CALIFORNIA COASTAL COMMISSION
SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

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REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-00-110

Applicant: City of San Diego, Metropolitan Wastewater Department

Description: Grade and widen portion of roadway which serves as access for existing treatment plant and public tidepool; also proposed is installation of 3-inch asphalt overlay and berm along entire length of roadway (approx. 7,220 lineal feet), extension of existing guard rail for aproximately 150 linear feet and installation of drainage improvements at existing culverts.

Site: Gatchell Road from Cabrillo Drive to Point Loma Wastewater Treatment Plant, Peninsula, San Diego, San Diego Co. APNs 532-520-10, -05 & -06.

Summary of Staff's Preliminary Recommendation:

Staff recommends that the Commission approve the proposed project subject to several special conditions. The proposal raises concerns regarding proposed temporary and permanent impacts to native upland vegetation as a result of the proposed road and drainage improvements. However, while impacts to native upland vegetation (maritime succulent scrub) will occur, most of the impacts are temporary (.73 ac. of the .78 ac. of impacts), the area of impact is a small linear strip adjacent to the existing roadway that has been previously disturbed in many areas and the applicant is proposing on-site revegetation and off-site preservation to address the impacts resulting from project construction, such that no significant disruption in habitat values will occur. Upon completion of the improvements, habitat values in the area should be enhanced by eliminating impacts to vegetation from trucks trying to negotiate the sharp turn (through the road widening) and through reduction of sediment and uncontrolled runoff with the installation of new drainage improvements.

In addition, as the road is heavily-traveled by construction vehicles and other large trucks delivering materials to the treatment plant and other vehicles, runoff water quality from the road is a concern. However, as conditioned, the applicant is required to implement Best Management Practices (BMP's) to assure runoff from the resurfaced roadway is appropriately filtered and discharged. With the attached special condition, the proposed

development can be found consistent with all applicable Chapter 3 policies of the Coastal Act.

Substantive File Documents: Certified Peninsula Land Use Plan and City of San Diego LCP Implementation Ordinances; Mitigated Negative Declaration – LDR No. 99-0700, dated 7/12/00; General Biological Survey Report for the Point Loma Wastewater Treatment Plant South Access Road Improvement Project dated 11/26/99 by Mooney and Associates; CDP #s,6-92-84, 6-95-159, 6-95-159-A1, 6-96-137 and 6-96-137-A1, and
6-97-124.

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 6-00-110 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. Erosion/Sedimentation Control Plan. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, the applicant shall submit to the Executive Director for review and written approval, final site, grading and erosion control plans approved by the City of San Diego with plan notes specifically incorporating the following requirements:

a. All temporary and permanent runoff and erosion control devices shall be developed and installed prior to or concurrent with any on-site grading activities to minimize the potential for off-site sedimentation impacts. All areas disturbed shall be stabilized in advance of the rainy season. The use of temporary erosion control measures such as berms, interceptor ditches, sandbagging, filtered inlets, debris basins and silt traps shall be utilized to minimize soil loss during construction.

The permittee shall undertake 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 an approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Revegetation Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a detailed revegetation plan for the temporary construction impacts along the road indicating the type, size, extent and location of all plant materials (hydroseed or plant stock), any proposed irrigation system and other landscape features to revegetate either side of the existing road disturbed by the grinding and removal of the existing berm. Drought tolerant native or non-invasive plants shall be utilized to re-establish the area consistent with its present character. The plan shall be developed in consultation with the United States Fish and Wildlife Service and the National Park Service and shall be submitted to, reviewed by and approved in writing by the Executive Director.

The permittee shall undertake revegetation in accordance with the approved plan. Any proposed changes to the approved plan shall be reported to the Executive Director. No changes to the approved plan shall occur without an amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

3. Off-Site Mitigation. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and written approval of the Executive Director, evidence of the preservation in perpetuity of 1.06 acres of maritime coastal scrub (as mitigation for impacts from this development), that meets the following criteria:

a. The off-site mitigation site shall occur within an approved conservation bank or area that can be shown to have long-term conservation and management. The

applicant shall provide written evidence of acceptance of the mitigation site by the U.S. Fish and Wildlife Service.

4. Drainage and Polluted Runoff Control Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit for the review and approval of the Executive Director, final drainage and runoff control plans, including supporting calculations. The plan shall be prepared by a licensed engineer and shall incorporate structural and non-structural Best Management Practices (BMPs) designed to control the volume, velocity and pollutant load of stormwater leaving the roadway. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

(a) Permanent structural or non-structural treatment control best management practices (BMPs) effective at removing and/or mitigating pollutants of concern, specifically, petroleum hydrocarbons, heavy metals, sediment and particulates. Selected BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter stormwater from each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs. These requirements apply specifically to the City's proposal to install three filtering devices at Storm Drain #7. The filters will be placed at the curb inlet on the inland side of the roadbed north of the hairpin turn, at the grate inlet at the outside of the roadbed north of the hairpin turn and along the side inlet on the inland side of the road just past the hairpin turn (reference Exhibit No. 5).

(b) The plan shall include provisions for maintaining the drainage system, including structural BMPs, in a functional condition throughout the life of the approved development. Such maintenance shall include the following: (1) BMPs shall be inspected, cleaned and repaired when necessary prior to the onset of the storm season, no later than September 30th each year and (2) should any of the project's surface or subsurface drainage/filtration structures or other BMPs fail or result in increased erosion, the applicant/landowner or successor-in-interest shall be responsible for any necessary repairs to the drainage/filtration system or BMPs and restoration of the eroded area. Should repairs or restoration become necessary, prior to the commencement of such repair or restoration work, the applicant shall submit a repair and restoration plan to the Executive Director to determine if an amendment or new coastal development permit is required to authorize such work.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed are improvements to an existing roadway (Gatchell Road) which provides access to the existing Point Loma Wastewater Treatment Plant (PLWTP), a public tidepool area associated with the Cabrillo National Monument,

naval facilities and a Coast Guard station and lighthouse. Gatchell Road is commonly referred to as the "South Access Road" by the City treatment plant staff. The road extends in a southerly direction off of Cabrillo Memorial Drive and descends the steep, western face of the peninsula toward the Coast Guard Point Loma Lighthouse entrance, at which point it makes a hairpin turn and then continues in a northern direction to the treatment plant. The portion of the access road included in the proposed project is approximately 1.4 miles long (7,220 lineal feet). Where the road commences near Cabrillo Memorial Drive, it is very steep and there is an existing guardrail along a portion of the west side of the roadbed. The proposed improvements to the access road will occur in two phases. Phase I will include drainage improvements to correct existing deficiencies in the roadway drainage system and Phase II will include pavement construction to include grading and widening of the road (approximately two feet on either side) at the hairpin turn (approximately 320 lineal feet), removal and replacement of a small asphalt berm along the edge of the roadway, resurfacing the entire existing roadbed with a 3-inch asphalt overlay and extension of existing guardrails.

With regard to the proposed drainage improvements, the purpose of the improvements is to allow flow to escape the roadway and get into the storm drain through different headwall entrances. Currently, there is a problem with sediment and debris sloughing off the hillsides which obstruct the berm breaks and block the storm drain entrances. The proposed project will eliminate the existing berm breaks and install curb opening catch basins with a grate. This will allow for the drainage from the roadway to flow into the storm drain. The catch basins will also be modified to include an opening at the back for acceptance of runoff from the hillsides.

The proposed roadway improvements will consist of widening an existing hairpin curve in the south access road from approximately 28 feet to 32 feet wide for approximately 320 lineal feet near an existing entrance to an access road leading to the Coast Guard Lighthouse. Currently, large trucks drive beyond the edges of the roadbed at this turn in order to negotiate the turn as they travel downhill. This has resulted in vehicles driving over an existing berm causing impacts to vegetation, destruction of the berm and increased erosion due to the impacted soil. Widening of the roadway in this area will provide a safer turning radius and eliminate impacts to native vegetation. In addition, also proposed is placement of a 3-inch asphalt overlay over the entire 1.4 mile long existing roadway within the same project footprint, grinding of the existing remaining berm along the edge of the road, and construction of a new 8-inch berm along the edge of the road. Also proposed is extending an existing guardrail at the top of the roadway off of Cabrillo Memorial Drive in a southerly direction by 150 linear feet for safety purposes.

The Point Loma Wastewater Treatment Plant is located in the Peninsula community in an area that was not included in the City of San Diego's certified Local Coastal Program. As such, the Commission retains permit jurisdiction over the site at this time and the Chapter 3 policies of the Coastal Act are the standard of review.

2. Environmentally Sensitive Resources. Section 30240 of the Coastal Act states:

(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.

The proposed improvements, consisting of widening 320 lineal feet of an existing 7,220 lineal-foot roadway and installation of 3-inch asphalt overlay and berm along the entire length of roadway, will result in impacts to approximately .74 acres of maritime succulent scrub (disturbed and non-disturbed) and approximately .04 acres of non-native grassland. The impacts associated with the proposed drainage improvements include approximately .04 acres of maritime succulent scrub and .04 acres of disturbed non-native grassland. Thus, a total of .78 acres of impacts to native upland vegetation will occur as a result of the proposed development. However, the impacts occurring from project implementation include both temporary and permanent impacts. The temporary impacts include a two-foot corridor on each side of the roadway for the entire length of the road which will affect approximately .73 acres of both disturbed and undisturbed native upland habitat. The City will be using special equipment to grind down and remove the existing berm along the edge of the roadway. The equipment will extend beyond the edge of the roadway a maximum of two feet. This will result in disturbance to an approximately two-foot wide area on either side of the road, but no permanent structures will be placed in this area.

The permanent impacts will result from the portion of the project where the existing road will be widened which encompasses a width of two feet on each side of the road for 320 lineal feet resulting in approximately 1,280 sq.ft. (0.03 ac.) of impacts to both disturbed and undisturbed native upland habitat. In addition, permanent impacts will occur in each of the areas where the drainage structures will be improved which totals to approximately 882 sq.ft. (0.02 ac.) of impacts to native upland habitat. Thus, altogether, the proposed permanent impacts will total to approximately 2,162 sq.ft. (0.05 ac.) in area. It should be noted that while the temporary and permanent impacts to native upland habitat will occur, the area impacted is not considered sensitive by the Commission's staff biologist as it is only a small linear strip (approximately 2 ft. wide) on either side of the roadway that has already been disturbed in many areas by vehicles, runoff, etc., and thus, the proposed development will not result in a significant disruption of habitat values.

In addition, the City is proposing to revegetate the area where the temporary impacts will occur with compatible native vegetation in consultation with the United States Fish and Wildlife Service and National Park Service (since this portion of the site is within the boundaries of the Cabrillo National Monument, a national park). The total area to be revegetated is 0.73 acres.

The City has looked at alternatives to the proposal to determine if the project represents the least environmentally damaging alternative. In this particular case, there are no other project alternatives that would result in less impacts to native upland habitat and still achieve project goals of safety and reduction in erosion. The location where the proposed roadway will be widened is at a hairpin curve in the road which is currently too narrow to accommodate existing large vehicular traffic. This has resulted in vehicles driving over the existing berm along the edge of the roadway and into existing native vegetation. The widening is proposed in order to accommodate the existing and increased future vehicle traffic to the Point Loma Treatment Wastewater Plant (PLWTP) and the Tide Pool Recreation Area affiliated with the Cabrillo National Monument. The problem with vehicles being unable to negotiate the turn is readily apparent when two oncoming vehicles pass at the turn.

The City has indicated that the expansion and improvement to the PLWTP has been necessary in order to keep up with the growth in San Diego, increased flows to the plant and compliance with discharge requirements set by the federal government for ocean outfalls. Upwards of ten projects in various stages of completion have been initiated and planned resulting in increased vehicle traffic on the exiting road. The applicant has submitted a list of these project "packages" which include, in part, the Headworks, Odor Control and Grit Processing Facilities, Power Generation and Distribution Upgrade, Gas Utilization Facility Support Systems, Sedimentation Basins 11 and 12, Water Tank and Pipeline Project. The Commission has approved at least three of these project packages pursuant to Coastal Development Permit #s 6-92-84, 6-95-159, 6-95-159-A1, 6-96-137 and 6-96-137-A1.

The widening of the hairpin turn is necessary due to a much higher volume of traffic which includes large trucks and tourism. Construction activities at the PLWTP has been ongoing for several years and the area at the hairpin turn has steadily declined. Truck traffic has also increased due to construction activities and will continue to be present to support operational requirements at the treatment plant. Trucks that use the existing road vary in size and complexity depending on the nature of the deliveries being made to the plant. However, the City has indicated that the typical type of trucks that use the road are end dump trucks (20'-30'), 18 wheelers, single unit trucks (19'), semi trailer (50'-55'), and semi trailer (65'). These trucks vary from 8-12 feet wide. The existing road is 28 feet wide with 14 ft. per lane, and as such, the width of the road is not sufficient for many of the trucks to make the turn without driving over the damaged berm and impacting soil and vegetation adjacent to the road.

Thus, without the proposed widening of the south access road which is in need of repairs/upgrading, trucks will continue to have problems negotiating this turn resulting in direct impacts to adjacent native vegetation from the trucks themselves and indirect impacts from erosion which will wash away existing vegetation next to the road and carry unwanted silt/sediments onto the road surface, ultimately affecting storm drains and ocean discharge. Thus, the widening of the hairpin turn is necessary in order to provide a safe turning radius and eliminate the existing impacts to the soil and vegetation adjacent to the each side of the curve. In addition, the applicant is proposing only the minimum

work necessary to address the concern, thus, assuring that impacts to adjacent upland vegetation are reduced to the maximum extent feasible.

As noted, once the proposed impacts have been found to be minimized, all remaining unavoidable impacts must also be mitigated. The applicant is proposing to revegetate the project site and to preserve vegetation offsite as a means to address impacts. First, as previously noted, all temporary impacts will be revegetated with compatible native upland vegetation (.73 acres). In addition, the applicant is proposing off-site mitigation within an existing preserve which contains similar habitat to mitigate for the unavoidable impacts to native upland habitat.

The location of a portion of the project is within the City's Multi-Habitat Planning Area (MHPA) which is an area designated for preservation under the Multiple Species Conservation Program. The MHPA lends increased significance to any native habitat impacts and maritime succulent scrub habitat is regarded as a Tier 1 (rare upland) habitat type. Tier 1 habitat impacts occurring within the MHPA , which are also mitigated within the MHPA require mitigation ratio of 2:1. Tier l habitat impacts occurring outside of the MHPA require mitigation ratios of 1:1 if the mitigation occurs inside the MHPA. Mitigation sites located outside the MHPA require higher ratios. In addition, Tier IIIB habitat types (i.e., non-native grasslands) occurring outside the MHPA require a mitigation ratio of 0.5:1 if the mitigation occurs inside the MHPA.

The PLWTP owns a mitigation bank in the Otay Mesa area which contains maritime succulent scrub habitat and non-native grasslands. The applicant is proposing, in addition to on-site revegetation, to mitigate maritime succulent scrub impacts within this bank, which falls within the MHPA boundary. For the subject project, 0.28 acres of maritime succulent scrub habitat will be impacted inside the MHPA, and 0.50 acres will be impacted outside the MHPA. Since the mitigation will occur within the MHPA, the mitigation requirement will result in 0.28 acres @ 2:1 and 0.50 acres @ 1:1 for a total of 1.06 acres of maritime succulent scrub to habitat to be preserved off-site. In addition, 0.16 acres of non-native disturbed grasslands will be impacted which are located outside the MHPA. Since mitigation will occur within the MHPA, the mitigation requirement will result in 0.16 acres @ 0.5:1 for a total of 0.08 acres to be preserved off-site. The City has used this same off-site mitigation bank to mitigate for other impacts to maritime succulent scrub which have occurred from other PLWTP projects (i.e. CDP #6-97-124). In addition, the U.S. Fish and Wildlife Service has reviewed the proposed mitigation plan and endorses the proposed off-site mitigation.

Typically the Commission requires that any mitigation required be provided at the project site itself. If such mitigation cannot occur at the project site then it should be in close proximity to the site and within the watershed of the site. In this case, the Commission finds that the on-site re-vegetation of the highly disturbed areas temporarily impacted by the proposed project mitigates the small area of permanently lost vegetation. Thus, the off-site mitigation is not necessary to find the proposal consistent with Coastal Act policies. In any case, the City is proposing the off-site mitigation within an approved mitigation site within the boundaries of the MHPA in a preserve in the Otay Mesa area of

the City of San Diego, but outside of the coastal zone. As noted previously, the U.S. Fish and Wildlife Service has endorsed the proposed off-site mitigation and the PLWTP has used this site for mitigation for other projects.

The amount of area to be revegetated on site will result in the restoration of .73 acres of native upland habitat area that is consistent with the surrounding native vegetation in the area. Furthermore, the applicant will also be providing off-site mitigation totaling to 1.06 acres for all of the proposed permanent impacts to maritime succulent scrub at a biological reserve outside of the coastal zone. As such, in this particular case, the Commission finds that proposed mitigation to be acceptable. Special Condition No. 2 requires submittal of a revegetation plan developed in consultation with the U.S. Fish and Wildlife Service and/or the National Park Service for the revegetation of the sides of the roadbed which will be performed after project completion. Special Condition No. 3 requires submittal of evidence that the off-site mitigation has been preserved in perpetuity, that it occurs in an approved conservation bank or area with long-term conservation and management and written acceptance of the mitigation site by the U.S. Fish and Wildlife Service.

In summary, while the proposed project will result in impacts to native upland vegetation, the proposal is needed for safety purposes and to address erosion in the area. In addition, impacts will only occur in a small linear strip adjacent to an exiting road where vegetation has been previously disturbed and is thus not considered sensitive and, mitigation in the form of on-site revegetation and off-site preservation is proposed. Thus, the Commission finds that the proposed project can be found consistent with Section 30240 of the Coastal Act.

3. Water Quality. Section 30230 and 30231 of the Coastal Act states the following:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate.

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, 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.

The proposed project involves the repairs to an existing access road and improvements to the drainage system. These improvements, which drain toward the west and the ocean, could potentially result in significant adverse water quality impacts to the ocean. However, in this particular case, the proposed improvements will result in the improvement of the water quality and prevention of sediment and other materials from being washed downshore toward the coastal bluffs. The proposed minor increase in impervious surfaces for the widening of the proposed road would be very minor and the increases in runoff from impervious surfaces would be negligible. Presently, the existing drainage structures along the access road have the potential to become clogged due to erosion and sedimentation upstream of the inlets. When this occurs, surface runoff can accumulate around the inlet of the structure and saturate the roadway and cause downstream slopes to erode. Implementation of the proposed project would improve the drainage structures and allow runoff to follow the path of the existing natural swales and to be conveyed along the curbline and into the drainage inlets to be conveyed into the ocean. Therefore, implementation of the proposed project would reduce the potential for erosion and sedimentation along the roadway and allow runoff to be properly conveyed downstream. In addition, during construction, the applicant proposes to implement an erosion/ sedimentation control plan, which would include covering disturbed areas during construction, soil stabilization through the use of sandbags and/or silt fences, and hydroseeding with native vegetation once construction is complete. However, the applicant has not submitted final erosion control plans. As such, Special Condition No. 1 requires submittal of said plans.

The project raises a concern with respect to water quality for two reasons. First, the entire roadway will be re-asphalted. Secondly, the access road is used by very large construction and industrial vehicles as well as other vehicles traveling to and from the tidepools and treatment plant which makes the deposition of vehicular pollutants (oils, fuel, tire and brake residue, etc.) along the a potential concern. In the area around the hairpin turn, stormwater is conveyed through the storm drain system and discharged directly to ocean waters. Polluted runoff entering the storm drain system can have harmful effects on marine life, and may pose a risk to human health which can result in beach closures, limiting public access and recreational opportunities if not controlled or managed properly. However, upon discussing this matter further with the City, it has been acknowledged that this particular road does not generate the amount of volume of traffic that a major throughfare or freeway would. As such, deposition of minimal grease and oil associated with construction vehicles is not as significant a concern in this location.

The subject access road is a federal road that is on Navy property. It provides access to the Cabrillo National Monument (tidepools) as well as to the treatment plant itself. However, because it is not a City-owned road, it is not part of a regularly scheduled maintenance program (i.e., sweeping program, etc.). Nevertheless, the City does have an agreement with the Navy to maintain the road; thus, the proposed improvements are proposed as a means to do so. In addition, the City has indicated that there are a total of 12 existing storm drains which cross the access road (reference Exhibit No. 4). However,

11 of these have outlets discharge (with dissipation) into the natural vegetation and/or soil areas which provide natural filtration to reduce the amount of contaminants that might impact water quality. Storm drain No. 7 is the only storm drain that crosses the road in two locations (in the vicinity of the hairpin turn) and which discharges directly to the ocean. Rip rap exists at the outlet of the drainage pipe which provides some filtering of the storm water to improve water quality at these locations. The City considered the possibility of installing a filter at the outlet of this drain. But these filters tend to get plugged which results in water and sediment backing up into the pipe which can also cause damage to the roadway. This would result in ongoing maintenance which is difficult for the City to perform. However, the City is proposing to install filters at three inlets that feed into this storm drain. The filters will be placed at the curb inlet on the inland side of the roadbed north of the hairpin turn, at the grate inlet at the outside of the roadbed north of the hairpin turn and along the side inlet on the inland side of the road just past the hairpin turn (reference Exhibit No. 5). This will dissipate debris and sediment and will filter all the contaminants off the road in that area. This will also be easier for the City to maintain.

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 the incorporation of Best Management Practices designed to control the volume, velocity and pollutant load of stormwater leaving the developed site as well as to address a contigency plan for dealinw with potential chemical spills along the roadway. Critical to the successful function of post-construction structural BMPs in removing pollutants in stormwater to the Maximum Extent Practicable (MEP), is the application of appropriate design standards for sizing BMPs. The majority of runoff is generated from small storms because most storms are small. Additionally, storm water runoff typically conveys a disproportionate amount of pollutants in the initial period that runoff is generated during a storm event. Designing BMPs for the small, more frequent storms, rather than for the large infrequent storms, results in improved BMP performance at lower cost.

The Commission finds that sizing post-construction structural BMPs to accommodate (infiltrate, filter or treat) the runoff from the 85th percentile storm runoff event, in this case, is equivalent to sizing BMPs based on the point of diminishing returns (i.e. the BMP capacity beyond which, insignificant increases in pollutants removal (and hence water quality protection) will occur, relative to the additional costs. Therefore, the Commission requires the selected post-construction structural BMPs be sized based on design criteria specified in Special Condition No. 4, and finds this will ensure the proposed development will be designed to minimize adverse impacts to coastal resources, in a manner consistent with the water and marine policies of the Coastal Act.

Special Condition No. 4 specifically requires the applicant to implement a drainage and runoff control plan which includes BMPs designed to treat, infiltrate, or filter stormwater runoff from each runoff event up to and including the 85th percentile, 24-hour runoff event and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs. At a minimum, these BMPs include directing drainage from all impervious areas of the roadway susceptible to runoff, through structural or non-

structural BMPs such as vegetation or other media filter devices effective at removing or mitigating pollutants. Also required is on-going annual maintenance of the drainage and filtration system prior to the onset of the rainy season and replacement and repair of such structures in event of failure. As discussed above, as proposed, drainage from the roadway will either be directed into on-site vegetation or into filtering devices before being discharged to the ocean.

With implementation of BMPs, the potential water quality impacts resulting from the proposed development will be reduced to the maximum extent feasible. Therefore, as conditioned, the Commission finds the proposed development consistent with the cited policies of the Coastal Act. With implementation of the project improvements, the potential water quality impacts will be reduced to the maximum extent feasible. Therefore, the Commission finds the proposed development consistent with Section 30230 of the Coastal Act.

4. Shoreline Access. Coastal Act Section 30211 provides:

> 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.
>
> In addition, Section 30212 states, in 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, ...

Currently, there is no direct public access to the shoreline from the roadway subject to this review. At the wastewater treatment plant, the shoreline presently consists of rocky headlands interspersed with the previously constructed revetments. Due to the revetments and the rocky headlands, lateral access opportunities have been relatively non-existent since the time of plant construction. Also, due to the nature of the sewage treatment facility, public use of the area is restricted. With the proposed improvements, shoreline access by the public will not be reduced beyond that which currently exists.

Additionally, to the north of the project site are Navy owned lands which prohibit public access along the shoreline. To the south is the Cabrillo National Monument which encourages public access to the tip and westerly side of Point Loma. Parking lots and 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 found at the base of the bluffs. The Monument offers

guided tours of the tide pools at the base of the bluffs which allows the public the opportunity to view inter- and sub-tidal marine life.

With regard to potential construction impacts, none are expected to occur. Access to the treatment plant and other facilities, etc. will be required to remain open through the provision of flagmen. The applicant also indicated that some construction activities such as applying the asphalt surface to the roadway may occur at night to minimize impacts on use of the road during the day. Construction is expected to commence in August, 2001 and last approximately five months. Staging of equipment will occur at the PLWTP. Therefore, the Commission finds the proposed project fully consistent with Sections 30210 and 30212 of the Act.

5. Visual and Scenic Resources. Coastal Act Section 30251, provides, in part:

> 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, and, where feasible, to restore and enhance visual quality in visually degraded areas....

As noted earlier, the project encompasses the widening of a hairpin turn of an existing access road, putting an asphalt overlay on the existing road, drainage improvements and lengthening of an existing guard rail at the top of the bluff where the access road comes off of Cabrillo Road. The proposed improvements to the road will not affect its compatibility with the character of the surrounding area.

Although the treatment plant site is visible from the west by off-shore ships and boats, the proposed improvements are minor in nature and do not pose an adverse visual impact as compared to, for example, the construction of a new structure, etc. In addition, the proposed extension of an existing guard rail along the upper portion of the roadway will not impact existing views toward the ocean. As such, no impacts to public views or scenic resources will result from the proposed development. Therefore, the project can be found consistent with Section 30251 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. As conditioned, such a finding can be made for the subject development.

The Point Loma Wastewater/Sewage Treatment Plant is located within an unzoned geographic area included in the Peninsula Community Plan segment of the City of San Diego Local Coastal Program where it has existed since 1963. This area was 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. In addition, the Peninsula LCP Land

Use Plan acknowledges ongoing maintenance, and assumes some potential future improvements. However, the proposed development would be in keeping with the LUP policy of maintaining and enhancing public services, and with the access policies which provide for the preservation and enhancement of public recreational opportunities (i.e., continued access to the public tidepool area). Therefore, the Commission finds that approval of the proposed project, as conditioned, will not result in adverse impacts to coastal resources nor prejudice the ability of the City of San Diego to continue implementation of its fully certified LCP.

7. 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)(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 policies of the Coastal Act. Mitigation measures, including conditions addressing revegetation, erosion and sedimentation control and implementation of Best Management Practices for purposes of addressing water quality, will minimize all adverse environmental impacts. 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 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.

(\\TIGERSHARK\groups\San Diego\Reports\2000\6-00-110 City of San Diego stfrpt 3.01.doc)

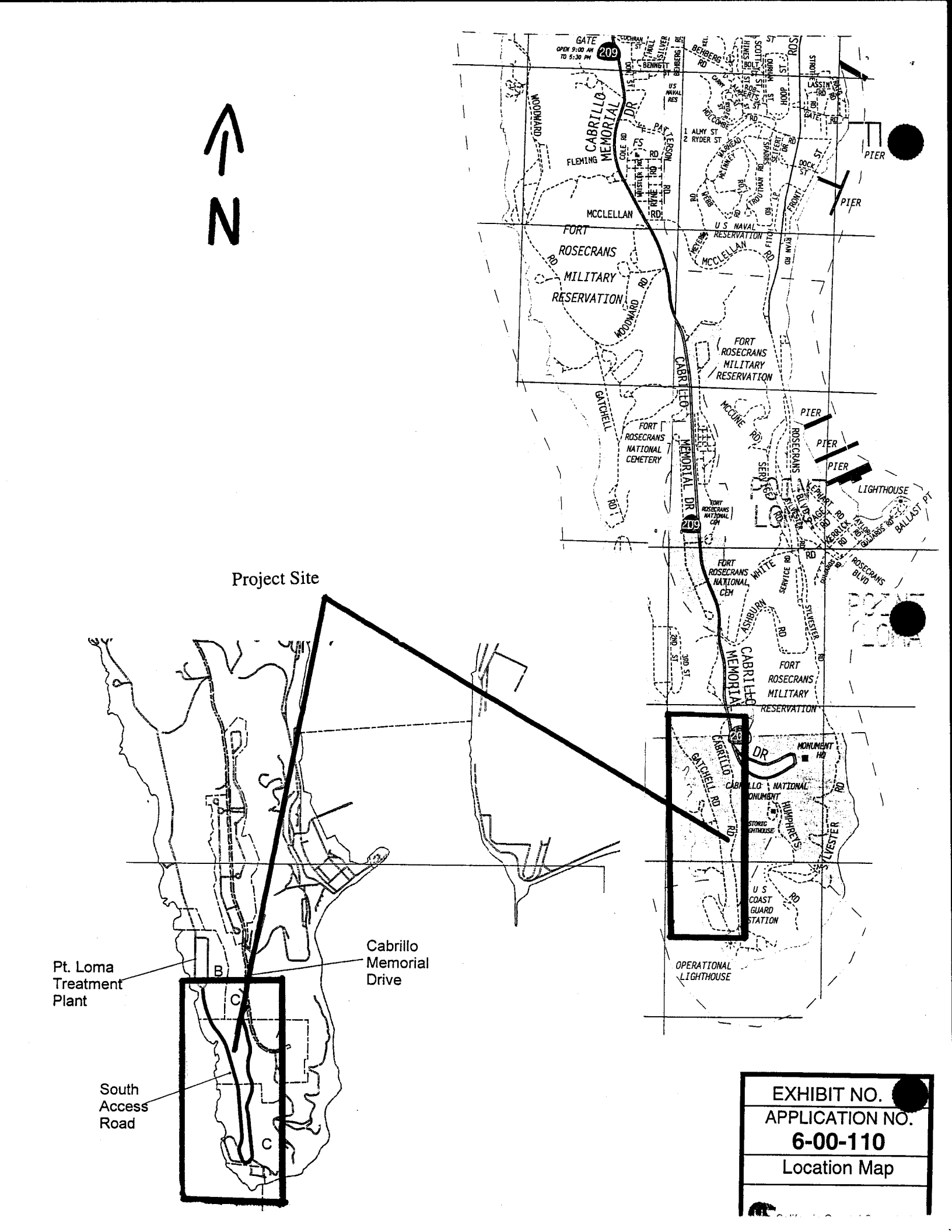
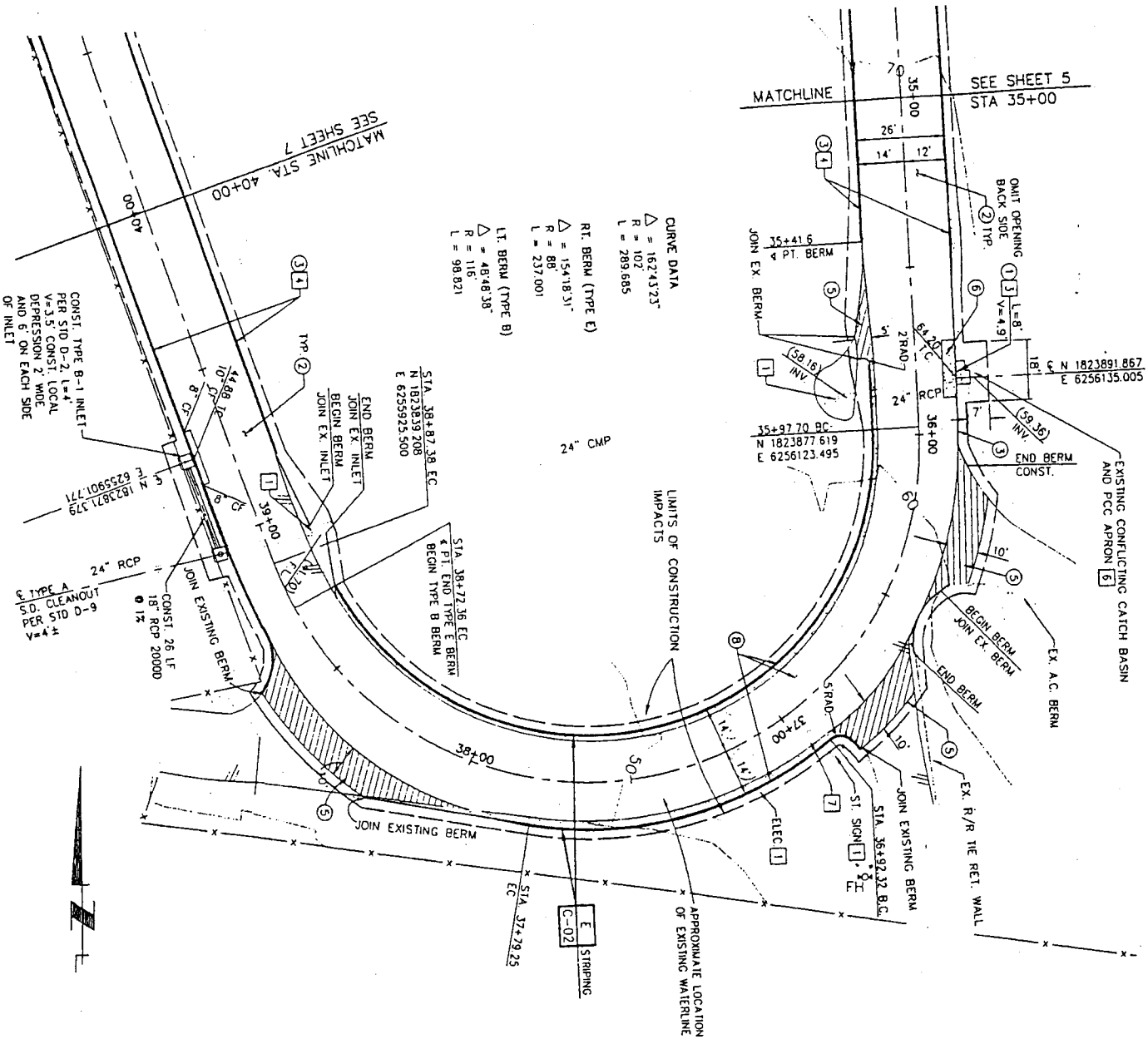


EXHIBIT NO.
APPLICATION NO. **6-00-110**
Location Map



CONSTRUCTION NOTES

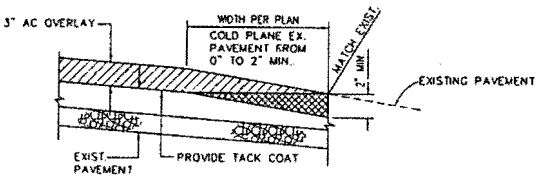
1. CONSTRUCT TYPE B-1 INLET PER STANDARD DRAWING D-2, MODIFY BACK TO INCLUDE OPENING PER STD. D-7.
2. CONSTRUCT 3" OVERLAY PER TYPICAL SECTION — 1 / C-02
3. CONSTRUCT BERM PER TYPICAL SECTION — 1 / C-02
4. CONSTRUCT A.C. GUTTER FLARE PER STD D-23 TO MATCH EXISTING TAPERED INLET.
5. ASPHALT CONCRETE TAPER JOIN PER DETAIL — A / C-02
6. CONSTRUCT LOCAL DEPRESSION PER DETAIL — C / C-02
7. CONSTRUCT 18" HIGH EARTH BERM AS SHOWN. LINE UPHILL FACE W/NO. 2 BACKING ROCK OVER 6" GRAVEL FILTER WITH GEOTEXTILE FABRIC
8. CONSTRUCT 3" OVERLAY AND FULL DEPTH PAVEMENT WITH BERMS PER TYPICAL SECTION — 2 / C-02
9. REPLACE WOOD GUARDRAIL POST PER STD. M-31
10. REPLACE GATE TRACK PER — D / C-02

DISPOSITION NOTES

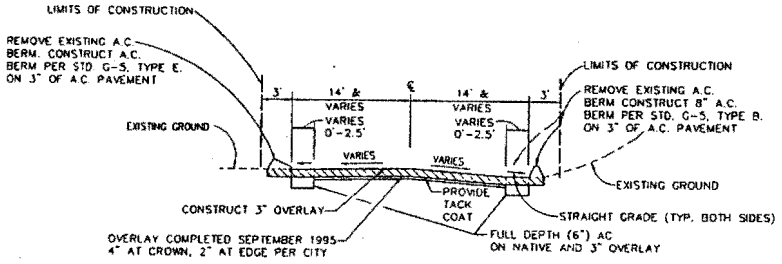
1. PROTECT
2. REMOVE EXISTING CONFLICTING HEADWALL AND PIPE.
3. CUT AND JOIN PIPE TO PROPOSED INLET.
4. GRIND TO REMOVE EXISTING AC BERM PER TYPICAL SECTION AND BERM DETAIL — B / C-02
5. PLUG AND ABANDON
6. REMOVE
7. ADJUST W.V. TO GRADE

N

EXHIBIT NO. 2
APPLICATION NO.
6-00-110
Site Plan of Widening at Hairpin Turn
California Coastal Commission



ASPHALT CONCRETE TAPER JOIN — A / VAR
NO SCALE



TYPICAL CROSS SECTION 35+70 TO 39+00 — 2 / C-06
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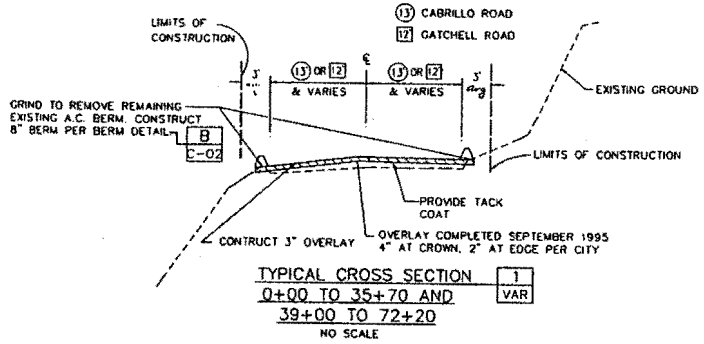
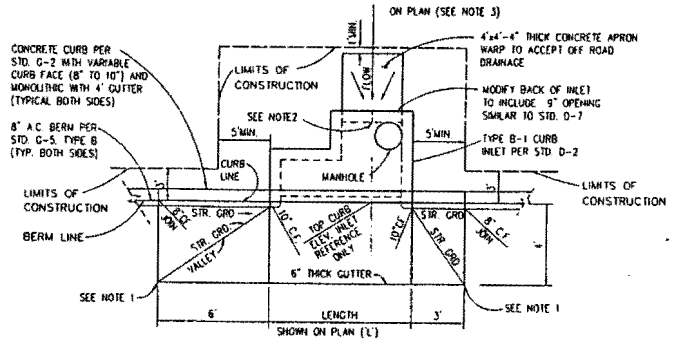
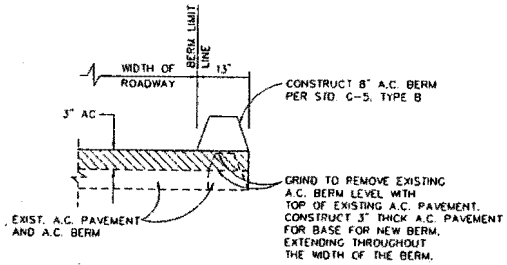


TYPICAL CROSS SECTION 0+00 TO 35+70 AND 39+00 TO 72+20 — 1 / VAR
NO SCALE

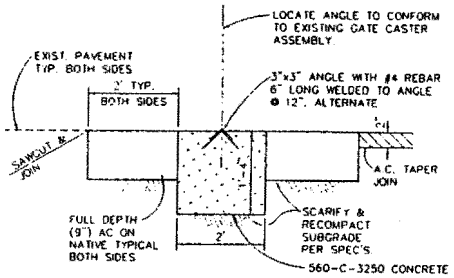


LOCAL DEPRESSION DETAIL — C / VAR
NO SCALE

NOTES
1. ELEVATION AT OUTER CORNERS OF LOCAL DEPRESSION SHALL CONFORM TO THE FINISHED ROADWAY SURFACE
2. SET OPENING ELEVATION FOR 4'x4' APRON TO ACCEPT OFF ROAD DRAINAGE.
3. CONTRACTOR SHALL VARIFY LOCATION OF EXISTING STORM DRAIN PIPE, BOTH HORIZONTAL AND VERTICAL PRIOR TO STARTING CURB INLET CONSTRUCTION.
4. CURB INLETS SHALL BE CONSTRUCTED IN THE PLANE OF THE EXISTING PAVEMENT, ALLOWING FOR THE 3" THICK A.C. OVERLAY AND THE 8" A.C. BERMS.
5. TYPE A-1 CURB INLETS SHALL USE THE SAME LOCAL DEPRESSION.
6. MAINTAIN ONE LANE OF TRAFFIC OPEN AT ALL TIMES. WITH MAXIMUM WAITING TIME OF 5 MINUTES. ALLOW CONCRETE TRUCKS ENROUTE TO POINT LOMA TREATMENT PLANT TO PASS AS SOON AS POSSIBLE-REFER TO SPECIFICATIONS.

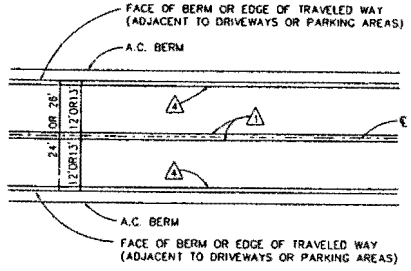


BERM DETAIL — B / VAR
NO SCALE



NOTE: CONTRACTOR SHALL PLACE GATE TRACK BOTH HORIZONTAL AND VERTICAL TO ALLOW GATE TO OPERATE EFFICIENTLY AND THE EXISTING ROADWAY SURFACE AND OVERLAY SHALL JOIN THE GATE TRACK SMOOTHLY.

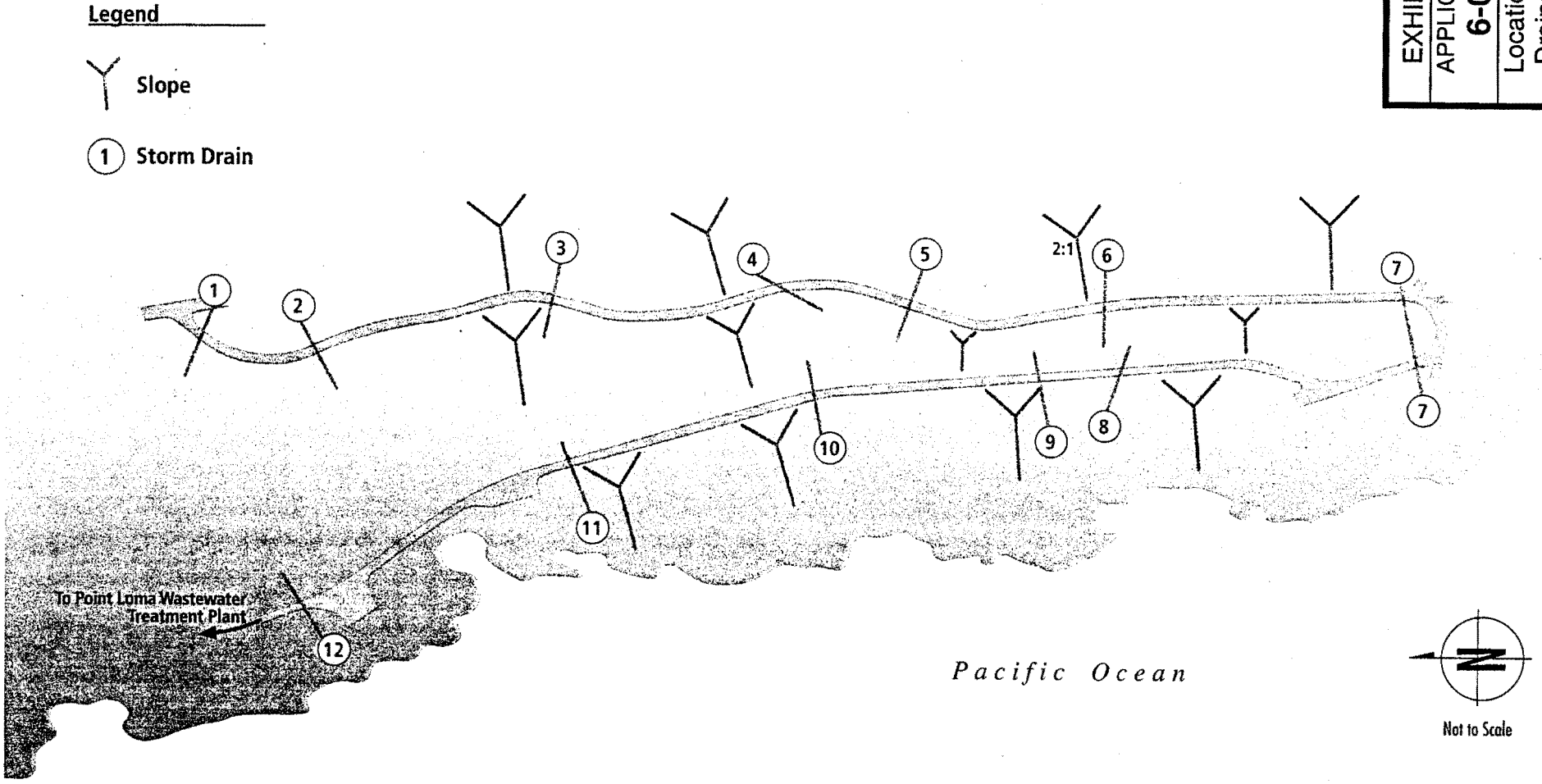
GATE TRACK DETAIL — D / C-09
NO SCALE



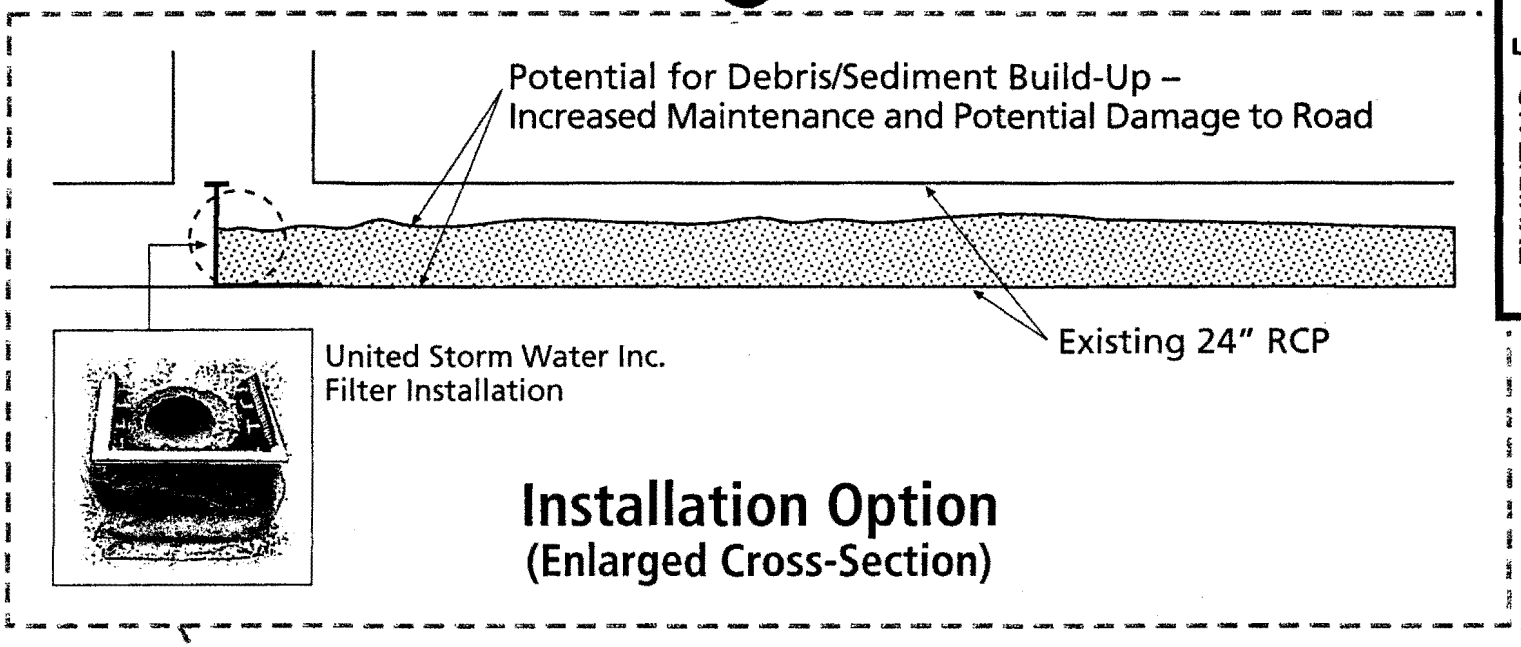
TYPICAL STRIPING DETAIL — E / VAR
NO SCALE

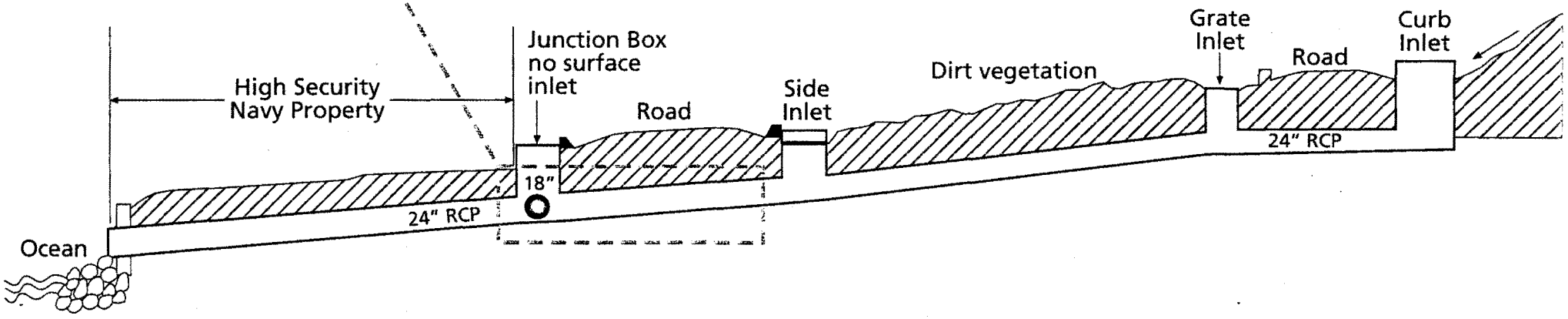
STRIPING NOTES

1. PAINT TWO DIRECTION, NO PASSING ZONE TRAFFIC LINES PER CALTRANS STANDARD A20-A, DETAIL 22. INSTALL PAVEMENT MARKERS AT 24' O.C. EACH SIDE OF TRAFFIC LINES.
4. PAINT RIGHT EDGELINE PER CALTRANS STANDARD A20-B, DETAIL 27B. A20-A, DETAIL 22.



Point Loma Wastewater Treatment Plant
South Access Road
Figure 1





South Access Road – Storm Drain 7
Storm Drain Profile – Road Station 35+84 to 38+90
Figure 2