

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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**Mon 8b**

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RECORD PACKET COPYREGULAR CALENDARSTAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-00-195

Applicant: City of San Diego

Agent: Marco Gallegos

Description: Construction of a one-story, 466 sq.ft. addition and miscellaneous equipment modifications to existing Otay sewer pump station and construction of a 36-inch gravity sewer line under the Otay River and a 24-inch sewer pipeline south of the river to convey wastewater to the Grove Avenue pump station in the vicinity.

Site: Commencing along Louret Avenue west of Interstate-5 proceeding in a westerly direction under the Otay River, then south on Saturn Boulevard and west on Boundary Avenue to terminus of road, in the undeveloped floodplain of the Otay River in Otay Mesa-Nestor, San Diego, San Diego County. APNs 622-162-02, 621-030-18, 19; 622-152-04, 627-080-16 and 627-101-27.

Substantive File Documents: Group Delta Consultants "Geotechnical Field and Laboratory Test Data" report dated 3/2/00; Letter from Ninyo and Moore Geotechnical and Environmental Services Consultants, dated 12/4/01; Negative Declaration LDR No. 40-0088 dated 12/14/00; Certified Otay Mesa-Nestor Community Plan (1997).

STAFF NOTES:**Summary of Staff's Preliminary Recommendation:**

Staff is recommending approval of the proposed project with special conditions. The project will not result in any direct impacts to environmentally sensitive resource areas. The proposed project will use trenchless technology (tunneling) under the full width (150 feet) of the Otay River in order to avoid all biological impacts to this area. Special conditions have been attached that require the applicant to submit final plans and to incorporate measures to ensure the integrity of the pipe in the event of liquefaction of the overlying sediments; avoiding construction during the nesting season of the sensitive bird

species in the area; submittal of plans for construction access and staging to assure no staging occurs where sensitive bird species exist; and, written confirmation from the U.S. Fish and Wildlife Service indicating their support and approval of the proposed project. As conditioned, no impacts to coastal resources are anticipated.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve Coastal Development Permit No. 6-00-195 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. Final Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final plans for the jack and bore construction under the Otay River for installation of a 36-inch gravity sewer line that are in substantial conformance with the

draft plans by the Metropolitan Wastewater Department dated January 2000 and shall include the following:

- a) Prohibit construction activities between February 15 and May 30 of any year to prevent disturbance to the Light footed clapper rail which is known to use the immediate area near the Otay River. The applicant shall consult with the U.S. Fish and Wildlife Service if any construction between February 15 and May 30 is necessary.
- b) Provisions for anchoring the pipe (as it crosses Otay River) with piles driven to a depth sufficient to resist buoyant forces and calculations demonstrating the appropriateness of the selected depth. In the alternative, the applicant may demonstrate that bulk density of sewer pipe (filled with air) and its metal casing is greater than the bulk density of the liquefied sediments and that anchoring the pipes is not necessary.
- c) If necessary to anchor the pipe, piles shall be confined to the jacking pit and the receiving pit on the opposite side of the river in order to avoid any additional impacts to sensitive biological resources.

The applicant shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plan, including the prohibition against construction activity between February 15 and May 30, shall be reported to the Executive Director. No change to the program shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is required.

2. Construction Access/Staging Areas. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, construction access and staging plans that includes the following:

- a) The plans shall indicate the locations, both on- and off-site, which will be used as staging and storage areas for materials and equipment during the construction phase of this project.
- b) Staging/storage areas shall not be permitted within any areas where sensitive bird species exist or within sensitive habitat areas.

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

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. The proposed project consists of miscellaneous equipment and mechanical modifications and a small addition (466 sq.ft.) to enclose the generator room of the existing Pump Station 9A (Otay Pump Station), located at the western terminus of Boundary Avenue in the Otay Mesa-Nestor community of the City of San Diego. The existing pump station would remain 12 ft. tall. Also proposed is the construction of two pipelines; 1) a 36-inch, 1,940-lineal foot gravity sewer pipeline to convey flows from the existing trunk sewers (Salt Creek and Otay) through diversion structures to the subject Otay River Pump Station and, 2) a 24-inch diameter, 1,300-lineal foot sewer pipeline to convey wastewater to the approved Grove Avenue Pump Station (located approximately two miles southeast of the Otay pump station outside the Commission's permit jurisdiction). Also included is the construction of three diversion structures along the 36-inch gravity sewer pipeline. The sewer pipeline construction begins at Louret Avenue (west of I-5) crossing under the Otay River, proceeding south on Saturn Boulevard to Boundary Avenue, then west on Boundary Avenue to the proposed expanded pump station at the terminus of Boundary Avenue (ref. Exhibit No. 1). This is the only portion of the project that is within the jurisdiction of the Coastal Commission. The overall project (24-inch sewer pipeline) extends beyond the limits of the Coastal Commission jurisdiction south along Saturn Boulevard past Boundary Avenue and then east along Grove Avenue past Hollister Street terminating at the Grove Avenue pump station approximately two miles from the subject site.

The upgraded Otay Pump Station will pump 12 million gallons per day (mgd) at peak flow of wastewater to the Grove Avenue Pump Station, where an additional 5 mgd of wastewater will be added, then pumped on to the South Bay Water Reclamation Plant which is located in the South Bay area (i.e. Tia Juana River Valley) near the border with Mexico.

The South Bay Water Reclamation Plant recently opened. The reclamation plant will handle 15 mgd. Flows to the plant will be pumped from the Grove Avenue Pump station, which was just recently constructed. The Grove Avenue Pump Station is designed for a maximum wet weather capacity of 18 mgd; however, with the current configuration, the maximum dry weather flow the pump station will treat is about 6 mgd. In order to divert the additional 12 mgd to the South Bay Water Reclamation Plant, a pump station within the proximity of the subject site is needed. As such, the existing pump station has been chosen to be upgraded in addition to the construction of the new 36-inch gravity sewer line and 24-inch sewer pipeline which will serve as a conveyance system to the Grove Avenue station. In addition, the City also proposes to construct three diversion structures in accordance with the MWWD's design guidelines. A weir also will be provided in two of the diversion structures. The purpose of the weir will be to divert all flows above 12 mgd to the Point Loma Wastewater Treatment Plant. As proposed, the new improvements will meet the flow requirements for the South Bay Water Reclamation Plant.

The southern portions of the proposed sewer pipelines extend beyond the Commission's area of jurisdiction. The portion of the proposed project within the Commission's area of jurisdiction is confined to that area north of Palm Avenue. Surrounding uses include an existing mobilehome park 300 feet to the southeast, former salt evaporation pond to the west and northwest, and former agricultural field to the immediate north, northeast and south.

The subject site is located within an area of deferred certification which largely consists of undeveloped floodplain in the City of San Diego. As such, the Chapter 3 policies of the Coastal Act are the standard of review.

2. Biological Resources/Water Quality/Geologic Hazard. The following Chapter 3 policies of the Coastal Act apply to the subject proposal and state, in part:

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.

In addition, Section 30233 of the Act is applicable to the proposed development and states the following:

Section 30233

(a) The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

(1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.

(2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.

(3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game

pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland. The size of the wetland area used for boating facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, shall not exceed 25 percent of the degraded wetland.

(4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.

(5) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

(6) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.

(7) Restoration purposes.

(8) Nature study, aquaculture, or similar resource dependent activities.

[...]

Section 30236 of the Coastal Act also states:

Channelizations, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development, or (3) developments where the primary function is the improvement of fish and wildlife habitat.

Section 30240 of the Act is applicable and 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.

In addition, the following section of the Coastal Act is also applicable to the project site and states, in part:

Section 30253

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.

As noted previously, the proposed project encompasses the construction of two sewer pipelines consisting of a 24-inch sewer pipeline and a 36-inch gravity sewer pipeline. Most of the sewer pipeline will be installed through the use of open trenches. The sewer pipeline construction begins at Louret Avenue (west of I-5) and then will cross under the Otay River. The pipe will be installed under the Otay River using trenchless technology; specifically the jack and bore method. Upon crossing under the river, the pipe will then proceed from the south side of the river a short distance where the alignment then turns south on Saturn Boulevard to Boundary Avenue. From this point, the pipeline will proceed west on Boundary Avenue to the proposed expanded pump station. Minor improvements and additions to the existing Otay pump station are also proposed. The portion where the alignment crosses the Otay River contains coastal salt marsh which will be avoided through the use of trenchless technology. The proposed pipeline alignment north of Boundary Avenue along Saturn is a bicycle path and adjoining areas are disturbed, formerly farmed areas currently predominantly covered with Russian thistle. The existing pump station site is fenced, disturbed, and devoid of any natural vegetation. In addition, several bird species are known to use the area. The former evaporation salt ponds to the west and northwest support the endangered California least tern and threatened western snowy plover. In addition, the Belding's Savannah sparrow is known to use the area. Downstream of the proposed undercrossing, upstream of the former salt evaporation ponds, there is an area of salt marsh. This area is known to support the endangered light-footed clapper rail. The Otay River supports a narrow band of native riparian habitat where it flows through the former agricultural field. This habitat includes freshwater marsh and willow scrub.

Therefore, the project has the potential to impact environmentally sensitive species and sensitive habitat, including both upland and wetlands areas. However, the proposed project would avoid these sensitive areas by installing the pipeline under the Otay River in the clay/soil material below the riverbed. As such, no impacts should occur to any resources in the river or adjacent to it. In addition, construction access for commencement and completion of the project will occur from the north and south sides of the river in areas that are devoid of sensitive vegetation. Furthermore, the City

explored other alternative alignments that would have included installation of the new sewer pipelines which involved three different alignments in the project vicinity along Saturn Boulevard. A fourth alternative along Hollister Street also was considered. However, all of these alternatives were rejected because of major traffic impacts along Palm Avenue or potential impacts to the Caltrans right-of-way, problems with easements under the I-5 freeway and increased construction costs. The subject alignment was chosen as the preferred alternative because it results in the least community disruption, impacts to traffic and noise. With regard to all of the potential alternatives, in each case, crossing under the Otay River would have been necessary. However, as noted previously, the proposed project incorporates trenchless technology which will avoid all impacts, direct and otherwise, to sensitive biological resources in this area. As such, the proposed project represents the least environmentally-damaging alternative.

Although there is the potential to impact environmentally sensitive species, the project has been designed to avoid or mitigate all impacts to biological resources. This will be achieved in two ways. First, the undercrossing of the river will avoid all impacts to habitat associated with the river. The City proposes to use trenchless technology under the full width of the river (40 feet) in order to avoid biological impacts to this area. Specifically, the pipeline will be placed below the riverbed which will avoid all impacts to coastal salt marsh and riparian vegetation. Construction access for both the beginning and ending of the undergrounding of the pipelines will take place from the sides of the river in areas which consist of disturbed (previously disked) agricultural fields which are devoid of any sensitive vegetation. Thus, as proposed, no direct impacts to sensitive vegetation are anticipated. Secondly, for that portion of the sewer alignment that will lie outside of the riverbed, the route itself has been designed such to avoid sensitive resources (i.e., riparian vegetation and/or areas used by sensitive bird species) by being located within the right-of-way of existing streets in the area, most of which are dirt roads on vacant land (former agricultural land that was previously disked).

As noted in the geotechnical report by Ninyo and Moore, the sewer line will cross beneath the Otay River through approximately 150 feet of 54-inch steel casing that is will be installed by means of the jack-and-bore method. The jack-and-bore method consists of advancing steel casing using a hydraulic jack from the jacking pit to a receiving pit located on the east side of the river where the pipeline will be tied into an existing diversion structure. A cutting edge, 1/2-inch thick with a total diameter of one inch greater than the outer diameter of the casing, is attached to the exterior of the lead joint of casing. Spoils are transferred from the cutting head to the jacking pit by means of the bore machine auger. Spoils are removed from the jacking pit by clamming with a 25-ton crane. The jacking pit will be approximately 40 x 12 feet and will be situated on the west side of the river and the casing will be advanced to the east. However, construction access and staging will not be located in sensitive areas. In addition, construction staging and equipment will not be located in any sensitive areas. After the casing has been bored into place, the annular space outside of the casing will be pressure grouted to fill the exterior voids around the casing. The carrier pipe will then be hydraulically advanced through the casing, and the annulus between the casing and carrier pipe will be filled with

sand. The jacking and receiving pits will be shored in accordance with OSHA requirements while the excavations are open, prior to back-filling.

Although as proposed, no portions of the sewer lines would be installed within any environmentally sensitive resource area, including wetlands, riparian areas, and other drainages, there are a number of ways in which the project could have indirect resource impacts, particularly where work occurs adjacent to sensitive habitat. These include the potential for soil compaction, the loss of (non-sensitive) vegetative cover, increased wind and water erosion, and the creation of opportunities for the invasion and establishment of weed species. However, the cited potential impacts are not a concern at the project site because the City has indicated that they will install erosion control measures per City guidelines. In addition, the area where the jack and bore pits are located is disturbed former agricultural lands devoid of any native or riparian vegetation. As such, there is no need to revegetate this area. The federal government has purchased the surrounding area and plans to create a salt marsh associated with the future Otay Valley Regional Park.

The jack and bore method uses no bentonite or other fluids, so there is no potential for "frac out" or other loss of lubricants as there is with some other forms of trenchless technology (e.g., horizontal directional drilling). The proposed project will not allow pollution or sedimentation to enter the watercourse or sensitive habitat areas.

The Commission's staff geologist has reviewed the proposed project and based upon information submitted from the applicant's geologist, has determined that liquefaction is a concern for that portion of the pipeline that will be installed under the Otay River. Specifically, dependent on the bulk density of the pipe at the time of liquefaction, there is the possibility that the pipe might either sink or float in liquefied soils in the event of a seismic event. In either case, such an event would put stresses on the pipe that could fracture the pipe leading to a spill which could significantly affect biological resources and habitat areas. The applicant has submitted a liquefaction analysis, dated December 13, 2001 that shows that soil at depths greater than 16 feet beneath the river bed are nonliquefiable. Since the invert of the pipe is to be installed at a depth of 17 feet, there is no risk that the pipe will become unsupported and sink during a seismic event. The report does show, however, that liquefaction of the upper 16 feet of soil is a distinct possibility during a major earthquake on the Rose Canyon fault. If the bulk density of the pipe is less than the density of the liquefied soils, the pipe could tend to float in the soils, placing stresses on the pipe at the points where it enters non-liquefiable soils away from the river undercrossing. Two methods to solve this potential would be to either bury the pipe deeper or to anchor/tie it down into the non-liquefiable soil found at depths greater than 16 feet. The City has indicated that burying the pipe deeper is not a viable option, because the gradient of this gravity line must be maintained within narrow limits. Deepening the section beneath the river would force major realignments along the entire route of the pipeline. Accordingly, the preferred option is to anchor the pipeline in non-liquefiable soils through the use of piles. The placement of piles for anchoring the pipe could result in additional impacts to biological resources in this area. In response to this concern, the City has indicated that the piles will be confined to the jacking and receiving pits only and, as such, no additional impacts will result from the placement of the piles

below the river. Special Condition No. 1 is attached which requires the City to submit plans for piles to anchor the pipe or provide documentation that the pipe will not "float" under a seismic event. Specifically, the applicant shall demonstrate that the bulk density of the sewer pipe (filled with air) and its metal casing is greater than bulk density of the liquefied sediments and that anchoring the pipe is not necessary. The condition further requires that if piles are necessary to tie the pipe down that they be confined to the jacking and receiving pits in order to avoid impacts to biological resources.

As noted previously, the former agricultural fields and former salt evaporation ponds adjacent to the project site contain areas supporting endangered California least tern and threatened western snowy plover. In addition, the clapper rail is known to nest in the area, as well. The former salt pond areas were recently purchased by the federal government and established as a wildlife refuge. The applicant has indicated that because the project is being funded with state monies, the project is required to be constructed outside of the nesting season for the Light-footed clapper rail which is typically from February 15th to May 30th. As noted in the Mitigated Negative Declaration for the subject project, although there are other bird species in the area, they are located some distance away. Just downstream of the proposed undercrossing, there is a patch of salt marsh which is known to support the endangered Light-footed clapper rail. As noted previously, the federal government recently purchased the salt production ponds west of the project site and has established a wildlife refuge. This refuge contains areas supporting the endangered California least tern and the threatened western snowy plover. Other sensitive species in the refuge include the Belding's Savannah sparrow and long-billed curlew, both candidate species for future listing. Although the nesting seasons for some of these other identified sensitive bird species are from April 1st to September 1st, there is no need to restrict timing of construction to avoid this time period because there is sufficient separation between the proposed sewer pipeline alignment and these areas supporting the aforementioned sensitive bird species such that direct and/or indirect adverse effects will be avoided. The applicant has coordinated closely with the U.S. Fish and Wildlife Service regarding the subject project and USFWS stated verbally that the proposed project did not raise any significant concerns with regard to impacts to resources in the area. However, to further assure that construction activities do not occur during the breeding season of the Light footed clapper rail, Special Condition No. 1 also prohibits construction activities during this time period. In addition, Special Condition No. 2 has been attached to assure that the staging and storing of materials does not occur in sensitive biological areas. As conditioned, all potential impacts to biological resources have been reduced to the maximum extent feasible.

Section 30236 of the Coastal Act prohibits the substantial alteration of rivers and streams except for necessary water supply and flood control projects. The proposed project will not result in changes to the course of the river because it utilizes the jack and bore method which consisting of burying the pipelines below the riverbed in sandy/clay soil/material. As such, no placement of materials will occur within the watercourse itself. Inasmuch as the proposed project has been designed to avoid the alteration of streams and rivers on the project site, it is consistent with this section of the Act.

As cited above, under the Coastal Act, disturbance and/or fill of wetlands is severely constrained. The proposed development, however, avoids impacts to wetlands, and is therefore consistent with Section 30233. In addition, the proposed project has been reviewed by both the Commission's staff geologist as well as the staff's water quality specialist. As designed, the proposed project does not raise any significant concerns and is consistent with the Coastal Act policies addressing geologic hazards and water quality. As such, the proposed development is consistent with Sections 30231, 30233, 30236, 30240 and 30235 of the Act.

4. Growth Inducement. Section 30250 (a) of the Coastal Act is applicable and states, in part:

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources....

As noted previously, the proposed development involves the installation of two sewer lines, one of which will cross below the Otay River via trenchless technology. In addition, an upgrade to an existing pump station also is proposed. Specifically, the upgrades to the existing pump station include miscellaneous improvements such as replacement of pumps with new pumps, upgrades to heating and ventilation, upgrades to existing odor control system, etc. and construction of a one-story, 466 sq.ft. addition to the existing structure to enclose the generator room (ref. Exhibit No. 3). The proposed improvements are intended as upgrades to the existing pump station to meet current standards and not to accommodate more growth. The purpose of the proposed project is to supply the South Bay Water Reclamation Plant expansion with wastewater of sufficient quality and quantity to produce reclaimed water for customers in the South Bay area. In other words, the proposed improvements to the existing pump station are being proposed to serve existing development and are not being proposed to accommodate new development. As such, the proposed improvements should not have a significant overall inducement to growth. Therefore, the Commission finds that the proposed project, as conditioned, is consistent with Section 30250 (a) of the Coastal Act.

5. Public Access. Section 30212 of the Act 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, or,

- (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway....

The proposed project site is far removed from the shoreline and any beach areas. However, the site is located between the first coastal road and the "sea", or rather, the San Diego Bay, in this particular case. Adequate access exists in the area consisting of a bicycle route known as the "bayshore bikeway". The proposed construction of the sewer pipelines will not have any adverse effect on the public's use of the bikeway. The subject site is part of an area which the City has designated as a special study area for the proposed Otay River Valley Regional Park. The proposed project will not result in any adverse impacts to the City's future plans to create this area as a regional park for passive recreational use (i.e., bird watching, viewpoints to the river and habitat areas, etc.). Inasmuch as adequate access exists in the area and the project will have no effect on public access, the project is consistent with Section 30212(a).

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. In this case, as conditioned, such a finding can be made.

The project site is zoned A-1-1 and designated as a special study area for the proposed Otay River Valley Regional Park in the certified Otay Mesa-Nestor Community Plan. The proposed installation of a sewer pipeline is consistent with these designations. Although the City of San Diego has assumed permit authority for the Otay Mesa-Nestor area, the undeveloped floodplain remains an area of deferred certification and the Commission will continue to issue permits in this area until this area becomes part of a certified LCP. As conditioned, this project is consistent with the Chapter 3 policies of the Coastal Act and the certified City of San Diego LCP and will not prejudice the ability of the City of San Diego to develop a fully-certifiable LCP for the Otay Mesa-Nestor area.

7. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(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 sensitive resource and public access policies of the Coastal Act. Mitigation measures, including conditions addressing tunneling techniques under the river to avoid impacts to biological resources and prohibition of construction activities during the nesting season

of sensitive bird species, 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 is 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.



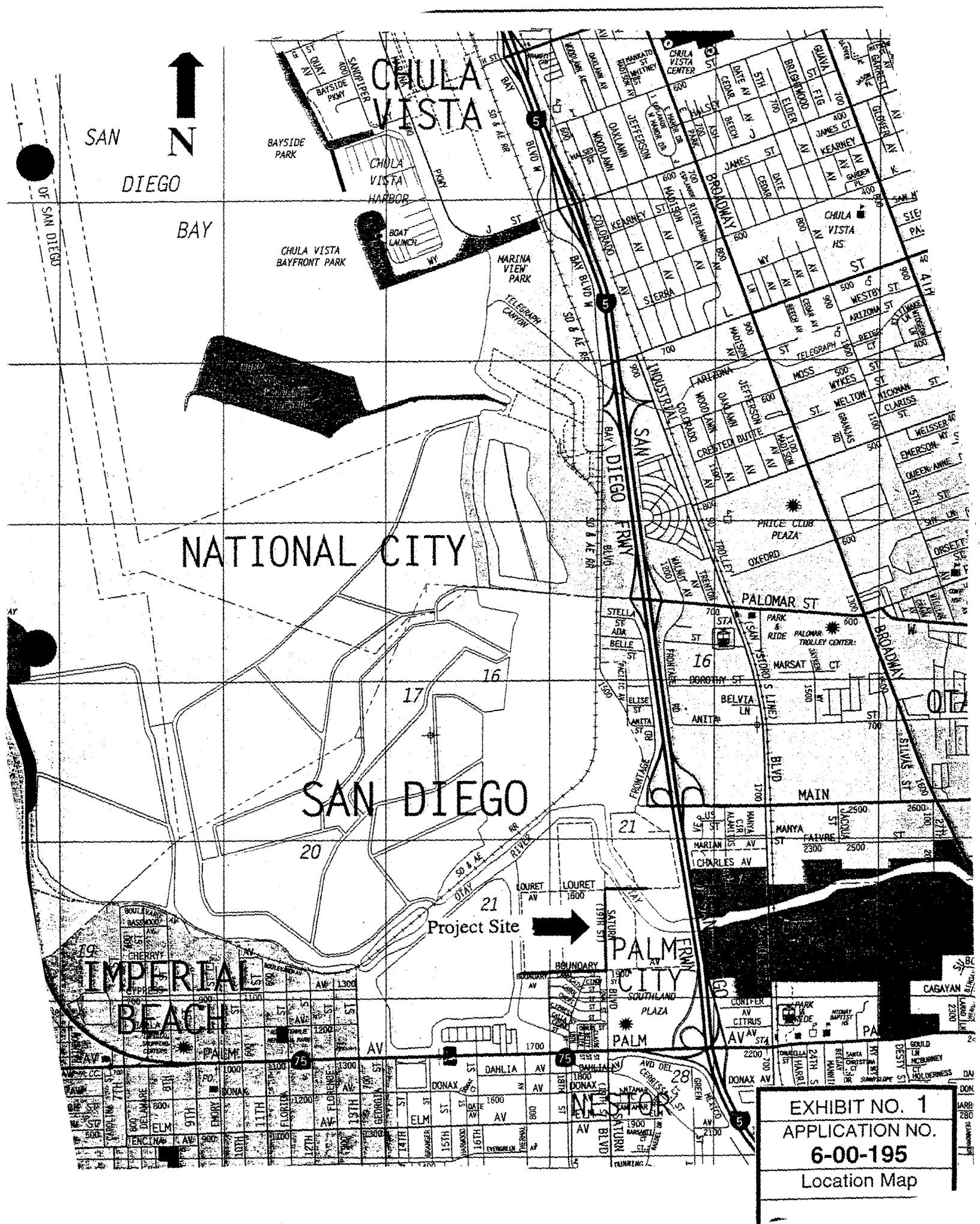


EXHIBIT NO. 1
APPLICATION NO.
6-00-195
Location Map

Otay River Pump Station



Otay River Pump Sta.

Lauret Av

Coastal Commission Jurisdiction

Palm Av

Saturn Bl

City of San Diego Jurisdiction


Coronado Av

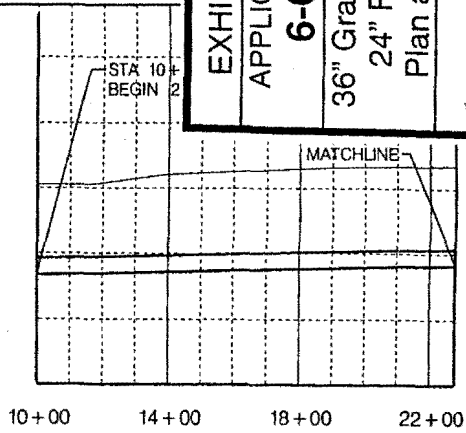
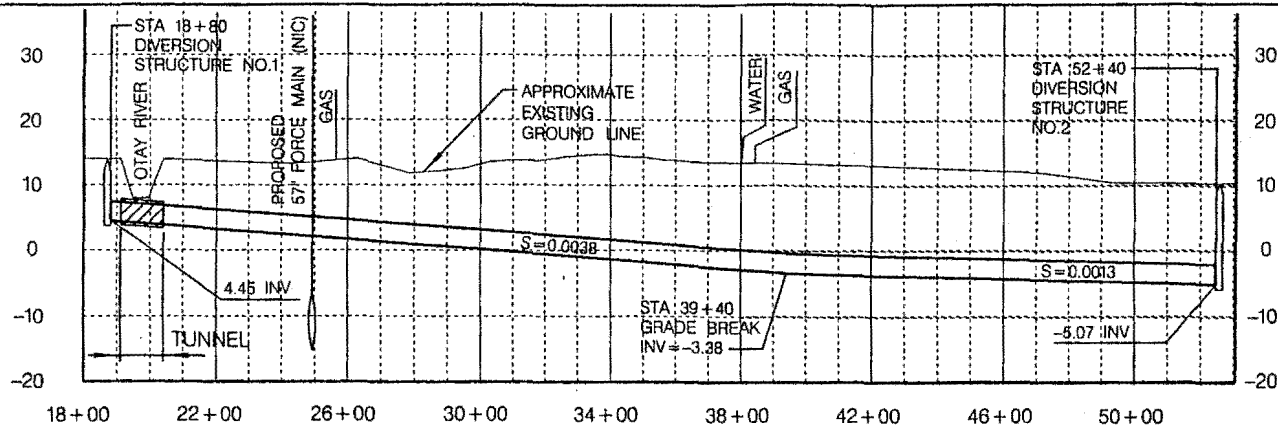
Grove Av

Grove Av Pump Sta.

EXHIBIT NO. 2
APPLICATION NO.
6-00-195

Portion of Project
Subject to Coastal
Commission
Jurisdiction and Map
of Overall Project

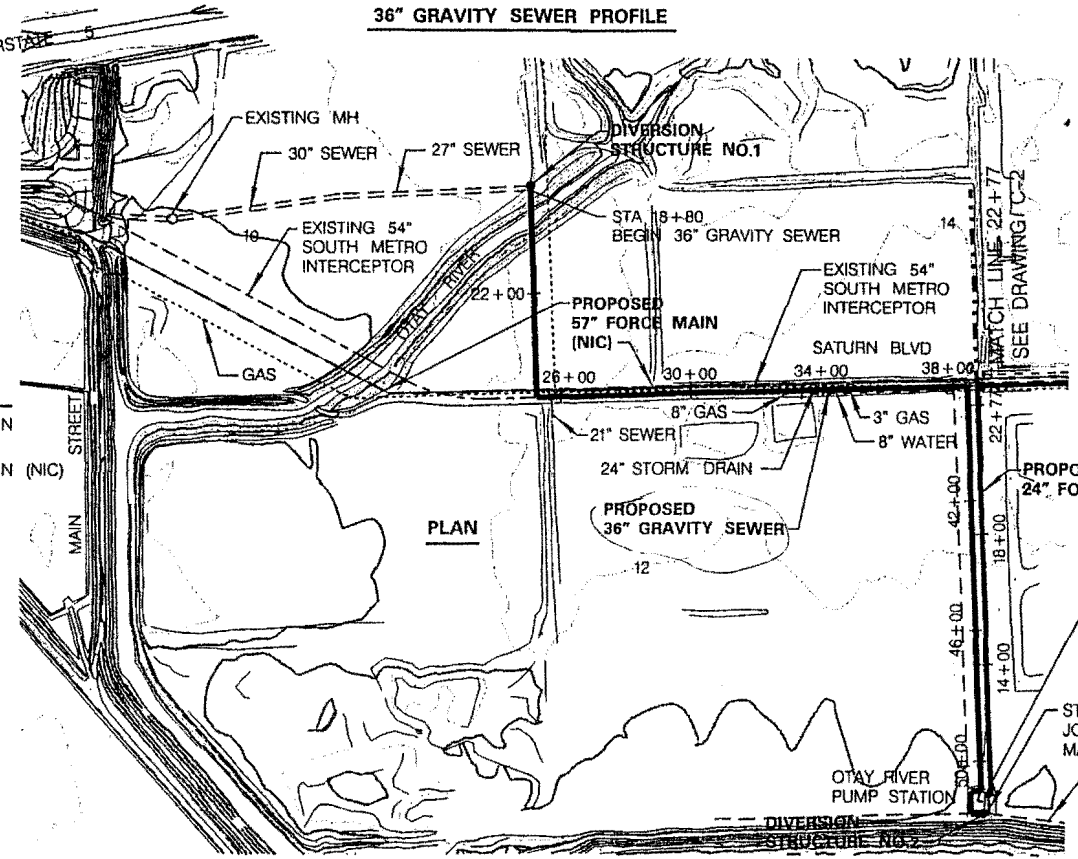
 California Coastal Commission	EXHIBIT NO. 3
	APPLICATION NO. 6-00-195
	36" Gravity Line and 24" Forcemain Plan and Profile



36" GRAVITY SEWER PROFILE

24" FORCE MAIN PROFILE

- LEGEND**
- PROPOSED 24" FORCEMAIN & 36" GRAVITY SEWER
 - - - - PROPOSED 57" FORCEMAIN (NIC)
 - . - . TELEPHONE
 - - - - STORM DRAIN
 - . . . GAS
 - - - - WATER
 - - - - SEWER
 - - - - SOUTH METRO INTERCEPTOR

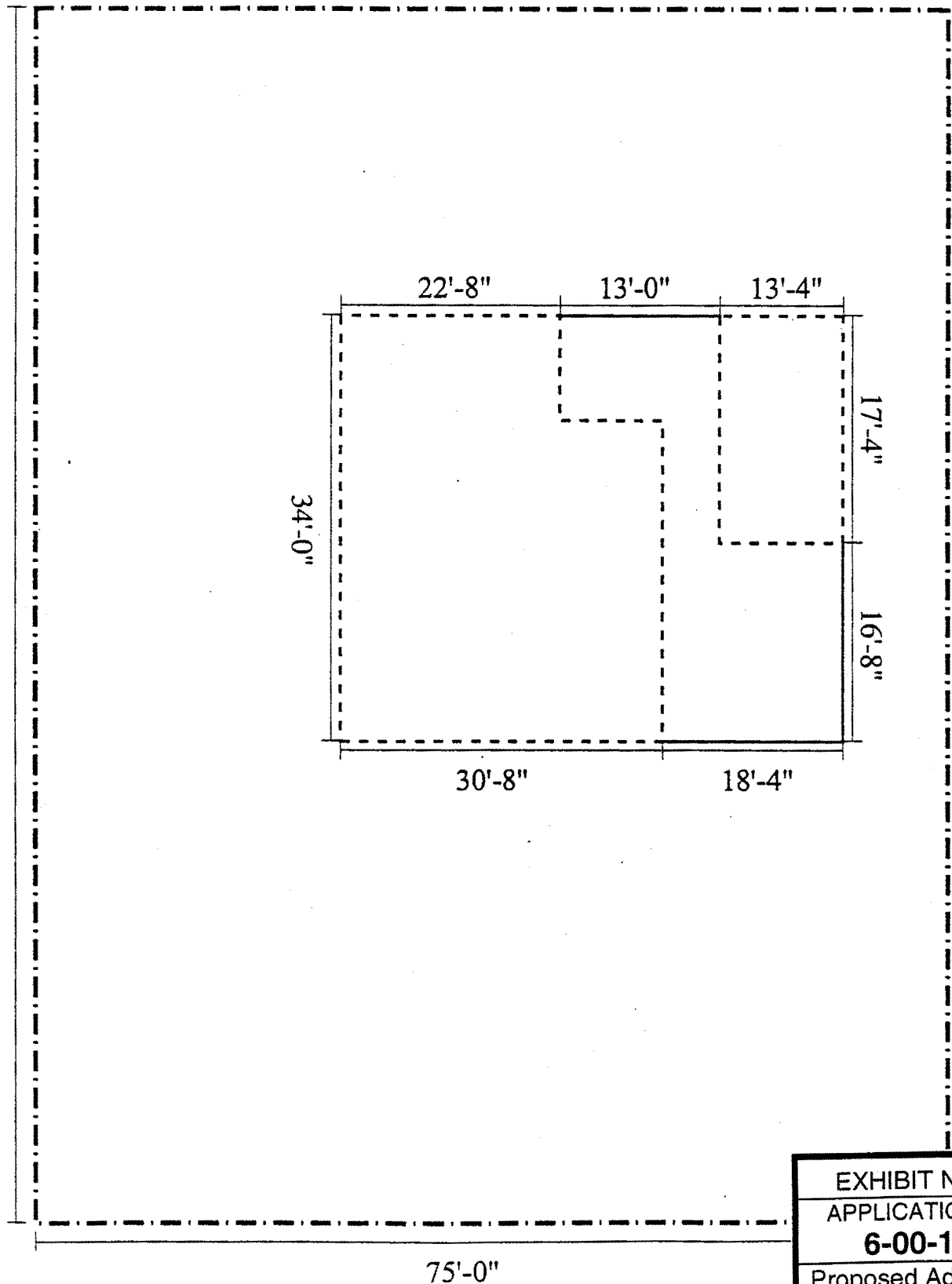


PLAN



SCALE: HORIZ - 1"=400'
VERT - 1"=20'

OTAY RIVER PUMP STATION	
36" GRAVITY LINE AND 24" FORCEMAIN PLAN AND PROFILE	
STA 18+80 TO 52+40 AND STA 10+00 TO 22+77	
METROPOLITAN WASTEWATER DEPARTMENT City of San Diego	DRAWING NO. C-1



--- PROPERTY LINE
--- EXISTING PS BUILDING
--- PROPOSED PS EXPANSION BLDG

EXHIBIT NO. 4

APPLICATION NO.

6-00-195

Proposed Addition to
Existing Otay Pump
Station