

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO AREA  
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original staff report

# F20b

## Addendum

November 6, 2014

To: Commissioners and Interested Persons

From: California Coastal Commission  
San Diego Staff

Subject: Addendum to **Item F20b**, Coastal Commission Permit Application  
**#6-14-1607 (City of San Diego Public Works Department)**, for the  
Commission Meeting of November 14, 2014

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Staff recommends the following changes be made to the above-referenced staff report. Deletions shall be marked by a ~~strike through~~ and additions shall be underlined.

1. All references to the new trees and landscaping being proposed by the City shall be corrected from “native” to “drought tolerant and native or non-invasive.”
2. On Page 1 of the staff report, the project agent shall be replaced with Todd Schmit.
3. On Page 8 of the staff report, Special Condition #4 shall be modified as follows:
  4. **Turf and Pest Management.** In order to protect coastal water quality and prevent or minimize degraded runoff from the site:
    - a. A Turf and Pest Management Plan shall be prepared that favors non-chemical strategies over chemical strategies for managing weedy species and pests on site to the maximum extent feasible in the maintenance of a professional, tournament-level, high quality golf course.
    - b. Turf management practices shall utilize state-of-the-art environmental methods to minimize water use, fertilizer and herbicide application, and chemical pest control to the maximum extent feasible in the maintenance of a professional, tournament-level, high quality golf course.
    - c. ~~Chemical strategies shall only be employed after all other non-chemical strategies have been considered.~~ The Turf and Pest Management Plan shall emphasize sustainability and resource management in maintenance and operations practices.

- d. An Annual Summary Report shall be prepared by the applicant, and provided to the Coastal Commission upon request, that documents the implementation of the Turf and Pest Management Plan each year.
4. On Page 15 of the staff report, the last sentence of second complete paragraph shall be revised as follows:

Finally, Commission staff recommends **Special Condition #4**. The City currently maintains a sustainable fertilizer program that focuses on base saturation and the management of salts through the use of calcium and the balance of magnesium, potassium and other extractable minerals. The golf course at Torrey Pines only applies fertilizer in amounts recommended by these soils reports in support of a sustainable fertilizer program. This program is focused on helping make the soils sustainable enough to provide food for the turf grass roots without excessive use of chemical based fertilizers. Special Condition #4 which further requires the applicant to prepare a turf and pest management plan that favors non-chemical strategies over chemical strategies for managing the golf turf, weedy species, and pests on the site to improve the site's self-treatment and further prevent impacts to the adjacent sensitive habitat and coastal waters from degraded runoff.

**CALIFORNIA COASTAL COMMISSION**

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# F20b

Filed: 10/13/14  
180th Day: 4/11/15  
Staff: B. Laver-SD  
Staff Report: 10/30/14  
Hearing Date: 11/12-14/14

## STAFF REPORT: REGULAR CALENDAR

**Application No.:** 6-14-1607

**Applicant:** City of San Diego Public Works  
Department

**Agent:** Jeffrey T. Barr

**Location:** 11480 North Torrey Pines Road, University  
Community, San Diego, San Diego County. APNs  
310-010-06, 310-010-07, 310-010-09

**Project Description:** Renovations to approximately 120 acres of the  
North Course including replacing 20 acres of turf  
with native landscaping, new tees, relocating  
fairway bunkers, removing non-native trees, and a  
new cart path, and new irrigation pump station  
enclosures at the North and South Course at the  
existing Torrey Pines Golf Course.

**Staff Recommendation:** Approval with Conditions

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## SUMMARY OF STAFF RECOMMENDATION

Staff is recommending **approval** of the proposed development with special conditions to prevent potential impacts to environmentally sensitive habitat and coastal water quality.

The proposed project is intended to bring the existing Torrey Pines Golf Course up to current U.S. Golf Association standards and reduce water usage at the course. Proposed project components for the North Course renovations include replacing 20 acres of turf with drought-tolerant coastal landscaping, filling in the ornamental ponds on Hole 17, relocating and rebuilding all fairway bunkers, adding a new tee at each hole, re-grading greenside bunkers, replacing the existing cart path with a new continuous concrete cart path, relocating one existing storm drain, removing 67 non-native trees, relocating seven Torrey pines, and planting approximately 125 new native trees. In addition, the irrigation pump stations at both the North and South course are proposed to be enclosed. No other development is proposed on the South Course.

The primary Coastal Act issues associated with this project include potential impacts to coastal water quality, native coastal sage scrub and chaparral, the California gnatcatcher, and the environmentally sensitive land (ESL) and Multi-Habitat Planning Area (MHPA) located within and adjacent to the subject property from the proposed construction and grading activities. However, all proposed work will take place within the limits of the existing developed golf course areas to avoid native habitat areas, and there will be an increase in native habitat with the proposed landscaping and turf removal. Of the five sensitive plant species observed on the subject site, the Torrey pine is the only one located within the boundary of the subject renovations, seven of which are proposed to be relocated within the course and the remainder to be protected in place.

To ensure the construction and grading associated with the proposed development does not impact water quality in the surrounding area, as well as the sensitive plant and animal species that occur in the adjacent MHPA, Commission staff is recommending several special conditions that would require [\(1\)](#) final landscape plans to ensure all new landscaping is drought-tolerant and native or non-invasive and to prohibit the use of pesticides and rodenticides, [\(2\)](#) erosion control plans including construction BMPs to protect and maintain the quality of coastal waters during construction, and [\(3\)](#) compliance with and implementation of all the conditions, recommendations, and project features included in the Final Mitigated Negative Declaration for the subject proposal. In addition, Commission staff is recommending [Special Condition #4](#) which requires the applicant to prepare a turf and pest management plan to prevent impacts to the adjacent sensitive habitat and coastal waters from degraded runoff, and [Special Condition #5](#) which requires the applicant to recognize that the project site is located on coastal bluffs, which may be subject to the risks of coastal erosion or wave damage in the future.

As conditioned, the proposed developments will not have any adverse impacts on coastal resources. Commission staff recommends **approval** of coastal development permit application 6-14-1607 as conditioned.

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### APPENDICES

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### EXHIBITS

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[Exhibit 4 – MHPA Boundary Line Correction Map](#)

## I. MOTION AND RESOLUTION

### Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-14-1607 subject to the conditions set forth in the staff recommendation.*

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

### Resolution:

*The Commission hereby approves coastal development permit 6-14-1607 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

This permit is granted subject to the following 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.

### III. SPECIAL CONDITIONS

This permit is granted subject to the following special conditions:

1. **Final Landscape Plans. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT,** the applicant shall submit for review and written approval by the Executive Director, final landscape plans for the proposed development. Said plans shall first be approved by the City of San Diego and shall be in substantial conformance with the plans submitted with this application by the City of San Diego Public Works Department, date-stamped as received by the Coastal Commission September 10, 2014, and shall include the following as notes on the plan:

- a. All proposed new landscaping shall be drought tolerant and native or non-invasive plant species. No plant species listed as problematic or invasive by the California Native Plant Society, the California Exotic Pest Plant Council, or 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.
- b. Use of pesticides or rodenticides is prohibited.

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 Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no such amendment is legally required.

2. **Erosion Control and Construction BMPs Plan. PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for review and approval of the Executive Director, an Erosion Control and Construction Best Management Practices Plan, prepared by a licensed professional.<sup>1</sup> The licensed professional shall certify in writing that the Erosion Control and Construction Best Management Practices (BMPs) Plan includes the following items:

1. Erosion Control Plan.

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<sup>1</sup> A licensed professional may be a California Registered Professional Civil Engineer, Geologist or Engineering Geologist, Hydrogeologist, or Landscape Architect, qualified to complete this work.

- a. The plan shall delineate the areas to be disturbed by grading or construction activities as well as areas where existing vegetation will be protected, and shall include any temporary access roads, staging areas and stockpile areas.
  - b. Include a narrative report describing all temporary run-off and erosion control measures to be used during construction.
  - c. The plan shall identify and delineate on a site or grading plan the locations of all temporary erosion control measures.
  - d. The plan shall specify that should grading take place during the rainy season (November 1 – March 31) the applicant shall install or construct temporary sediment basins (including debris basins, desilting basins or silt traps); temporary drains and swales; sand bag barriers; silt fencing; stabilize any stockpiled fill with geofabric covers or other appropriate cover; install geotextiles or mats on all cut or fill slopes; and close and stabilize open trenches as soon as possible. Only loose-weave natural fiber netting shall be used for erosion control to avoid trapping birds and animals.
  - e. The erosion control measures shall be required on the project site prior to or concurrent with the initial grading operations and maintained throughout the development process to minimize erosion and sediment from runoff waters during construction. All sediment should be retained on-site, unless removed to an appropriate, approved dumping location either outside of the coastal zone or within the coastal zone to a site permitted to receive fill.
  - f. The plan shall also include temporary erosion control measures should grading or site preparation cease for a period of more than 30 days, including but not limited to: stabilization of all stockpiled fill, access roads, disturbed soils and cut and fill slopes with geotextiles and/or mats, sand bag barriers, silt fencing; temporary drains and swales and sediment basins. Only loose-weave natural fiber netting shall be used for erosion control to avoid trapping birds and animals. The plans shall also specify that all disturbed areas shall be seeded with native grass species and include the technical specifications for seeding the disturbed areas. These temporary erosion control measures shall be monitored and maintained until grading or construction operations resume.
2. Construction Best Management Practices
- a. No demolition or construction materials, debris, or waste shall be placed or stored where it may enter sensitive habitat, receiving waters or a storm drain, or be subject to wave, wind, rain, or tidal erosion and dispersion.
  - b. Any and all debris resulting from demolition or construction activities shall be removed from the project site within 24 hours of completion of the project.
  - c. Demolition or construction debris and sediment shall be removed from work areas each day that demolition or construction occurs to prevent the



accumulation of sediment and other debris that may be discharged into coastal waters.

- d. All trash and debris shall be disposed in the proper trash and recycling receptacles at the end of every construction day.
- e. The applicant shall provide adequate disposal facilities for solid waste, including excess concrete, produced during demolition or construction.
- f. Debris shall be disposed of at a legal disposal site or recycled at a recycling facility. If the disposal site is located in the coastal zone, a coastal development permit or an amendment to this permit shall be required before disposal can take place unless the Executive Director determines that no amendment or new permit is legally required.
- g. All stock piles and construction materials shall be contained so that materials cannot be conveyed to drain inlets and any waterway, and shall not be stored in contact with the soil.
- h. Machinery and equipment shall be maintained and washed in confined areas specifically designed to control runoff. Thinners or solvents shall not be discharged into sanitary or storm sewer systems.
- i. The discharge of any hazardous materials into any receiving waters shall be prohibited.
- j. Spill prevention and control measures shall be implemented to ensure the proper handling and storage of petroleum products and other construction materials. Measures shall include a designated fueling and vehicle maintenance area with appropriate berms and protection to prevent any spillage of gasoline or related petroleum products or contact with runoff. The area shall be located as far away from the receiving waters and storm drain inlets as possible.
- k. The applicant shall provide a map delineating the construction site, construction phasing boundaries, and the location of all temporary construction-phase BMPs (such as silt fences, inlet protection, and sediment basins).

The final Erosion Control and Construction Best Management Practices Plan shall be in conformance with the site/development plans approved by the Coastal Commission. Any changes to the Coastal Commission approved site/development plans required by the consulting civil engineer/water quality professional shall be reported to the Executive Director. No changes to the Coastal Commission approved final site/development plans shall occur without an amendment to the coastal development permit, unless the Executive Director determines that no amendment is legally required.

3. **Mitigation, Monitoring and Reporting Program.** The applicant shall comply with and implement all of the conditions, recommendations, mitigation measures, and project features included in the Mitigation Negative Declaration dated September 26,

2014 as approved by the City of San Diego, and submitted with this application by the City of San Diego Public Works Department.

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

4. **Turf and Pest Management.** In order to protect coastal water quality and prevent or minimize degraded runoff from the site:

- a. A Turf and Pest Management Plan shall be prepared that favors non-chemical strategies over chemical strategies for managing weedy species and pests on site.
- b. Turf management practices shall utilize state-of-the-art environmental methods to minimize water use, fertilizer and herbicide application, and chemical pest control to the maximum extent feasible.
- c. Chemical strategies shall only be employed after all other non-chemical strategies have been considered.
- d. An Annual Summary Report shall be prepared by the applicant, and provided to the Coastal Commission upon request, that documents the implementation of the Turf and Pest Management Plan each year.

5. **Assumption of Risk, Waiver of Liability, and Indemnity Agreement.**

- a. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from waves and coastal erosion; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs, (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- 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 include 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 THE ISSUANCE OF THIS 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.

#### **IV. FINDINGS AND DECLARATIONS**

##### **A. PROJECT DESCRIPTION**

The proposed project consists of renovations to the North Course at the Torrey Pines Golf Course (TPGC) that include replacing 20 acres of turf with drought-tolerant coastal landscaping, filling in the ornamental ponds on Hole 17, relocating and rebuilding all fairway bunkers, adding a new tee at each hole, re-grading greenside bunkers, replacing the existing cart path with a new continuous concrete cart path, relocating one existing storm drain, removing 67 non-native trees, relocating seven Torrey pines within the course, and planting approximately 125 native trees. In addition, the irrigation pump stations at both the North and South Course are proposed to be enclosed in a fiberglass composite enclosure. Exempt repair and maintenance activities proposed consist of replacement of the existing irrigation pump stations and irrigation systems on both the North and South Course. The proposed renovations and upgrades are intended to reduce overall water usage, improve course conditions for daily and professional tournament play, and meet U.S. Golf Association standards at TPGC. The new cart path is proposed because the existing cart path requires golfers and golf carts to cross over unpaved turf areas at certain points, which is difficult to do during and after unfavorable weather.

The subject site is a municipal golf course located west of North Torrey Pines Road, to the north of the University of California at San Diego (UCSD) and Torrey Pines City Park, and to the south of Torrey Pines State Reserve (Exhibits [1](#) and [2](#)). The course originated in the 1950’s and now includes two 18-hole golf courses as well as a clubhouse, a number of putting greens, and a driving range. It is located on bluffs overlooking the Pacific Ocean, and is heavily used both by residents and visitors. Except for the clubhouse, the golf facilities were in existence prior to the Coastal Act, and, as a whole, the site has remained virtually unchanged over time except for ongoing

maintenance activities, including some reconfiguration of various areas of the two golf courses.

The project site is located within the University Community Plan area of the North City LCP segment. However, the site is entirely within a deferred certification area where the Coastal Commission retains permitting authority for the subject site and Chapter 3 of the Coastal Act is the legal standard of review, with the City's certified LCP used as guidance.

## **B. BIOLOGICAL RESOURCES/WATER QUALITY**

The following Coastal Act Policies are applicable and state:

Section 30230 of the Coastal Act states:

*Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.*

Section 30231 of the Coastal Act states:

*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, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.*

Section 30240 of the Coastal Act states:

*(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.*

All of the proposed renovations would take place on developed portions of the existing golf course, including existing turf, water features, and a concrete cart path. However, some work, including the replacement of turf with native landscaping, contour grading, and tee box improvements, is proposed around the edges of the course in areas that are adjacent to native vegetation. There are also approximately 183 existing Torrey pines within the project boundary.

The golf course and the land immediately surrounding the site is zoned as open space/park and designated for park land in the City's certified LCP. Areas adjacent to the golf course, as well as several areas of coastal bluffs, coastal sage scrub, and chaparral within the golf course property itself also fall within an area designated as Environmentally Sensitive Lands (ESL) in the certified LCP. The mapped ESL areas are confined to small portions along the western boundary of the subject site, where the developed golf course area transitions to native vegetation, then to coastal canyons and bluffs, and finally to the beach. The ESL is located outside the bounds of the developed golf course area where the proposed renovations will occur, and thus is completely avoided by the proposed project.

The ESL development regulations are intended to protect, preserve, and restore sensitive habitat areas, defined to include sensitive biological resources, coastal beaches, steep hillsides, sensitive coastal bluffs, and 100-year floodplains, and the viability of the species supported by those lands. In addition, the golf course is adjacent to and, in places, overlapping with land designated as part of the City's Multi-Habitat Planning Area (MHPA). The MHPA was created by the City as part of the regional MSCP mapping efforts in 1997, subsequent to the California Natural Communities Conservation Planning Act of 1992. Neither the MSCP nor the MHPA are specifically incorporated into the certified LCP; however, the ESL regulations do reference the MHPA, noting that the development regulations for ESL and Biology Guidelines serve to implement the MSCP by prioritizing the preservation of biological resources within the MHPA.

The City's LCP does not include environmentally sensitive habitat area (ESHA) as a defined term but instead includes the term "Sensitive Biological Resources" in the ESL regulations of the certified LCP. The LCP defines sensitive biological resources as:

*...those lands included with the Multiple Habitat Planning Area (MHPA) as identified in the City of San Diego's Multiple Species Conservation Program (MSCP) Subarea Plan (City of San Diego 1995), and other lands outside the MHPA that contain wetlands; vegetation communities classified as Tier I, Tier II, IIIA, or IIIB; habitat for rare, endangered or threatened species, or narrow endemic species.*

Specifically, the City defines the following habitat types as sensitive biological resources: 1) Tier I – southern foredunes, Torrey pines forest, coastal bluff scrub, maritime succulent scrub, maritime chaparral, native grasslands, and oak woodlands; 2) Tier II – coastal sage scrub, coastal sage scrub/chaparral; 3) Tier IIIA – mixed chaparral and chamise chaparral; 4) Tier IIIB – non-native grasslands. While the Commission does not traditionally classify all of these habitat types, for example, oak woodlands, Torrey pines

forest and non-native grasslands, as ESHA, this definition is broad and includes habitat areas that fit the definition of ESHA pursuant to Section 30107.5 of the Coastal Act.

However, a biological study performed for the proposed project study determined that the development would not impact any sensitive vegetation communities or species. The study mapped the existing vegetation communities within the approximately 176-acre footprint of the North Course, as well as within 100 feet off site of the North Course ([Exhibit 3](#)). The proposed project would take place within a footprint of approximately 120.6 acres, of which 117 acres are developed golf course, 1.9 acres are non-native vegetation, and 1.7 acres are disturbed habitat within the interior of the golf course. The disturbed habitat areas are characterized as either unvegetated or dominated with non-native, weedy species that are adapted to a regime of frequent disturbance.

A total of five sensitive plant species and no sensitive animal species were observed within the study area. However, of the five sensitive plant species observed, the Torrey pine is the only one located within the boundary of the subject renovations. No impacts to the other four sensitive plant species are proposed, as they are located in native habitat areas which are completely avoided by the project. Of the 183 Torrey pines located within the project bounds, 176 are proposed to be protected in place with exclusionary fencing during construction and the remaining seven are proposed to be relocated within the golf course ([Exhibit 3](#)). While the Torrey pine is a California endemic species listed as fairly endangered by the California Native Plant Society (CNPS), it is not a federal or state listed endangered or threatened species. The Commission's ecologist has reviewed the project and confirmed that these Torrey pines are not considered ESHA. The City of San Diego Municipal Code protects Torrey Pine trees on public property from being injured or destroyed, and the proposed relocation of the trees is consistent with this requirement. Therefore, there will be no proposed impacts to ESHA or ESL, consistent with Section 30240 of the Coastal Act and the certified LCP.

The proposed project also includes removal of approximately 67 non-native trees within the golf course, including several different species of eucalyptus and pines. These 67 trees are proposed to be removed for a number of reasons, including player safety, visibility and sight lines, and conflicts with the proposed course renovations. The removed trees are proposed to be replaced with approximately 125 native trees, the majority of which will be Torrey pines, in areas of existing turf as well as in areas where existing turf is proposed to be removed and replaced with native landscaping, thus improving the native tree canopy within the golf course.

Approximately 1.2 acres of land proposed to be affected by the subject renovations is currently designated as within the City's MHPA. In preparation for the subject proposal, the City and the State and Federal Fish and Wildlife Services reviewed the subject site and approved a MHPA "Boundary Line Correction" in March 2014 to remove these 1.2 acres from the MHPA, since they have historically consisted entirely of previously developed golf course and non-native vegetation ([Exhibit 4](#)). The City and resources agencies determined that there appear to be multiple other locations within the boundary of the developed golf course that were erroneously mapped as MHPA; however, the

boundary correction approved in association with the subject project only removed the 1.2-acre area proposed to be affected by the subject renovations.

The process the City developed for this correction is distinct from a MHPA boundary *adjustment*, which typically requires an amendment to the City's Multiple Species Conservation Program (MSCP) Plan and an addition of an area to the MHPA equivalent to that which was removed in cases where the new MHPA boundary does not result in an area of equivalent or higher biological value. In this case, the 1.2-acre removal was determined to be a boundary *correction* as the MHPA was simply erroneously mapped over an existing developed area. In its approval of the MHPA boundary correction, the City found that the area to be removed from the MHPA was developed prior to adoption of the MSCP in 1997, that no habitat, including wetlands, would be removed, that no MHPA buffer area would be impacted, and that removing the area from the MHPA would not remove the requirement that the applicant comply with the City's MHPA Land Use Adjacency Guidelines, which apply to lands adjacent to MHPA mapped land.

The City's MHPA Land Use Adjacency Guidelines are also referenced in the certified LCP as part of the City's MSCP Subarea Plan. They address runoff, night lighting, construction noise, invasive plant species, and errant construction impacts. Consistent with these requirements, as proposed, construction will occur only during daylight hours, all new landscaping will be native and non-invasive plant species, and there will be no increase in paved areas draining to the MHPA.

Furthermore, to comply with the MHPA Adjacency Guidelines, the Mitigated Negative Declaration (MND) prepared for the subject proposal includes a Mitigation, Monitoring and Reporting Program (MMRP) that was incorporated into the conditions of approval of the site development permit issued by the City for the project. The MMRP requirements include prohibiting the introduction of invasive plant species within and adjacent to the MHPA, requiring any night lighting to be shielded and directed away from the MHPA, restricting all construction activities and equipment maintenance to within the approved development area, maintaining natural drainage patterns as much as possible and directing drainage from development areas away from the MHPA, and prohibiting trash, oil, parking, or other construction activities outside of the established limits of grading. The MMRP also requires that a qualified biologist be on-site to oversee flagging of the approved limits of disturbance and to monitor construction within and adjacent to the MHPA, installing silt fencing along the limits of construction prior to grading, and doing pre-construction surveys for the California gnatcatcher. If gnatcatchers are found to be present, no clearing, grubbing, or grading of the occupied habitat shall occur between March 1 and August 15 within the area of the identified active nest until the young have fledged or the nest is otherwise abandoned. Construction activities are allowed to continue outside the portion of the site where an active nest is identified as long as construction noise is monitored and kept below 60 db(a) hourly average.

Thus, in this particular case, allowing the proposed development within an area that was previously mapped as MHPA can be found consistent with the resource protection policies of the Coastal Act. The corrected area was historically developed and/or non-native habitat, thus, the correction does not remove any ESHA from a protected area. The

proposed project is consistent with the ESL regulations of the LCP, as all proposed development will take place within the bounds of the existing developed golf course and will avoid the sensitive habitat, steep hillsides, coastal bluffs, and beaches. Any future revisions to MHPA mapped area that result in a reduction in the amount or quality of native habitat, without a comparable increase in MHPA area could likely not be considered a correction, or consistent with Chapter 3 or the ESL provisions of the LCP.

The runoff from the subject site discharges into the adjacent coastal canyons from eight existing drainage exit points and then ultimately into the Pacific Ocean. None of the existing drainage exit points will be affected by the proposed project. While the project includes a significant amount of grading (approximately 30,000 CY of cut and 35,000 CY of fill) and a minor increase in impervious surface (1.5 acres), a drainage study performed for the project concludes that the proposed grading will increase the runoff time of concentration in the on-site drainage basins which will decrease the flow rates and thus the amount of runoff from the site, therefore offsetting any potential downstream drainage impacts from the increased impervious area of the proposed new cart path. A water quality technical report was also performed for the proposed project that determined that the existing large grass golf course is essentially “self-treating” for purposes of filtering runoff, and the proposed project will not result in an increase in storm water runoff. Thus, the proposed project will not result in any impacts to water quality from storm water runoff pollutants.

Furthermore, construction and post-construction best management practices (BMPs) are incorporated into the proposed project required by the City of San Diego Stormwater Standards Manual in the City’s municipal code. Construction BMPs to be implemented include installation of silt fences, fiber rolls, and check dams, stabilized construction entrances and exits, water conservation practices, and spill prevention and control. Post-construction BMPs to be implemented include Low Impact Development (LID) practices such as directing drainage from the new cart path to landscape areas, source control BMPs such as rain shutoff devices in the new irrigation system, and treatment control BMPs such as re-vegetating areas to be graded to maintain the site’s self-treatment.

However, the success of the self-treating turf areas in preventing polluted runoff from entering the adjacent open space depends on the irrigation and fertilizer/integrated pest management of the golf course. The golf course currently implements a sustainable fertilizer program focused on making the soils sustainable enough to provide food for the turf grass roots without excessive use of chemical-based fertilizers. The program’s management practices include semi-annual soils testing to determine the amount of fertilizer necessary to apply, and prohibiting the application of fertilizers during rain events, with the exception of calcium on the South Course greens which drain to self-contained sumps. Only the golf greens are fertilized with calcium prior to a rain event, in order to leach sodium and salts through the soil with fresh rain water. The proposed irrigation system, turf removal, and contour grading will improve control of water distribution and application along the edges of the course as well as direct more water into permeable areas, which will reduce fertilizer runoff in the adjacent sensitive habitat areas, and the soils and turf around the property edges serve as a natural buffer for any remaining runoff. Therefore, the proposed development will maintain the water quality



and biological productivity of the surrounding habitat and coastal waters, as consistent with Sections 30230 and 30231 of the Coastal Act.

As proposed, the development will reduce the water usage at TPGC by replacing 20 acres of turf with drought-tolerant landscaping, installing a new high-efficiency irrigation system, and removing ornamental ponds that are not original to the golf course. These project components will further offset the minor increase in impervious surface from the proposed new cart path and will contribute to the site's runoff self-treatment. The proposed relocation of an existing storm drain inlet currently situated on a side slope of the golf green will situate the storm drain at the low point of the slope and is expected to improve the site's drainage in this location. In addition, the proposed landscaping will enhance the transition from the developed golf course to the adjacent native vegetation.

However, to further prevent any potential impacts to the adjacent sensitive habitat and coastal waters from the proposed landscaping, [Special Condition #1](#) requires the landscaping palette to consist of drought tolerant and native or non-invasive plant species only, and prohibits the use of pesticides and rodenticides. [Special Condition #2](#) requires the applicant to submit an erosion control and construction BMPs plan that both supplements and details the construction BMPs discussed in the water quality technical report for the subject proposal to prevent any potential water quality impacts to the adjacent coastal waters from construction activities. The Commission's water quality staff have reviewed the proposed project, and determined that as conditioned, the project will not adversely impact coastal waters. [Special Condition #3](#) requires compliance with and implementation of all the conditions, recommendations, mitigation measures, and project features included in the MND for the subject proposal, to ensure that all biological, historical, and paleontological resources that occur or have the potential to occur on the subject site are properly protected. Finally, Commission staff recommends [Special Condition #4](#), which requires the applicant to prepare a turf and pest management plan that favors non-chemical strategies over chemical strategies for managing the golf turf, weedy species, and pests on the site to improve the site's self-treatment and further prevent impacts to the adjacent sensitive habitat and coastal waters from degraded runoff.

Therefore, as conditioned, the proposed development will not result in any adverse impacts to coastal biological resources or water quality and can be found consistent with all applicable policies of the Coastal Act.

### **C. PUBLIC ACCESS AND RECREATION**

The following Coastal Act policies are applicable to the proposal, and state:

Section 30210:

*In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public*

*safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.*

Section 30211:

*Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.*

Section 30212:

*(a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where:*

*(1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources,*

*(2) adequate access exists nearby, or,*

*(3) agriculture would be adversely affected. ...*

Section 30213:

*Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.*

Section 30604:

*... (c) Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

The subject site is located between the sea and the first coastal road, which is North Torrey Pines Road in this case. There is no public beach access at the golf course, although access exists to the south at the La Jolla/La Jolla Shores beaches and at UCSD, and to the north through the Torrey Pines State Reserve and at the Torrey Pines State Beach. The nearest public beach access to the south is via an unimproved foot trail from La Jolla Farms Road to Box Canyon, approximately 1.5 miles south of the main entrance to TPGC. The primary public beach access to the north is via the Torrey Pines State Park parking lot, located approximately two miles north of the main entrance to TPGC. Although the distance between these access points is significantly greater than is typical in the urbanized San Diego area, the bluffs in this location are nearly vertical and are approximately 300 feet high, such that safe public access to the beach is not feasible. However, the parking lot that serves the golf course has always been free to the general

public and the existing clubhouse has a deck, open to the public, that provides panoramic views of the area and up and down the coast.

In addition, the golf course is a recreational destination both for local golfers and visitors to the area. This municipal facility is less costly when compared to many similar facilities elsewhere in California and the nation as a whole, especially for local golfers, with current prices at \$40.00 for San Diego residents and \$100 for non-residents for a round on the North Course on weekdays. While the North Course will be impacted during construction of the proposed renovations, the South Course will remain open to the public and the North Course will be improved and reopened in a timely manner. Furthermore, the North Course improvements will provide better playing conditions for patrons of all skill levels by adding a new front tee at every hole for beginners and relocating all fairway bunkers further down the fairway to further challenge more advanced players. As previously mentioned, access within the golf course itself will be improved with the proposed continuous cart path as the existing cart path requires golfers and golf carts to cross over unpaved turf areas at certain points, which is difficult to do during and after unfavorable weather.

Therefore, the proposed development will improve public access and recreation within the subject site and will not have any adverse impacts on public access or recreation in the surrounding area, in conformance with the public access and recreation policies of Chapter 3 of the Coastal Act.

#### **D. VISUAL RESOURCES**

Section 30251 of the Coastal Act addresses visual resources, and states, in part:

*The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.*

The golf course is located on the seaward side of North Torrey Pines Road, on the bluffs overlooking the Pacific Ocean. Although there are occasional views of the golf course and the expansive open space beyond and over the cliffs from North Torrey Pines Road, a line of mature eucalyptus trees located alongside the road makes the views to the west somewhat sporadic. Most of the proposed improvements are at ground level, so views will remain essentially as they are today. The proposed pump station enclosures will be fitted to the height and width of the existing pipes and will not block any public coastal views.

The proposed landscaping will improve the visual transition between the turf and the adjacent open space by incorporating additional native landscaping along the edge and

within the interior of the golf course. The proposed exotic tree removal and new native trees will achieve a similar effect, thus further improving the visual quality of the course.

Therefore, as conditioned, the Commission finds the proposed development consistent with Section 30251 of the Coastal Act.

## **E. GEOLOGIC HAZARDS**

Section 30235 of the Coastal Act is applicable and states:

*Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Existing marine structures causing water stagnation contributing to pollution problems and fish kills should be phased out or upgraded where feasible.*

Section 30253 of the Coastal Act is also applicable, and states, in part:

*New development shall do all of the following:*

*(a) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*

*(b) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

*[ . . . ]*

As previously described, the subject site is located on coastal bluffs overlooking the Pacific Ocean. While most of the property is situated further inland to avoid the adjacent ESL, the westernmost bounds of the property slightly overlap with areas mapped as coastal bluffs (ESL) in the City's certified LCP. However, the proposed work is taking place entirely within the developed area of the golf course and there will be no expansion of facilities, no new holes, and no new structures. The subject golf course is a recreational facility that is not a primary structure that would be entitled to shoreline protection under Coastal Act Section 30235. By confining the proposed work to the existing developed golf course area and with the attached conditions to prevent erosion during the construction phase, the proposed development will neither create nor contribute to geologic instability of the site or the surrounding area, as consistent with Section 30253 of the Coastal Act.

However, there is inherent risk associated with all development that takes place on or near coastal bluff tops with the projected impacts of climate change on sea level rise and

coastal bluff erosion. Therefore, [Special Condition #5](#) requires the applicant to recognize that the project site is located on coastal bluffs, which may be subject to the risks of coastal erosion or wave damage in the future.

Therefore, as conditioned, the Commission finds the proposed development consistent with Sections 30235 and 30253 of the Coastal Act.

#### **F. LOCAL COASTAL PLANNING**

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The Commission has certified a LUP for the University Community planning area of the North City LCP segment, and the City of San Diego has assumed coastal development permit authority for the majority of the community. However, the Torrey Pines Golf Course is an area of deferred certification. The LUP identifies the golf course as a public recreational venue and designates it as park land. The site is zoned as OP-1-1, which allows for developed, active parks. The proposed development is consistent with the certified LUP, and, as conditioned, has been found consistent with all applicable Chapter 3 policies of the Coastal Act. Therefore, the Commission finds that approval of the project will not prejudice the ability of the City of San Diego to continue implementation of or make amendments to their certified LCP.

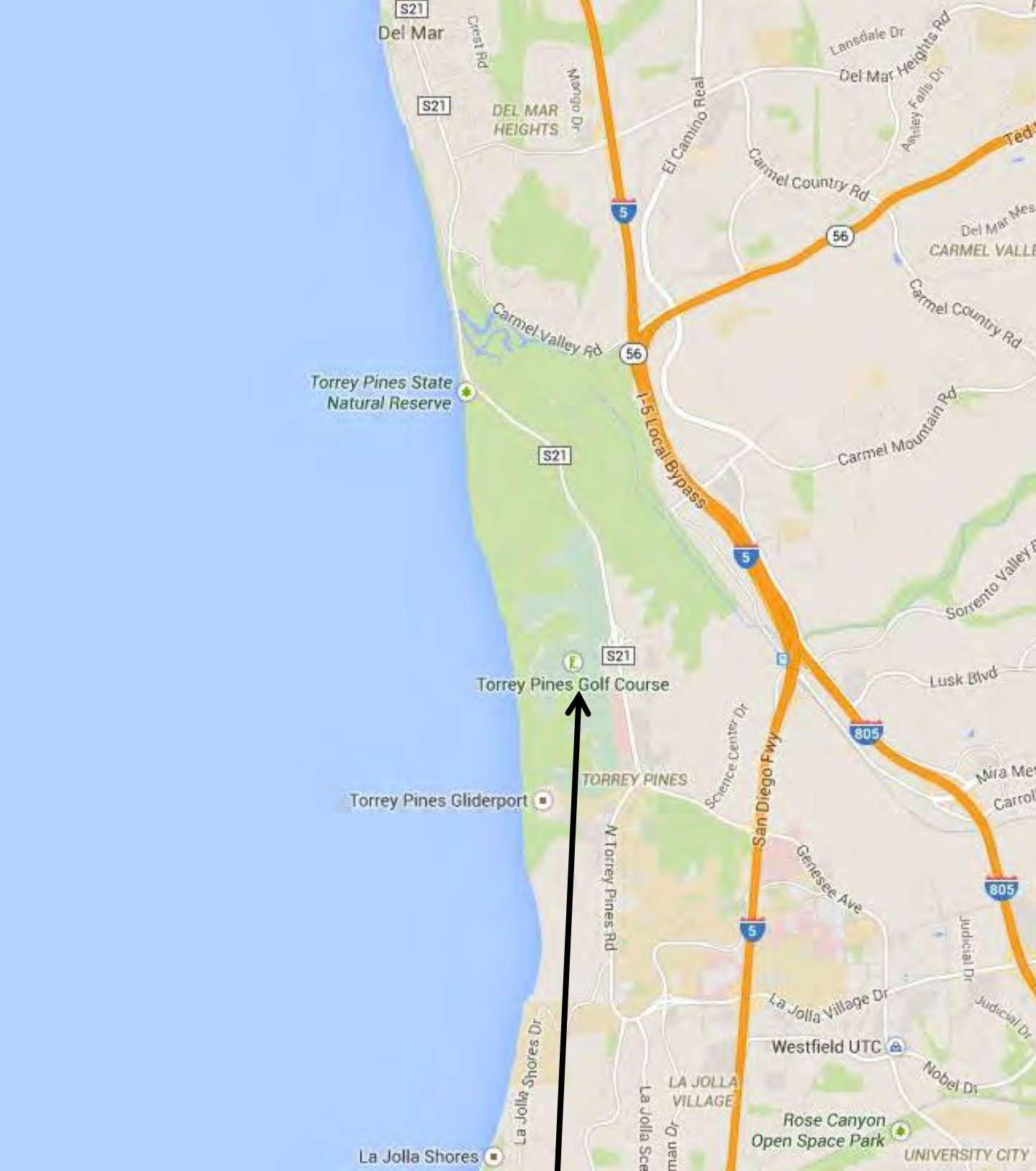
#### **G. CALIFORNIA ENVIRONMENTAL QUALITY ACT**

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.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. A Mitigated Negative Declaration (MND) was prepared for the subject project and requires implementation of a Mitigation, Monitoring and Reporting Program that prevent, reduce, and mitigate any potential impacts that might occur as a result of the proposed development. Conditions addressing protection of water quality and biological resources included herein 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 can be found consistent with the requirements of the Coastal Act to conform to CEQA.

## **Appendix A: Substantive File Documents**

[City of San Diego Land Development Code](#), [City of San Diego University Community Plan](#), [City of San Diego Multiple Species Conservation Program Subarea Plan](#), [City of San Diego Biology Guidelines](#), [City of San Diego Stormwater Standards Manual](#), [CDP No. 6-06-017 \(City of San Diego Park and Recreation\)](#)



**Subject Site**



EXHIBIT NO. 1
APPLICATION NO. <b>6-14-1607</b>
Vicinity Map
 California Coastal Commission



# Subject Site (North Course)



Torrey Pines  
State Reserve

PROJECT BOUNDARY

NORTH TORREY PINES ROAD

CALLAN RD



SORRENTO VALLEY ROAD



GENESEE AVE

Pacific Ocean



EXHIBIT NO. 2
APPLICATION NO. <b>6-14-1607</b>
Aerial View



# Subject Site (South Course)



Pacific Ocean

North Torrey Pines Road







**MHPA boundary**

**Property boundary**

**Proposed work boundary**

**7 Torrey Pines to be relocated**

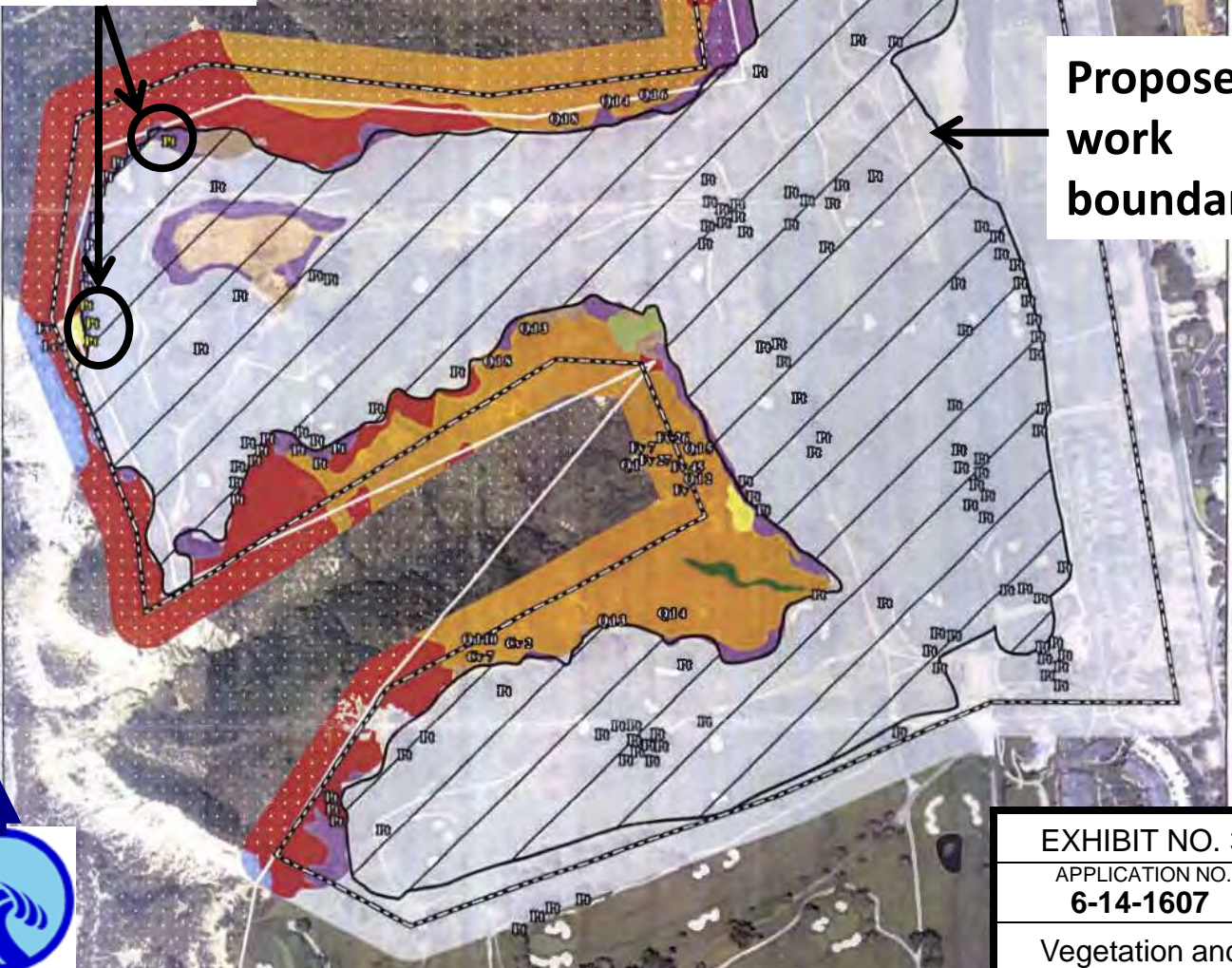


EXHIBIT NO. 3
APPLICATION NO.
<b>6-14-1607</b>
Vegetation and
Impacts Map
 California Coastal Commission





**MHPA boundary**

**Property boundary**

**Proposed work boundary**

**6 areas removed from MHPA**

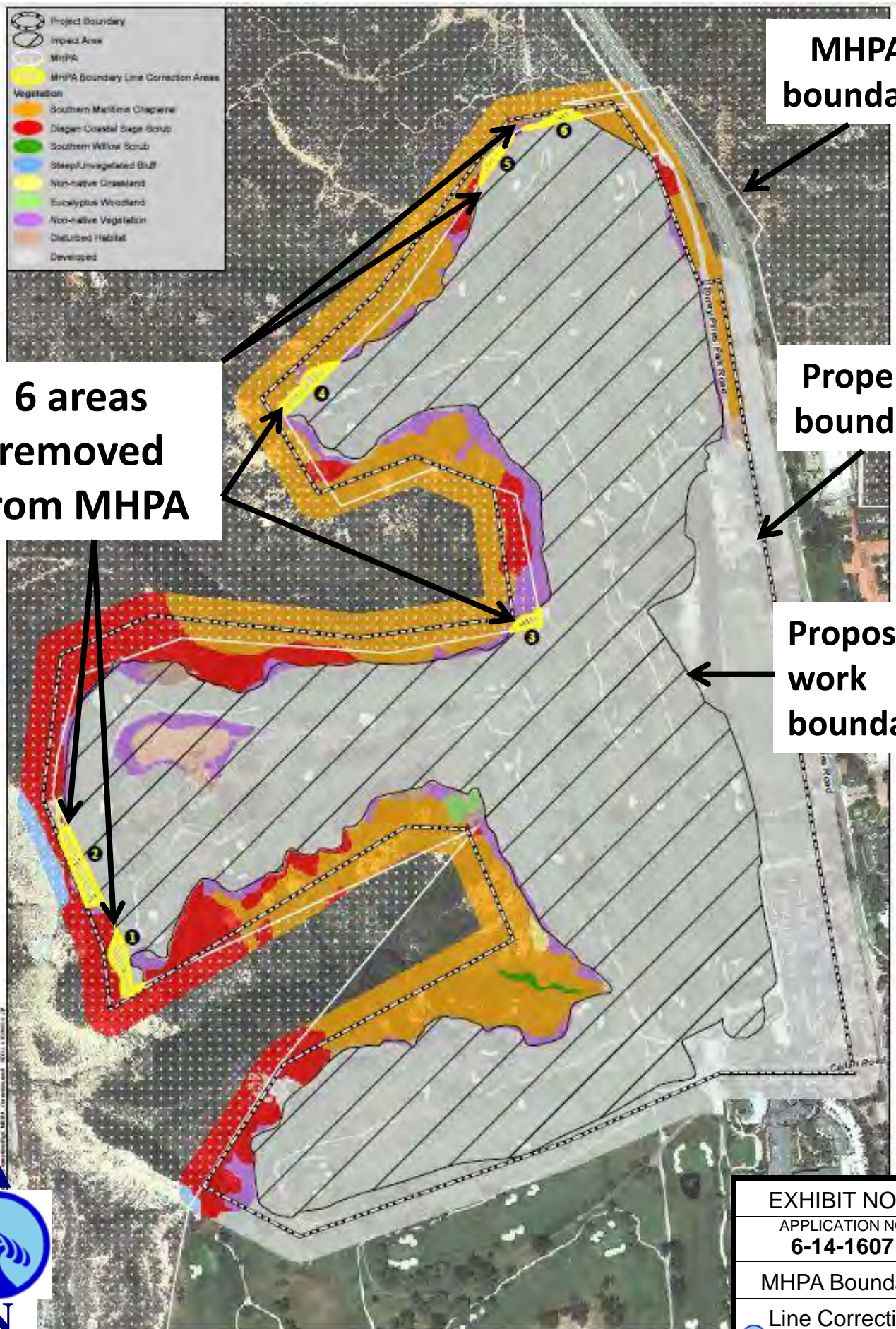



EXHIBIT NO. 4
APPLICATION NO. 6-14-1607
MHPA Boundary
Line Correction
 California Coastal Commission

MHPA Boundary