

CALIFORNIA COASTAL COMMISSION

SAN DIEGO DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
PH (619) 767-2370 FAX (619) 767-2384
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Prepared November 10, 2021 (for the November 19, 2021 Hearing)

To: Commissioners and Interested Parties
From: Karl Schwing, San Diego Coast District Deputy Director
Subject: **San Diego Coast District Deputy Director's Report for November 2021**

The following coastal development permit (CDP) waivers, immaterial CDP amendments, CDP extensions, and emergency CDPs for the San Diego Coast District Office are being reported to the Commission on November 19, 2021. Pursuant to the Commission's procedures, each item has been appropriately noticed as required, and each item is also available for review at the Commission's San Diego Coast District Office in San Diego. Staff is asking for the Commission's concurrence on the items in the San Diego Coast District Deputy Director's report, and will report any objections received and any other relevant information on these items to the Commission when it considers the report on November 13th.

As a result of the COVID-19 emergency and the Governor's Executive Orders [N-29-20](#) and [N-33-20](#), this Coastal Commission meeting will occur virtually through video and teleconference. Please see the **Coastal Commission's Virtual Hearing Procedures** posted on the Coastal Commission's webpage at www.coastal.ca.gov for details on the procedures of this hearing. If you would like to receive a paper copy of the Coastal Commission's Virtual Hearing Procedures, please call 415-904-5202.

With respect to the November 19th hearing, interested persons may sign up to address the Commission on items contained in this report prior to the Commission's consideration of this report. The Commission can overturn staff's noticed determinations for some categories of items subject to certain criteria in each case (see individual notices for specific requirements).

Items being reported on November 19, 2021 (see attached)

Waivers

- 6-21-0452-W, UCSD Scripps Seawater Tank Replacement (San Diego)
- 6-21-0594-W, NRG Outfall Perimeter Fencing Replacement (Carlsbad)

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November 5, 2021

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-21-0452-W

Applicant: University of California, San Diego

Location: East of La Jolla Shores Lane at La Jolla Shores Drive, Scripps Institute of Oceanography, UCSD, La Jolla, San Diego, San Diego County (APN: 344-090-07)

Proposed Development: Replacement of an existing 14,000-gallon concrete tank with two polyethylene 13,200-gallon tanks to support the seawater circulation system on the Scripps campus; hardscape improvements to include a new concrete pad and a short retaining wall enclosed by a 6-foot tall chain link fence; minor grading/excavation for installation of a new 6-inch storm drainpipe to drain into an existing concrete drainage swale.

Rationale: While the existing seawater tank will be replaced with two tanks to almost double the capacity, there will be no increase in the quantity of seawater pumped from the ocean due to modern efficiencies of the proposed equipment and the maintaining of adequate head pressure and gravity flow that the current tank does not support. The tanks would be tucked into the hillside and would not impact any scenic views or sensitive habitat. The project would require the removal of one non-native Eucalyptus tree, and prior to its removal, a pre-construction survey for bird nests will be performed by a qualified biologist. The Eucalyptus will be replaced with a native drought-tolerant tree off-site. Excavated material will be disposed of outside of the Coastal Zone. The project is consistent with all applicable Chapter 3 policies of the Coastal Act, and no adverse impacts to coastal resources are anticipated.

This waiver will not become effective until reported to the Commission at its November 2021 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending

Coastal Development Permit Waiver
6-21-0452-W

Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Stephanie Leach
Coastal Program Analyst

cc: Commissioners/File

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Waiver: 6-21-0594-W

Applicant: Cabrillo Power I, LLC / Poseidon Resources Channelside LP

Location: Southern outfall jetties across from 4600 Carlsbad Blvd, Carlsbad, San Diego County

Proposed Development: Removal and in-kind replacement of approximately 616 ft. of 6 ft. tall chain link fencing topped with 1 to 1.5 ft. barbed wire surrounding the Cabrillo/Poseidon outfall.

Rationale: The existing fencing is in disrepair and needs to be replaced in order to maintain public safety. The project will demolish and replace segments of the fence by moving approximately 260 sq. ft. of sand from the existing fencepost footings, digging and installing new fenceposts by hand, and installing new fencing and barbed top wire with the same dimensions as the existing fencing and barbed wire. All work will be located above the highest high-water line on the riprap jetties and beach. The work will observe best management practices (BMPs) that have been reviewed by Commission water quality staff and have incorporated staff's recommendations to protect the marine environment, including spill prevention, rainfall protocols, and avoidance of plastic erosion control products. Work will occur during the day outside of the peak public usage of the beach. Public access to the sidewalk and the beach area will be maintained. Therefore, the project will not have significant impacts on public access, views of the ocean, or coastal resources and is in conformance with the Coastal Act.

This waiver will not become effective until reported to the Commission at its November 2021 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less

Coastal Development Permit Waiver
6-21-0594-W

than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Sincerely,

John Ainsworth
Executive Director

Original on File signed by:

Carrie Boyle
Coastal Program Analyst

cc: Commissioners/File