

CALIFORNIA COASTAL COMMISSION

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



Th4d

Filed: 1/29/08
49th Day: 3/18/08
180th Day: 7/27/08
Staff: Laurinda Owens-SD
Staff Report: 3/18/08
Hearing Date: 4/9-11/08

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-08-12

Applicant: University of California, San Diego **Agent:** Milt Phegley

Description: Construction of a one-story, 9-ft. high, 250 sq.ft. emergency generator facility for the Stephen Birch Aquarium.

Lot Area	3,900 sq. ft.
Building Coverage	250 sq. ft. (6%)
Pavement Coverage	1,750 sq. ft. (45%)
Landscape Coverage	1,900 sq. ft. (49%)
Zoning	Unzoned
Plan Designation	Academic
Ht abv fin grade	9 feet

Site: North of the Stephen Birch Aquarium, on the Scripps Institution of Oceanography campus, La Jolla, San Diego, San Diego County.
APN 344-090-07

Substantive File Documents: Updated draft UCSD Long Range Development Plan

Standard of Review: Chapter 3 policies of the Coastal Act.

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. Disposal of Graded Spoils. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall identify the location for the disposal of excess graded spoils. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the California Coastal Commission or its successors in interest.

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Detailed Project Description/History. Proposed is the construction of an emergency generator facility at the Stephen Birch Aquarium. The facility will consist of a one-story, 9-ft. high, emergency generator enclosure and equipment building and an adjacent trash collection/dumpster area. The emergency generator project is designed to supply emergency electrical power for the continued operation of aquarium life support systems. The Stephen Birch Aquarium is located south of the project site (ref. Exhibit No. 3). As part of the site preparation, a total of 530 cy. of cut and 30 cy. of fill grading will be performed with 500 cy. yards to be exported off-site. Because the disposal location for the excess graded material has not been identified, Special Condition #1 requires the applicant to identify the location prior to issuance of the permit. If the site is located within the coastal zone, a separate coastal development permit or permit amendment shall first be obtained from the Coastal Commission or its successor in interest.

The Stephen Birch Aquarium is located on the SIO campus, the latter of which is one of the oldest, largest, and most important centers for global science research and graduate training in the world. SIO is also known for the Stephen Birch Aquarium which serves as a public education and exploration center for SIO. The Aquarium has numerous exhibits of sea life with a variety of education and research programs. The Stephen Birch Aquarium was originally permitted on 9/12/88 pursuant to CDP #6-89-188 which was for the construction of a new aquarium in a new location on the SIO campus. The older aquarium was previously located on the main SIO campus, west of La Jolla Shores Drive

which, over time, had proven to be too small of a site to accommodate the expanding needs of the facility. As such, the much larger and improved aquarium facility was constructed on the east side of La Jolla Shores Drive where it presently exists today. The aquarium facility overlooks the main SIO campus and provides panoramic ocean view of La Jolla Shores (public beach). The proposed emergency generator facility is located north of the Stephen Birch Aquarium near other equipment structures associated with the Aquarium. As such, it will be visually compatible in scale and design with nearby buildings. It will not be visible from La Jolla Shores Drive to the west nor from any other public roadways.

The project site consists of a small slope/hillside which has Eucalyptus woodland and non-native grassland. As such, there will not be any impacts to sensitive native vegetation. A biological monitor will be present on-site during the grading activities to ensure that the approved limits of the construction are not exceeded. In addition, the applicant has submitted a landscape plan which indicates that new landscaping will be provided only in the area immediately adjacent to the proposed structures and that all other graded areas will be hydroseeded utilizing native plants. Existing Torrey Pines will be relocated on site and slope areas will be replanted with 15, 5 and one-gallon Torrey Pines trees. The proposed development will not result in any adverse visual impacts, consistent with Coastal Act policies.

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 will not result in erosion or adverse impacts to water quality. Thus, the Commission finds the project, as conditioned, 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 will be compatible with the character and scale of the surrounding area. The proposed project primarily consists of the construction of a small emergency generator enclosure and equipment building and an adjacent trash collection/dumpster area. The project site is located in the interior part of the SIO campus which is not visible from the shoreline and, as such, will not result in any impacts to public views to the ocean. Therefore, the Commission finds that the development 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. The proposed development is not located between La Jolla Shores Drive (the first coastal road) and the sea where public access issues are a concern and, in any case, does not require the provision of parking. Therefore, the Commission finds the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

E. Local Coastal Planning. The City of San Diego does have a certified LCP for most of its coastal zone. However, the UCSD campus segments in La Jolla are not part of that program and remain an area of deferred certification where the Commission temporarily retains coastal development permit authority. UCSD does have a Long Range Development Plan (LRDP), but does not plan to submit it for certification. The proposed development is consistent with Chapter 3 of the Coastal Act, the legal standard of review, and also with the LRDP which is used as guidance. Approval of the project will not prejudice the ability of the university to prepare and implement an LRDP that is in conformity with the provisions of Chapter 3.

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. 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.

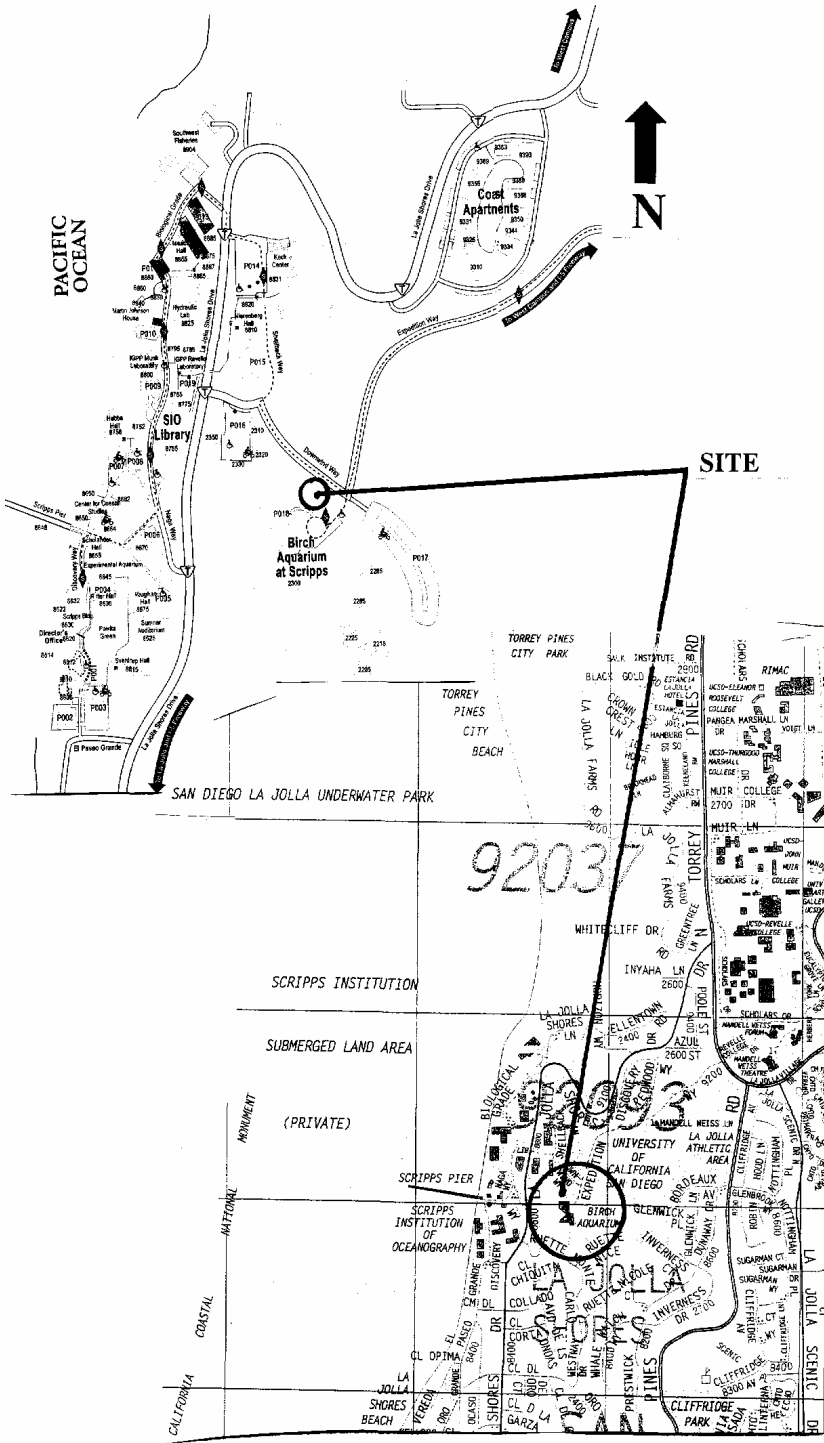

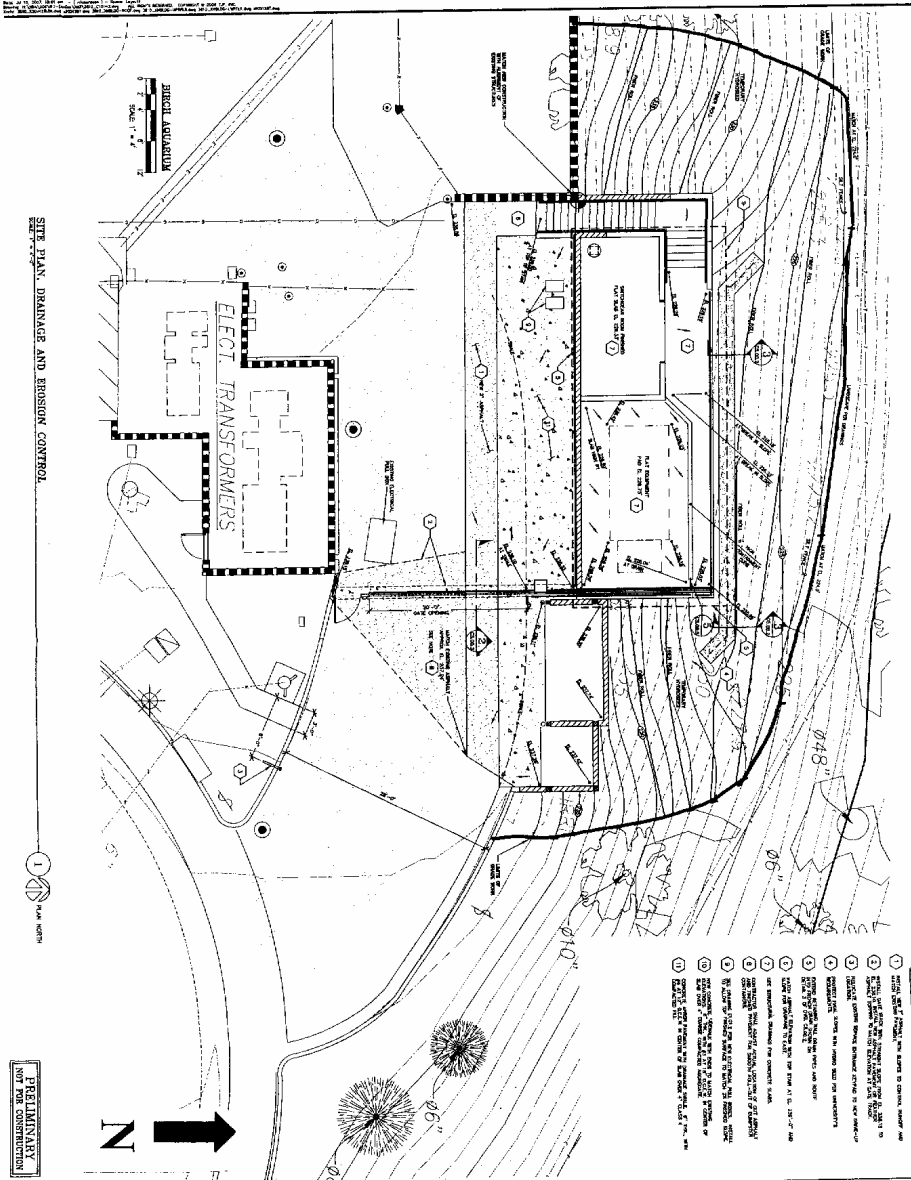


EXHIBIT NO. 1
APPLICATION NO.
6-08-12
Location Map





- NOTES:**
1. THIS PLAN IS PRELIMINARY AND SUBJECT TO CHANGE. OWNER AND CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CIVIL ENGINEERING BOARD'S STANDARD SPECIFICATIONS FOR HIGHWAY AND BRIDGE CONSTRUCTION.
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PRELIMINARY
NOT FOR CONSTRUCTION

SITE PLAN,
DRAINAGE AND
EROSION CONTROL
C1012

NO.	DATE	DESCRIPTION
1	6/8/12	ISSUED FOR PERMITTING
2	6/8/12	ISSUED FOR PERMITTING
3	6/8/12	ISSUED FOR PERMITTING
4	6/8/12	ISSUED FOR PERMITTING
5	6/8/12	ISSUED FOR PERMITTING
6	6/8/12	ISSUED FOR PERMITTING
7	6/8/12	ISSUED FOR PERMITTING
8	6/8/12	ISSUED FOR PERMITTING
9	6/8/12	ISSUED FOR PERMITTING
10	6/8/12	ISSUED FOR PERMITTING

RECEIVED
JAN 29 2014
CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COUNTY DISTRICT OFFICE



SIO SEA AND
STORM WATER
TREATMENT
FACILITY
PHASE 2
PILINGS 2
REINFORCED
CONCRETE
FACILITY

UNIVERSITY OF CALIFORNIA
SAN DIEGO
BIRCH
AQUARIUM
AT SCRIPPS

EXHIBIT NO. 2
APPLICATION NO. 6-08-12
Site Plan
California Coastal Commission