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STAFF REPORT: CONSENT CALENDAR

Application No.: 6-20-0190

Applicant: University of California, San Diego

Agent: Anu Delouri

Location: Ridge Walk between Muir Lane and Main Gym, La Jolla, San Diego, San Diego County. (APN: 342-010-24, 344-080-16)

Project Description: Revisions to existing shared-use pathway (Ridge Walk) to create separate paths 10 – 20 feet in width for pedestrian and bicycles; removal of 82 parking spaces; hardscaping and landscaping improvements to a 6.76-acre project area at UCSD's West Campus.

Staff Recommendation: Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The proposed project is located in the center of the UCSD West Campus and would modify an existing shared-use pathway for non-vehicular transportation in order to provide for a foot path for pedestrians, a two-way path for non-vehicular transportation (e.g. bicyclists, scooter riders, and skateboarders), and a landscaped median buffer. Other improvements within the 6.76-acre project area include hardscaping to ensure conformance with ADA standards and fire safety, lighting improvements, new landscaping and expanded open lawn area, and water quality BMP's. An existing 143-space parking lot within the project area will be reconfigured and restriped for a resulting loss of 82 parking spaces. **Special Condition #1** requires final plans to confirm the proposed work area and all components of the project.

Existing plantings, the great majority of which are invasive or non-native, will be removed and replaced with an emphasis on native and drought-tolerant species. One large, mature Torrey pine tree that cannot be saved due to surrounding construction is proposed to be relocated within the project site. While UCSD has committed to ensuring the successful relocation of the tree, **Special Condition #2** requires the submittal of landscaping plans with an acknowledgment that should the efforts be considered unsuccessful, UCSD shall be required to plant a replacement Torrey pine. Additionally, because UCSD proposes to plant 51 eucalyptus trees in their Historic Grove, which is considered a protected historic/cultural resource, **Special Condition #2** requires an explicit note on landscaping plans that all planting of invasive species will be prohibited with the exception of the Historic Grove.

While the amount of impervious area will be increased on site by about 0.18 acres (with a commensurate decrease in landscaping), the installation of bioretention areas located throughout the site will reduce runoff from the site by approximately 7% compared to existing conditions. **Special Conditions #5, #6, and #7** require implementation of construction and post-construction water quality best management practices.

Biological impacts may also occur as a result of the project. To ensure construction noise impacts to nesting birds are avoided, **Special Condition #4** requires the applicant to complete bird nesting surveys prior to construction necessary during the nesting season. **Special Condition #3** requires the submittal of a final lighting plan that memorializes the use of LED lights not to exceed 3,000 Kelvins, as well as minimal use of nighttime lighting in order to minimize impacts. **Special Condition #8** requires that all exported materials be deposited at a legal site outside of the coastal zone.

The proposed project would include the permanent removal of 82 parking spaces from the 143-parking stall lot P206. The applicant has identified that UCSD's existing campus parking campus operates at 85% occupancy rate of its 17,008 spaces on campus, and the permanent loss of the 82 spaces would constitute only 0.5% of UCSD's parking reservoir. In addition, the total number of parking spaces planned for the campus in 2021/22 is anticipated at 21,160 spaces, an approximate 24% increase in the existing parking supply. The project itself is intended to improve non-automobile circulation, and the site is over a mile from the nearest beach trailhead at Black's Beach, such that it is unlikely that the proposed reduction in spaces would result in spillover impacts to beach users.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-19-0190, as conditioned. The motion is on page 4 . Because UCSD campus is an area of deferred certification, the Commission retains coastal development permit authority and the Chapter 3 policies of the Coastal Act are the standard of review.

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EXHIBITS

[Exhibit 1 – Location Maps](#)

[Exhibit 2 – Project Plan](#)

[Exhibit 3 – Historic Grove Landscaping Plan](#)

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, a full-size set of final plans that are in substantial conformance with the plans prepared by Nasland Engineering dated 6/1/20 and received by our office on 6/8/20.

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. Revised Final 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 prepared by Spurlock Landscape Architects dated 6/2/20 and received by our office on 6/8/20. The consulting landscape architect or qualified landscape professional shall certify in writing that the final Landscaping plans are in conformance with the following requirements:
- a. A note shall be added to the plan set that if the relocation of the existing Torrey pine tree within the subject site is not successful, a replacement tree shall be planted in a suitable location within the project area.
 - b. A note shall be added to the plans that no eucalyptus trees may be planted on the project site outside of the boundaries of the Historic Grove as depicted in **Exhibit 3**.
 - c. 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.
 - d. All cut and fill slopes shall be stabilized with planting at the completion of final grading. Such planting shall be adequate to provide 90 percent coverage within two (2) years, and this requirement shall apply to all disturbed soils.
 - e. 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.
 - f. The use of rodenticides containing any anticoagulant compounds is prohibited, and the use of fertilizer shall be minimized to the greatest extent feasible.
 - g. 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. Final Lighting Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the permittee shall submit, for the review and written approval of the Executive Director, a full size plan set for all night lighting impacts associated with the proposed development are in substantial conformance with the plans prepared by HLB Lighting dated 5/6/20 and received by our office on 5/15/20. The Final Lighting Plan shall at a minimum include the following:

- a. All night lighting shall be minimized, directed downward, and shielded using the best available dark skies technology and design that minimizes light spill, sky glow, and glare impacts. The only outdoor night lighting allowed on the subject site is limited to the following:
 - i. The minimum necessary to light walkways used for entry and exit to the structures. This lighting shall be limited to fixtures that do not exceed three feet in height above finished grade, are shielded and directed downward.
 - ii. Lighting fixtures will not exceed a correlated color temperature of 3,000 Kelvins (K) color.
 - iii. Security lighting attached to the structures shall use a control device or automatic switch system or equivalent functions to minimize lighting.
 - iv. The control system shall include controls that automatically extinguish all outdoor lighting when sufficient daylight is available.
 - v. No non-security or aesthetic lighting is allowed within the project area.

4. Timing of Construction and Bird Nesting Surveys. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit, in a form and content acceptable to the Executive Director, a plan for a Breeding/Nesting Bird Survey to be conducted by a qualified biologist prior to construction of the proposed improvements. **PRIOR TO ANY CONSTRUCTION ACTIVITIES** during passerine or raptor nesting or breeding season of any year (January 31st – September 1st), a qualified biologist shall conduct a site survey for active nests seventy-two hours prior to any scheduled development. If an active nest is located, then a qualified biologist shall monitor the nest daily until project activities are no longer occurring within 300 feet of a passerine nest or within 500 feet of active California gnatcatcher or raptor nests until the young have fledged and are independent of the adults or the nest is otherwise abandoned.

By acceptance of this permit, the applicant agrees to avoid, to the maximum extent feasible, construction activities that generate noise greater than 60 dB(A) during bird nesting season at the project edge, from February 15th through September 15th. If project construction is necessary during the bird nesting season, a qualified biologist with experience in conducting bird nesting surveys shall conduct a minimum of one survey within 72 hours of initiating construction activities. Monthly surveys for nesting birds shall also be conducted during any tree removal, excavation or major construction work occurring within the nesting season. If during preconstruction or monthly surveys, active California gnatcatcher or raptor nests are identified within 500 feet of the project site, or active nests of any passerine species are identified within 300 feet, noise monitoring indicates that noise levels remain below a 60 dB(A) equivalent continuous noise level at the location of the nest.

If this level is exceeded, feasible noise attenuation measures shall be implemented to reduce noise levels at active nests to at or below 60 dB(A) (except as necessary for emergencies with written approval by the Executive Director of the Commission after consultation with the California Department of Fish and Wildlife and U.S. Fish and Wildlife). The monitoring biologist shall halt construction activities if he or she determines that the construction activities may be disturbing or disrupting the nesting activities. The monitoring biologist shall make practicably recommendations to reduce the noise or disturbance in the vicinity of the active nests or birds. This may include recommendations such as (1) turning off vehicle engines and other equipment whenever possible to reduce noise, (2) installation of temporary sound barriers or sound blankets, and (3) utilizing alternative construction methods and technologies to reduce the noise of construction machinery. The monitoring biologist shall review and verify compliance with these avoidance boundaries and shall verify that the nesting effort has finished in a written report. Unrestricted construction activities may resume when the biologist confirms no active nests are found. Bird nesting surveys shall be provided to the Executive Director of the Commission and to the California Department of Fish and Wildlife and U.S. Fish and Wildlife offices within 72 hours of locating any nests.

- 5. 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 post development 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 Post Development 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.

- 6. 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 all bioretention basins have been appropriately sized to treat the volume of runoff produced by the 85th percentile 24-hour storm event, and that the BioClean manufactured treatment device shall be appropriately sized to treat at least 2 times the flow of runoff produced by the 85th percentile 1-hour storm event (or by a storm event of at least 0.2 inches/hour intensity, whichever is greater).
- vii. A description and schedule for the ongoing management of all post development 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.

7. **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, sandbag 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.

8. **Water Quality. Prior to Issuance of the Coastal Development Permit,** the applicant shall submit, for the approval of the Executive Director, revised calculations documenting that all bioretention basins shall be appropriately sized to treat the volume of runoff produced by the 85th percentile 24-hour storm event, and that the BioClean manufactured treatment device shall be appropriately sized to treat at least 2 times the flow of runoff produced by the 85th percentile 1-hour storm event (or by a storm event of at least 0.2 inches/hour intensity, whichever is greater).
9. **Disposal of Graded Materials.** 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 proposed project would expand Ridge Walk, an existing north-south path within the West Campus area of the University of California San Diego (UCSD) campus. The existing north-south path is approximately one mile long in its entirety, but the proposed expansion of area encompasses a 6.76-acre area along the walk between Muir Lane and Main Gym, which includes several smaller east-west pathways connected to the main north-south route, existing grass lawns and ornamental landscaping, and a portion of an existing university parking lot used for the Faculty Club and other permit parking ([Exhibit #1](#)). The proposed project includes several components, with the main improvement being the construction of two distinct pathways to replace the current existing single path. New paths for exclusive pedestrian use will be constructed, with the main north-south corridor proposed to be 20 feet wide and additionally function as a fire lane, as well as several approx. 8-12 feet wide east-west running paths. A second two-way path, approximately 10 feet wide, is also proposed for non-vehicular transportation (e.g. bicyclists, scooter riders, skateboarders), with an 8-foot landscaped median to separate it from the pedestrian-only path ([Exhibit #2](#)). Various safety and accessibility improvements are included in the project, including hardscaping improvements to ensure conformance with ADA standards, and lighting improvements. Existing landscaping will be modified/removed to provide for the planting of more native and drought-tolerant species, and water quality improvements will reduce the runoff from the site compared to the existing condition.

A 143-space parking lot (Lot P206) is located in the northeastern portion of the site adjacent to the Faculty Club Building. As proposed, 82 parking spaces will be removed from the lot in order to add to the contiguous open space of the area thereby improving safety for pedestrians and micro-mobility lane users. Various types of seating are proposed as well as decking and gathering areas near building entrances. Approximately 6,900 cubic yards of graded material is expected to result from project construction. **Special Condition #9** requires that all exported materials be deposited at a legal site outside of the coastal zone. Improvements proposed by the project are intended to improve circulation, safety, and access while increasing passive open space and activated areas (with various benches and seating arrangements) in front of buildings surrounding the project site.

A Long Range Development Plan (LRDP) was created for UCSD but never certified 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.

Removal of parking spaces is a concern where insufficient parking to serve the use results in a spillover effect impacting parking that might otherwise be used by the general public for coastal access parking. New development must ensure that adequate

parking is provided on-campus to avoid spillover effects into public parking areas, as the occupation of public parking can interfere with public access by decreasing the available public parking supply. Implementation of the project and removal of the parking spaces is expected to occur during the final phase of the subject project when nearby parking associated with the North Torrey Pines Living and Learning Project is anticipated to have been completed (September 2020). UCSD has indicated that it has sufficient parking to compensate for the permanent loss of 82 parking spaces. As of Fall 2019, UCSD's existing campus parking operates at 85% occupancy rate of its 17,008 spaces on campus, and the permanent loss of the 82 spaces would constitute 0.5% of UCSD's parking reservoir. To highlight the minimal effects of a loss of 82 spaces, UCSD also noted that the total number of parking spaces planned for the campus in 2021/22 is anticipated at 21,160 spaces, an approximate 24% increase in the existing parking supply.

In addition, UCSD has cited two Light Rail Trolley Stations that will open in late 2021, one of which will be linked to the subject site through UCSD's on-campus path system. Specifically, improvements to Library Walk, located less than $\frac{1}{4}$ of a mile from the site and that connects with Ridge Walk, will provide a continuous path of travel from the anticipated Pepper Canyon West station along Rupertus Lane to the north. Over 4,000 riders per day are expected to arrive to campus from the light rail, based on initial SANDAG projections. This constitutes a 10% increase in alternative transportation use, when 60% of campus constituents presently reach the campus by means other than a single-occupant vehicle. The project itself is intended to improve non-automobile circulation, and the site is over a mile from the nearest beach trailhead at Black's Beach, such that it is unlikely that the proposed reduction in spaces would result in spillover impacts to beach users.

As part of the proposed project, existing planting will be removed and replaced with an emphasis on native and drought-tolerant species. Approximately 94 trees will be removed, the great majority of which are either invasive (such as 77 eucalyptus) or non-native. Approximately 201 trees would be planted in their place, including natives such as western redbud, coast live oak, and California sycamore. Drought-tolerant native shrubs will also be added, including flannel bush, California gray rush, myrtle, and California coffeeberry. One large, mature Torrey pine tree that is proposed to be relocated within the project site. Considered a special status native species, UCSD is proposing to attempt to relocate the existing tree; however, in the event the tree dies due to an unsuccessful replanting, it will be replaced. Furthermore, the proposed planting plans includes the addition of 28 new Torrey pine trees, which ensures a large net gain in this significant species whether the relocation is successful or not. To ensure that the proposed project will not result in the permanent loss of any Torrey pine trees, **Special Condition #2** requires the submittal of landscaping plans with an acknowledgment that should the relocation of the existing Torrey pine tree be considered unsuccessful, UCSD is required to plant a replacement Torrey pine in a suitable location within the project area.

In addition to these natives, 51 eucalyptus trees are also proposed to be planted. While eucalyptus trees are considered invasive by the California Invasive Plant Council

among other organizations and would not normally be permitted on a landscaping plan, the eucalyptus in question would be located within UCSD's Historic Grove, a historic landscape eligible for listing on the state and/or national historic register ([Exhibit 3](#)). The Historic Grove is a protected designation of the Open Space Preserve land use identified in the 2018 LRDP and are a protected historic/cultural resource under the California Environmental Quality Act (CEQA). Accordingly, any eucalyptus trees removed within the Historic Grove are required to be replaced in kind with eucalyptus to avoid potential impacts to the historic resource as well as to maintain its designated land use. No eucalyptus trees are proposed to be planted outside of the Historic Grove on the project site. To ensure planting plans meet staff's recommendations concerning the use of the plant palette described above, **Special Condition #2** requires submittal of landscape plans indicating that, with the exception of the Historic Grove to be discussed, all new planting will be drought tolerant landscaping, and prohibits the planting of invasive species and the use of rodenticides.

The project will increase the amount of impervious area on site by about 0.18 acres due to a reduction in existing landscaped area; however, the installation of bioretention areas located throughout the site will reduce runoff from the site by approximately 7% compared to existing conditions. In addition to the construction BMP's and permanent bioretention basins, a below-grade trash capture device will be installed to protect water quality. **Special Conditions #5, 6, and 7** list the measures and water quality best management practices to be incorporated into construction and the final design of the development and its future maintenance. Commission staff will conduct site visits where appropriate to sure that all bioretention basins are sized according to the requirements of the conditions.

Due to the proposed tree removal, **Special Condition #4** requires site surveys for active nests seventy-two hours prior to any construction activities during the bird nesting season (January 31st-September 1st), as well as requiring the applicant to avoid, to the maximum extent feasible, construction activities that generate noise greater than 60 dB(A) at the location of any nests during bird nesting season.

The proposed improvements will prompt the replacement/addition of nighttime lighting, which could have the potential to cause indirect impacts on less development adjacent areas. Adverse impacts from artificial night light can take several forms including light trespass or spill, sky glow, and glare. In the case of the subject project, a photometric assessment was performed to analyze the proposed lighting on the project site and provide design criteria for fixture location, color temperature, and wattage. As a result, lighting has been proposed that is the minimum required for illumination on a campus walkway that meets UCSD's requirements for facial recognition standards. All lighting will be shielded and directed downwards and no non-security lighting or aesthetic lighting is included. Lighting will not exceed 3000K color temperature, which is typically the highest color temperature recommended by Commission staff. Lighting with lower color temperatures has less blue in its spectrum and is referred to as being "warm." As such, environmental studies, dark sky advocates, and the American Medical Association recommend a correlated color temperature (CCT) of 3,000 Kelvins (K) or less, a range that contains less blue light. **Special Condition #3** requires the submittal

of a final lighting plan that memorializes elements of project lighting as described above, including the use of lighting fixtures not to exceed 3000K, a minimum amount of light for walkways, a control system for security lighting and general outdoor lighting, and a restriction on non-security and aesthetic lighting around and within the site.

According to the Archaeological Resources Report for the 2018 LRDP for the La Jolla UCSD Campus, the project site does not contain any known cultural resources and is not considered to be in the vicinity of cultural resources. However, as a voluntary measure, UCSD will require that qualified Native American and archaeological monitors be present during the first 3 feet of ground disturbance.

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 sensitive habitat, and, as conditioned, will not result in erosion or adverse impacts to water quality, as adequate drainage controls will be provided. 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 and, as conditioned, 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

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.

E. Local Coastal Planning

The City of San Diego has 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 the local government to prepare a Local Coastal Program 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 (as a Class 1 Existing Facility) on April 23, 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 landscaping, lighting, biological and water quality will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

APPENDIX A – SUBSTANTIVE FILE DOCUMENTS

- University of California San Diego 2018 Long Range Development Plan: La Jolla Campus Final Environmental Impact Report SCH No. 2016111019. November 2018.
- General Construction Activity Stormwater Pollution Prevent Plan (SWPPP) for UCSD Ridge Walk Improvements – Prepared by Nasland Engineering (February 3, 2019)
- Drainage Report for UCSD Ridge Walk Improvements Muir-Revelle – Prepared by Nasland Engineering