

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



W20a

Filed: 7/1/13
180th Day: 12/28/13
Staff: A. Llerandi-SD
Staff Report: 8/20/13
Hearing Date: 9/11-13/13

STAFF REPORT: REGULAR CALENDAR

Application No.: 6-13-0468

Applicant: California Department of Parks and Recreation

Agent: Darren Smith

Location: San Elijo State Beach Campgrounds and North Cardiff State Beach, Encinitas, San Diego County (APN Nos. 261-020-11, 261-020-10)

Project Description: Collect all rip rap from an existing revetment that has been displaced on the beach and restack it adjacent to a parking lot turnaround and the toe of a coastal bluff and to create sand berms adjacent to the restacked rip rap utilizing sand excavated from the adjacent lagoon mouth as a follow-up to an emergency permit.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of this project, with conditions. The proposed project is to collect all rip rap from an existing revetment that has been displaced on the beach and restack it adjacent to a parking lot turnaround and the toe of a coastal bluff and to create a sand berm adjacent to the restacked rip rap utilizing sand excavated from the adjacent lagoon mouth (which is authorized under a separate coastal development permit). This permit is the legally required follow-up permit to permanently retain the temporary emergency development –

collection and restacking of rip rap, placement of an adjacent sand berm, and repaving undermined portions of the parking turnaround – authorized under Emergency CDP No. 6-13-019-G and approved by the Executive Director on April 4, 2013. The project site is the San Elijo State Beach campground and the North Cardiff State Beach parking lot in the City of Encinitas in San Diego County.

The proposed project raises issues of public access, water quality, and potential channelization of the floodplain. Public access issues arise due to the project site's location on the beach within a state park. Water quality and channelization issues arise due to the project site's location on the beach adjacent to the mouth of the San Elijo Lagoon.

Special conditions requiring adherence to approved final plans and a maintenance and monitoring program will ensure that the footprint of the rip rap is no larger than necessary to achieve its purpose, thus limiting impacts to public access. The special condition requiring compliance within 60 days will ensure that the applicant conducts the required permit actions in a timely manner.

Commission staff recommends **approval of** coastal development permit application 6-13-0468, as conditioned.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....4

II. STANDARD CONDITIONS.....4

III. SPECIAL CONDITIONS.....5

IV. FINDINGS AND DECLARATIONS.....7

 A. PROJECT DESCRIPTION/HISTORY.....7

 B. PUBLIC ACCESS.....9

 C. SEAWALL/SHORELINE PROTECTIVE DEVICE/GEOLOGIC
 HAZARDS.....12

 D. LOCAL COASTAL PLANNING.....14

 E. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....14

EXHIBITS

- Exhibit 1 – Location Map
- Exhibit 2 – Aerial View
- Exhibit 3 – Site Plan
- Exhibit 4 – Site Photos
- Exhibit 5 – Site Photos
- Exhibit 6 – Emergency Permit

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 6-13-0468 pursuant to staff recommendation.*

Staff recommends a **YES** vote. 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 the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development 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

This permit is granted subject to the following 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 or interpretation of any condition will be resolved by the Executive Director of 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

The permit is subject to the following conditions:

1. Assumption of Risk, Waiver of Liability, and Indemnity Agreement

- i. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from wave run-up, erosion, and flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs, (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
 - ii. **PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions, and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also include that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special Conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.
2. **Revised Final Plans.** **PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall submit to the Executive Director for review and written approval final project plans. Said plans shall be in substantial conformance with the plans submitted by Darren Smith on July 1, 2013, except they shall be revised as follows:

- a. The plans shall identify permanent benchmarks from the toe of the bluff or another fixed reference point from which the elevation and seaward limit of the revetment can be referenced for measurement in the future.

The permittee shall undertake the development in accordance with the approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

3. **Long-Term Monitoring Program.** PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicants shall submit for review and written approval of the Executive Director a long-term monitoring plan for the subject existing revetment. The purpose of the plan is to monitor and identify damage or changes to the revetment such that repair and maintenance is completed in a timely manner to avoid further encroachment of the revetment on the beach. The monitoring plan shall incorporate, but not be limited to the following:

- a. A description of the approved shoreline device;
- b. An evaluation of the current condition and performance of the revetment, addressing any migration or movement of rock which may have occurred on the site and any significant weathering or damage to the revetment that may adversely impact its future performance;
- c. Measurements taken from the benchmarks established in the survey as required in Special Condition No. 1 of CDP No. 6-13-0468 to determine settling or seaward movement of the revetment. Changes in the beach profile fronting the site shall be noted and the potential impact of these changes on the effectiveness of the rip rap shall be evaluated;
- d. Recommendations on any necessary maintenance needs, changes, or modifications to the revetment to assure its continued function and to assure no encroachment beyond the permitted toe;
- e. An agreement that the permittee shall apply for a coastal development permit or amendment to this permit within 90 days of submission of the report required in subsection D above for any necessary maintenance, repair, changes, or modifications to the project recommended by the report that require a coastal development permit and implement the repairs, changes, etc. approved in any such permit.

The above-cited monitoring information shall be summarized in a report prepared by a licensed engineer familiar with shoreline processes and submitted to the Executive Director for review and written approval. The report shall be submitted to the Executive Director after each winter storm season but prior to May 1st of each year

starting with May 1, 2014. Monitoring shall continue throughout the life of the revetment or until the revetment is removed or replaced under a separate coastal development permit.

The permittee shall undertake development in accordance with the approved monitoring program. Any proposed changes to the approved program shall be reported to the Executive Director. No changes to the program shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is legally required.

4. **Maintenance Activities and Future Alterations.** The permittee shall be responsible for removing or re-depositing any debris, rock, or material that becomes dislodged after completion of the approved shoreline protection as soon as possible after such displacement occurs. The permittee shall contact the Coastal Commission District Office immediately to determine whether such activities require a coastal development permit.
5. **Condition Compliance.** WITHIN 60 DAYS OF COMMISSION ACTION ON THIS CDP APPLICATION, or within such additional time as the Executive Director may grant for good cause, the applicant shall satisfy all requirements specified in the conditions hereto that the applicant is required to satisfy prior to issuance of this permit. Failure to comply with this requirement may result in the institution of enforcement action under the provisions of Chapter 9 of the Coastal Act.

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION/HISTORY.

The proposed project is to collect all rip rap from two existing revetments that has been displaced on the beach and restack it in its previous footprint adjacent to a parking lot turnaround and the toe of a coastal bluff and to create a sand berm seaward of and adjacent to the restacked rip rap utilizing sand excavated from the adjacent lagoon mouth (which is authorized under a separate coastal development permit). No new rip rap is proposed. This permit is the legally required follow-up permit to permanently retain the temporary emergency development – restacking scattered rip rap from an existing revetment, placement of an adjacent sand berm, and repaving undermined portions of the parking lot turnaround – authorized under Emergency CDP No. 6-13-019-G and approved by the Executive Director on April 4, 2013. The project site is the San Elijo State Beach campground and the North Cardiff State Beach parking lot in the City of Encinitas in San Diego County.

San Elijo State Beach Campground and North Cardiff State Beach are state-owned and operated facilities located on the coast on opposite sides of the mouth of the San Elijo Lagoon. The facilities offer the public access to the beach and, in the case of the campground, opportunities for overnight camping. The San Elijo State Beach campground facility on the north side of the lagoon mouth sits atop coastal bluffs and includes 171-spaces for RVs and tents, an 86-space day use lot, six beach access stairways, public restrooms, life guard stations, a take-out restaurant, and a small convenience store. The North Cardiff State Beach Day Use Parking Lot on south side of the lagoon mouth is approximately 10 feet above Mean Sea Level (MSL) and consists of a paid beachfront parking lot.

The North Cardiff State Beach Day Use Parking Lot has been part of the State Parks system since 1948, and until 1986 consisted of an unpaved parking area containing one shower and portable restrooms. In January of 1985, the Coastal Commission approved CDP No. 6-84-563, permitting the California Department of Parks and Recreation (State Parks) to reconstruct and rehabilitate the beach facility by repaving and restriping the lot for 105 parking spaces, along with the construction of an entrance gate and kiosk, new comfort stations, and showers, all protected by an existing rock revetment. No expansion of or further encroachment by any revetments was permitted.

In July 1994 the Commission approved CDP No. 6-94-068 permitting State Parks to allow 40 of the 105 parking spaces to be used non-exclusively for two years by a valet service servicing nearby restaurants from 6:00-11:00 PM nightly. In September of 1997 the Commission approved 6-96-080, extending the valet service for two years and increasing the number of spaces used to 80. These permits have subsequently expired such that no use of the lot by the restaurants’ valet service is permitted.

The San Elijo State Beach campground has been part of the State Parks system since 1952. In May 1999, the Coastal Commission approved CDP No. 6-99-018, permitting the renovation and reconstruction of the six beach access stairways and multiple storm drains. In April 2010, the Commission approved Emergency CDP No. 6-10-021-G for

demolition of an existing lifeguard tower and construction of a temporary tower in its place. The required follow-up permit application has yet to be submitted by State Parks.

The subject site is located along a public beach west of Highway 101 in the Cardiff community of Encinitas. Although the City of Encinitas has a certified LCP, the project site lies within the Commission's area of original jurisdiction such that the standard of review is Chapter 3 of the Coastal Act with the City's certified LCP used as guidance.

B. PUBLIC ACCESS.

The following Coastal Act policies are most pertinent to this issue, and state in part:

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 30211 of the Coastal Act states:

Development shall not interfere with the public's right of access to the sea where acquired through use or legislative authorization, including, but not limited to, the use of dry sand and rocky coastal beaches to the first line of terrestrial vegetation.

Section 30212 of the Coastal Act states, in part:

- (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.*

[...]

- (c) *Nothing in this division shall restrict public access nor shall it excuse the performance of duties and responsibilities of public agencies which are required by Sections 66478.1 to 66478.14, inclusive, of the Government Code and by Section 4 of Article X of the California Constitution.*

Section 30213 of the Coastal Act states, in part:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

[...]

Section 30604 of the Coastal Act states, in part:

[...]

- (c) *Every coastal development permit issued for any development between the nearest public road and the sea or the shoreline of any body of water located within the coastal zone shall include a specific finding that the development is in conformity with the public access and public recreation policies of Chapter 3 (commencing with Section 30200).*

San Elijo State Beach campground and North Cardiff State Beach Day Use Parking Lot are highly used by the public for a variety of beach and ocean activities. The project area flanks the mouth to the San Elijo Lagoon and is located west of Highway 101, near several restaurants.

Over the years storms, wave action, and regular tidal flushing of the lagoon have eroded portions of the beach and bluffs around the lagoon mouth. As a result, existing rip rap from revetments present on either side of the lagoon mouth have become dislodged and been strewn about the beach area. In addition to no longer serving its protective function, the rip rap dislodgement substantially increased the area of sandy beach occupied by rocks, impacting recreational opportunities for the public. Furthermore, the collapse of portions of the bluff under the San Elijo Campground compelled State Parks to close several campsites in the area, either because the spaces collapsed down onto the beach or were adjacent to such spaces and thus posed a high risk of collapse themselves. Finally, the parking lot turnaround in the North Cardiff Day Use Parking Lot is a mandated emergency access space, permitting emergency vehicles to maneuver in the otherwise constrained lot when responding to an emergency. In a letter to State Parks dated March 13, 2013, the Office of the State Fire Marshall informed State Parks that the undermined turnaround risked falling under the regulatory-mandated width, and if such an event occurred the entire parking facility would be closed to the public. Thus, in Emergency CDP 6-13-019-G, the Executive Director authorized State Parks to perform emergency maintenance and restack the rip rap from the existing revetment within its previous footprint, place a sand berm seaward of and adjacent to the revetment, and repave the portion of the parking lot turnaround that had previously been undermined.

By nature of rip rap revetments on the beach, it is recognized that periodic maintenance will be necessary for the revetment to retain its approved form. The proposed project will pull back the rip rap that has migrated beyond its previous footprint, restoring public

space. By placing a sand berm adjacent to the rip rap, the revetment can more successfully maintain its integrity and lessen the chance for the rocks to spread out onto the beach once again. The revetment will be no larger than it originally was prior to the rip rap being scattered, no new rock is proposed, and no new development is being proposed in comparison to the work authorized under the emergency permit, and the resulting development will be substantially similar to what existed before the storm events damaged the site.

The proposed maintenance work will enhance public access by mitigating or removing the above risks. The rip rap will be restacked along the toe of the bluff and the restored parking lot turnaround. This will decrease the footprint of the restacked rip rap revetment which will substantially decrease the area of sandy beach occupied by rip rap and restore it to public use. The campground spaces currently closed due to risk of further erosion will not be subject to further erosion such that State Parks can pursue necessary permits to repair these spaces and restore them back to public use, and the remaining spaces will not be subject to further risk presented by creeping erosion of the bluff. Finally, the restoration of the parking lot turnaround will prevent the closure of the entire public parking lot.

The proposed project will not produce any additional encroachment beyond the original footprint of the revetment. However, because the project is located on the beach, construction activities associated with the project could potentially impact public access. The work required to restack the rip rap and construct the sand berm requires the use of heavy machinery on the beach. However, because the revetment repair work has already been completed under the preceding emergency CDP, no more work, either on the beach or off, is contemplated at this time. Thus, the potential for further impacts to public access by construction staging and access is not present at this time.

To mitigate potential impacts presented by the proposed development, **Special Condition No. 2** requires State Parks to adhere to approved final plans so as to ensure that the footprint of the restacked rip rap is no larger than is necessary to achieve its protective function. **Special Condition No. 3** requires that a monitoring program be implemented so as to prevent further erosion and displacement of the rip rap across the sandy beach. **Special Condition No. 4** requires that in the event that further repair or maintenance is required in the future, that State Parks coordinate with the Coastal Commission so as to ensure that any and all development is conducted in the least impactful manner. **Special Condition No. 5** requires State Parks to comply with this permit's conditions within 60 days so as to ensure timely implementation of the protective measures contained herein.

In summary, the Commission finds the proposed rip rap restacking and sand berming will not result in adverse impacts to coastal access. The restoration of the parking lot turnaround to legal standards will ensure that public parking remains available, and the restacking of the rip rap will decrease its footprint to only that which is necessary to serve its protective function, with no unnecessary beach encroachment permitted. Therefore, the Commission finds that all access concerns associated solely with the development approved herein are adequately addressed, and that the proposed development, as conditioned, is consistent with the cited policies of the Coastal Act.

C. SEAWALL/SHORELINE PROTECTIVE DEVICES/GEOLOGIC HAZARDS.

Section 30235 of the Act states, in part:

Revetments, breakwaters, groins, harbor channels, seawalls, cliff retaining walls, and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply.

Section 30253 of the Act states, in part:

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.*
- (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs.*

[...]

Section 30240 of the 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.

In reviewing requests for shoreline protection, the Commission must assess both the need to protect development and the potential adverse impacts to public resources associated with construction of shore/bluff protection. A number of adverse impacts to public resources are associated with the construction of shoreline structures. These include loss to the public of the sandy beach area that is displaced by the structure, “permanently” fixing the back of the beach in front of the structure, sand loss from the beach due to wave reflection and scour, accelerated erosion on adjacent unprotected properties, and the adverse visual impacts associated with construction of a shoreline protective device on the contrasting natural shoreline. As such, the construction of shoreline development raises consistency concerns with a number of Coastal Act policies, including Sections 30210, 30211, 30212, 30235, 30240, 30251, and 30253.

The purpose of the proposed maintenance is to ensure that the existing revetments continue to protect the existing public facilities upland of the revetments from wave erosion. The exact origin of the revetments is unclear. The earliest reference Commission staff was able to locate in Commission records is CDP No. 6-84-563, approved by the Coastal Commission in January, 1985, authorizing the repaving and restriping of the existing parking lot and construction of a new comfort station and showers at North Cardiff State Beach. The related staff report makes reference to an existing revetment on site, and Exhibit No. 2 therein contains a site plan showing the footprint of the revetment in substantially the same configuration as proposed in this permit. However, the staff report does not state the history or origins of the revetment prior to 1984, and such information has not been found as of yet. In response to inquiries, State Parks has stated that they do not know when the revetment was first placed, and analysis of historical aerials of the project site are inconclusive due to either poor quality or the changing profile of the beach sand over the decades.

As the restacked revetment will not encroach beyond the original footprint and no new rocks of any kind are being added, the proposed maintenance will not result in the placement of new development on the beach area. Currently, the revetments are spread out over a wide area of the beach with rocks extending down into the surf zone. The applicant has demonstrated that the existing public facilities are subject to threat and that the proposed revetment maintenance is necessary to assure the existing revetment continues to function to protect the facilities.

Special Condition No. 3 required the applicant to submit annual monitoring reports to the Commission to determine settling or seaward movement of the revetment to ensure the revetment continues to be configured to minimize impacts to public access. **Special Condition No. 4** notifies the applicants that they are responsible for continued maintenance of the existing revetment. The condition also indicates that, should it be determined that additional maintenance of the proposed structure is required in the future, the applicant shall contact the Commission to determine if permits are required.

Although the Commission finds that the proposed maintenance work has been designed to minimize the risks associated with its implementation, the Commission also recognizes the inherent risk of shoreline development. The revetment will be subject to wave action. Thus, there is a risk of damage to the revetment or damage to property as a result of wave action. Given that the applicants have chosen to perform these repairs despite these risks, the applicants must assume the risks. Accordingly, **Special Condition No. 1** requires that the applicants acknowledge the risks and indemnifies the Commission against claims for damages that may be brought by third parties against the Commission as a result of its approval of this permit.

In summary, the Commission finds that the applicant has demonstrated that the existing public facilities are subject to threat from wave action and erosion and that repairs/maintenance of the existing revetments are necessary and will be the minimum necessary to assure continued protection. Therefore, the Commission finds that the proposed maintenance project, as conditioned, is consistent with Sections 30235, 30240, and 30253 of the Coastal Act.

D. LOCAL COASTAL PLANNING

The subject site is zoned and planned for visitor-serving uses in the certified City of Encinitas LCP. The proposed development will have no impact on these designations. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of Encinitas to continue to implement its certified LCP.

E. CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

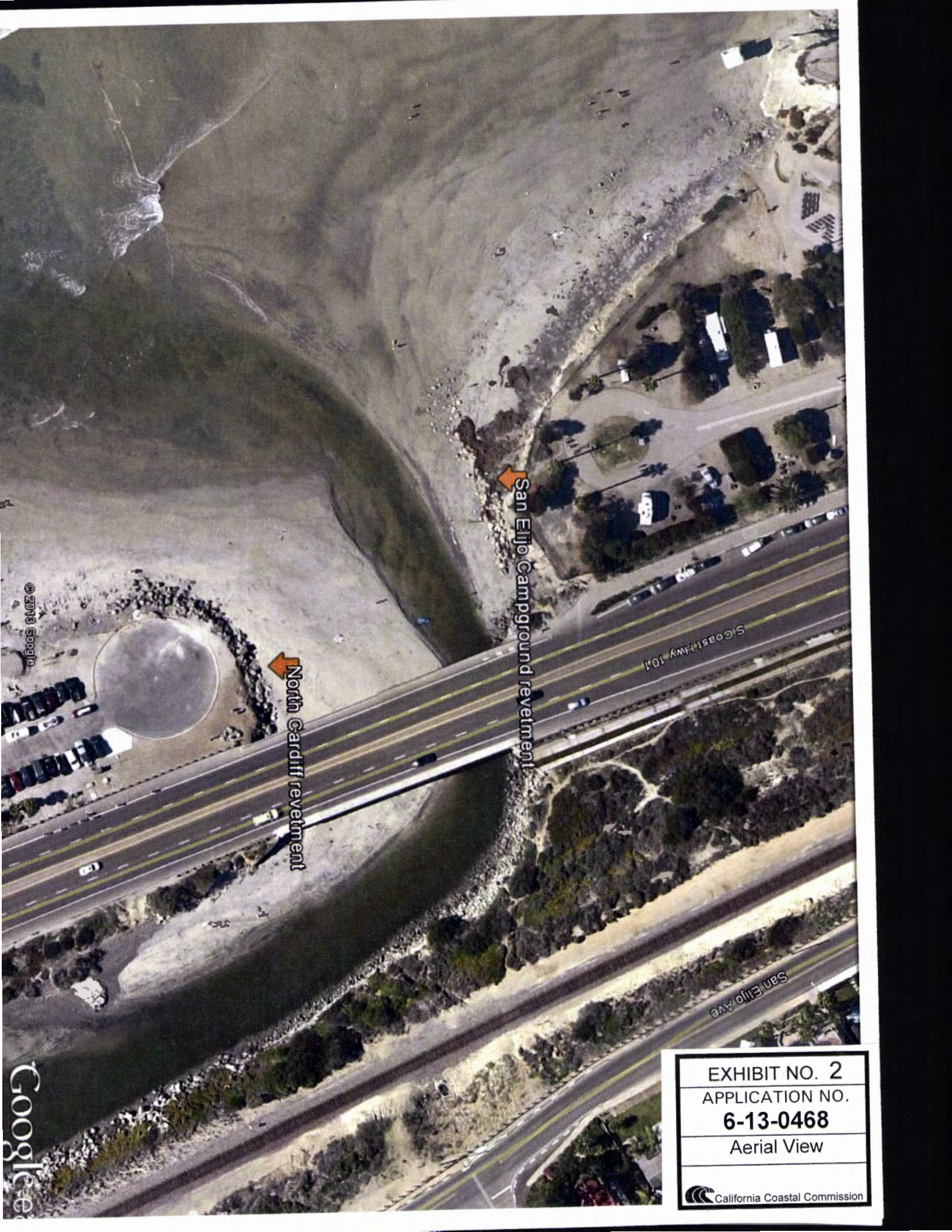
The California Department of Parks and Recreation is the lead agency for purposes of CEQA review for this project, and the Coastal Commission is a responsible agency. Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a 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.

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 public access, 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 is consistent with the requirements of the Coastal Act to conform to CEQA.



EXHIBIT NO. 1
 APPLICATION NO.
6-13-0468
 Vicinity Map





© 2013 Google

Google

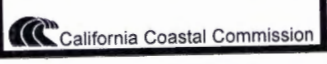
North Cardiff revetment

San Elijo Campground revetment

S Coast Hwy 101

San Elijo Ave

EXHIBIT NO. 2
APPLICATION NO.
6-13-0468
Aerial View










-  New Curb
-  Re-stacked Rock 5/20/13
-  Edge of Bluff
-  Edge of Pavement
-  Rock Scatter Before Project

EXHIBIT NO. 3
APPLICATION NO.
6-13-0468
Site Plan



5/20/13 Shore View of Cardiff Reef Lot Turnaround Curb Replacement Post-construction.



5/20/13 Beach View of Cardiff Reef Lot Turnaround Post-construction.

EXHIBIT NO. 4
APPLICATION NO.
6-13-0468
Site Photo
 California Coastal Commission



5/20/13 South End of San Elijo State Beach Campground Post-construction.



5/20/13 South End of San Elijo State Beach Campground Post-construction.

EXHIBIT NO. 5
APPLICATION NO.
6-13-0468
Site Photos

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



EMERGENCY PERMIT

Applicants: California State Parks
Agent: Robin Greene

Date: 4/4/2013
Emergency Permit No. 6-13-19-G

LOCATION OF EMERGENCY WORK: On the public beach adjacent to the North Cardiff State Beach Parking Lot and San Elijo State Park Campground, located north and south of the San Elijo Lagoon Mouth, Cardiff, Encinitas, San Diego County.

WORK PROPOSED: Collect all existing riprap that has been displaced on the beach and restack adjacent to areas subjected to severe erosion. Create sand berm adjacent to the restacked riprap utilizing sand excavated from adjacent lagoon mouth (authorized pursuant to separate coastal development permit). Equipment on the beach will include large tracked vehicles (dozer and excavator). Work will occur during daylight hours on weekdays up to May 24, 2013. No construction equipment will be staged/stored on the beach overnight.

This letter constitutes approval of the emergency work you or your representative has requested to be done at the location listed above. I understand from your information that an unexpected occurrence in the form of **severe erosion caused by storm waves and high tides threaten existing park facilities** and requires immediate action to prevent or mitigate loss or damage to life, health, property or essential public services. 14 Cal. Admin. Code Section 13009. The Executive Director of the Coastal Commission hereby finds that:

- (a) An emergency exists which requires action more quickly than permitted by the procedures for administrative or ordinary permits and the development can and will be completed within 30 days unless otherwise specified by the terms of this permit;
- (b) Public comment on the proposed emergency action has been reviewed if time allows;
- (c) As conditioned, the work proposed would be consistent with the requirements of the California Coastal Act of 1976.

The work is hereby approved, subject to the conditions listed on the attached page.

Sincerely,

CHARLES LESTER
Executive Director

By: *Sherilyn Sarb*
SHERILYN SARB
Deputy Director

RECEIVED

APR 09 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

EXHIBIT NO. 6
APPLICATION NO. 6-13-0468
Emergency Permit
California Coastal Commission

Emergency Permit Number: 6-13-19-G

Date: 4/4/13

CONDITIONS OF APPROVAL:

1. The enclosed Emergency Permit Acceptance form must be signed by the PROPERTY OWNER and returned to our office within 15 days.
2. Only that work specifically described in this permit and for the specific locations listed above is authorized. The construction, placement, or removal of any accessory or protective structure, including but not limited to, stairways or other access structures, walls, fences, etc. not described herein, are not authorized by this permit. Any additional work requires separate authorization from the Executive Director.
3. The work authorized by this permit must be completed by May 24, 2013.
4. Within 60 days of the date of this permit (i.e., by 6/4/2013), the permittee shall apply for a regular Coastal Permit to have the emergency work be considered permanent. If no such material is received, the emergency work shall be removed in its entirety within 150 days of the date of this permit (i.e., 9/4/2013), unless this requirement is waived in writing by the Executive Director.
5. In exercising this permit, the applicant agrees to hold the California Coastal Commission harmless from any liabilities for damage to public or private properties or personal injury that may result from the project.
6. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies (e.g. U.S. Army Corps of Engineers, State Lands Commission.)

As noted in Condition #4, the emergency work carried out under this permit is considered to be TEMPORARY work done in an emergency situation. As a follow-up to the emergency permit, a regular Coastal Permit may be required. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly.

If you have any questions about the provisions of this emergency permit, please call the Commission's San Diego Coast Area Office at the address and telephone number listed on the first page.

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370



EMERGENCY PERMIT ACCEPTANCE FORM

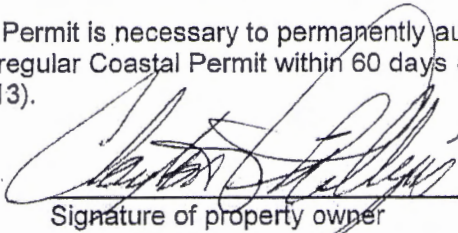
TO: CALIFORNIA COASTAL COMMISSION
SAN DIEGO COAST AREA
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4402
(619) 767-2370

RE: **Emergency Permit No. 6-13-19-G**

INSTRUCTIONS: After reading the attached Emergency Permit, please sign this form and return to the San Diego Coast Area Office within 15 working days from the permit's date.

I hereby understand all of the conditions of the emergency permit being issued to me and agree to abide by them.

I also understand that a regular Coastal Permit is necessary to permanently authorize the emergency work. I agree to apply for a regular Coastal Permit within 60 days of the date of the emergency permit (i.e., by 6/4/2013).



Signature of property owner

CLAYTON PHILLIPS

Name

Address 4477 PACIFIC HWY

SAN DIEGO, CA 92110

4/9/13

Date of Signing