

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
 7575 METROPOLITAN DRIVE, SUITE 103
 SAN DIEGO, CA 92108-4421
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Filed: 6/19/07
 49th Day: 8/7/07
 180th Day: 12/16/07
 Staff: Laurinda Owens-SD
 Staff Report: 8/15/07
 Hearing Date: 9/5-7/07

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-07-70

Applicant: City of San Diego

Agent: Dirk Smith

Description: Installation of tieback anchors and grade beam into bluff to brace (for seismic safety) two 84-inch outfall penstocks (pipes) located on the face of a coastal bluff at the Point Loma Wastewater Treatment Plant.

Site: Point Loma Wastewater Treatment Plant, Peninsula, San Diego, San Diego County. APN 532-520-06

Substantive File Documents: CDP No. 6-04-94

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. Final Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit final project plans in substantial conformance with the plans submitted by the Metropolitan Wastewater Department dated stamped 7/21/04.

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

2. Erosion and Run-Off Control Plans/BMP's. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, a plan for erosion and run-off control.

- (a) The erosion control plan shall demonstrate that:
 - (1) All steep, exposed, erodible soil conditions around the project site shall be addressed to assure that no project-derived increases to erosion rates shall occur and that during construction, erosion on the site shall be controlled to avoid the discharge of construction materials over the bluff into the ocean.
 - (2) Prior to construction, before and after photographs shall be submitted to assure how these measures will be addressed.
 - (3) The following temporary erosion control measures shall be used during construction: silt fences and sand bags.
 - (4) One year after project completion, a report shall be submitted to the Executive Director to demonstrate how the project site has performed after the first winter rainy season.

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

3. Landscaping Plan. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit a landscape plan for the review and written approval of the Executive Director. Said plan shall include the following:

- a. A plan showing the type, size, extent and location of all trees/shrubs and proposed hydroseeding on the site including the proposed irrigation system and other landscape features;
- b. All landscaping shall be drought-tolerant and native or non-invasive plant

- species. No plant species listed as problematic and/or invasive by the California Native Plant Society, the California Invasive Plant Council, or as may be identified from time to time by the State of California shall be employed or allowed to naturalize or persist on the site. No plant species listed as 'noxious weed' by the State of California or the U.S. Federal Government shall be utilized within the property.
- c. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the residential construction
 - d. A written commitment by the applicant that all required plantings shall be maintained in good growing condition, and whenever necessary, shall be replaced with new plant materials to ensure continued compliance with applicable landscape screening requirements.
 - e. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.
 - f. Five years from the date of issuance of the coastal development permit, the applicant shall submit for review and written approval of the Executive Director, a landscape monitoring report, prepared by a licensed Landscape Architect or qualified Resource Specialist, which certifies the on-site landscaping is in conformance with the landscape plan approved pursuant to this Special Condition. The monitoring report shall include photographic documentation of plant species and plant coverage.

If the landscape monitoring report indicates the landscaping is not in conformance with or has failed to meet the performance standards specified in the landscaping plan approved pursuant to this permit, the applicant, or successors in interest, shall submit a revised or supplemental landscape plan for the review and written approval of the Executive Director. The revised landscaping plan must be prepared by a licensed Landscape Architect or Resource Specialist and shall specify measures to remediate those portions of the original plan that have failed or are not in conformance with the original approved plan.

The permittee shall undertake the development in accordance with the approved landscape plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Commission-approved amendment to the permit unless the Executive Director determines that no such amendment is legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. The subject project is the same project that was reviewed and approved pursuant to CDP #6-04-94 on 3/17/05. Although the applicant complied with the special conditions of the original coastal development permit and it was issued, the City did not commence with the permitted work or apply for an extension of permit prior to 3/17/07 and the CDP expired. Therefore, the City is re-applying for a new CDP for the same project. No changes in scope or design to the project are proposed and no new issues have been identified.

The proposed work includes the installation of several tie-back anchors approximately 100 feet long into the bluff face for purposes of seismically retrofitting two 84-inch outfall penstocks (pipes) located on a coastal bluff face at the Point Loma Wastewater Treatment Plant. Also proposed is minimal grading to provide a footing for a grade beam/tieback anchor. The penstock pipes are pipes that discharge treated effluent and run from the treatment plant, down the face of the bluff and then out to sea. They pre-date the Coastal Act and are necessary to continue to discharge treated effluent from the wastewater treatment plant. The project site is located at the northern end of the plant site and is inland of a paved area adjacent to the ocean. The proposed improvements will be situated between First Street and the lower access road commonly referred to as the "South Access Road" on the PLWTP site. First Street is the road furthest to the west and closest to the coastal bluffs.

Although a site-specific geotechnical investigation has not been performed for the subject project due to the small scope of the work proposed, a number of geotechnical reports have been performed over the years for the same vicinity. These reports and project plans were reviewed by the Commission's staff coastal engineer and geologist who concluded that the proposed seismic retrofit project is necessary and will not adversely affect bluff stability in the area.

In addition, because the proposal involves excavation on the face of the bluff where the soil in this location is usually made of very sandy and erodible materials, Special Condition #2 is proposed such that construction materials be well contained so that they are not released into the ocean. Thus, it can be assured that no impacts to water quality will result from construction activities or sedimentation. These required measures were recommended by the Commission's water quality technical staff and have been found to be acceptable to prevent any adverse impacts to water quality from polluted runoff. The usual construction-phase BMPs will be incorporated, as well. This includes the construction-phase BMPs included in the Water Pollution Control Plan that will be part of the contract documents for the project. Special Condition #3 also requires that a landscape plan be submitted to assure that the proposed hydroseed mix at the project site is drought-tolerant and native or non-invasive.

The majority of the shoreline seaward of the treatment plant is already armored consisting of an existing seawall/bluff retaining structure with the exception of a few areas. The shoreline immediately seaward of the project site has been armored with rip rap and no shoreline protection is proposed or needed in connection with the proposed improvements. Based on review of the project and input from the Commission's staff geologist and coastal engineer, the Commission finds the proposed project to be the least environmentally damaging alternative.

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.

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 proposed development will not have an adverse impact on any sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate temporary erosion controls (construction BMPs) will be provided. Thus, the project 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. The proposed development will not have an 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 improvements are located within a developed sewer treatment plant next to the ocean. The proposed work is intended to seismically retrofit two pipes to avoid the potential for a sewage spill in the event of an earthquake. System capacity is not being increased, consistent with Section 30250 of the Coastal Act.

F. Local Coastal Planning. 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 and the proposed development would be in keeping with

the LUP policy of maintaining and enhancing public services. In addition, the Commission finds that the proposed development, as conditionally approved, will be consistent with the policies in Chapter 3 of the Coastal Act. 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 or to extend the coverage of its LCP over this area.

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.

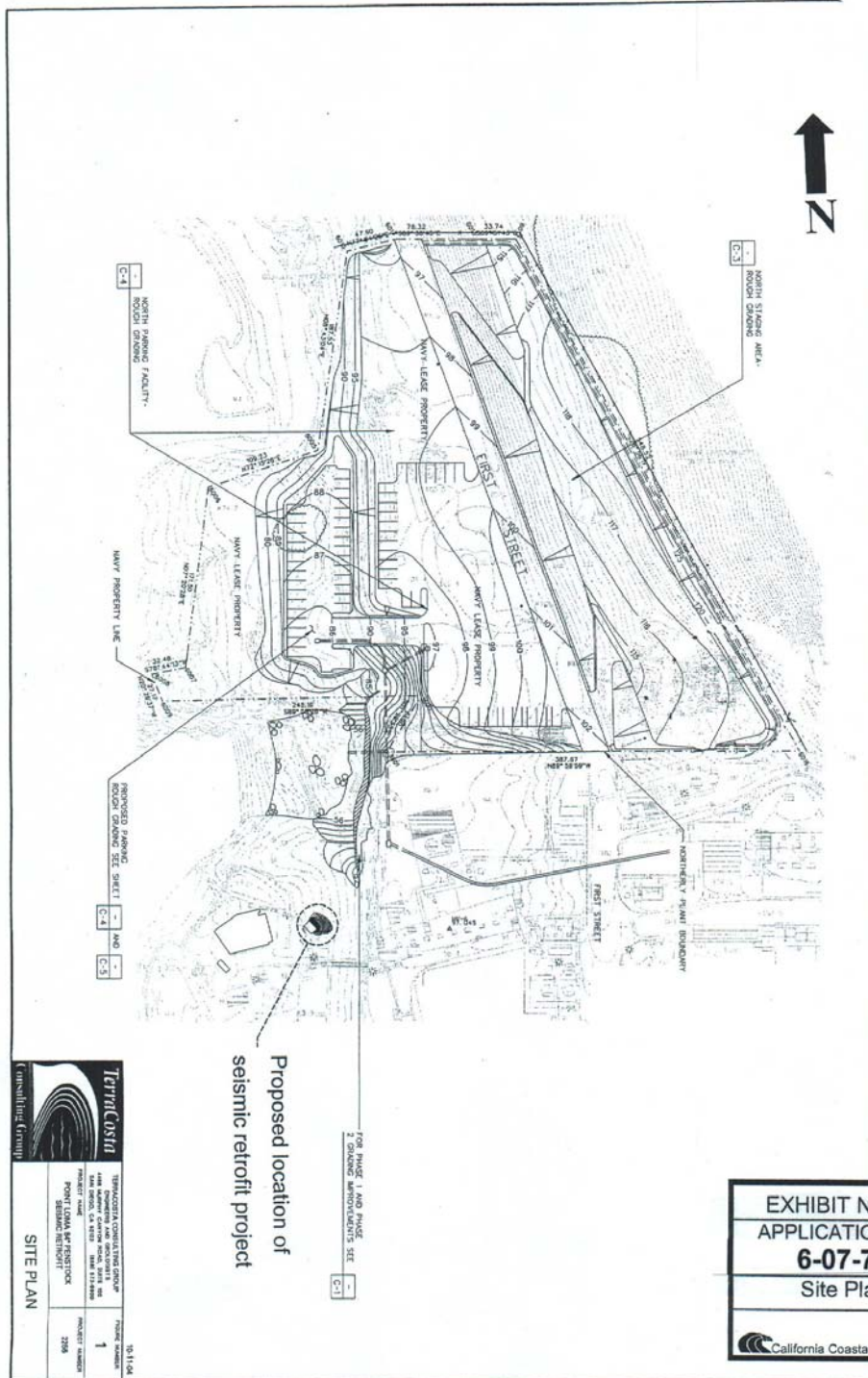


EXHIBIT NO. 2
APPLICATION NO.
6-07-70
Site Plan
California Coastal Commission

	TERRACOSMA CONSULTING GROUP 1444 Market Street, Suite 1000 San Francisco, CA 94102 TEL: 415.774.1000 FAX: 415.774.1001 WWW.TERRACOSMA.COM	PROJECT NAME POINT LOMA AIR RESERVE SEISMIC RETROFIT	PROJECT NUMBER 2798
	PROJECT NUMBER 1	DATE 10/11/04	

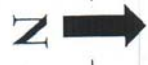
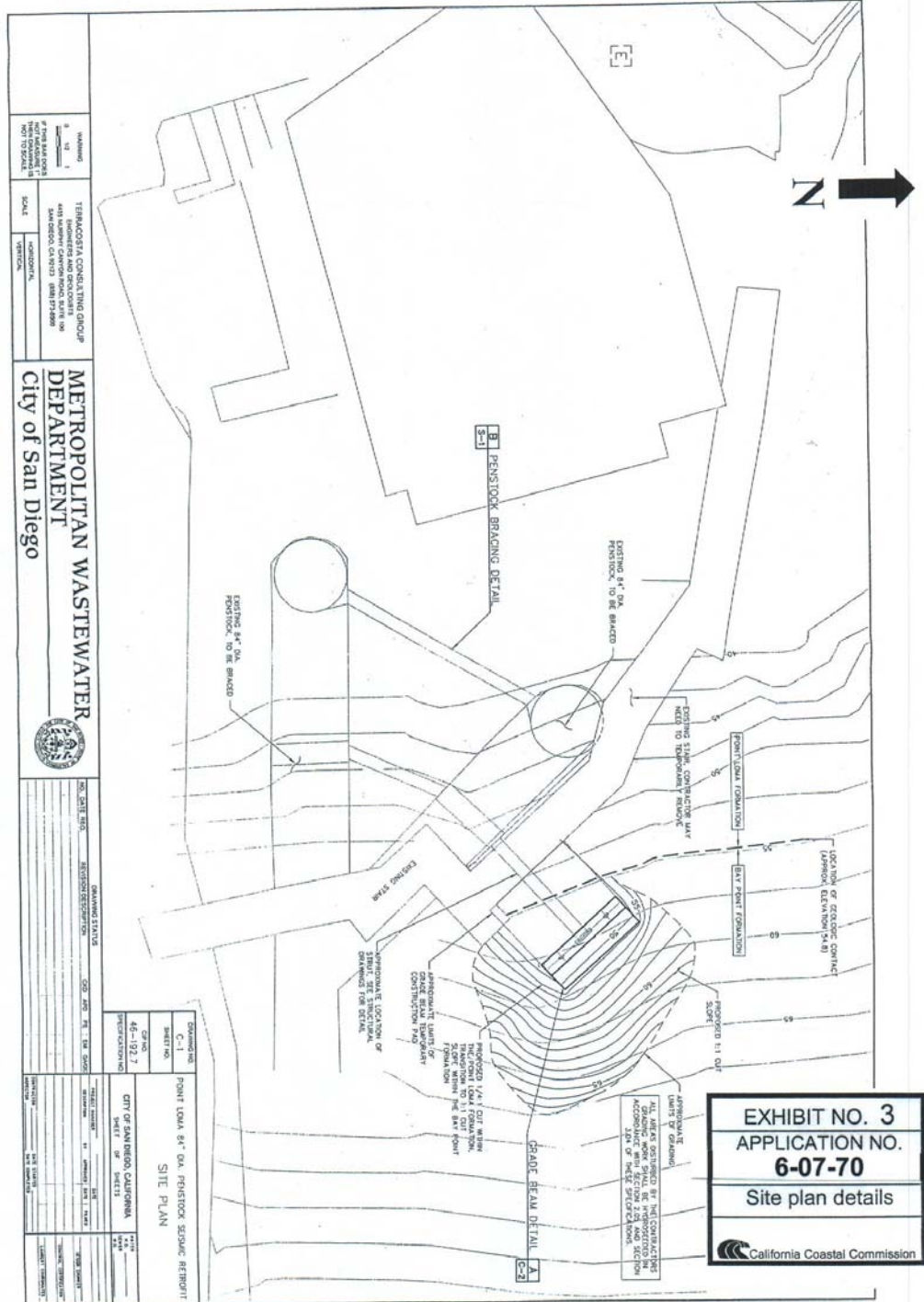


EXHIBIT NO. 3
APPLICATION NO.
6-07-70
Site plan details
 California Coastal Commission

DRAWING STATUS DATE: 02/28/70 BY: J. M. GARDNER CHECKED: J. M. GARDNER APPROVED: J. M. GARDNER PROJECT NO.: 64-192.7	SHEET NO.: 11 OF SHEETS: 11	CITY OF SAN DIEGO, CALIFORNIA SHEET OF SHEETS	TITLE: POINT LOMA 84' x 94' PENSTOCK S&S&C RETROFIT SITE PLAN SHEET NO. 11 OF 11	CONTRACT NO.: 64-192.7 PROJECT NO.: 64-192.7	DRAWING NO.: 11 OF SHEETS: 11	CITY OF SAN DIEGO, CALIFORNIA SHEET OF SHEETS	TITLE: POINT LOMA 84' x 94' PENSTOCK S&S&C RETROFIT SITE PLAN SHEET NO. 11 OF 11	CONTRACT NO.: 64-192.7 PROJECT NO.: 64-192.7
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METROPOLITAN WASTEWATER
 DEPARTMENT
 City of San Diego

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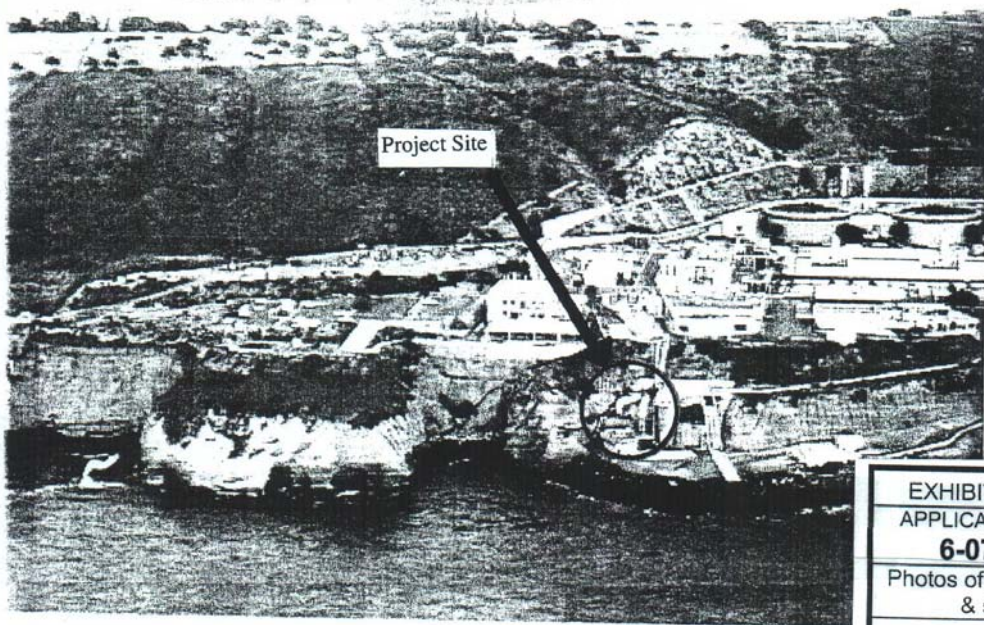
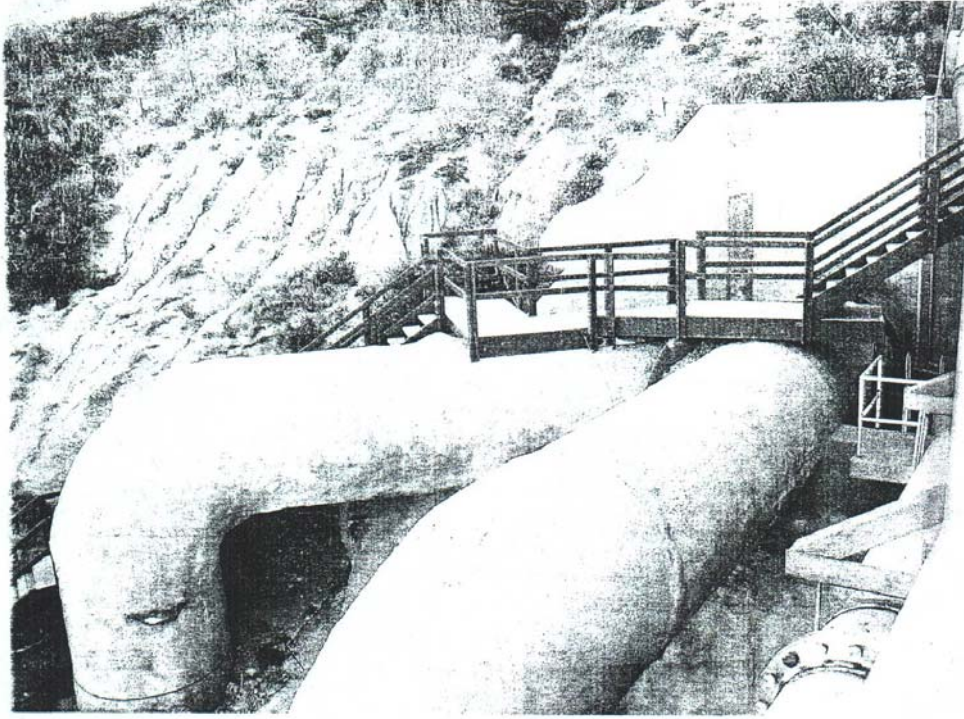


EXHIBIT NO. 5
APPLICATION NO.
6-07-70
Photos of penstocks & site
 California Coastal Commission