

## **APPENDIX A**

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### Agency Consultation Meeting Notes

**Vista Grande Drainage Basin Flood Control Tunnel Project  
Environmental Characterization Assessment**

Meeting at California Coastal Commission

45 Fremont Street

San Francisco, CA

September 12, 2007 3-5 p.m.

**Attendees:**

Michelle Jespersen (CCC)

Michael Endicott (CCC)

Steve Ortega (GGNRA)

Paul Batlan (GGNRA)

Karen Cantwell (GGNRA)

Patrick Sweetland (DC)

Robert Ovadia (DC)

Glenn Boyce (JA)

Blake Rothfuss (JA)

Erin Hohenshelt (JA)

Darcey Rosenblatt (ESA)

Erin Higbee (ESA)

Representing: California Coastal Commission (CCC); Golden Gate National Recreation Area/ National Park Service (GGNRA/NPS); City of Daly City (DC); Jacobs Associates (JA); and, ESA Water (ESA)

**Patrick Sweetland** presented the Project Background and Work Scope. Patrick discussed the stormwater problem and the project history. The project was initiated as a follow on study to the Vista Grande Watershed Plan prepared by RMC to evaluate flooding issues within the basin and respond to a public trust complaint related to water levels in Lake Merced. This project is one of several efforts looking to address these issues. Other studies, currently underway, include wetlands development, additional water reuse strategies, and upstream drainage system evaluation.

**Glenn Boyce** briefly described the current drainage facilities in the lower part of the drainage basin.

**Darcey Rosenblatt** led the discussion of the Environmental Setting & Characterization of the Alternative Tunnel Alignments. The following issues and questions were discussed.

- Wetlands development is an integral component of all proposed alternatives but can only manage a very small element (“thimbleful”) of the storm flows generated within the basin.
- The existing aquifer will not be impacted by a proposed tunnel given the depth of the aquifer in relation to the location and depth of the tunnel alternatives.

- Daly City has begun implementing some of the RMC study recommendations that looked at the stormwater solutions. This effort is focused on identifying and evaluating downstream improvement alternatives to manage the storm flows developed within the basin, which may include tunnels, storage and groundwater recharge.
- The project team should evaluate the need for a new or revised NPDES permit for the proposed outfall structure.
- **Steve Ortega** noted that there had been a public vetting process connected to the RMC study in which both NPS and State Parks submitted information regarding their agencies process and potential concerns. **Patrick** acknowledged that there has not yet been any specific vetting with regards to the current tunnel alternatives at this early stage of the alternatives analysis project, but that Daly City is committed to a thorough public vetting process including public outreach and input as this current work effort moves ahead.
- **Steve** mentioned that the NPS scoping comment letter on the RMC report cites management policies from the Park's 2002 Management Policies; these have been updated to 2006.
- **Steve** also stressed the importance of including State Parks in the project discussions. **Darcey** noted that she had made calls to **Chet Bardo** at Thornton State Beach. **Steve** acknowledged that this was the right person to call and that all concerned should make an effort to make this contact.

#### 4) Discuss Regulatory Process

- **Paul Batlan** mentioned that the NPS (National Park Service) and the California State Parks Department routinely coordinate project evaluations. He also noted that one of the difficulties of commenting on alternatives at this point was that project costs had not yet been developed. On other projects, interesting design alternatives were found to be unrealistic due to cost. **Patrick** mentioned that costs will definitely be included in the alternative evaluation process, and noted that a preferred alternative needed to be determined in order to better define cost and program financing.
- **Steve** noted that NPS concerns with environmental issues would include presence of threatened or endangered species; erosion; and general environmental compliance.
- **Michael Endicott** and **Michelle Jespersion** noted that the primary concerns from the CCC related to water quality (screening and treatment of effluent), public access, and presence of habitat for threatened and endangered species (environmentally sensitive habitat areas); although all staff agreed that to the extent possible the project should include improvements to public resources (some degree of water treatment, water reuse and recharge, erosion management; improved access, a reduction of sediment deposited at the outfall and/or possible beach sand replenishment).
- The NEPA/CEQA process was discussed. There was general agreement that it was difficult to say what format the compliance document would actually take. On the NEPA side, potential significant impacts determine whether an EA

- A joint CEQA/NEPA document could probably be developed. There would need to be some discussion regarding who the lead NEPA agency would be, but it would likely be NPS. Daly City would be the lead state agency in the CEQA process and may need to assist with funding the NEPA environmental document preparation and review. The NPS would not require funding of a NPS project manager as they do for private clients but both **Paul** and **Steve** stressed that NPS staff are very busy and this needs to be considered in scheduling the compliance document.
- **Paul** described the lease agreement that the NPS has with the State Lands Commission. This lease pertains to Fort Funston and lands from mean high water line to 1000 feet off shore. Any project would need to comply with the terms of this lease or if the project were outside the current lease requirements, a renegotiation with the State Lands Commission (the lessor) would be required. He suggested that the project team review GGNRA's 2006 review of a Baker Beach project.

NPS/State Lands Commission Lease

- Does not permit or promote development on property
- Cannot issue a permanent easement; only a 10-year right of way
- Allows for a 10 year extension
- Expires in 2037
- **Paul** described that granting permanent easements for non-park assets is generally outside NPS policy although he did acknowledge that park staff was aware that this was a major project whose goal was to solve a significant problem and that NPS would do their best to work with the City.
- There seemed to be general agreement from agency staff that working within the existing right-of-way and modifying the existing outfall, while still subject to the NEPA process; would be simpler and would more readily comply with existing lease and land use restrictions.
- **Michelle** described the CCC jurisdictional boundaries. She noted that until the project alternatives were confirmed it would be difficult to identify the applicable CCC processes to operate within the Local Coastal Program (LCP). The CCC also has jurisdiction around Lake Merced. There are separate review/permitting processes depending on land jurisdiction.
- **Michelle** also noted that it would be a good idea to see the wetlands component included as part of the project so that it could be analyzed and permitted as the same project.
- **Michael** encourages a thorough examination for other sites that could be used to either temporarily (wholly or partially) hold overflow or infuse back to the ground within the city limits as well.

**Next Steps:**

- 1) Continue future discussions with CCC, GGNRA, State Parks, State Lands Commission, and possibly USACE and RWCQB (for new outfall issues).
- 2) Establish a contact person from State Lands – Paul will forward his contacts, ESA will follow up.
- 3) NPS will provide right of way info and permitting restrictions.
- 4) ESA and Jacobs will review agency scoping comments from RMC study.
- 5) ESA and Jacobs will evaluate outfall easement.
- 6) With Daly City, ESA and Jacobs will outline alternatives screening criteria.
- 7) The team will return to the agency table with preferred alternatives for formal processing
- 8) ESA will review San Francisco and Daly City LCP and Coastal Act regulations.
- 9) ESA will obtain GIS data layers from NPS and CCC for land ownership and jurisdiction.

# meeting notes

project Vista Grande Drainage Basin Tunnel Analysis project no. 207036

date May 16, 2008 time 1:00 PM

present Patrick Sweetland (DC), Robert Ovadia (DC), Blake Rothfuss (JA), Darcey Rosenblatt (ESA), Erin Higbee (ESA), Ruby Pap (CC), Madeline Cavalieri (CC) route to

subject Project overview and status update with the Coastal Commission

**Objective of meeting:**

To re-introduce the Vista Grande project to staff at the Coastal Commission, present the three alternatives selected for analysis, and solicit feedback and/or concerns from the Coastal Commission regarding the alternatives and the construction staging options at Fort Funston.

**Darcey** introduced project team members and gave a brief overview of the project and the current status and showed photos of the project area at Fort Funston and of the outfall structure. The team requested feedback and any potential concerns from the Coastal Commission on the three alternatives.

**Patrick** described the history of the project that is based on the Vista Grande Watershed Analysis by RMC and the current flooding concerns.

**Blake** explained the three alternatives currently being examined, 5B, 6, and 7. The timeline for the construction phase would be approximately 26-30 months, but the construction taking place at the outfall would take less time.

**Ruby** said that the alternative with the larger coffer dam and construction staging on the beach would be challenging to get through the CC permitting process and that likely the CC would prefer the alternative with the drop shaft located near the parking lot at Fort Funston because it would be less disruptive. The CC, by enforcing the Coastal Zone Act is responsible for preventing/minimizing disruption to beach access, parking, trails; visual quality, and hazards.

To assess hazards, the CC would likely want to see geotechnical reports and detailed analysis of cliff erosion and effects of sea-level rise. Water quality staff at the CC would also likely be involved during the permitting process and would be interested in how the new system will enhance water quality. **Ruby** explained the various permitting processes that this project could encounter.

## Permitting Process

- In the NEPA/CEQA process, the CC assumed they would be the responsible agency, with NPS as the lead agency.
- *Public Works Plan Option* – designed to streamline special districts through permitting; uses LCP as standard of review.
- *Consolidated Coastal Development Permit (CDP)* and *local coastal program permit (LCP)* is another option.
- The jurisdiction for appeal is west of Skyline Blvd.
- The CDP will not be applied for until after the NEPA/CEQA analysis.  
After an application is submitted for a Coastal Permit they have 180 days to bring to the Commission. The Commission will review the permit, hearings take place, etc...before a permit is issued.
- Federal Consistency Unit <http://www.coastal.ca.gov/fedcd/fedcndx.html> may need to be involved/notified since there are several federal agencies whose jurisdiction this project occurs on. The Federal Coastal Zone Management Act must be followed, but the CA Coastal Act is stricter and must also be followed. Ruby will consult with this unit to see if this is recommended.

**Madeline** mentioned that visual resources are also important to the CC and will be evaluated for visual effects on the beach and blending in with the natural environment. She discussed alternative types of materials that can be used with **Blake**, and recommended looking into other outfall and coastline infrastructure projects for ideas. Water quality is also a concern for the CC.

**Ruby** mentioned that the State Lands Commission is usually not very involved at this stage in the process, but will need to amend the lease; land owners must authorize the project in order for Coastal permit approval.

### **Action Items:**

**ESA** will look up archived staff reports on the CC's website for findings and analysis by the Commission on similar projects.

**Blake** will look into alternative materials for the outfall structure.