

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(831) 427-4863

RECORD PACKET COPY

**F16a**

Page 1 of 6
Staff: MJN - SC
Date: April 11, 2003
File: 3-03-009

ADMINISTRATIVE PERMIT NUMBER 3-03-009

Applicant.....City of Pacific Grove, Department of Public Works (Contact: Steve Leiker, P.E., Director of Public Works/City Engineer)

Project location.....Ocean View Boulevard (between 17th Street and Carmel Avenue, to include Lover's Point parking lot), Pacific Grove, Monterey County.

Project descriptionDivert dry weather urban runoff from the storm drain system into the sanitary sewer system during the non-rainfall period April 1 through November 1 of each year. Construct interceptor access points (formerly manholes) in existing storm drain lines to divert low flow, dry weather urban runoff into a new storm drain diversion trunk line running along Ocean View Boulevard. A gate valve will be installed between the interceptor access point and storm drain diversion trunk line to open and close the system, and the dry weather urban runoff will be discharged into the existing sanitary sewer facilities by pumps.

Executive Director's Determination: The findings for this determination, and for any special conditions, appear on subsequent pages.

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

FRIDAY, April 11, 2003
Radisson Santa Barbara
1111 E. Cabrillo Blvd.
Santa Barbara, CA 93103
(805) 963-0744

IMPORTANT: Pursuant to Title 14 of the California Code of Regulations, Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its



California Coastal Commission
April 2003 Meeting in Santa Barbara

Staff: M. Nowak Approved by: *DEL*

contents, including all conditions, and return to our office. Following the Commission's meeting, and once we have received the signed acknowledgment and evidence of compliance with all special conditions, if applicable, we will send you a Notice of Administrative Permit Effectiveness. Before you can obtain any local permits and proceed with development legally, you must have received both your administrative permit and the notice of permit effectiveness from this office.

PETER DOUGLAS

Executive Director



By: Steve Monowitz

Permit Chief

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.

SPECIAL CONDITIONS

1. **Use of Best Management Practices (BMPs).** The Permittee shall conform to the following list of BMPs to protect water quality during the construction process:

Sediment-Capturing Devices: Install storm drain inlet protection that traps sediment before it enters the storm sewer system for all nearby storm drain inlets to prevent construction related runoff and sediment from entering into storm drains or natural drainage areas, which ultimately deposit runoff into Monterey Bay. This barrier shall consist of filter fabric, gravel filter, or sand bags. The use of straw bales is discouraged. Specific BMP applications include (a) Filter Fabric Fence: appropriate for drainage basins



less than 1 acre with a less than 5% slope; (b) Block and Gravel Filter: appropriate for flows greater than 0.5 cfs; (c) Gravel and Wire Mesh Filter: used on curb or drop inlets where construction equipment may drive over inlet; (d) Sand Bag Barrier: used to create small sediment trap upstream of inlets on sloped, paved streets. Maintenance: (a) inspect weekly after each rain; (b) replace clogged filter fabric or stone filters immediately; (c) remove sediment when depth exceeds half the height of the filter, or half the depth of the sediment trap. In addition, silt fences or other device to capture sediment shall be installed at the perimeter of any excavated material left on site. Any excavated or fill material shall be covered during non-work hours, if the area is prone to high winds, or should rain be threatening, either day or overnight. At end of day, street areas impacted by excavation/fill shall be thoroughly swept and cleaned as well as feasible.

Construction drainage and erosion: BMPs shall include (a) dry cleanup methods are preferred whenever possible and that if water cleanup is necessary, all runoff shall be collected to settle out sediments prior to discharge from the site; all de-watering operations must require filtration mechanisms; (b) off-site equipment wash areas are preferred whenever possible; if equipment must be washed on-site, the use of soaps, solvents, degreasers, or steam cleaning equipment shall not be allowed; in any event, this wash water shall not be allowed to enter storm drains or any natural drainage; (c) concrete rinsates shall be collected and they shall not be allowed into storm drains or natural drainage areas; (d) good construction housekeeping shall be required (e.g., clean up all leaks, drips, and other spills immediately; refuel vehicles and heavy equipment off-site and/or in one designated location; keep materials covered and out of the rain (including covering exposed piles of soil and wastes), employees shall be adequately trained for the use of spill clean-up materials; dispose of all wastes properly, place trash receptacles on site for that purpose, and cover open trash receptacles during wet weather); and finally (e) all erosion and sediment controls shall be in place prior to the commencement of grading and/or construction as well as at the end of each day.

2. No Tree Replacement. The single small Monterey Cypress tree identified for removal in the project description shall be not be replaced.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that the development is a category of development that qualifies for approval by the Executive Director through the issuance of an administrative permit (Public Resources Code Section 30624). Subject to Standard and any Special Conditions as attached, said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, is located seaward of the first through public road, and is in conformity with the public access and public recreation policies of Chapter 3 of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act.



FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

Background and Project Description

The City of Pacific Grove proposes to construct a new underground pipeline within the public right-of-way along Ocean View Boulevard to divert dry weather urban runoff from the storm drain system into the sanitary sewer system. The project includes improvements to portions of the City's existing storm drain system to allow capture of summer urban runoff and its conveyance to the Monterey Regional Water Pollution Control Agency wastewater treatment facility for treatment in compliance with National Pollutant Discharge Elimination System (NPDES) permit conditions. The proposed project will benefit coastal and marine resources, residents and visitors to the Monterey Peninsula by reducing the accumulation of contaminants in some storm drains and reducing the overall volume of untreated urban runoff discharge to the shoreline and coastal waters of the Monterey Bay between April 1 and November 1 of each year. The project is funded by a grant secured from the State Clean Beaches Initiative.

The project is statutorily exempt from CEQA. The proposed project involves the construction of less than one mile of underground pipeline in the public right-of-way, and conforms to the Public Resources Code Section 21080.21. Additionally, the project is subject to the terms, performance standards and conditions of the Monterey Regional Water Pollution Control Agency Sewer Use Ordinance.

Marine Resources

Sections 30230 and 30231 of the Coastal Act specifically protect the water quality and biological productivity of the marine environment. Section 30231 states in addition to maintaining biological productivity and quality of coastal waters that where feasible, be restored through among other means, controlling runoff. Construction of the dry weather urban runoff project will help protect marine resources from contaminants through capture of urban runoff and conveyance to the wastewater treatment facility. However, the project description does not include a list of best management practices (BMPs) for protecting water quality and marine resources during the construction process. Special Condition #1 requires that the City comply with listed BMPs in order to safeguard water resources. Therefore, as conditioned the development is consistent with the Marine Resource policies of Chapter 3 of the Coastal Act.

Visual Resources

Section 30251 of the Coastal Act protects the scenic and visual qualities of coastal areas and recognizes these areas as a resource of public importance. The proposed urban runoff diversion project will not be visually incompatible with the character of the surrounding shoreline area since it will involve development placed underground with the exception of two electrical/control panels. In addition, the project proposal requires the removal of one small Monterey Cypress tree on the seaward side of Ocean View Boulevard. The City of Pacific Grove Natural Resources Committee has conditioned the project to replace removal of the single Monterey Cypress with two 15-gallon Monterey Cypress trees. A concerned member of the public has raised the issue of adverse impacts of this condition with respect to Coastal Act requirements for protecting scenic and visual qualities of coastal areas. The two trees as



they mature would significantly obstruct public views of the shoreline. The City of Pacific Grove presently does not have a certified LCP. Therefore, the Coastal Act is the standard of review for protecting visual resources. However, because the City has a certified LUP, the policies of the LUP have been used as additional guidance. The Coastal Act requires permitted development to be sited and designed to protect views to and along the ocean and scenic areas (Section 30251). Furthermore, development is to be visually compatible and where feasible, restore and enhance visual quality. The City's LUP has designated all areas of the seaward side of Ocean View Boulevard "scenic" and as such, the visual qualities are required to be protected and are recognized as a resource of public importance (Policy 2.5.4). In addition, the LUP states: "Planting which would block significant public views shall not be approved" (Policy 2.5.5.5). Replacement of the single tree designated for removal would not be consistent with Coastal Act policy. Therefore, the proposed project as conditioned to not replace the tree proposed for removal is consistent with Section 30251 of the Coastal Act and with the certified Pacific Grove LUP Policies 2.5.4 and 2.5.5.5.

Public Access/Recreation

Coastal Act Section 30211 states that development shall not interfere with public access to the coast. The project will require the closure of Ocean View Boulevard during the construction process, which is expected to take 4 months to complete. The project will commence in April 2003 and is anticipated to be complete in July 2003. Construction is required to occur during the dry season. The project description indicates that the project will be completed in 3 or 4 block increments to avoid total closure of Ocean View Boulevard. Detour route signage will be in place directing traffic to circumvent the closed section of roadway. In addition, Ocean View Boulevard will be reopened on the weekends during the construction process. Parking will be affected where roadway closures will occur. However, staff site visit indicates that sufficient non-restrictive parking exists on adjacent streets in close proximity to the project location. The construction process will not impact the recreation trail that runs between the water and Ocean View Boulevard. This will allow pedestrians and non-motorized traffic to continue to have access along the shoreline. Therefore, the proposed project is consistent with Section 30211 and 30221 of the Coastal Act.

Public Works Facilities

Section 30254 of the Coastal Act requires that new or expanded public works facilities shall be designed and limited to accommodate needs generated by development or uses permitted consistent with the provision of the Act. The project consists of expanding the storm drain pipeline along Ocean View Boulevard to divert low flow, dry weather urban runoff into a new storm drain diversion trunk line. This will enable the discharge of stormwater runoff into the wastewater treatment facility consistent with NPDES permit requirements. The proposed project when completed will not affect public access or increase the potential of new development. Therefore, the proposed project is consistent with Section 30254 of the Coastal Act.



Other Agency Approvals

Monterey Bay National Marine Sanctuary: Sanctuary approval is not required because all construction/disturbance will take place above the mean high tide level.

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's signature

Date of signing



Pacific Grove's Regional Location

EXHIBIT NO. A
APPLICATION NO.
3-03-009
URBAN RUNOFF PROG.
California Coastal Commission

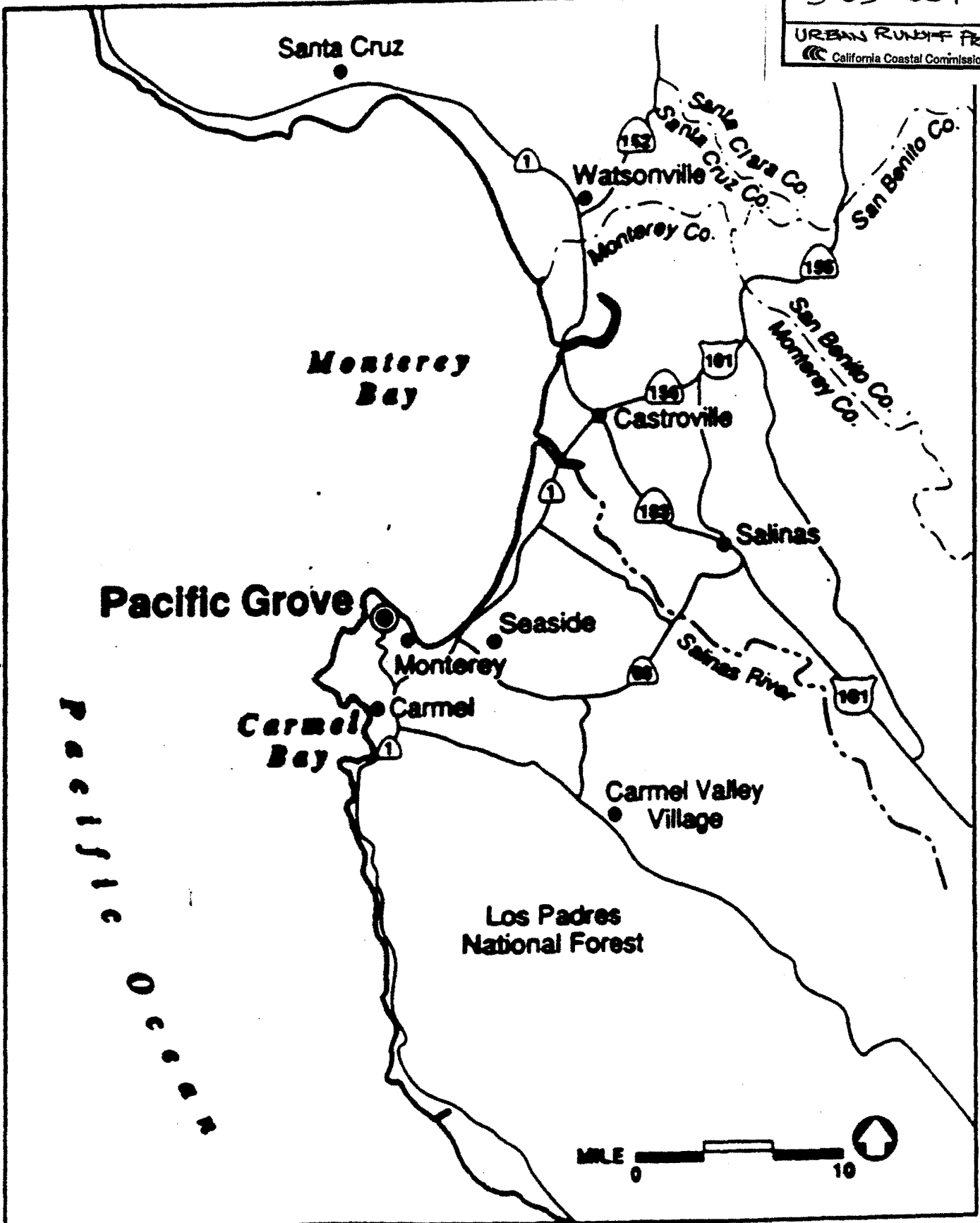


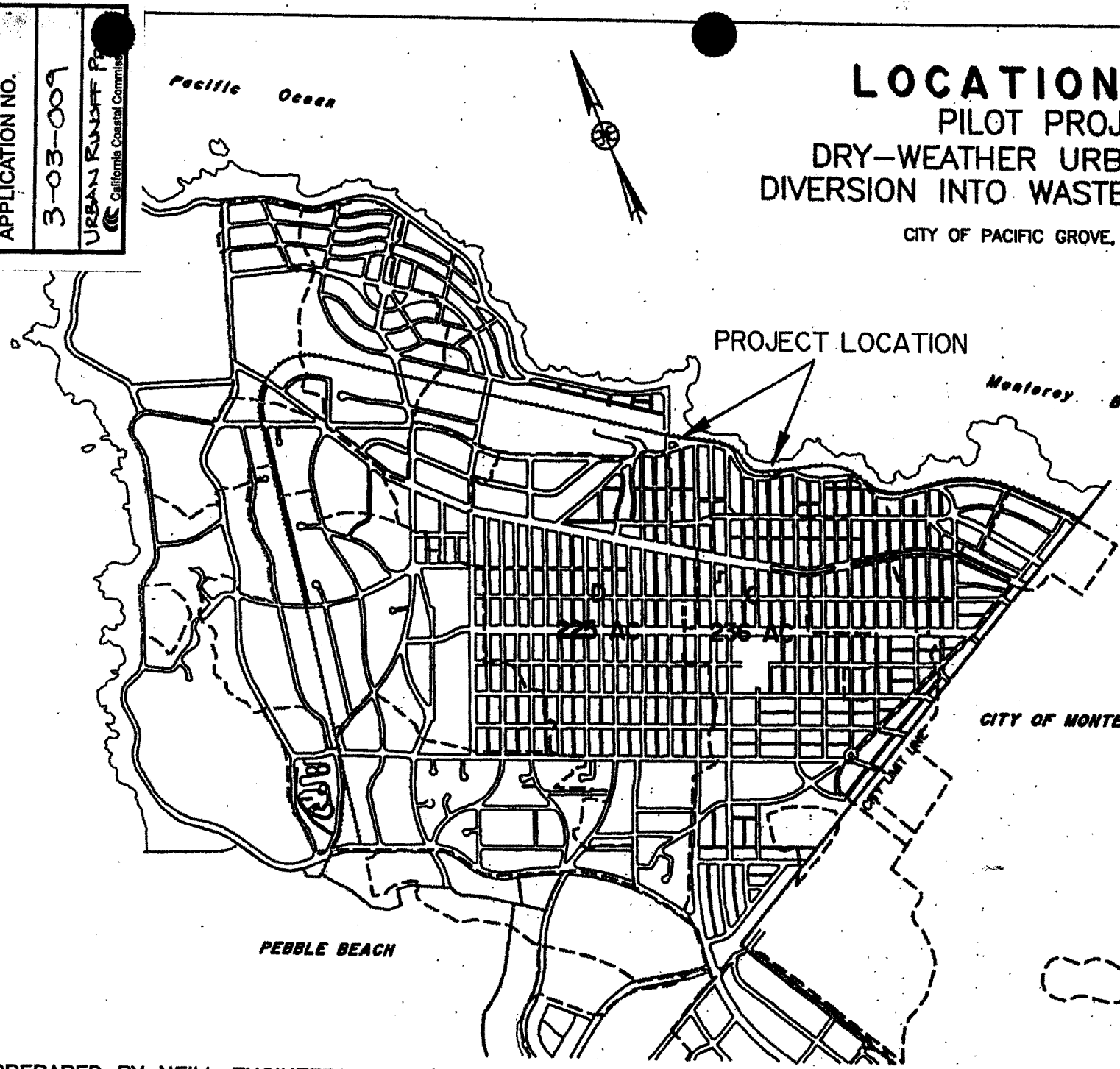
EXHIBIT NO. B
APPLICATION NO.
3-03-009
URBAN RUNOFF P...
California Coastal Commis...

LOCATION MAP

PILOT PROJECT

DRY-WEATHER URBAN RUNOFF DIVERSION INTO WASTEWATER SYSTEM

CITY OF PACIFIC GROVE, CALIFORNIA



LEGEND

 STORM RUNOFF DRAINAGE BASIN

California Coastal Commission
 URBAN RUNOFF PROGRAM
 3-03-009
 APPLICATION NO.
 EXHIBIT NO. C




CONCEPT PLAN

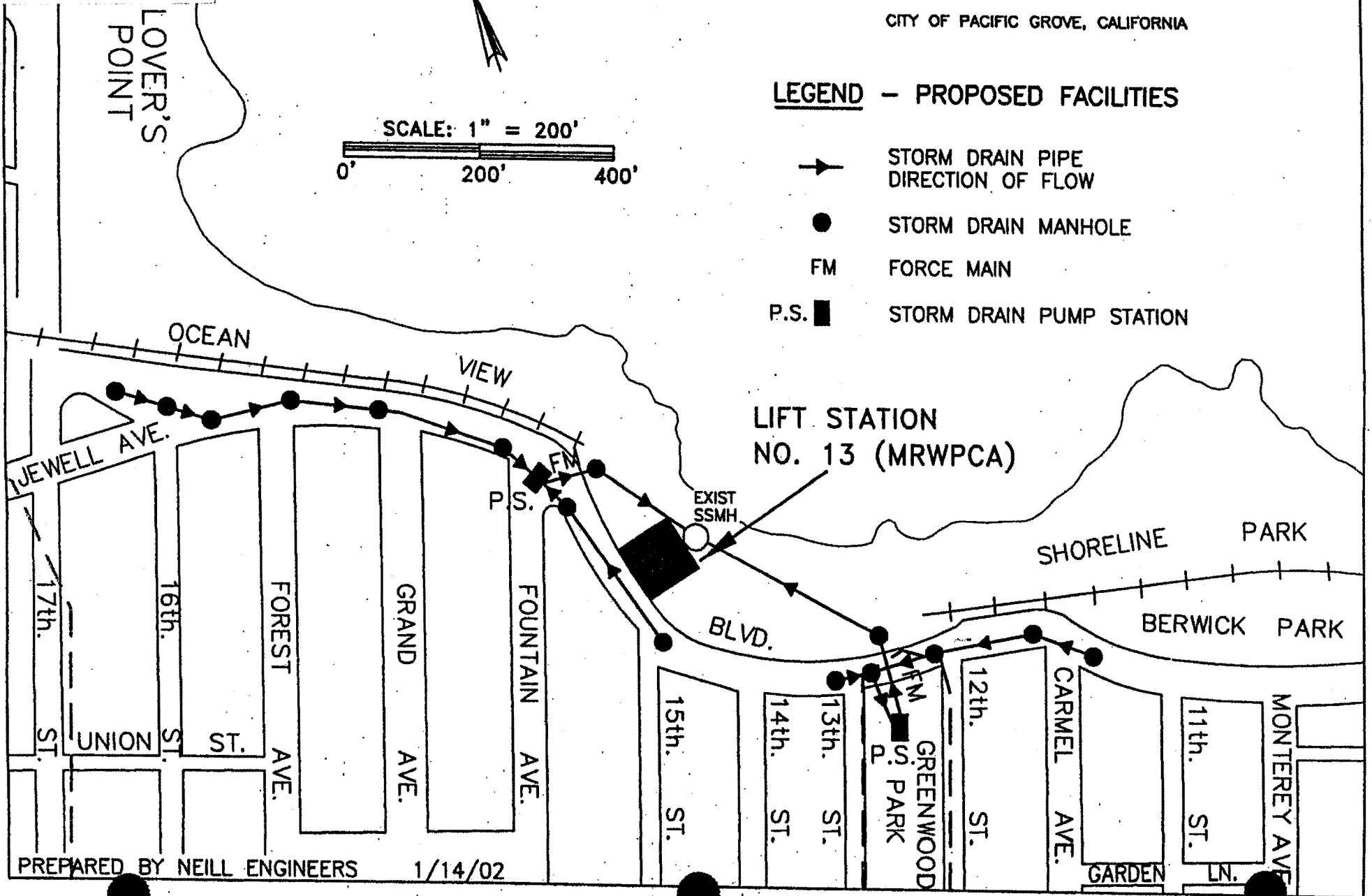
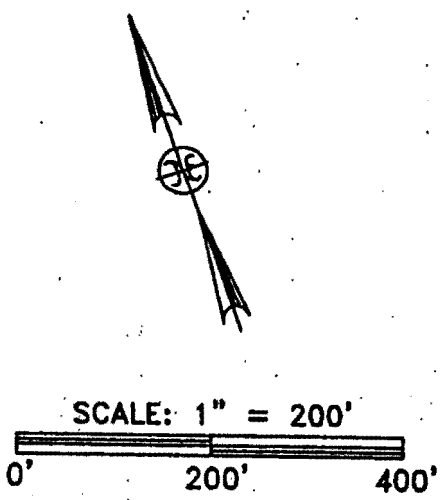
PILOT PROJECT

DRY-WEATHER URBAN RUNOFF DIVERSION INTO WASTEWATER SYSTEM

CITY OF PACIFIC GROVE, CALIFORNIA

LEGEND - PROPOSED FACILITIES

-  STORM DRAIN PIPE DIRECTION OF FLOW
-  STORM DRAIN MANHOLE
- FM FORCE MAIN
- P.S.  STORM DRAIN PUMP STATION



PREPARED BY NEILL ENGINEERS 1/14/02

