

LMW

RECEIVED

Th 5b

OCT 09 2008

California Coastal Commission

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

Agenda: (Th 5b?) 10/15/08

San Diego Coast District

6-08-042

575 Metropolitan Drive, Suite 103

Robert Little

San Diego, CA 92108-4421

Against

Attention: Laurinda Owens

Dear Ms Owens,

We received a letter on 10/4/08 from the CCC about sewer work in the region of Crown Point Drive in San Diego. I understand the work is to be done by the City of San Diego and I will try to contact someone there. I do not have a problem with the part of the work with which the CCC deals. My only concern is the new sewer along Crown Point Drive as it is likely to be at an elevation above the ground floor villas of the Crown Point Villa condominiums so a sewer break is likely to flow into the villas.

Since the only information we presently have is that in the CCC staff report of 9/18/08 my understanding and concern may not be valid but that is the reason for the "Against" comment.

Thank you,

Robert Little *10/5/08*

Robert Little

4003 Crown Point Drive, V22,

San Diego, CA 92109.

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



Th 5b

Filed: 9/9/08
49th Day: 10/28/08
180th Day: 3/8/09
Staff: Laurinda Owens-SD
Staff Report: 9/18/08
Hearing Date: 10/15-17/08

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-08-42

Applicant: City of San Diego

Agent: Mahmoud Oriqat

Description: Installation of 2,275 feet of 18-inch trunk sewer and 445 feet of 12-inch and 8-inch sewer mains; rehabilitation of 1,532 feet of 12-inch and 15-inch sewer mains; and, the abandonment of 1,336 feet of existing 6-inch, 8-inch, 12-inch and 15-inch trunk sewer.

Site: Crown Point Drive and Pacific Beach Drive, Mission Bay Park, San Diego, San Diego County. APNs 424-510-06-2, 760-035-0500

Substantive File Documents: Certified City of San Diego LCP - Mission Bay Park Master Plan; CDP #6-06-8

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. Timing of Work. Unless specifically authorized in writing by the California Department of Fish and Game or the U.S. Fish and Wildlife Service, abandonment of the sewer line/filling of the manhole within Mission Bay Park shall not occur during the breeding season (April 1st through September 15th) of any sensitive avian species nesting within 500 feet of the project site.

2. 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/areas.
- b) Access corridors shall be located in a manner that has the least impact on public access to and along the shoreline via Crown Point Shores Drive and Pacific Beach Drive and the large public parking lot at Crown Point Shores south of the project site.
- c) No work shall occur on the beach between Memorial Day weekend and Labor Day of any year.
- d) One lane of traffic in each direction shall remain open between Memorial Day weekend and Labor Day of any year.
- e) The applicant shall submit evidence that the approved plans/notes have been incorporated into construction bid documents. The staging site 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.

The permittee shall undertake development in accordance with the approved turbidity control plan. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the approved plans shall occur without an 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. The City proposes to install 2,275 feet of 18-inch trunk sewer using a new alignment and 445 feet of 12-inch and 8-inch sewer mains (total of 2,720 feet) to include trenchless and open trench operations. This portion of the project involves replacing the existing mains with new mains at new alignments to accommodate existing developed areas. Also proposed is the rehabilitation of 1,532 feet of 12-inch and 15-inch sewer mains. This portion of the project involves inserting a new pipe inside the existing one without any ground disturbance. As a result, the City proposes to abandon 1,336 feet of existing 6-inch, 8-inch, 12-inch and 15-inch trunk sewer. This portion of the project involves filling the existing system mains and manholes with sand or slurry material in order to take the facilities out of service. A portion of the abandonment of a 12-inch sewer line is located on private property and sensitive habitat (Kendall Frost Marsh Reserve). The proposed project is part of the City's Sewer Main Replacement Program as mandated by the Environmental Protection Agency (EPA). The existing mains were installed between 1951 to 1987 and the replacement of these deteriorated trunk sewer and sewer mains will provide the community with a safe and reliable waste collection system. Impacted streets will be resurfaced and new curb ramps (curbs designed to provide access for handicapped individuals at locations where they cross the road) will be installed. The proposed project is located in the vicinity of Crown Point Drive and Pacific Beach Drive in the Mission Bay Park area in the City of San Diego.

The proposed work will all take place within the existing improved street rights-of-way, with the exception of the sewer abandonment. Portions of the existing sewer line run through the Mission Bay Park wetlands adjacent to the Kendall Frost Mission Bay Marsh Reserve. To "disconnect" the abandoned section of trunk sewer, a crew must make adjustments within the existing manhole, and fill it with concrete. The work will occur in the marsh preserve but not in the area where there is sensitive vegetation. Work crews will use small equipment to remove the cover and top ring of the existing manhole and to pump the material inside the pipe and manhole. The equipment entry within the marsh will be limited to manholes that will be accessed from upper areas of the Reserve as well as the parking lot of the Crown Point Condominiums. The existing alignment and the manhole are located within the dry and bare area of the Reserve located at least 15' to 20' from the vegetated areas. Construction activities are not anticipated to result in any impacts, permanent or temporary, to the surrounding vegetation, since a means exists to access the manhole without having to physically cross the vegetation. Thus, neither vehicles and equipment, nor the workers, will be in the actual wetlands. As such, no impacts of any kind to existing wetlands and/or sensitive resources are anticipated.

As proposed, the total project includes work within both the Pacific Beach and Mission Bay Park communities. The subject permit covers only those portions (ref. Exhibit No. 2) of the total project within Mission Bay Park, which is an area of deferred certification, where only a land use plan has been certified to date. Within this area, Chapter 3 of the

Coastal Act is the legal standard of review. Those areas within Pacific Beach, a fully-certified area of the City's LCP, will be addressed by the City's permitting regulations. Any coastal development permit issued by the City for project components within the first public road would be appealable to the Commission. To date, so such permit has been approved by the City.

In summary, the project would not significantly modify existing conditions in this area of Mission Bay Park. Abandonment of the 1,336-foot portion of trunk sewer will, however, lessen the potential for sewage spills in this sensitive area. The project should not result in any impacts to sensitive species. The project represents a form of non-exempt repair and maintenance of existing facilities, and the absence of a traditional buffer between the project and adjacent wetlands would not represent an adverse impact to the preserve. A qualified biologist will be on-site during construction activities in the coastal marsh area to monitor and verify that the work will not result in any impacts to the sensitive areas. A geology report has also been completed that addresses the proposed micro-tunneling and has concluded that no impacts to coastal resources are anticipated from project implementation.

Mission Bay, including the preserve, provides habitat for at least five State or Federal-listed threatened or endangered birds that include the California least tern, the light-footed clapper rail, Belding's savannah sparrow, the brown pelican and the western snowy plover. As such, potential adverse impacts on sensitive bird species as a result of activity in or near the preserve area could be significant. Therefore Special Condition #1 requires that the proposed work (related to the abandonment of sewer main portion of project) shall not occur during the breeding season of any sensitive avian species nesting within 500 feet of the project site unless specifically authorized in writing by the California Department of Fish and Game or the U.S. Fish and Wildlife Service. Therefore, as conditioned, the proposed project can be found consistent with the resource protection and public access and recreation policies of the Coastal Act.

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. Section 30233 limits development in open coastal waters, wetlands, estuaries, and lakes to specific permitted uses where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects.

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 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 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 sewer facility upgrade is located within a developed public park which is surrounded by built-out urban communities. The proposed facilities are intended to upgrade existing deteriorated trunk sewer and sewer mains and provide for a safe and reliable wastewater collection system. System capacity is not being increased, consistent with Section 30250 of the Coastal Act.

F. Local Coastal Program. The LUP for the Mission Bay Park LUP segment of the City of San Diego LCP was certified on May 11, 1995, but no implementation plan has been developed as yet, and Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act and with the certified Land Use Plan for the area. Approval of the project, as conditioned, will not prejudice the ability of the local government to prepare a Local Coastal Program that is in conformity with the provisions of Chapter 3.

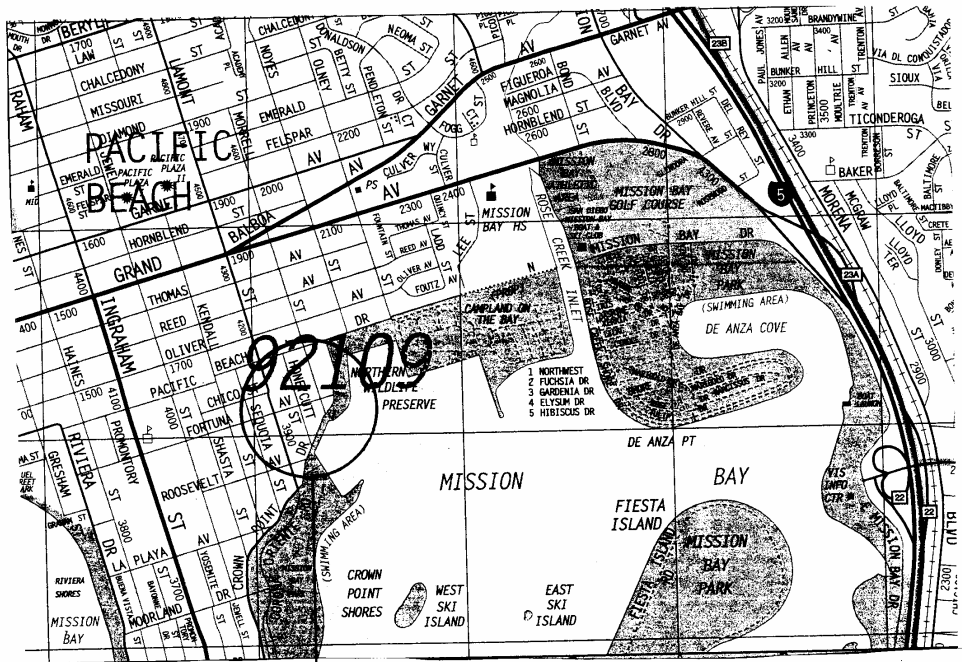
G. California Environmental Quality Act. There are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

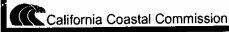
1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** 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.

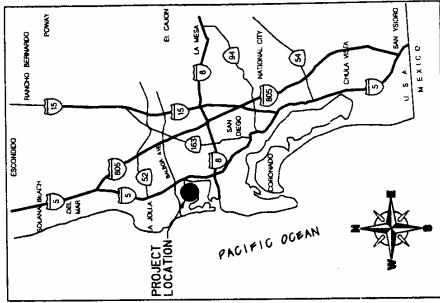
4. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

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.



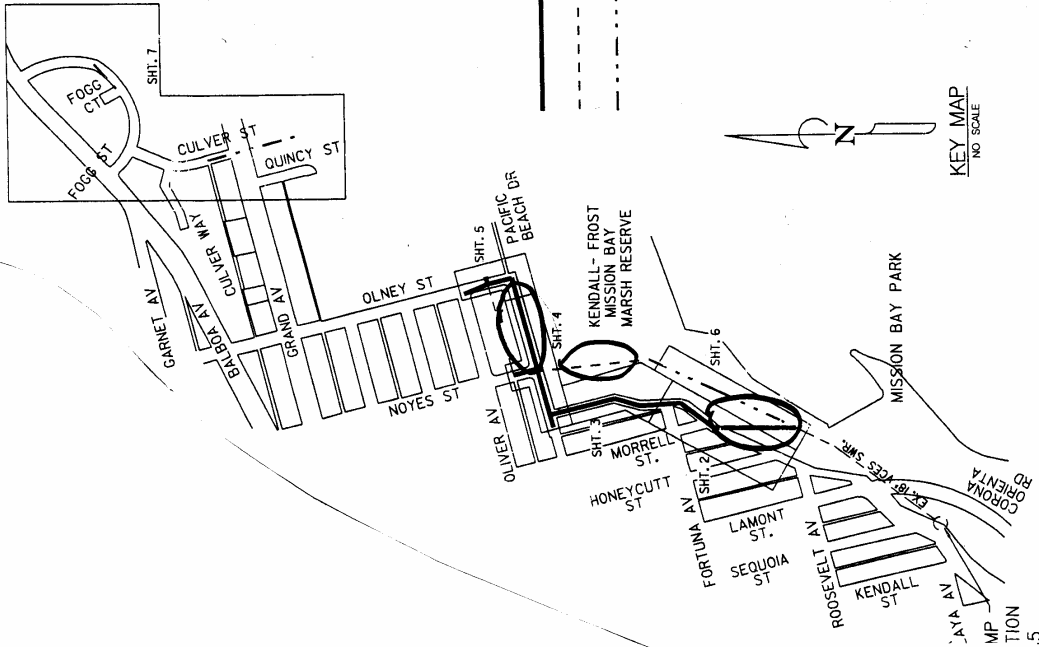
Approximate site vicinity

EXHIBIT NO. 1
APPLICATION NO.
6-08-42
Location Map
 California Coastal Commission



VICINITY MAP
NO SCALE

- LEGEND:
- PROPOSED TRUNK SEWER REPLACEMENT
 - - - EXISTING TRUNK SEWER TO BE ABANDONED
 - · - · - SEWER MAIN REHABILITATION



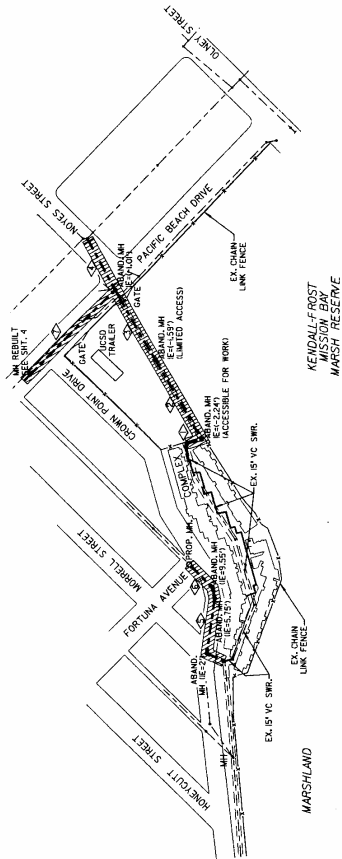
KEY MAP
NO SCALE

Circled areas = areas of CCC Jurisdiction

EXHIBIT NO. 2
APPLICATION NO.
6-08-42
Overall Project/ Areas within CCC Jurisdiction
California Coastal Commission

SEWER MAIN ABANDONMENTS

SEWER MAIN ABANDONMENTS



EXISTING SEWER MAIN & TRUNK SEWER TO BE ABANDONED

RENDALE-FROST MARSH RESERVE

MARSHLAND

MISSION BAY

PIPE SIZE	MAT'L	LENGTH	YEAR INSTALLED	SHEET NO.
18"	VC	45'	1971	2
18"	VC	243'	1952	2
18"	VC	158'	1952	4
18"	VC	158'	1952	4
18"	VC	235'	1971	2
18"	PVC	79'	1987	2
18"	PVC	346'	1979	4
1,335'				TOTAL LF. INCLUDES MFS

CROWN POINT TRUNK SEWER
SEWER MAIN ABANDONMENTS

CITY OF SAN DIEGO CALIFORNIA
PLANNING AND CAPITAL PROJECTS DEPARTMENT

DATE: 06/08/04
BY: J. J. [Signature]

PROJECT NO.: 177051
SHEET NO.: 177051-09-D

APPROVED: [Signature]
DATE: 06/08/04

DESIGNED BY: ALICEA J. [Signature]
DATE: 06/08/04

CHECKED BY: [Signature]
DATE: 06/08/04

DATE COMPLETED: 3/1985-08-D



EXHIBIT NO. 3
APPLICATION NO.
6-08-42
Sewer Abandonment
Areas

California Coastal Commission