

**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO DISTRICT OFFICE  
7575 METROPOLITAN DRIVE, SUITE 103  
SAN DIEGO, CA 92108-4402  
VOICE (619) 767-2370  
FAX (619) 767-2384

**F9a**

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**STAFF REPORT: REGULAR CALENDAR**

**Application No.:** 6-20-0129

**Applicant:** San Diego County Regional Airport Authority

**Agent:** Ted Anasis

**Location:** San Diego International Airport, North Harbor Drive and Lindbergh Field Way, San Diego, San Diego County

**Project Description:** Construction of three 1,146,320 gallon, 58 ft. tall, 58 ft. wide fuel tanks and associated containment system

**Staff Recommendation:** Approval with conditions

**SUMMARY OF STAFF RECOMMENDATION**

The San Diego County Regional Airport Authority (Authority) proposes to construct three new fuel tanks at the existing fuel farm on the north side of the San Diego International Airport (SDIA) ([Exhibit 1](#)). The purpose of the project is to increase the airport's supply of fuel reserves from two days to the industry standard of five to seven days for airports similar in size to SDIA.

The primary Coastal Act concerns related to this project include oil spill prevention and potential impacts to visual resources. The applicant has submitted evidence of oil spill prevention technologies, programs, and procedures to protect against the spillage of aviation fuel; however, a project specific Oil Spill Prevention and Response Plan

(OSPRP) has not been submitted. As such, **Special Condition No. 2** requires SDIA to submit a revised OSPRP that is updated to include the additional tanks, capacity, and containment structures; current worst-case discharge analysis for both the tanks and pipeline system that indicate adequate secondary containment is available; and reflect the new conditions on the project site, including review and updates to notification procedures and key contacts. As conditioned, the project contains effective protection, containment, and clean up equipment and procedures to protect coastal resources from potential oil spill impacts.

The proposed fuel tanks would be located north of the airport runway ([Exhibit 2](#)). Although the tanks would be 58 ft. tall, they would not block views of the bay or the San Diego skyline. However, the upper portion of the fuel tanks would be visible to those traveling along North Harbor Drive, a major coastal access road along the San Diego Bay shoreline. To ensure the fuel tanks blend in with the sky and surrounding airport structures, the Authority proposes to color them light grey. **Special Condition No. 3** requires the Authority to submit a color board or other example of the exterior material/color for the proposed development and prohibits any logos, advertising, or public art on the facade. As conditioned, the project would not result in any adverse impacts to visual resources.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-20-0129, as conditioned. The motion is on page 4. The standard of review is Chapter 3 of the Coastal Act.

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### EXHIBITS

[Exhibit 1 – Location Map](#)

[Exhibit 2 – Site Plan](#)

[Exhibit 3 – Visual Rendering](#)

## I. MOTION AND RESOLUTION

### Motion:

I move that the Commission approve Coastal Development Permit 6-20-0129 subject to conditions set forth in the staff recommendation specified below.

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

### Resolution:

The Commission hereby approves the Coastal Development Permit for the proposed project 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. 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

- 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 "SAN Fuel Committee Additional Storage Tanks" and dated March 6, 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 Oil Spill Prevention and Response Plan (OSPRP). PRIOR TO COMMENCEMENT OF OPERATIONS**, the applicant shall submit, for the review and written approval of the Executive Director, a revised OSPRP that demonstrates effective containment, cleanup facilities, and procedures are in place to protect coastal resources from potential oil spill impacts. The revised OSPRP shall include all of the following:

- a. Updated facilities descriptions;
- b. Updated worst case discharge volume and containment volume calculations for the storage tanks and pipelines;
- c. Adequate onsite cleanup facilities and equipment;
- d. Updated discharge prevention measures and procedures; and
- e. Updated key contacts.

The permittee shall undertake development in conformance with the approved final plan 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.

3. **Exterior Treatment. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit, for the review and written approval of the Executive Director, a color board or other example that illustrates the exterior material and color to be used in the construction of the proposed development. The exterior treatment shall comply with the following requirements:

- a. The color of the fuel tanks shall be light grey or another muted color that blends in with the sky and surrounding airport structures; no bright tones are allowed.
- b. The fuel tanks shall contain no logos, advertising, public art, or other graphic depictions.

## IV. FINDINGS AND DECLARATIONS

### A. Project Description and Background

The San Diego County Regional Airport Authority' (Authority) proposes to construct three 1,146,320-gallon, 58 ft. tall, 58 ft. wide aviation fuel tanks at an existing fuel farm located on the north side of the San Diego International Airport (SDIA) ([Exhibit 1](#)). The existing fuel farm covers an area of approximately 3.5 acres and is comprised of two 1,000,000-gallon, 28 ft. tall, 80 ft. wide, aviation fuel tanks, which are supplied by regional refineries via an existing fuel delivery pipeline. Other existing structures onsite include the associated fuel pipeline and pump systems, six fuel tanker truck fuel loading positions, accessory equipment, control room, administrative building and surface parking.

The three new fuel tanks would be located immediately adjacent to the existing fuel tanks. The project would also include construction of 6 ft. tall and 1 ft. wide containment dikes on the periphery of the proposed tanks that would connect to the fuel farm's existing containment dike walls to create an expanded containment area. Secondary 3 ft. tall and 8 in. wide containment walls would also be constructed ([Exhibit 2](#)). **Special Condition No. 1** requires the applicant to submit final plans that substantially conform to the plans submitted with this application.

The purpose of the proposed project is to align the amount of fuel reserves with the industry standard for airports similar to SDIA of five to seven days' reserve during peak summer months. The existing fuel farm accommodates approximately two days of fuel reserves during peak summer months, which leaves SDIA operations susceptible to inadequate fuel supply during pipeline malfunctions and facility maintenance. Any lapse or shortage in fuel delivery, as well as inspection and maintenance activities of pipelines or the fuel farm system, requires fuel to be delivered to the airport via a tanker truck. The proposed project would increase capacity to accommodate six days of peak-period fuel demand.

The airport is within the Coastal Commission's permit jurisdiction and the Chapter 3 policies of the Coastal Act constitute the standard of review.

### B. Oil Spill Prevention

Section 30232 of the Coastal Act states:

Protection against the spillage of crude oil, gas, petroleum products, or hazardous materials shall be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures shall be provided for accidental spills that do occur.

The first test of section 30232 requires evidence of oil spill prevention technologies, programs, and procedures to protect against the spillage of the aviation fuel. In this case, appropriate prevention technologies programs and procedures are included in the project and include monitoring, reconciling and documenting inventory daily; performing

load monitoring; electronically controlling monitoring at the onsite operations building; equipping tanks with alarms and high-high level automatic shutdown systems; and ensuring that the underground piping system undergoes regular hydrostatic pressure monitoring.

The second test of Section 30232 requires the proposed project to provide sufficient oil spill response capability to provide effective containment and cleanup facilities and procedures in the case that a spill does occur. In order to make findings consistent with Coastal Act 30232, the Commission requires submittal of a project specific Oil Spill Prevention and Response Plan (OSPRP) to demonstrate effective protection, containment, and clean up equipment and procedures are in place to protect coastal resources from potential oil spill impacts. The OSPRP submitted by the applicant is from 2017, only identifies the existing conditions, and does not include the new tanks, increased volumes, and reconfigured secondary containment structures. Therefore, **Special Condition No. 2** requires a revised OSPRP that is updated to include the additional tanks, capacity, and containment structures; current worst-case discharge analysis for both the tanks and pipeline system that indicate adequate secondary containment is available; and reflect the new conditions on the project site, including review and updates to notification procedures and key contacts. Therefore, the project, as conditioned, conforms to Section 30232 of the Coastal Act.

### C. Visual Resources

Section 30251 of the Coastal Act states:

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 proposed fuel tanks would be located north of the airport runway ([Exhibit 1](#)). Although the structures would be 58 ft. tall, they would not block views of the bay or the San Diego skyline. However, the upper portion of the fuel tanks would be visible to those traveling along North Harbor Drive, a major coastal access road along the San Diego Bay shoreline. Other projects in the area have been required to use architectural or visual treatments and landscaping to screen or break up the façade of the structure as it presents to pedestrians and vehicles on North Harbor Drive. In this case, the Authority proposes to color the fuel tanks light grey in order to blend in with the sky and surrounding airport structures ([Exhibit 3](#)). This exterior treatment will minimize the potential visual impacts. **Special Condition No. 3** requires the Authority to submit a color board or other example of the exterior material and color to be used for the proposed development and prohibits any logos, advertising, or public art on the facade. Therefore, the project, as conditioned, conforms to Section 30251 of the Coastal Act.

## **D. 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.

SDIA was previously under the coastal permit jurisdiction of the San Diego Unified Port District and the standard of review for coastal development permits was the certified Port Master Plan. However, legislation which took effect in January 2003 transferred authority over airport property to the newly created Airport Authority. Thus, the airport is now within the Commission's permit jurisdiction and Chapter 3 is the standard of review. Although the airport is not anticipated to be subject to a LCP, approval of this project would not prejudice the preparation of a LCP consistent with the requirements of Chapter 3. As discussed above, the proposed project, as conditioned, is consistent with Chapter 3, including the oil spill prevention and visual resource protection policies of the Coastal Act.

## **E. 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. In January 2020, the Airport Authority adopted the Additional Fuel Tanks Project Final Environmental Impact Report (State Clearinghouse No. 2018111052).

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 oil spill prevention and visual 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 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.



6-20-0129

San Diego County Regional Airport Authority

## **APPENDIX A – SUBSTANTIVE FILE DOCUMENTS**

Additional Fuel Tanks Project Final Environmental Impact Report (State Clearinghouse No. 2018111052)