

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
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Staff: Ellen Lirley-SD
Staff Report: September 16, 2008
Hearing Date: October 15-17, 2008

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-08-080

Applicant: City of San Diego **Agent:** Dirk Smith

Description: Installation of 8,250 linear feet of new dual 14-inch sewer force main within El Camino Real and San Dieguito Drive rights-of-way and 1,200 linear feet of new 12-inch water main within Old El Camino Real right-of-way, associated with Pump Station 79, which is located outside the coastal zone.

Site: Portions of El Camino Real, Old El Camino Real, and San Dieguito Drive at the southern end of the San Dieguito River Valley, North City, San Diego, San Diego County. APNs 304-020-13; 304-020-14; 304-020-15; 304-020-16; 304-650-05; 304-010-35; 304-161-42

Substantive File Documents: Certified City of San Diego LCP; CCC File 6-04-132

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. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. The City of San Diego is proposing to make improvements in its sewer and water facilities in, and south of, the San Dieguito River Valley. Specifically, the City proposes to install 8,250 linear feet of new dual 14-inch sewer force main within the El Camino Real and San Dieguito Drive rights-of-way, and also to install approximately 1,200 linear feet of new 12-inch water main within the Old El Camino Real right-of-way. An existing 8-inch sewer main in Old El Camino Real will be abandoned. The proposed sewer and water lines are portions of accessory improvements associated with the replacement and expansion of Pump Station 79, which is located outside the coastal zone, on the north side of San Dieguito Drive, east of Old El Camino Real, which forms the coastal zone boundary in this area.

Coastal Development Permit #6-04-132 was approved by the Coastal Commission in 2005, and authorized this exact same project. All potential Coastal Act issues were identified, addressed and resolved in that permit, which included a special condition requiring submittal of a staging and storage plan meeting specified parameters. This condition was satisfied and the permit issued. However, due to adverse circumstances at the City, the project was never built and the permit has now expired. The subject application proposes the same improvements as before, and now includes identification of the staging and storage areas in appropriate locations, such that the special condition is no longer needed.

The specific portions of the project subject to this review are located within an area of deferred certification known as the North City Future Urbanizing Area (NCFUA), Subarea II. As such, the coastal development permit for these components is processed by the Coastal Commission. The City of San Diego will issue a non-appealable coastal development permit or permit exemption for any coastal zone components south of the NCFUA boundary, within Carmel Valley Neighborhood 7, which is part of the City's certified LCP. Chapter 3 of the Coastal Act is the legal standard of review for the subject Commission-issued permit.

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. Although there are sensitive biological resources within the river valley, no portion of the subject project components is within 100 feet of any identified sensitive habitats, such that the project will not encroach within the area typically reserved as a buffer between development and sensitive resources. Moreover, the proposed project will not impact any components of the San Dieguito Restoration Plan. Therefore, the proposed development will not have an adverse impact on any sensitive habitat, and 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 a partially developed and partially open space area. As all sewer line facilities will be underground, the constructed project 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 conforms to Section 30251 of the Coastal Act.

D. Growth Inducement. Given that the proposed development involves the upgrade of existing sewer and water pipes to larger pipes, the question arises to whether the project is growth inducing. In this case, the project is part of a planned sewer upgrade that is proposed to replace existing degraded sewer lines for the protection of water quality and existing sewer service, and the project does not include any new additional lines. Moreover, the main purpose of increasing the size of the pipe is to meet current Metropolitan Wastewater Department Sewer Design Guidelines. However, the sewer pipe upgrade and replacement will accommodate planned development to build-out of the area to the east, outside the coastal zone. Thus, as proposed, this development will not be growth-inducing and is consistent with Section 30250 of the Coastal Act.

E. Local Coastal Planning. The subject site is located in an area of deferred certification, where the Commission retains permit authority and Chapter 3 of the Coastal Act remains the legal standard of review. The proposed development is consistent with Chapter 3 of the Coastal Act. Therefore, approval of the project will not prejudice the ability of the City of San Diego to prepare a fully certifiable land use plan for this area.

F. 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.

6-08-080



6-08-080

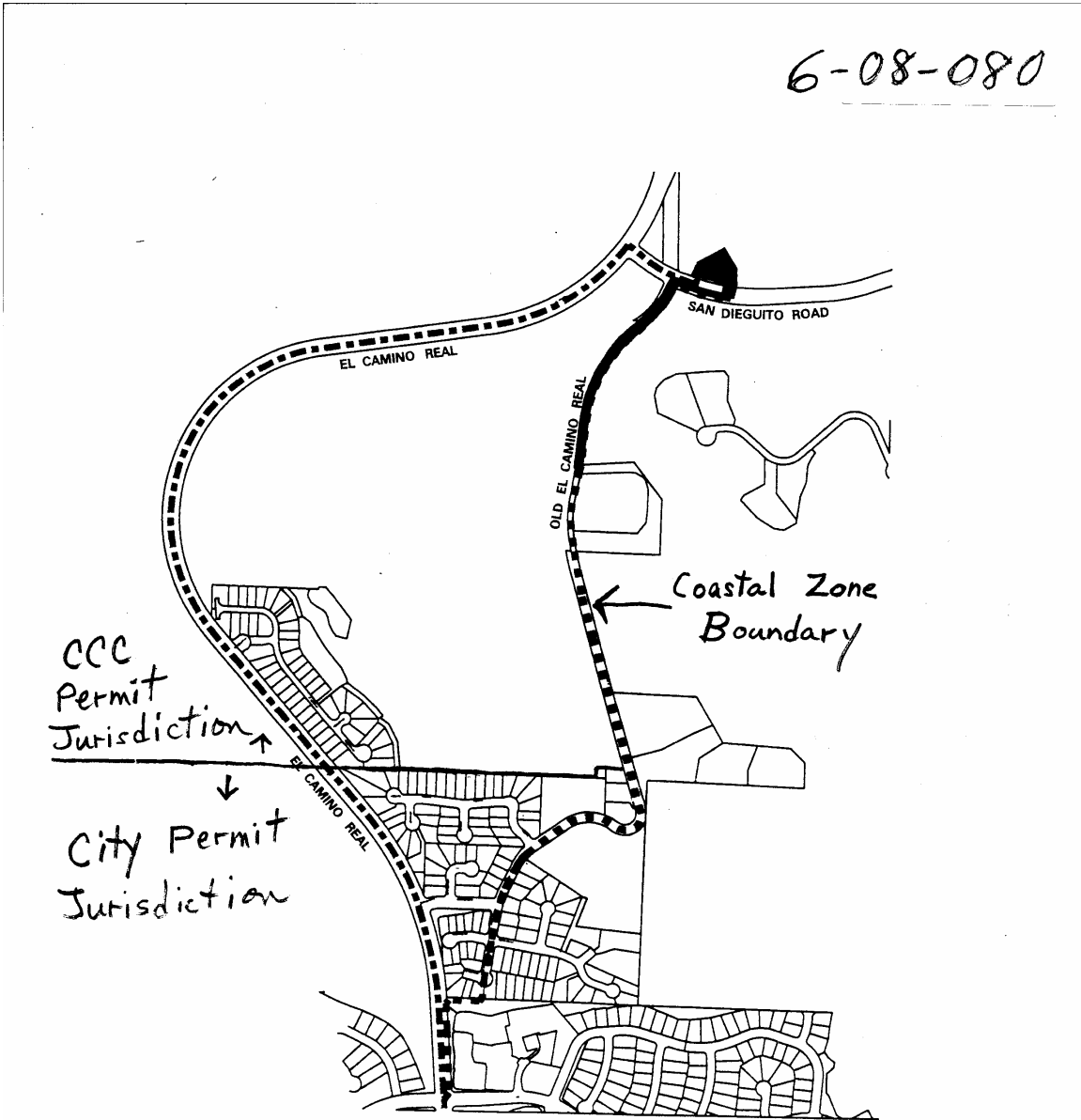


EXHIBIT NO. 2
APPLICATION NO.
6-08-080
Site Plan
California Coastal Commission