

MINUTE ITEM

This Calendar Item No. 27
was approved as Minute Item
No. 27 by the State Lands
Commission by a vote of 3
to 0 at its 9/27/89
meeting.

CALENDAR ITEM

A 75
S 39

27

09/27/89
W 24285
PRC 7029
Townsend

AMENDMENT OF GENERAL PERMIT - PUBLIC AGENCY USE

LESSEE: City of San Diego Water Utility Department
Attn: Michael D. Havrilla
Engineering Division
First Interstate Plaza, MS 960
401 "B" Street, Suite 600
San Diego, California 92101-4229

EXISTING AREA, TYPE LAND AND LOCATION:
A 16.0-acre parcel of tide and submerged land
located in the Pacific Ocean near Point Loma,
City of San Diego, San Diego County, for the
continued operation and maintenance of an
existing 108-inch diameter ocean outfall line.

PROPOSED AREA, TYPE LAND AND LOCATION:
Four parcels of State-owned tide and submerged
land totalling 1.177 acres in the Pacific Ocean
near Point Loma, San Diego County.

LAND USE: Construction and maintenance of shoreline
protection.

TERMS OF ORIGINAL PERMIT:
Initial period: 25 years beginning January 1,
1987.
Renewal options: One successive period of 24
years.

(ADDED pgs. 305-305.17)

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3503

Special:

Public health and safety with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

TERMS OF AMENDED PERMIT:
Special:

1. Provide for the construction and maintenance of shoreline protection measures on four parcels of tide and submerged land totalling 1.177 acres.
2. Amend the land description of the lease premises attached hereto as Exhibit "A".
3. All other terms and conditions of lease PRC 7029 shall remain unchanged.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

APPLICANT STATUS:

Applicant is owner of upland.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

- A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 2, Div. 3; Title 14, Div. 6.

AB 884:

01/06/90.

OTHER PERTINENT INFORMATION:

1. By its action on December 23, 1986 (Minute Item 10), the State Lands Commission authorized the issuance of a 25-year General Permit - Public Agency Use to the City of San Diego Water Utilities

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Department for the operation and maintenance of a 108-inch diameter treated sewage outfall line at the Point Loma Wastewater Treatment Plant in San Diego. By its action on May 28, 1987 (Minute Item 6), the Commission authorized an amendment to provide for an option to renew the permit for an additional 24 years.

The City of San Diego has now filed an application with staff requesting an amendment of the existing permit to cover proposed shoreline protection measures. Existing shoreline protection and erosion-control measures consist of riprap revetments located along the base of steep coastal bluffs, several small cribwall segments at the outlet structure and surface drainage pipelines, and an Armco Binwall located seaward of the main access road near the Administration Building.

The proposed project will upgrade coastal protection in the vicinity of the treatment plant site to mitigate further erosion, and will include a number of retaining walls, riprap revetments, and other improvements to both coastal and nearshore landforms. The proposed amendment to the City's existing lease will cover those portions of the project extending onto four parcels of State-owned tide and submerged lands totalling 1.177 acres. Staff recommends that the existing lease be amended to provide for the construction and maintenance of the shoreline protection measures and that the land description of the lease premises be superseded by the land description attached hereto as Exhibit "A". The proposed amendment provides that construction shall begin by December 1, 1989 and shall be completed no later than November 30, 1990. All other terms and conditions of the lease are to remain unchanged and in full force and effect.

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2. The annual rental value of the proposed, amended site is estimated to be \$7,704.
3. This activity involves lands which have NOT been identified as possessing significant environmental values pursuant to P.R.C. 6370, et seq. However, the Commission has declared that all tide and submerged lands are "significant" by nature of their public ownership (as opposed to "environmental significant"). Since such declaration of significance is not based upon the requirements and criteria of P.R.C. 6370, et seq., use classifications for such lands have not been designated. Therefore, the finding of the project's consistency with the use classification as required by 2 Cal. Code Regs. 2954 is not applicable.
4. An EIR was prepared and adopted for this project by the City of San Diego. The State Lands Commission's staff has reviewed such document and has identified within the CEQA Findings contained in Exhibit "D" potential significant environmental effects of the project.

APPROVALS OBTAINED:

City of San Diego.

FURTHER APPROVALS REQUIRED:

California Coastal Commission and United States Army Corps of Engineers.

EXHIBITS:

- A. Land Description.
- B. Location Map.
- C. EIR Summary.
- D. CEQA Findings.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN EIR WAS PREPARED AND ADOPTED FOR THIS PROJECT BY THE CITY OF SAN DIEGO AS CEQA LEAD AGENCY, AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.

CALENDAR ITEM NO. 27 (CONT'D)

"A" EXHIBIT

2. ~~ADOPT~~ ~~THE~~ FINDINGS MADE BY THE LEAD AGENCY UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ITS GUIDELINES AS CONTAINED IN EXHIBIT "D".
3. DETERMINE THAT THE PROJECT, AS APPROVED, WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT.
4. AUTHORIZE THE AMENDMENT OF LEASE PRC 7029, EFFECTIVE OCTOBER 1, 1989, PROVIDING FOR THE FOLLOWING:
- A) CONSTRUCTION AND MAINTENANCE OF SHORELINE PROTECTION MEASURES;
 - B) CONSTRUCTION SHALL COMMENCE BY DECEMBER 1, 1989 AND BE COMPLETED NO LATER THAN NOVEMBER 30, 1990;
 - C) A NEW LAND DESCRIPTION AS SHOWN ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF; AND
 - D) THAT ALL OTHER TERMS AND CONDITIONS OF LEASE PRC 7029 SHALL REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

EXHIBIT "A"

PRC 7029.9

LAND DESCRIPTION

Seven parcels of tide and submerged land in the bed of the Pacific Ocean, San Diego County, California, described as follows:

PARCELS 1, 2, & 3 - OUTFALL PARCELS

Three strips of tide and submerged lands 50 feet wide, lying 25 feet on each side of the following described centerlines:

STRIP 1

BEGINNING at coordinates X=1,693,206.01, Y= 188,460.31 California Coordinate System of 1927, Zone 6; thence S 75°30' W 11,450.00 feet to Point "Wye".

EXCEPTING THEREFROM any portion lying landward of the ordinary water mark of the Pacific Ocean.

STRIP 2

BEGINNING at said Point "Wye"; thence S 11°30' W 1402.66 feet to the end of the described centerline.

EXCEPTING THEREFROM any portion lying within the aforementioned Strip 1.

STRIP 3

BEGINNING at said Point "Wye"; thence N 40°30' W 1402.66 feet to the end of the described centerline.

EXCEPTING THEREFROM any portion lying within the aforementioned Strips 1 and 2.

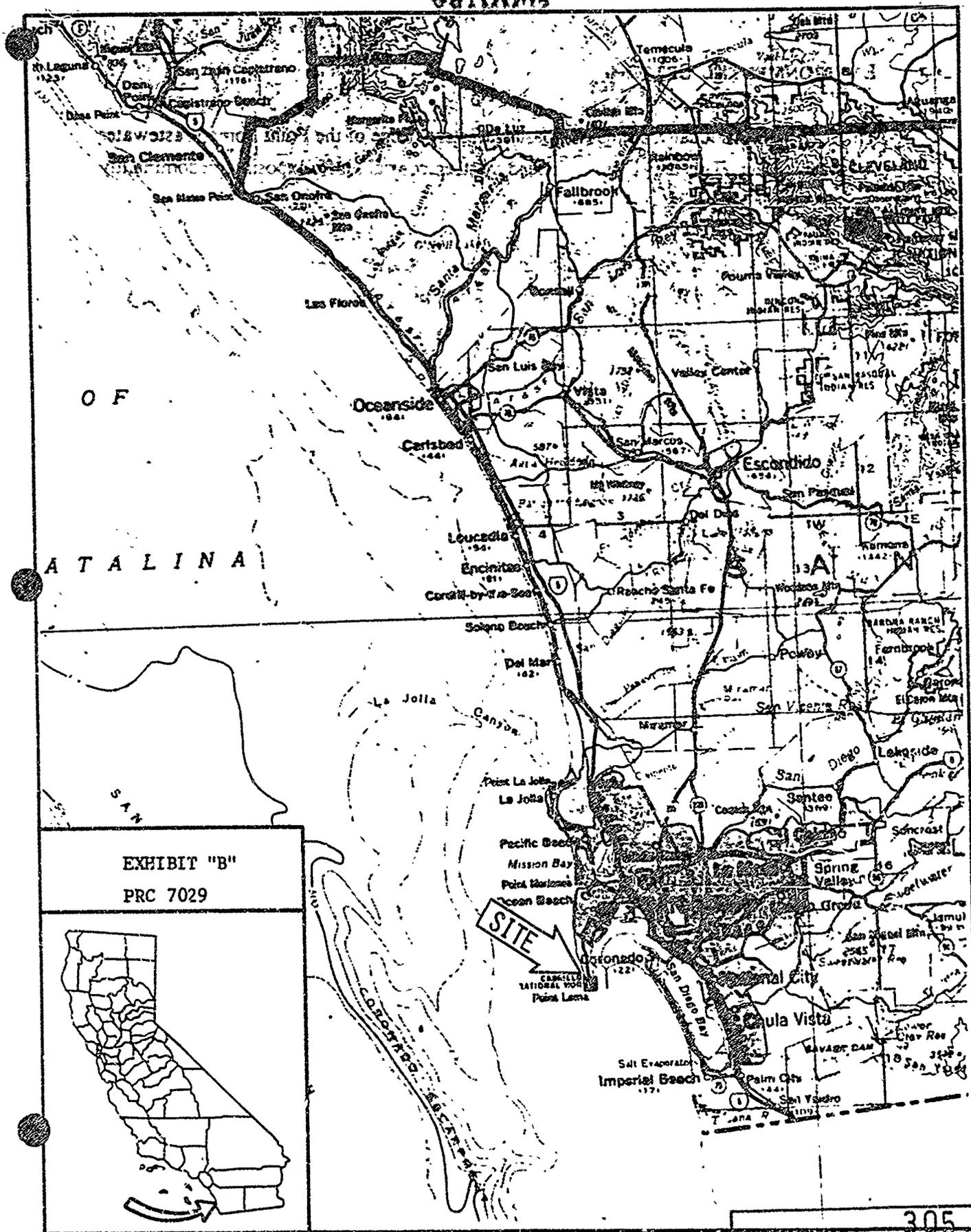
PARCELS 4, 5, 6, & 7 - SHORE PROTECTION PARCELS

Four parcels of tide and submerged land in the bed of the Pacific Ocean lying immediately beneath the existing rip rap revetments and proposed rip rap revetments adjacent to Tract 38, T17S, R4W, SBM.

EXCEPTING THEREFROM any portion lying landward of the ordinary water mark of the Pacific Ocean.

END OF DESCRIPTION

PREPARED AUGUST 8, 1989 BY BIU 1.



A T A L I N A

EXHIBIT "B"
PRC 7029



SITE
CARLSBAD NATIONAL FOREST
Point Lema

EIR
SUMMARY

ENVIRONMENTAL SETTING

The project site is located along the coastal (western) edge of the Point Loma Wastewater Treatment Plant. This area is characterized by steep coastal bluffs exposing predominantly marine sedimentary rocks.

Much of the site has been previously disturbed by shoreline erosion and development activities associated with treatment plant facilities. Characteristic native vegetation includes several low scrub and succulent varieties from coastal communities. Marine vegetation includes surfgrass in the nearshore zone and kelp further offshore.

The project site is adjacent to the intensely developed Point Loma Wastewater Treatment Plant. This plant serves the communities of San Diego, El Cajon, Santee, Del Mar, National City, San Ysidro, Chula Vista, Tijuana (emergency only), Alpine, and Lakeside. Nearly all usable areas within the 40.1 acre plant site are occupied with treatment or ancillary facilities. A number of shoreline protection features are located within the project site to stabilize the existing coastline and adjacent treatment plant facilities, including riprap revetments and retaining walls.

The project site is surrounded by federal lands, including Cabrillo National Monument to the south, and U.S. Naval and Coast Guard installations to the north, south, and east.

The project site is within the boundaries of the Peninsula Community Plan, a local planning document prepared jointly by the City of San Diego Planning Department and the Peninsula Community Planning Group. The proposed project is consistent with the land use designation (Public Utility) and overall goals established for the wastewater treatment site in the Peninsula Community Plan. No zoning has been designated for this site.

Ongoing erosion and cliff retreat in a number of locations threatens existing plant facilities, including the administration and engineering buildings, the main and lower hydro access roads, the visitor parking lot, the outlet structure, and the hydroelectric powerplant. Relocation or reconstruction of most plant facilities is infeasible due to lack of available space.

The Point Loma Wastewater Treatment Plant represents the major wastewater facility for most of the San Diego Metropolitan Sewage System Service Area. It will continue to provide treatment processing for at least the next several decades. The City has thus undertaken the proposed project in an attempt to arrest coastal erosion and retreat for the next 75 years. This would involve the construction or enhancement of several new or existing facilities, including riprap revetments and retaining walls. Proposed shoreline protection facilities are limited to the most highly erosive areas or those sites where existing facilities are in imminent danger from bluff retreat.

Existing shoreline protection and erosion control facilities on the project site consist of over 1,000 lineal feet of riprap revetment, several small crib-wall sections at the outlet structure and surface drainage pipelines, and an Armo Binwall located seaward of the main access road near the administration complex. Existing protection structures have been emplaced periodically since initial plant construction in 1963, often after erosional effects threatened specific facilities. Further impacts to treatment plant facilities are projected over the next 50 to 75 years, due to the inadequate design, limited extent of protection, and deteriorated state of many existing shoreline protection structures. These plant facilities include the main and lower hydro access roads, engineering trailer, visitor parking lot, gas utilization facility, sedimentation basins, and administration buildings.

PROJECT DESCRIPTION

The proposed project involves a number of shoreline protection and erosion-control structures and techniques adjacent to the Point Loma Wastewater Treatment Plant including: constructing several revetment additions and retaining walls; grouting in a partially collapsed and filled sea cave; grading and pipeline installation to improve onsite drainage; repaving and widening low-lying access roads; and, landscaping with native drought-tolerant vegetation to stabilize denuded slopes and minimize irrigation requirements. Proposed protection structures have been limited to those considered necessary to protect existing treatment plant facilities for the next 75 years. Specific design parameters were derived from technical investigations conducted by Group Delta Consultants, Inc., the consulting engineering firm.

Discretionary actions required for implementation of the proposed project include City Council approval of Capital Improvement Project No. 46-133, Section 404 and 10 permits from the U.S. Army Corps of Engineers, a Tidelands and/or Submerged Lands Permit

from the State Lands Commission, and a Coastal Development Permit from the California Coastal Commission.

ENVIRONMENTAL ANALYSIS

Biological Resources

Marine Biology

Impacts: Potential impacts to marine biological resources associated with the placement of riprap are not considered significant because of the relatively small quantity of new offshore riprap proposed, and the nature of marine resources anticipated to be affected. Preliminary biological investigation (Appendix B) of the site identified the loss of surfgrass (*Phyllospadix* spp.) as the only potentially significant impact to marine resources from the proposed project. A supplemental survey was conducted to qualify and quantify this resource, wherein a total of 75 square feet (0.001 acres) of potentially threatened surfgrass vegetation was mapped (Appendix E). This vegetation was observed to be patchy and of generally smaller size and extent than surfgrass located farther offshore, with associated potential impacts related to project implementation not considered to be significant.

No significant impacts are anticipated from the generation of sediments and construction debris, due to the small quantity of sediment expected and proposed measures to collect and properly dispose of debris. No threatened, endangered, or candidate species were observed.

Mitigation: Because no significant impacts were identified, no mitigation measures are required.

Terrestrial Biology

Impacts: No significant impacts to terrestrial biological resources are anticipated from the proposed project due to the lack of sensitive species and habitats onsite. Some effects to transitory uses (e.g., roosting) by waterfowl may occur during construction activities, although the effects are not considered significant due to the short-term nature of the construction.

Mitigation: Because no significant impacts were identified, no mitigation measures are required.

Geology/Soils and Erosion

Impacts: The proposed project structures would prevent significant damage to existing treatment plant facilities for the next 75 years by strategically protecting onsite coastal bluffs and nearshore slopes. These protection structures would be subject to loading pressures and deterioration associated with seismic and climatic forces, resulting in potentially significant impacts to structural integrity and slope stability. These considerations have been incorporated into the project design, pursuant to technical investigations conducted during the Engineering Plan analysis. The resultant project structures would be capable of accommodating anticipated gravity, seismic, and climatic forces without sustaining notable damage, thus reducing the potential for impacts to these facilities below levels of significance.

Although the potential for outflanking exists on virtually every coastal project, it is important to note that site-specific coastal erosion is predominantly controlled by variations in geologic structure. At the five shoreline areas under consideration in the proposed project, erosion is generally limited to areas of past fracturing which has resulted in locally more erodible cliff materials. Relatively extensive rock revetments have subsequently been placed along most of the coastline in the plant vicinity. The ends of the existing revetments extend well beyond the locally weaker, more erodible cliff materials encountered in the five shoreline areas covered by the proposed project. Exposed cliff materials in the vicinity of the ends of existing rock revetments appear to be relatively erosion resistant and do not appear to have experienced any appreciable accelerated erosion since placement of the rock approximately 20 years ago.

Coastal protection, as proposed for this project, is generally limited to protecting the locally weaker portions of the cliff, which have continued to experience erosion, although at a slower rate, after placement of the existing rock revetments. Proposed improvements will not be exposed to direct wave impact as they will be partially protected by the existing rock revetment. Consequently, the potential for outflanking of proposed improvements, as typically experienced in coastal environments, is considered to be relatively low at the five shoreline areas under consideration.

The proposed project facilities would not significantly affect local shoreline processes due to the nature and extent of material transport and deposition along the coast. That is, most beach deposits are derived from erosion of immediately adjacent or nearby bluffs rather than from extensive lateral transport. In addition, the quantity and size of beach type deposits in the project vicinity is small, with many shorelines exhibiting sheer bluff-surf interfaces.

Mitigation: Because no significant impacts were identified, no mitigation measures are deemed necessary.

Paleontology

Impacts: The proposed project will likely impact significant paleontological resources associated with the Bay Point and Point Loma formations. These impacts will result from proposed excavation activities which will likely affect known and suspected fossiliferous deposits.

Mitigation: Potential impacts to paleontological resources can be mitigated below levels of significance through preconstruction coordination and onsite monitoring during construction by qualified paleontological consultants. In the event that significant fossil remains are discovered, construction activities may be temporarily diverted or halted to allow proper resource recovery.

Traffic

Impacts: Approximately 850 truck round trips may be required during construction of the proposed facilities for delivery and/or removal of vehicles, equipment, materials, and personnel.

These trips will likely be concentrated over periods of several weeks (rather than being evenly distributed) throughout the 6.5 month construction period. This could result in short-term impacts to traffic volumes due to the nature of local roadway systems. Additionally, the presence of heavy truck traffic could result in deterioration of local roadways, which are utilized primarily by automobiles and light trucks. Local roadways will be regularly inspected and (if necessary) repaired as part of the normal maintenance

operations conducted by the Street Division of the City of San Diego General Services Department. Because of the small average number of daily truck trips anticipated for the proposed project and the short duration of construction, however, no significant impacts related to traffic volumes or roadway damage are expected.

Mitigation: Because no significant traffic impacts are predicted, no mitigation measures are required.

Aesthetics

Impacts: Implementation of the proposed project would generate both short-term (construction-related) and long-term (alteration of offsite views) impacts to visual resources. Short-term impacts are not considered significant due to the restricted nature of offsite views and the limited duration (i.e., 6.5 months) of construction activities. Long-term impacts to offsite views are considered potentially significant, as proposed activities would involve excavation and/or construction on a number of prominent bluffs and slopes. Views of the project site are limited to offshore views from the west, with views from the north, south, and east generally precluded by intervening topography and/or restricted access. Although views from the west occur generally from distances of 1 to 2 miles offshore and are chiefly panoramic, several project facilities would likely be visible from offshore viewing areas. Proposed project design includes several measures to reduce visual impacts through matching of color and textural characteristics between project facilities and existing landscapes, and landscaping (with native drought- and salt-tolerant varieties) in appropriate areas to screen project facilities and provide visual continuity with existing vegetation. These measures would reduce potential long-term visual impacts below levels of significance.

Mitigation: Because no significant issues were identified, no mitigation measures are required.

EFFECTS FOUND NOT TO BE SIGNIFICANT

A number of potential issue areas were identified during the NOP process which are not addressed in the Environmental Analysis Section of the EIR. These include air quality, cultural resources, and the potential for relocating the treatment plant or specific facilities to avoid erosional impacts. A brief discussion of each of these topics is provided below.

Air Quality. Construction of the proposed facilities would involve potential adverse affects to local air quality in the form of vehicle emissions and dust generation. Neither of these is considered potentially significant due to the temporary nature of the project, the relatively small number of vehicles and associated traffic trips anticipated, and the fact that materials targeted for excavation and vehicle access are generally coarse-grained and not subject to airborne dust generation.

Cultural Resources. Proposed construction activities are anticipated to disturb construction fill and sedimentary deposits on bluff faces, bluff tops, and terrace slopes. All of these materials are considered to have little or no potential to contain significant cultural resources due to their disturbed nature.

ALTERNATIVES

No Project

Under the no project alternative, the site would remain in its present condition. None of the proposed shoreline protection or erosion-controlling facilities would be constructed, with erosion of the coastal bluffs continuing at its current rate. Facilities impacted by continued bluff retreat would include the main and lower hydro access roads, engineering trailer, visitor parking lot, gas utilization facility, hydroelectric powerplant, outlet structure, and administration buildings.

Potential environmental impacts identified for marine and terrestrial biology, geology, paleontology, traffic, and aesthetics from project implementation would be eliminated. However, as discussed in Section IV of this report, all potential impacts associated with the proposed project could be reduced to below levels of significance.

Alternative Facility Design

This alternative involves implementing one or more project design changes to eliminate and/or replace a number of proposed structures. Specifically, the proposed 85-foot tied-back wall in Area 2 (See Section IV B of this report) would be replaced by additional riprap, and the existing Armco Binwall and proposed 60-foot tied-back wall below would be replaced with a reinforced earth wall.

Both of these alternative designs are capable of meeting the project objectives, although replacement of the 85-foot tied-back wall would likely require remedial measures to ensure adequate protection of the adjacent lower hydro access road. These may include actions, such as raising the proposed revetment crown to the road surface elevation to reduce wave erosion potential.

Environmental effects from these two alternatives would be similar to those described for the proposed project, with the exception of a reduction in visual impacts due to the elimination of two tied-back wall structures from project design. In addition, the remedial measures described above to protect the lower hydro access road could produce adverse environmental effects depending on their nature. The use of additional riprap, for example, could result in additional impacts to marine resources.

Consideration was also given to using rigid concrete seawall facilities in place of one or more proposed facilities. Foundational and associated excavation requirements of such structures, however, would likely result in environmental and economic effects exceeding those for the proposed project.

Cribwall Deletion

The alternative design concerning inland cribwall construction involves eliminating both of the proposed cribwall structures entirely.

This alternative would not meet the project objectives in that erosion along the access road slopes would continue at current levels. Such erosion would increase maintenance requirements and possibly endanger the roadways and adjacent facilities.

Although potential environmental impacts related to visual and paleontological resources would likely be eliminated in this alternative, all such impacts associated with the proposed project are capable of being mitigated below levels of significance.

Treatment Plant Relocation

Relocation of the treatment plant would eliminate the identified impacts to biological and paleontological resources. However, relocating the plant is not considered a feasible

alternative. This major facility cannot easily be relocated. Conveyance systems and the ocean outfall would also need to be relocated, potentially resulting in significant impacts to a number of marine and terrestrial resources. As stated on page S-2, this plant comprises the major wastewater treatment facility for the San Diego Metropolitan Sewage System Service Area, including the communities of San Diego, El Cajon, Santee, Del Mar, National City, San Ysidro, Chula Vista, Tijuana (emergency only), Alpine, and Lakeside.

Relocation of the existing treatment plant would also involve significant capital expenditures for constructing new facilities, and substantial loss of the approximately \$400 million (current dollars) investment in existing structures.

EXHIBIT "D"

FINDINGS

The California Environmental Quality Act (CEQA) requires that no public agency shall approve or carry out a project for which an environmental impact report has been completed which identifies one or more significant effects thereof unless such public agency makes one or more of the following findings:

- (1) Changes or alterations have been required in, or incorporated into, such project which mitigate or avoid the significant environmental effects thereof as identified in the completed environmental impact report.
- (2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and such changes have been adopted by such other agency or can and should be adopted by such other agency.
- (3) Specific economic, social, or other considerations make infeasible the mitigation measures or project alternatives identified in the environmental impact report.

(Section 21081 of the California Environmental Quality Act)

CEQA further requires that, where the decision of the public agency allows the occurrence of significant effects which are identified in the final EIR, but are not at least substantially mitigated, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record (Section 15092 of the CEQA Guidelines).

The following Findings have been submitted by the Water Utilities Department as Candidate Findings to be made by the decision making body. The Environmental Quality Division does not recommend that the discretionary body either adopt or reject these findings. They are attached to allow readers of this report and an opportunity to review the applicant's position on this matter.

**CANDIDATE FINDINGS
FOR THE SHORELINE PROTECTION PROJECT**

State of California (EQD NO. 880451; SCH NO. 88062913)

Department of Fish and Game

A. PUBLIC RESOURCES CODE SECTION 21081(A)

The decisionmaker, having reviewed and considered the information contained in the final EIR and the public record, finds that changes or alterations have been required in or incorporated into the project which mitigate or avoid the significant effects thereof, as identified in the final EIR. Specifically:

1. Paleontology

Impact - Well-known and important fossil resources have been identified on the project site. These impacts would result from the proposed excavation activities in the Point Loma Formation.

Finding - Potential impacts to paleontological resources shall be mitigated by requiring a paleontological monitor to be on-site during the initial cutting of the Point Loma Formation to inspect for contained fossils. Other duties of the monitor include salvaging and preparing collected materials for deposit at a scientific institution.