

STAFF REPORT*CITY OF OCEANSIDE*

DATE: November 5, 2014

TO: Honorable President and Members of the Board of Directors of the Small Craft Harbor District

FROM: Development Services Department

SUBJECT: **ADOPTION OF A RESOLUTION APPROVING A DEVELOPMENT PERMIT, CONDITIONAL USE PERMIT AND REGULAR COASTAL PERMIT FOR THE CONSTRUCTION OF A TEMPORARY DESALINATION PILOT FACILITY (TEST WELL) AT THE TERMINUS OF SOUTH HARBOR DRIVE – APPLICANT: CITY OF OCEANSIDE**

SYNOPSIS

Staff recommends that the Harbor Board adopt a resolution approving Development Permit (D14-00014), Conditional Use Permit (CUP14-00023) and Regular Coastal Permit (RC14-00011) for the construction of a temporary desalination pilot facility (test well) within Parking Lot 10 at the terminus of Harbor Drive South in the Oceanside Small Craft Harbor Precise Plan Area.

BACKGROUND

The City of Oceanside has been assessing the feasibility of using desalinated seawater to supplement its existing water sources in an effort to meet future municipal water demands and reduce reliance on imported water. Acquisition of saline water for desalination from near shore subsurface water wells is a viable alternative and favored over open ocean intake systems based on the following:

- Near shore subsurface wells do not affect aquatic life;
- The aquifer systems from which saline water is derived provide natural filtration that can greatly reduce or eliminate reverse osmosis pretreatment; and
- The aquifer buffers surface water turbidity from storm surges and excessive runoff.

In 2008 a test well (TW-1) and monitoring well (MW-1) were constructed at the Oceanside marina parking lot as part of a pilot program focused on documenting water quality data and assessing saline water pre-treatment requirements in the vicinity of Oceanside Harbor. Successful results from this initial study have prompted consideration of potentially locating a desalination facility in the southern portion of the Harbor. To that end, a phased approach to gather additional data via exploratory drilling of test wells to determine aquifer properties and ground well feasibility as a source of feed water for desalination is being pursued.

ANALYSIS

The project under consideration involves the construction of a vertical test production well (TW-2) within Parking Lot 10 at the terminus of Harbor Drive South, near the outlet of the San Luis Rey River. The project site is located within the Coastal Zone, Oceanside Small Craft Harbor Precise Plan Area (Harbor Zone – H) and bears a “Harbor” General Plan and Local Coastal Plan land use designation. The Harbor zoning classification is a multiple-use category which accommodates boating and harbor-dependent uses, as well as coastal-related support services including public facilities. The proposed temporary test well is considered a coastal-related public facility and its establishment and operation is subject to issuance of a conditional use permit, development permit and regular coastal permit.

The purpose for developing the test well is to determine aquifer properties, production potential and ground water quality trends during pumping. All construction work would be confined to an approximately 137 feet by 45 feet (6,165 square feet) area on Parking Lot 10 with the exception of the temporary above ground water discharge pipe which will be located in the street right-of-way adjacent to the curb. A 2,000 square feet staging and material storage area is proposed within the parking lot area east of Harbor Drive South. Construction and testing operations are estimated to occur over a period of 18 days. All water generated from project construction and testing (approximately 7,740,000 gallons) will be routed to a stormwater facility and discharged into the harbor through a catch basin, in accordance with applicable NPDES permits.

Since the proposed test well would operate for a limited period of time and confined to Parking Lot 10, impacts to parking availability will be minimal. It is estimated that approximately 25 parking stalls would be temporarily impacted and an additional 10 parking stalls would be affected by project staging/storage use on the adjacent parking lot area east of Harbor Drive South. There will be no long-term parking impacts. Upon completion of testing the site will be returned to its preconstruction condition and the wellhead will be buried in a vault, set flush with the surrounding pavement. It should be noted that due to existing zoning restrictions, any potential future permanent desalination facilities would either have to be located within the harbor parking lot area located at the end of Riverside Drive or an amendment to the Zoning Ordinance would be required to allow the establishment of such facility in the Harbor area west of the AT&SF railroad tracks.

FISCAL IMPACT

There is no fiscal impact as a result of the approval of the permits. This action does not award the project and does not result in additional expenditures at this time.

COMMISSION OR COMMITTEE REPORT

The Harbor and Beaches Advisory Committee reviewed the subject proposal at its January 23, 2014, meeting and recommended approval of the project. The Planning Commission reviewed the project on October 6, 2014 and voted to forward the project for consideration to the Board of Directors of the Small Craft Harbor.

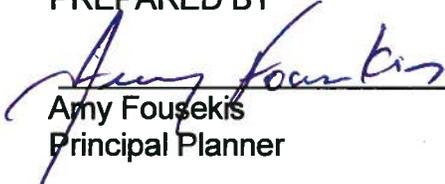
CITY ATTORNEY'S ANALYSIS

The Harbor Board is authorized to hold a public hearing in this matter. Consideration of the matter should be based on the testimony and evidence presented at the hearing. After conducting the public hearing the Harbor Board shall affirm, modify or deny the project. The supporting document has been reviewed and approved as to form by the City Attorney.

RECOMMENDATION

Staff recommends that the Harbor Board adopt a resolution approving Development Permit (D14-00014), Conditional Use Permit (CUP14-00023) and Regular Coastal Permit (RC14-00011) for the construction of a temporary desalination pilot facility (test well) within Parking Lot 10 at the terminus of Harbor Drive South in the Oceanside Small Craft Harbor Precise Plan Area.

PREPARED BY

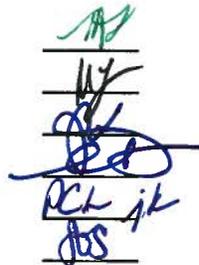

Amy Fousekis
Principal Planner

SUBMITTED BY


Steven R. Jepsen
City Manager

REVIEWED BY:

- Michelle Skaggs Lawrence, Assistant City Manager
- Marisa Lundstedt, City Planner
- James Riley, Financial Services Director
- Cari Dale, Water Utilities Director
- Paul C. Lawrence, Harbor Manager
- Scott O. Smith, City Engineer



ATTACHMENTS:

- 1. Harbor Board Resolution
- 2. Site Plans
- 3. Other Attachments (Application page, Description and Justification, Notice of Exemption)

OCEANSIDE HARBOR BOARD OF DIRECTORS

RESOLUTION NO. _____

A RESOLUTION OF THE HARBOR BOARD OF DIRECTORS APPROVING A DEVELOPMENT PERMIT (D14-00014), CONDITIONAL USE PERMIT (CUP14-00023) AND REGULAR COASTAL PERMIT (RC14-00011) FOR THE CONSTRUCTION OF A TEMPORARY DESALINATION PILOT FACILITY (TEST WELL) WITHIN PARKING LOT 10 AT THE TERMINUS OF HARBOR DRIVE SOUTH IN THE OCEANSIDE SMALL CRAFT HARBOR PRECISE PLAN AREA – APPLICANT: CITY OF OCEANSIDE

WHEREAS, on November 5, 2014, the Harbor Board of Directors held a duly noticed public hearing to consider an application for a Development Permit (D14-00014), Conditional Use Permit (CUP14-00023) and Regular Coastal Permit (RC14-00011) for the construction of a temporary desalination pilot facility (test well) within Parking Lot 10 at the terminus of Harbor Drive South in the Oceanside Small Craft Harbor Precise Plan Area;

WHEREAS, the applicant is the City of Oceanside;

WHEREAS, a Notice of Exemption was prepared by the Resource Officer of the City of Oceanside for this project pursuant to the California Environmental Quality Act of 1970 and the State Guidelines thereto as amended to date;

WHEREAS, studies and investigations made by the Harbor Board of Directors reveal the following facts:

FINDINGS:**For the Development Permit:**

1. The physical design of the temporary test well site is consistent with the Zoning Ordinance and Oceanside Small Craft Harbor Precise Plan.
2. The Development Plan conforms to the General Plan of the City.
3. The project site can be adequately served by existing public facilities, services and utilities.
4. The project, as proposed, is compatible with existing and potential development on adjoining properties or in the surrounding neighborhood.
5. The project design is consistent with the policies contained within Sections 1.12 and 1.322 of the Land Use Element of the General Plan.

///

1 **For the Conditional Use Permit:**

- 2 1. The proposed coastal-related temporary use is necessary at this particular location to
3 accommodate a short term saline water testing facility to explore the feasibility of establishing a
4 permanent desalination facility within the Harbor area.
- 5 2. The proposed use will not be detrimental to the health, safety, peace or general welfare of
6 persons residing or working in the vicinity.
- 7 3. The site for the proposed use is adequate in size and is so shaped as to accommodate said use and
8 features in the neighborhood and make it compatible thereto.
- 9 4. The site abuts streets adequate in width and improvements to carry traffic generated by the
10 proposed use. Existing street patterns guarantee that traffic generated by the proposed use
11 operations will not be channeled through residential areas in local residential streets.
- 12 5. The granting of the conditional use permit will not adversely affect the General Plan of the City,
13 any another adopted plan of the City or the adopted plan of any other governmental agency. The
14 propose use is of temporary nature. Installation of any future long term desalination facilities in
15 the Oceanside Harbor Precise Plan Area west of the AT&SF railroad tracks would be contingent
upon approval of a zoning amendment to allow the establishment and operation of such use.

16 **For the Regular Coastal Permit:**

- 17 1. The proposed project is consistent with the Land Use Plan objectives and policies of the Local
18 Coastal Program as implemented through the Harbor Precise Plan. The proposed short-term
19 coastal-related use may be permitted within the underlying multi-use Harbor zone. Any future
20 permanent facilities would either have to be located within the harbor parking lot at the end of
21 Riverside Drive or an amendment to the zoning ordinance would be required to allow the
22 establishment of a desalination facility in the Harbor area west of the AT&SF rail road tracks.
- 23 2. The proposed short-term project will not obstruct any existing or planned public beach access;
therefore, the project is in conformance with the policies of Chapter 3 of the Coastal Act.

24 NOW, THEREFORE, the Harbor Board of the City of Oceanside does resolve that
25 Development Permit (D14-000146), Conditional Use Permit (CUP14-00023) and Regular Coastal
26 Permit (RC14-00011) is hereby approved in accordance with the following conditions:

27 ///

28 ///

1 **Planning:**

- 2 1. This Development Permit (D14-00014), Conditional Use Permit (CUP14-00023) and Regular
3 Coastal Permit (RC14-00011) approves only construction of a temporary desalination pilot
4 facility (test well) within Parking Lot 10 at the terminus of Harbor Drive South in the Oceanside
5 Small Craft Harbor Precise Plan Area. Any substantial modification in the design, layout or use
6 shall require new entitlements or revision(s) to the Development Permit, Conditional Use Permit
7 and Regular Coastal Permit.
- 8 2. This Development Permit, Conditional Use Permit and Regular Coastal Permit shall expire on
9 November 5, 2016, unless implemented as required by the Zoning Ordinance or unless a time
10 extension is granted by the Harbor Board.
- 11 3. All site lighting shall be shown on the building plans and shall comply with applicable City
12 standards.
- 13 4. Temporary construction staging area shall be reviewed and approved by the Director of Harbor and
14 Beaches prior to use by the City's contractor.
- 15 5. The City's project manager shall ensure that the City's contractor is provided with copies of the
16 staff report, resolution of approval, and environmental documentation for the project. The
17 contractor shall be responsible to implement and adhere to the requirements of the project
18 approval, in as much as the scope and agreement of his contract with the City requires.
- 19 6. Unless expressly waived, all current zoning standards and City ordinances and policies in effect
20 at the time of issuance of any construction permits are required to be met by this project.

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25 ///

1 **Engineering:**

2 7. Appropriate traffic control must be implemented, to the satisfaction of the Traffic Engineer.

3 PASSED AND ADOPTED by the Oceanside Harbor Board of the City of Oceanside this __ day
4 of _____, 2014 by the following vote:

5 AYES:

6 NAYS:

7 ABSENT:

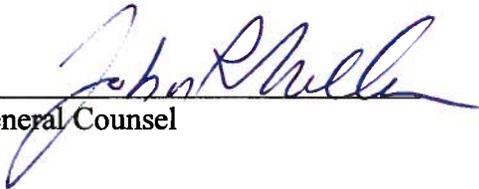
8 ABSTAIN:

9
10 _____
11 President

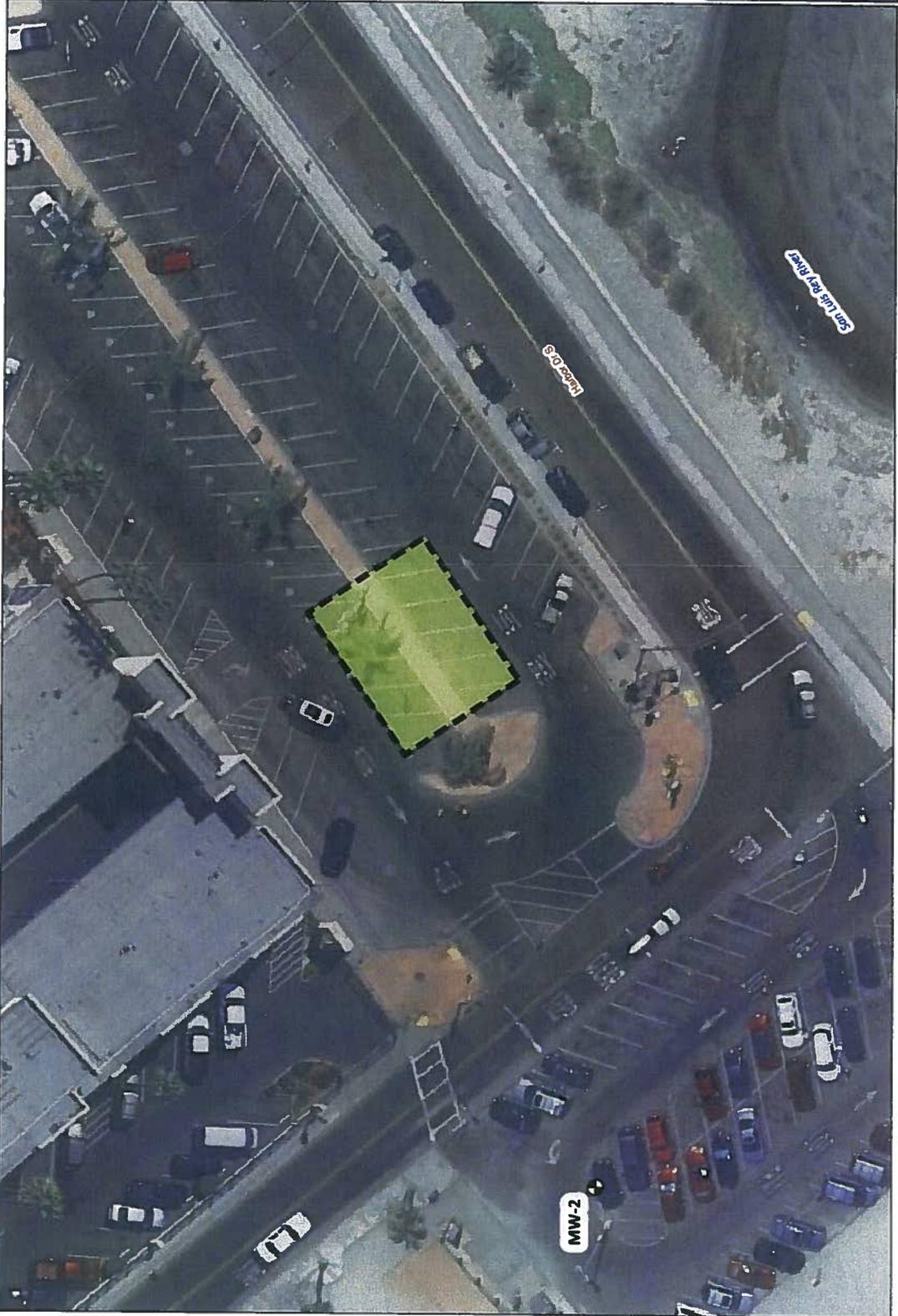
12 ATTEST:

13
14 _____
15 Secretary

16 APPROVED AS TO FORM:
17 OFFICE OF THE CITY ATTORNEY

18 by 
19 General Counsel

OCEANSIDE HARBOR DESALINATION FEASIBILITY PROJECT DESCRIPTION



STAGING AND MATERIAL STORAGE AREA

EXPLANATION

Proposed Monitoring Well (MW-2)

Staging and Material Storage Area

Detailed View Inset



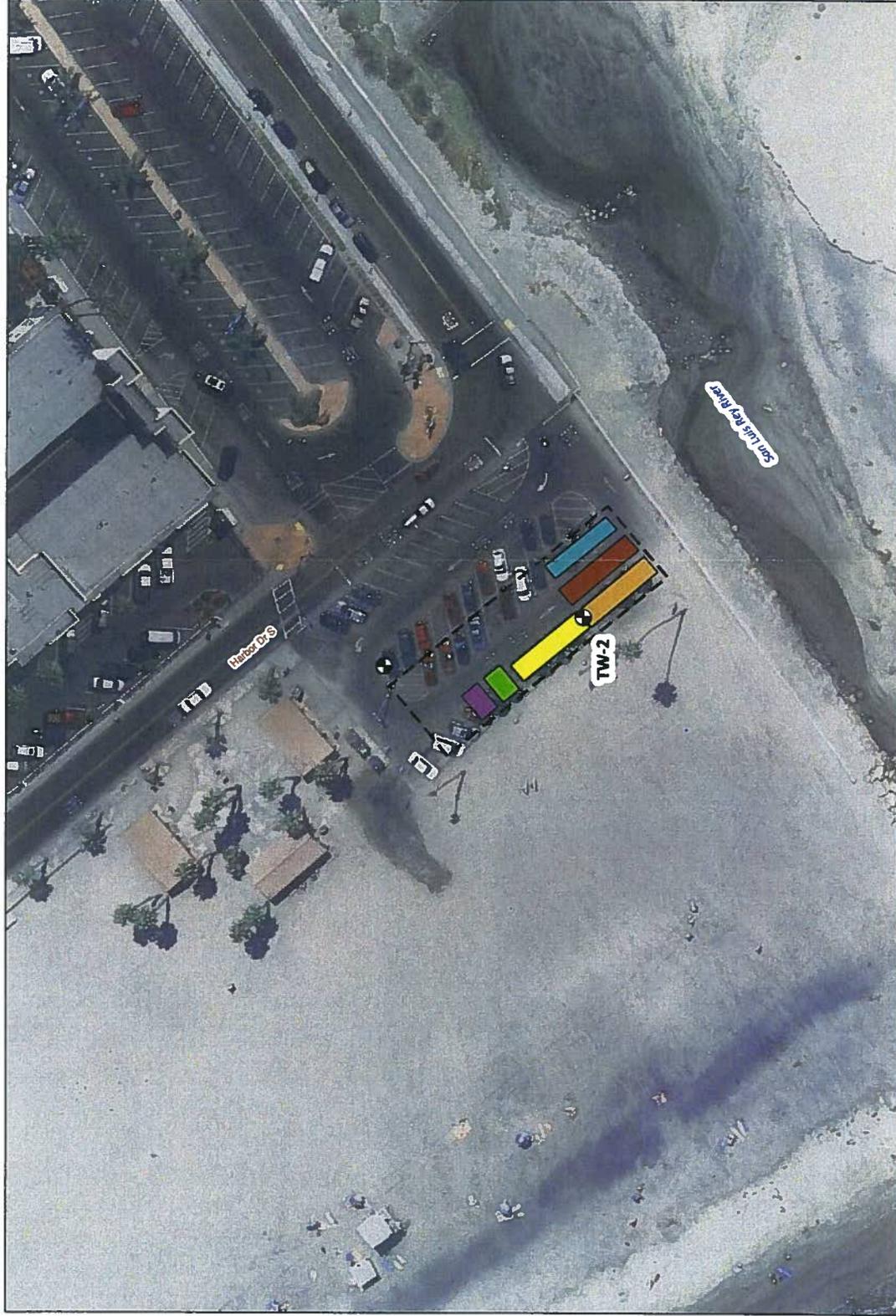
GEOSCIENCE
 GEOSCIENCE Support Services, Inc.
 10000 S. Harbor Blvd., Suite 100
 Torrance, CA 90503
 Tel: (310) 431-6620 Fax: (310) 431-6638
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CITY OF OCEANSIDE

OCEANSIDE HARBOR DESALINATION FEASIBILITY PROJECT DESCRIPTION

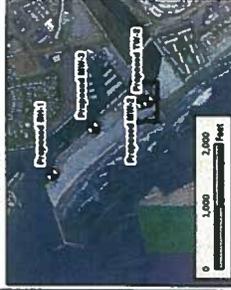


**DETAILED SITE LAYOUT
TW-2**

EXPLANATION

- Proposed Test Well (TW-2)
- Dual Rotary Drilling Rig
- Pipe Trailer
- Support Truck
- Fork Lift
- Work Area
- Fluid Storage Tank
- Drilling Fluid Tank

Detailed View Inset



9-May-12

Prepared by: DWB, Map Projection: UTM 1883, Zone 11.

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GIS_project_of_oceanside_desalination_feasibility_5-12-12_Fig_10_TW-2_created_by_5-12-12.mxd

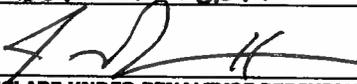


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GEOSCIENCE

GEOSCIENCE Support Services, Inc.
P.O. Box 200, Channahon, IL 61711
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Figure 10

 <p>Application for Discretionary Permit Development Services Department / Planning Division (760) 435-3520 Oceanside Civic Center 300 North Coast Highway Oceanside, California 92054-2885</p>				STAFF USE ONLY			
				ACCEPTED		BY	
				8/21/14		AF	
Please Print or Type All Information				HEARING			
PART I – APPLICANT INFORMATION				GPA			
1. APPLICANT City of Oceanside Water Utilities Dept.		2. STATUS		MASTER/SP.PLAN			
3. ADDRESS 300 N. Coast Hwy		4. PHONE/FAX/E-mail (760) 435-5811		ZONE CH.			
5. APPLICANT'S REPRESENTATIVE (or person to be contacted for information during processing) Jason Dafforn		6. ADDRESS -		7. PHONE/FAX/E-mail -		TENT. MAP	
				PAR. MAP			
				DEV. PL. D14-00014			
				C.U.P. COP 14-00023			
				VARIANCE			
				COASTAL RC14-00011			
PART II – PROPERTY DESCRIPTION				O.H.P.A.C.			
8. LOCATION Oceanside Harbor				9. SIZE			
10. GENERAL PLAN Harbor		11. ZONING Harbor Precise Plan		12. LAND USE Parking lot		13. ASSESSOR'S PARCEL NUMBER 143-010-31	
14. LATITUDE				15. LONGITUDE			
PART III – PROJECT DESCRIPTION							
16. GENERAL PROJECT DESCRIPTION Construction of temporary test well.							
17. PROPOSED GENERAL PLAN		18. PROPOSED ZONING		19. PROPOSED LAND USE		20. NO. UNITS	21. DENSITY
22. BUILDING SIZE		23. PARKING SPACES		24. % LANDSCAPE		25. % LOT COVERAGE or FAR	
PART IV – ATTACHMENTS							
26. DESCRIPTION/JUSTIFICATION		27. LEGAL DESCRIPTION		28. TITLE REPORT			
29. NOTIFICATION MAP & LABELS		30. ENVIRONMENTAL INFO FORM		31. PLOT PLANS			
32. FLOOR PLANS AND ELEVATIONS		33. CERTIFICATION OF POSTING		34. OTHER (See attachment for required reports)			
PART V – SIGNATURES							
SIGNATURES FROM ALL OWNERS OF THE SUBJECT PROPERTY ARE NECESSARY BEFORE THE APPLICATION CAN BE ACCEPTED. IN THE CASE OF PARTNERSHIPS OR CORPORATIONS, THE GENERAL PARTNER OR CORPORATION OFFICER SO AUTHORIZED MAY SIGN. (ATTACH ADDITIONAL PAGES AS NECESSARY).							
35. APPLICANT OR REPRESENTATIVE (Print): JASON DAFFORN		36. DATE 8/25/14		37. OWNER (Print)		38. DATE	
Sign: 				Sign:			
<ul style="list-style-type: none"> I DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT. FURTHER, I UNDERSTANDING THAT SUBMITTING FALSE STATEMENTS OR INFORMATION IN THIS APPLICATION MAY CONSTITUTE FRAUD, PUNISHABLE IN CIVIL AND CRIMINAL PROCEEDINGS. I HAVE READ AND AGREE TO ABIDE BY THE CITY OF OCEANSIDE DEVELOPMENT SERVICES DEPARTMENT AND ECONOMIC AND COMMUNITY DEVELOPMENT DEPARTMENT POLICY NO. 2011-01/POLICY AND PROCEDURE FOR DEVELOPMENT DEPOSIT ACCOUNT ADMINISTRATION. 							

KC14-00011

The project proposes to drill a temporary test well (TW-2) for the City of Oceanside in the existing Harbor parking lot next to the beach near the outlet of the San Luis Rey River. All water generated from temporary well development and testing will be routed in above ground temporary piping to an approved City stormwater facility and discharged into the Harbor through a catch basin as shown in Fig 1, Proposed Discharge Alignment. Temporary well development/testing duration is scheduled for approximately 18 days. At the conclusion of the testing, the site will be returned to its pre-construction conditions and the well head will be located in a buried vault with the cover set flush with the surrounding pavement. All well work and temporary equipment laydown and storage will be completed within the parking lot with the temporary highline discharge piping located in the paved street adjacent to the existing concrete curb.





NOTICE OF EXEMPTION
City of Oceanside, California

Post Date:
Removal:
(30 days)

1. **APPLICANT:** City of Oceanside
2. **ADDRESS:** 300 N. Coast Highway, Oceanside, CA, 92054
3. **PHONE NUMBER:** (760) 435-5811
4. **LEAD AGENCY:** City of Oceanside
5. **PROJECT MGR.:** Jason Dafforn, Water Utilities Division Manager
6. **PROJECT TITLE:** Desalination Test Well #2
7. **DESCRIPTION:** The City of Oceanside proposes to drill a temporary test well (TW-2) in the existing Harbor Parking Lot #10 (see Figure 1). A majority, but not all, of the parking spaces in Lot #10 will be unavailable for visitor use during the testing; however, there are numerous other parking spaces available in the area, and the project will be implemented prior to Memorial Day to avoid the peak summer beach use period. Water generated from temporary well development and testing will be routed in above ground temporary piping to an approved City stormwater facility and discharged into the Harbor through a catch basin as shown in Figure 2, Proposed Discharge Alignment. It will take approximately 10 days to drill the test well. The temporary well testing duration (during which water would be pumped out of the well) is scheduled for approximately 18 days. Accordingly, the total project duration is approximately one month. At the conclusion of the testing, the site will be returned to its pre-construction conditions and the well head will be located in a buried vault with the cover set flush with the surrounding pavement. All well work and temporary equipment laydown and storage will be completed within the parking lot with the temporary highline discharge piping located in the paved street adjacent to the existing concrete curb.

ADMINISTRATIVE DETERMINATION: Planning Division staff has completed a preliminary review of this project in accordance with the California Environmental Quality Act (CEQA). Based on that review, the City Planner has determined that further environmental evaluation is not required because:

- "The activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA" (Section 15061(b)(3)); or,
- The project is statutorily exempt, Section _____, <name> (Sections 15260-15277); or,
- The project is categorically exempt, Class 6, "Information Collection" (Section 15306); or,
- The project does not constitute a "project" as defined by CEQA (Section 15378).



Marisa Lundstedt, City Planner

Date: 1/30/14