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STAFF REPORT: CONSENT CALENDAR

Application No.:	**6-20-0189**
Applicant:	**University of California, San Diego (UCSD)**
Agent:	Anu Delouri
Location:	Voigt Drive and Lyman Lane, University of California San Diego, West Campus, San Diego, San Diego County (APN 324-010-24)
Project Description:	Reconfigure a three way stop to a roundabout and construct associated hardscape, landscape, and lighting improvements
Staff Recommendation:	Approval with conditions

SUMMARY OF STAFF RECOMMENDATION

The purpose of the project is to reconfigure an existing intersection in order to enhance pedestrian safety to accommodate future pedestrian traffic that will result from the operation of the Pepper Canyon Light Rail Transit Station.

One mature Torrey pine tree would be removed to accommodate the realignment of Voigt Drive. The Torrey pine is a California endemic species listed as fairly endangered by the California Native Plant Society. However, UCSD has agreed to relocate the Torrey pine elsewhere on campus and plant a new Torrey pine at the project site. **Special Condition No. 2** requires submittal of landscape plans identifying the location of the new Torrey pine and indicating that all new landscaping will be native, drought

tolerant species. **Special Condition No. 3** requires UCSD to notify the Executive Director where the existing Torrey pine is to be relocated.

To ensure water quality impacts associated with the project are minimized, **Special Conditions Nos. 4** and **5** list the measures and best management practices to be incorporated into the final design of the development and its future maintenance. **Special Condition No. 2** also requires the use of low-flow and recycled water systems to further limit the amount of runoff flowing off site. **Special Condition No. 6** requires the applicant to submit a Construction and Pollution Prevention Plan (CPPP). The CPPP will ensure that appropriate BMPs are utilized during construction and that any potential discharge of construction-related pollutants, sediment, or associated runoff will be minimized in order to protect sensitive habitats. **Special Condition No. 7** requires that all exported materials be deposited at a legal site outside of the coastal zone.

A Long Range Development Plan was created for UCSD but never submitted for review and certification by the Commission. The City of San Diego does have a certified Local Coastal Program for most of its coastal zone; however, the UCSD campus in La Jolla is not part of that program and the campus remains an area of deferred certification where the Commission retains coastal development permit authority. Thus, the Chapter 3 policies of the Coastal Act are the standard of review.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-20-0189, as conditioned. The motion is on page 4.

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EXHIBITS

I. MOTION AND RESOLUTION

Motion:

I move that the Commission **approve** the coastal development permit applications included on the consent calendar in accordance with the staff recommendations.

Staff recommends a **YES** vote. Passage of this motion will result in approval of all the permits included on the consent calendar. The motion passes only by affirmative vote of a majority of Commissioners present.

II. 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 applicant 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 applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

1. **Final Plans. 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 final plans that conform with the plans submitted to the Commission, titled “UCSD Improvements Coastal Permit Application Submittal” and dated March 5, 2020.

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

2. **Revised Landscaping Plans. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for review and written approval by the Executive Director, a full size set of final landscaping plans that are in substantial conformance with the plans titled "UCSD Improvements Coastal Permit Application Submittal" and dated March 5, 2020, except that the plans shall include the addition of one Torrey Pine tree to be planted. The consulting landscape architect or qualified landscape professional shall certify in writing that the final Landscape plans are in conformance with the following requirements:

   (a) It shall include a planting schedule that indicates that the planting plan shall be implemented within sixty (60) days of completion of construction. Within ninety (90) days of completion of construction, the Permittee shall submit for the review and written approval of the Executive Director a landscaping implementation report, prepared by a licensed Landscape Architect or qualified resource specialist that certifies whether the on-site landscaping is in conformance with the landscape plan approved pursuant to this special condition. The implementation report shall include photographic documentation of plant species and plant coverage.

   (b) All landscaping shall be drought tolerant, non-invasive (preferably native) plant species. No plant species listed as problematic and/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. No cultivars shall be utilized within the property. If using potable water for irrigation, the project shall use water-conserving emitters (e.g. microspray) and drip irrigation. Use of weather-based irrigation controllers and reclaimed water for irrigation is encouraged.

   (d) The use of rodenticides containing any anticoagulant compounds is prohibited, and the use of fertilizer shall be minimized to the greatest extent feasible.

   (e) All irrigation systems shall limit water use to the maximum extent feasible. Use of reclaimed water for irrigation is encouraged. If permanent irrigation systems using potable water are included in the landscape plan, they may only use water conserving emitters (e.g., microspray) or drip irrigation. Use of reclaimed water ("gray water "systems) and rainwater catchment systems is encouraged. Other water conservation measures shall be considered, including use of weather based irrigation controllers.

   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. **Torrey Pine Relocation. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the permittee shall notify the Executive Director of the location where the Torrey pine will be relocated. Within 30 days following

relocation, notification shall also be provided to the Executive Director, with photo documentation, that the tree has been relocated and transplanted.

4. **Post-Development Runoff Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and written approval of the Executive Director, a final Post-Development Runoff Plan that demonstrates the project complies with the following requirements:

(a) Low Impact Development Strategies. The project shall comply with the following Low Impact Development standards:

i. Minimize disturbance of coastal waters and natural drainage features such as stream corridors, rivers, wetlands, natural drainage patterns, drainage swales, groundwater recharge areas, floodplains, and topographical depressions.

ii. Minimize removal of native vegetation, and plant additional native plants that provide water quality benefits such as transpiration, interception of rainfall, pollutant uptake, shading of waterways to maintain water temperature, and erosion control.

iii. Maintain or enhance appropriate on-site infiltration of runoff to the greatest extent feasible. Use strategies such as avoiding building impervious surfaces on highly permeable soils; amending soil if needed to enhance infiltration; and installing an infiltration Best Management Practice (BMP) (e.g., a vegetated swale, rain garden, or bio retention system).

iv. Minimize the addition of impervious surfaces, and where feasible increase the area of pervious surfaces in re-development. Use strategies such as minimizing the footprint of buildings; minimizing the footprint of impervious pavement; and installing a permeable pavement system where pavement is required.

v. Disconnect impervious surface areas from the storm drain system by interposing permeable areas between impervious surfaces and the storm drain system. Design curbs, berms, and similar structures to avoid isolation of vegetative landscaping and other permeable areas, and allow runoff to flow from impervious pavement to permeable areas for infiltration. Use strategies such as directing roof-top runoff into permeable landscaped areas; directing runoff from impervious pavement into distributed permeable areas (e.g., turf, medians, or parking islands); installing a vegetated swale or filter strip to intercept runoff sheet flow from impervious surfaces; and installing a rain barrel or cistern to capture and store roof-top runoff for later use in on-site irrigation.

vi. Where on-site infiltration is not appropriate or feasible, use alternative BMPs to minimize post-development changes in runoff flows, such as installing an evapotranspiration BMP that does not infiltrate into the ground but uses evapotranspiration to reduce runoff (e.g., a vegetated “green roof,” flowthrough planter, or retention pond); directing runoff to an off-site infiltration facility; or implementing BMPs to reduce runoff volume, velocity, and flow rate before directing runoff to the storm drain system.

(b) Implement Source Control BMPs. Appropriate and feasible long-term Source Control BMPs, which may be structural features or operational practices, shall be implemented to minimize the transport of pollutants in runoff from the development by controlling pollutant sources and keeping pollutants segregated from runoff. Use strategies such as covering outdoor storage areas; using efficient irrigation; proper application and clean-up of potentially harmful chemicals and fertilizers; and proper disposal of waste.

(c) Avoid Adverse Impacts from Stormwater and Dry Weather Discharges. The adverse impacts of discharging stormwater or dry weather runoff flows to coastal waters, intertidal areas, beaches, bluffs, or stream banks shall be avoided, to the extent feasible. The project shall comply with the following requirements:

i. Runoff shall be conveyed off-site or to drainage systems in a non-erosive manner. If runoff flows to a natural stream channel or drainage course, determine whether the added volume of runoff is large enough to trigger erosion.

ii. Protective measures shall be used to prevent erosion from concentrated runoff flows at stormwater outlets (including outlets of pipes, drains, culverts, ditches, swales, or channels), if the discharge velocity will be sufficient to potentially cause erosion. The type of measures selected for outlet erosion prevention shall be prioritized in the following order, depending on the characteristics of the site and the discharge velocity: (1) vegetative bioengineered measures (such as plant wattles); (2) a hardened structure consisting of loose materials (such as a rip-rap apron or rock slope protection); or (3) a fixed energy dissipation structure (such as a concrete apron, grouted rip-rap, or baffles).

iii. The discharge of dry weather runoff to coastal waters shall be minimized, to the greatest extent feasible. Use strategies such as efficient irrigation techniques that minimize off-site runoff.

(d) Manage BMPs for the Life of the Development. Appropriate protocols shall be implemented to manage BMPs (including ongoing operation, maintenance, inspection, and training) to keep the water quality provisions effective for the life of the development.

(e) Site Plan and Narrative Description. The Post-Development Runoff Plan shall include a site plan and a narrative description addressing, at a minimum, the following required components:

i. A site plan, drawn to scale, showing the property boundaries, building footprint, runoff flow directions, relevant drainage features, structural BMPs, impervious surfaces, permeable pavements, and landscaped areas.

ii. Identification of pollutants potentially generated by the proposed development that could be transported off the site by runoff.

iii. An estimate of the proposed changes in (1) impervious surface areas on the site, including pre-project and post-project impervious coverage area and the percentage of the property covered by impervious surfaces; (2) the amount of impervious areas that drain directly into the storm drain system without first flowing across permeable areas; and (3) site coverage with permeable or semipermeable pavements.

iv. A description of the BMPs that will be implemented, and the Low Impact Development approach to stormwater management that will be used. Include a schedule for installation or implementation of all post-development BMPs.

v. A description and schedule for the ongoing management of all postdevelopment BMPs (including operation, maintenance, inspection, and training) that will be performed for the life of the development, if required for the BMPs to function properly.

The permittee shall undertake development in accordance with the approved PostDevelopment Runoff Plan, unless the Commission amends this permit or the Executive Director issues a written determination that no amendment is legally required for any proposed minor deviations.

5. **Water Quality and Hydrology Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit, for the review and written approval of the Executive Director, a final Water Quality and Hydrology Plan, prepared by a qualified licensed professional. The final Water Quality and Hydrology Plan shall demonstrate that the project complies with the following requirements:

(a) Prepare Plan by a Licensed Professional. A California-licensed professional (e.g., Registered Professional Civil Engineer, Geotechnical Engineer, Geologist, Engineering Geologist, Hydrogeologist, or Landscape Architect) qualified to complete this work shall be in responsible charge of preparing the Water Quality and Hydrology Plan.

(b) Conduct Site Characterization. A polluted runoff and hydrologic characterization of the existing site (e.g., potential pollutants in runoff, soil properties, infiltration rates, depth to groundwater, and the location and extent of hardpan and confining layers) shall be conducted, as necessary to design the proposed BMPs.

(c) Address Runoff from Impervious and Semi-Pervious Surfaces. Runoff from all new or replaced impervious and semi-pervious surfaces shall be addressed in the plan. For sites where the area of new or replaced impervious and semipervious surfaces is greater than or equal to 50% of the pre-existing impervious and semi-pervious surfaces, runoff from the entire developed area, including the pre-existing surfaces, shall be addressed in the plan.

(d) Size BMPs Using Design Storm Standard. Any Low Impact Development (LID), Runoff Control, and Treatment Control BMP (or suite of BMPs) implemented to comply with the plan requirements shall be sized, designed, and managed to infiltrate, retain, or treat, at a minimum, the runoff produced by the 85th percentile 24-hour storm event for volume-based BMPs, or two times the 85th percentile 1-hour storm event for flow-based BMPs.

(e) Use an LID Approach to Retain Design Storm Runoff. A Low Impact Development (LID) approach to stormwater management shall be implemented that will retain on-site by means of infiltration, evapotranspiration, or harvesting, at a minimum, the runoff produced by the 85th percentile 24-hour design storm, to the extent appropriate and feasible. In implementing an LID approach, priority shall be given to the use of preventive LID Site Design strategies (such as reducing impervious surface area) to minimize post-development changes in the site's stormwater flow regime, supplemented by use of structural LID BMPs (such as a rain garden) if needed to mitigate any unavoidable changes in stormwater flows.

(f) Give Priority to Earthen-Based BMPs. Where appropriate and feasible, direct stormwater runoff from all parking areas and driveways, roofs, walkways, patios, and other impervious surfaces to, in order of priority, (1) landscaped areas or open spaces capable of infiltration; (2) earthen-based infiltration BMPs (such as an infiltration basin); (3) flow-through biofiltration BMPs (such as a vegetated swale); (4), manufactured infiltration BMPs (such as a permeable pavement system); and if infiltration is not feasible, (5) proprietary filtration systems (such as an inlet filter).

(g) Implement a Treatment Control BMP if Necessary. A Treatment Control BMP (e.g., vegetated swale, detention basin, and storm drain inlet filter) shall be implemented if necessary to remove pollutants of concern from runoff. The project shall comply with the following applicability and performance standards for Treatment Control BMPs:

i. A Treatment Control BMP (or suite of BMPs) shall be implemented to remove pollutants of concern from any portion of the runoff produced by the 85th percentile 24-hour design storm that will not be retained on-site.

ii. Where infiltration BMPs are not adequate to remove a specific pollutant of concern attributed to the development, an effective Treatment Control BMP (or suite of BMPs) shall be implemented prior to infiltration of runoff, or else an alternative BMP that does not involve infiltration shall be substituted for the infiltration BMP.

iii. Where a Treatment Control BMP is required, a BMP (or suite of BMPs) shall be selected that has been shown to be effective in reducing the pollutants of concern generated by the proposed land use.

(h) Implement BMPs for High-Pollutant Land Uses. Appropriate Site Design and Source Control BMPs shall be implemented to keep pollutants out of stormwater, and shall either use Treatment Control BMPs to remove pollutants of concern

before discharging runoff to coastal waters or the storm drain system, or shall connect the pollutant-generating area to the sanitary sewer.

(i) Manage BMPs for the Life of the Development. Appropriate protocols shall be implemented to manage BMPs (including ongoing operation, maintenance, inspection, and training), to protect coastal water quality for the life of the development.

(j) Content of the Water Quality and Hydrology Plan. The Water Quality and Hydrology Plan shall include, at a minimum, the following required components:

i. All of the information required for the Post-Development Runoff Plan, including Site Design strategies and Source Control BMPs.

ii. Documentation of a polluted runoff and hydrologic characterization of the existing site (e.g., potential pollutants in runoff, soil properties, infiltration rates, depth to groundwater, and the location and extent of hardpan and confining layers) as necessary to design the proposed BMPs. Include a map showing the site's Drainage Management Areas, and calculations of the runoff volumes from these areas.

iii. A description of the BMPs that will be implemented, including documentation of the expected effectiveness of the BMPs. Include a schedule for installation or implementation of all post-development BMPs

iv. A characterization of post-development pollutant loads, and calculations, per applicable standards, of changes in the stormwater runoff flow regime (i.e., volume, flow rate, timing, and duration of flows) resulting from the proposed development when implementing the proposed BMPs.

v. Supporting calculations demonstrating that required BMPs have been sized and designed to infiltrate, retain, or treat, at a minimum, the runoff produced by the 85th percentile 24-hour storm event for volume-based BMPs, or two times the 85th percentile 1-hour storm event for flow-based BMPs.

vi. A description and calculations demonstrating that the 85th percentile design storm runoff volume will be retained on-site, giving precedence to an LID approach. If the 85th percentile runoff volume cannot be retained on site using LID, an alternatives analysis shall demonstrate that no feasible alternative project design will substantially improve runoff retention.

vii. A description and schedule for the ongoing management of all postdevelopment BMPs (including operation, maintenance, inspection, and training) that will be performed for the life of the development, if required for the BMPs to function properly.

The permittee shall undertake development in accordance with the Post-Development Runoff Plan and the Water Quality and Hydrology Plan, unless the

Commission amends this permit or the Executive Director issues a written determination that no amendment is legally required for any proposed minor deviations.

6. **Construction and Pollution Prevention Plan. PRIOR TO COMMENCEMENT OF CONSTRUCTION,** the applicant shall submit, for the review and written approval of the Executive Director, a final Construction and Pollution Prevention Plan prepared and certified by a qualified licensed professional. The final Plan shall demonstrate that all construction, including, but not limited to, clearing, grading, staging, storage of equipment and materials, or other activities that involve ground disturbance; building, reconstructing, or demolishing a structure; and creation or replacement of impervious surfaces, complies with the following requirements:

(a) Protect Public Access. Construction shall protect and maximize public access, including by:

i. Staging and storage of construction equipment and materials (including debris) shall not take place on public parking spaces or public right-of-ways outside of the limits of work. Staging and storage of construction equipment and materials shall occur in inland areas at least 50 feet from ESHA, coastal waters, drainage courses, and storm drain inlets, if feasible. Upon a showing of infeasibility, the applicant may submit a request for review and written approval to the Executive Director for staging and storage of construction equipment and materials closer than 50 feet from coastal water, drainage courses, and storm drain inlets. Construction is prohibited outside of the defined construction, staging, and storage areas.

ii. All construction methods to be used, including all methods to keep the construction areas separated from public recreational use areas (e.g., using unobtrusive fencing or equivalent measures to delineate construction areas), shall be clearly identified on the construction site map and described in the narrative description.

(b) Property Owner Consent. The Construction and Pollution Prevention Plan shall be submitted with evidence indicating that the owners of any properties on which construction activities are to take place, including properties to be crossed in accessing the site, consent to use of their properties.

(c) Minimize Erosion and Sediment Discharge. During construction, erosion and the discharge of sediment off-site or to coastal waters shall be minimized through the use of appropriate Best Management Practices (BMPs), including:

i. Land disturbance during construction (e.g., clearing, grading, and cut-and fill) shall be minimized, and grading activities shall be phased, to avoid increased erosion and sedimentation.

ii. Erosion control BMPs (such as mulch, soil binders, geotextile blankets or mats, or temporary seeding) shall be installed as needed to prevent soil from being transported by water or wind. Temporary BMPs shall be implemented to stabilize

soil on graded or disturbed areas as soon as feasible during construction, where there is a potential for soil erosion to lead to discharge of sediment off-site or to coastal waters.

iii. Sediment control BMPs (such as silt fences, fiber rolls, sediment basins, inlet protection, sand bag barriers, or straw bale barriers) shall be installed as needed to trap and remove eroded sediment from runoff, to prevent sedimentation of coastal waters.

iv. Tracking control BMPs (such as a stabilized construction entrance/exit, and street sweeping) shall be installed or implemented as needed to prevent tracking sediment off-site by vehicles leaving the construction area.

v. Runoff control BMPs (such as a concrete washout facility, dewatering tank, or dedicated vehicle wash area) that will be implemented during construction to retain, infiltrate, or treat stormwater and non-stormwater runoff.

(d) Minimize Discharge of Construction Pollutants. The discharge of other pollutants resulting from construction activities (such as chemicals, paints, vehicle fluids, petroleum products, asphalt and cement compounds, debris, and trash) into runoff or coastal waters shall be minimized through the use of appropriate BMPs, including:

i. Materials management and waste management BMPs (such as stockpile management, spill prevention, and good housekeeping practices) shall be installed or implemented as needed to minimize pollutant discharge and polluted runoff resulting from staging, storage, and disposal of construction chemicals and materials. BMPs shall include, at a minimum:

A. Covering stockpiled construction materials, soil, and other excavated materials to prevent contact with rain, and protecting all stockpiles from stormwater runoff using temporary perimeter barriers.

B. Cleaning up all leaks, drips, and spills immediately; having a written plan for the clean-up of spills and leaks; and maintaining an inventory of products and chemicals used on site.

C. Proper disposal of all wastes; providing trash receptacles on site; and covering open trash receptacles during wet weather.

D. Prompt removal of all construction debris from the project site.

E. Detaining, infiltrating, or treating runoff, if needed, prior to conveyance off-site during construction.

F. Fueling and maintenance of construction equipment and vehicles shall be conducted off site if feasible. Any fueling and maintenance of mobile equipment conducted on site shall not take place on the beach, and shall take place at a designated area located at least 50 feet from coastal waters,

drainage courses, and storm drain inlets, if feasible (unless those 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. Equipment that cannot be feasibly relocated to a designated fueling and maintenance area (such as cranes) may be fueled and maintained in other areas of the site, provided that procedures are implemented to fully contain any potential spills.

(e) Minimize Other Impacts of Construction Activities. Other impacts of construction activities shall be minimized through the use of appropriate BMPs, including:

i. The damage or removal of non-invasive vegetation (including trees, native vegetation, and root structures) during construction shall be minimized, to achieve water quality benefits such as transpiration, vegetative interception, pollutant uptake, shading of waterways, and erosion control.

ii. Soil compaction due to construction activities shall be minimized, to retain the natural stormwater infiltration capacity of the soil.

iii. The use of temporary erosion and sediment control products (such as fiber rolls, erosion control blankets, mulch control netting, and silt fences) that incorporate plastic netting (such as polypropylene, nylon, polyethylene, polyester, or other synthetic fibers) shall be avoided, to minimize wildlife entanglement and plastic debris pollution.

(f) Manage Construction-Phase BMPs. Appropriate protocols shall be implemented to manage all construction-phase BMPs (including installation and removal, ongoing operation, inspection, maintenance, and training), to protect coastal water quality and adjacent ESHA.

(g) Construction Site Map and Narrative Description. The Construction and Pollution Prevention Plan shall include a construction site map and a narrative description addressing, at a minimum, the following required components:

i. A map delineating the construction site, construction phasing boundaries, ESHA, and the location of all temporary construction-phase BMPs (such as silt fences, inlet protection, and sediment basins).

ii. A description of the BMPs that will be implemented to minimize land disturbance activities, minimize the project footprint, minimize soil compaction, and minimize damage or removal of non-invasive vegetation. Include a construction phasing schedule, if applicable to the project, with a description and timeline of significant land disturbance activities.

iii. A description of the BMPs that will be implemented to minimize erosion and sedimentation, control runoff and minimize the discharge of other pollutants

resulting from construction activities. Include calculations that demonstrate proper sizing of BMPs.

iv. A description and schedule for the management of all construction-phase BMPs (including installation and removal, ongoing operation, inspection, maintenance, and training). Identify any temporary BMPs that will be converted to permanent post-development BMPs.

(h) Construction Site Documents. The Construction and Pollution Prevention Plan shall specify that copies of the signed CDP and the approved Construction and Pollution Prevention Plan be maintained in a conspicuous location at the construction job site at all times, and be available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved Construction and Pollution Prevention Plan, and the public review requirements applicable to them, prior to commencement of construction.

(i) Construction Coordinator. The Construction and Pollution Prevention Plan shall specify that a construction coordinator be designated who may be contacted during construction should questions or emergencies arise regarding the construction. The coordinator's contact information (including, at a minimum, a telephone number available 24 hours a day for the duration of construction) shall be conspicuously posted at the job site and readily visible from public viewing areas, indicating that the coordinator should be contacted in the case of questions or emergencies. The coordinator shall record the name, phone number, and nature of all complaints received regarding the construction, and shall investigate 16 complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

(j) Notification. The permittee shall notify planning staff of the Coastal Commission's San Diego Coast District Office at least three working days in advance of (1) commencement of construction or maintenance activities, and immediately upon completion of construction or maintenance activities, and (2) of any anticipated changes in the schedule based on site conditions, weather, or other unavoidable factors.

The permittee shall undertake development in accordance with the approved Construction-Phase Pollution Prevention Plan, unless the Commission amends this permit or the Executive Director provides written determination that no amendment is legally required for any proposed minor deviations.

7. **Disposal of Graded Material.** By acceptance of this permit, the applicant agrees that all excess spoils exported from the project site must be disposed of at a legal site outside of the coastal zone. Disposal of graded materials within the coastal zone will require a separate coastal development permit or an amendment to this permit.

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The University of California, San Diego (UCSD) proposes to reconfigure a three way stop to a roundabout at the intersection of Voigt Drive and Lyman Lane on UCSD's West Campus (Exhibit 1). The purpose of the project is to enhance pedestrian safety to accommodate future pedestrian traffic that will result from the operation of the Pepper Canyon Light Rail Transit Station. The project also includes landscaping, hardscaping, and lighting improvements (Exhibit 2). **Special Condition No. 1** requires the applicant to submit final plans that substantially conform to the plans submitted.

The project includes the removal of 13 trees to accommodate grading activities; however, 24 new trees are proposed to be planted onsite. In order to ensure that nesting birds are not impacted, UCSD has proposed to conduct a bird survey prior to removal of the trees from the site. The survey would be conducted by a qualified biologist within 500 ft. of project construction activities within seven days of initiation of construction. In addition, no grubbing, trimming, or clearing of vegetation would occur during the avian breeding season (February 15 through August 31).

Of the 13 trees proposed to be removed, one mature Torrey pine tree would be removed to accommodate the realignment of Voigt Drive. While the Torrey pine is not a federal or state listed endangered or threatened species, it is a California endemic species listed as fairly endangered by the California Native Plant Society. In this case, Commission staff worked with UCSD who agreed to relocate the tree to another area of the campus where it would not be impacted by construction activities and would therefore be better expected to survive. UCSD has also agreed to plant a new Torrey pine at the project site. **Special Condition No. 2** requires submittal of landscape plans identifying the location of the new Torrey pine tree; indicating that all new landscaping will be native, drought tolerant species; and prohibits invasive species and the use of rodenticides, which can have adverse impacts on other wildlife that may unintentionally consume the poison or, in the case of predators, consume the poisoned rodents, and in turn become poisoned. **Special Condition No. 3** requires UCSD to provide notification to the Executive Director that identifies where the existing Torrey Pine is to be relocated prior to relocating the tree and to notify the Executive Director once the tree has been relocated.

The proposed project would include the addition of nighttime lighting which may have the potential to cause indirect impacts on nearby native habitats, including a 179-acre contiguous canyon system known as North Canyon that is part of UCSD's on-campus ecological reserve. In recent permit actions, the North Canyon area has been designated as environmentally sensitive habitat area (ESHA) by the Commission's staff ecologist (CDP No. 6-19-0212). Adverse impacts from artificial night light can take several forms including light trespass or spill, sky glow, and glare. The applicant proposes to replace all lighting with light-emitting diode (LED) lights. Because of their reported long life and energy efficiency, LEDs are rapidly coming into widespread use, replacing other types of lighting in many cities. However, LED lighting contains high blue

light frequencies that have been shown to disrupt natural circadian rhythms in humans and wildlife, leading to disruption in sleep and wildlife behaviors (e.g., breeding, foraging). Lighting with lower color temperatures has less blue in its spectrum and is referred to as being “warm.” As such, environmental studies recommend a correlated color temperature (CCT) of 3,000 Kelvins (K) or less, a range that contains less blue light.

In this case, the applicant has proposed lighting with a 4,000 K CCT which is above the recommended 3,000 K CCT. UCSD has indicated that the lighting is needed to match the specifications of existing lighting along Voigt Drive, and for pedestrian safety since the area is located near housing, recreational uses, and public transportation. The Commission’s ecologist, Dr. Laurie Koteen, has reviewed the project and believes that the proposed lighting is unlikely to impact biological resources due to its proximity to Canyonview Aquatic Center and Warren Field, both of which are surrounded by bright stadium lights. Therefore, the project is unlikely to increase the overall amount of nighttime lighting at this location or impact biological resources.

Finally, the project includes Low Impact Development site design elements, including tree planting, landscaping and permeable pavers to treat runoff before flowing into the storm design system. UCSD has provided a drainage study that indicates the proposed peak flow rate will be less than the existing condition. **Special Conditions Nos. 4** and **5** list the measures and best management practices to be incorporated into the final design of the development and its future maintenance. **Special Condition No. 2** also requires the use of native, drought-tolerant plants in conjunction with low-flow and recycled water systems to further limit the amount of runoff flowing off site. **Special Condition No. 6** requires the applicant to submit a Construction and Pollution Prevention Plan (CPPP) that includes the submission of a Construction Staging and Storage Plan. The Construction Staging and Storage Plan will require the identification of all work areas and ensure that staging and storage areas do not occur within 50 ft. of ESHA . The CPPP will ensure that appropriate BMPs are utilized during construction and that any potential discharge of construction-related pollutants, sediment, or associated runoff will be minimized in order to protect sensitive habitats. **Special Condition No. 7** requires that all exported materials be deposited at a legal site outside of the coastal zone.

A Long Range Development Plan (LRDP) was created for UCSD but never submitted for review and certification by the Commission. The City of San Diego does have a certified Local Coastal Program (LCP) for most of its coastal zone; however, the UCSD campus in La Jolla is not part of that program and the campus remains an area of deferred certification where the Commission retains coastal development permit authority. Thus, the Chapter 3 policies of the Coastal Act are the standard of review.

B. Biological Resources

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

The proposed development will not have an adverse impact on any natural steep slopes or result in erosion or adverse impacts to water quality and, as conditioned, will not result in adverse impacts to sensitive habitat. Thus, the project is consistent with the resource protection policies of Chapter 3 of the Coastal Act.

C. Community Character/Visual Quality

The development is located within an existing developed area, will be compatible with the character and scale of the surrounding area, and will not impact public views. Therefore, the Commission finds that the development, as conditioned, conforms to Section 30251 of the Coastal Act.

D. Public Access/Parking

The proposed development will not have an adverse impact on public access to the coast or to nearby recreational facilities. 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.

E. Local Coastal Planning

A Long Range Development Plan was created for UCSD but never submitted for review and certification by the Commission. The City of San Diego does have a certified Local Coastal Program (LCP) for most of its coastal zone; however, the UCSD campus in La Jolla is not part of that program and the campus remains an area of deferred certification where the Commission retains coastal development permit authority. Thus, Chapter 3 of the Coastal Act remains the legal standard of review. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of UCSD to prepare a Long Range Development Plan that is in conformity with the provisions of Chapter 3.

F. 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. UCSD found the proposed project categorically exempt from CEQA requirements (for existing facilities and minor alterations to land) on May 30, 2019.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing the protection of water quality and biological resources 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 effect which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.