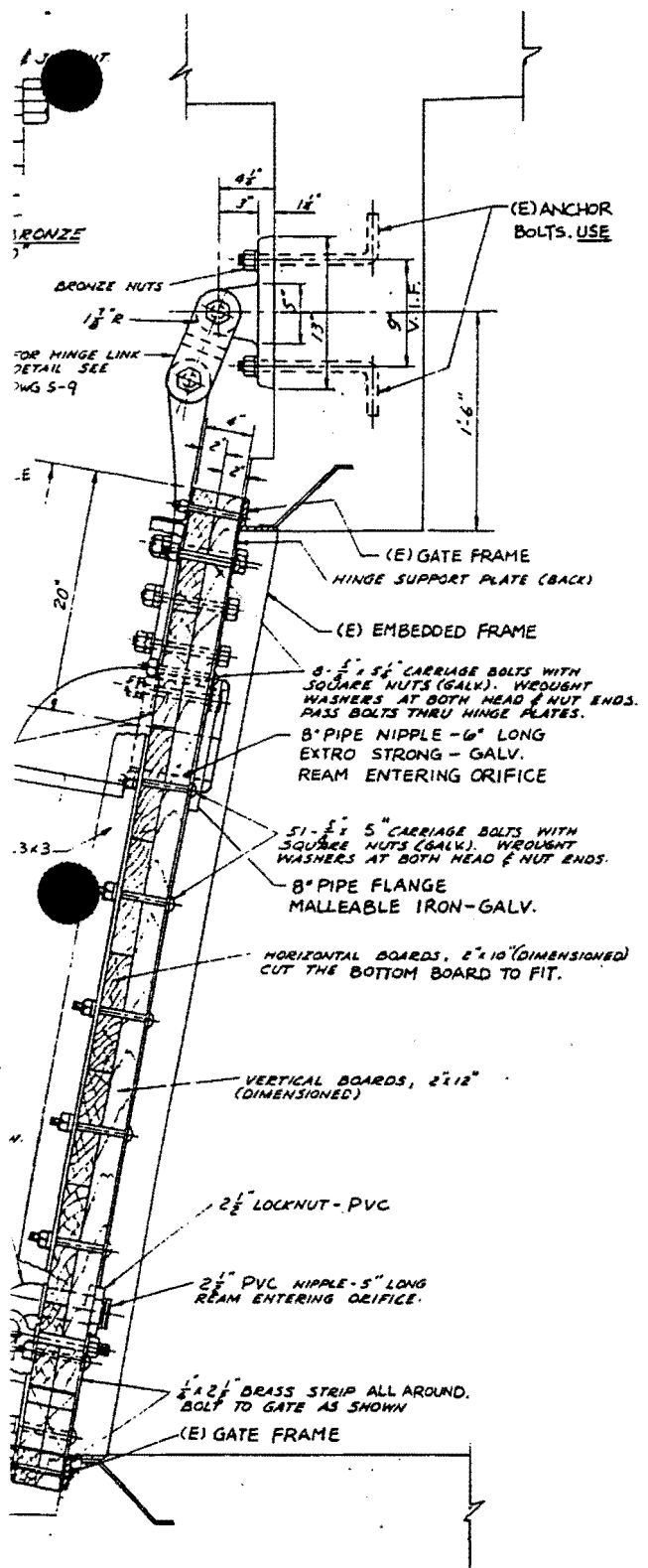
TABLE OF REVISIONS

CHECK WITH TRACING TO SEE IF YOU HAVE LATEST REVISION

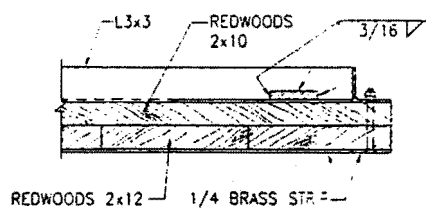
REFERENCE INFORMATION
 & FILE NO. OF SURVEYS



UTILITIES ENG
PUBLIC UTIL
CITY AND COUN



HINGE
 2 REQ'D. - MAT'L: FORGED STL.
 GALV. BEFORE MACHINING
 SCALE: 1 1/2" = 1'-0"



SECTION A
 SCALE: 1 1/2" = 1'-0"

NOTES:

- ALL NEW CONSTRUCTION UNLESS NOTED (E)
- GIVE ALL SURFACES OF GATE HARDWARE AND TRIM A HEAVY SHOP COAT OF RED LEAD HAVING A QUICK DRYER (22# OF RED LEAD TO ONE GALLON OF CHINA WOOD OIL OR RAW LINSEED OIL) BEFORE ASSEMBLING COMPONENT PARTS OF GATE.
- ALL TIMBER SHALL BE:
 SPECIES: DOUGLAS FIR NORTH
 GRADE: C & BTR. FINISH (ALTERNATE C & BTR. INDUSTRIAL CLEAR)
 PER WEST COAST LUMBER BUREAU (WCLB) OR WESTERN WOOD PRODUCTS ASSO (WWPA). CURRENT GRADING RULES IN EFFECT. GRADE STAMP OR CERTIFICATE OF GRADE REQUIRED.
 TREATMENT: PRESSURE TREATED. SEE SPECS.
 DIMENSIONS: FULL SAWN AND NET.
- BEFORE BOLTING TOGETHER, CREOSOTE ALL TIMBER, INCLUDING BOLT HOLES.
- PAINT GATES IN FIELD AFTER INSTALLATION IN OUTLET STRUCTURE.
- HOT DIP GALVANIZE ALL STEEL.
- ALL BOLTS PASSING THROUGH WOOD SHALL HAVE A DRIVING FIT.

EXTERNAL REFERENCES: XREF2
 PORTS USED: FORTS

SCALE FACTOR: XX
 PLOT SCALE: 1=1

NON-SECTION

CONTRACT NO. CW-257

CITY AND COUNTY OF SAN FRANCISCO
PUBLIC UTILITIES COMMISSION
 UTILITIES ENGINEERING BUREAU

APPROVED	APPROVED
MANAGER UTILITIES ENGINEERING BUREAU	DIVISION MANAGER CITY DISTRIBUTION DIVISION SAN FRANCISCO WATER DEPARTMENT

EXHIBIT NO. 5

APPLICATION NO.

2-00-011

Sheet 2



DESIGNED: R.T. 10/99	DATE: 12/99	SECTION MANAGER
DRAWN: S.C. 10/99	DATE: 4/00	DIVISION MANAGER
CHECKED: K.L. 10/99	DATE: 11/00	CITY ENGINEER

SCALE: AS SHOWN
 SHEET OF SHEETS: 8 OF 11

SAN FRANCISCO WATER DEPARTMENT
OUTFALL REPAIRS AT VARIOUS LOCATIO
LAKE MERCED OUTLET STRUCTURE
TIDE GATES (SHT. 1)

