

CALIFORNIA COASTAL COMMISSION

SAN DIEGO AREA

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SAN DIEGO, CA 92108-1725

521-8036

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Hearing Date: December 10-12, 1997

REGULAR CALENDAR
STAFF REPORT AND PRELIMINARY RECOMMENDATION

Application No.: 6-97-125 through 6-97-138

Applicants: Tom Baggot, et. al.

Agent: C. J. Randle

Description: Temporary placement and removal of either approximately 4,862 tons of rip-rap or 815 lineal feet of large sand filled bags (geotubes) along the base of a coastal bluff below fourteen bluff-top properties consisting of single-family residences and one condominium development. The proposed project would be located along a 7-lot contiguous stretch of shoreline (385.5 feet long), a 4-lot contiguous stretch, (200 feet long) and 3 individual sites (125 feet long, 54 feet long, and 50 feet long). The rip-rap or geotubes would be approximately 10 feet high (5 feet above current sand level, 5 feet below), and would encroach approximately 12 feet onto the beach. All rip-rap or geotube are proposed to be removed by April 15, 1998. Removal of the geotube would result in deposition of the sand fill on the beach.

Site: 475, 423, 417, 407, 403, 371, 367, 319, 309, 301, 269, 265, 211, Pacific Avenue, 138 South Sierra, Solana Beach, San Diego County. APN#s 263-051-01, 02, 08, 04, 07; 263-301-02, 03; 263-312-02, 04, 05, 06, 28; 263-323-02; 298-010-54.

STAFF NOTES:

Summary of Staff's Preliminary Recommendation:

This staff report contains a description and findings for fourteen separate coastal permit applications all of which consist of the placement of temporary rip-rap or sand filled bags (known as geotubes) at the base of a coastal bluff to provide protection during the 1997-1998 winter storm season. At this time, staff is recommending approval of either means of protection for each of the project sites; however, the advantages and disadvantages of each method are still being explored, as more information will be forthcoming prior to the hearing. As proposed and conditioned, the temporary rip-rap or geotubes have been designed and engineered to provide protection while avoiding or minimizing impacts on public access and

the stability of the existing natural bluffs. The applicants have received Temporary Emergency Use Permits for either the rip-rap or the geotubes from the City of Solana Beach. The City has required that the applicants post a faithful performance bond with the City ensuring that money will be available to remove all of the temporary protection within 180 days after construction. However, the applicant has proposed, and Special Condition #1 requires the applicant to, remove the protection by April 15, 1998. Thus, the Commission can be assured that the rip-rap or the geotubes will be removed, and in a timely fashion. Although the applicants have not demonstrated that the existing bluff-top structures, which consist of single-family residences and one condominium development, are presently in danger from erosion, the proposed project can be found consistent with the Coastal Act as a short-term, temporary, preventative measure designed to reduce the potential for bluff erosion during what is anticipated to be an unusually active storm season, thereby reducing the likelihood that more substantial bluff failure will occur in the future.

Complete List of Applicants: 6-97-125: Tom Baggot; 6-97-126: James & Nancy O'Neal; 6-97-127: William Bennett; 6-97-128: Marc Paskin; 6-97-129: Donald & Martin Stroben; 6-97-130: Dale & Terry Lingenfelder; 6-97-131: Jonathan Corn; 6-97-132: Nancy O'Neal; 6-97-133: James & Leslie Blackburn; 6-97-134: Lee Johnson; 6-97-135: Chris J. & Judith Hamilton; 6-97-136: George Folgner; 6-97-137: David Brehmer; 6-97-138: John & Carla Skinner.

Substantive File Documents: Certified County of San Diego Local Coastal Program (LCP); City of Solana Beach General Plan and Zoning Ordinance; Charles J. Randle, P.E., "California Coastal Commission Application Process; Preliminary Report," November 10, 1997

PRELIMINARY STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

I. Approval with Conditions.

The Commission hereby grants a permit for the proposed development, subject to the conditions below, on the grounds that the development will be in conformity with the provisions of Chapter 3 of the California Coastal Act of 1976, will not prejudice the ability of the local government having jurisdiction over the area to prepare a Local Coastal Program conforming to the provisions of Chapter 3 of the Coastal Act, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

See attached page.

III. Special Conditions.

The permit is subject to the following conditions:

1. Revised Final Plans. Prior to the issuance of the coastal development permit, the applicant shall comply with one of the following two options. The applicant shall submit to the Executive Director for review and written approval, the following items:

a. Revised final plans for the rip-rap. The applicant shall implement the rip-rap placement and removal in accordance with the approved plans. Said plans shall indicate the following:

- 1) The rip-rap is placed at a 1.5 : 1 (run/rise) steepness, and does not encroach more than 12 feet beyond the toe of the bluff;
- 2) The lean concrete mixture is placed up to the limit of the rip-rap height, is a minimum of 8-inches thick, and is colored and textured to match the surrounding bluffs;
- 3) The filter gravel blanket is a minimum of 12 inches thick;
- 4) All structures and materials, including the mirafi cloth, will be removed from the beach no later than April 15, 1998.

OR

b. Final plans for the geotubes. The applicant shall implement the geotube placement and removal in accordance with the approved plans. Said plans shall indicate the following:

- 1) The geotubes are placed at a 1.5 : 1 (run/rise) steepness, and do not encroach more than 12 feet beyond the toe of the bluff;
- 2) The lean concrete mixture is placed up to the limit of the geotube height, is a minimum of 8-inches thick, and is colored and textured to match the surrounding bluffs;
- 3) The sand bedding is a minimum of 12 inches thick;
- 4) All structures and materials, including the mirafi cloth, will be removed from the beach no later than April 15, 1998.

5) Sand fill shall be a minimum 200 sieve, free of contaminants, and subject to the review and approval of the Executive Director.

2. Bond for Removal. Prior the issuance of the coastal development permit, the applicant shall submit for the review and approval of the Executive Director, evidence that a performance bond, in a form and content acceptable to the Executive Director, has been accepted by the City of Solana Beach for an amount of not less than \$12,000 for each individual lot, and \$25,000 for the Las Brisas site, for the specific purpose of removal of rip-rap from Fletcher Cove placed pursuant to Coastal Development Permit #6-97-126 through 138.

3. Assumption of Risk. Prior to the issuance of the coastal development permit the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide: (a) that the applicant understands that the site may be subject to extraordinary hazard from wave action and erosion and the applicant assumes the liability from such hazards; and (b) that the applicant unconditionally waives any claim of liability on the part of the Commission and agrees to indemnify and hold harmless the Commission, its officers, agents, and employees relative to the Commission's approval of the project for any damage due to natural hazards. The deed restriction shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction.

4. State Lands Commission Review. Prior to the issuance of the coastal development permit, the applicant shall submit a letter from the State Lands Commission that concludes either:

- a) No state lands are involved in the development; or
- b) State lands are involved in the development, and all permits required by the State Lands Commission have been obtained; or
- c) State lands may be involved in the development, but pending a final determination of state lands involvement, an agreement has been made by the applicant with the State Lands Commission for the project to proceed without prejudice to the determination.

5. Staging Areas. Prior to the issuance of the coastal development permit, the applicant shall submit to the Executive Director for review and written approval, final plans indicating the location of the construction staging areas. The final plans shall indicate that for both the placement and removal stages of the project:

- a) All equipment shall be removed from the sandy beach on weekends;
- b) A minimum of 50 parking spaces in the Fletcher Cove parking lot shall be maintained for public use.

- c) No public parking areas, including street parking, other than Fletcher Cove, shall be used for staging and construction storage.

The applicant shall submit evidence that the approved plans/notes have been incorporated into construction bid documents. The staging site shall be removed and/or restored immediately following completion of the development.

6. Construction Materials. During construction of the approved development, disturbance to sand and intertidal areas shall be minimized to the maximum extent feasible. All excavated beach sand shall be redeposited on the beach. Local sand, cobbles or shoreline rocks shall not be used for backfill or for any other purpose as construction material.

7. Construction Responsibilities and Debris Removal. During both the construction and the removal stages of the project, the permittee shall not store any construction materials or waste where it will be or could potentially be subject to wave erosion and dispersion. In addition, no machinery shall be placed, stored or otherwise located in the intertidal zone at any time. Within 5 days of completion of construction, the permittee shall remove from the bluff face and beach area any and all debris that results from construction of the approved development.

8. Future Development. This permit is for construction of temporary rip-rap or geotube shoreline protection. All other development proposals for the site shall require review and approval by the Coastal Commission, or its successor in interest, under a separate coastal development permit or an amendment to this permit.

IV. Findings and Declarations.

The Commission finds and declares as follows:

1. Detailed Project Description. Proposed is the temporary placement and removal of either approximately 4,862 tons of 4-5 ton size rip-rap boulders, or 815 lineal feet of large sand filled bags known as geotubes along the base of a coastal bluff below fourteen contiguous and non-contiguous bluff-top properties in the City of Solana Beach. The bluff-top development above the each of the properties consists of thirteen single-family residences and one condominium structure. Either the rip-rap or the geotubes would be approximately 10 feet high (5 feet above current sand level, 5 feet below), and would encroach approximately 12 feet onto the beach. The north and south ends of the rip-rap or geotubes on each non-contiguous site would be curved out to reduce "edge" effects on the adjacent, non-protected properties. The geotubes would consist of two layers of large bags filled with a cement sand slurry fill suitable for leaving on the beach after the protection is no longer need. Each geotube would be approximately 12 feet wide and 5 feet high. Additional details on the length and other aspects of the geotubes will be forthcoming.

The applicants are proposing to remove either form of protection by April 15, 1998. The applicants have received a Temporary Emergency Special Use Permit from the City of Solana Beach which requires that prior to construction, each applicants must post a bond with the City of Solana Beach for the amount of \$12,000 (\$25,000 for Las Brisas) to ensure that money will be available to remove all of the rip-rap or geotubes.

From north to south, the thirteen sites on Pacific Avenue, and one on South Sierra comprise a 7-lot, 385.5-foot long contiguous stretch from Solana Vista Drive to just south of Cliff Street, a single 50-foot long lot south of Clark Street, a 200-foot long, 4-lot contiguous stretch further south of Clark Street, a single 54-foot long site across from Hill Street, and a 125-foot long site below the Las Brisas condominium development south of Fletcher Cove.

The bluffs below these sites are approximately 80 feet high, consisting of terrace deposits over torrey sandstone. The bluff face below most of the sites are owned by the City of Solana Beach; however, the bluff face is owned by the bluff-top property owners in four cases: 309 Pacific Avenue; 269 Pacific Avenue; 265 Pacific Avenue; and 138 Sierra Avenue (Las Brisas condominiums). The beach is publicly owned.

2. Consistency with Chapter 3 of the Coastal Act:

Geologic Conditions and Hazards: Section 30235 of the Coastal 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.

Additionally, 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.

Public Access/Recreation: Pursuant to Section 30604 (c), the Coastal Act emphasizes the need to protect public recreational opportunities and to provide public access to and along the coast. Section 30210 of the Coastal Act is applicable to the proposed development and 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.

In addition, Section 30212 of the Act is applicable and 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....

Additionally, Section 30220 of the Coastal Act provides:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Visual Quality: Section 30251 of the Coastal Act states, in part:

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas.

The project site consists of approximately 814 non-contiguous linear feet of beach at the base of approximately 80-foot high bluffs. Each of the bluff-top lots above the project site is developed with a single-family residence except for the Las Brisas site, which is developed with a 3-story condominium building. The existing houses currently range from as close as 5 feet from the edge of the bluff, to as far as 25 feet back. The applicants are proposing to install temporary shoreline protection consisting of 10-foot high rip-rap or sand filled geotubes across the length of each of the subject sites. Either form of protection would be removed by April 15, 1998. At the current sand profile, the rip-rap or geotubes would only be visible for 5 feet above the sand, and would only encroach onto sandy beach approximately 12 feet. However, if storms reduce the level of beach sand, more rip-rap or geotubes would become visible, and the protection could encroach several feet further onto the beach.

The rip-rap would be engineered with smaller rocks below the larger rip-rap, and a gravel blanket with filter fabric at the bottom of the structure. A plastic sheet would be placed against the bluff face, which would then be overlaid with a pneumatically placed lean

concrete cover. This design is similar to the temporary rip-rap approved by the Commission in November 1997 at Fletcher Cove (CDP #6-97-106), except for the proposed concrete cover. The concrete cover is designed to secure the rip-rap into place along the bluff face and reduce movement of the rock against the natural bluff surface. This cover was not part of the Fletcher Cove proposal because the bluff material in that location consists of soft sand which itself acts as a cushion and reduces the potential that rip-rap will migrate. The concrete material itself is not a permanent substance and is designed to gradually erode into the sand. The plastic sheet would be removed with the rock.

The geotube would consist of two tubes, one placed on top of the other, each approximately 12 feet wide and 5 feet high. More details on the specifics of the geotube, such as the length of each tube and the best design and method of placement, are being explored by the applicant, and will be forthcoming. However, the sit preparation for the geotubes would be almost identical to the rip-rap, with lean concrete placed between the geotubes and the bluff face, and a layer of sand bedding at the bottom of the structure. The geotubes would be filled with a cement sand slurry fill mixture which would remain on the beach as sand material after the geotubes are removed.

Section 30235 of the Coastal Act states that the Commission is required to approve the construction of shoreline protection that alters natural shoreline processes when necessary to protect existing structures in danger from bluff erosion/failure, when the construction has been designed to eliminate or mitigate adverse impacts on local shoreline sand supply, and if there are no less environmentally damaging feasible alternatives. In addition, Section 30253 of the Coastal Act requires that new development assure structural stability and neither create nor contribute to erosion or geologic instability on the site or surrounding area.

At this time, the applicants have not submitted any information demonstrating that the existing bluff-top structures are currently in danger from erosion. In fact, in the last three years, the Commission has approved permits for 211 Pacific Avenue (#6-95-95, September 1995), 265 Pacific (#6-95-23, May 1995), 269 Pacific (#6-94-33, July 1994), 319 Pacific (#6-95-139, May 1996), and 367 Pacific (#6-97-50, July 1997) for new construction and additions to existing structures supported by extensive site-specific geotechnical information submitted by the applicants indicating that shoreline protection would *not* be necessary to protect the development within the economic life of the new structure or addition. In addition, three of these permits (#6-97-50, #6-95-139, #6-95-23) were approved with a proposal by the applicants to waive their right to construction shoreline protection in the future.

However, there is evidence that the 1997-1998 winter storms are likely to be more severe due to the presence of an El Niño condition with higher amounts of rainfall and coastal wave surge. These conditions present an increased likelihood of bluff failure and block falls, which would potentially result in the need for permanent shoreline protective devices. Thus, the rip-rap is being proposed as a temporary, preventative measure to reduce the potential for extraordinary damage to property during an unusually harsh rainy season. Therefore, although the existing blufftop structures are not be threatened at this time, the Commission

must weigh the temporary adverse impacts to public resources associated with construction of temporary shore/bluff protection against the advantages of avoiding substantial bluff failures which may lead to greater impacts in the future.

There are a number of adverse impacts to public resources associated with the construction of either temporary or permanent shoreline structures. These include the loss to the public of the sandy beach area that is displaced by the structure, "permanently" fixing the back of the beach, which leads to the narrowing and eventual disappearance of the beach in front of the structure, a reduction/elimination of sand contribution to the beach, 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 shore/bluff protective device on the natural bluffs. As such, the construction of bluff and shoreline development raises consistency concerns with a number of Coastal Act policies, including Sections 30210, 30211, 30212, 30235, 30240, 30251, and 30253.

Even on a short-term basis, the impacts from the proposed shoreline protection would not be inconsequential. Either the rip-rap or the geotubes would effectively prevent shoreline access along at least 815 feet of beach even at lower tides for the entire winter season. However, the impacts to the public from the beach encroachment would be the least during this time of year, when beach use is typically at its lowest level. Compared to permanent seawalls, the impacts to shoreline processes and sand supply would likely be minimal, as the protection would only be in place for less than five months. Given the predictions of an extraordinarily severe storm season, there is a potential that without some kind of short-term protection, the Commission may be faced, possibly under emergency conditions, with proposals for permanent shoreline protective devices with far more significant and longer-lasting impacts to visual quality, public access and sand supply than the proposed project. Thus, in this particular case, the Commission can find temporary shoreline protection a preventative measure, which, in the long run, reduces the potential impacts to the public.

However, the Commission must still be assured that the proposed protection is the least environmentally damaging feasible alternative. Therefore, the applicant is currently assessing the costs and design alternatives for rip-rap and geotubes. The geotube process involves layering large tubes filled with sand material at the base of the bluff. This system would require approximately the same amount of encroachment on the beach, but it would have less of a visual impact, and would result in the placement of the sand fill material on the beach after the rainy season. However, it would also require finding suitable material for beach placement, and involves a highly specialized installation/filling process which is estimated to cost approximately \$532 per linear foot. Two layers of geotubes would be necessary in front of each site to achieve the necessary height, with approximately 5 feet of tubing curving inward on the north and south side of each separate lot in order to reduce the potential for "edge" effects such as increased scour on adjacent properties. The geotubes also may be somewhat vulnerable to vandalism, which could result in additional replacement costs. In addition, although the geotubes would act as a barrier to wave action, they would not provide the same degree of wave energy dissipation that the rip-rap will provide.

As an alternative, placing and removing the proposed rip-rap would cost approximately \$424 per linear foot. However, design alternatives for the geotubes must first be pursued before this conclusion can be reached. The rip-rap would have a greater potential for permanent impacts to the bluff, from the rock abrading the bluff face and foundation. The rock would extend approximately 10 feet to the northern and southern ends of each stretch of rip-rap, and curved gradually inward to reduce edge effects.

The applicants also examined alternatives to the lean concrete associated with both the proposed rip-rap and geotube design. The lean concrete would be applied over the face of the bluff to secure the rip-rap and provide a buffer between the rock and the bluff face. There are other substances such as cement gel or fly ash which might be considered less durable, or more temporary in nature than the proposed concrete; however, these substances have not been tested for impacts to marine life when dissolved, and could potentially have significant environmental impacts. As noted previously, when the rip-rap or geotubes and plastic sheeting are removed, the concrete facing will crumble and dissolve into the sand. Special Condition #1 requires the applicant to color the lean concrete consistent with the natural bluffs so that the concrete material will blend in with the natural sand. In order to provide an extra degree of protection for the natural bluffs, the condition requires that the amount of concrete buffer be a minimum of 8 inches thick, and that the foundation buffer (sand or gravel) be at least 12 inches deep.

In addition, the condition requires the rip-rap or geotubes to be placed at a 1 1/2 feet to 1 steepness. The applicants had originally proposed a 2 : 1 steepness, which would be a more stable angle for a permanent revetment; however, for the short amount of time the rip-rap will be on the beach, a 1 1/2: 1 will provide for sufficient stability while reducing the amount of beach encroachment to the maximum extent feasible.

The impacts to public recreation and visual quality from the protection would be short-term (during one winter season), and would be temporary, only if the Commission can be assured that the protection would be removed. As noted above, the City of Solana Beach has issued Temporary Emergency Special Use Permits for the proposed project which includes the condition that prior to the commencement of construction, each applicant must provide a security in the form of a faithful performance bond in the amount of \$12,000 (\$25,000 for Las Brisas) to secure removal of the temporary protection. The permit requires that the protection be removed within 180 days after construction, although the applicants have proposed removing the structures by April 15, 1998. In order to assure that the structures will be removed, Special Condition #2 requires the applicants to provide evidence that the bond has been posted. The condition also requires the structures to be removed by April 15, 1998. Only as conditioned to be a short-term, temporary impact can the project be found consistent with the geologic hazard, visual quality, and public access and recreation policies of the Coastal Act.

Due to the inherent risk of shoreline development and the Commission's mandate to minimize risks (Section 30253), the standard waiver of liability condition has been attached through Special Condition #3. By this means, the applicant is notified of the risks and the

Commission is relieved of liability in permitting the development. Each individual property owner is required to record the condition as a deed restriction. Special Condition #4 requires State Lands review and determination whether the proposed seawall involves public trust lands and requires issuance of a State Lands permit, if needed, prior to the issuance of the coastal development permit.

Use of the beach or public parking areas for staging of construction materials and equipment would further impact the public's ability to gain access to the beach. There is only one vehicle access ramp in the project area, the Plaza Street access ramp at Fletcher Cove. Given the location of the project, there is no feasible staging area other than the Fletcher Cove parking lot. Thus, in order to minimize construction impacts to the public, Special Conditions #5 prohibits use of the beach storage of materials and equipment requires the applicant to maintain a minimum of 50 parking spaces for public use during construction. Special Condition #6 requires that disturbance to sand and intertidal areas been minimized, and prohibits the use of local sand for backfill or construction to ensure that the existing beach is impacted as little as possible, while Special Condition #7 prohibits the storage of construction materials in the intertidal zone. These conditions also apply to the removal stage of the project. Special Condition #8 informs the applicants that any additional construction beyond the rip-rap approved herein will require further review and approval by the Commission.

In summary, although there will be some adverse impacts to the public associated with the development, the impacts will be less than those associated with permanent shoreline protection, since, as conditioned, either the rip-rap or the geotubes, whichever alternative is chosen, will be removed promptly after the threat is gone and no long-term impacts will occur. The applicant is still investigating which process which ultimately be the least environmentally damaging feasible alternatives. However, as conditioned, both projects will have the least environmentally damaging design, and incorporate all feasible mitigation measures necessary to offset impacts on coastal resources. Therefore, in this particular case, the public benefits of the project sufficiently mitigate for the impacts to coastal resources and sand supply, and the project can be found consistent with the geologic conditions and hazards policies, the public access and recreation policies, and the visual quality policies of the Coastal Act.

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

The subject site was previously in the County of San Diego Local Coastal Program (LCP) jurisdiction, but is now within the boundaries of the City of Solana Beach. The City will, in all likelihood, prepare and submit for the Commission's review a new LCP for the area. Because of the incorporation of the City, the certified County of San Diego Local Coastal Program no longer applies to the area. However, the issues regarding protection of coastal

resources in the area have been addressed by the Commission in its review of the San Diego County LUP and Implementing Ordinances. As such, the Commission will continue to utilize the San Diego County LCP documents for guidance in its review of development proposals in the City of Solana Beach until such time as the Commission certifies an LCP for the City.

In preparation of an LCP, the City of Solana Beach is faced with many of the same issues as the City of Encinitas, located immediately north of Solana Beach, whose LCP was certified by the Commission in March 1995. The City of Encinitas' LCP includes the intent to prepare a comprehensive plan to address the coastal bluff recession and shoreline erosion problems in the City. The plan will include at a minimum, bluff top setback requirements for new development and redevelopment; alternatives to shore/bluff protection such as beach sand replenishment; removal of threatened portions of structures or underpinning existing structures; addressing bluff stability and the need for protective measures over the entire bluff (lower, mid and upper); impacts of shoreline structures on beach and sand area as well as mitigation for such impacts; impacts for groundwater and irrigation on bluff stability and visual impacts of necessary/required protective structures.

The City of Solana Beach should also address these items in the context of a comprehensive approach to management of shoreline resources. The project site was previously designated for public park uses under the County LCP and is currently designated for park uses in the City of Solana Beach Zoning Ordinance and General Plan. The subject development adheres to these requirements. Within the limits of the proposed project development, as conditioned, the project can be found consistent with the regulations of the County, the applicable Chapter 3 policies of the Coastal Act, and will not prejudice the ability of the City of Solana Beach to complete a certifiable local coastal program. However, these issues of shoreline planning will need to be addressed comprehensively in the future through the City's LCP certification process.

5. Consistency with the California Environmental Quality Act (CEQA). Section 13096 of the Commission's administrative regulations requires Commission approval of a coastal development permit application to be supported by a finding showing the application, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) 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 impact which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the geologic stability, visual resource and public access policies of the Coastal Act. Mitigation measures, including restrictions on the timing of the project, maintenance requirements and coloring requirements, 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, as conditioned to mitigate the identified

impacts, is the least environmentally damaging feasible alternative and can be found consistent with the requirements of the Coastal Act to conform to CEQA.

STANDARD CONDITIONS:

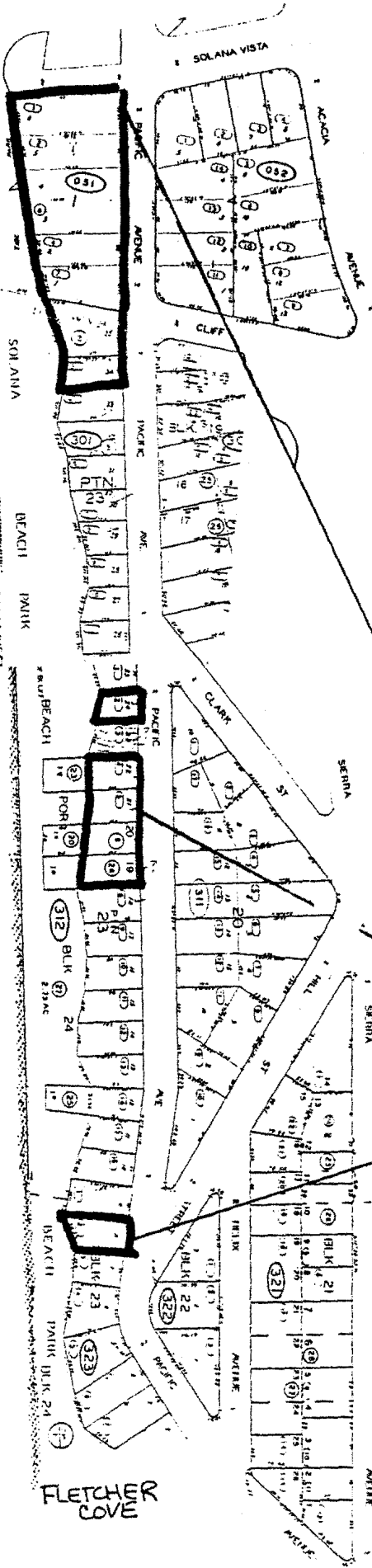
1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. 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. Compliance. All development must occur in strict compliance with the proposal as set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the development during construction, subject to 24-hour advance notice.
6. 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.
7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

PACIFIC OCEAN

PACIFIC OCEAN

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PACIFIC OCEAN



FLETCHER COVE

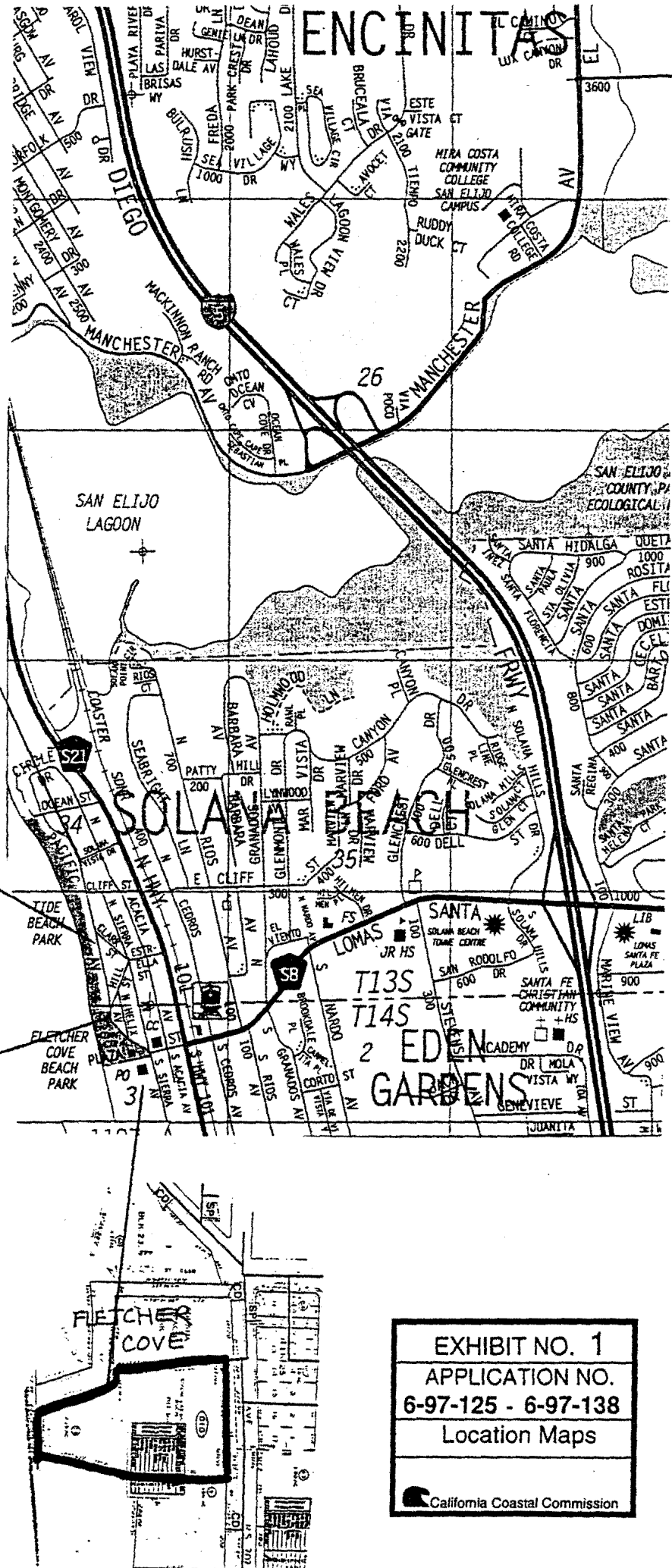


EXHIBIT NO. 1
APPLICATION NO.
6-97-125 - 6-97-138
Location Maps

California Coastal Commission

20 MSL

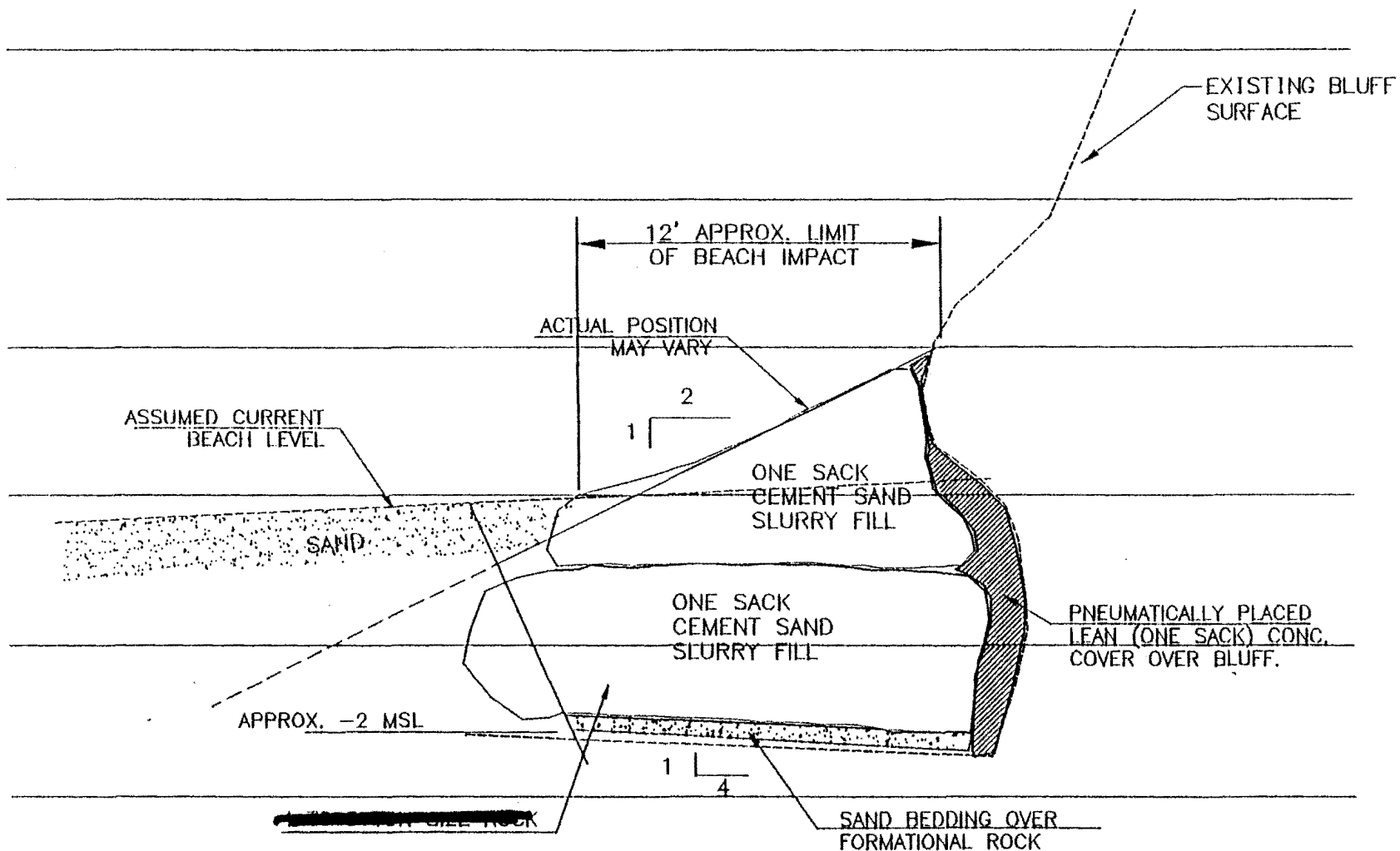
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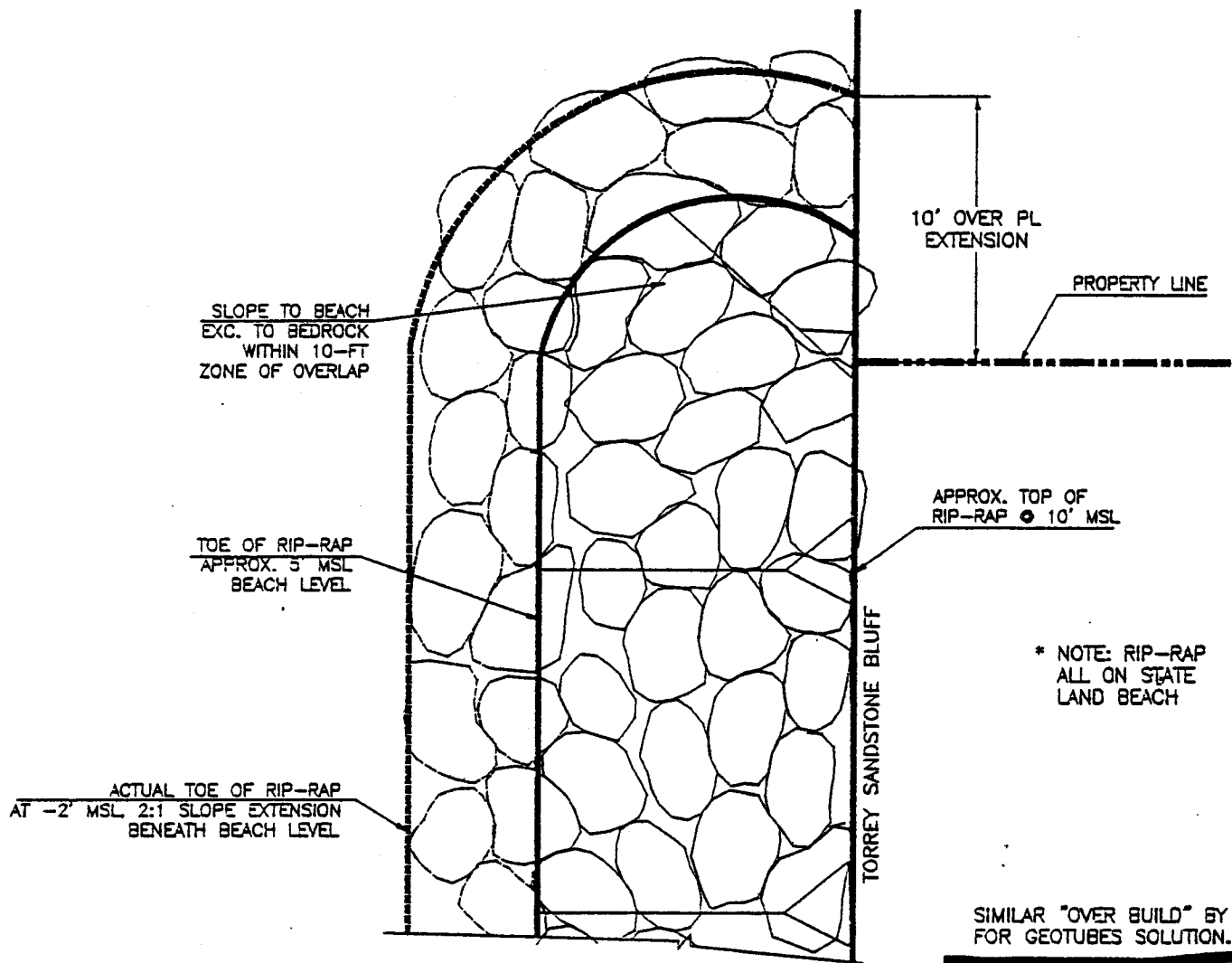


GEOTUBE OPTION

(2 TUBES, LENGTH VARIES)

N.T.S.

EXHIBIT NO. 3
APPLICATION NO. 6-97-125 - 6-97-138
Sandbag Option
Cross-Section
California Coastal Commission



PLAN VIEW AT END OF RIP-RAP (i.e. UNPROTECTED BLUFF)

N.T.S.

EXHIBIT NO. 4
APPLICATION NO.
6-97-125 - 6-97-138
Rip-rap end
treatment
California Coastal Commission

Typical Geologic Profile

367 through 475 Pacific Avenue

Solana Beach, California

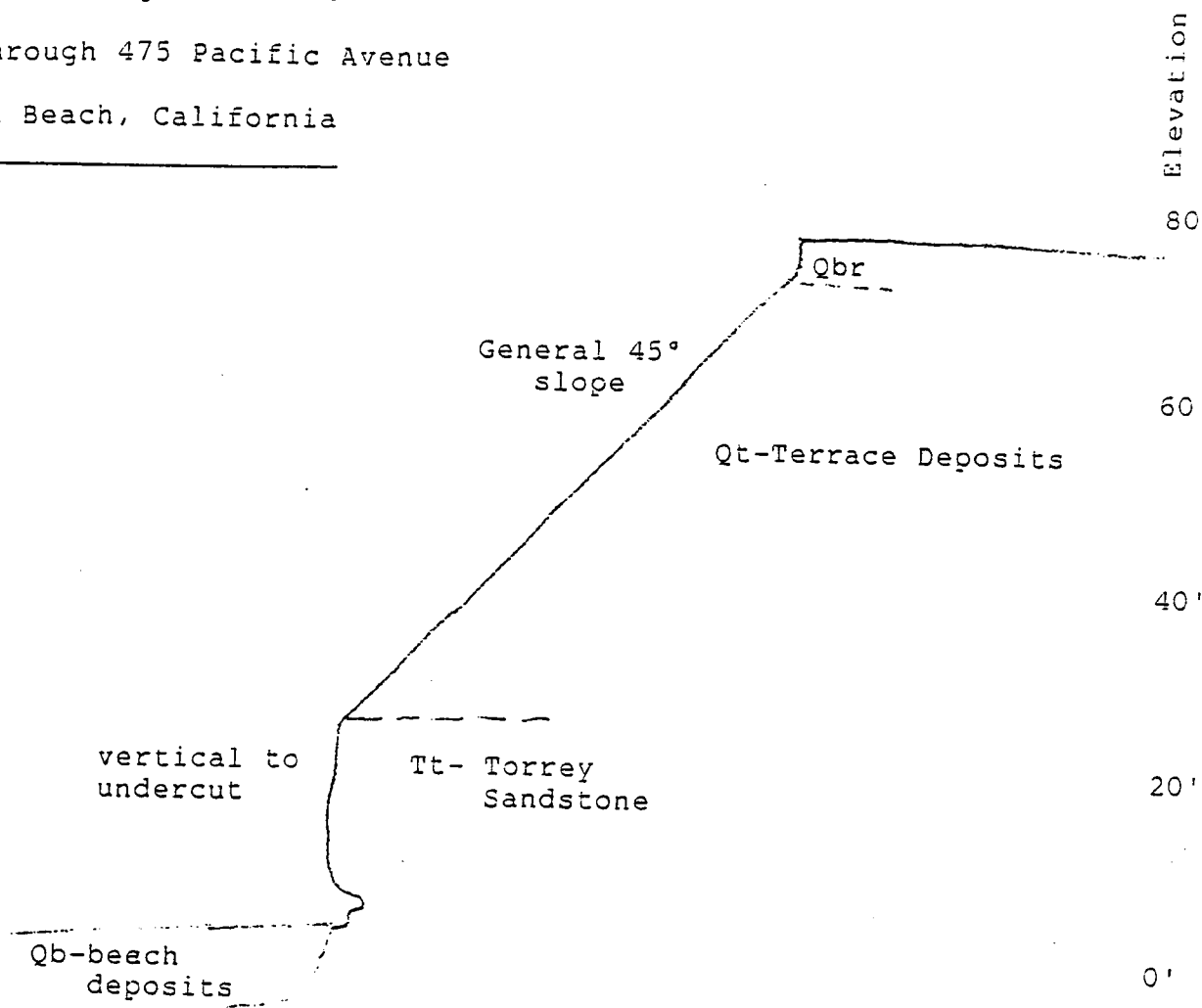


EXHIBIT NO. 5
APPLICATION NO.
6-97-125 - 6-97-138
Subject Site Bluff
Profiles (1 of 4)
California Coastal Commission

Typical Geologic Profile
249 through 319 Pacific Avenue
Solana Beach, California

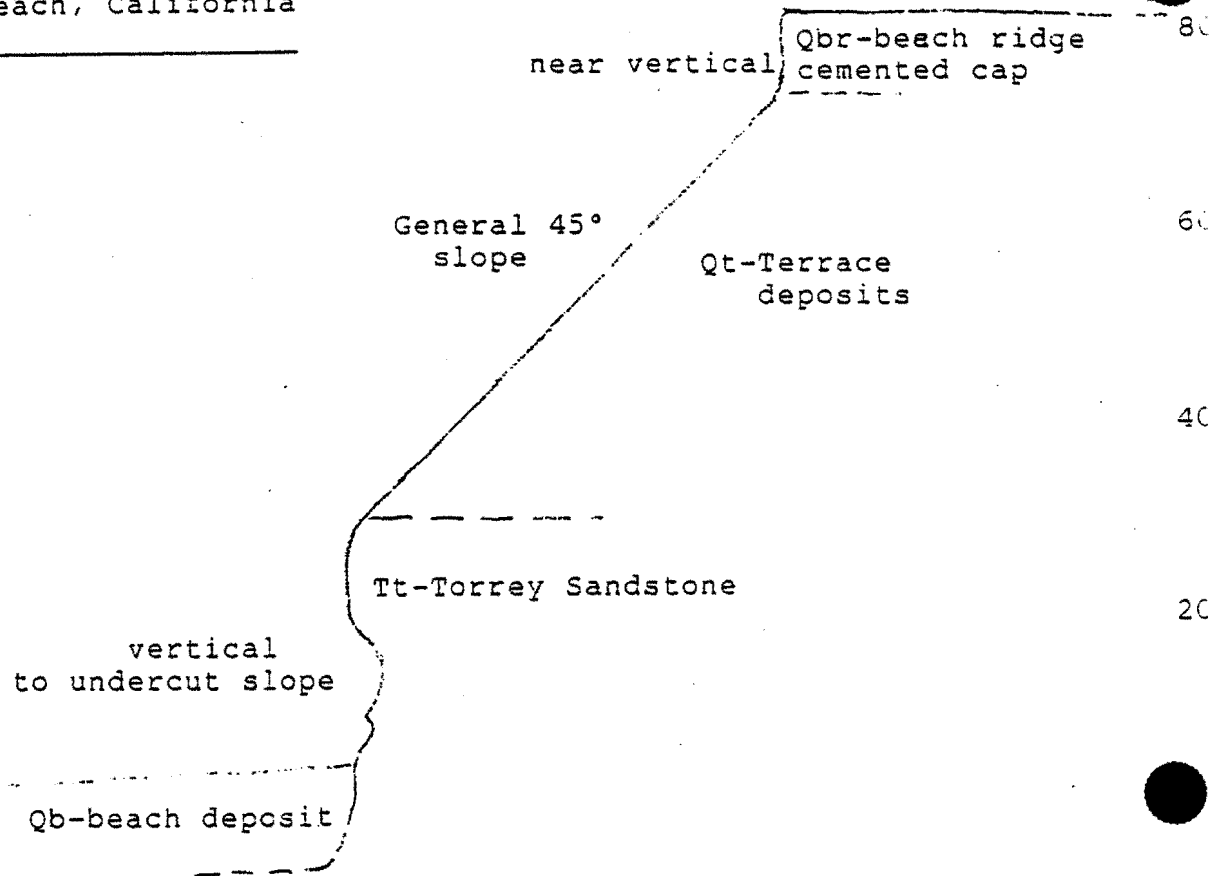


EXHIBIT NO. 6
APPLICATION NO. 6-97-125 - 6-97-138
Subject Site Bluff
Profiles (2 of 4)
California Coastal Commission

Typical Geologic Profile
211 Pacific Avenue
Solana Beach, California

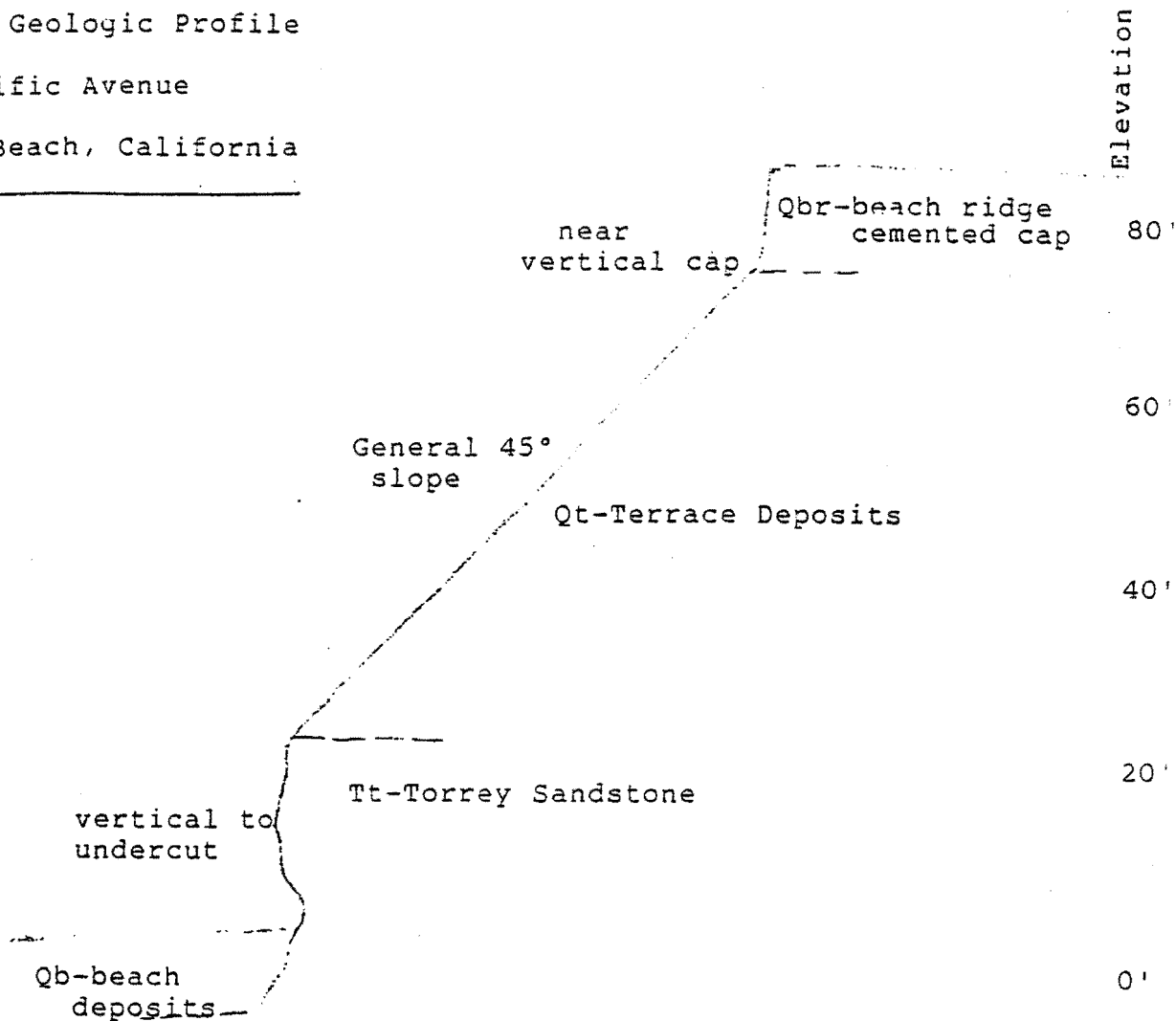


EXHIBIT NO. 7
APPLICATION NO.
6-97-125 - 6-97-138
Subject Site Bluff
Profiles (3 of 4)
California Coastal Commission

Typical Geologic Profile
138 South ~~Sierra~~ Sierra
Solana Beach, California

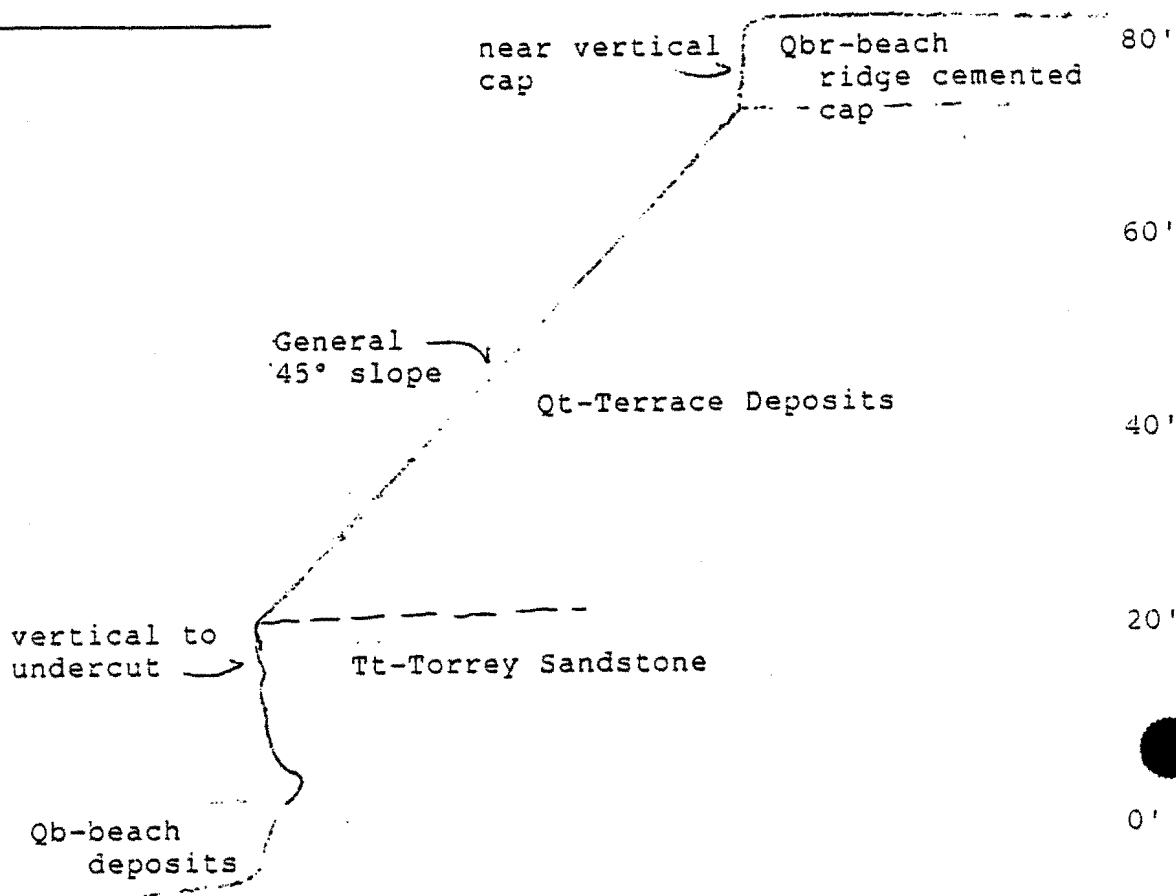


EXHIBIT NO. 8
APPLICATION NO.
6-97-125 - 6-97-138
Subject Site Bluff
Profiles (4 of 4)
California Coastal Commission