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STAFF REPORT: REGULAR CALENDAR

Application No.:	**6-22-1034**
Applicant:	**University of California, San Diego**
Agent:	Robert Clossin
Location:	Southwest of Voigt Drive and Hopkins Lane; Northeast of Muir College Drive and Scholars Drive North, San Diego, San Diego County. (APN: 342-010-24)
Project Description:	Demolition of multiple existing structures totaling 131,741 sq. ft. Construction of an approximately 926,487 sq. ft. mixed-use campus neighborhood, including 757,526 sq. ft. of housing and dining, approx. 124,700 sq. ft. of academic and student support and approx. 44,261 sq. ft. of community support, consisting of 4 buildings 6 to 18 stories in height; new pathways, stormwater infrastructure, and landscaping on a 20.9-acre site.
Staff Recommendation:	Approval with conditions.

SUMMARY OF STAFF RECOMMENDATION

The University of California, San Diego (UCSD) is proposing to build a new student housing project comprised of three residential buildings and one academic building, known as the Ridge Walk North Living and Learning Neighborhood, on the UCSD West Campus. This “smart growth” infill development project encompasses approximately

20.9 acres of existing low-density student housing and academic buildings. Multiple existing structures, including the existing 250-bed housing complex, would be demolished to make way for the new approximately 2,455-bed, mixed-use campus neighborhood consisting of four buildings of varying heights (6-18 stories).

The proposed project would be located on the West Campus, which is situated between Genesee Avenue to the north, La Jolla Village Drive to the south, North Torrey Pines Road to the west, and I-5 to the east. The project is also located directly west of a portion of the campus Historic Grove of eucalyptus trees, which is eligible for the National Register of Historic Places and California Register of Historical Resources, and is also considered a historic vernacular landscape.

While the project will have temporary impacts to pedestrian access throughout this portion of the campus during construction, there is no direct coastal access on this site that would be impacted because the site is a half-mile from the shoreline. Likewise, there will be a net loss of 96 parking spaces in the project area, but these spaces do not provide parking that is used to access the public beach. Much of the new housing in the project is meant to accommodate existing campus population and is thus not growth inducing and further accomplishes the University's goals of providing more on-campus housing. The addition of 2,500 beds to the project area will offset the loss of parking by allowing more students to live on-campus without the need for a personal vehicle. Between the opening of the Blue Line Trolley Route in 2021, the incorporation of remote work schedules, some excess parking supply in this area, and other alternative modes of transportation available to, from, and within the campus, no impacts to coastal access are anticipated as result of the project. **Special Condition #1** requires submittal of final plans for the project in order to memorialize the project to be constructed is in substantial conformance with the project reviewed by staff.

A monarch butterfly (*Danaus plexippus*) overwintering site is identified in eucalyptus trees within the Historic Grove to the south of the project site and is considered ESHA by the Commission's ecologist. While the overwintering site is located more than 300 feet outside of the project area, there will be construction within the Historic Grove, including demolition of the existing Director's House and restoration of the area, which ultimately connects to the overwintering site. Therefore, **Special Condition #9** requires monarch butterfly surveys and monitoring during the overwintering period to avoid impacts on butterflies from vegetation removal or construction in the Historic Grove. Additionally, at the request of Commission staff, UCSD has also proposed to plant milkweed and nectar plants within 1,000 feet of the project site for monarchs that visit the Historic Grove area. **Special Condition #2** requires the applicant to submit a landscaping planting plan for nectar and milkweed species, including the location of the plantings, species types, and quantities of milkweed and nectar plants to be planted. **Special Condition #2** also requires that no pesticide should be used near the plantings or the overwintering sites.

Southern maritime chaparral, dominated by Nuttall's scrub oak, is located offsite east of the project site on the eastern side of Hopkins Drive, and is also considered ESHA by the Commission's ecologist. The project boundary lies immediately adjacent to, but

outside of, this ESHA occurrence. The area of the project site that lies adjacent to the ESHA boundary is the existing, paved road of Hopkins Drive. While some utility work would occur within this right-of-way and within the 100-foot buffer, the Commission's ecologist has confirmed the work within the ESHA buffer is acceptable given no changes to the configuration of Hopkins Drive are proposed and redevelopment of the project site would not result in impacts to ESHA or a change in the existing ongoing uses in the ESHA buffer, and the new development will not encroach any closer to the ESHA.

As part of its project analysis, UCSD conducted a biological resources report, and found that no federally or state listed animal species has the potential to occur on-site. However, because suitable nesting locations occur in mature trees on-site as well as within 500 feet of the project site, **Special Condition #4** requires monitoring for raptor and songbird nests prior to and during construction so as to take necessary precautions concerning noise level and habitat protection. Because the introduction of four new structures up to eighteen stories in height increases the risk of bird strikes and resulting impacts to avian populations, **Special Condition #5** requires the project to conform to bird strike prevention measures as part of the final design. To further protect birds and other wildlife, **Special Condition #2** prohibits the use of rodenticides, which can have adverse impacts on other creatures that may mistakenly consume the poison or, in the case of predators, consume the poisoned rodents, in turn becoming poisoned.

In terms of tree removal, an estimated 63 eucalyptus trees within the Historic Grove would be removed, as well as 16 Torrey Pines. These trees will be replaced at a 2:1 ratio on-site. Between 136 and 180 additional ornamental trees will be removed and UCSD proposes to plant 146 new ornamental trees. All landscape improvements would primarily use native and/or drought-tolerant species and would be supplemented by suitable climate adaptive, non-invasive, ornamental species. **Special Condition #2** requires UCSD to submit a revised final landscaping plan that ensures no invasive species will be planted on site and that all irrigation systems will limit water use to the maximum extent feasible.

While the UCSD campus already houses a substantial student population in existing development, contributing to the existing ambient light, it is important that any lighting incorporated into the project be the lowest color temperature necessary to provide sufficient visibility, be shielded, and aimed toward the ground so as to reduce light encroachment on adjacent sensitive areas. **Special Condition #3** requires the submittal of a final lighting plan that minimizes the use of outdoor lighting beyond security and safety needs and limits the potential for ambient lighting to spill outside the project site or contribute to local glare and sky glow. Lighting will be limited to a maximum of 3,000 K and shielded and directed downward.

No impacts to archaeological resources are anticipated based on the results of the records search, and due to prior development of the project site. However, there is low to moderate possibility of encountering cultural resources within the project area given the overall sensitivity of the La Jolla area. UCSD consulted with the Kumeyaay Cultural Repatriation Committee (KCRC), an organization created in 1997 whose purpose is to

help San Diego area Kumeyaay bands repatriate their ancestors' human remains and tribal artifacts. Following consultation with KCRC, including a site visit, UCSD has agreed to incorporate several additional mitigation measures into a cultural monitoring program at the request of the KCRC, including having a Cultural Resource Manager on-site to act as a liaison for contractor/sub-contractors, monitors, and campus staff, requiring a monitor for all ground movement and all crews, and having a detailed protocol in place in the event unanticipated discoveries are found or repatriation is needed. Additionally, the staging area will be capped prior to ground disturbance in order to avoid potential disturbance of cultural resources. As a result of the site visit, UCSD is developing a cultural resource construction monitoring program subject to the approval of the KCRC. **Special Condition #11** requires submittal of this final monitoring program, including documentation of KCRC approval, prior to issuance of the CDP.

In terms of water quality, the proposed project will have no negative impacts on downstream drainage conditions, as existing drainage patterns and outfall conditions will be maintained. Due to the inclusion of biofiltration basins into the project design, the proposed peak runoff will be lower than existing conditions. In order to ensure that the proposed development implements all required and recommended water quality measures, **Special Conditions #6-8** list the measures and best management practices to be incorporated into the final design of the development and its future maintenance, including that the project must be designed to accommodate runoff from the 85th percentile, 24-hour storm event. The final landscape plan required by **Special Condition #2** requires native, drought-resistant plants to be used in conjunction with low-flow and recycled water systems where feasible to limit the amount of runoff flowing off site. The proposed project has also been designed to minimize the amount of imported material required during grading. Because the construction of the development will require extensive grading and export, **Special Conditions #6-8** lists the required temporary control measures to be implemented to prevent off-site water quality impacts from construction activity, while **Special Condition #10** requires that all exported materials be deposited at a legal site outside of the coastal zone.

The four proposed buildings will range in height from 6 floors to 18 floors (82 – 212 feet high) and be located approximately 900 feet east of North Torrey Pines Road. While North Torrey Pines Road is considered a north-south coastal access road, the project site is not located on the ocean-facing side of the road and is instead nestled within the overall campus facilities. No coastal views from North Torrey Pines Road or from the project site itself will be impacted. To aid in incorporating the proposed development into the existing setting, the buildings would be clad in a curtain wall, with glazing taking no more than 35 percent of the surface, and color schemes chosen to match the surroundings. **Special Condition #1** requires that UCSD adhere to the approved architectural plans for the sizeable development so that it adheres to the existing development pattern on campus.

Commission staff recommends that the Commission **APPROVE** coastal development permit application 6-22-1034, as conditioned. The motion is on page 6. The standard of review is Chapter 3 of the Coastal Act.

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EXHIBITS

I. MOTION AND RESOLUTION

Motion:

I move that the Commission approve Coastal Development Permit 6-22-1034 pursuant to the staff recommendation.

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. **Revised 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 titled "Ridge Walk North Living and Learning Neighborhood" dated September 26, 2022 and received by the San Diego Coast District office on December 12, 2022 except that:

    a. Building D shall be removed from all plan sheets and any necessary recalculations of square footage or areas on these plans shall be updated.
    b. Solis Hall shall be removed from any demolition plans and depicted as a structure to remain on the resulting plan set.

    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 received by the San Diego Coast District office on December 12, 2022 and March 1, 2023, except that:

    a. Asparagus fern (*Asparagus aethiopicus*) shall be removed from the final planting plan and may be replaced with a non-invasive (preferably native) species.

    b. A planting plan depicting the location, species type, and quantities of milkweed and nectar plants shall be submitted.

    c. The consulting landscape architect or qualified landscape professional shall certify in writing that the final landscape plans are in conformance with the following requirements.

        i. 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.

ii. 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.

iii. 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.

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

v. No pesticide use shall be permitted within the nectar and milkweed planting areas or monarch overwintering sites.

vi. 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 that are in substantial conformance with the plans prepared by Michael Wall Engineering, dated September 26, 2022, and received by our office on December 12, 2022. The Final Lighting Plan shall at a minimum include the following:
   a. All allowed 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 light to provide pedestrian safety light on walkways used for entry and exit to the structures, including parking areas on the site. This lighting shall be limited to fixtures that are shielded and directed downward, and are not incident on any reflective surfaces in order to eliminate sky glow.
ii. Lighting fixtures shall not exceed a correlated color temperature of 3,000 Kelvins (K) color across the site.
iii. Security lighting attached to the structures shall use a control device or automatic switch system or equivalent functions to minimize lighting.
iv. The minimum necessary to light communal gathering spaces shall be shielded, directed downward, and are not incident on any reflective surfaces so as to eliminate sky glow.
v. The control system shall include controls that automatically extinguish all outdoor lighting when sufficient daylight is available.
vi. No non-security or aesthetic lighting is allowed within the project area.

b. 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.

4. Nesting Bird Monitoring and Avoidance Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval, a Nesting Bird Monitoring and Avoidance Plan that shall include but not be limited to the following provisions:

If project activities must occur during bird nesting season (February 1 through August 31), a qualified biologist, with experience conducting bird surveys, shall survey for active nests within seven days prior to commencement of project activities, and once a week thereafter during construction, to detect any such activity within 500 feet of the project area. If an active songbird nest is located within 300 feet of construction activities (500 feet for raptors), the qualified biologist shall halt construction activities to enable the applicant to employ best management practices (BMPs) to ensure that construction activities do not disturb or disrupt nesting activities. Noise levels at active nest sites shall not exceed 65 dB unless a noise study has determined that ambient noise in the immediate area exceeds that level. If this is the case, noise levels at the nest site shall not exceed the ambient noise level measured. Noise reducing BMPs may include using alternative equipment, equipment noise buffering, sound blankets, etc. Alternatively, construction activities and schedules may be adjusted to avoid active nest areas until the respective young birds have fledged. Unrestricted construction activities may resume when no active nests remain in the construction area. Results of nesting bird surveys, ambient noise surveys, and any follow-up construction avoidance measures shall be documented in monthly reports by the

qualified biologist and submitted to the Executive Director throughout the bird breeding season.

5. **Bird-Safe Building Standards. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval, project plans for the proposed development that are in compliance with bird-safe building standards for façade treatments, landscaping, lighting, and building interiors, as follows:
   a. The amount of untreated glass shall be less than 35% of the building façade.
   b. Acceptable glazing treatments include: fritting, netting, permanent stencils, frosted, non-reflective or angled glass, exterior screens, decorative latticework or grills, physical grids placed on the exterior of glazing, ultraviolet patterns visible to birds or similar treatments, as approved by the Executive Director.
      i. Where applicable, vertical elements within the treatment pattern should be at least 1/4” wide, at a maximum spacing of 4 inches;
      ii. Where applicable, horizontal elements within the treatment pattern should be at least 1/8” wide, at a maximum spacing of 2 inches; and
      iii. No glazing shall have a “Reflectivity Out” coefficient exceeding thirty percent 30%. That is, the fraction of radiant energy that is reflected from glass or glazed surfaces shall not exceed 30%.
      iv. Equivalent treatments recommended by a qualified biologist may be used if approved by the Executive Director.
   c. Building edges of exterior courtyards and recessed areas shall be clearly defined, using opaque materials and non-reflective glass.
   d. Trees and other vegetation shall be sited so as to avoid or obscure reflection on building facades.
   e. Buildings shall be designed to minimize light spillage subject to the following standards:
      i. Nighttime lighting shall be minimized to levels necessary to provide pedestrian security.
      ii. Building lighting shall be shielded and directed downward.
      iii. Up-lighting and use of event “searchlights” or spotlights is prohibited.
      iv. Landscape lighting shall be limited to low-intensity and low-wattage lights.
      v. Red lights shall be limited to only that necessary for security and safety warning purposes.
   f. Artificial night light from interior lighting shall be minimized through the utilization of automated on/off systems and motion detectors.

g. Avoid the use of “bird traps” such as glass courtyards, interior atriums, windows installed opposite each other, clear glass walls, skywalks, and transparent building corners.

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.

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. **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.

c. **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.

d. **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.

e. **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.

f. **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.

g. **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.

h. **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 complaints and take remedial action, if necessary, within 24 hours of receipt of the complaint or inquiry.

i. **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. 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,” flow-through 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 semi-permeable 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.

8. 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, that demonstrates 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 and/or replaced impervious and semi-pervious surfaces shall be addressed in the plan. For sites where the area of new and/or replaced impervious and semi-pervious 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 85^{th} percentile 24-hour storm event for volume-based BMPs, or two times the 85^{th} 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, a) landscaped areas or open spaces capable of infiltration; b) earthen-based infiltration BMPs (such as an infiltration basin); c) flow-through biofiltration BMPs (such as a vegetated swale); d), manufactured infiltration BMPs (such as a permeable pavement system); and if infiltration is not feasible, e) proprietary filtration systems (such as an inlet filter).

g. **Conduct an Alternatives Analysis.** If the proposed development will not retain on-site the runoff produced by the 85th percentile 24-hour design storm (see subdivision (d) of this Special Condition) using an LID approach, an alternatives analysis shall be conducted. The alternatives analysis shall demonstrate that:
   i. There are no appropriate and feasible alternative project designs (such as a reduced project footprint) that would retain on-site the runoff produced by the 85th percentile 24-hour design storm, giving precedence to an LID approach.
   ii. On-site runoff retention is maximized to the extent appropriate and feasible, giving precedence to an LID approach.
   iii. If (i) and (ii) are demonstrated, some or all of the runoff produced by the 85th percentile 24-hour design storm may be retained off-site, only if it is demonstrated that off-site options will contribute to meeting the development's runoff retention and treatment requirements.

h. **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.

i. **Implement a Runoff Control BMP.** A Runoff Control BMP (e.g., a structure such as a basin, pond, topographic depression, or stormwater vault) is a structural system designed to minimize post-development changes in runoff flow characteristics. If the project will add a net total of more than 15,000 square feet of impervious surface area, a Runoff Control BMP shall be implemented, sized for the appropriate design storm (as specified by subdivision i(i) or i(ii) of this Special Condition), to capture and retain a portion of the anticipated increase in runoff volume after a site is developed. The project shall comply with the following applicability and performance standards for Runoff Control BMPs:
   i. Implement a Runoff Control BMP that uses Flow Retention techniques, sized to capture and retain any portion of the runoff volume produced by the 85th percentile 24-hour design storm (see subdivision (c) of this Special Condition) that will not be retained on-site using an LID approach. Flow Retention techniques shall optimize infiltration, and shall use stormwater storage, harvesting for later on-site use, or evapotranspiration to address any of the required runoff flow retention volume that cannot be infiltrated.
   ii. In addition to using Flow Retention techniques, if the development will add a net total of more than 22,500 square feet of impervious surface area, a Runoff Control BMP that uses Peak Management techniques shall also be implemented. The BMP shall be sized to prevent post-development runoff peak flows discharged from the site from exceeding pre-project peak flows for the 2-year through 10-year storm events.

j. **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.

k. **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, as required by 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 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.

9. Monarch Butterfly Surveys. For any project activities in the Historic Grove, including vegetation removal, between October 1st and March 15th, the permittee shall retain the services of a qualified biologist with monarch butterfly monitoring experience to conduct biological surveys in order to determine the presence of Monarch butterflies (*Danaus plexippus*). At least 30 calendar days prior to commencement of any project operations, the permittee shall submit the name and qualifications of the biologist for the review and approval of the Executive Director. The permittee shall ensure that the biologist shall conduct the surveys 30 calendar days prior to project activities, including any vegetation removal, to detect any *Danaus plexippus* in all trees within and immediately adjacent to the project area. A follow-up survey must be conducted three calendar days prior to the initiation of vegetation clearance or construction, whichever is earlier, and surveys must continue on a monthly basis throughout the overwintering season or until the project is completed, whichever comes first. These surveys shall be submitted to the Executive Director within two days of completion. If *Danaus plexippus* is found within 100 feet of the project, the permittee's biologist shall monitor project

activities. The butterfly(ies) shall not be removed or disturbed. If recommended by the biologist, the permittee shall implement avoidance measures that may include but are not limited to stoppage of work until the individual(s) have left.

10. **Disposal of Graded Material.** 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.

11. **Cultural Resources Treatment and Monitoring Plan. PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the applicant shall submit for the review and approval of the Executive Director an archaeological/cultural resources monitoring plan with documented evidence of approval by the Kumeyaay Cultural Repatriation Committee (KCRC).

IV. FINDINGS AND DECLARATIONS

A. Project Description and Background

The University of California, San Diego (UCSD) proposes to build a new student housing project comprised of three residential buildings and one academic building, known as the Ridge Walk North Living and Learning Neighborhood, on the UCSD West Campus. This “smart growth” infill development project encompasses an approximately 20.9 acre area currently developed with low-density student housing, known as Thurgood Marshall College Lower Apartments, as well as academic buildings such as Sequoyah Hall, Thurgood Marshall College Administration Building, Economics Building, Fireside Lounge, Goody’s Place, Eucalyptus Point, Solis Hall and four one-story trailers. The existing 250-bed housing complex and other structures would be demolished to make way for the new approximately 2,455-bed, mixed-use campus neighborhood.

The proposed project would be located on the West Campus, which is situated between Genesee Avenue to the north, La Jolla Village Drive to the south, North Torrey Pines Road to the west, and I-5 to the east (Exhibit 1). The project site specifically is bound by Hopkins Drive to the east; Voigt Drive to the north; Scholars Drive to the west; and the Communication Building, Social Sciences Research Building, Cognitive Science Building, and the North Torrey Pines Living and Learning Neighborhood to the south. Approximately 700 feet of Ridge Walk, a major north-south pedestrian pathway through West Campus, is located within the project site.

The project is also located directly west of a portion of the campus Historic Grove. The Historic Grove is comprised of eucalyptus trees that were first planted in 1910. The grove is eligible for the National Register of Historic Places and California Register of Historical Resources, and is also considered a historic vernacular landscape. The National Park Service defines historic vernacular landscapes as those that have evolved over time through human use and intervention, generally cover large acreages, and have boundaries that blend into the surrounding environment.

The demolition plan west of Ridge Walk would include removal of Sequoyah Hall and the Thurgood Marshall College Administration building. An elevated pedestrian walkway that connects Sequoyah Hall with the Economics Building east of Ridge Walk would also be removed. The sites formerly occupied by Sequoyah Hall and the Administration building would not be developed as part of the project but restored as open space. Demolition east of Ridge Walk would include the removal of most existing structures within the project site between Hopkins Lane and Ridge Walk. These include the Economics Building, Fireside Lounge, Goody's Place, Eucalyptus Hall, and four one-story trailers (Buildings 101, 102, 103, and 103A). The Dean's Residence within the Historic Grove would also be demolished, and the entirety of the 111-space parking lot "P308" would be removed, along with all hardscaping and ornamental landscaping. All buildings associated with Thurgood Marshall College Lower Apartments would be removed, including six two-story walk-up apartment buildings. The existing apartment buildings were built in the 1970s and currently provide undergraduate student housing to approximately 250 students. Current development within the site predates the Coastal Act, with the exception of the Economics Building, Sequoyah Hall, and Thurgood Marshal Administration Building, which obtained CDPs in the 1970s (Ref. CDP Nos: 6-82-461, 6-83-527).

The project would construct four new buildings of varying heights, totaling 926,487 gross square feet (Exhibits 2 and 3). This includes 757,526 sq. ft. of housing and dining, approximately 124,700 sq. ft. of academic and student support, and approximately 44,261 sq. ft. of community support. The new Living and Learning Neighborhood will be connected to the rest of the campus through Ridge Walk, the central north-south path for pedestrians, bikes and scooters, which was recently approved for several improvements under CDP No. 6-20-0190. Existing landscaped areas will be fully removed and replaced with proposed landscaping. Other unimproved areas will be returned to existing conditions upon completion of the project.

Three of the new buildings (Buildings A, B, and C) would include student housing to support 2,455 new beds. Building A, located on the northern edge of the project site south of Voigt Drive and Hopkins Parking Structure, would be 334,670 sq. ft. The northwest corner of the building would be 18 stories (including a walk-up basement level) and approximately 212 feet tall, and the building will step down away from Voigt Drive to 14 stories and approximately 170 ft. tall. Building A would be primarily residential with 1,078 beds.

Building B would be located in the center of the project site, south of Building A, and house approximately 930 beds, with a maximum height of approximately 170 feet and a gross square footage of 288,151 sq. ft. Building B would also be L-shaped with a varied height, and would rise 16 stories (including a walk-up basement level) at its northwest corner closest to Building E, stepping down to 12 stories in the southern portion.

Building C would be approximately 118 feet tall, 10 stories, 230,203 sq. ft., and roughly L-shaped. It will be located on the southern half of the project site south of Building B and east of Ridge Walk. It would provide 436 beds, academic support space, student café/market, academic facilities, the glass blowing craft laboratory, and classrooms.

Building E would be the smallest of the proposed structures, with a height of approximately 82 feet and area of 73,463 sq. ft. It will be located east of Ridge Walk and south of Voigt Drive. This roughly rectangular structure would rise six stories at the northwestern corner of the development site and would contain academic spaces, including several classrooms and offices, as well as the Economics Department.

Solis Hall was originally proposed to be demolished as part of this project, and in its place Building D was planned to be constructed. The project has been updated since initial plans were submitted, and neither the demolition of Solis Hall nor the construction of Building D is proposed. The project would construct hardscape/landscape improvements in areas surrounding Solis Hall to provide a seamless connection to the existing development, but no interior or exterior renovations to Solis Hall are proposed as part of this submittal. The campus plans to undertake a separate interior renovation of Solis Hall in the future as part of a separate approval. **Special Condition #1** requires submittal of revised final plans that reflect these proposed changes.

The construction staging area would be located within Marshall Field and Parking Lot P302, west of Ridge Walk (Exhibit 4). Site access would be actively managed during the construction period, including the notifications and signage to be employed for detours and publicly inaccessible areas. The entire construction site, including staging areas, would be enclosed in temporary fencing. An approximately 3.7-acre staging area would be dedicated as a construction zone associated with the proposed project. Contactor trailers would be located in the construction staging area. Due to their use for staging, Marshall Field and Parking Lot P302 would not be publicly accessible during construction. They would be fully restored to their original conditions following completion of the project.

The project area currently contains 242 vehicular spaces, including 234 regular spaces and 8 ADA spaces. The project will remove 108 spaces and 3 ADA spaces, and construct 13 regular spaces and 2 ADA spaces. The total upon completion of the project will be 146 spaces, resulting in a net loss of 96 spaces.

In terms of tree removal, an estimated 63 eucalyptus trees within the Historic Grove must be removed, as well as 16 Torrey Pines, due to construction access, utility line work, and demolition activities. These trees will be replaced at a 2:1 ratio on-site. It is estimated an additional 136 ornamental trees of varying species would be removed, although potentially up to 180 trees would require removal. One hundred forty-six trees in total will be planted on the project site, which is at or near the maximum that the site could support horticulturally.

This project is intended to help address the region’s housing crisis and expand access to the “living/learning community” model to a greater proportion of students. Student housing is offered at a rate at least 20 percent lower than the off-campus market, and demand is consistently greater than availability. Undergraduate student enrollment has increased by over 5,000 students over the last five years in order to meet State goals of providing access to public education to more California residents. As a result, when the fall quarter began in 2022, UCSD was only able to provide housing to 39% of

undergraduate students, far short of the University's goal to house up to 65 percent of students on campus to provide a four-year housing guarantee. Additionally, the University is able to provide only two years of guaranteed housing. A similar project (the North Torrey Pines Living and Learning Neighborhood Project) is located southwest of the project site, and received a CDP in April 2018 (CDP #6-17-0929) as part of the University's ongoing commitment to meet housing goals for its student population.

A Long Range Development Plan (LRDP) was created for UCSD but never certified. The City of San Diego does have a certified LCP for most of its coastal zone; however, the UCSD campus segments in La Jolla are 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 with the City of San Diego certified LCP used as guidance.

B. Public Access and Recreation

Section 30210 of the Coastal Act states:

> In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30212 of the Coastal Act states:

> (a) Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.

Section 30252 states, in part:

> The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings…

Section 30253 of the Coastal Act state, in part

> New development shall do all of the following:

[…]

(d) Minimize energy consumption and vehicle miles traveled.

The project site is located approximately half a mile east of the shoreline and does not provide beach parking or a direct access to the coast; nevertheless, there is a small possibility that a reduction in parking or recreational resources could contribute to a spillover effect onto La Jolla Farms Rd or La Jolla Shores Drive that ultimately impacts public access to the coast.

Pedestrian & Recreational Areas

Existing recreational facilities to be removed includes one tennis court as well as temporary impacts to Marshall Field for construction and staging activities (Exhibit 4). Upon completion of the project, Marshall Field will be returned to its original condition, and a new flexible use green space will be provided on the location of the demolished Sequoyah Hall and Thurgood Marshall Administration Building (west of Ridge Walk). Informal recreational space will be provided in the project's planned green spaces, including Gavel Green, Quoteyard, Community Garden, Kumeyaay Garden, and Huddle areas. While one recreational facility (i.e. the tennis court) will be removed and access to Marshall Field will be temporarily closed due to staging operations, the impacts will be short-term as well as off-set by the inclusion of additional flexible green space and seating areas throughout the completed project area.

The project will ultimately provide for new communal areas and pathways (Exhibit 2). Three large open gathering areas would be located between the project buildings, providing seating and recreation for residents. These include two large courtyards and a green area called Solis Garden. The project does not propose constructing any new permanent pathways within the Historic Grove (although the 2018 LRDP encourages suitable bicycle and pedestrian pathways within its boundaries). Rather, it would provide a connection to an existing pedestrian pathway that travels through the Historic Grove that students use to access the Geisel Library and beyond.

Parking

When reviewing any coastal development with anticipated parking demand, it is important to determine whether the development has sufficient on-site parking to meet anticipated visitor and employee demand so as to contain parking impacts on-site and avoid having visitor or employee parking spill out into public right-of-ways, where the occupation of public parking can interfere with public access by decreasing the available public parking supply and deter visitation to the coast. North Torrey Pines Road, located approximately 900 feet east of the project area, is a local north-south access route to the coast, enabling residents and visitors to access attractions such as the Torrey Pines Gliderport, Blacks Beach, Scripps Coastal Reserve, and the beaches located off the Scripps Institution of Oceanography campus.

The project site has a total of 242 existing parking spaces throughout. The project would remove Parking Lot P308, which currently holds 111 parking spaces. Parking Lot P302

(115 spaces south of Marshall Field) and a portion of parking lot P309 (16 spaces along the eastern edge of Hopkins Drive) would be temporarily inaccessible during construction due to contractor parking and construction fencing, but would reopen upon completion of the project. Upon completion of construction, fifteen new spaces would be added throughout the development for a post-project total of 146 spaces.

While the project would reduce existing parking supply in the immediate vicinity by 96 spaces, campus parking supply is monitored and evaluated on a continuous basis to ensure parking availability within the overall campus parking system. Per the 2018 uncertified LRDP, surface parking lots are prioritized as redevelopment sites, with new parking structures prioritized to accommodate loss of surface lots on an as needed basis, and with an emphasis on Traffic Demand Management to decrease single occupancy vehicle use and associated demand on parking. The most recent campus-wide parking inventory and utilization study was completed in 2021. Over 9,500 parking spaces were located throughout the West Campus, with peak utilization being approximately 75 percent of available spaces (or 2,373 vacant spaces at peak). Based on the number of vacant spaces during peak utilization, the University will be able to absorb the net loss of 96 spaces for the project without exceeding the number of spaces available in the West Campus.

In addition, much of the new space in the project is meant to accommodate existing campus population and is thus not growth-inducing. By expanding the on-site housing by approximately 2,500 beds, students who would have previously commuted to campus would now live on campus, significantly reducing commuter parking demands on the campus. Combined with the alternative transportation options described further below, the loss of 96 spaces as a result of the project is not anticipated to result in parking impacts or impacts to coastal access.

Alternatives to Single-Occupancy Vehicles

UCSD has noted that moving more students onto campus, as is proposed with the subject project, in conjunction with the existing and forthcoming alternate transportation offerings, will decrease reliance on vehicular travel. As noted above, it is an important goal of the Coastal Act to minimize energy consumption and vehicle miles traveled. Part of the attraction of University-owned housing is the community setting that is provided by living on campus, adjacent to the academic, research, clinical, recreation, and dining facilities within walking distance of most on-campus housing. By living on campus, students can get around campus without a car – by foot, bicycle, and campus shuttles. Reducing the number of students commuting to and from campus by car reduces local and regional traffic congestion as well as vehicular emissions.

This proposed project would be a short distance to the University’s campus shuttle stops along Hopkins Drive and Scholars Drive North, and an approximate five-minute walk to public transit stops along North Torrey Pines Road. Importantly, the UCSD Blue Line Trolley extension opened to the public on November 21, 2021, providing direct access to campus for students and employees who live throughout the region. Over its first year of operation, MTS has seen a 73% increase in ridership along the line.

Because of these transit connections, its proximity to the existing Hopkins Parking Structure, and its primary function as housing for undergraduate students, the project does not include substantial parking. Additionally, the project is not anticipated to result in increased vehicular traffic or parking demand because first- and second-year undergraduate students residing on campus are not provided parking passes except under unique circumstances.

Outdoor bike racks to accommodate 500 bicycles would also be provided throughout the project area. Bike racks would be located along Ridge Walk and in the courtyards surrounding the project buildings.

It is also important to note that following years of significant improvements in the campus' alternative transportation use, the COVID-19 pandemic stay-at-home order caused an even sharper decline in single-occupancy vehicle (SOV) rates. From March 2020 through early 2022, approximately 80 percent of staff were working remotely due to COVID-19. Additionally, UCSD's alternative transportation rate nearly doubled from 42 percent in the 2019-2020 academic year to 83 percent in the 2021-2022 academic year. While the COVID-19 stay-at-home orders are no longer in effect, a large proportion of staff will continue to work remote at least part-time as the campus embraces a hybrid work environment.

Following these same trends in the acceptance of remote work and the desire to live and work in the same area where students study, the University of California has directed its campuses, including UCSD, to continue to reduce vehicle miles traveled. Currently, students, faculty and staff can choose from several commuting and transportation options to avoid driving and parking on campus, including public transit, carpooling, ride-matching, ridesharing and car-sharing. Across students, faculty and staff, commuting by methods other than SOV is high compared to regional averages. Consequently, the campus' vehicle miles traveled (VMT) per capita is significantly lower than that of the greater region – the average weekday daily VMT was calculated at 8.63 miles for UCSD versus 13.30 miles for the County of San Diego. By 2025, UCSD aims to reduce its percentage of employees and students commuting by SOV by 10 percent relative to its 2015 SOV commute rates. By 2050, each location shall strive to have no more than 40 percent of its employees and no more than 30 percent of all employees and students commuting to the location by SOV.

In conclusion, providing new student housing on campus combined with alternative transportation options will help to reduce energy consumption, reduce greenhouse gas emissions, and improve air quality, consistent with the energy minimization policy of Coastal Act Section 30253(d).

Pedestrian Construction Access

The project is expected to have temporary impacts to pedestrian access through this portion of the campus during construction as the public would not have access to the project building site for public safety reasons. These areas would include Marshall Field, Parking Lot P302, and the Historic Grove between Voigt Drive and the Cognitive Science Building. Ridge Walk, the primary pedestrian thoroughfare through West

Campus, would remain open during construction as much as feasible; however, access through the site would be restricted at times during each construction day to allow for construction equipment to pass between the staging area and main construction site (Exhibit 4). Demolition of the Economics Building, Sequoyah Hall, and the elevated pedestrian bridge connecting them will require a temporary detour around Ridge Walk, lasting approximately one day. Part of the construction scope includes demolition and upgrading of the current Ridge Walk connection sidewalk that is adjacent to the construction site (between Voigt Drive to the north and the Communications Building to the south). The process of demolition and refurbishment of Ridge Walk would be treated similarly to phasing an active roadway, where the construction would close half of the Ridge Walk at a given time. The entirety of Ridge Walk would be resurfaced prior to completion of the project, at which point portions of Ridge Walk would be closed to public access. New pedestrian connections through the project site would be constructed, providing new connectivity within the West Campus, and to the northwestern portion of campus.

Construction Staging and Traffic

A traffic control plan would be developed and implemented during construction to ensure ingress and egress from the Project site would not interfere with traffic flows and emergency access for areas surrounding the Project. The project would not alter the existing traffic circulation system and would not involve a change in road conditions; therefore, no impacts to coastal access are anticipated as a result of the project.

Although the project will have temporary impacts to public access and parking on-campus, these impacts will be short-term and will not directly impact coastal access. The project as proposed will result in the addition of over 2,000 beds to the campus, reducing the need for students to commute by car while furthering the University's goals surrounding reduction in vehicle miles travelled, as well as result in new green spaces and improved pathway connectivity through West Campus. To ensure the project is constructed in substantial conformance with the project reviewed by staff, **Special Condition #1** requires the submittal of final plans. These final plans will also ensure that the latest project updates are memorialized, including the removal of Solis Hall from the demolition plan and the removal of "Building D" from all construction plans.

C. Biological Resources

Section 30230 of the Coastal Act states:

> Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240 of the Coastal Act states, in relevant part:

> (b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

Introduction

While the development footprint of the proposed buildings will remain within the previously developed portions of campus, the project site is adjacent to resources that are considered sensitive. This includes the Historic Grove within the eastern portion of the project site, as well as southern maritime chaparral habitat in the Ecological Reserve just east of the project boundaries and which the Commission's ecologist has previously determined to be ESHA. A monarch overwintering site is also located within the Historic Grove approximately 315 feet south of the project site. Exhibit 5 depicts these biological resources that will be described in further detail below, including replacement ratios for affected trees, avoidance of ESHA impacts, and minimization of negative impacts to birds and monarch butterflies with the use of pre-construction surveys, noise limits, and lighting requirements.

ESHA

A monarch butterfly overwintering site is located in the Historic Grove, approximately 315 feet south of the project site, and is considered ESHA by the Commission (Ref. CDP No. 6-20-0190). A discussion of potential project impacts related to the Historic Grove is included in the section below. Additionally, southern maritime chaparral, dominated by Nuttall's scrub oak, is located offsite east of the project site in the University's Ecological Reserve, on the eastern side of Hopkins Drive. This area is also considered ESHA by the Commission's ecologist (see CDP No. 6-07-83). The project boundary lies immediately adjacent to, but outside of, this ESHA occurrence. The area of the project site that lies adjacent to the ESHA boundary is the existing, paved road of Hopkins Drive. Some utility work would occur within this right-of-way; however, all developed structures would be placed more than 100 feet from the ESHA boundary.

Impacts to ESHA would not occur from project implementation. Exhibit 5 shows the ESHA boundary and approximate 100-foot ESHA setback, which extends onto the project site. The Commission typically requires a minimum 100-foot development

setback from ESHA; however, the existing development within the portion of this 100-foot ESHA setback within the project limits contain a sidewalk, the two-lane paved Hopkins Drive, and a paved bike lane that supports frequent pedestrian, cyclist, and motor vehicle traffic. Landscaping and other developed areas comprise the remainder of the ESHA setback on-site. While some of these existing developed and landscaped features within the 100-foot ESHA setback may be impacted during construction and utility connection work within Hopkins Drive, all hardscape and landscape would be replaced in kind following construction and there would be no expansion in development area closer to the ESHA. The Commission's ecologist has confirmed the work within the ESHA buffer is acceptable given no changes to the configuration of Hopkins Drive are proposed and redevelopment of the project site would not result in impacts to ESHA or a change in the existing ongoing uses in the ESHA buffer.

Historic Grove

The Historic Grove is a 42-acre eucalyptus tree grove located throughout the campus outside the project boundary and is considered a historical vernacular landscape. Vernacular landscapes, by definition, have evolved over time, generally cover large areas, and often have boundaries that blur into the surrounding environment. Accordingly, there is a greater degree of flexibility in their overall treatment in recognition of this continual evolution. For purposes of CEQA compliance and environmental review, they are considered in a manner similar to that of a historic district, where significance is defined by the holistic qualities of the landscape and not by any one particular tree or site feature.

Accordingly, a discussion of potential impacts to historic vernacular landscapes in the University's LRDP EIR concludes that, "It is possible to remove some trees and landscape features without adversely affecting the overall integrity of the landscape, provided that the district's essential character and significance remain unimpaired." Therefore, intact concentrations of trees within the project site should be preserved so that the landscape can continue to convey its historical significance and major features upon project completion, as described in the 2018 LRDP EIR.

The project has been designed to preserve the character of the Historic Grove and protect trees to the greatest extent possible; however, some trees would need to be removed to provide for construction access from Hopkins Lane to the existing Dean's Residence (which is proposed to be demolished), as well as utility work and building improvements. Other trees within the grove may potentially be impacted due to proximity of construction activities. UCSD has provided Commission staff with a Tree Removal and Protection Plan that depicts the removal of an estimated 63 eucalyptus trees in association with this work. To reduce potential adverse impacts to the Historic Grove, UCSD proposes to implement the Standards for Historic Landscapes as described in its mitigation measures for the project. Design of the project includes efforts to minimize removal of individual eucalyptus trees from within the Historic Grove, avoid introduction of plant species that may cause harm or adversely affect positive growth of the eucalyptus trees, and minimize the construction of buildings, structures, objects, features, or other constructed elements above ground that may cause an

adverse impact to those characteristics that contribute to the significance of the resource. Additionally, upon completion of construction, the project would replace each removed or failed eucalyptus tree at a 2:1 ratio. Therefore, up to 126 Eucalyptus trees would be planted at the project site within the Historic Grove boundaries. The final number of replacement trees would be determined based on the actual number of trees lost.

Because vernacular landscapes often have boundaries that blur into the surrounding environment, buildings constructed adjacent to the Historic Grove would not adversely affect its overall integrity. The temporary construction path would directly remove eight eucalyptus trees located to the west of the existing Dean's Residence. However, the removal of the Dean's Residence is intended to create space for reforestation, and no new structures will be built within the Historic Grove boundaries. Paved walkways may be constructed in the Historic Grove as part of the project and would be sited to avoid tree removal. Therefore, the Historic Grove's essential historic character would be maintained and with the proposed 2:1 replacement of any removed trees, significant adverse impacts on the Historic Grove are not anticipated.

Monarch Butterflies

The California overwintering population of monarch butterflies is considered sensitive by the California Department of Fish and Wildlife (CDFW), and the United States Fish and Wildlife Service (USFWS) has classified the monarch as a candidate species for listing under the federal Endangered Species Act (FESA). A monarch butterfly (*Danaus plexippus*) overwintering site is identified in eucalyptus trees within the Historic Grove approximately 315 feet off-site to the south of the project site. The overwintering site (known as Faculty Club/Mandeville site) was first identified in 1997 and hosted approximately 8,000 monarchs. This number went down significantly the following year, with only 750 monarchs observed in 1998. Since then, counts at this overwintering site have ranged from zero to ten individuals, with no overwintering individuals reported since 2011.

The monarch overwintering site is located more than 300 feet outside of the project area, within the Historic Grove (Exhibit 5). Construction within the Historic Grove will include creating construction access, utility line work, and demolition activities. The construction pathway would be built in the summer months, as soon as project approvals are obtained; therefore, the project would aim to construct the pathway and complete tree removal within the Historic Grove prior to the beginning of the monarch overwintering period on October 15. If unforeseen circumstances require the construction of the pathway or the tree removal to occur within the overwintering period, a butterfly survey would be performed to ensure absence of overwintering monarchs before this tree removal occurred. **Special Condition #9** memorializes this requirement, including that a qualified biologist with monarch butterfly monitoring experience will conduct surveys prior to any project activities within the Historic Grove, as well as on a monthly basis throughout project construction, if construction takes place between October 1st and March 15th (i.e. the monarch overwintering period).

Further, and at the request of the Commission's staff ecologist, UCSD has proposed to provide milkweed and nectar plantings within 1,000 feet of the project site in the hope that monarchs will have ample food supply should they return to the Historic Grove area. UCSD has preliminarily identified sites within the vicinity of known overwintering sites with conditions that would support the plantings (e.g., relatively flat surface, availability of irrigation, and away from heavy foot traffic), as well as a preliminary planting list for species that would provide high quality habitat and food sources for monarchs. **Special Condition #2** requires the applicant to submit a landscaping and planting plan for nectar and milkweed species, including the location of the plantings, species types, and quantities of milkweed and nectar plants to be planted, for Executive Director review and approval. These particular plantings would not be subject to success criteria or reporting requirements, as they are part of the overall landscape management plan and are not considered mitigation. **Special Condition #2c** requires UCSD to submit evidence of installation in compliance with the approved planting list, and these planting sites would then be incorporated into the campus's landscape management program. As such, they would be managed as part of the campus's regular landscape maintenance activities, involving one to two maintenance visits each year, consisting of weeding, pruning (according to species preferences), replacement of dead plants in-kind or with comparable species, soil amendments, and other maintenance activities as determined necessary by UCSD Landscape Services. The campus currently utilizes an Integrated Pest Management approach to its landscape maintenance, using physical, mechanical, cultural, biological and educational methods to limit pest problems. The least toxic chemical pesticides are used only as a last resort. The campus will not use pesticides around milkweed, nectar species, or the overwintering locations. To memorialize this commitment, **Special Condition #2** also requires that no pesticide should be used near the plantings or the overwintering sites. Therefore, as conditioned, adverse impacts on Monarch butterflies are not anticipated.

Torrey Pines

Torrey Pine (*Pinus torreyana*) is a rare pine species growing only in coastal San Diego County and Santa Rosa Island. The species is listed as Category 1B (rare and endangered) by the California Native Plant Society. While the West Campus does not support naturally occurring Torrey Pines trees, in some locations they have been planted as ornamental trees. Sixteen existing planted Torrey Pine trees are located within the project site. Due to site topography and that some trees having been planted extremely close to existing buildings, the trees must be removed to accommodate demolition and construction activities. UCSD proposes to replace all removed Torrey Pines at a 2:1 ratio with 48-inch box size trees. The replacement trees would be planted along the project's western edge, near Ridge Walk. **Special Condition #2** requires revised Final Landscaping Plans that memorialize this proposed replacement.

Birds

As part of its project analysis, UCSD conducted a biological resources report, and found that no federally or state listed animal species has the potential to occur on-site. The site is completely developed and contains planted trees and shrubs that could be used

as nesting habitat by a variety of bird species, including raptors and songbirds. Suitable nesting locations for raptors occur in mature Torrey pine trees on-site and mature eucalyptus trees both on-site and within 500 feet of the project site. Active bird nests, if present, could be adversely affected by noise during construction. One species that could potentially be affected is Cooper's hawk (*Accipiter cooperii*), a special-status raptor that could nest in mature eucalyptus trees or other trees on-site. To avoid impacts to raptors and songbirds, **Special Condition #4** requires pre-construction surveys, and on finding any nests, 500-foot and 300-foot buffer areas, respectively, must be observed during construction. In order to protect wildlife from inadvertent poisoning, **Special Condition #2** prohibits the use of rodenticides, which can have adverse impacts on other creatures that may mistakenly consume the poison or, in the case of predators, consume the poisoned rodents, in turn becoming poisoned.

Additionally, the introduction of four new structures up to eighteen stories in height increases the risk of bird strikes and resulting impacts to avian populations. The project would incorporate design features in the layout of the buildings' façades and within the site plan to reduce the number of bird strikes. To protect bird safety, trees would be located away from buildings to minimize the interaction of birds with the building façades. Corridors through the project would allow for safe pathways through which birds can travel. Building facades would be minimally glazed to reduce the number of reflective surfaces. Less than 35 percent of the buildings' surfaces would be covered in untreated glass, and the buildings' edges would be clearly defined with architectural features and other non-reflective glass surfaces. In order to reduce the chance of bird strike and make the proposed development more compatible with its surroundings, **Special Condition #5** requires UCSD to incorporate effective bird strike prevention measures into the development's final design.

Lighting

Due to the dense, mixed-use nature of the proposed development, the surrounding urbanized area, and high level of usage anticipated over the course of a day, the proposed structures will incorporate various outdoor lighting fixtures to provide visibility and security during darker hours. While the UCSD campus already houses a substantial student population in existing development, contributing to the existing ambient light, the campus, and La Jolla as a whole, still contains nearby sensitive habitat that houses various species whose behaviors could be adversely affected by substantial ambient light, such as disruption of wake and sleep cycles or increased predation levels at night due to lighting. It is important that any lighting incorporated into the project be the lowest color temperature necessary to provide sufficient visibility, be shielded, and aimed toward the ground so as to reduce light encroachment.

Lighting that is 3000 Kelvins (K) in color temperature is typically the highest color temperature recommended by the Commission. Lighting with lower color temperatures has less blue in its spectrum and is referred to as being "warm." In recent projects near San Diego Bay and other sensitive water bodies, the Commission's ecologist has recommended a correlated color temperature (CCT) of no higher than 3,000K a range that contains less blue light (see PMP-6-PSD-18-0001-1 (Bayside Performance Park),

6-19-0191 (City of San Diego) and 6-18-0723 (The LOT), 6-22-0017 (County Waterfront Park)).

The proposed project would minimize the effects of any proposed lighting on adjacent habitat by limiting construction to daylight hours as much as possible and requiring that permanent lighting would be selectively placed, shielded, and directed away from habitat areas. UCSD has agreed to use lighting fixtures that are no more than 3,000 Kelvin (K) temperature per the recommendation of the Commission's ecologist. No lighting would be installed within the Historic Grove. UCSD also proposes fixtures with zero uplight coefficient (meaning all light output is directed downward) and minimal backlight. A photometric study performed for the project confirmed that no light trespass from the project would spill over into the Historic Grove, and light fixtures would be as low level as possible to maintain a safe environment as well as meet the sustainability and dark sky goals of UCSD. To memorialize these requirements, **Special Condition #3** requires the submittal of a final lighting plan that minimizes the use of outdoor lighting beyond security and safety needs and limits the potential for ambient lighting to spill outside the project site or contribute to local glare and sky glow. Lighting will be limited to a maximum of 3,000 K and shielded and directed downward.

Landscaping

The proposed project would include the development of two primary courtyard areas, which serve as gathering spaces between project buildings. The North Courtyard is formed by the space between Buildings A, B, and E. The South Courtyard is formed by the space between Building B, Building C, and Ridge Walk. Each courtyard comprises multiple gathering areas, with individual themes and designs. All landscape improvements in the courtyard areas would be focused on native and/or drought-tolerant species and supplemented by suitable climate adaptive, non-invasive, ornamental species. **Special Condition #2** requires UCSD to submit a revised final landscaping plan that ensures no invasive species will be planted on site and that all irrigation systems will limit water use to the maximum extent feasible.

With the above habitat protection measures in place, the potential impacts to local habitat and wildlife can be minimized to the greatest extent feasible, and the development can be found in conformance with Chapter 3 of the Coastal Act.

D. Cultural Resources

Section 30244 of the Coastal Act states:

> Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required.

UCSD has a history of pursuing archaeological and cultural studies on its campus, as well as conducting outreach to Native American tribes as part of the development process for its 2018 LRDP.

In total, 78 cultural resource studies have been conducted in the LRDP EIR study area since 1959. Of these, five cultural resource studies intersect with the project area. Twenty archaeological resources have been recorded in the LRDP EIR study area, however, none of these are within the project area. An expansive multi-component prehistoric and historic archaeological site, Camp Callan (CA-SDI-8470), is located approximately 280 feet west of the northernmost project area boundary. The cultural material within CA-SDI-8470 is a secondary deposit borrowed during World War II from a separate site that created a residential base at Camp Callan. Additionally, although several Native American sacred sites are located within the UCSD campus, based on the findings of the 2018 LRDP EIR, none intersect with or are adjacent to the project area.

As part of its coordination efforts for the development of the LRDP, UCSD contacted all California Native American tribes traditionally and culturally affiliated with the campus and surrounding lands to solicit their interest in consulting on the proposed development plans (which include the proposed project), pursuant to Assembly Bill 52, in January 2016. UCSD did not receive any responses as a result of this outreach attempt; however, the San Luis Rey Band of Mission Indians, which was not part of the original outreach list, independently reached out to the University to express their interest in receiving formal notification of projects on campus. A formal consultation letter was sent to the San Luis Rey Band of Mission Indians requesting consultation in December 2016. No response was received, which pursuant to AB 52 indicates that consultation was declined for the 2018 LRDP and associated projects.

In terms of the project currently proposed, no impacts to archaeological resources are anticipated based on the results of the records search, the Sacred Lands File search, and prior development of the project site. However, because there is a prehistoric and historic archaeological site nearby, there is low to moderate possibility of encountering human remains. Therefore, UCSD originally proposed to include archaeological and Native American monitoring during ground disturbing activities in the northeastern portion of the project area, as well as several other construction mitigation measures currently found in the LRDP EIR.

These mitigation measures were later augmented by UCSD at the request of the Kumeyaay Cultural Repatriation Committee (KCRC), an organization created in 1997 whose purpose is to help San Diego area Kumeyaay bands repatriate their ancestors' human remains and tribal artifacts. Because UCSD was built on KCRC territory, UCSD regularly consults with the KCRC on development projects on campus, repatriation efforts, cultural resource protection, and other topics, with a goal of meaningful consultation. One result of these meetings has been the campus's commitment to provide construction monitoring by an archaeologist and Native American monitor for all major development projects, even if its location it outside of an area considered to be sensitive by the 2018 LRDP Archaeological Resources Report and associated 2018 LRDP EIR mitigation framework. At the KCRC's request, UCSD's Campus Planning office regularly provides notification of the start of new construction monitoring

programs, any discoveries made (regardless of significance), and final construction monitoring reports.

The KCRC was notified of the proposed Ridge Walk North Living and Learning Neighborhood project at the September 1, 2022 meeting with UCSD, and project details were later presented to the committee at the December 1, 2022 meeting, during which time the KCRC verbally requested site files. The project was further discussed at the January 5, 2023 meeting between KCRC and UCSD, and a site visit took place on March 14, 2023. Commission staff offered to join the site visit, but KCRC chose to keep the meeting to its members and UCSD staff. Meeting notes from the site visit describe KCRC's position that the La Jolla area in general is culturally sensitive and therefore all ground disturbance has the potential to unearth resources. KCRC also requested a cultural resource monitoring program be put in place by UCSD (and approved by KCRC) for the proposed project. The cultural resource monitoring program would include a Cultural Resource Manager who functions as the key liaison for the cultural monitoring program and communication between the contractor/sub-contractors, monitors, and campus staff, a monitor for each crew working on site, the monitoring of all ground movement (not just initial grading or excavation), a detailed protocol to be implemented in the event unanticipated discoveries are found or repatriation is needed, and the off-campus destination location and curation payment for any discoveries. The group on the site visit also agreed that the staging area would be capped prior to ground disturbance, and would include layers of sand, and a layer of gravel to be used as a base.

As a result of the site visit, UCSD has committed to developing a cultural resource construction monitoring program subject to the approval of the KCRC. **Special Condition #11** requires the University to submit this construction monitoring program, along with documented approval from the KCRC, prior to issuance of the CDP.

Consultation on the project will continue to occur throughout the life of the project. With the coordination efforts detailed above and the adherence to a cultural resources monitoring plan, the potential impacts to cultural resources can be minimized to the greatest extent feasible, and the development can be found in conformance with Chapter 3 of the Coastal Act.

E. Water Quality

Section 30231 of the Coastal Act is applicable to the proposed development and states:

> The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed project has the potential to result in both short- and long-term water quality impacts, related to construction activity and academic operations, respectively. During construction, activities such as demolition, clearing, grading, stockpiling, concrete pouring, painting, and paving have the potential to impact surrounding water quality. Potential long-term impacts from site operation and maintenance arise from discharges from urban sources, such as nutrients, heavy metals, sediment discharge, trash, oil, and pesticides.

The proposed project has been designed to minimize the amount of imported material required during grading. Site preparation will require a total cut of approximately 70,000 cubic yards, and fill material would total approximately 15,000 cubic yards. Thus, approximately 55,000 cubic yards of excess material would be exported from the project site via haul trucks, to Alpine Asphalt and Concrete Recycling, which is located outside of the Coastal Zone. Grading is anticipated to involve equipment such as scrapers, excavators, grader, dozer, and forklifts, and is estimated to take up to five months. Because construction will require extensive grading and export, **Special Conditions #6-8** lists the required temporary control measures to be implemented to prevent off-site water quality impacts from construction activity, while **Special Condition #10** requires that all exported materials be deposited at a legal site outside of the coastal zone.

The proposed project will have no negative impacts on downstream drainage conditions, as existing drainage patterns and outfall conditions will be maintained. Proposed site improvements on 10.6 acres of the overall 20.6-acre project include building construction, fire access lanes, pedestrian paths and amenity spaces, landscaping, utilities and storm water BMPs. As a result of these improvements, impervious area will decrease from 267,000 square feet to 261,800 square feet. The applicant proposes to construct six new biofiltration basins, which will reduce stormwater flow entering the storm drain system compared to existing conditions. Following construction of the proposed new and upgraded storm drain utilities, flow from the proposed development will reach one of six biofiltration basins before entering the existing UCSD storm drain system. The basins have been sized in accordance with the Storm Water Management Plan for University of California San Diego, dated October 2019, as well as the California State Water Resources Control Board Phase II Small MS4 Permit draft dated January 2019. The basins will provide detention to lower the unmitigated peak flow.

The proposed project would also comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activity (General Permit). Division II of the guidelines also requires stormwater BMPs to be implemented in accordance with UC San Diego's NDPES Phase II Small MS4 General Permit (2013 0001-DWQ) and/or Storm Water Management Program. As part of the General Permit, campus construction projects managed by outside contractors and disturbing more than one acre must implement Storm Water Pollution Prevention Plans (SWPPPs), which specify BMPs to reduce the contribution of sediments, spilled and leaked liquids from construction equipment, and other construction-related pollutants to stormwater runoff.

In order to ensure that the proposed development implements all required and recommended water quality measures, **Special Conditions #6-8** list the measures and best management practices to be incorporated into the final design of the development and its future maintenance, including that the project must be designed to accommodate runoff from the 85th percentile, 24-hour storm event. The final landscape plane required by **Special Condition #2** requires native, drought-resistant plants to be used in conjunction with low-flow and recycled water systems where feasible to as to limit the amount of runoff flowing off site. Thus, as conditioned, the project can be found in conformance with Chapter 3 of the Coastal Act.

F. Community Character

Section 30251 of the Coastal Act states, in part, the following:

> 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…

The four proposed buildings will range in height from six floors to 18 floors (82 – 212 feet high). The approximate height of Building A, the tallest building, will be 212 feet (18 floors) as measured from North Torrey Pines Road. Buildings A, B, and C would feature an outdoor rooftop terrace, and rooftop equipment, including heating, ventilation, and air conditioning (HVAC), exhaust fans, and an elevator machine room at the tallest portions of the tower (i.e. 212 feet). On the West Campus, no specific height limit exists. There is an overlay called the Perimeter Development Zone (PMZ), which covers a 100-foot buffer zone along the boundaries of the West Campus, and where special consideration is given to building placement, architecture, and landscaping because development would be most visible to the community. However, the proposed project is well outside of the PMZ. While the site is currently developed with low-scale structures approximately two-three stories tall, the site is adjacent to the Living and Learning Neighborhood, which is developed with structures up to 14 stories. Thus the proposed structures will not be out of character with surrounding campus development.

The buildings would be located on a site that generally slopes down from Ridge Walk in the west towards Hopkins Drive to the east (Exhibit 3). The buildings would follow this topography, with basement levels opening to the east. The project site is located approximately 900 feet east of North Torrey Pines Road. While this road is considered a north-south coastal access road, the project site is not located on the ocean-facing side of the road, and is instead nestled within the overall campus facilities, and therefore will not interrupt coastal views from North Torrey Pines Road. When facing west from the project site, all that can be seen are campus facilities and existing residences; no public coastal views would be impacted. Facing away from the coast to the north, east, or south, one simply sees campus buildings, open spaces for recreational use, and the Historic Grove. Again, no existing public views of the coast would be impacted. Direct views of the project buildings would be visible from surrounding facilities such as Solis

Hall, Communication Building, Cognitive Science Building, Thurgood Marshall Upper Apartments, and other campus buildings. Due to the buildings' locations within the center of West Campus, direct views of the project buildings would generally be obscured from off-campus locations, but portions may be visible from Genesee Avenue to the northeast and North Torrey Pines Road to the west. The recently permitted North Torrey Pines Living and Learning Center (CDP No. 6-17-0929) approved structures ranging from two to fourteen stories in height. For that project, which is located west of the subject site and directly east of North Torrey Pines Road, a coastal access road, no impacts to public coastal views were also found.

To aid in incorporating the proposed development into the existing setting, the buildings would be clad in a curtain wall, with glazing taking no more than 35 percent of the surface. The overall color scheme would be earth tones facing north, south, and west, and a muted green shade to match the Historic Grove for the façade facing east (Exhibit 6). The proposed structures incorporate designs intended to create architecturally varied appearances and to soften the visual impact. The aesthetic design, which includes arcades, colonnades and balconies, as well as the use of natural and tactile materials, is purposefully varied to blend with the surrounding landscape and the rest of the campus architecture.

Special Condition #1 requires that UCSD adhere to the approved architectural plans for the sizeable development so that it adheres to the existing development pattern on campus. Thus, while these new structures will be sizeable, because the structures would be consolidated with similar existing development east of the main thoroughfare – North Torrey Pines Road – and would not adversely impact coastal viewsheds or deviate greatly from existing development, the project can be found in conformance with Chapter 3 of the Coastal Act.

G. Local Coastal Planning

Section 30604(a) also requires that a coastal development permit shall be issued only if the Commission finds that the permitted development will not prejudice the ability of the local government to prepare a Local Coastal Program (LCP) in conformity with the provisions of Chapter 3 of the Coastal Act. In this case, such a finding can be made.

The University of California campus is not subject to the City of San Diego's certified Local Coastal program (LCP), although geographically West Campus is located in the La Jolla segment of the City's LCP. UCSD currently has an uncertified Long Range Development Plan (LRDP) from 2004 that it is in the process of updating. However, while UCSD does have the option of submitting its LRDP for Commission review and certification, UCSD does not intend to at this time, and thus it cannot serve as a standard of review.

As stated previously, the Chapter 3 policies of the Coastal Act are the standard of review for UCSD projects in the absence of a certified LRDP. Because the proposed development, as conditioned, has been found consistent with all applicable Chapter 3 policies, the Commission finds that approval of the proposed project will not prejudice

the ability of UCSD to prepare a certifiable Long Range Development Plan for its campus.

H. 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 completed a Draft Tiered Environmental Impact Report (DEIR) in October 2017 (SCH No. 2017041056). The DEIR identified multiple potential significant impacts, yet also identified and adopted mitigation measures regarding the majority of them to reduce them below significance. However, the DEIR identified significant and unavoidable impacts to an intersection in the coastal zone: North Torrey Pines Road/La Jolla Shores Drive. In response the UC Board of Regents certified the Final Environmental Impact Report (FEIR) on March 14, 2018 with overriding considerations regarding those unavoidable impacts. The UCSD 2018 Long Range Development Plan land use designated the site as Housing and Academic land uses, and the project is consistent with the EIR. An Addendum to the 2018 LRDP EIR was approved on March 16, 2023 after the University of California determined that the project would not cause any significant environmental impacts or an increase in the severity of significant impacts previously studied in the 2018 LRDP. Additionally, no new project-specific mitigation measures are required for this project and the implementation of applicable 2018 LRDP EIR mitigation measures will be monitored and reported pursuant to the LRDP EIR’s Mitigation Monitoring and Reporting Program.

However, the standard of review for the coastal development permit is Chapter 3 of the Coastal Act. 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, biological resources, cultural resources, 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

- CDP No. 6-10-041 (UCSD MESOM Laboratory at Scripps Institution of Oceanography
- CDP No. 6-17-0929 (UCSD North Torrey Pines Living and Learning Neighborhood)
- CDP No. 6-20-0190 (UCSD Ridge Walk Improvements)
- Coffman Engineers. “Hydrology Study: UCSD Ridge Walk North Living and Learning Neighborhood.” Originally dated September 2022 and revised December 2022 and April 2023.
- HELIX Environmental Planning, Inc. “Ridge Walk North Living and Learning Neighborhood Project UC San Diego Project Number: 5511. Addendum No. 12 to the Program Environmental Impact Report for the University of California, San Diego 2018 Long Range Development Plan, La Jolla Campus.” Prepared for UCSD Campus Planning Office. February 2023.