CALIFORNIA COASTAL COMMISSION
SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

Th 13c

Addendum

January 5, 2009

To: Commissioners and Interested Persons

From: California Coastal Commission
San Diego Staff

Subject: Addendum to **Th 13c**, Coastal Commission Permit Application **#6-08-96 (UCSD & Sanford Consortium)**, for the Commission Meeting of 1/8/09

Staff recommends the following changes be made to the above-referenced staff report:

1. On Page 2 of the Staff Report, the last two paragraphs on the page shall be revised as follows:

   The proposed development consists of a four-story research building, and the applicant has also proposed an alternative to the existing runway alignment that shifts the runway a few degrees to the southeast from its current alignment. In so doing, all existing and proposed penetrations of the imaginary surface of the Gliderport runway will be completely removed. In particular, these intrusions include not only the proposed building but also the 14-story UCSD student housing building which presently penetrates the approach surface on the east side of North Torrey Pines Road. Through the proposed re-alignment of the runway, the fixed-wing gliders will be able to continue to operate on the UC property. A special condition requires that ~~no~~ future development ~~occur in the southwest corner~~ on ~~of~~ the site be reviewed as an amendment to this permit in order to further assure that there will be no future obstacles or impediments that could diminish the ability of fixed-wing gliders to use the site for recreational purposes.

   Furthermore, no significant public view impacts will result. In addition, through utilization of landscaping techniques, an approx. ~~30~~20-foot wide view corridor will be created along the property's south frontage such that there will be an "opening" up of area looking west across the site next to Torrey Pines Scenic Road. While there is presently not a clear view of the ocean looking west, it is possible that on a clear day there *may* be ocean horizon views in this area. The remainder of the site incorporates tree […]

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1. Future Conversion of Parking Lot

A. This permit is only for the development described in coastal development permit No. **6-08-96**. ~~No portion of the parking lot approved herein shall be converted in the future to buildings or structures. In addition,~~ ~~e~~Except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land or the construction of buildings on the parking lots, shall require an amendment to Permit No. **6-08-96** from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission. ~~or from the applicable certified local government.~~

~~B. **PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special Conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.~~

~~C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.~~

3. On Page 5 of the Staff Report, Special Condition 2(b) shall be revised as follows:

2. Final Landscaping Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan for the review and written approval of the Executive Director. Said plan shall be in substantial conformance with the draft landscape plan submitted by Fentriss/Architects and Davis Architects stamp dated 10/16/08, and shall include the following:

[…]

b. A view corridor a minimum of ~~30~~ 20 feet wide shall be preserved along the southern portion of the property adjacent to Torrey Pines Scenic Drive.

All proposed landscaping in this area shall be maintained at a height of three feet or lower (including raised planters) to preserve views looking west towards the ocean. No tall trees are permitted in this area. Tall trees are permitted outside of the view corridor on the northern portion of the parking lots for the purpose of screening the parking lots from public views from Torrey Pines Scenic Drive and North Torrey Pines Road.

[…]

4. On Page 9 of the Staff Report, Special Condition No. 3 for Final Plans shall be re-numbered to No. 4.

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With regard to the concerns raised by SHPO pertaining to the loss of "feeling", "setting" and "character" that will occur as a result of the removal of the grove of Eucalyptus trees and the construction of a tall research building, the Coastal Act does not specifically address protection of historical resources. Nonetheless, it is acknowledged that such resources are important, but they can only be afforded protection under the Coastal Act if through their loss they diminish or destroy the community character of a special or unique community. In this particular case, a strong argument cannot be made that through the loss of the Eucalyptus trees and the construction of a research building, that the unique characteristics of this popular visitor destination point will be permanently altered in a manner such that the fixed-wing gliders can no longer operate there. After the project is constructed, there will still be large "open" areas on the remainder of the gliderport site. Although the Eucalyptus trees will be removed, and they may have been used by fixed-wing gliders to gauge their approach to the landing strip, their removal will actually open up more area and remove ~~an~~ some of the obstacles that ~~is~~ are presently there. In its place will be a surface parking lot. The research building is proposed to be located at the far northern portion of the site.

In evaluating all of the information presented, the project is designed in such a way that it does not raise a significant coastal issue that would warrant the denial of the proposed structure. However, if further development in this area, and in particular within the area proposed for parking, is proposed to be undertaken in the future, there could be significant adverse impacts on this area and the historical recreational resource. As such, Special Condition No. 1 is proposed that requires that ~~the southwest corner of the subject site remain undeveloped and unobstructed by~~ future development on the site be reviewed by the Commission as an amendment to this permit, in order to ~~eliminate the possibility of~~ assure future structures on the site ~~that~~ would not eliminate the ability for fixed-wing gliders to operate altogether. ~~Such structures would be located right next to the runway/landing strip, and such impediments would not be acceptable.~~ Therefore, as conditioned, the […]

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9. Several new exhibits shall be added to the staff report. Exhibit No. 1 is the revised Location Map with the site circled. Exhibit No. 7 is the 20-foot wide view corridor (pursuant to Special Condition No. 2) and Exhibit Nos. 8-13 are colored exhibits provided by the applicant which more clearly show the gliderport in relationship to the subject site, etc.

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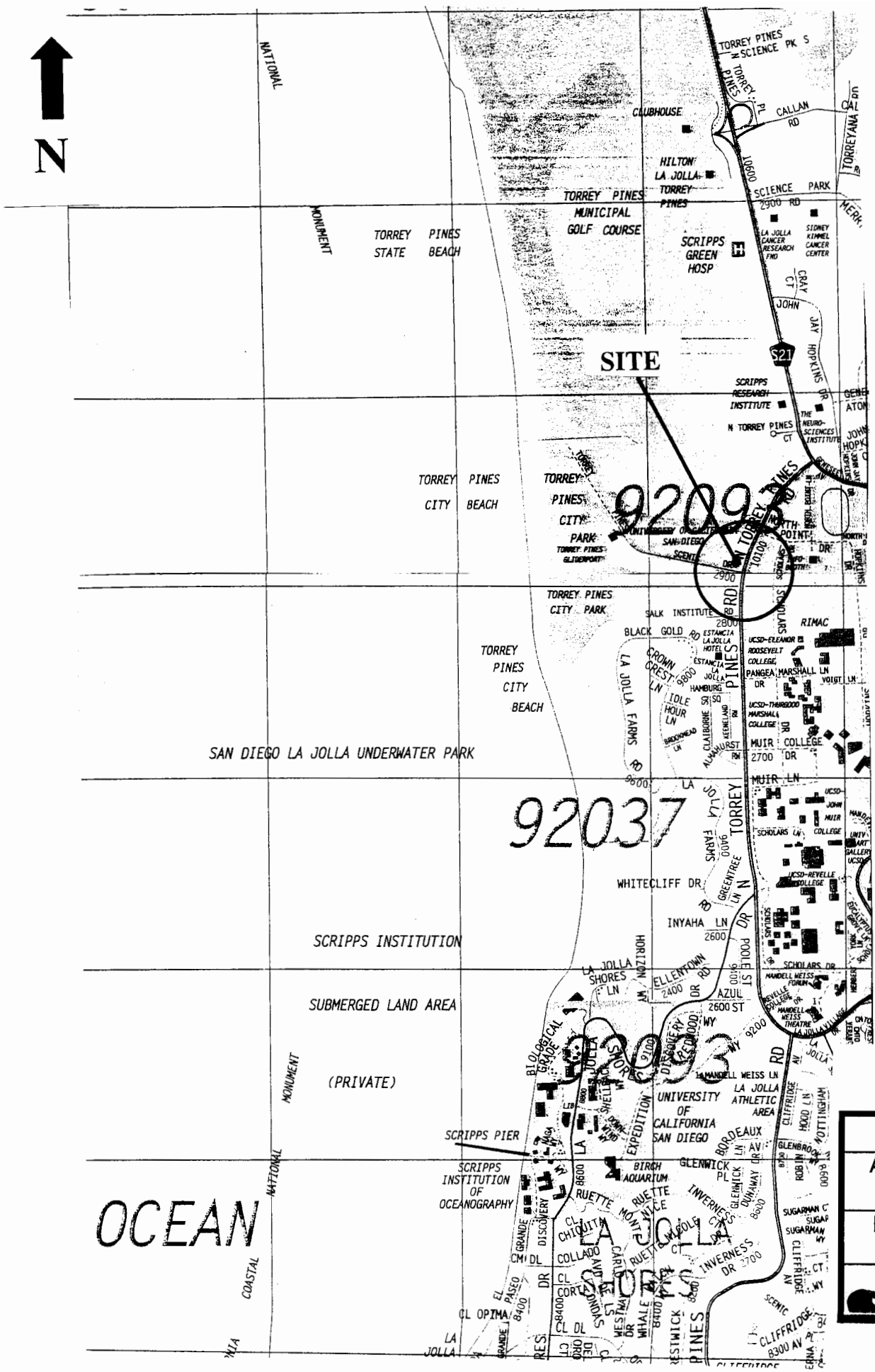


EXHIBIT NO. 1
APPLICATION NO.
6-08-96
Revised Location Map
51
California Coastal Commission

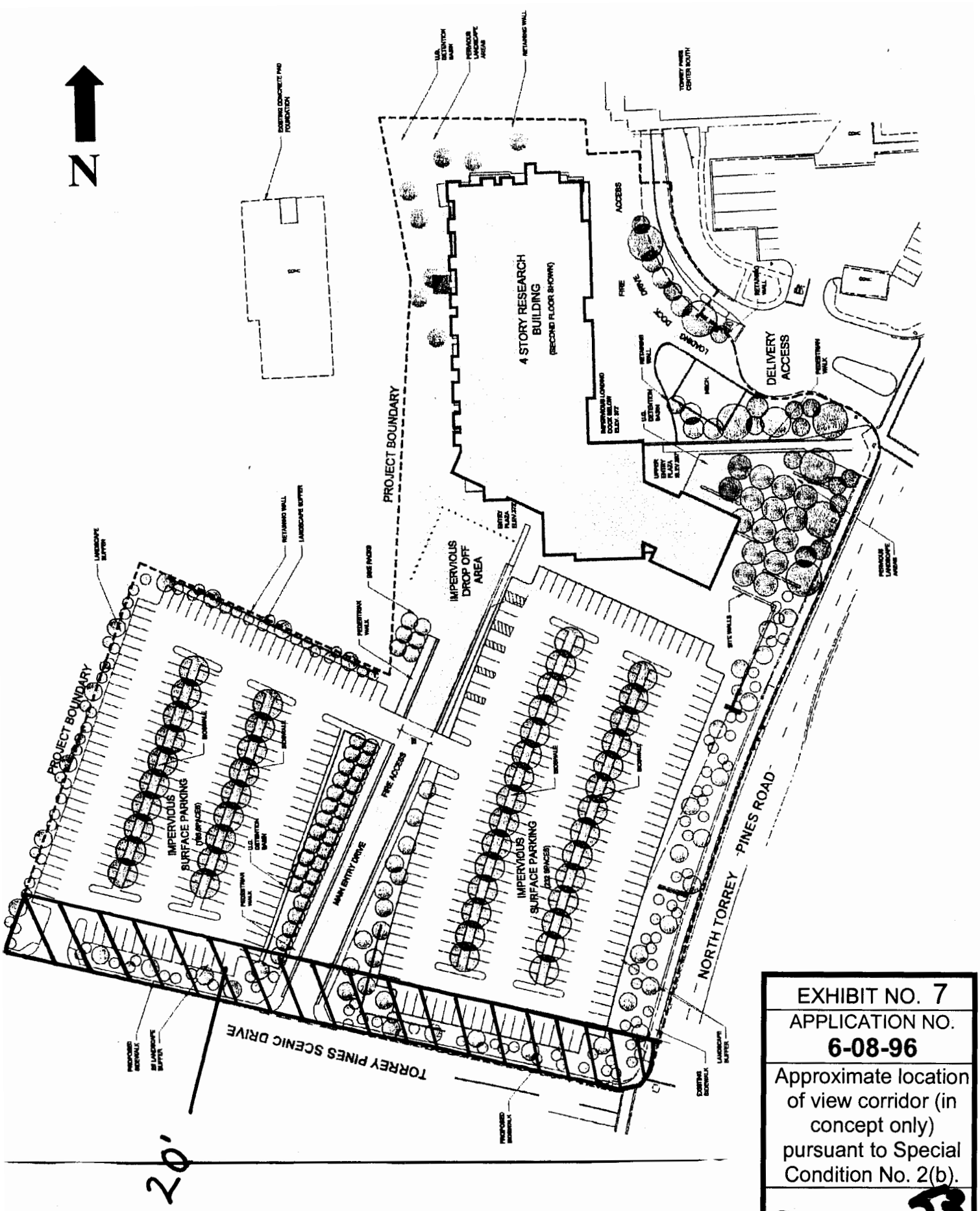


EXHIBIT NO. 7

APPLICATION NO.
6-08-96

Approximate location of view corridor (in concept only) pursuant to Special Condition No. 2(b).

California Coastal Commission

Exhibit #8 (A-F)

The following pages are labeled by letters as follows:

A) Site Vicinity (aerial view of site)

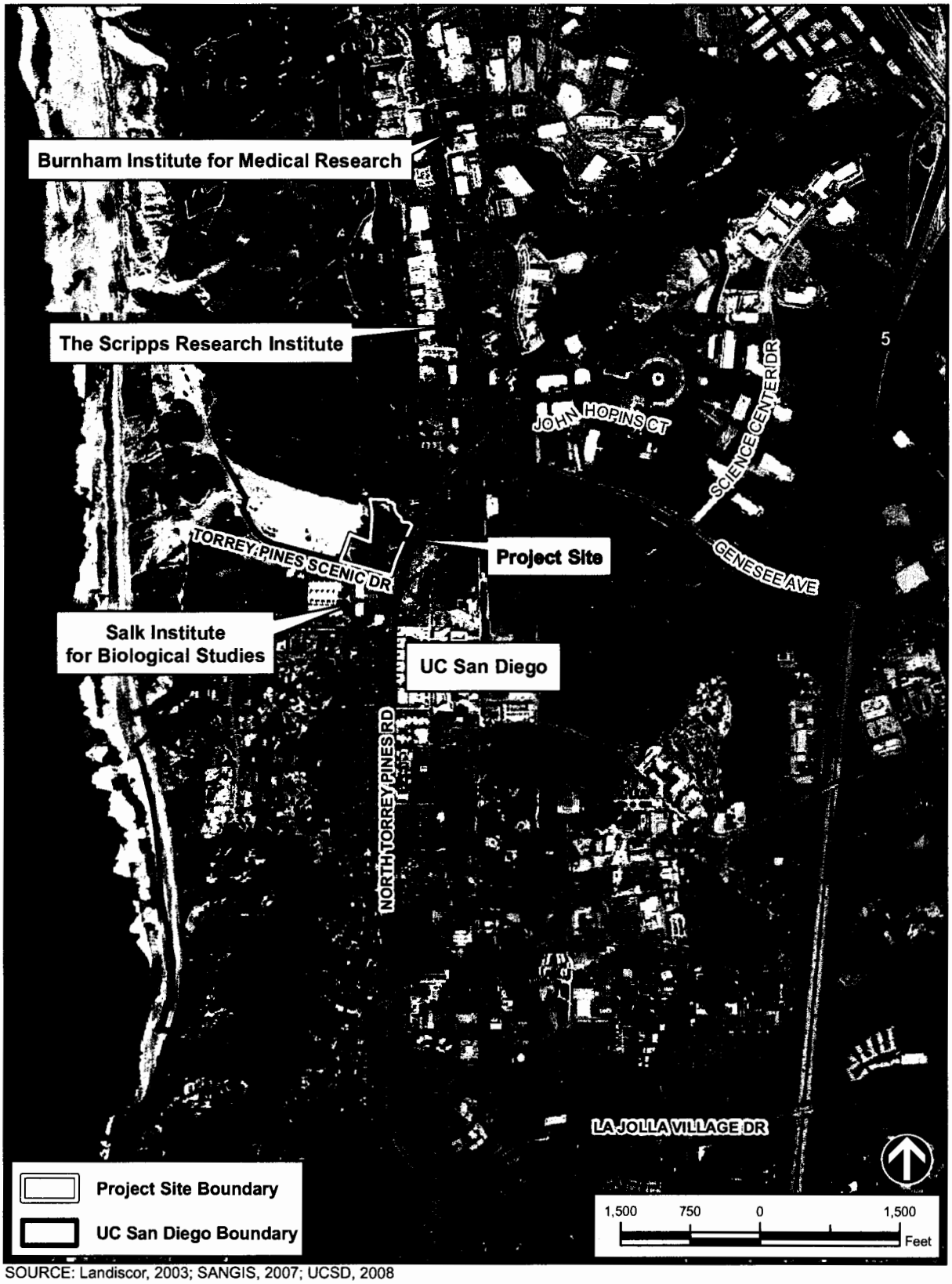
B) Recreational Resources in Project Vicinity

C) Glider Traffic Patterns

D) Existing Obstacle Clearance Surface Penetrations

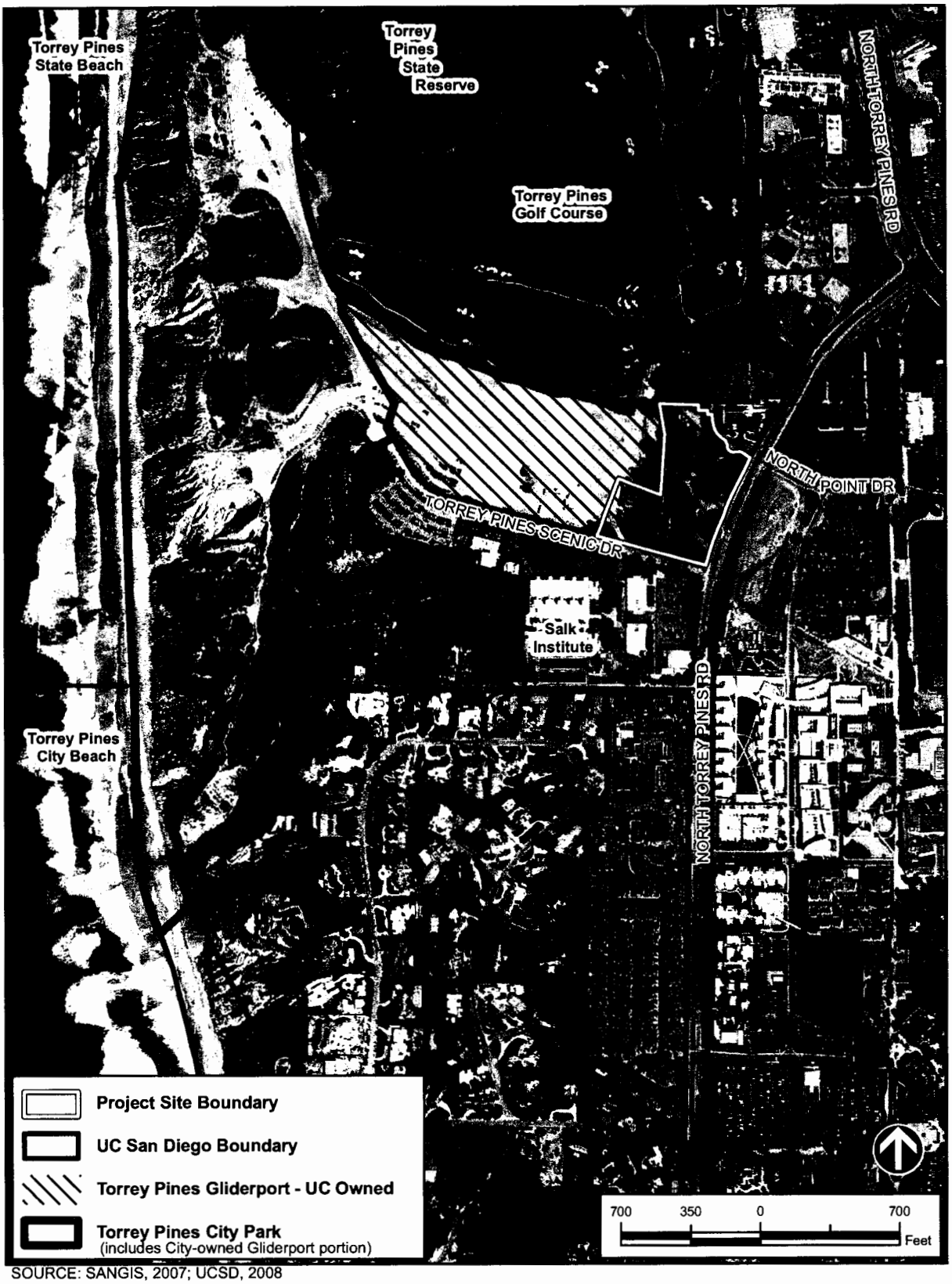
E) Proposed Obstacle Clearance Surface Penetrations

F) Recommended Runway Reconfiguration



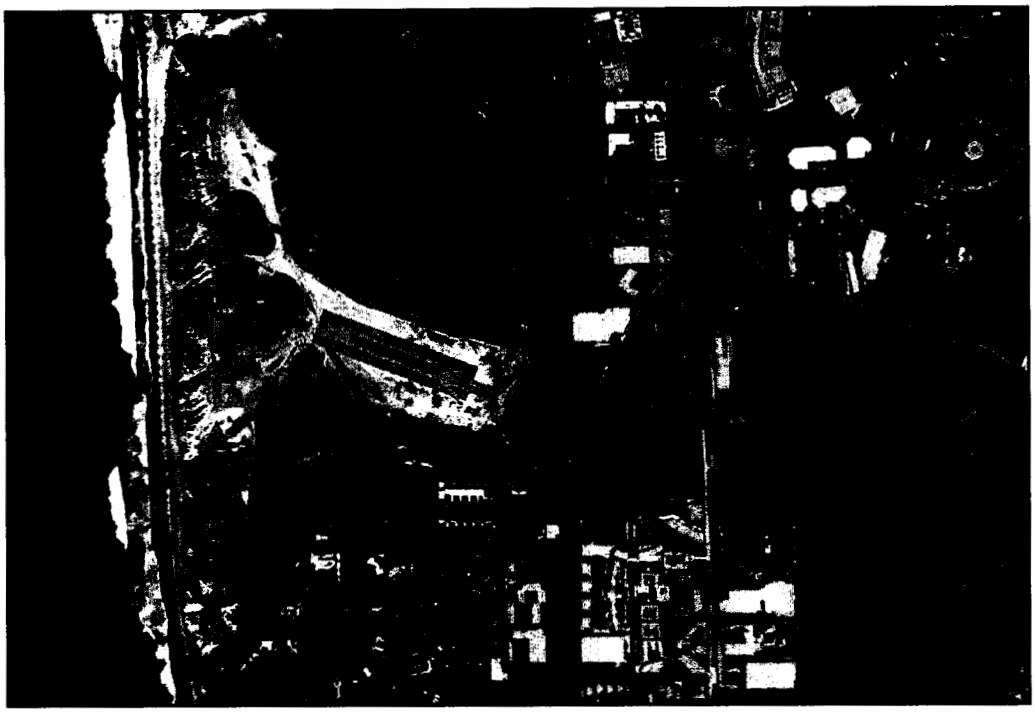
SOURCE: Landiscor, 2003; SANGIS, 2007; UCSD, 2008

SITE VICINITY **FIGURE 3-2**

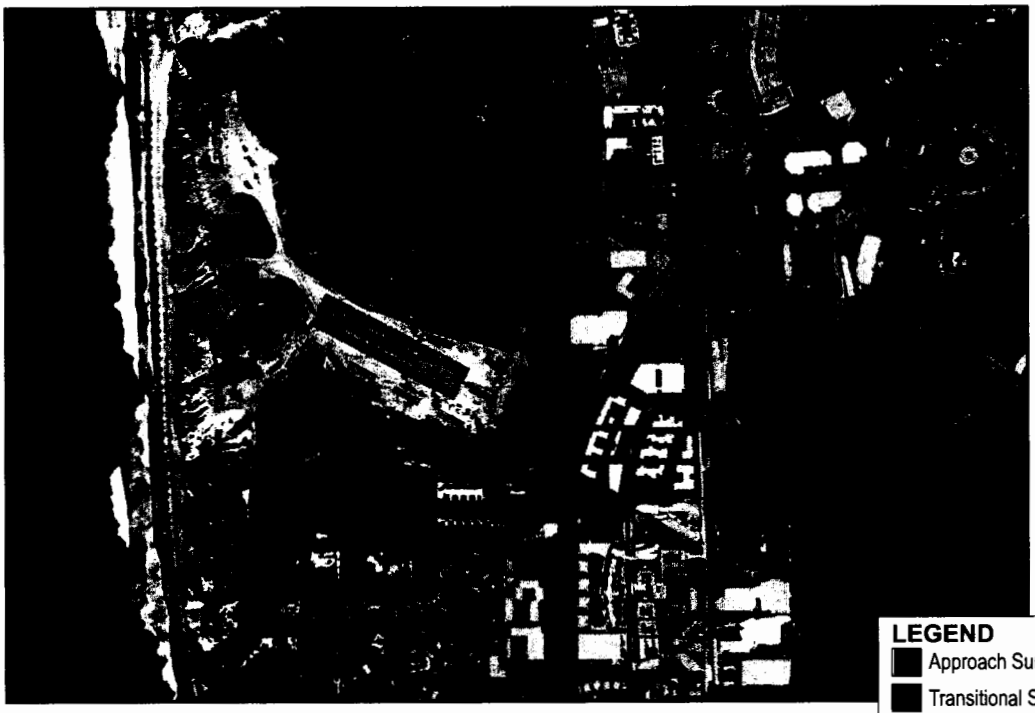


SOURCE: SANGIS, 2007; UCSD, 2008

RECREATIONAL RESOURCES IN THE PROJECT VICINITY **FIGURE 4.5-1**



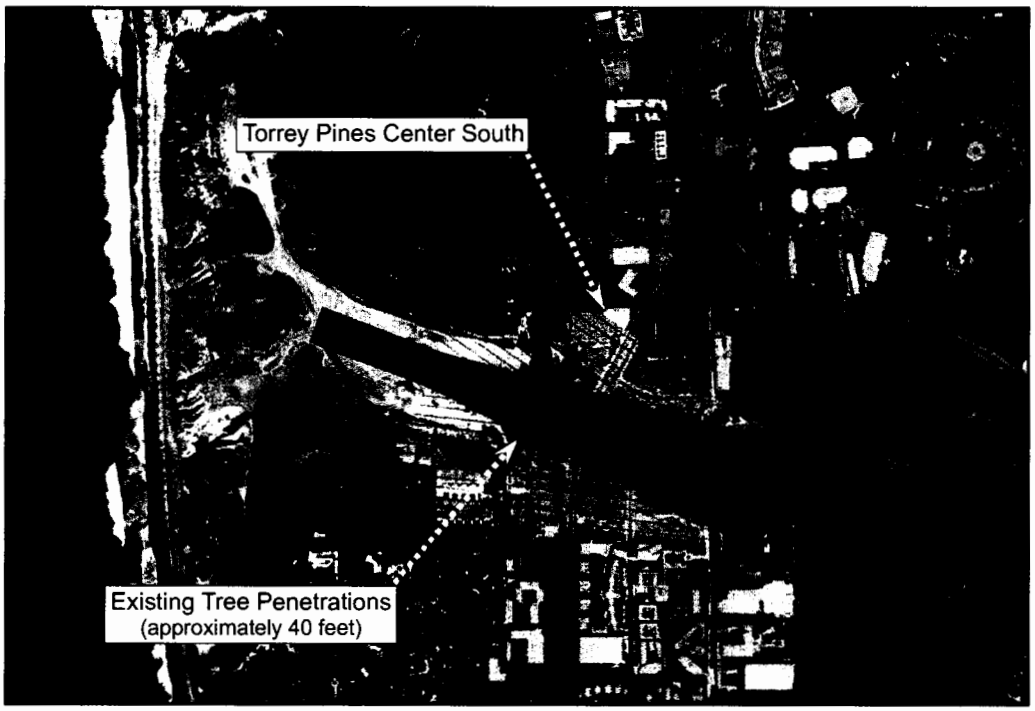
Existing Glider Standard Upwind Right-Hand Traffic Pattern



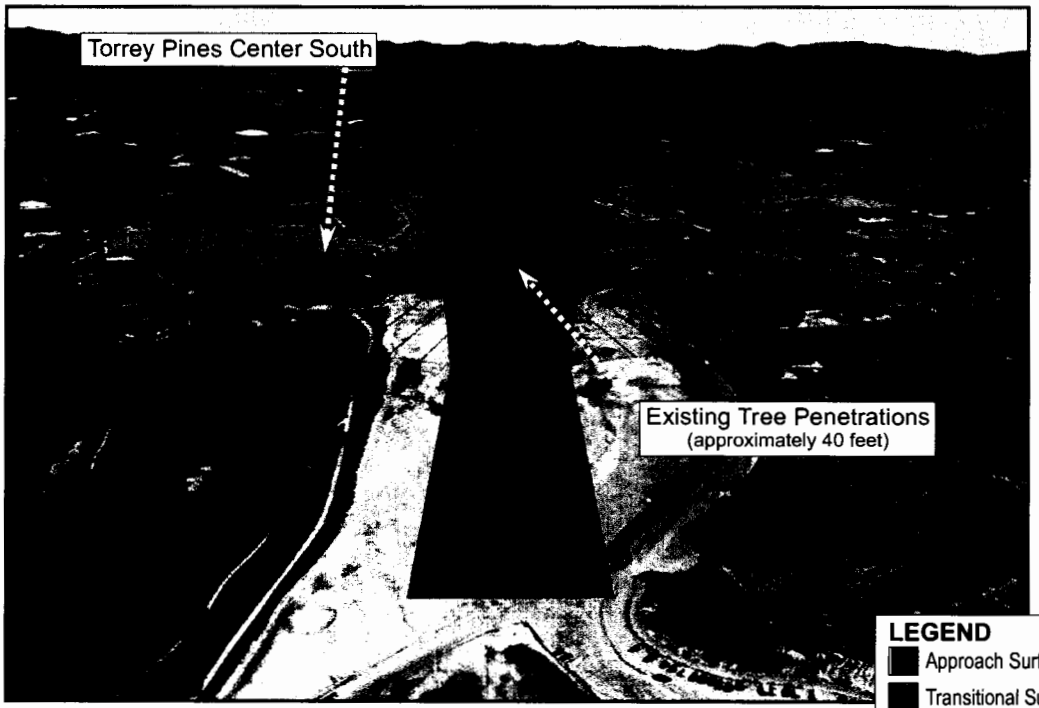
Recommended Glider Upwind Left-Hand Traffic Pattern

SOURCE: Torrey Pines Operations Manual, 1991; PBS&J, 2008

GLIDER TRAFFIC PATTERNS **FIGURE 4.5-4**



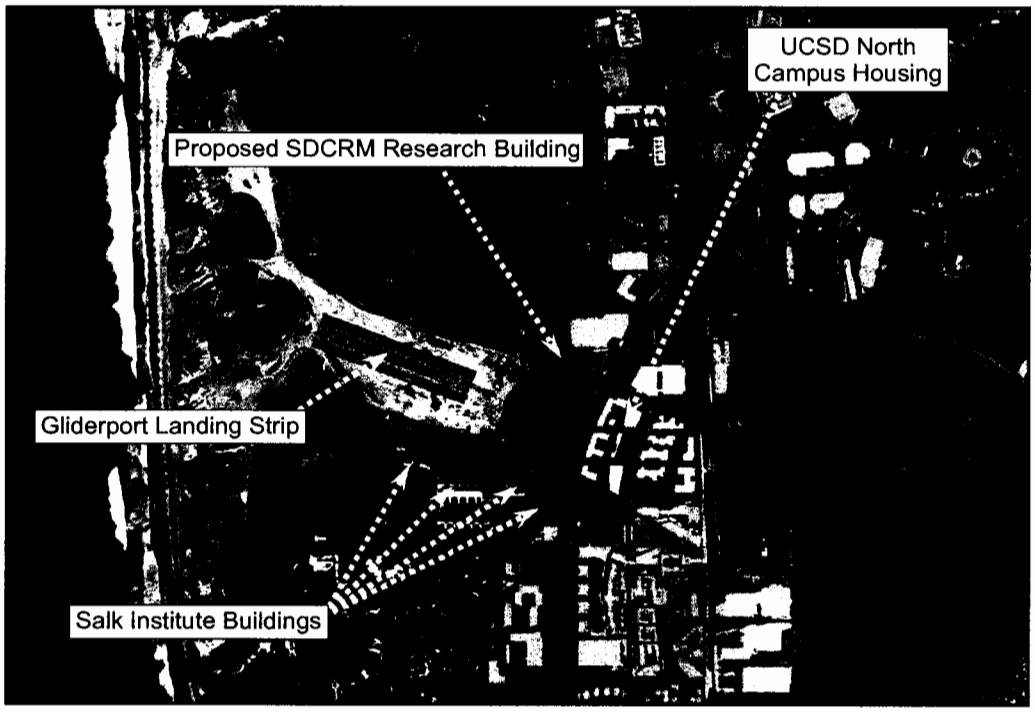
Existing Obstacle Clearance Surface Penetrations (Plan View)



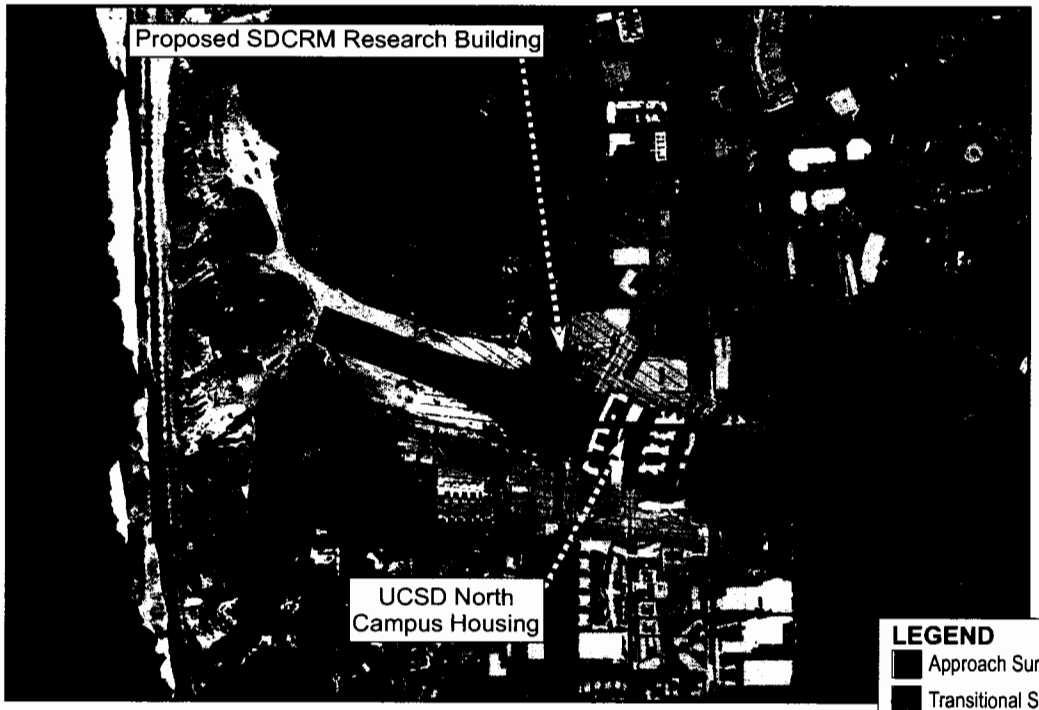
Existing Obstacle Clearance Surface Penetrations (Eastward View)

SOURCE: PBS&J, 2008

EXISTING OBSTACLE CLEARANCE SURFACE PENETRATIONS **FIGURE 4.5-2**



Proposed Development

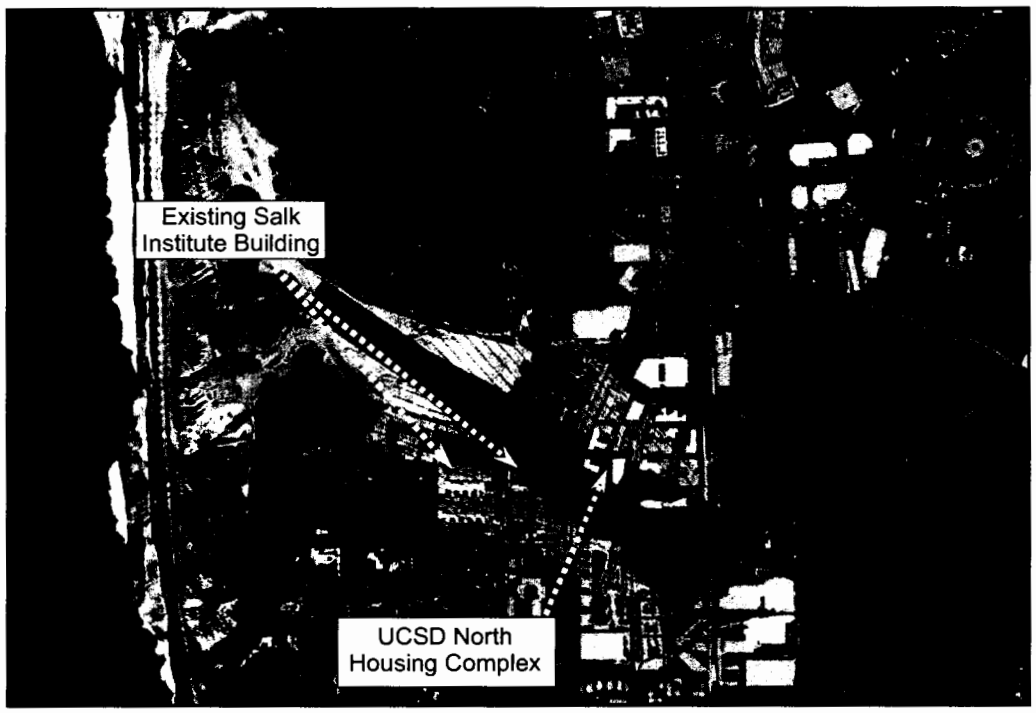


Proposed Development and Obstacle Clearance Surface Pentrations (Plan View)

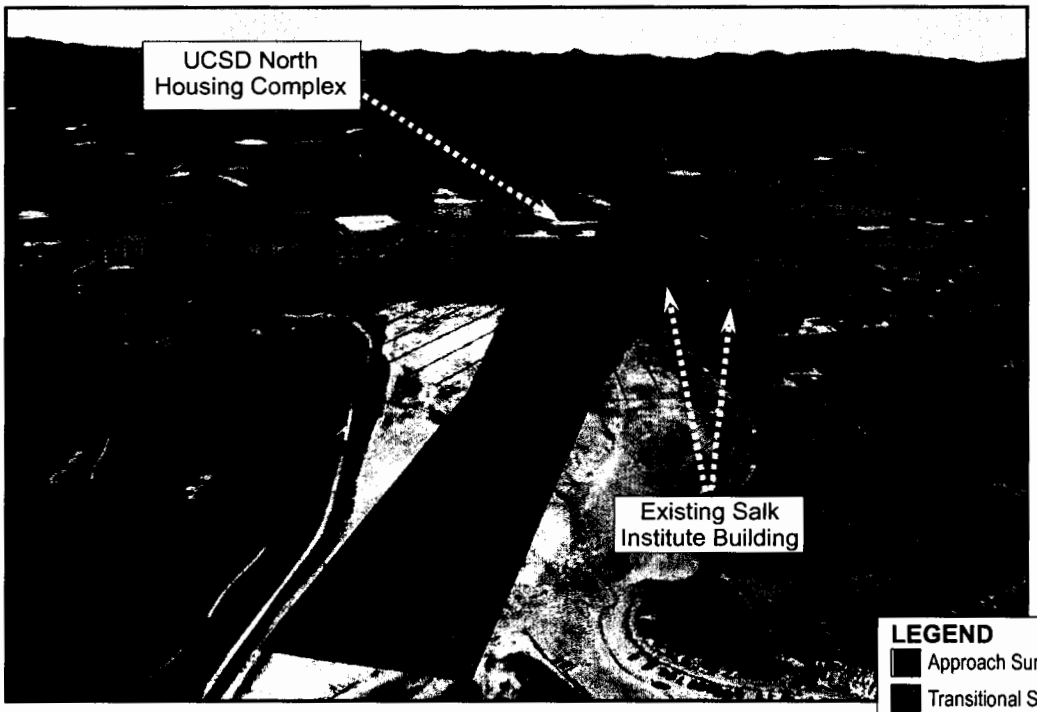
SOURCE: PBS&J, 2008

PROPOSED OBSTACLE CLEARANCE SURFACE PENETRATIONS **FIGURE 4.5-3**

8E



Plan View



View to the east.

SOURCE: PBS&J, 2008

RECOMMENDED RUNWAY RECONFIGURATION **FIGURE 4.5-5**

8F

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Filed:	11/24/08
49th Day:	1/12/09
180th Day:	5/23/09
Staff:	Laurinda Owens-SD
Staff Report:	12/18/08
Hearing Date:	1/7-9/09

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-08-96

Applicant: University of California, San Diego
Sanford Consortium for Regenerative Medicine

Agent: Louis Coffman; Milt Phegley

Description: Construction of a 75 ft. high, four-level (over one below-grade level), 135,000 sq.ft. research building including 418 parking spaces, landscaping, 30,000 cy. of grading and removal of approximately 380 Eucalyptus trees on a vacant 7.5 acre site.

Lot Area	314,067 sq. ft.
Building Coverage	45,057 sq. ft. (14%)
Pavement Coverage	166,650 sq. ft. (53%)
Landscape Coverage	102,360 sq. ft. (33%)
Parking Spaces	418
Zoning	Unzoned
Plan Designation	Academic
Ht abv fin grade	75 feet

Site: Northwest corner of North Torrey Pines Road and Torrey Pines Scenic Drive, La Jolla, San Diego, San Diego County (Portion of APN 342-010-18)

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

The staff recommends that the Commission approve the subject permit with conditions. The proposed development will be constructed on UCSD property which is directly west of the Main Campus, between the first coastal road and the sea. The key issue raised by the subject development relates to protection of community character of an existing popular visitor destination point (historic Torrey Pines Gliderport) used for recreation that will be affected by the removal of a grove of Eucalyptus trees from the historic site as well as the construction of a four-story research building within the approach surface of the Gliderport. A second concern is with regard to potential impacts to fixed-wing

glider operations on the portion of the gliderport on UCSD property caused by the proposed new development.

The subject site is located across the street from the Salk Institute in San Diego on property owned by UCSD. To the west of the site is the Torrey Pines Gliderport which is on both City land and UCSD land. The portion of the gliderport on UCSD land is used for fixed-wing glider activities. The Gliderport is designated as historically significant under the National Register of Historic Places Criterion A (Event) as a property associated with events that have made a significant contribution to the broad patterns of history, in particular, for its association with southern California's aviation history between 1928-1942. The naturally flat land of the mesa (where the existing fixed-wing gliders operate) was used for launching and landing. In addition, among the aviation pioneers who flew there included Charles Lindbergh. The proposed building is proposed to be located within the approach area of the runway (but in actuality this area is not used by gliders due to the presence of a grove of Eucalyptus trees). Currently, gliders fly in from the west in an easterly direction and make a right-turn to approach the runway in a westerly direction. The concern raised by the subject development is that the proposed building will penetrate the air space of the fixed-wing gliders and may potentially affect their continued ability to operate and use the runway in a safe manner. The State Historic Preservation Office (among other groups) has provided comments and believes that the facility would be an intrusion within the physical location of the historic gliderport which is characterized by the necessary absence of physical intrusions because of the historic flight activities that took place there. They also state the building is not compatible with the setting, impacting the historic feeling of the site and that it would have an adverse impact on the setting, location and design of this National Register site.

The proposed development consists of a four-story research building, and the applicant has also proposed an alternative to the existing runway alignment that shifts the runway a few degrees to the southeast from its current alignment. In so doing, all existing and proposed penetrations of the imaginary surface of the Gliderport runway will be completely removed. In particular, these intrusions include not only the proposed building but also the 14-story UCSD student housing building which presently penetrates the approach surface on the east side of North Torrey Pines Road. Through the proposed re-alignment of the runway, the fixed-wing gliders will be able to continue to operate on the UC property. A special condition requires that no future development occur in the southwest corner of the site in order to further assure that there will be no future obstacles or impediments that could diminish the ability of fixed-wing gliders to use the site for recreational purposes.

Furthermore, no significant public view impacts will result. In addition, through utilization of landscaping techniques, an approx. 30-foot wide view corridor will be created along the property's south frontage such that there will be an "opening" up of area looking west across the site next to Torrey Pines Scenic Road. While there is presently not a clear view of the ocean looking west, it is possible that on a clear day there *may* be ocean horizon views in this area. The remainder of the site incorporates tree

elements to help visually screen the parking areas from Torrey Pines Scenic Road. Adequate on-site parking will be provided and the campus is also served by public transit, which helps reduce the demand for vehicles on campus and alleviates parking and transportation issues in this area. As such, there will not be a significant adverse impact to community character, historical resources, recreational uses or public views in this area as a result of the proposed project.

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

Substantive File Documents: Draft and Final Environmental Impact Reports for the San Diego Consortium for Regenerative Medicinice Project; Draft Environmental Impact Report Public Comments, San Diego (Sanford) Consortium for Regenerative Medicine; Torrey Pines Gliderport Airspace Assessment & Analysis dated 7/30/08; Letter dated 10/26/08 from Office of Historic Preservation requesting Torrey Pines Gliderport Boundary Increase.

I. PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: ***I move that the Commission approve Coastal Development Permit No. 6-08-96 pursuant to the staff recommendation.***

STAFF RECOMMENDATION OF APPROVAL:

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

RESOLUTION TO APPROVE THE PERMIT:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Future Conversion of Parking Lot

A. This permit is only for the development described in coastal development permit No. **6-08-98**. No portion of the parking lot approved herein shall be converted in the future to buildings or structures. In addition, except as provided in Public Resources Code section 30610 and applicable regulations, any future development as defined in PRC section 30106, including, but not limited to, a change in the density or intensity of use land, shall require an amendment to Permit No. **6-08-98** from the California Coastal Commission or shall require an additional coastal development permit from the California Coastal Commission or from the applicable certified local government.

B. **PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also indicate that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special Conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

C. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a written agreement, in a form and content acceptable to the Executive Director, incorporating all of the above terms of this condition.

2. Final Landscaping Plan. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final landscape plan for the review and written approval of the Executive Director. Said plan shall be in substantial conformance with the draft landscape plan submitted by Fentriss/Architects and Davis Architects stamp dated 10/16/08, and shall include the following:

a. A plan showing the type, size, extent and location of all trees/shrubs on the site including the proposed irrigation system and other landscape features;

b. A view corridor a minimum of 30 feet wide shall be preserved along the southern portion of the property adjacent to Torrey Pines Scenic Drive. All proposed landscaping in this area shall be maintained at a height of three feet or lower (including raised planters) to preserve views looking west towards the ocean. No tall trees are permitted in this area. Tall trees are permitted outside of the view corridor on the northern portion of the parking lots for the purpose of screening the parking lots from public views from Torrey Pines Scenic Drive and North Torrey Pines Road.

c. The provison of a minimum of 50 trees a min. 24-inch box size shall also be provided along the east elevation of the site to help screen the building from North Torrey Pines Road.

d. 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.

e. A planting schedule that indicates that the planting plan shall be implemented within 60 days of completion of the research building.

f. 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.

g. Rodenticides containing any anticoagulant compounds (including, but not limited to, Warfarin, Brodifacoum, Bromadiolone or Diphacinone) shall not be used.

h. 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.

3. Water Quality/BMPs.

A. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit a final Water Quality Management Plan (WQMP), prepared by a licensed water quality professional, for review and written approval of the Executive Director. The WQMP shall be based on the Summary of Submittal Information for Hydrology and Water Quality received October 30, 2008 including Preliminary Drainage Report June 2008 and Preliminary Water Quality Technical Report (WQ Tech Report), August 2008 and Additional Hydrology Information including: (1) UCSD Storm Water Pollution Prevention Best Management Practices Handbook, February 2006; (2) UCSD 2004 Long Range Development Plan Final EIR-Hydrology and Water Quality, Sep 2004; (3) UCSD Storm Water Management Plan, March 2003. The WQMP shall incorporate structural and non-structural Best Management Practices (BMPs) (site design, source control and treatment control) designed and implemented to reduce, to the maximum extent practicable, the volume, velocity and pollutant load of stormwater and dry weather flows leaving the developed site and to minimize water quality impacts to surrounding coastal waters. In addition to the specifications above, the plan shall be in substantial conformance with the following requirements:

SDCRM shall implement all site design, source control and treatment control BMPs recommended below and in the WQ Tech Report (pages 8-22)

1. Site Design;
   A. Minimize impervious footprint
      (l) Increase building density (number of stories above or below ground).
      (2) Construct streets, sidewalks, and parking lot aisles to the minimum widths necessary, provided that public safety and a walkable environment for pedestrians are not compromised.
      (3) Minimize the use of impervious surfaces, such as decorative concrete, in the landscape design.
   B. Minimize directly connected impervious areas
      (l) Where landscaping is proposed, drain rooftops into adjacent landscaping prior to discharging to the storm water conveyance system.

(2) Where landscaping is proposed, drain impervious parking lots, sidewalks, walkways, trails, and patios into adjacent landscaping.

C. Maximize canopy interception and water conservation

(1) Plant additional native or drought tolerant trees and large shrubs in place of non-drought tolerant exotics.

D. Protect slopes and channel

(1) Convey runoff safely from the tops of slopes.

(2) Vegetate slopes with native or drought tolerant vegetation.

(3) Stabilize permanent channel crossings.

(4) Install energy dissipaters, such as riprap, at the outlets of new storm drains, culverts, conduits, or channels that enter unlined channels in accordance with applicable specifications to minimize erosion.

E. Private Roads (Project Specific)

(1) The design of private roadway drainage shall use at least one of the following: (1) rural swale system-street sheet flows to vegetated swale or gravel shoulder, curbs at street comers, culverts under driveways and street crossings; (2) urban curb/swale system-street slopes to curb, periodic swale inlets drain to vegetated swale/biofilter; or (3) dual drainage system-first flush captured in street catch basins and discharged to adjacent vegetated swale or gravel shoulder.

F. Surface Parking areas (project-specific)

(1) Where landscaping is proposed in surface parking areas (both covered and uncovered), incorporate landscape areas into the drainage design.

2. Source Control

A. Design trash storage areas to reduce pollution introduction

(1) Trash storage areas shall be: (1) paved with an impervious surface, designed not to allow run-on from adjoining areas, and screened or walled to prevent off-site transport of trash; and, (2) contain attached lids on all trash containers that exclude rain; or (3) contain a roof or awning to minimize direct precipitation.

B. Employ integrated pest management principles

(1) Eliminate and/or reduce the need for pesticide use in the project design by: (l) plant pest-resistant or well-adapted native/plant varieties such as native plants; and (2) discourage pests by modifying the site and landscaping design.

(2) Distribute IPM educational materials to future residents/tenants. Minimally, educational material must address the following topics: (1) keeping pests out of buildings and landscaping using barriers, screens, and caulking; (2) physical pest elimination techniques, such as, weeding, squashing, trapping, washing, or pruning out pests; (3) relying on natural enemies to eat pests; (4) proper use of pesticides as a last line of defense.

C. Use efficient irrigation systems and landscape design

(1) Employ shutoff devices to prevent irrigation during and immediately after precipitation.

(2) Design irrigation systems to each landscape area's specific water requirements.

(3) Use flow reducers or shutoff valves triggered by a pressure drop to control water loss in the event of broken sprinkler heads or lines.

D. Provide storm water conveyance system stenciling and signage

(1) Provide concrete stamping, or equivalent, of all storm water conveyance system inlets and catch basins within the project area with prohibitive language (e.g., "No Dumping - I Live in the San Diego Bay"), satisfactory to the City Engineer. Stamping may also be required in Spanish.

(2) Post signs and prohibitive language and/or graphical icons, which prohibit illegal dumping at public access points along channels, creeks, trailheads, parks, and building entrances within the project area.

E. Vivarium

(1) The vivarium will be enclosed and will not have any contact with storm water. A licensed waste disposal service will be used and the waste storage area will be cleaned on a regular basis. The waste storage area will not have any contact with storm water and all wash water will be disposed of to the sanitary sewer system.

F. Hardscape Treatment

(1) Regular sweeping and vacuuming will reduce the amount of pollutants (sediment, trash, oil and grease) entering storm drains and receiving waters.

G. Stormwater Education

(1) Employees will be educated on general Issues of storm water pollution prevention through the Public Participation and Outreach Programs operated by the City of San Diego. Educational materials on storm water issues and simple ways to prevent storm water pollution will be made available.

H. Dock areas (project-specific)

(1) Loading/unloading dock areas shall include the following: (1) cover loading dock areas, or design drainage to preclude urban run-on and runoff; and (2) An acceptable method of containment and pollutant removal, such as a shut-off valve and containment area. Direct connections to storm drains from depressed loading docks (truck wells) are prohibited.

3. Treatment Control

(A) The treatment BMPs to be used for this project include; biofiltration (bioretention\ cells and bioswales) and proprietary filtration devices (inlet inserts):

(1) Eight separate bioswale areas totaling 8,786 sq. ft shall be used, including treatment of roof drainage.

(2) Five catch basins shall be equipped with Clearwater BMP units upstream of storm drain inlets.

(B) Post-construction structural BMPs (or suites of BMPs) shall be designed to treat, infiltrate or filter the amount of stormwater runoff produced by all storms up to and including the 85th percentile, 24-hour storm event for volume-based BMPs, and/or the 85th percentile, 1-hour storm event, with an appropriate safety factor (i.e., 2 or greater), for flow-based BMPs.

Operation and Maintenance of BMPs

B. **PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit an Operation and Maintenance (O&M) plan that includes description of the long-term maintenance requirements of proposed BMPs and a description of the mechanism that will ensure ongoing long-term maintenance. As proposed, the plan shall include a Storm Water Management and Discharge Control

Maintenance Agreement Package that will be included in the ground term lease agreement describing: the designated responsible party to manage storm water BMPs; the employee's training program and duties; the BMP operating schedule, the maintenance frequency; the routine service schedule; specific maintenance activities; and any other necessary activities. The maintenance agreement shall require SDCRM to provide inspection and servicing for all permanent treatment BMPs on an annual basis. Parties responsible for the O&M plan shall complete and maintain O&M forms to document all maintenance requirements and shall retain the records for at least five years. The documents shall be made available for inspection upon request at any time.

1. All BMPs shall be operated, monitored, and maintained for the life of the project and at a minimum, all structural BMPs shall be inspected, and where necessary, cleaned-out and/or repaired on an annual basis.
2. Debris and other water pollutants removed from structural BMP(s) during clean-out shall be contained and disposed of in a proper manner.
3. It is the permittee's responsibility to maintain the drainage system and the associated structures and BMPs according to manufacturer's specifications.

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

3. Final Plans. **PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, final plans for the proposed Stem Cell Research facility project that are in substantial conformance with the plans submitted by Fentriss/Architects and Davis Architects stamp dated 10/16/08.

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 amendment unless the Executive Director determines that no additional amendment is legally required.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the construction of an approximately 75 ft. high, four-level (above one below-grade level), 135,000 sq.ft. research building including 418 parking spaces, landscaping, 30,000 cy. of grading and removal of approximately 380 Eucalyptus trees on a vacant 7.5 acre site. The San Diego Consortium for Regenerative Medicine (SDCRM) project is formed by and comprised of the Burnham Institute for Medical Research, the Salk Institute for Biological Studies, the

Scripps Research Institute, and the University of California, San Diego with funding from California's Stem Cell Research and Cures Initiative (Proposition 71). The SDCRM proposes to build a new research facility on a site that is owned by the Regents of the University of California and would be leased for a term of 52 years to SDCRM for its facility and parking. The purpose of the proposed "Consortium" is for scientists and medical researchers to collaborate on stem cell research (which is also referred to as "regenerative medicine").

The proposed project is a new 135,000 sq.ft. research building that will be located on the northern portion of a vacant 7.5 acre site. The building would include research laboratories, office space, and building support space. There will be a total of 97,600 sq.ft. of research laboratories, 24,700 sq.ft. of office use, and 12,700 sq.ft. of building amenities and support. Primary vehicular access to the site would be via two driveways on Torrey Pines Scenic Drive which borders the southern portion of the site. In addition, the proposed project is a facility that would achieve a high degree of sustainability through the use of high performance architecture, low energy use systems, sustainable landscape, and water conservation.

The subject site is located at the northwest corner of North Torrey Pines Road and Torrey Pines Scenic Drive in the University Planning area of the City of San Diego and is currently vacant and populated with a large grove of Eucalyptus trees (which will be removed). Surrounding uses include the Salk Institute immediately across the street to the south, the UCSD Campus to the east (including a recently approved student housing project that includes a 14-story residence hall), the Torrey Pines Golf Course to the north and the Torrey Pines Gliderport to the west as well as the coastal bluffs and beach/ocean.

2. Recreation/Historical Resources. Section 30253 of the Coastal Act is applicable to the subject project and states, in part the following:

Section 30253

New development shall:

[…]

(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

The proposed project has the potential to adversely impact the use of recreational facilities in the vicinity of the project site as well as historical resources.

a. Recreational Resources. Recreational resources in the project vicinity include the Torrey Pines Gliderport immediately west of the site, the Torrey Pines Golf Course north of the site, the Torrey Pines City Park and Beach west of the site, and the Torrey Pines State Reserve which is somewhat further north (1,750 feet) of the site. Activities on the Gliderport are generally divided into two categories: activities on the portion of the

Gliderport owned by the City of San Diego (primarily hang gliders, paragliders, remote control gliders, and emergency support for fixed-wing gliders[1]), and activities on the portion of the Gliderport owned by the University of California (fixed-wing gliders, and support usage of the site for the Torrey Pines Golf Course). The portion of the Gliderport owned by the City is west of the portion owned by UCSD.

The proposed project consists of a four-story building (over subterranean level) on the eastern area of the UC-owned portion of the Gliderport. The EIR for the proposed project concluded that the new project would not inhibit the physical use of any of the recreational activities on the UCSD campus or the beach or the Torrey Pines State Reserve. The UC-owned portion of the Gliderport is used for supporting the golf course when space for overflow parking or other requirements are needed during special events. The area of the Gliderport that is used for supporting the golf course is the central area (including the runway strip). The area where the project is proposed is not used for extra parking capacity because of the existing Eucalyptus trees. Construction of the project will not preclude future use of the central area of the Gliderport to support the Torrey Pines Golf Course and will not otherwise affect recreation uses at the golf course.

The proposed project will not encroach into the City-owned portion of the Gliderport and will not interfere with nor impact the glider activities that occur there (primarily hang gliders, paragliders, and remote-controlled gliders) which take place at the cliff edge which is about l,800 feet west of the project site. The proposed building will also not encroach into any of the flight patterns for hang gliders, paragliders, or remote-controlled gliders.

However, the proposed project does raise potential concerns with regard to the use of the portion of the gliderport on UCSD land that is used by fixed-wing gliders. Presently, fixed-wing glider operations are the only active recreational activity that occurs on the portion of the Gliderport owned by UCSD. This activity occurs for a period of six to ten weeks in the springtime during the years that the Associated Glider Clubs of Southern California (AGCSC) applies to the University of California (UC) for use of the Gliderport. The license for use is granted at the sole discretion of UC. For the rest of the year, the Gliderport provides parking for the Torrey Pines Golf Course, Salk Institute, and a temporary storage area for construction equipment, or is otherwise vacant.

Fixed-wing glider use at the Gliderport has occurred since the 1920s and currently is subject to the restrictions identified in the license agreement between the AGCSC and

[1] Sailplanes, also known as fixed wing gliders, are a type of unpowered manned heavier-than-air vehicle that must be launched to obtain lift. Other types of unpowered vehicles include hang gliders, paragliders, and gliders. Hang gliders and paragliders use rigid, semi-rigid or flexible wings (usually covered in fabric) to achieve lift. Sailplanes are sophisticated unpowered craft having wings of unusually high aspect ratio (that is, a long wing span in proportion to wing width). Most sailplanes are towed to a launch altitude. They are able to use thermals (currents more buoyant than the surrounding air, usually caused by higher temperature) and orographic lift to climb to higher altitude and to glide for great distances. Orographic lift results from the mechanical effect of wind blowing against a terrain feature such as a cliff. The force of the wind is deflected upward by the face of the terrain, resulting in a rising current of air.

UC. Flight operations are permitted by Caltrans Division of Aeronautics, and are required to comply with the Torrey Pines Operations Manual. UCSD requires pilots and other participants using the Gliderport to sign liability waivers and in so doing can track the number of participants at the Gliderport each year. According to UCSD, between the years of 2002-2007, yearly usage ranged from 13-48 participants during the years that the Gliderport was actively used. However, it is not clear that such figures actually represent the number of times a fixed-wing glider flies there as individuals who filled out a waiver could fly there numerous times. In other words, the figures don't necessarily represent how many launches and landings of this sport actually occurred during that time period. In any case, this number represents a small percentage of the overall use of the Gliderport (both City and UC-owned). For example, in 2007, the total number of launches and landings involving paragliders, hang glider, remote-controlled aircraft, and fixed wing gliders was estimated to be 468,000. Nonetheless, this does not diminish the significance of continuing to allow recreational use for fixed-wing gliders to operate at the gliderport, as it still provides a unique recreational opportunity for such users.

The Gliderport consists of a dirt and unimproved runway/landing strip (ref. Exhibit No. 4 & 7). As can be seen in the exhibit, the current runway alignment is oriented in a slight northwest/southeast angle, and it intersects with Torrey Pines Scenic Road. Federal Aviation Regulation (FAR) Part 77 is defined by a series of imaginary surfaces. The imaginary surfaces relevant to the gliderport analysis are the primary surface, the approach surface and transitional surfaces. In addition to the landing strip/runway area, Caltrans, when authorizing flight operations each year, requires that there also be, at a minimum and among other features, a clear 20:1 approach surface to each end of the runway's primary surface and a clear 7:1 transitional surface to each runway's primary surface. The proposed building will be located northeast of the runway (about 700 feet east of the gliderport landing strip), and for the most part north of and under the approach surface and under the northern transitional surface. The proposed building height would be 75 feet above ground level and, as such, the proposed building would penetrate a small section of the existing approach and transitional surfaces, as would any remaining trees in the area. As can be seen in the referenced exhibit, the approach surface of the gliderport extends to the east across North Torrey Pines Road across the UCSD campus. Within the approach surface are several buildings including the UCSD North Campus Housing (existing and proposed). As part of the approved student housing project, a 14-story student dormitory building is proposed to be constructed in the near future. Other obstructions in the approach surface include a grove of Eucalyptus trees which are on the subject site. As part of the proposed project, all the Eucalyptus trees (340) are proposed to be removed (ref. Exhibit Nos. 7 & 8). The trees range in height from about 55 ft. to 73 ft. and the closest trees are about 550 feet east of the gliderport landing strip. However, a small number of trees located between the proposed site and gliderport may remain after project construction. However, due to the presence of the grove of Eucalyptus trees, fixed-wing gliders do not use the portion of the site where the building is proposed to be constructed or the area where the trees are because they present an obstacle in the approach surface. Typically, gliders on landing approach come in from the west and make a series of right hand turns just before the trees to land in a westerly direction on the runway.

b. Historical Resources. The gliderport is listed on the National Register of Historic Places and the California Register of Historic Resources. The Gliderport is the only gliderport adjacent to the Pacific Ocean in the United States (the only other one of its kind in the U.S. is at Kitty Hawk in North Carolina on the east coast). The gliderport attracts flyers across the entire U.S. and the world. A 350 foot cliff running parallel to the beach faces the prevailing wind which provides lift for motorless flight. The nearly flat land east of the cliff is used for launching and landing. This mesa extends north along the cliff edge, providing a natural emergency runway. Sufficient westerly wind is needed to generate the desired lift for flight operations. Motorless flight began on the site in 1928. In the late 1960's, radio controlled model sailplanes started to use the site. In the early 1970's hang gliders began operating at Torrey Pines.

Air California Adventure, Inc. offers paragliding instruction, certification, equipment sales, tours and repair services at the Gliderport. According to the operator of the Gliderport, during the period from 7/1/00 to 7/1/01, an estimated 468,000 total launches and landings involving each of the four flight disciplines (paragliders, hang gliders, remote-controlled aircraft, and fixed-wing gliders) occurred from the Torrey Pines Gliderport. The property also provides access to the Torrey Pines City Beach, which is located south of the cliffs next to the Gliderport as well as access to Torrey Pines State Beach, north of Torrey Pines City Beach at the bottom of the cliffs next to the Gliderport. There is also a dirt parking lot for pilots and beachgoers.

The gliderport has notable historic uses. The Gliderport was a former military establishment (U.S. Army Camp Robert E. Callan) and the Torrey Pines Gliderport, as noted above, is designated as a historical site. No buildings associated with Camp Callan remain; however, there a few remaining foundations marking the location of the world War II era buildings and road segments that show where the camp was constructed as well as a radio tower. These remnants are generally located on or near the coastal bluffs west of the North Torrey Pines Road, overlooking the Pacific Ocean. The EIR, as well as previous studies, concluded that the resources associated with Camp Callan on the project site are not culturally significant.

The Torrey Pines Gliderport is located on an undeveloped, roughly "T"-shaped area of property which is situated west of North Torrey Pines Road, south and southwest of the Torrey Pines Golf Course, and north of Torrey Pines Scenic Drive. The project site is within the eastern portion of the historically designated boundary and is designated historically significant under the National Register of Historic Places (NRHP) Criterion A (Event) as a property associated with events that have made a significant contribution to the broad patterns of history, in particular for its association with southern California's Aviation History between 1928-1942 in San Diego. Beginning in 1930, gliders were car-towed off the beach, parallel to the coastal bluff, so that they could fly in the lift created by the prevailing westerly wind. The nearly flat land of the mesa east of the cliff was used for launching and landing, providing a natural emergency runway. Aviation pioneers who flew there include Charles A. Lindbergh, who on February 24, 1930 flew in a glider along the coast from Mt. Soledad in La Jolla to Del Mar, establishing a claimed

distance record. The Gliderport was listed on the NRHP and the California Register of Historic Resources in 1993. In addition, the City-owned portion of the Gliderport is designated as Historical Landmark #315. The UC land, which includes the proposed project area, is not designated as historically significant by the City of San Diego. The City Historic Sites Board initially designated this site as historic, but the Regents appealed the decision because the City cannot designated state-owned property as historically significant, so it cannot make such a determination for the portion of the Gliderport owned by UCSD. As a result of this appeal, the HSB rescinded the designation for that portion owned by the University, but the rest of the site remains as an historic landmark. However, to clarify---the *entire* Torrey Pines Gliderport site is an historic site on the National Register of Historic Places (ref. Exhibit No. 4). As noted previously, the proposed development will occur within the boundaries of this historic landmark.

c. Proposed Impacts/Concerns Related to the Fixed-Wing Glider Operations of the Gliderport. The proposed project raises two significant concerns; one is related to the continued operation of the airport for fixed-wing gliders and the other is related to the community character impact on this historically designated site as a result of the removal of the Eucalyaptus trees and construction of the new building. Specifically, the first concern is with regard to the proposed project in that it will penetrate the "air space" of the fixed-wing gliders. Project opponents would like to assure that no penetration of the air space occurs so that the gliders can continue to use the runway safely. Fixed-wing gliders take off from the runway by being pulled by a truck or by use of a wench at a fast speed to create the lift to launch them into the air. The applicant stated in a public meeting that in consultation with the Caltrans Department of Aeronautics, an aviation study was completed (including actual pilots) to look at the potential impact to the Torrey Pines Gliderport and fixed-wing flight operations. It was concluded that such activities would still be able to operate after the project is built. It was concluded that with a slight change to the runway aligment, fixed wing glider operations would be able to continue in the future. As noted previously, permission to use the site for fixed-wing glider purposes is subject to an irrevocable license between UC and the Aviation Club. In addition, the Caltrans Division of Aeronautics is responsible for certifying the license. Based on the aviation study prepared by the applicant, Caltrans has indicated that fixed-wing gliders could continue to operate at the site after the project is constructed, but with slightly modified runway and a different landing approach. As noted earlier, currently the landing approach is from the west (north of the runway) and then a series of right hand turns are executed right before the Eucalytpus trees. With construction of the proposed building and the realigned runway, the landing approach will still be from the west, but will be south of the runway, and then a series of left hand turns will need to be executed. As such, with the proposed building construction, fixed wing glider operations will continue, but with a slightly modified runway and approach.

The second concern related to impacts to community character are outlined in a letter dated 10/9/08 from the State Historic Preservation Office (SHPO) in response to the DEIR. Specifically, it is stated that while UCSD has determined that the proposed project would not result in a significant impact to historical resources associated with

Camp Callan or cause a substantial adverse change in the significance of the Gliderport site, and that no mitigation measures are required, SHPO disagrees with the conclusions for several reasons. SHPO states that the proposed project *does* have an adverse impact to the location, setting, design and feeling of the historical site, impacting its integrity. The proposed structure within the boundaries of the National Register site does have an adverse effect on the physical setting "which is defined by its natural environment such as the physical bluff and the Pacific Ocean on its west side, and other natural features surrounding the gliderport, including the grove of Eucalyptus trees on the east site". The trees are part of the natural setting of the gliderport, and contrary to the conclusion made in the DEIR, the trees are visible on historic photographs. Removal of the trees from the historic property setting is a substantial change to the property.

The SHPO officer further states:

"The research facility would be a new physical element, a modern building, an intrusion, within the physical location of the historic gliderport which is characterized by the necessary absences of physical intrusions because of the historic flight ativities that took place there. As a reminder of the physical character defining features of the resource are the gliderport as a site, the graded dirt runway and the anval calibration tower, The height of the planned research facility (64 feet) is a permanent intrusion to the natural location and setting of the site, The height of the trees (up to 73 feet) does not change the location; the trees define the antural location and setting, having been part of the site historically."

The letter goes on to include the following: "The major segment of the east-west runway is on the physical property owned by UCSD. The runway is also one of the contributing features of the National Resiger site; arguably it is the most important contributing feature because it is what has historically enabled and still is enabling the current flight activities at Torrey Pines gliderport. …The introduction of a modern, large building, which will result in active use and acitivty within close proximity of the hisotirc runway, would have an adverse impact to the setting, location, design and feeling of the National Register site."

Another concern raised by SHPO is that if the proposed project is to be constructed, it would require the physical shift of the runway 135 feet to the west, and the west end of the runway would have to be rotated 14 degrees to the north to achieve airspace safety clearance. SHPO believes the runway represents the main contributing physical element of the National Register property at the Torrey Pines Gliderport. The DEIR concludes that the reconfiguration would not involve any physical alterations to the existing Gliderport, only changes to how the airport safety zones are designated on the runway and alterations to the operational flight pattern for pilots to follow, so that such changes are regarded as insignificant. SHPO disagrees with this conclusion and believes that physical relocation of the runway would result in a direct adverse impact to the National Register property and to its integrity.

In a public meeting conducted by UCSD last fall, there were numerous speakers who were opposed to the project, including the Chairperson of the Torrey Pines Soaring Council and the Director of Save Our Heritage Organization (SOHO), as well as the operator of the Torrey Pines Gliderport. As was stated by one speaker, unless the runway direction is changed to allow continued use of the sail plane airport, the building would have a significant impact on San Diego's aviation culture. Others felt there should not be any changes made at all because of the potential impact to the gliderport or that the structure should be permitted. Likewise, there were also speakers who supported the project because of its signifance in finding medical cures.

Alternatives

Given the degree of concern on the ability of fixed-wing gliders to continue to operate at the gliderport, UCSD explored possible alternatives consisting of alternative project sites. UCSD considered locating the proposed building on an existing tennis court site on the campus near the SIO campus along La Jolla Shores Drive west of the UCSD Coast Apartments. However, the site is only 24% the size of the proposed site and would not be large enough to accommodate the new structure. Another location was the UCSD Park. However, this is infeasible because it would involve removal of several Eucalyptus trees that are within the Ecological Reserve and areas which include sensitive biological habitats, inconsistent with the Long Range Development Plan. Another location was at the Salk Institute site south of the site. The updated Salk Institute Master Plan recently obtained City approval for an amendment to existing permits to add several new buildings to its site. Salk Institute staff were contacted to determine if there would be room on their site to accommodate the proposed structure, and it was determined that there was insufficient space to do so. Another alternative considered was simply to re-locate the building in a different area on the same site (i.e., the southeastern area of the site), directly at the northwest corner of North Torrey Pines Road and Torrey Pines Scenic Drive. While this seemed feasible at first due to its prominent visual placement at the corner of the major roadway intersection and direct vehicular access from Torrey Pines Scenic Drive, the project configuration would require the relocation of an existing sewer line and water line. In addition, at this location, the building has the potential to have a greater impact to the scenic views from the UCSD campus (including the Key Vantage Point from Ridge Walk looking west, as identified in the draft LRDP). Therefore, this alternative was eliminated from further analysis. Ridge Walk is a major public north-south pedestrian corridor on the campus which is located along the former alignment of historic Highway 101 and is the high point of the campus, which provides panoramic views of the ocean and horizon. Ridge Walk extends for a distance of approximately 6,000 feet (a little over a mile) from Revelle College to the south to North Point Drive to the north.

Another location that was considered was within the area designated in the UCSD LRDP as Academic/Science Research Park (SRP). This site is 30 acres in size and is located on the east campus, southeast of the La Jolla Medical Center, west of Regents Road along the easternmost boundary of the UCSD campus (and outside of the Coastal Zone). Of the five development parcels within that site, however, only one is large enough to

accommodate the proposed facility. This alternative was rejected because it is located on the opposite (east and north) side of the campus, and access to the site would not be convenient for Consortium members such as the Salk Institute (which is immediately next door to the project site) and the Scripps and Burnham operations also located on North Torrey Pines Road. The applicant asserts that it is essential that the facility be located in an area close enoughto all consortium members that it will facilitate productive, collaborative relationships.

Another alternative project site also considered was the site of the facility at 10528 Science Center Drive in the community of La Jolla, about .75 miles northeast of the proposed site. Instead of building a new facility, this alternative would have involved leasing an existing off-campus building, as no undeveloped site large enough to accommodate the SDCRM facility is currently available in the North Torrey Pines area. The building at that location is currently designed for heavy chemistry uses and modifications would need to be made to accommodate the SDCRM facility. This alternative was rejected for the same reasons as the SRP location because it is considered too far to conveniently accommodate all of the researchers who will be participating in the work (about 87% from the Salk Institute and UCSD combined).

In addition, an alternative that was raised by Commission staff was whether or not UCSD had considered constructing the building such that it would be lower in height to reduce or eliminate its penetration of the airspace for fixed-wing gliders. However, in a meeting with UCSD and Consortium representatives, they stated that reducing the height of the building would not reduce the building's potential impact on the airspace for fixed-wing gliders because fixed-wing gliders do not presently use the airspace near the project site due to the presence of the existing Eucalyptus trees. The proposed building is proposed to be located within the approach area of the runway (but as noted previously, in actuality, this area is not used by gliders due to the presence of a grove of Eucalyptus trees). Currently, gliders fly in from the west in an easterly direction and make a series of right-turns to approach the runway in a westerly direction.

As a mitigation measure to address the potential impacts to the use of the Gliderport for fixed-wing gliders, the applicant has suggested a re-alignment of the runway location to accommodate the structure in a manner that will remove its impediments to the approach and transitional surfaces of the runway. The applicant has chosen an alternative runway alignment. The proposed facility would stand about 84 feet above ground level at its tallest point (including vent stacks) and would penetrate a small section of the existing approach and transitional surfaces. With the proposed removal of trees for the construction of the proposed facility, to continue to permit the use of the Gliderport as a temporary airport after construction of the proposed facility, Caltrans would no longer need to consider penetrations of the approach and transitional surfaces by these trees. However, Caltrans would need to consider issuing a variance for the minor penetrations to the approach and transitional surfaces by the proposed facility itself.

Given the several concerns that have been expressed about the proximity of the development to the Gliderport, which may impact the permitting of the facility for fixed-

wing glider use, the Airspace Assessment & Analysis Report dated 7/30/08 by PBS&J Consulting analyzed potential changes to the runway locations to minimize/reduce impacts to the runway for fixed-wing gliders from the proposed project. With regard to the safety of the existing operations, Caltrans has consistently taken into consideration the Eucalyptus trees due east of the runway strip and their relationship to the transitional and approach surfaces.

The Torrey Pines Operation Manual outlines the normal traffic patterns and approach procedures for gliders. The standard traffic pattern is depicted in the manual for a westward landing. Pilots are expected to enter the traffic pattern flying north over the shore ridge at an altitude between 400 feet and 600 feet above ground. A right hand turn is then made north of the field to establish the downwind leg. A 90 degree turn is then executed west of the Eucalyptus grove of trees to establish the base leg and is immediately followed by another 90 degree right turn to establish a "short final" to the Gliderport runway. The right hand traffic pattern is a non-standard approach.

As noted in the study, there are many current penetrations to the Part approach and transitional surfaces and cumulative development would also encroach into those surfaces. As such, an alternate configuration of the Gliderport landscaping strip was analyzed. The alternative configuration involves realigning the runway and relocating the runway ends in an effort to identify fewer penetrations in the approach and transitional surfaces and thereby creating a safe route for glider pilots making a landing. The existing runway has an alignment of 291 degrees by 111 degrees. This alignment results in an obstruction into the approach surface east of the runway and routes pilots directly over the existing trees and the proposed SDCRM and UCSD structures, which penetrate the existing Part 77 surfaces. The study describes a viable reconfiguration of the runway which includes rotating the alignment by 14 degrees to an alignment of 305 degrees by 125 degrees and shifting the eastern end of the runway due west by approx. 135 feet and the western end to the north by 156 feet. The re-aligned runway's imaginary surfaces would nearly avoid the proposed project and existing and planned UCSD structures. Any existing trees that are not removed as part of the proposed project would remain as penetrations, but to the northern transitional surface, not the approach surface.

This alternative runway alignment and location would require a revision to the 1992 Torrey Pines Operations Manual, changing the eastern approach to the runway from the south side of the runway as compared to the existing approach on the north side of the runway, and approval of the revised approach by AGCSC and UC. Both the existing upwind right-hand pattern and the recommended upwind left-hand traffic pattern. The study recommends that the left-hand traffic pattern would provide better clearance of buildings and other obstacles once the proposed developments are constructed. This alternative configuration of the runway does not involve any physical alterations to the existing Gliderport. The changes are to the imaginary surfaces on the runway and a revised operational flight pattern for pilots to follow. As noted previously, Caltrans concluded that with the proposed alternative to slightly change the runway alignment that fixed-wing gliders could continue to operate at the site after the project is constructed.

Conclusion

Although the project, as proposed, will have a direct impact on the ability for fixed-wing gliders to continue to operate at the Torrey Pines Gliderport, there are alternatives that can facilitate both the proposed development as well as the continued operation of the facility for fixed-wing gliders. Although the Gliderport is a historically-designated (National Register) property as well as a unique recreational facility that is a popular visitor destination point for recreational uses, it has been demonstrated that with the proposed realignment of the runway, fixed-wing gliders can continue to operate there. Furthermore, with the proposed re-alignment of the runway, all existing and proposed penetrations of the imaginary surface of the Gliderport runway will be completely removed. In particular, these intrusions include not only the proposed SDCRM Building but also the 14-story UCSD student housing building which presently penetrates the approach surface on the east side of North Torrey Pines Road. Through the proposed re-alignment, this tall structure will be located nearly outside of the "Transitional Surface". In addition, there will no longer be the need for continued reliance on variances from the Design Standards for the continued operation for fixed-wing gliders.

With regard to the concerns raised by SHPO pertaining to the loss of "feeling", "setting" and "character" that will occur as a result of the removal of the grove of Eucalyptus trees and the construction of a tall research building, the Coastal Act does not specifically address protection of historical resources. Nonetheless, it is acknowledged that such resources are important, but they can only be afforded protection under the Coastal Act if through their loss they diminish or destroy the community character of a special or unique community. In this particular case, a strong argument cannot be made that through the loss of the Eucalyptus trees and the construction of a research building, that the unique characteristics of this popular visitor destination point will be permanently altered in a manner such that the fixed-wing gliders can no longer operate there. After the project is constructed, there will still be large "open" areas on the remainder of the gliderport site. Although the Eucalyptus trees will be removed, and they may have been used by fixed-wing gliders to gauge their approach to the landing strip, their removal will actually open up more area and remove an obstacle that is presently there. In its place will be a surface parking lot. The research building is proposed to be located at the far northern portion of the site.

In evaluating all of the information presented, the project is designed in such a way that it does not raise a significant coastal issue that would warrant the denial of the proposed structure. However, if further development in this area, and in particular within the area proposed for parking, is proposed to be undertaken in the future, there could be significant adverse impacts on this area and the historical recreational resource. As such, Special Condition No. 1 is proposed that requires that the southwest corner of the subject site remain undeveloped and unobstructed by future development, in order to eliminate the possibility of future structures that would eliminate the ability for fixed-wing gliders to operate altogether. Such structures would be located right next to the runway/landing strip, and such impediments would not be acceptable. Therefore, as conditioned, the

Commission finds the proposed development can be found consistent with Section 30253 of the Coastal Act.

3. Public Views/Visual Resources. It should be noted that although the proposed height of the new research structure is 75 feet, the University isn't subject to local permits and, therefore the 30-foot height limit which is imposed in most coastal zone areas throughout the City of San Diego is not applicable here because it is not a Coastal Commission requirement. The University is not within the City's certified LCP, and it has no certified LRDP, therefore, the standard of review is the Chapter 3 policies of the Coastal Act. As noted previously, the project site is located at the northwest corner of North Torrey Pines Road and Torrey Pines Scenic Drive, which means it is located between the first coastal road and the sea. Therefore, there is the potential for the proposed project to result in visual impacts on public views toward the ocean. Currently, almost the entire project iste is populated with a large Eucalyptus grove that extends from North Torrey Pines Road to the west. As such, there are currenly no public views of the ocean or coastline available across the site from North Torrey Pines Road. The proposed structure will be sited at the far northern part of the site closer to its frontage with North Torrey Pines Road than Torrey Pines Scenic Drive. The building is actually set back 80 ft. from North Torrey Pines Road looking west and will be situated almost opposite North Point Drive. Two surface parking lots are proposed along the Torrey Pines Scenic Drive frontage along with an access drive (ref. Exhibit No. 2). Given the siting of the proposed building on the subject site, the proposed structure will not result in any adverse impacts on public views to the ocean because, as noted above, presently there are no ocean views visible while looking west from North Torrey Pines Road.

Although there are coastline views visible from Torrey Pines Scenic Drive looking west, ocean views don't become visible until one is closer to the western terminus (cul-de-sac) of the improved roadway of Torrey Pines Scenic Drive. Past the end of the improved roadway it continues as a dirty roadway in a northwest direction. Southeast of the improved roadway are the gliderport operation facilities (a trailer, snack bar, restrooms, etc.). To the northwest is a large relatively flat mesa. It should also be pointed out that because the proposed building is located at the northern part of the site, it will minimize obstruction of views from the Ridge Walk. As mentioned previously, Ridge Walk is a major public north-south pedestrian corridor on the campus which is located along the former alignment of historic Highway 101 and is the high point of the campus which provides panoramic views of the ocean and horizon.

In addition, in order to build the proposed structure, nearly all of the existing Eucalyptus trees on the subject site are proposed to be removed. Even with removal of these trees, if the building were not there, it would be difficult to see the ocean because it is still some distance away. The applicant is proposing to install several trees throughout the parking lots and along the west frontage of the site to partially visually buffer it from North Torrey Pines Road and Torrey Pines Scenic Drive (ref. Exhibit No. 2). Landscaping that creates vegetative screening of the proposed building helps to reduce its visual impacts. Although no ocean views are visible presently across the site, the feeling of the ocean can be sensed and it is possible that on a clear day a distance ocean horizon view may be

visible (once the Eucalyptus trees are removed). As such, the landscaping along Torrey Pines Scenic Drive is proposed to be opened up (thinned out) for an approximate distance of about 30 feet to create a view corridor along the southern property boundary to open up views towards the ocean. The Commission, therefore, imposes Special Condition #2, requiring the submittal of a landscaping plan to assure that only low level landscaping (trees that are no taller than three feet and other ornamental landscaping) is installed within a 30-foot distance north of Torrey Pines Scenic Drive, that only drought tolerant native or non-invasive plant materials be used, that landscaping be planted within 60 days of completion of the project and that the landscaping is maintained for the life of the project. In addition, Special Condition #3 requires submittal of final plans in substantial conformance with the submitted plans. In addition, with regard to signage, the applicant has indicated that only wall and directional signs are proposed (no freestanding pole or monument signs are proposed) through the new development and, therefore, they do not raise any visual resource issues.

In addition, the proposed building will be compatible in size and scale (although taller) with other nearby structures (Salk Institute to south, student housing to the east, and Torrey Pines Center South to the north). As noted above, however, the structures on the UCSD campus are not subject to the 30 ft. height limit and as such are taller than the structures in areas within the City's jurisdiction, such as the Salk Institute. With regard to the issue of community character as it relates to the historic site, this matter was addressed in the previous finding.

In summary, the proposed structure is sited north of the northwest intersection of North Torrey Pines Road and Torrey Pines Scenic Drive. Although it will be visible from North Torrey Pines Road, a major coastal access route, ample landscaping is proposed which will reduce any visual impacts associated with it. In addition, no direct impacts to public ocean views will be affected by the proposed structure. Furthermore, with incorporation of landscaping along Torrey Pines Scenic Road to help visually buffer the surface parking lot, as well as leaving a 30-foot distance north of Torrey Pines Scenic Drive "open" with only low-level landscape elements, a visual corridor will be created across the site while looking west from North Torrey Pines Drive as well as while driving along Torrey Pines Scenic Drive. As such, adverse impacts on visual resources have been reduced to the maximum extent feasible. Therefore, the Commission finds the proposed development, as conditioned, consistent with Section 30251 of the Coastal Act.

4. Public Access/Traffic Circulation. Section 30252 of the Coastal Act states, in part:

> The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities…

In reviewing projects on the UCSD campus, those that are located at the SIO campus typically are reviewed for their potential to impede public access by increasing competition for parking spaces used by beach visitors. Also, because this campus is between the first coastal road and the sea, there is the potential for new development at this location to cause adverse impacts to public access and traffic circulation. In this particular case, the project site is located between the first public road and the sea (it is approximately a half mile from the ocean). There is no parking on the subject site at present, so the construction of this building will not result in the loss of parking spaces.

The nearest physical accessway to the coast in the project vicinity is a pedestrian trail north of the gliderport that leads down to Torrey Pines City Beach. It is a very steep unimproved trail which switches back and forth on a coastal bluff. Signs are posted in this area which read "Danger- Unstable Bluffs - Stay Back". However, the trail is popular with more agile beachgoers and surfers, etc. The closest improved physical access to the shoreline in the project vicinity is in the La Jolla Farms residential area. Another unimproved trail exists at the juncture of La Jolla Farms Road and Black Gold Road which leads down through Box Canyon, approximately two miles southwest of the subject site.

The Commission has taken the position, in review of previous permit actions for the University, that on-campus parking problems on the main campus are not a Coastal Act issue unless they result in spill-over effects within the surrounding off-campus area, particularly North Torrey Pines Road and La Jolla Shores Drive, which serve as major coastal access routes. Currently, the site of the subject development consists of an empty site devoid of any structures. However, there are numerous Eucalyptus trees on the site; the majority of which are proposed to be removed to build the proposed structure. As noted above, in the case of the subject proposal, the proposed project is not displacing any existing campus parking and will provide adequate on-site parking for the proposed structure. A total of 418 on-site parking spaces are proposed to serve the proposed development. As discussed in the environmental impact report, an analysis of transportation, traffic and parking was conducted for the surrounding major streets and highways in proximity to the project site. It was found that the proposed project would not result in substantial increases in traffic on study area roadway segments or decrease levels of service at nearby intersections. As noted in the EIR, the proposed project was included as part of the UCSD LRDP. UCSD operates one of the largest alternative transportation programs in the county, which focuses on the use of transit, ridesharing, shuttles, and bicycles to encourage and assist UCSD commuters in using alternatives to the single-occupancy vehicle. UCSD continues to operate and expand its alternative transportation programs. The proposed project is consistent with the policies, plans and programs supporting alternative transportation. Therefore, the Commission finds the proposed development consistent with the applicable policies of the Coastal Act addressing parking and coastal access.

5. Water Quality. Sections 30230 and 30231 address water quality and state the following, in part:

Section 30230

Marine resources shall be maintained, enhanced, and where feasible, restored….

Section 30231

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, ….

As noted earlier**,** the proposed project involves the construction of a 135,000 gross square foot scientific research building, landscaping and parking on a 7.5 acre site. Two ocean areas south of the project site have been designated by the State Water Resources Control Board 2005 California Ocean plan as Area of Special Biological Significance (ASBS). These include: San Diego Marine Life Refuge, adjacent to Scripps, and San Diego-LaJolla Ecological Reserve south of Scripps. To the north of the Project site, Torrey Pines State Beach is designated as a Marine Managed Area (MMA). According to the California Ocean Plan, ASBS' are:

> …those areas designated by the State Water board as ocean areas requiring protection of species or biological communities to the extent that alteration of natural water quality is undesirable.

Regarding hydrology on the SDCRM project site, runoff onsite drains as surface flow toward a concrete lined drainage channel running through the center of the project site. Runoff drains through the site from south to north, and the drainage channel conveys runoff flow in a northerly direction. Flows are conveyed through an open channel to a 48-inch HDPE culvert (approximately 165 feet north of the Project site) in the Torrey Pines Golf Course and discharge to a small canyon leading to the Pacific Ocean (west of the Project site and the final receiving water for all Project runoff).

Drainage improvements are proposed because the construction of new buildings, landscaping and parking (increased impervious surface areas) would result in alterations to existing drainage patterns. The existing 10-year peak flow discharge rate from the project site is 13.7 cubic feet per second (cfs). Without drainage improvements to address peak discharge, the flow rate would be 23.7 cfs. Therefore, on-site stormwater management and on-site detention measures are proposed to reduce peak flow rate to 12.7 cfs. Both an on-site storm drain improvement option and an off-site drainage capacity improvement option will be implemented to address potential alterations in post-project runoff and flooding conditions. These include a 250 linear feet, 6 foot-square box culvert enclosing an existing open drainage channel and three segments of 60" diameter pipes (450 linear feet total). The box culvert would serve to convey existing upstream

flows through the site in a contained manner in order to maintain conditions upstream from the project site and avoid flooding. Additional drainage improvements are required off the project site (on the Torrey Pines Golf Course) to allow for flows across the golf course, as currently occurs, without resulting in flooding to either the project site or upstream properties. For this project, detention will only be used to reduce the storm water runoff peak flow rate to match existing conditions for the 10-year design storm and not for water quality.

The primary target pollutants for the project include: sediment, nutrients, bacteria and viruses, heavy metals, and organic compounds. Storm water from the proposed project discharges to the Pacific Ocean about .8 miles northwest of the site by way of the existing storm drain system and a canyon and does not drain directly to a 303(d)-listed water body. Along the Pacific Ocean shoreline, Scripps is identified as an impaired waterbody on the State's 2002 303(d) list for bacteria at the Children's Pool Beach Area only, 3.5 miles southwest of the site. Water quality measures are proposed to address construction and post-construction conditions. These include site design, source control and treatment control best management practices indicated above in Special Condition No. 2 and consistent with UCSD's Storm Water Management Plan and Best Management Practices Handbook. Permeable pavement was selected only for use within the fire access aisle around the northern perimeter of the building, but not selected for use in other parking areas due to design requirements and higher traffic volume.

Treatment control measures are required because some sources of potential pollutants are not adequately addressed by site design and source control. These include roofing materials and airborne deposition. Treatment measures include: eight separate bioswale areas totaling 8,786 sq. ft, including treatment of roof drainage, and five catch basins equipped with Clearwater BMP units upstream of storm drain inlets. Rooftop runoff will be collected by downspouts and emptied into biorention cells, which would treat the stormwater prior to offsite discharge. Landscaping will be incorporated into drainage design of all hardscaped areas to the maximum extent practicable. Vegetated bioswales/bioretention cells will be used to collect and treat runoff, and curb breaks would allow sheet flow to enter to bioswales. Site runoff unable to be treated by BMPs will be treated at the catch basins using filtration devices for sediment, bacteria, heavy metals, oil and grease and trash and debris. The bioretention area and swales were sized according to the Countywide Model SUSMP and County of San Diego July 2007 LID Handbook, which requires bioretention facilities to be 4% of the tributary impervious footage and a minimum of 18 inches deep, equivalent to sizing by flow rate with an infiltration rate of 10 inches/hour.

The runoff flow treatment process will be as follows: In parking lot areas, the rain will fall on pavement, which will be swept on a regular basis, at least monthly, and all spills and leaks will be addressed in a timely manner. Stormwater sheet flows across the surface and into bioswale areas where effective treatment will be provided through a treatment train of filtration, biological uptake, and attenuation of storm water runoff. Any excess runoff will be collected by perforated underdrains and discharged to the City Municipal Separate Storm Sewer System (MS4). Runoff from the building rooftop will

be collected by downspouts and a private storm drain system, which will discharge to bioretention cells adjacent to the building. These treatment BMPs are typically shallow, landscaped depressions, which provide effective treatment through filtration, biological uptake, and attenuation of storm water runoff. During storms, runoff will pond in the bioretention cells, slowly filtering through the mulch and soil mix. Any excess runoff will be collected in a perforated underdrain and returned to the MS4. Precipitation falling on the access drive aisles and the dock area will sheet flow into curb and gutter systems and be directed into curb inlets and a catch basin equipped with a shutoff valve and a containment area. The inlets and the catch basin will be equipped with ClearWater BMP Curb Inlet Filters, which use a media that transforms absorbed oil into a stable solid. In addition, the ClearWater BMP creates a treatment train within each inlet, allowing water to be screened three times, settled three times, make constant surface contact with an oil and grease separator, pass through a synthetic mesh filter, and finally pass through a column of porous media comprised of a natural perlite-zeolite mix as well as an antimicrobial filter media (Pathex™) for the mitigation of bacteria. After passing through the treatment train, storm water will be discharged to the City Municipal Separate Storm Sewer System (MS4). Rain landing on landscaped areas will for the most part infiltrate into the landscaping. Excess runoff from landscaped areas not designed as treatment BMPs will drain to biofilters or inlets equipped with ClearWater BMP Curb Inlet Filters.

The construction phase of development, along with post-construction runoff from impervious and landscaped areas, has the potential to impact coastal water quality. Therefore, in order to find the proposed development consistent with the water and marine resource policies of the Coastal Act, the Commission finds it necessary to require the incorporation of Best Management Practices designed to address runoff from the site as well as to address the potential for sedimentation during the construction stage of the project. A Storm Water Pollution Prevention Plan will be prepared for the project site prior to any work being performed on site. As noted in the environmental documents and WQ Tech Report, specific site design and source control measures are required to be implemented that will minimize water quality impacts. Site design control measures include: minimization of impervious footprint, minimization of directly connected impervious areas, maximization of canopy interception and water conservation, and protection of slopes and channels. Source control measures include: storm water conveyance system stenciling and signage, protective material and trash storage design, integrated pest management principles, efficient irrigation and landscape design, storm water education and regular sweeping. Project-specific BMPs are also included to address vivarium, hardscape treatment, dock and parking areas, and roadway drainage.

Special Condition 3.A.3 also requires the applicant to implement post-construction BMPs including the following treatment control BMPs: biofiltration (bioretention cells and bioswales) and proprietary filtration devices (inlet inserts). In addition, all structural BMPs must be designed to treat, infiltrate, or filter stormwater runoff from each runoff event up to and including the 85th percentile, 24-hour runoff event and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor for flow-based BMPs.

Special Condition 3.B**.** requires that an Operation and Maintenance (O&M) plan be

developed and submitted that includes a description of the long-term maintenance requirements of proposed BMPs and a description of the mechanism that will ensure ongoing long-term maintenance. This will ensure that the BMPs are continually maintained for the life of the project.

The Commission's water quality staff has reviewed the project and has concluded that with the implementation of these BMPs, the potential water quality impacts resulting from the proposed development will be reduced to the maximum extent practicable. Therefore, the Commission finds that the proposed development, as conditioned, is consistent with Sections 30230 and 30231 of the Coastal Act.

6. Environmentally Sensitive Resources/Biological Impacts. Section 30240 also states the following:

> (a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.
>
> (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

As noted previously, the subject site is a vacant site. A biological study was performed and it was determined that although there was patch of disturbed Diegan coastal sage scrub in the southwest area of the site, it was considered too small (0.09 acres) and isolated from other areas of Diegan coastal sage scrub (off-site) to be considered ESHA. The Diegan coastal sage scrub on site is highly disturbed and surrounded by non-native, invasive vegetation. There were no sensitive species found to have colonized the site. In addition, the proposed project proposes the removal of a Eucalyptus grove (4.6 acres) on the subject site. As was further noted in the EIR, although no federal or state listed bird species use this area, some raptors do use the Eucalyptus trees for nesting during the breeding season. As a required mitigation measure, prior to initiation of project construction during the raptor season (February through July), where suitable trees for raptor nesting occur on site or within 500 feet of the site, preconstruction surveys for raptor nests will be performed by a qualified biologist. Removal of trees with active nests or major construction activities within 500 feet of active nests will not be allowed during the breeding season, until a qualified biologist determines that the nest is no longer active. In addition, as has been previously noted by the Commission's staff biologist in other projects on the UCSD campus that involved Eucalyptus trees, such trees generally do not provide habitat for native species. Although there are some exceptions to this rule (i.e., Monarch butterflies and raptors that use trees for perching, roosting, nesting) very few insects use the under story of Eucalyptus trees as generally it is very sterile. In addition, other tree materials can clog the nostrils of birds and not much grows in the under story of these trees because of the materials contained in the leaves.

Therefore, in summary, the proposed building will not result in any adverse impacts to environmentally sensitive resources consistent with Section 30240 of the Act.

7. Local Coastal Planning. The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically the Scripps Institution of Oceanography (SIO) campus is within the La Jolla Shores segment of the City's LCP. UCSD does, however, have the option of submitting an LRDP for Commission review and certification.

While UCSD has submitted a draft LDRP, its EIR and topographic maps to the Commission staff informally, as an aid in analyzing development proposals, the Coastal Commission has not yet formally reviewed the LRDP, and the University has not indicated any intention of submitting the LRDP for formal Commission review in the future. The proposed structure is consistent with the University's draft LRDP to accommodate campus growth.

As stated previously, Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects, in the absence of a certified LRDP. Since the proposed development, as conditioned, has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project, will not prejudice the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

8. Consistency with the California Environmental Quality Act (CEQA).
Section 13096 of the Commission's Code of Regulations requires Commission approval of Coastal Development Permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

UCSD is the lead agency on this project for purposes of CEQA review. It issued a draft environmental impact report and a final environmental impact report for this project. The proposed project has been conditioned in order to be found consistent with the visual resource, public access and water quality policies of the Coastal Act. Mitigation measures, including conditions addressing landscaping and future development will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact 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.

(G:\San Diego\Reports\2008\6-08-096 UCSD Consortium stfrpt.doc)

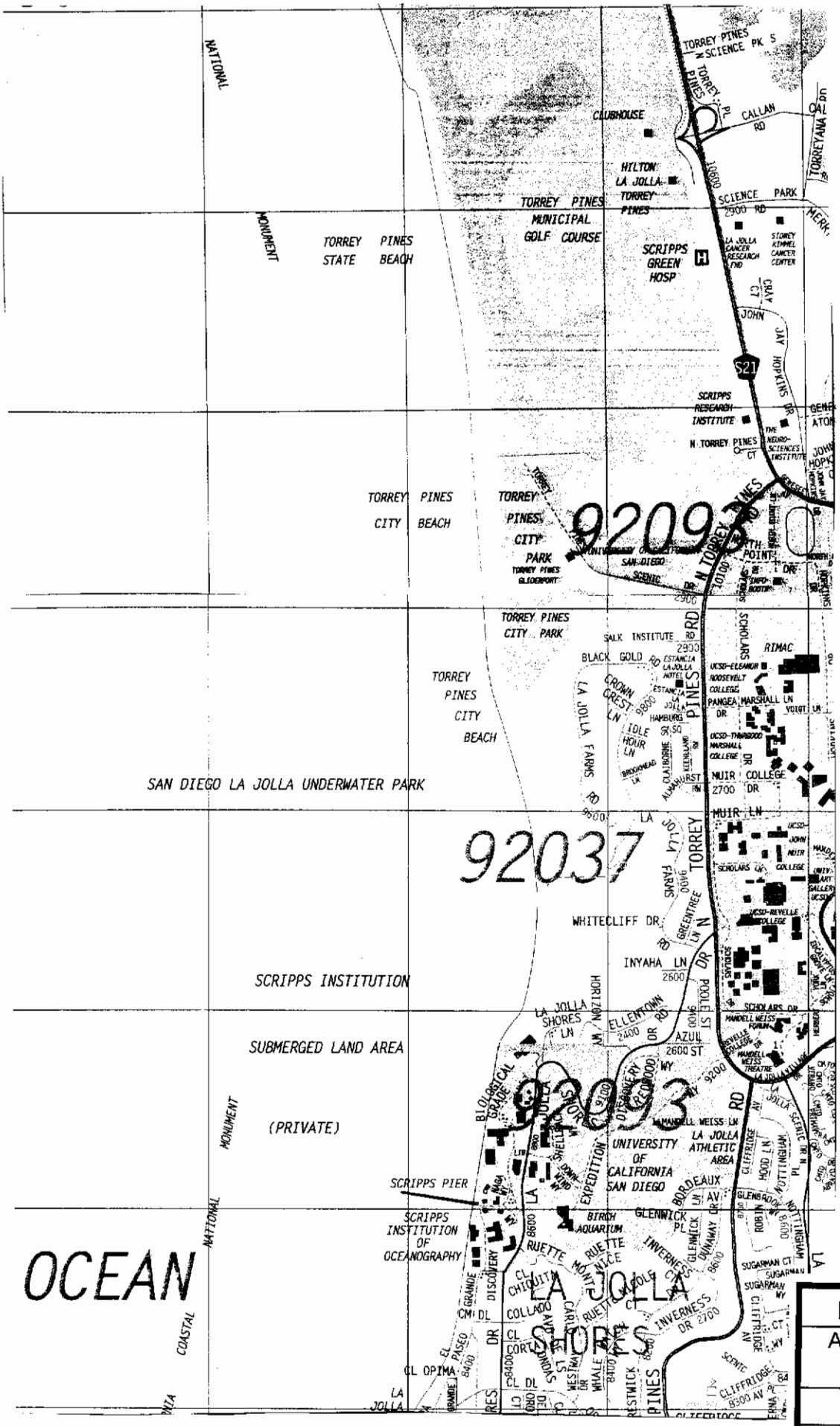


EXHIBIT NO. 1

APPLICATION NO. 6-08-96

Location Map

California Coastal Commission

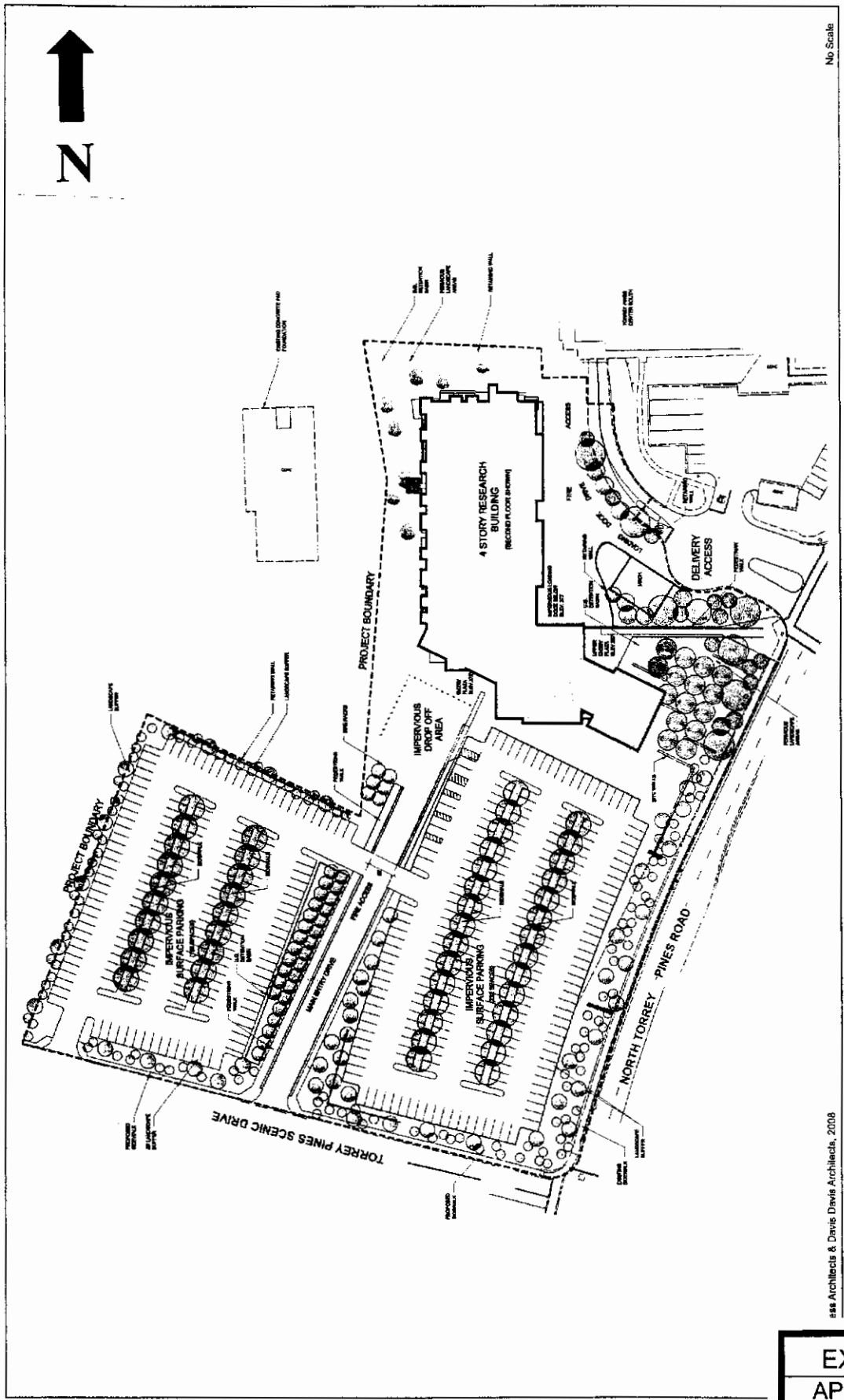
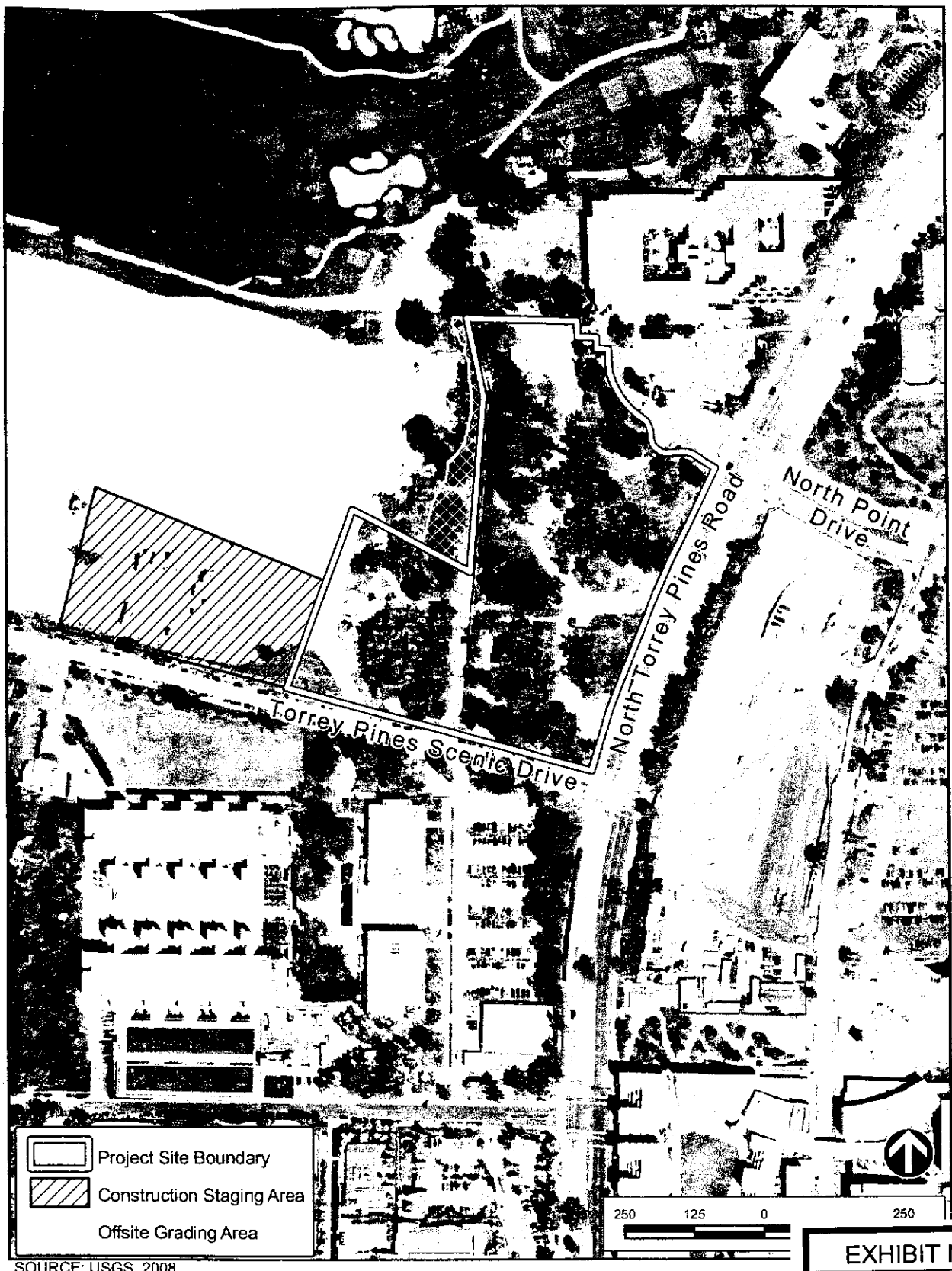


FIGURE 3-4

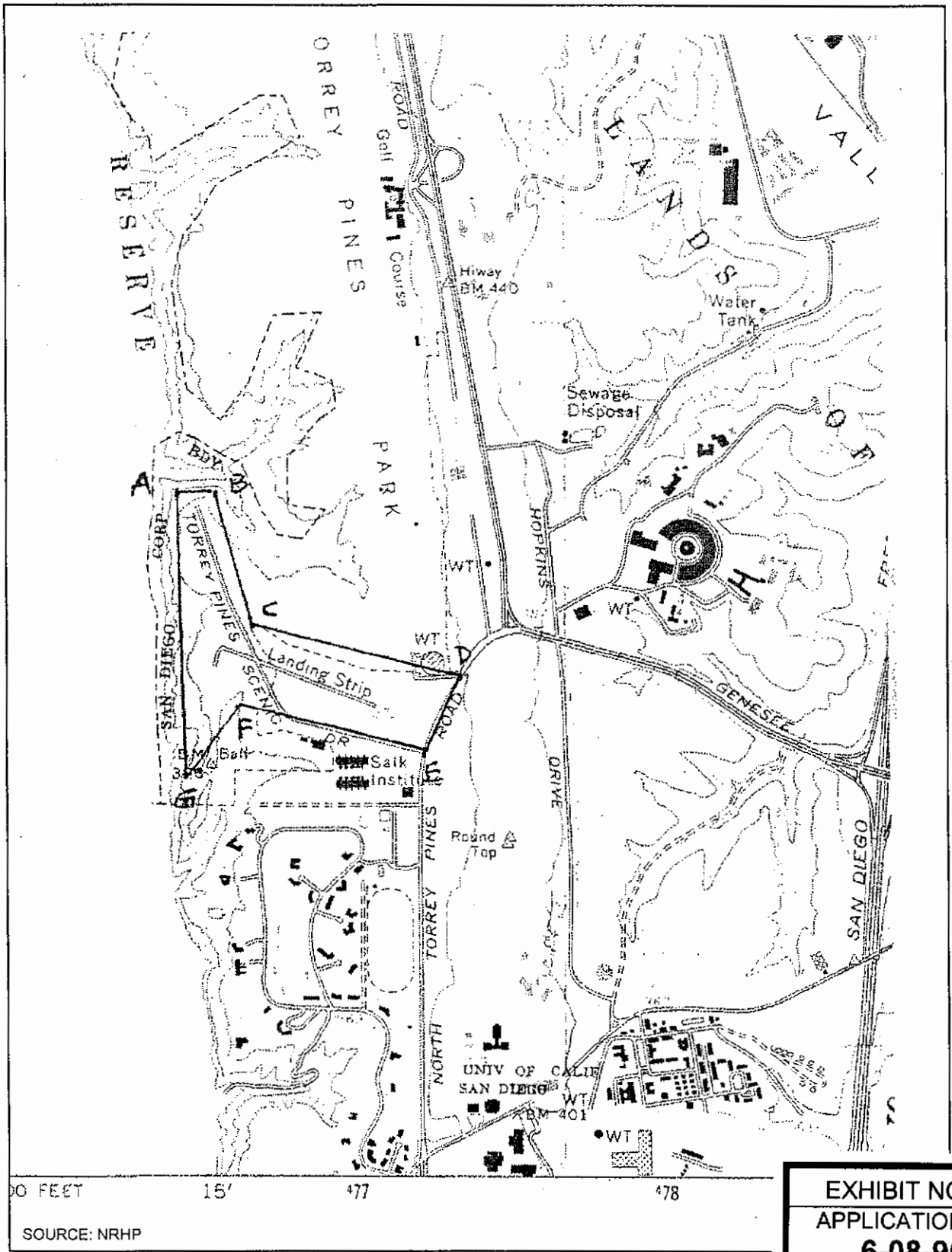
EXHIBIT NO. 2
APPLICATION NO.
6-08-96
Site Plan
California Coastal Commission



SOURCE: USGS, 2008

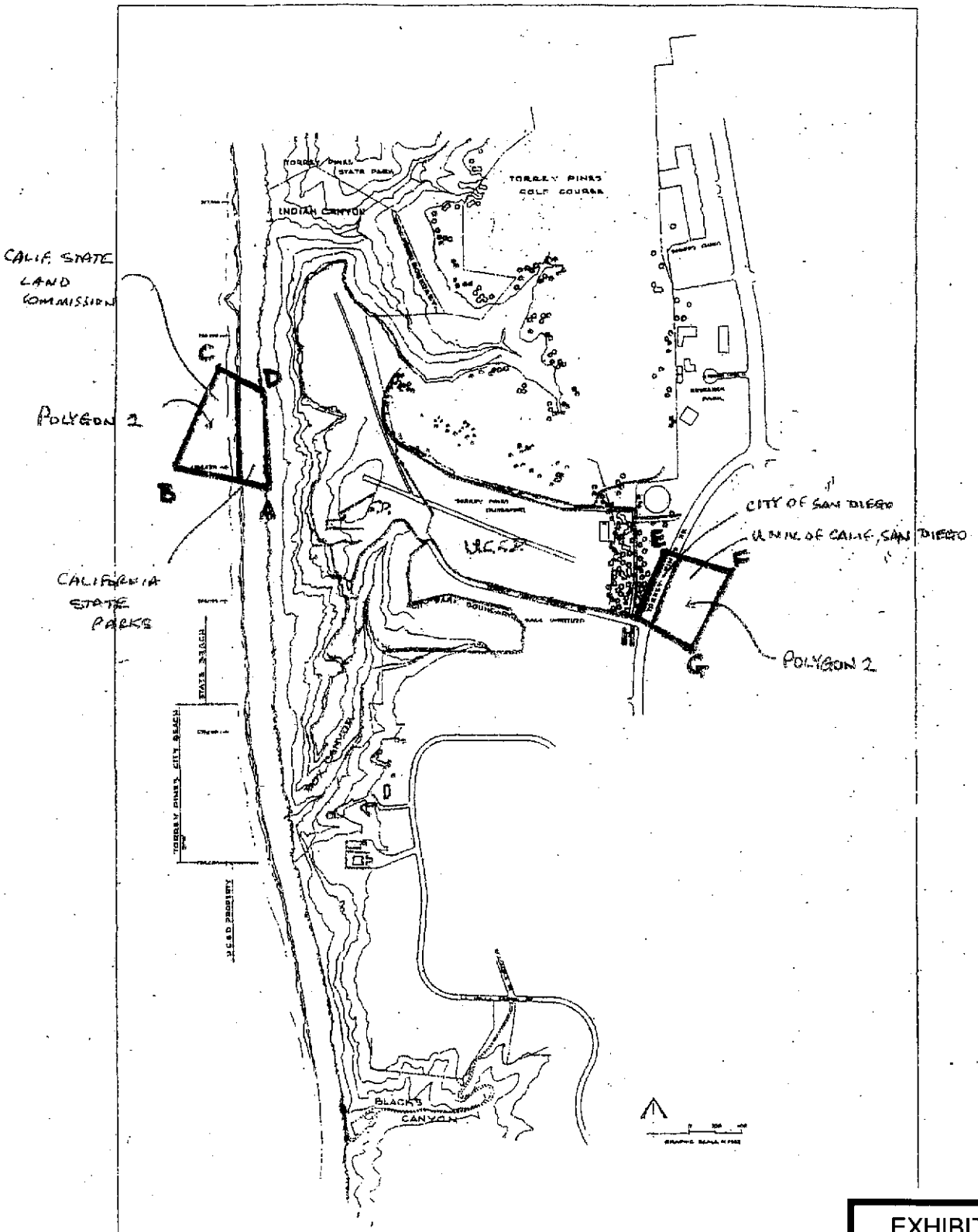
PROJECT LOCATION (AERIAL VIEW)

EXHIBIT NO. 3
APPLICATION NO.
6-08-96
Project Location (aerial view)
California Coastal Commission



DESIGNATED BOUNDARY FOR TORREY PINES GLIDERPORT

EXHIBIT NO. 4
APPLICATION NO.
6-08-96
Designated boundary for Torrey Pines Gliderport
California Coastal Commission



TORREY PINES SHORELINE & CLIFFS

FROM BLACK'S CANYON TO INDIAN CANYON

EXHIBIT NO. 5
APPLICATION NO.
6-08-96
SHPO's recommended boundary additions (noted by polygons)

California Coastal Commission

To: SD

COUNCIL PRESIDENT
SCOTT H. PETERS

CITY OF SAN DIEGO

December 1, 2008

Peter M. Douglas
Executive Director
California Coastal Commission
45 Fremont Street Suite 2000
San Francisco, CA 94105

Dear Mr. Douglas:

As the Councilman representing the City of San Diego's First District, including La Jolla, I respectfully request your support for the application of the Sanford Consortium for Regenerative Medicine ("SCRM") and its construction of a new collaborative laboratory research building.

San Diego is an innovative community that works hard to bring together institutional leaders and local talent to help support important regional and national initiatives. SCRM is exemplary of this type of community effort. SCRM is composed of four nationally recognized biomedical research institutions located in the City of San Diego: The Burnham Institute, Salk Institute for Biological Studies, The Scripps Research Institute, and the University of California, San Diego.

SCRM is a consortium of our top biomedical research institutions, and your support for this project is critical to help ensure the success of this new collaborative research laboratory.

Sincerely,

Signature on File

Scott H. Peters

SHP:JO

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California
San Diego

EXHIBIT NO. 6
APPLICATION NO.
6-08-96
Letter of Support

California Coastal Commission

FIRST DISTRICT
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