

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Filed: June 6, 2007
49th Day: July 25, 2007
180th Day: December 3, 2007
Staff: Ellen Lirley-SD
Staff Report: July 10, 2007
Hearing Date: August 8-10, 2007

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-07-067

Applicant: City of San Diego Metropolitan Wastewater Department **Agent:** Dirk Smith

Description: Various upgrades to seven sewer pump stations including, but not limited to, installation of emergency underground storage tanks, construction of secondary force mains and installation of 30-foot high antenna masts.

Site: Various locations in Mission Bay Park and the San Dieguito River Valley, Mission Bay Park, North City, San Diego, San Diego County.

Substantive File Documents: Certified Mission Bay Park Master Plan; Certified North City LCP Land Use Plan; CCC Permit #6-04-019

I. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission approve the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.*

STAFF RECOMMENDATION TO ADOPT CONSENT CALENDAR:

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of the Commissioners present.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Storage and Staging Areas/Access Corridors. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of access corridors to the construction site and staging areas. The final plans shall indicate that:

- a. No overnight storage of equipment or materials shall occur on sandy beach or public parking spaces with the exception that three public parking spaces may be utilized for sewer pump stations 54, 55, 56, 57 and 58.
- b. Access corridors shall be located in a manner that has the least impact on public access to and along the shoreline.
- c. No work shall occur between Memorial Day weekend and Labor Day of any year.
- d. The applicant shall submit evidence that the approved plans/notes have been incorporated into construction bid documents. The staging sites shall be removed and/or restored immediately following completion of the development.

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 legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed are various upgrades to seven sewer pump stations in the City of San Diego. Specifically, six of the sewer pump station sites (Nos. 43, 54, 55, 56, 57 and 58) are located in Mission Bay Park on public grassy park land near Mission Bay and one sewer pump station (# 82) is located in the San Dieguito River Valley in a parking lot north of the San Dieguito River. The proposed upgrades will vary for each facility but will generally consist of one or more of the following improvements: installation of emergency underground storage tanks, construction of secondary force mains, and installation of 30-foot high fiberglass masts (designed to match existing light poles in the same general areas) to house antenna for the Supervisory Control and Data Acquisition (SCADA) interfaces.

The overall project also includes upgrades to the interiors of the existing pump stations, including mechanical and electrical enhancements. These aspects of the proposed project do not require a coastal development permit, since none of these proposed upgrades to the sewer pump stations will result in alteration of service capacity, installation of new or increased service to development or removal of major vegetation. In addition, all of the proposed work for each site will be limited to the right-of-way or public utility easement. For an eighth pump station included in the City's application, Pump Station #47 only exempt interior upgrades are proposed.

The City has indicated that for five of the project sites (#54-58), it will be necessary to use three public parking spaces on a temporary basis for construction staging during the life of the upgrade project(s). However, public access to coastal resources or recreational opportunities will not be precluded other than the temporary use of the three parking spaces. To address potential concerns with regard to construction and staging activities on public access on these properties and given their proximity to the bay and river, the project has been conditioned such that no work shall occur between Memorial Day weekend and Labor Day.

The project sites are within areas of deferred certification in the City's LCP. Thus, the Commission retains permit jurisdiction over proposed development in these areas, and the legal standard of review is Chapter 3 policies of the Coastal Act, with the certified LCP used as guidance. The Commission approved Coastal Development Permit #6-04-019 on June 11, 2004, for a project identical to this one. The special condition (same as imposed herein) was never complied with, and the permit never issued. Budget constraints at the City resulted in the City ultimately allowing that permit to expire.

B. Biological Resources. Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized. The project will not have an adverse impact on any sensitive habitat, and will not result in erosion or adverse impacts to water quality. Thus, the project, as conditioned, is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character /Visual Quality. The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

D. Public Access/Parking. As conditioned, the proposed development will not have a significant adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

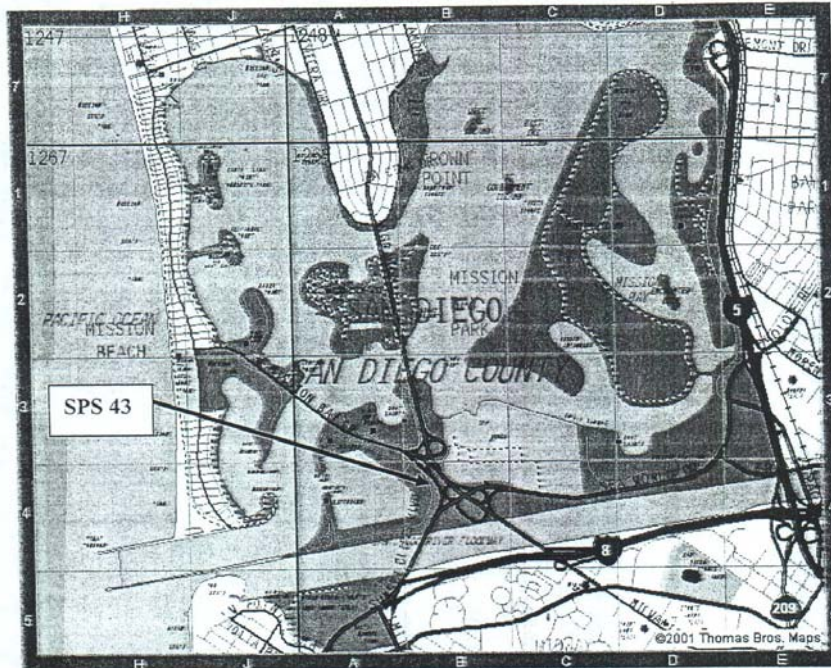
E. Growth Inducement. As proposed, this development will not be growth-inducing. The proposed sewer facility upgrades are located within a developed public park which is surrounded by built-out urban communities and, with respect to the site in the San Dieguito River Valley, within an existing commercial parking lot. The proposed facilities are intended to provide a back-up safety system to prevent sewage spill and stormwater interception for low flows. System capacity is not being increased, consistent with Section 30250 of the Coastal Act.

F. Local Coastal Planning. The subject sites are located in an area where the Commission retains permit authority and Chapter 3 of the Coastal Act is the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of San Diego to obtain a fully certified LCP for Mission Bay Park or continue implementation of the restoration of the San Dieguito River Valley.

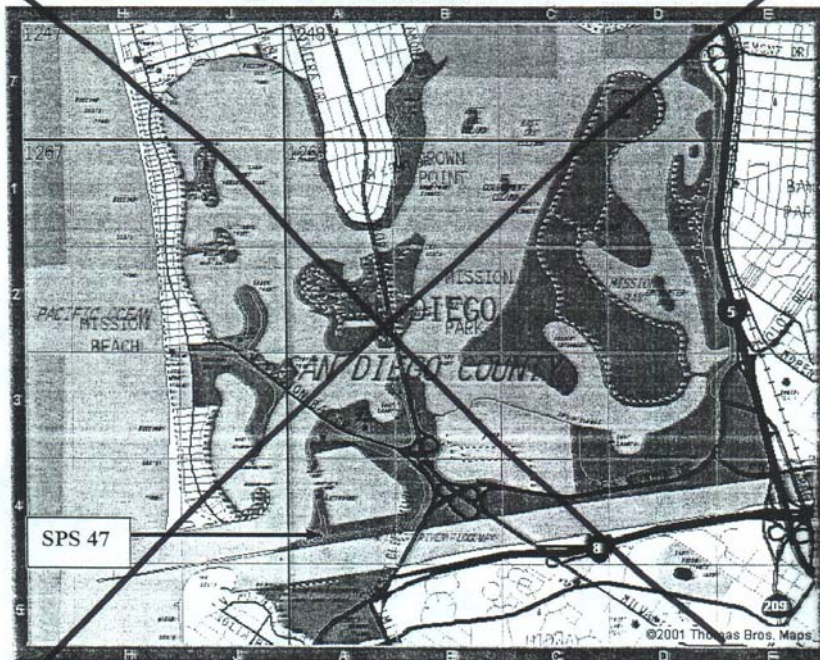
G. California Environmental Quality Act. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project, as conditioned to mitigate the identified impacts, 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.



SPS 43 LOCATION MAP

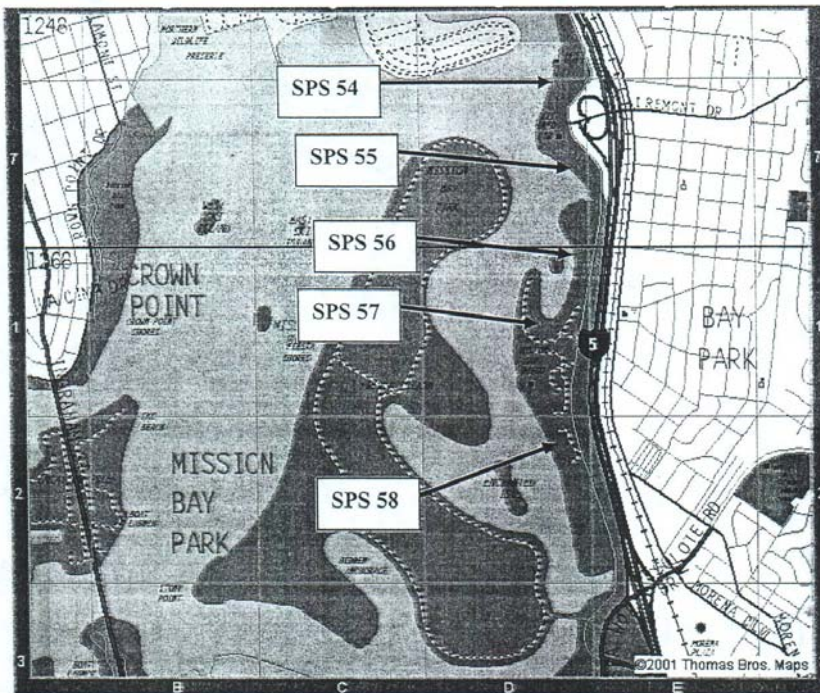


SPS 47 LOCATION MAP

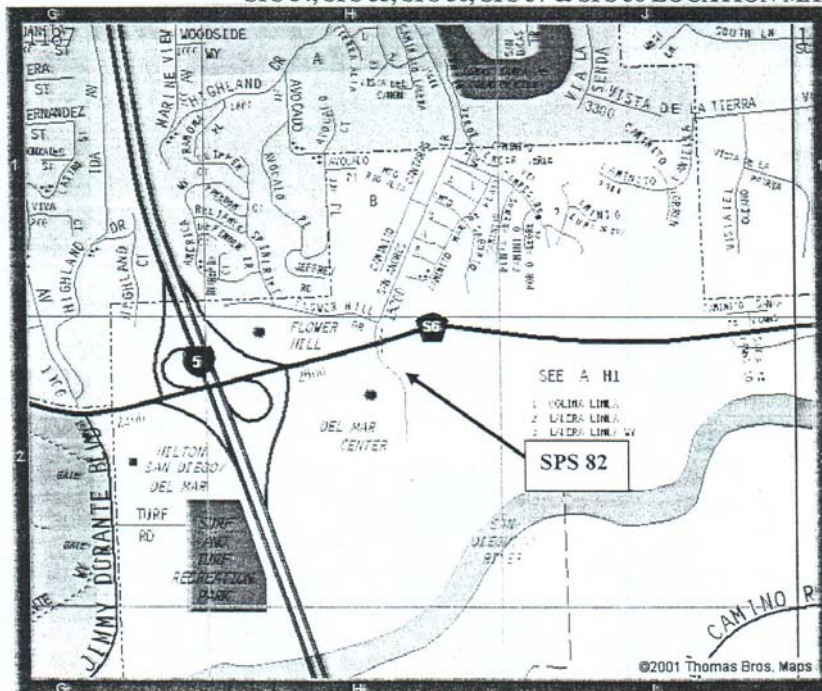
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Location Maps

2 pages

California Coastal Commission

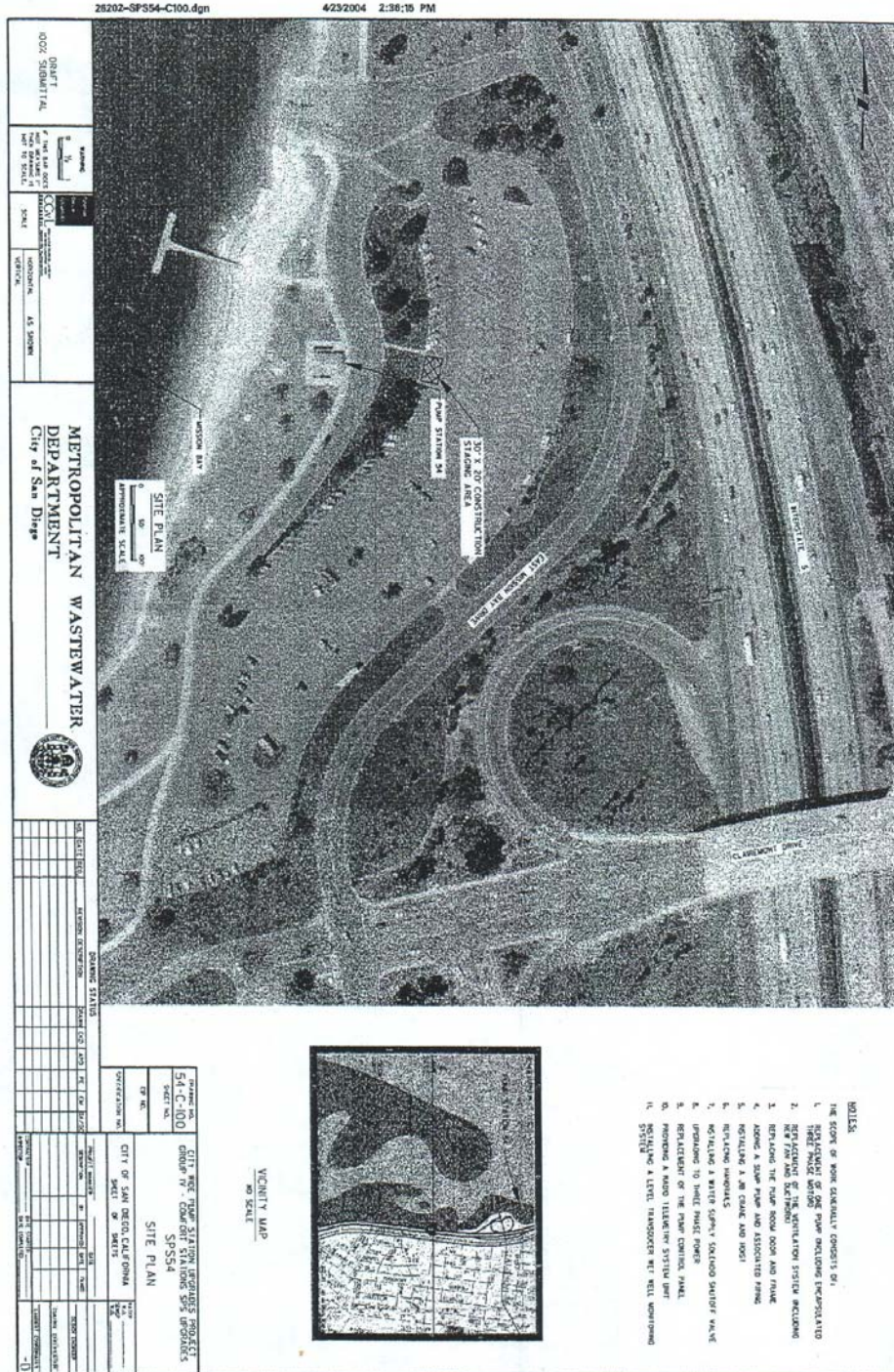


SPS 54, SPS 55, SPS 56, SPS 57 & SPS 58 LOCATION MAP

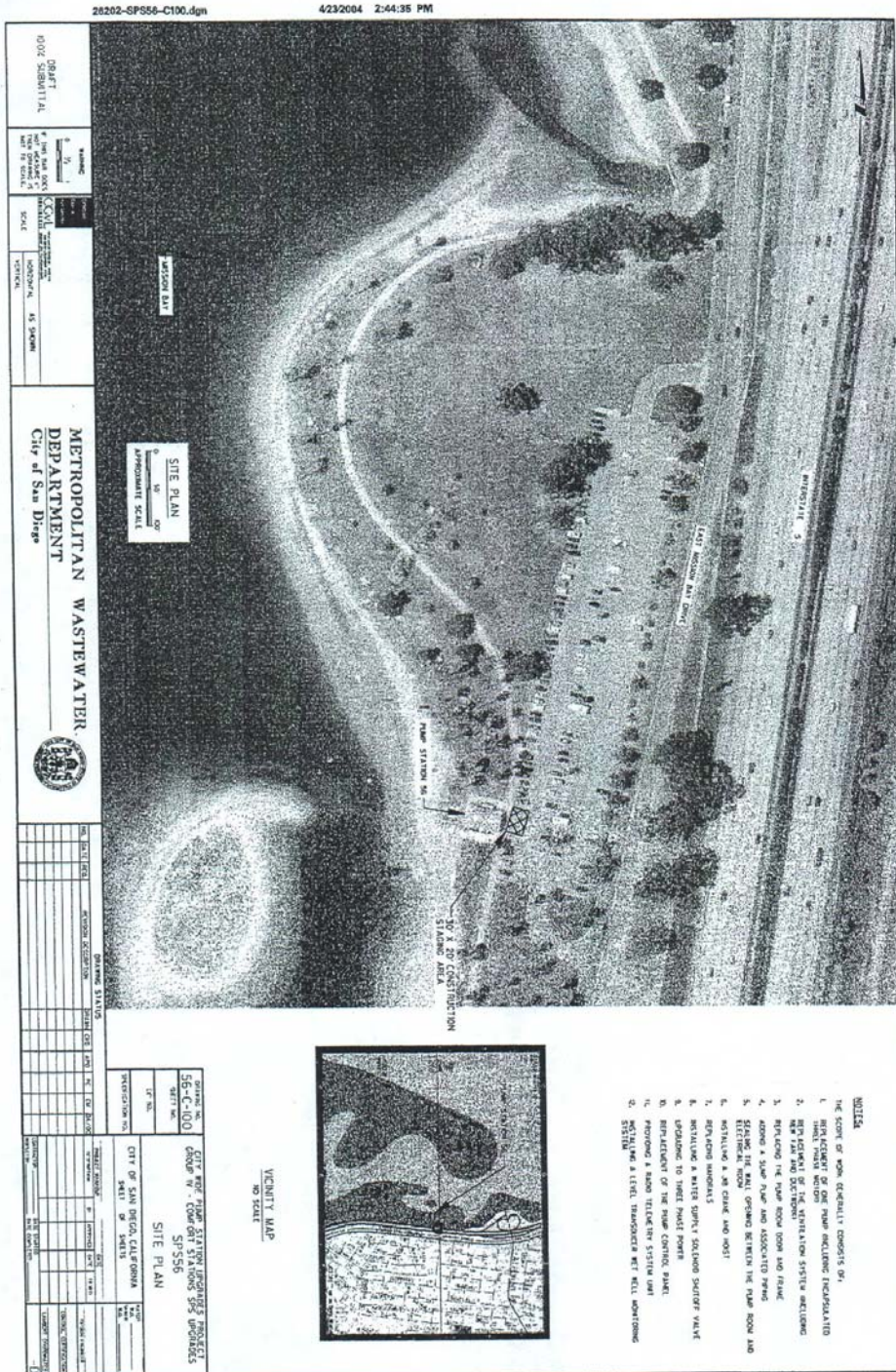


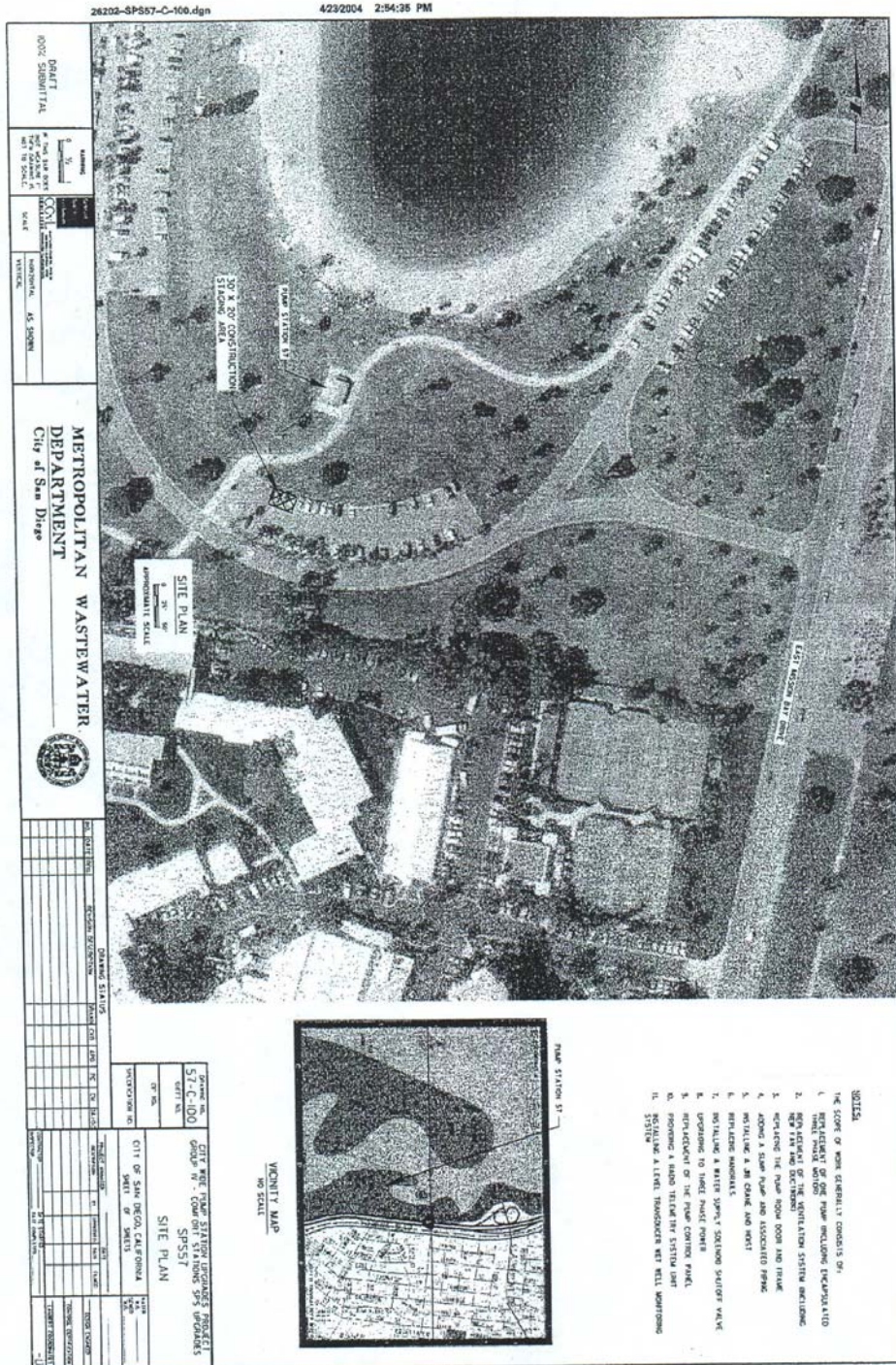
SPS 82 LOCATION MAP











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