

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370 FAX (619) 767-2384
www.coastal.ca.gov

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SAN DIEGO COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

May Meeting of the California Coastal Commission

MEMORANDUM

Date: May 11, 2007

TO: Commissioners and Interested Parties
FROM: Sherilyn Sarb, San Diego Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the San Diego Coast District Office for the May 11, 2007 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the San Diego Coast District.

DE MINIMIS WAIVERS

1. 6-07-10-W San Diego County Regional Airport Authority, Attn: Ms. Thella F. Bowens, President (San Diego, San Diego County)
2. 6-07-034-W Jean Cheng (Mission Beach, San Diego, San Diego County)
3. 6-07-045-W Piedad and Juan Escobedo (Solana Beach, San Diego)

EMERGENCY ACTION BY PUBLIC AGENCY

1. Report to Commission of emergency work by Cities of Carlsbad and Vista

TOTAL OF 4 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-07-010-W San Diego County Regional Airport Authority, Attn: Ms. Thella F. Bowens, President	Removal of an existing 10-inch high-pressure gas line and a 12 Kv electrical duct bank crossing an existing airport parking lot, and construction of new in-kind gas and electrical lines in a new utility corridor on the west edge of the site.	McCain Road at Spruance Road San Diego International Airport, San Diego (San Diego County)
6-07-034-W Jean Cheng	Conversion of an existing 4-unit apartment building into condominium ownership with six on-site parking spaces including consolidating the two existing lots into one lot. Also proposed is the reservation of the six existing parking spaces for the exclusive use of the tenants/owners of each proposed condominium unit.	713 Sunset Court, Mission Beach, San Diego (San Diego County)
6-07-045-W Piedad and Juan Escobedo	Demolish existing single-family residence and construct a 4,064 sq. ft., two-story home including attached garage on a 7,093 sq. ft. lot. Project also includes approx. 126 cu. yds. of grading with approx. 106 cu. yds. to be exported to a location out of the coastal zone.	817 Juanita Street, Solana Beach (San Diego County)

REPORT OF EMERGENCY ACTION BY PUBLIC AGENCY

Report to Commission of emergency work by the Cities of Carlsbad and Vista to repair sewer main break on South Shore at Buena Vista Lagoon.

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 26, 2007
TO: San Diego County Regional Airport Authority, Attn: Ms. Thella F. Bowens,
President
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 6-07-010-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

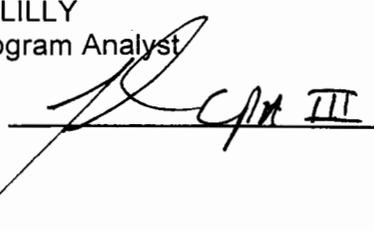
APPLICANT: **San Diego County Regional Airport Authority, Attn: Ms. Thella F. Bowens, President**
LOCATION: **McCain Road at Spruance Road San Diego International Airport, San Diego (San Diego County) (APN(s) 760-062-01, 760-039-61, 760-039-58, 760-039-67)**
DESCRIPTION: **Removal of an existing 10-inch high-pressure gas line and a 12 Kv electrical duct bank crossing an existing airport parking lot, and construction of new in-kind gas and electrical lines in a new utility corridor on the west edge of the site.**
RATIONALE: **The proposed project will remove and replace an existing 12kV electrical duct bank and an existing 10-inch high pressure gas line currently crossing through an airport parking lot, to a new utility corridor along the western property boundary. The new facilities will be the same size as the existing facilities. All construction will occur on existing paved areas and no impacts to sensitive biological resources, visual quality, or public access will occur. The project is consistent with all applicable policies of the Coastal Act.**

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, May 11, 2007, in San Pedro. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: DIANA LILLY
Coastal Program Analyst

Supervisor: 

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 25, 2007
TO: Jean Cheng
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 6-07-034-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: **Jean Cheng**

LOCATION: **713 Sunset Court, Mission Beach, San Diego (San Diego County) (APN(s) 423-575-31)**

DESCRIPTION: **Conversion of an existing 4-unit apartment building into condominium ownership with six on-site parking spaces including consolidating the two existing lots into one lot. Also proposed is the reservation of the six existing parking spaces for the exclusive use of the tenants/owners of each proposed condominium unit.**

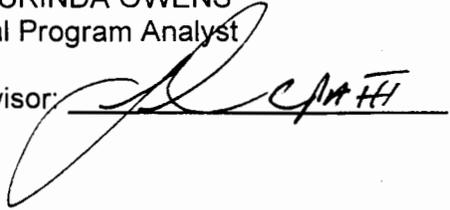
RATIONALE: **The proposal is consistent with the Residential North designation of the certified Mission Beach Precise Plan and Planned District Ordinance and is located in an urbanized area of Coastal Commission original jurisdiction. The proposed development will not affect public views consistent with Section 30251 of the Act. Although only six parking spaces exist on site (where eight would be required), the proposed project will not result in an increase in the degree of non-conformity of the existing structure and all six parking spaces are proposed to be retained on site and reserved exclusively for the tenants/owners of the building. No adverse impacts to coastal resources are anticipated.**

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, May 11, 2007, in San Pedro. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: LAURINDA OWENS
Coastal Program Analyst

Supervisor: 

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: April 27, 2007
TO: Piedad and Juan Escobedo
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 6-07-045-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: **Piedad and Juan Escobedo**

LOCATION: **817 Juanita Street, Solana Beach (San Diego County) (APN(s) 298-133-22)**

DESCRIPTION: **Demolish existing single-family residence and construct a 4,064 sq. ft., two-story home including attached garage on a 7,093 sq. ft. lot. Project also includes approx. 126 cu. yds. of grading with approx. 106 cu. yds. to be exported to a location out of the coastal zone.**

RATIONALE: **The proposed project is located within an established residential neighborhood consisting of single and multi-family residences similar in size and scale to the proposed development; therefore, the project will not be of character with the existing community. The proposed residential construction is consistent with the zoning and plan designations for the City of Solana Beach and the previously certified County of San Diego Local Coastal Program, and is not located in any of the special overlays contained in the County LCP. The project is consistent with all applicable Chapter 3 policies of the Coastal Act and no adverse impacts are anticipated.**

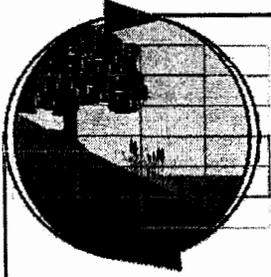
IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, May 11, 2007, in San Pedro. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: GARY CANNON
Coastal Program Analyst

Supervisor: 



Merkel & Associates, Inc.

5434 Ruffin Road, San Diego, CA 92123
Tel: 858/560-5465 • Fax: 858/560-7779
e-mail: associates@merkelinc.com

April 10, 2007
M&A #02-059-60

Lee McEachern
California Coastal Commission
7575 Metropolitan Way
Suite 103
San Diego, CA 92108

Re: Force Main Rupture on the South Shore of Buena Vista Lagoon

Dear Lee,

As we discussed last week, a 24-inch ductile iron force main owned by the cities of Vista and Carlsbad failed along the shoreline of Buena Vista Lagoon off of Jefferson Avenue in Carlsbad on Saturday, March 31. The line, constructed in 1982, is a pressurized sewer line between the Jefferson Pump Station and the Encina Wastewater Authority's treatment plant.

Upon detection, the City of Carlsbad initiated field assessments and commenced mobilizing staff and contractors to address the spill. Because of the magnitude of the spill and the ecological sensitivity of the spill area, an incident command was established in the parking lot adjacent to the spill site. The City of Carlsbad Fire Department coordinated the emergency response, and site response activities were placed under the City of Carlsbad, Public Works. The cities of Carlsbad and Vista retained a specialty contractor, Vadanais, Inc., to implement pipeline repairs. Additionally, a regional response effort was initiated using staff and equipment resources from the City of Carlsbad, City of Vista, City of Oceanside, Encina Wastewater Authority, Leucadia Wastewater District, California Department of Fish & Game, and San Diego County Department of Environmental Health.

Concurrent with pipeline repairs, the cities initiated ecological assessments and strategic clean-up planning and response. This work has been on-going since the earliest stages of the spill and is expected to continue for some time to minimize harm to the sensitive lagoon area. Initial spill monitoring and assessment was undertaken by Carlsbad stormwater program staff and with monitoring support assistance from Weston Solutions, Inc., the City of Carlsbad's stormwater contractor. Actions to minimize lagoon damage have been undertaken based on strategic response plans prepared after a prior 1994 spill into the lagoon from an unrelated failure of the Jefferson Pump Station. This plan, as well as multiple additional safeguards, was developed in response to the prior spill and was invaluable in mounting the current monitoring and response program. In addition, the cities have been assisted by the California Department of Fish & Game. Specifically, Kim McKee-Lewis, manager of the Buena Vista Lagoon Ecological Reserve, has been instrumental in guiding efforts to avoid adverse habitat and species impacts, while key insights have been provided by Bill Paznokas, California Department of Fish & Game Marine Spill Response Coordinator, to minimize adverse pollutant affects. To supplement the spill response team, the cities have retained Merkel & Associates to lead the immediate ecological protection and recovery response program.

The discharge of sewage from the sanitary sewer system was terminated through pipeline repairs completed by 1 p.m. on Tuesday, April 3. Preliminary investigations of the failed pipe section suggest that exterior corrosion of the pipe caused the ultimate rupture. Interior surfaces of the pipe were observed to be in good condition, and the impending failure would not have been evident through standard inspection methods. It is estimated that 7.3 million gallons of raw sewage were discharged into the lagoon prior to the completion of repairs. During repairs, approximately 3 million gallons were diverted from the system upstream or pumped out of the Jefferson Pump Station containment area where it was diverted from the pipeline rupture and trucked away to be fed into different lines.

As soon as pipeline repairs were completed, a pump-back system was implemented to withdraw contaminated lagoon water from the eastern end of the lagoon and send this water to the Jefferson Pump Station and ultimately down to the Encina Wastewater Plant. This system serves to extract sewage as well as to limit the extent of the sewage plume in the lagoon and draw it back towards the origin of the spill. Because winds across the lagoon are predominantly westerly and the flows of Buena Vista Creek into the lagoon are minor at the present time, the pump-back is actually recalling much of the sewage. In addition to the pump-back, numerous aerators have been added to the east basin. These aerators serve two functions. First, they add oxygen to the water and speed up the process of neutralizing the high biological oxygen demand inherent in raw sewage. Second, they provide refuge areas for remaining fish and invertebrates that still survive in the low oxygen environments affected by wastewater.

Sewage has not reached the ocean shoreline at anytime during or subsequent to the spill. While beach and lower lagoon shoreline postings for contamination have been made as a collaborative effort between San Diego County Department of Environmental Health, the cities, and Encina Wastewater Authority, these have been made as a precautionary measure as water quality data has been collected and processed. The westward extent of contamination from the sewage spill was approximately at Interstate 5, with limited intrusion of wastewater into the central basin of Buena Vista Lagoon between Interstate 5 and Highway 101/Carlsbad Boulevard. On-going monitoring of bacterial levels indicates no sewage contamination from Highway 101/Carlsbad Boulevard downstream to, and including, the ocean beach areas.

Dissolved oxygen levels fell below lethal limits for fish and some invertebrates within the portions of the eastern basin of the lagoon. Oxygen levels are now recovering. As a result of low oxygen, fish mortality was documented within the eastern basin. As of April 7th, 1677 non-native fish were collected from the lagoon. In order of descending numbers, the dead fish collected were comprised of bluegill (646), black bullhead catfish (603), green sunfish (209), largemouth bass (176), carp (36), black crappie (4), goldfish (2), and mosquitofish (1). Other individuals may be found in the lagoon, however it is believed that the count is a relatively comprehensive assessment of species and abundances of fish losses. In addition to the fish losses, there have been losses of 4 birds identified through April 7th. These include two American coots, a California gull, and a gadwall duck. It is more difficult to assess bird losses because of the mobility of birds and the potential that they may be found outside of the area of the spill.

A remarkably small amount, if any, wetland vegetation has been disturbed as a result of the spill response and subsequent clean-up. This minimization of habitat impact, as well as the remarkably limited amount fish and bird loss, can be attributed to early and well-coordinated response following the spill. The cost of the response remains largely unknown at this time, but it is expected to be substantial. In addition to costs for sewer repairs, costs for environmental response are expected to

be considerable. In addition to extensive monitoring, equipment and staffing for aeration and pump-back systems as well as additional sewerage costs for the pump-back water will add to the overall cost of the response. While the ultimate cost remains unknown, both the cities of Carlsbad and Vista remain focused on the cleanup efforts.

The response continues to be coordinated with resource and regulatory agencies with spill response capabilities and specifically with the Department of Fish & Game, managers of the Ecological Reserve into which the spill occurred. On-going dissolved oxygen monitoring is being used to direct response actions. The next steps of the clean-up will be to reduce the pump-back flows with aeration continuing until dissolved oxygen levels recover to resource supportive levels. A habitat impact assessment will be undertaken next week to quantify any affects.

As requested, we will continue to provide information to the Coastal Commission as it becomes available. We understand that the necessity for permit action by the Commission is undetermined at this time. Once all pertinent information is available, I will follow-up with you regarding this open question. If you have any questions, please call me at 858-560-5465.

Sincerely,



Keith W. Merkel
Principal Consultant

CC: Pam Drew, Associate Planner, City of Carlsbad
Don Neu, Planning Director, City of Carlsbad
John Conley, Planning Director, City of Vista
Jim Elliot, Acting City Manager, City of Carlsbad
Rita Geldert, City Manager, City of Vista