

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CA 92108-4421
(619) 767-2370 FAX (619) 767-2384
www.coastal.ca.gov

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SAN DIEGO COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

August Meeting of the California Coastal Commission

MEMORANDUM

Date: August 8, 2008

TO: Commissioners and Interested Parties
FROM: Sherilyn Sarb, San Diego Coast District Deputy Director
SUBJECT: *Deputy Director's Report*

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the San Diego Coast District Office for the August 8, 2008 Coastal Commission hearing. Copies of the applicable items are attached for your review. Each item includes a listing of the applicants involved, a description of the proposed development, and a project location.

Pursuant to the Commission's direction and adopted procedures, appropriate notice materials were sent to all applicants for posting at the project site. Additionally, these items have been posted at the District office and are available for public review and comment.

This report may also contain additional correspondence and/or any additional staff memorandum concerning the items to be heard on today's agenda for the San Diego Coast District.

REGULAR WAIVERS

1. 6-08-063-W Bill & Gillian Gillies (Solana Beach, San Diego County)

DE MINIMIS WAIVERS

1. 6-08-067-W Solana Hotel Inc., Attn: Carol Childs (Solana Beach, San Diego County)

EMERGENCY PERMITS

1. 6-08-039-G Neptune Group, Attn: Birkner and Fischback (Encinitas, San Diego County)

TOTAL OF 3 ITEMS

DETAIL OF ATTACHED MATERIALS

REPORT OF REGULAR WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13250(c) and/or Section 13253(c) of the California Code of Regulations.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-08-063-W Bill & Gillian Gillies	Construct 885 sq. ft. addition to an existing 2,955 sq. ft. single-family residence and existing attached 650 sq. ft. garage and construct 180 sq. ft. roof deck on a 17,228 sq. ft. lot. Project also involves 292 cu. yds. of grading that will be exported to a site outside of the Coastal Zone.	234 Patty Hill Drive, Solana Beach (San Diego County)

REPORT OF DE MINIMIS WAIVERS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 30624.7 of the California Coastal Act of 1976.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-08-067-W Solana Hotel Inc., Attn: Carol Childs	Demolish detached 4-car wooden carport on commercial site.	101 N. Acacia Avenue, Solana Beach (San Diego County)

REPORT OF EMERGENCY PERMITS

The Executive Director has determined that the following developments do not require a coastal development permit pursuant to Section 13142 of the California Code of Regulations because the development is necessary to protect life and public property or to maintain public services.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-08-039-G Neptune Group, Attn: Birkner and Fischback	Demolish existing unpermitted seawall and construct 50 ft. long, 18 ft. high seawall, reconstruct mid bluff and construct 50 ft. long, 26 ft. high, tied-back upper bluff shotcrete wall. Also proposed is the removal of existing riprap on the beach	1084, 1086 and 1090 Neptune Avenue, Encinitas (San Diego County)

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: August 4, 2008
TO: Bill & Gillian Gillies
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver Number 6-08-063-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13250(c) of the California Code of Regulations.

APPLICANT: **Bill & Gillian Gillies**

LOCATION: **234 Patty Hill Drive, Solana Beach (San Diego County) (APN(s) 263-670-16)**

DESCRIPTION: **Construct 885 sq. ft. addition to an existing 2,955 sq. ft. single-family residence and existing attached 650 sq. ft. garage and construct 180 sq. ft. roof deck on a 17,228 sq. ft. lot. Project also involves 292 cu. yds. of grading that will be exported to a site outside of the Coastal Zone.**

RATIONALE: **The proposed residential addition requires a permit because the site is located between the first public roadway and sea and involves an increase in more than 10% of the existing floor area. The proposed project site is surrounded by an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development; therefore, the project will not be out of character with the existing community. The project is consistent with the zoning and plan designations for the City of Solana Beach and is not located in any of the special overlay areas identified in the previously certified County of San Diego Local Coastal Program. The project is consistent with all applicable Chapter 3 policies of the Coastal Act and no adverse impacts are anticipated.**

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Friday, August 8, 2008, in Oceanside. If three Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: GARY CANNON
Coastal Program Analyst

Supervisor: 

CALIFORNIA COASTAL COMMISSION

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**NOTICE OF COASTAL DEVELOPMENT PERMIT WAIVER**

DATE: July 24, 2008
TO: Solana Hotel Inc., Attn: Carol Childs
FROM: Peter M. Douglas, Executive Director
SUBJECT: Waiver of Coastal Development Permit Requirement:
Waiver De Minimis Number 6-08-067-W

Based on project plans and information submitted by the applicant(s) named below regarding the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit, pursuant to Title 14, Section 13238 of the California Code of Regulations.

APPLICANT: **Solana Hotel Inc., Attn: Carol Childs**

LOCATION: **101 N. Acacia Avenue, Solana Beach (San Diego County) (APN(s) 263-332-20)**

DESCRIPTION: **Demolish detached 4-car wooden carport on commercial site.**

RATIONALE: **The proposed demolition of a detached carport will occur on a lot designated for General Commercial Use. The project is consistent with the planning and zoning designations of the City of Solana Beach, is not located within any coastal overlay zones of the previously certified County LCP. The project is consistent with all applicable Chapter 3 policies of the Coastal Act and no adverse impacts are anticipated.**

IMPORTANT: This waiver is not valid unless the site has been posted AND until the waiver has been reported to the Coastal Commission. This waiver is proposed to be reported to the Commission at the meeting of Thursday, August 7, 2008, in Oceanside. If four Commissioners object to this waiver, a coastal development permit will be required.

Persons wishing to object to or having questions regarding the issuance of a coastal permit waiver for this project should contact the Commission office at the above address or phone number prior to the Commission meeting date.

Sincerely,
PETER M. DOUGLAS
Executive Director

By: GARY CANNON
Coastal Program Analyst

Supervisor: _____

cc: [REDACTED]

Small Offices4rent.Com, Attn: Brent Rosenkranz

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**

Applicants: **Blue Curl, LLC**
Agent: **Bob Trettin**

Date: July 28, 2008
Emergency Permit No. 6-08-39-G

LOCATION OF EMERGENCY WORK: On the beach and bluff below 1084-1086 Neptune Avenue, Encinitas

WORK PROPOSED: Demolish existing unpermitted seawall and construct 50 ft.-long, 18 ft.-high tiedback seawall, reconstruct mid bluff by installing geogrid structure and construct 50 ft.-long, 26 ft., 9 in.-high tiedback upper bluff shotcrete wall. Then seawall and upper bluff wall will be colored and textured to match the natural appearance of the bluff and the geogrid structure will be hydroseeded with native coastal species. Work also involves the removal of all riprap located seaward of the existing unpermitted seawall to a site outside of the Coastal Zone, and removal of all remaining elements of the pre-existing unpermitted stairway. No reconstruction of the stairway is authorized.

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 and our site inspection that an unexpected occurrence in the form of mid and upper bluff collapse 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,

PETER M. DOUGLAS
Executive Director


By: SHERILYN SARB
Deputy Director

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 properties listed above is authorized. The construction, placement, or removal of any accessory or protective structure, including but not limited to, walls, fences, etc. not described herein, are not authorized by this permit. Any additional work requires separate authorization from the Executive Director. **If during construction, site conditions warrant changes to the approved plans, the San Diego District office of the Coastal Commission shall be contacted immediately prior to any changes to the project in the field.**
3. The work authorized by this permit must be completed within 120 days of the date of this permit (i.e., by November 25, 2008).
4. Within 60 days of the date of this permit (i.e., by September 26, 2008), the permittee shall apply for a regular Coastal Permit/Major Use Permit to the City of Encinitas to have the emergency work be considered permanent. In addition, within 60 days of City approval of the Major Use Permit for the subject emergency work, the applicant shall apply for a regular Coastal Permit to the Coastal Commission to have the seawall work considered permanent. If no such applications are received, the emergency work shall be removed in its entirety within 150 days of the date of this permit (i.e., by December 25, 2008), unless this requirement is waived in writing by the Executive Director. **Failure to comply with these deadlines will result in a violation of the subject emergency permit and the commencement of enforcement proceedings.**
5. The subject emergency permit is being issued in response to a documented emergency condition where action needs to be taken faster than the normal coastal development permit process would allow. By approving the proposed emergency measures, the Executive Director of the Coastal Commission is not certifying or suggesting that the structures constructed under this emergency permit will provide necessary protection for the blufftop residential structures. Thus, 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.)
7. No overnight storage of equipment or materials shall occur on sandy beach or in public parking spaces. Construction materials or debris shall not be stored 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. Construction equipment shall not be washed on the beach.

Emergency Permit Number: 6-08-039-G

Date: 7/28/08

Page 3

8. During shotcrete/concrete application specifically, all shotcrete/concrete shall be contained through the use of tarps or similar barriers that completely enclose the application area and that prevent shotcrete/concrete contact with beach sands and/or coastal waters. All shotcrete and other construction byproduct shall be properly collected and disposed of off-site.
9. All remaining portions of the stairway shall be removed during construction of the emergency improvements. No reconstruction is authorized.
10. Pre-construction site conditions shall be documented through photographs of the bluff at the time of construction and submitted to the San Diego District office **prior to commencement of construction.**

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.

(\\Tigershark1\Groups\San Diego\Emergency\6-08-039-G Blue Curl LLC Emergency Permit.doc)

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. 6-08-039-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.

Acknowledgement

In acceptance of this emergency permit, I acknowledge that any work authorized under an emergency permit is temporary and subject to removal if a regular coastal permit is not obtained to permanently authorize the emergency work. I also acknowledge and understand that a regular coastal development permit would be subject to all of the provisions of the City's Local Coastal Plan and/or Coastal Act and may be conditioned accordingly. These conditions may include, but not be limited to, provisions for long term maintenance and monitoring of the structures, a requirement that a deed restriction be placed on the property assuming liability for damages incurred from bluff failures, restrictions on future construction of additional shore or bluff protection, the payment of an in-lieu fee for sand replenishment and mitigation for any adverse impacts to public access and recreational opportunities. In addition, replacement of the previously existing unpermitted stairway is not authorized by the subject emergency permit. Any proposal to reconstruct the stairway would require a separate coastal development permit. However, reconstruction of unpermitted private access stairways would be in conflict with policies of the City's certified LCP (including Circulation Element, Policy 6.7) as well as the Coastal Act and as such, likely would not be supported by staff.

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 regular Coastal Permits are necessary to permanently authorize the emergency work. I agree to apply for a regular Coastal Permit/Major Use permit to the City of Encinitas within 60 days of the date of the emergency permit (i.e., by September 26, 2008).

 Signature of property owner

 Name

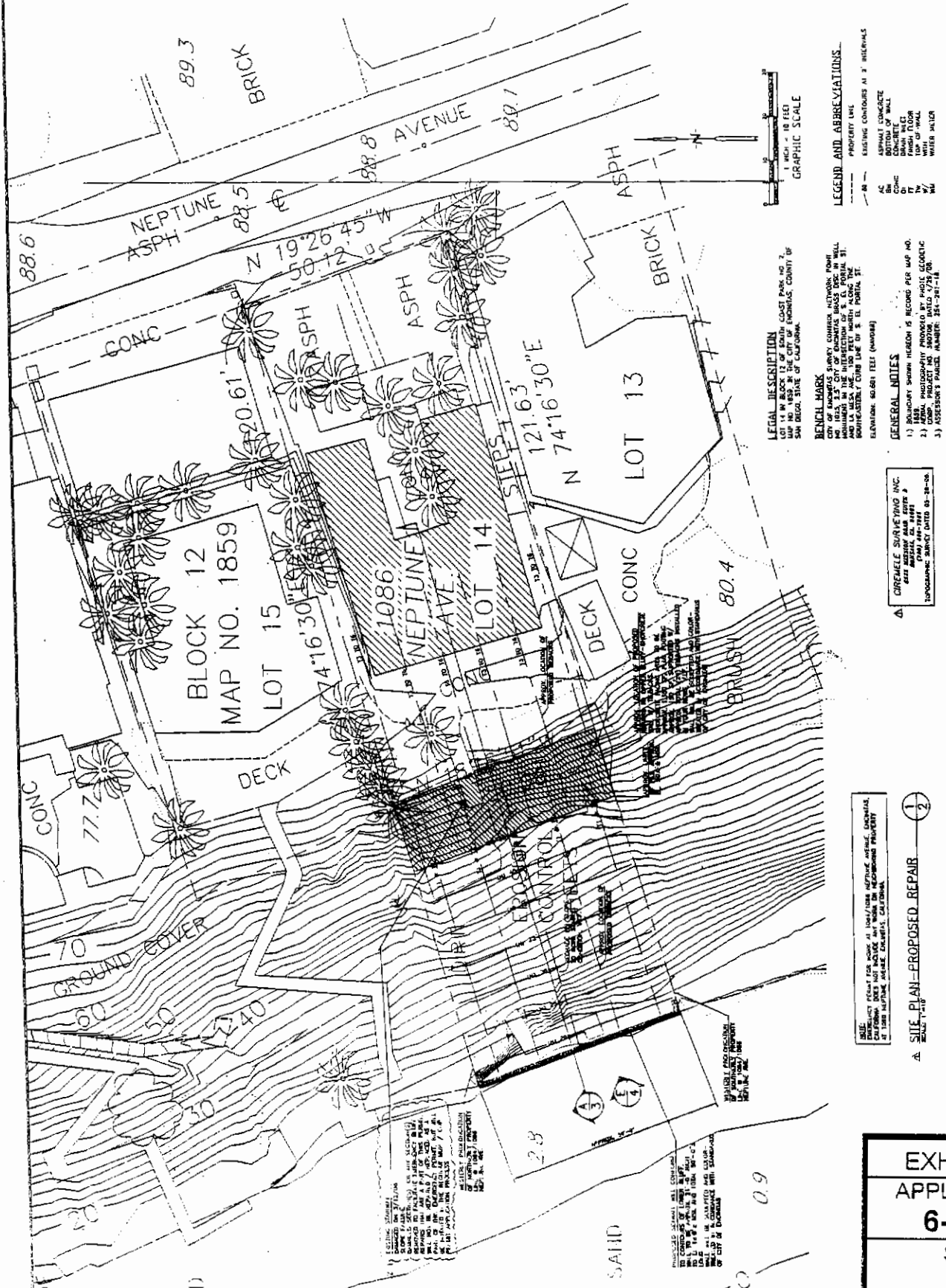
 Address

 Date of Signing

SOIL ENGINEERING CONSTRUCTION, INC.
 ENGINEERING
 CONSTRUCTION
 LICENSE # 10000
 1084/1086 NEPTUNE AVENUE, ENCINITAS, CA 92024
 PHONE (619) 433-1177 FAX (619) 433-1175

SITE PLAN -
 PROPOSED
 REPAIR

BLUE CURB, LLC
 1084/1086 NEPTUNE AVENUE, ENCINITAS,
 CALIFORNIA 92024



LEGAL DESCRIPTION
 LOT 12, BLOCK 12 OF ENCLINTAS COAST PARK NO. 2
 IN THE CITY OF ENCINITAS, COUNTY OF
 SAN DIEGO, STATE OF CALIFORNIA

BENCH MARK
 CITY OF ENCINITAS SURVEY NETWORK POINT
 1) 1084/1086 NEPTUNE AVENUE, ENCINITAS, CALIFORNIA 92024
 2) 1084/1086 NEPTUNE AVENUE, ENCINITAS, CALIFORNIA 92024
 3) 1084/1086 NEPTUNE AVENUE, ENCINITAS, CALIFORNIA 92024

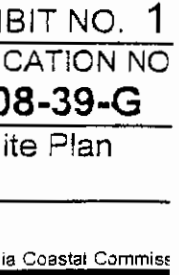
LEGEND AND ABBREVIATIONS
 --- EXISTING CONTOURS AT 3' INTERVALS
 --- PROPERTY LINE
 AC ASPHALT CONCRETE
 BR BRICK
 CONC CONCRETE
 ASPH ASPHALT
 BRUSH BRUSH
 DECK DECK
 SAND SAND
 W WITH WATER

GENERAL NOTES
 1) REPAIRS SHALL BE ACCORDING TO RECORD PER MAP NO.
 2) ALL REPAIRS SHALL BE ACCORDING TO THE CITY OF ENCINITAS
 3) ASSESSOR'S PARCEL NUMBER: 281-281-18

CITY OF ENCINITAS ENGINEERING SERVICES DEPARTMENT DRAWING NO. B80-7E
 SHEET 2 OF 6

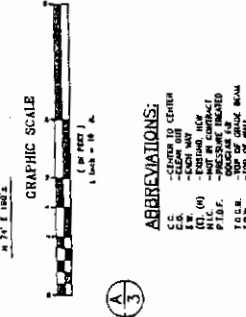
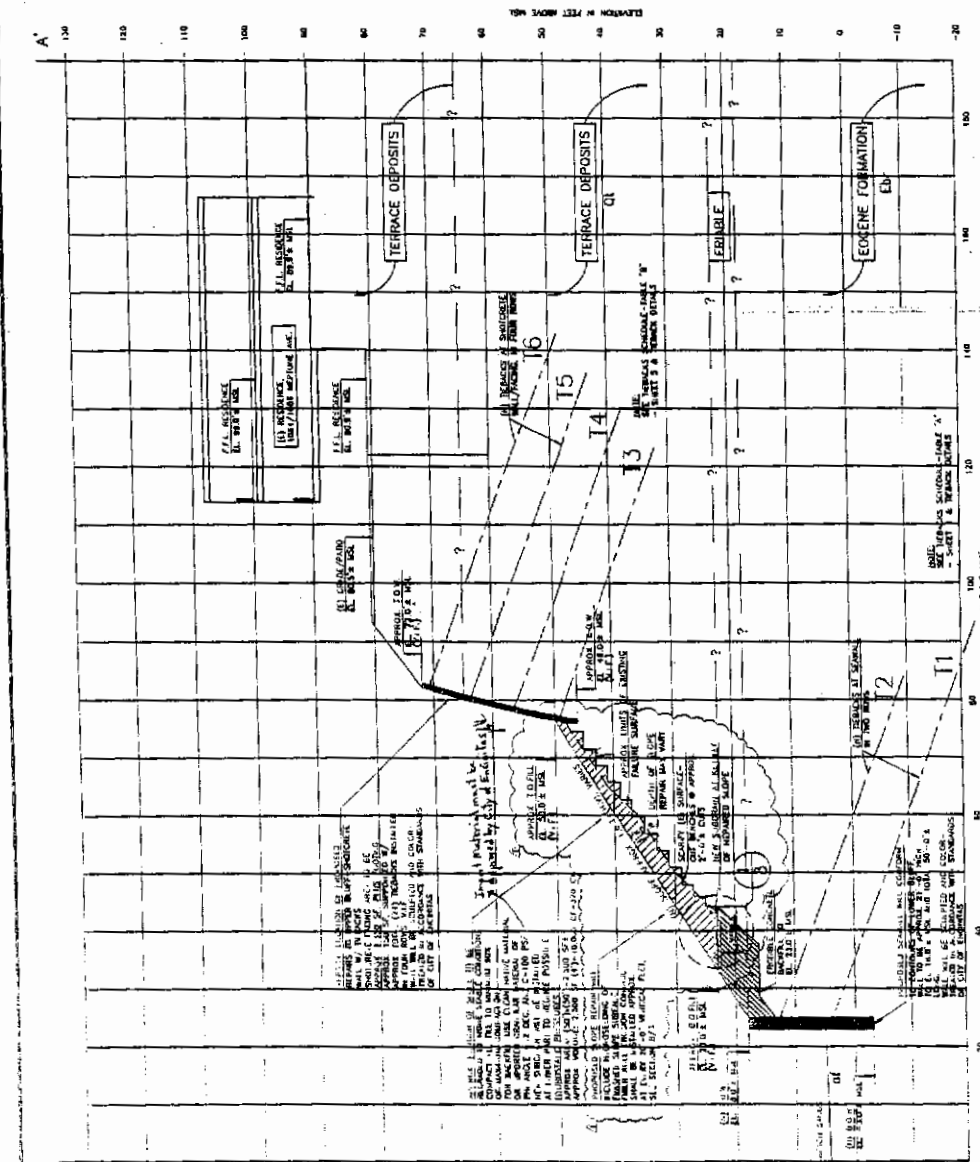
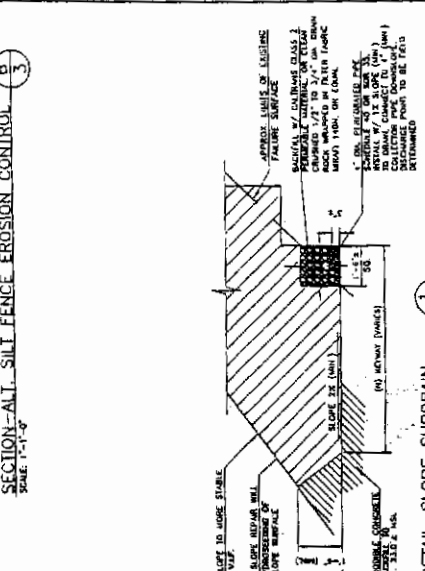
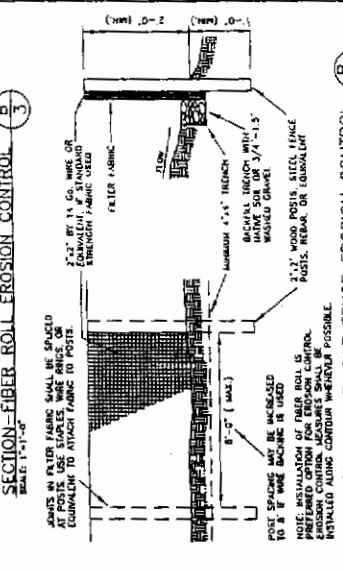
APPROVALS ONLY
 ENGINEER: [Signature]
 DATE: 2/18/09

EXHIBIT NO. 1
 APPLICATION NO
 6-08-39-G
 Site Plan



EROSION AND SEDIMENT CONTROL MEASURES:

1. EROSION AND SEDIMENT CONTROL MEASURES SHALL BE INSTALLED AS NECESSARY TO CONTROL EROSION AND SEDIMENTATION. MEASURES SHALL BE INSTALLED PRIOR TO ANY EXCAVATION OR EROSION CONTROL MEASURES.
2. MEASURES SHALL BE INSTALLED AS NECESSARY TO CONTROL EROSION AND SEDIMENTATION. MEASURES SHALL BE INSTALLED PRIOR TO ANY EXCAVATION OR EROSION CONTROL MEASURES.
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10. MEASURES SHALL BE INSTALLED AS NECESSARY TO CONTROL EROSION AND SEDIMENTATION. MEASURES SHALL BE INSTALLED PRIOR TO ANY EXCAVATION OR EROSION CONTROL MEASURES.



ABBREVIATIONS:
 C.C. - CENTER TO CENTER
 C.S. - CENTER TO SURFACE
 E.C. - EXISTING CENTER
 E.S. - EXISTING SURFACE
 F.C. - FINISH TO CENTER
 F.S. - FINISH TO SURFACE
 I.C. - INTERIOR TO CENTER
 I.S. - INTERIOR TO SURFACE
 O.C. - OUTSIDE TO CENTER
 O.S. - OUTSIDE TO SURFACE
 T.C. - TOP OF CURB TO CENTER
 T.S. - TOP OF CURB TO SURFACE
 V.C. - VERTICAL CURB TO CENTER
 V.S. - VERTICAL CURB TO SURFACE

EXHIBIT NO. 2
APPLICATION NO. 6-08-39-G
Cross-Sections

DATE: _____
 DRAWN BY: _____
 CHECKED BY: _____
 REVISIONS: _____

SCALE: _____
 SPECIAL DISTRICT: _____
 BENCH MARK: _____
 DESCRIPTION: _____
 LOCATION: _____
 RECORD FROM: _____
 LOCATION: _____

APPROVED BY: _____
 DATE: 7/10/08
 PROJECT NO.: 08-008

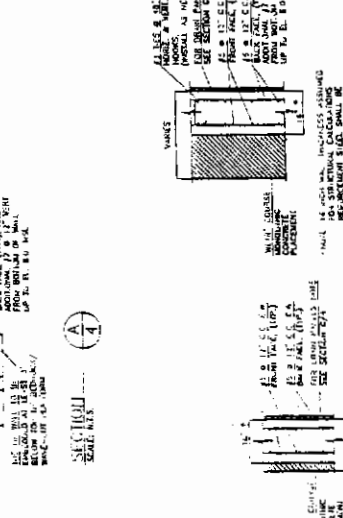
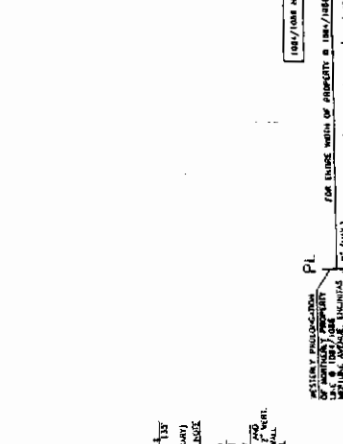
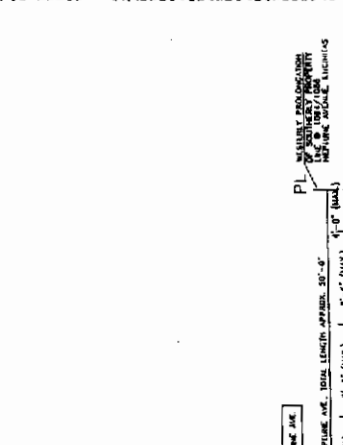
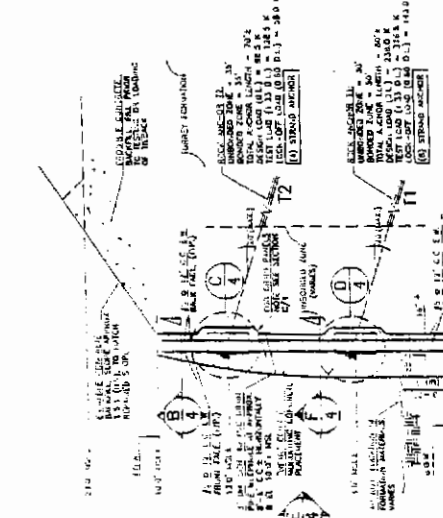
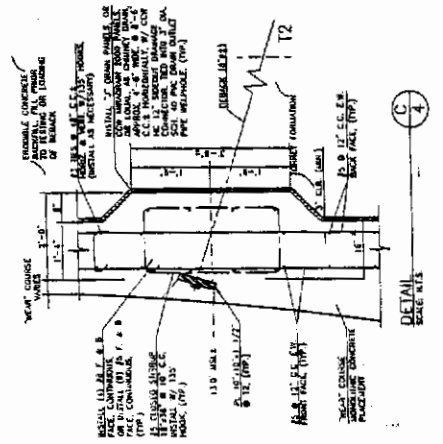
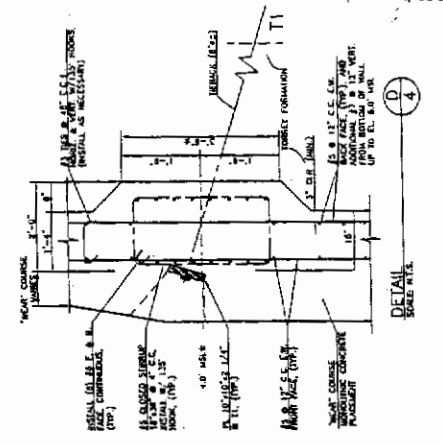
EMERGENCY APPROVALS ONLY
 RECOMMENDED BY: _____
 DATE: 02-11-08
 PROJECT NO.: 08-008

CITY OF ENCINITAS ENGINEERING SERVICES BECOM (R) DRAWING NO. 880-77E
 BLUE CURB, LLC 1084/1086 NEPTUNE AVENUE, ENCINITAS, CALIFORNIA 92024
 P. INING DATE: 08-00-00



SEAWALL
 CONSTRUCTION -
 SECTIONS, DETAILS
 AND NOTES

BLUE CURVE LTD.
 1084/1085 NEPTUNE AVENUE, ENGINITAS, CALIFORNIA 92024



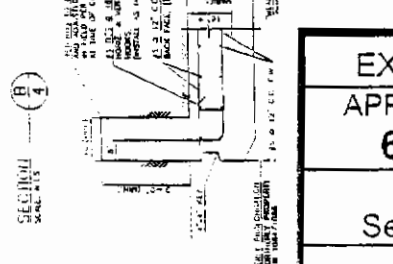
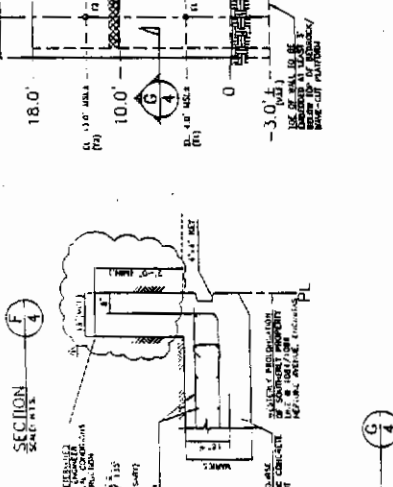
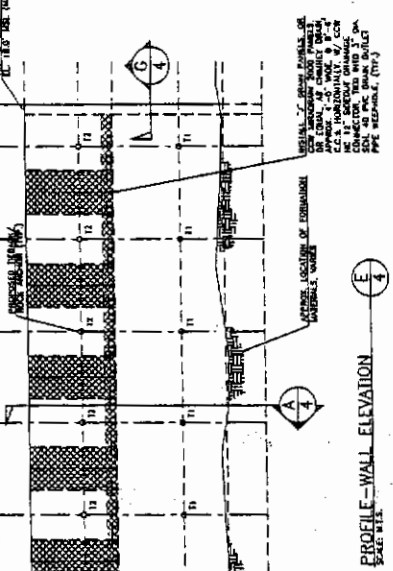
TIEBACKS SCHEDULE - TABLE "A"

NO.	SECTION	TYPE	LENGTH (FEET)	NUMBER OF TIEBACKS	DATE
1	11	11.0	10.0	1	
2	11	11.0	10.0	1	
3	11	11.0	10.0	1	
4	11	11.0	10.0	1	

GENERAL NOTES:
 FOR OTHER NOTES SEE SHEET 8.

ABBREVIATIONS:
 C.C. - CENTERLINE
 C.S. - CENTERLINE
 F.S. - FINISH SURFACE
 H.C. - HORIZONTAL CENTERLINE
 P.S. - PROPOSED SURFACE
 S.C. - SURFACE CENTERLINE
 V.C. - VERTICAL CENTERLINE

ADDITIONAL SPECIAL CONDITION NOTES:
 CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND ADJACENT PROPERTY OWNERS. CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES. CONTRACTOR SHALL MAINTAIN ALL EXISTING EROSION CONTROL MEASURES AND RESTORE THEM TO ORIGINAL OR BETTER CONDITION AFTER COMPLETION OF WORK. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL AFFECTED AGENCIES AND ADJACENT PROPERTY OWNERS.



CITY OF ENGINITAS ENGINEERING SERVICES DEPARTMENT
 DRAWING NO. 88-016
 SHEET 1 OF 6

APPROVALS ONLY
 APPROVED BY: [Signature]
 DATE: 8-10-88

SPECIAL DISTRICT
 SCALE
 BENCH MARK

EXHIBIT NO. 3
 APPLICATION NO.
 6-08-39-G
 Elevations
 Seawall Details



REPAIRS TO COASTAL BLUFF
 SECTIONS, DETAILS
 AND NOTES

GENERAL NOTES:
 1. GENERAL NOTES SEE SHEET 6.

ABBREVIATIONS:
 C.C. - CONCRETE
 F.F. - FINISH FACE
 I.C. - INTERIOR CORNER
 L.S. - LEAD SHEET
 P.F. - PLASTER
 R.F. - REINFORCING FABRIC
 S.P. - STRUCTURAL PLASTER
 T.E. - TERRACE ELEVATION
 U.S. - UNFINISHED SURFACE
 V.F. - VERTICAL FINISH

TIEBACKS SCHEDULE - TABLE "B"

MARK	CLASS	TYPE	LENGTH (FT.)	SPACING (FT.)	ANCHORS	NOTE
17	T52	100S	50	25	25	2
18	T53	100S	50	25	25	2
19	T53	100S	50	25	25	2
20	T53	100S	50	25	25	2

NOTE: TIEBACKS TO BE DRIVEN TO FULL ANCHORAGE. TIEBACKS TO BE DRIVEN TO FULL ANCHORAGE. TIEBACKS TO BE DRIVEN TO FULL ANCHORAGE.

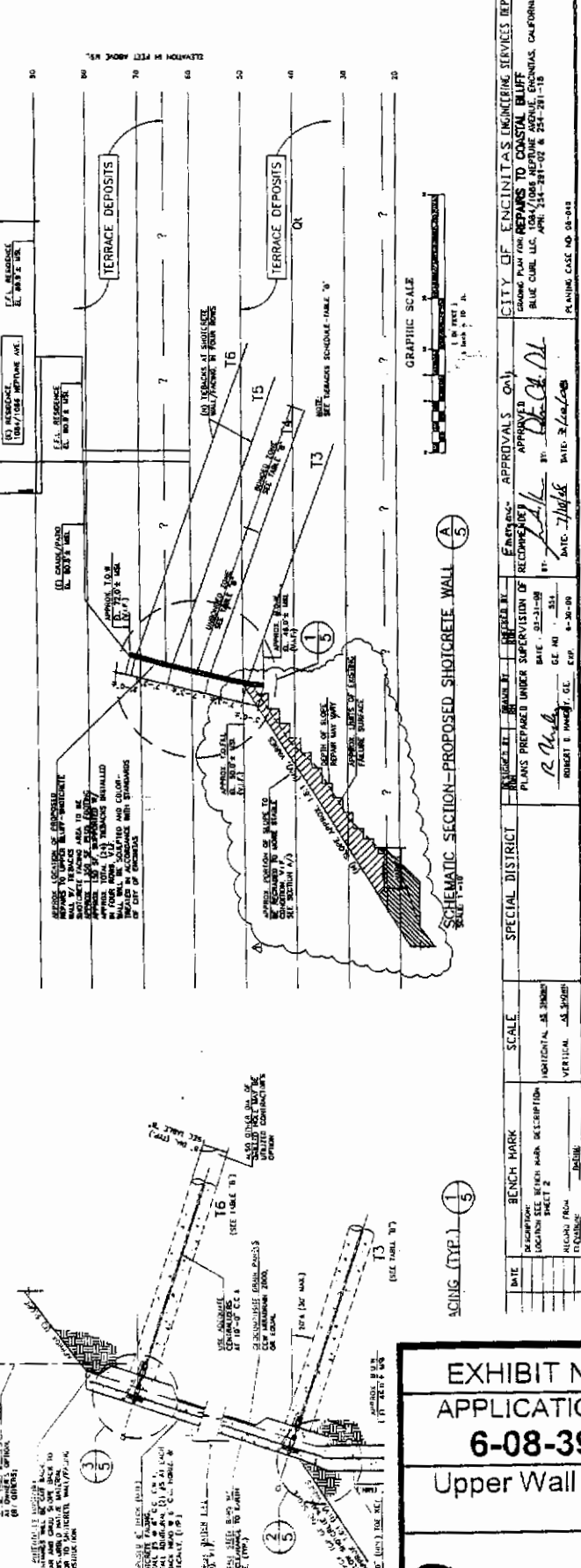
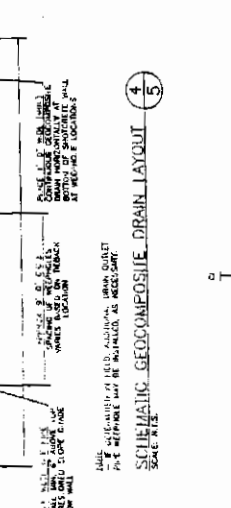
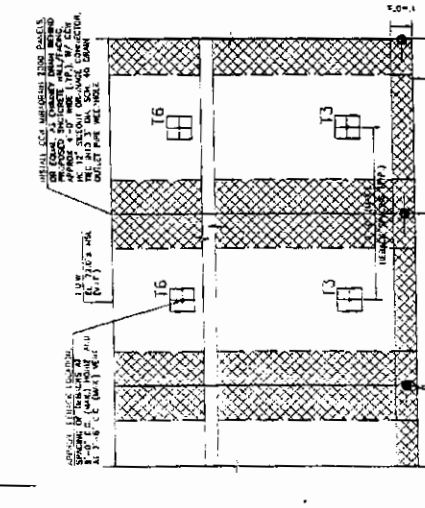
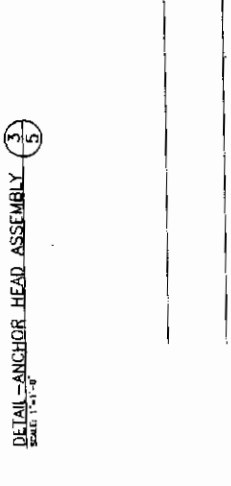
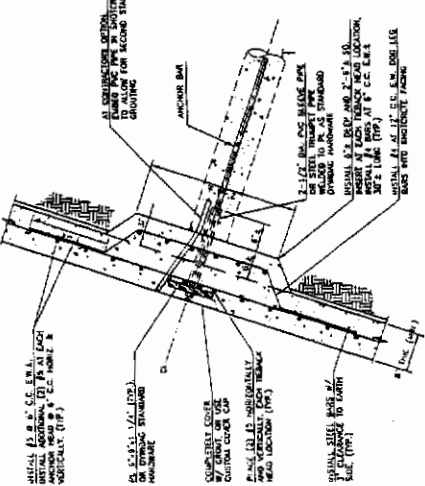
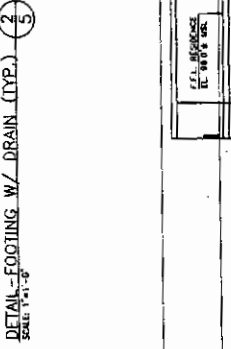
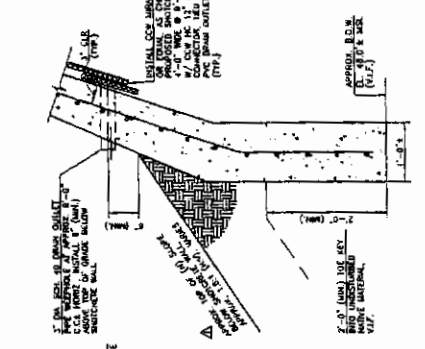


EXHIBIT NO. 4
APPLICATION NO.
6-08-39-G
Upper Wall Details

California Coastal Commission