

CALIFORNIA COASTAL COMMISSION

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Filed: 7/19/17
180th Day: 1/15/18
Staff: L. Schlembach-SD
Staff Report: 9/22/17
Hearing Date: 10/12/17

STAFF REPORT: CONSENT CALENDAR

Application No.: 6-17-0615

Applicant: City of San Diego

Agent: James Arnhart

Location: 11480 N. Torrey Pines Road, University Community, San Diego, San Diego County (APNs: 340-011-09, 342-010-33, 342-010-36)

Project Description: Renovations to public golf course including installation of new irrigation system, grading and re-contouring, installation of 3 new drainage sumps and underground piping, rehabilitation of 84 existing bunkers, installation of new bunker liners, addition of 10 new bunkers, installation of 5 new tee boxes, replacement of existing impervious surfaces, installation of a temporary turf driving range extending from east to west across the south end of holes 1 and 18 on the North course.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

The proposed project is intended to prepare and upgrade the existing Torrey Pines Golf Course to host the 2021 U.S. Open. The primary Coastal Act issues associated with this project include potential impacts to coastal water quality and impacts to native coastal sage scrub and chaparral habitats, which constitute environmentally sensitive land (ESL) and portions of the Multi-Habitat Planning Area (MHPA) located within and adjacent to the

subject property. However, all proposed work activities will take place within the limits of the existing developed golf course areas to avoid native habitat areas.

To ensure 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, **Special Conditions 1 and 2** require final plans to ensure the final project is in substantial conformance with the proposed project, and final landscape plans to ensure all new landscaping is drought-tolerant and native or non-invasive and to limit the use of pesticides and rodenticides. **Special Condition 3** requires submittal of erosion control plans including construction BMPs to protect and maintain the quality of coastal waters during construction, and **Special Condition 4** requires compliance with and implementation of all the conditions, recommendations, and project features included in the Final Mitigated Negative Declaration for the subject proposal. **Special Condition 5** 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 6** 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 6-17-0615 as conditioned.

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I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit Application No. 6-17-0615 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 6-17-0615 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 of 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. **Submittal of Final Plans**

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for the review and written approval of the Executive Director, two full-size sets of the following final plans:

1. Site plans that conform with the plan submitted to the Commission, titled Proposed Course Improvements Enclosure 6 dated July 19, 2017 and Hole Four Exhibit dated August 30, 2017.
2. Grading plans that conforms with the plans submitted to the Commission, titled Conceptual Grading Plans for: Torrey Pines South Golf Course Improvements dated August 15, 2017.

B. The permittee shall undertake development in conformance with the approved final plans unless the Commission amends this permit or the Executive Director determines that no amendment is legally required for any proposed minor deviations.

2. **Final Landscape Plans.**

A. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, in a form and content acceptable to the Executive Director, two (2) full size sets of final landscaping plans, which shall include and be consistent with the following:

1. Vegetated landscaped areas, excluding turf grass, shall consist of native plants or non-native drought tolerant plants, which are non-invasive. No plant species listed as problematic and/or invasive by the California Native Plant Society (<http://www.CNPS.org/>), the California Invasive Plant Council (formerly the California Exotic Pest Plant Council) (<http://www.cal-ipc.org/>), 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 a “noxious weed” by the State of California or the U.S. Federal

Government shall be utilized within the property. All plants shall be low water use plants as identified by California Department of Water Resources (See: <http://www.water.ca.gov/wateruseefficiency/docs/wucols00.pdf>).

2. Use of reclaimed water for irrigation is encouraged. If using potable water for irrigation, only drip, high efficiency rotators, or microspray irrigation systems may be used for non-turf landscape areas. Other water conservation measures shall be considered, such as weather based irrigation controllers.

B. The permittee shall undertake development in accordance with the approved plan. Any proposed changes to the approved final plan shall be reported to the Executive Director. No changes to the approved final plans shall occur without a Commission amendment to this coastal development permit unless the Executive Director provides a written determination that no amendment is required.

3. Construction Pollution Prevention Plan and Parking Lot Post-Development Runoff Plan.

- A. Construction Pollution Prevention Plan (CPPP). At a minimum of 30 DAYS PRIOR TO CONSTRUCTION, the permittee shall submit for the review and approval of the Executive Director, a Construction Pollution Prevention Plan (CPPP) prepared under the guidance of an certified erosion control specialist or similarly qualified professional. At a minimum, the CPPP shall demonstrate that the development complies with the following requirements:
 - i. During construction, development shall minimize site runoff and erosion through the use of temporary BMPs, and shall minimize the discharge of sediment and other potential pollutants resulting from construction activities (e.g., chemicals, vehicle fluids, petroleum products, cement, debris, and trash).
 - ii. Development shall minimize land disturbance during construction (e.g., clearing, grading, and cut-and-fill). Development shall minimize soil compaction due to construction activities, to retain the natural stormwater infiltration capacity of the soil.
 - iii. Development shall minimize the damage or removal of non-invasive vegetation (including trees, native vegetation, and root structures) during construction.
 - iv. Development shall implement soil stabilization BMPs (such as mulching, soil binders, erosion control blankets, or temporary re-seeding) on graded or disturbed areas as soon as feasible during construction, where rainfall is predicted and/or there is a potential for soil erosion.
 - v. During construction, the applicant shall use temporary erosion and sediment control products such as fiber rolls, erosion control blankets,

mulch control netting, and silt fences that avoid plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers), in order to minimize wildlife entanglement and plastic debris pollution.

- vi. Tracking controls and/or street sweeping shall be used to prevent off-site movement of sediment.
- vii. Fueling and maintenance of construction equipment and vehicles shall take place off site if feasible. Any fueling and maintenance conducted on site shall take place at a designated area located at least 50 feet from coastal waters, drainage courses, and storm drain inlets, if feasible (unless these inlets are blocked to protect against fuel spills). The fueling and maintenance area shall be designed to fully contain any spills of fuel, oil, or other contaminants.
- viii. Trash and construction debris shall be removed from the site weekly, at a minimum, and the site shall be maintained in an organized manner with a neat appearance.

B. Parking Lot Post-Development Runoff Plan (PDRP). PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit for the review and written approval of the Executive Director a Post-Development Runoff Plan which includes a map, drawn to scale, showing the parking lot, runoff flow directions, relevant drainage and water quality features, impervious surfaces, permeable pavements, and landscaped areas. The PDRP shall demonstrate that the project will provide:

- i. Drainage from the parking areas, driveways, and other paved surfaces shall be directed through landscaping, vegetative filter strips, or grassy swales using curb cuts and other parking lot drainage retrofit measures in order to remove pollutants and infiltrate runoff wherever feasible.
- ii. Bio-clean or other proprietary media filter devices, effective at removing and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals, and other particulates, shall be installed within existing storm drain inlets and maintained over the life of the development.
- iii. Selected BMPs shall be designed to treat, infiltrate or filter the amount of stormwater produced on site by each runoff event, up to and including the 85th percentile, 24-hour runoff event for volume-based BMPs, and/or the 85th percentile, 1-hour runoff event, with an appropriate safety factor, for flow-based BMPs.
- iv. Sweeping of all impervious parking lot surfaces shall be conducted on a weekly or monthly basis using a vacuum regenerative sweeper or equivalent method to remove trash and sediment.

The final CPPP and Parking Lot PDRP 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.

4. Mitigation, Monitoring, and Reporting Program.

- A. The applicant shall comply with and implement all of the conditions, recommendations, mitigation measures, and project features included in the Mitigation Negative Declaration No. 540657, SCH No. 2017041044 as approved by the City of San Diego, and submitted with this application by the City of San Diego Public Works Department.
- B. 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.

5. Turf and Pest Management Plan.

PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit, for review and approval of the Executive Director, a Turf and Pest Management Plan, prepared by a licensed professional.

- 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. 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.

6. 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 South Course at the Torrey Pines Golf Course (TPGC) that include abandonment of the existing irrigation system and installation of a new irrigation system, re-contouring and regrading portions of the course, installation of three new drainage sumps and underground piping, sod replacement, rehabilitation of 84 existing bunkers, installation of new bunker liners, addition of 10 new bunkers, installation of 5 new tee boxes, and installation of a

temporary turf driving range extending from east to west across the south end of holes 1 and 18 on the North course, and renovations to hole 4 ([Exhibit 6](#)). The renovations to hole 4 include relocation, reorientation, and releveling of existing tees, addition of a new tee, shifting the existing fairway, re-grading the landing area, recreating and expanding the existing sand cap and drainage field through the landing area, reshaping and regrading one existing bunker, shifting and rebuilding two existing bunkers, conversion of the left half of a bunker to a fairway approach ramp, re-grading the green approach, demolition of a portion of the existing cart path, and installation of a new portion of the cart path ([Exhibit 4](#)). The changes to the cart path are proposed to realign the cart path so it remains adjacent to with the fairway after it has been shifted.

Other work proposed that does not require a coastal development permit includes restriping of accessible parking spaces with no change in the number of spaces, relocation of pole signs, installation of directional signs, replacement of curb ramps, replacement of walkways, re-installation of a lower drinking fountain, modifications to the pro-shop counter, restriping existing stairways, readjusting bathroom doors, installation of door stops, and replacement of toilet paper dispensers. This work is proposed to meet ADA requirements. These project components will occur in and around the existing pro-shop and parking area ([Exhibit 7](#)).

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 south course has an existing reclaimed water system in place, and potable water is only used on putting greens, while reclaimed water is used on turf and the rest of the course.

All of the proposed renovations would take place on developed portions of the existing golf course. Some work, including turf replacement, bunker repairs, grading, and tee box improvements, is proposed around the edges of the course in areas that are adjacent to native vegetation. 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 habitat, and chaparral habitat 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. A biological study performed for the

proposed project study determined that the development would not impact any sensitive vegetation communities or species.

Approximately 7.6 acres of the proposed project are within the City's Multi-Habitat Planning Area (MHPA). The MHPA is not 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 portions of the site in the MHPA consist of approximately 7.1 acres of developed area, 0.3 acres of Southern maritime chaparral habitat, and 0.2 acres of non-native vegetation.

The City's approval includes removal of the 7.1 acres of developed area from the MHPA. 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 7.1-acre removal was determined to be a boundary *correction* as the MHPA was simply erroneously mapped over an existing developed area. The City found that the area to be removed from the MHPA was developed golf course and non-native vegetation 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 Adjacency Guidelines, which are also referenced in the certified LCP as part of the City's MSCP Subarea Plan, address runoff, night lighting, construction noise, invasive plant species, and errant construction impacts. Consistent with the Guidelines, construction will occur only during daylight hours, all new landscaping will be drought tolerant and native or non-invasive plant species, and there will be no increase in paved areas draining to the MHPA.

Runoff from the golf course currently discharges into two adjacent coastal canyons via sheet flow from many existing low points along the canyon rim and then ultimately discharges into the Pacific Ocean. The drainage patterns will not be affected by the proposed project. While the project includes a relatively small amount of grading, there will be no increase in impervious surfaces. Although the project does not include any significant revisions or improvements to the parking lot, the project includes implementation of a suite of water quality Best Management Practices to direct drainage from the parking areas, driveway area, and other impervious surfaces through vegetative areas through use of curb cuts and other BMPs, and the installation of bio-clean media filter devices effective at removing and/or mitigating contaminants such as petroleum hydrocarbons, heavy metals, and other particulates within existing storm drain inlets. Various water quality BMPs were a condition of approval for CDP #6-06-017, which approved improvements to the golf course parking lot; however, not all of the required BMPs were installed. The Commission's water quality staff has reviewed the best management practices now proposed for the parking lot and determined that they provide

the lately best available BMPs, and will adequately satisfy the water quality improvements and goals required by CDP #6-06-017. Once the BMPs required by this permit are fully implemented, the applicant will be in compliance with CDP #6-06-017. Therefore, **Special Condition #3** requires that the proposed parking lot best management practices be implemented.

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

Coastal Act policies 30240 and 30251 restrict the alteration of natural landforms and protect sensitive habitats. Section 30231 of the Coastal Act requires that coastal waters are protected and runoff minimized.

Special Condition #4 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 protected. **Special Condition #2** 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 #3 requires the applicant to submit an erosion control and construction BMPs plan that details the construction BMPs that will be used to prevent any potential water quality impacts to the adjacent coastal waters from construction activities. **Special Condition #5** 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. As conditioned, the project will not result in impacts to habitat, erosion or adverse impacts to water quality. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. PUBLIC ACCESS

As conditioned, the proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. As conditioned, the proposed development conforms to Sections 30210 through 30214, Sections 30220 through 30224, Section 30252 and Section 30604(c) of the Coastal Act.

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. While the South Course will be impacted during construction of the proposed renovations, the North Course will remain open to the public and the South Course will be improved and reopened in a timely manner.

D. COMMUNITY CHARACTER/VISUAL QUALITY

The development is located within an existing developed area and, as conditioned, will be compatible with the character and scale of the surrounding area and will not impact public views. Most of the proposed improvements are at ground level, so views will remain essentially as they are today. Therefore, the Commission finds that the development, as conditioned, conforms to 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. 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 6** 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. 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.

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

North City Segment Certified LUP

CDP #6-14-1607

CDP #6-06-017