

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

W11

SAN DIEGO COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

December Meeting of the California Coastal Commission

MEMORANDUM

Date: December 7, 2011

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 December 7, 2011 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.

EMERGENCY PERMITS

1. 6-11-083-G San Diego Gas & Electric, Attn: Richard Quasarano (San Diego, San Diego County)

IMMATERIAL AMENDMENTS

1. 6-08-056-A1 Pardee Homes, Attn: Allen Kashani (North City, San Diego, San Diego County)
2. A-6-ENC-09-003-A2 Carlos Wellman (Encinitas, San Diego County)
3. A-6-ENC-09-002-A1 Carlos Wellman (Encinitas, San Diego County)

EXTENSION - IMMATERIAL

1. 6-09-030-E1 City of Imperial Beach, Attn: James Nakagawa (Imperial Beach, San Diego County)

TOTAL OF 5 ITEMS

DETAIL OF ATTACHED MATERIALS

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>
6-11-083-G San Diego Gas & Electric, Attn: Richard Quasarano	To replace existing wood electrical transmission structure 90948 with a new wood pole. New pole installation will be conducted via helicopter.	Los Penasquitos Canyon Preserve, San Diego (San Diego County)

REPORT OF IMMATERIAL AMENDMENTS

The Executive Director has determined that there are no changes in circumstances affecting the conformity of the subject development with the California Coastal Act of 1976. No objections to this determination have been received at this office. Therefore, the Executive Director grants the requested Immaterial Amendment, subject to the same conditions, if any, approved by the Commission.

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-08-056-A1 Pardee Homes, Attn: Allen Kashani	Replace Special Condition No. 6 with the attached Deed Restriction for Public Access Trail Special Condition.	West side of Old El Camino Real south of San Dieguito Road, North City, San Diego (San Diego County)
A-6-ENC-09-003-A2 Carlos Wellman	Modification of building plans to delete the 1,818 sq. ft. basement.	708 Fourth Street, Encinitas (San Diego County)
A-6-ENC-09-002-A1 Carlos Wellman	Modification of building plans to delete the 2,121 sq. ft. basement.	708 Fourth Street, Encinitas (San Diego County)

REPORT OF EXTENSION - IMMATERIAL

<i>Applicant</i>	<i>Project Description</i>	<i>Project Location</i>
6-09-030-E1 City of Imperial Beach, Attn: James Nakagawa	Renovation of the public works yard to expand existing one-story building by 800 sq. ft.; relocate truck staging area, add 16 public parking spaces and create access to adjacent Bayshore Bikeway.	495 10th Street, Imperial Beach (San Diego County)

CALIFORNIA COASTAL COMMISSION

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

**EMERGENCY PERMIT**Applicants: **San Diego Gas & Electric**Date: October 31, 2011Agent: **Richard Quasarano**Emergency Permit No. 6-11-083-G

LOCATION OF EMERGENCY WORK: Electric utility pole in SDG&E utility transmission corridor (easement) in Los Penasquitos Canyon Preserve, San Diego County.

WORK PROPOSED: Removal of damaged wooden utility pole (#90948) and installation of a replacement utility pole adjacent to removed pole location. All work will occur by hand with no mechanized equipment or vehicle access necessary (ref. letter from SDG&E to California Coastal Commission dated October 27, 2011)

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 an electric utility pole that has been damaged 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 120 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

Signature on file
[Handwritten signature]
By: SHERILYN SARB
Deputy Director

Emergency Permit Number: 6-11-083-G
Date: October 31, 2011

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 area listed above is authorized. Any additional work requires separate authorization from the Executive Director. **If during construction, site conditions warrant changes to the project, 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 30 days of the date of this permit (i.e., by November 30, 2011).
4. The emergency work carried out under this permit is considered TEMPORARY work done in an emergency situation. **In order to have the emergency work authorized as permanent, a follow-up coastal permit must be obtained. A completed follow-up coastal development permit application must be received within 30 days of the date of this permit (i.e., by November 30, 2011) and be issued by the Commission within 180 days of the date of this permit (i.e., by April 28, 2012). Failure to comply with this deadline 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. 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, U.S. Fish and Wildlife Service.)
7. Impacts, whether temporary or permanent, to all environmentally sensitive habitat areas shall be avoided to the maximum extent possible. Any unavoidable disturbance necessary to remedy the emergency situation shall be minimized to the maximum extent feasible.
8. By acceptance of this emergency permit, the applicant acknowledges that mitigation for all unavoidable temporary and permanent wetland impacts associated with the pole replacement will be required as part of the regular coastal development permit.

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

(G:\San Diego\Emergency\6-11-083-G.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. 6-11-083-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.

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 must be obtained. A regular permit would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include mitigation requirements for possible wetland habitat impacts.

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 30 days of the date of the emergency permit (i.e., by November 30, 2011).

Signature of property owner

Name

Address

Date of Signing



Richard Quasarano, AICP
Environmental Specialist
8315 Century Park Court; CP21E
San Diego, CA 92123
(858) 654-8211
rquasarano@semprautilities.com

October 27, 2011

Lee McEachern
California Coastal Commission
San Diego Coast District
7575 Metropolitan Drive, Ste 103
San Diego, CA 92108-4402

Re: Los Peñasquitos Canyon Preserve Pole Replacement (Structure 90948)
Emergency Waiver Request (Coastal Act §30611)

Dear Mr. McEachern:

San Diego Gas & Electric Company (SDG&E) is preparing to replace an existing wood transmission structure located in the Los Peñasquitos Canyon Preserve and is requesting an emergency waiver pursuant to the emergency waiver provisions set forth in the Coastal Act §30611 and 14 California Code of Regulations §13144.

SDG&E believes that the repair work described in this submittal is excluded from permitting requirements under Coastal Act §30610 as a utility repair and maintenance activity specifically described in the California Coastal Commission's Repair, Maintenance and Utility Hook-up Exclusions from Permit Requirements (Part II.B.2.b. (Electric Utilities – Transmission and Distribution and Communication Facilities)). The nature of the repair, combined with SDG&E's robust environmental review process and best management practices, avoids any risk of "substantial adverse impact on public access, environmentally sensitive habitat areas, wetlands, or public views to the ocean" under 14 California Code of Regulations §13252. SDG&E and Coastal Commission staff met previously to discuss how the repair and maintenance exclusion applies to utility work, and SDG&E would like to continue those discussions; however, due to the severe deterioration of the pole (as described below) SDG&E is submitting this emergency waiver as a courtesy although it does not feel under legal obligation to do so.

Executive Summary

After performing a detailed pole loading analysis, SDG&E Engineering has concluded that the pole does not meet the minimum required factors of safety for wood poles as described in the California Public Utility Commission's General Order 95 (G.O. 95). The G.O. 95 requires structures to meet a 2.67 factor of safety and this pole calculates to a safety factor of 1.7, significantly less than what is required by the general order. SDG&E believes this pole has a high probability of

failure under G.O. 95 light wind conditions (56 mph). This pole is a tangent pole meaning that a failure at this structure would most likely start a chain reaction of failures commonly referred to as a cascade failure; where the force of the pole causes the nearby poles to fail until a dead end pole ends the domino effect.

SDG&E believes the high probability of failure for this structure causes a high degree of risk to electric system reliability, environmental impact (due to cascading repairs that would have been avoided), and public safety. For these reasons, SDG&E considers this structure an emergency change out, and would like to proceed with the construction immediately.

Wood Poles and Safety

G.O. 95 requires relatively high factors of safety for wood pole construction. For example, a 2.67 safety factor is required for a deteriorated wood pole, and only a 1.25 safety factor for a deteriorated steel pole. This difference is due to an attempt to safely design for the variability of strength inherent in natural materials such as wood poles. The ANSI defined wood pole strength is simply an average strength of poles with similar heights and diameters, but no two wood poles will have exactly the same properties. That is why under all conditions, due to the variability in pole strength, there is some probability of failure. Based on an ANSI study where poles of the same classes and heights were tested at the G.O.95 light wind loading, it was determined that less than one percent of poles failed when poles maintained a factor of safety of at least 2.67. Going from a safety factor 2.67 to 1.7 effectively increases the load on the structure by 150% which greatly increases the probability of failure. This also assumes that wind speeds will stay below 56 mph, which is not always the case as wind gusts have been measured higher than that during winter storms and strong Santa Ana conditions.

Deterioration Summary

This wood pole transmission structure was turned in for replacement under SDG&E's deteriorated wood pole program. Under this program, wood poles are inspected on a cyclical basis by using calibrated measurement tools that drill into the pole in various locations to sample the structure for rot and pole cavities. The samples are used to determine an estimated deterioration level. When a pole deteriorates beyond a certain threshold, it is recommended for replacement. The intrusive inspection report specific to electrical transmission structure 90948 found a significant amount of pole rot, and concluded that the pole had deteriorated approximately 60% (only 40% remaining pole strength). Given that this structure had deteriorated far beyond typical thresholds immediate replacement is warranted.

Project Description / Work Activities

SDG&E proposes to replace existing wood electrical transmission structure 90948 with a new wood pole. The hole will be hand dug (no mechanized equipment except for powered hand tools)

and the new pole installation will be conducted via helicopter. The structure is supported by two existing anchors, west and east of the pole. The existing anchors will be used, unless it is determined in the field that new anchors are required. If new anchors are required they will be installed while the pole is being replaced.

A four-person crew will walk to the pole to perform the repairs. Work equipment includes climbing tools, replacement parts, grounding wire, a hand power tools. All construction related materials and debris will be removed upon the completion of repair and maintenance activities. The work is expected to take approximately ten hours and be completed in one day.

The proposed helicopter staging is located within the parking lot of the Los Peñasquitos Canyon Preserve Park and Ride. The project will not preclude nor interfere with public access to, or recreational users of, the coast except for a short period of time during helicopter operations. To ensure public safety, SDG&E will utilize flagging crews at the offsite helicopter staging area to provide safe operation and minimize pedestrian, bicycle and motor vehicle inconvenience.

The proposed parking and staging area for crew vehicles is located along Sorrento Valley Boulevard west of the Los Peñasquitos Canyon Preserve Park and Ride. All vehicles will remain on paved surfaces or within previously disturbed bare ground.

Crew members will walk to the pole along an existing footpath approximately 1,240 from the structure. The footpath begins from the dirt access road and continues to the southeast for approximately 900 feet before turning north towards the pole. The last 340 feet is through a freshwater marsh habitat. SDG&E has obtained the required authorizations from the California Department of Fish and Game (CDFG), and the Regional Water Quality Control Board (RWQCB) for this work activity as more fully described later in this document.

Habitat Evaluation

Immediate Vicinity

The pole is approximately 200 feet south of Lopez Creek and is surrounded to the north by riparian woodland dominated by black willow (*Salix gooddingii*), arroyo willow (*Salix lasiolepis*), mule fat (*Baccharis salicifolia*), and western cottonwood (*Populus fremontii*). The pole is surrounded in all other directions by alkali marsh habitat dominated primarily by yerba mansa (*Anemopsis californica*) and to a lesser extent by pickleweed (*Salicornia virginica*), spiny rush (*Juncus acutus*), and alkali heath (*Frankenia salina*).

One Mile Radius – Vegetation

The following Natural Communities Conservation Plan (NCCP) covered species have been recorded within one mile of the project sites: San Diego barrel cactus (*Ferocactus viridescens*); San Diego button-celery (*Eryngium aristulatum* var. *parishii*); San Diego goldenstar (*Bloomeria clevelandii*).

San Diego barrel cactus was not observed during the field survey. This species is a succulent that would have been detected during the survey, if present.

San Diego button-celery was not observed during the field survey. This species is associated with vernal pools which do not occur within the immediate vicinity of the project area. Suitable habitat for this species does not occur within the project area.

San Diego goldenstar was not observed during the field survey. This species is frequently found within coastal sage scrub, chaparral or within the vicinity of vernal pools. Suitable habitat for this species does not occur within the project area.

One Mile Radius – Wildlife

The following NCCP-covered species have been recorded within one mile of the project site: Least Bell's vireo (*Vireo bellii pusillus*); Coastal California gnatcatcher (*Poliioptila californica californica*); Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*); California least tern (*Sernula antillarum browni*); Western snowy plover (*Charadrius alexandrinus nivosus*); Belding's savannah sparrow (*Passerculus sanwicensis beldingi*); Light-footed clapper rail (*Rallus longirostris levipes*); San Diego desert woodrat (*Neotoma lepidaintermedia*).

Lopez Creek and the riparian woodland north of the pole provides suitable habitat for least Bell's vireo as this species prefers riparian woodland habitat within or adjacent to wet areas.

The coastal California gnatcatcher prefers coastal sage scrub habitat dominated by coastal sagebrush and California buckwheat. No suitable habitat for this species was observed within the project area.

Southern California rufous-crowned sparrow prefers open grass and coastal sage scrub habitats along rocky hillsides and steep slopes. They also thrive in areas that have recently been burned, and sometimes remain in these grassy areas. No suitable habitat was identified within the project area for this species.

California least terns are migratory species that arrive at their breeding grounds in spring and are present at the colony through September. This species habitat includes bays, lagoons, and wetlands, and they form breeding colonies in the adjacent open sandy beaches, dunes, or disturbed sites. Suitable foraging habitat for this species occurs at the project site and in the surrounding area. California least terns was not observed or heard during the survey.

Western snowy plover habitat consists of dry, sandy areas above the high tide, on salt pans, on spoil sites, and along the edges of salt marshes, salt ponds, and lagoons. Breeding season for this species is early March to late September. Nesting sites include sand spits, dune-backed beaches, beaches at creek and river mouths and the banks of lagoons and estuaries. Suitable foraging habitat for this species occurs at the project site. However, no breeding habitat exists at the project site. Western snowy plover was not observed or heard during the survey.

Belding's savannah sparrow is a non-migratory subspecies of savannah sparrow that occurs in coastal salt marshes. This species forages on mudflats, sand flats, and rock jetties and prefers to nest in pickleweed. Suitable breeding habitat occurs within the project site. Belding savannah sparrow was not observed or heard during the survey.

Light-footed clapper rail is a non-migratory bird species that inhabits coastal salt and freshwater marshes that contain rushes, tules or cattails, and cordgrass. Breeding season for this species is mid-March through July, with peak activity in late June. Suitable breeding and foraging habitat for this species occurs in the area of the project site. Light-footed clapper rail was not observed or heard during the survey.

San Diego desert woodrat inhabit coastal sage scrub habitat, sage scrub/grassland ecotones, and chaparral communities. These species prefer sandy coastal soils. No suitable habitat was identified within the work area for this species. This species was not observed during the field survey, nor were any burrows or woodrat nests detected in the immediate project area.

Sensitive Species Avoidance Measures

- In order to avoid potential impacts to covered bird species a biological monitor will be present during project activities. Pre-construction tailgate training will be conducted.
- Due to the sensitive nature of the alkali marsh habitat, crews will remain on the existing footpath trail. Flagging tape used to mark the footpath will be removed upon completion of pole replacement activities. Instead of clearing vegetation around the pole, plywood boards will be placed on top of the vegetation to provide workspace.
- While digging the new hole for the pole replacement, any stockpiled material will be temporarily placed on a solid board lined with plastic or a waterproof tarp to prevent soil compaction and excess soil from entering the wetland. If left overnight, the stockpile will be covered with plastic and secured.
- Before scheduling the project activity, the weather forecast will be monitored. Work will not be scheduled if a greater than 40% chance of rain is forecasted during the time needed to complete the project activity. If rain unexpectedly does occur during the project activity, the site will be secured with proper erosion control devices to prevent sedimentation and erosion.

Summary of Impacts / NCCP Operational Protocols

The only permanent impact at the site will be from the installation of the replacement wood pole which covers an area of approximately two square feet. Although this impact will be offset by the removal of the existing wood pole, SDG&E will withdraw credits from its NCCP mitigation bank as described below. Approximately 350 square feet of temporary impacts will result from temporary soil stockpile around the pole, minor vegetation trimming to access anchors, and impacts caused

by crew members accessing and walking on the area around the pole. By following NCCP operational protocols (Section 7.1 Operational Protocols) and the above referenced avoidance measures, no impacts to NCCP-covered species are expected to occur as a result of this project. Temporary impacts will be minimized, as crews will only impact the vegetation necessary to conduct project-related activities, and a biological monitor with the authority to stop work, will be present at all times during project activities.

Mitigation

Structure 90948 and its associated anchors are located within a designated Preserve. Pole replacement is considered Maintenance of Existing Facilities under the SDG&E NCCP. Per Table 7.4 of the NCCP, the mitigation ratio for permanent impacts to NCCP-covered habitat for sites located within a designated Preserve is 2:1. SDG&E proposes to mitigate for permanent impacts through drawdown of 4 credits from the SDG&E mitigation bank.

Per Table 7.4 of the NCCP, no mitigation is required for temporary impacts to NCCP-covered habitat within a designated Preserve of less than 500 square feet. Temporary impacts are less than 500 square feet; therefore, SDG&E is not proposing to mitigate for the temporary impacts associated with project-related activities.

Existing Permits

SDG&E Environmental Programs water resources staff submitted permit applications to all three regulatory water agencies. The project is permitted under California Department of Fish & Game (CDFG) Streambed Alteration Agreement #1600-2011-0180-R5; Regional Water Quality Control Board (RWQCB) Water Quality Certification 11-037; and Army Corps of Engineers (ACOE) Nationwide Permit (NWP) #12. A copy of each of the permits shall be kept on-site.

SDG&E Best Management Practices

SDG&E incorporates standard BMPs for construction projects to ensure that all local, state and federal water quality regulations and standards are met, and that limitations in waste discharge requirements are not exceeded. These efforts will be combined with crew training and construction oversight and monitoring as necessary. By implementing these standard operating procedures and protocols, the project will not result in impacts to water quality. Moreover, SDG&E's standard operating procedures and protocols and the implementation of BMPs for sediment and dust control (SDG&E Water Quality Construction Best Management Practices Manual; December 2002) will ensure that potential impacts from erosion are less than significant.

Cost of Permanent Structures

Coastal Act §30611 applies to emergency activities that include permanent erection of structures valued at less than \$25,000. The cost of the materials involved in the repair will total approximately \$12,200 and include only replacement of existing structures (no new structures).

Need for Immediate Action

Under Coastal Act §30611, the requirement to obtain a coastal development permit can be waived “[w]hen immediate action by a person or public agency performing a public service is required to protect life and public property from imminent danger, or to restore, repair, or maintain public works, utilities, or services destroyed, damaged, or interrupted by natural disaster, serious accident or in other cases of emergency.” As discussed in the executive summary above, the need for immediate action is evident.

Conclusion

An SDG&E biologist will be on-site to monitor the activities and ensure that no substantial adverse impacts to sensitive species will occur and has the authority to stop work if necessary. SDG&E crews will work to ensure impacts to public access to the coast are minimized, and the work is completed in a timely, yet safe, manner. SDG&E environmental team has obtained all necessary approvals from USACE, CDFG and RWQCB.

Due to the compelling safety reasons stated earlier, SDG&E appreciates your prompt review of this request. Please feel free to contact me or Estela de Llanos if you have any questions about this submittal. I can be reached at (858) 654-8211. Estela can be reached at (619) 699-5011.

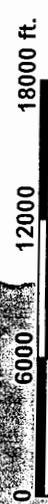
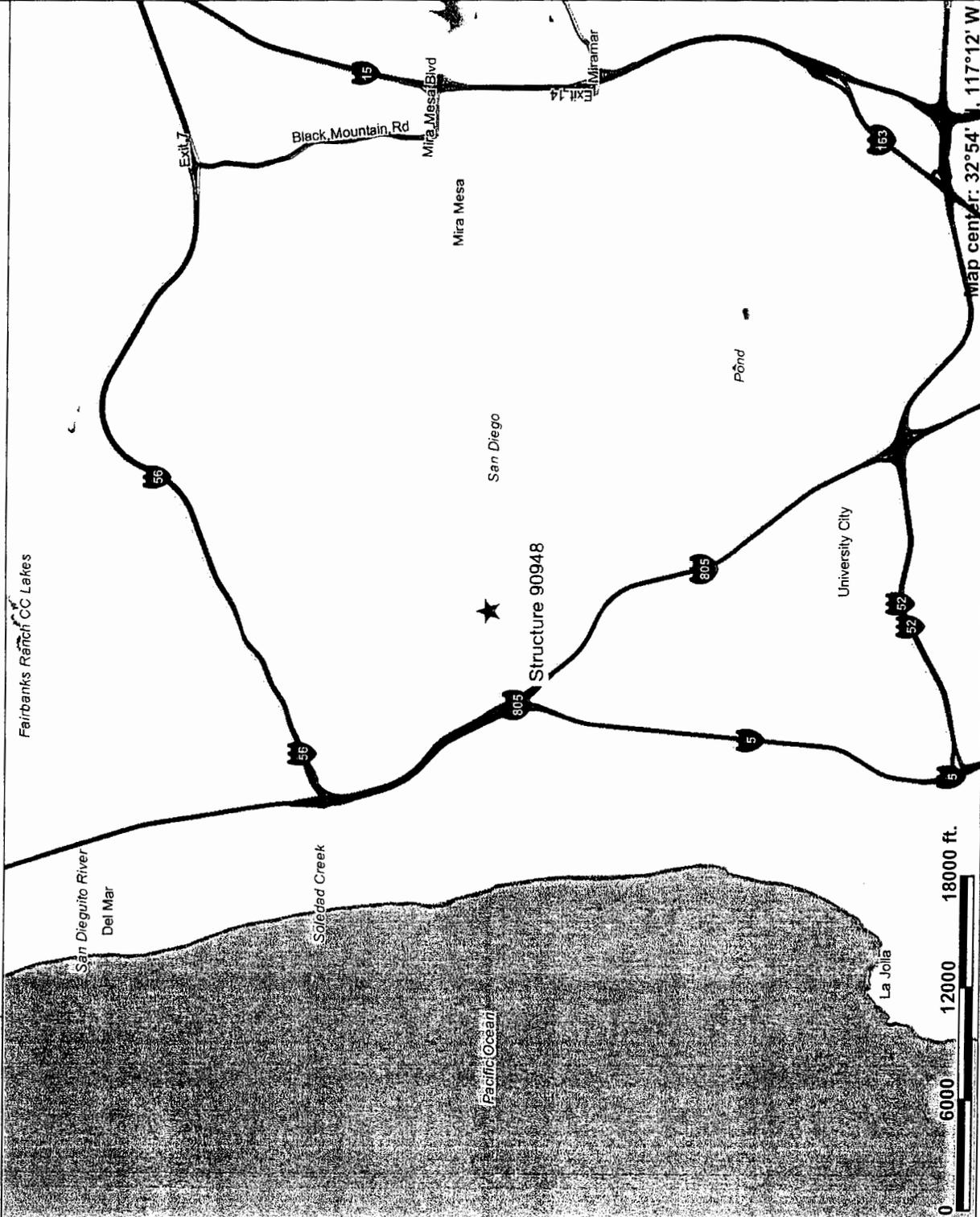
Sincerely,

A handwritten signature in black ink, appearing to read 'R. Quasarano', with a long horizontal flourish extending to the right.

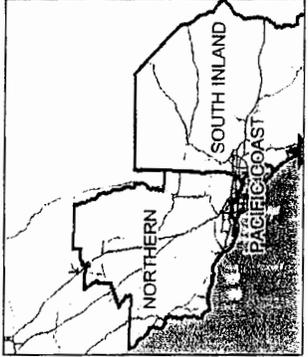
Richard Quasarano

cc: Estela de Llanos

AREA MAP



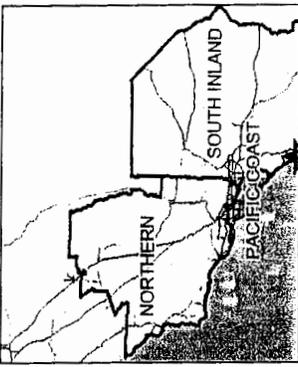
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- ### Legend
- City Point
 - Major Roads Shields
 - Major Roads
 - Highways
 - Major Highways
 - Water Body
 - Bay
 - Lake or Pond minor category unknown
 - Perennial Lake or Pond
 - Intermittent Lake or Pond
 - Reservoir, Major Category
 - Perennial Reservoir
 - Intermittent Reservoir
 - County Boundary

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SITE MAP



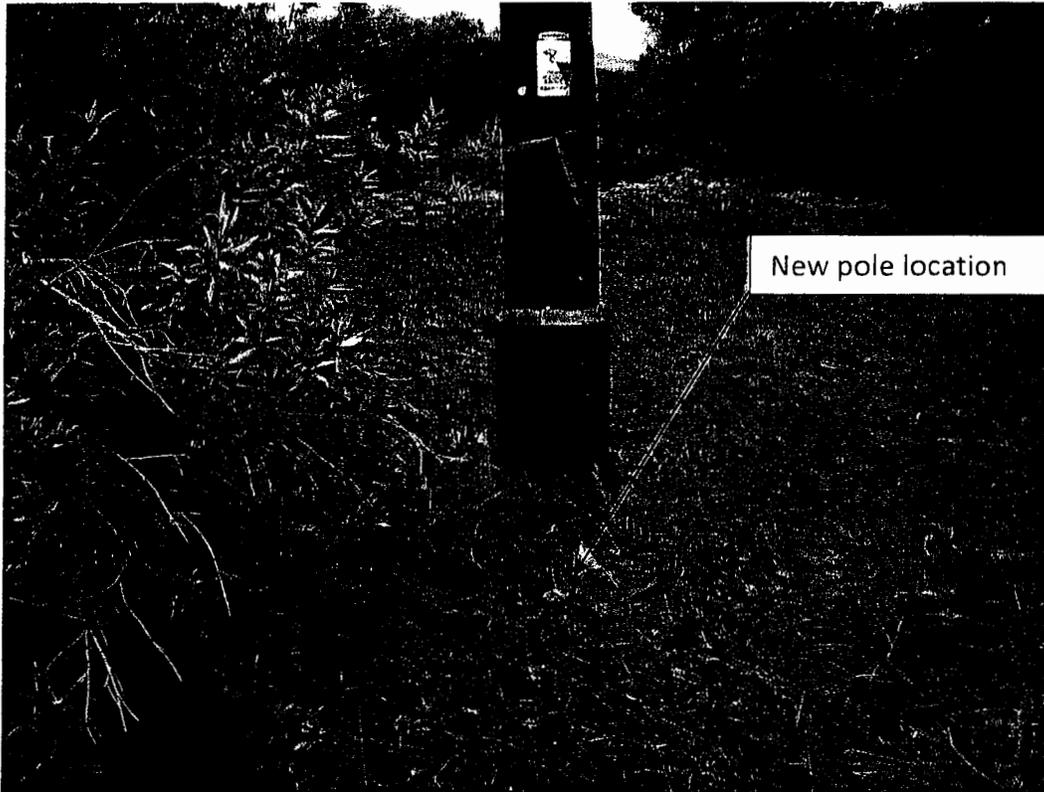
Legend

- City Point
- Local Roads
- Main Roads
- Major Roads Shields
- Major Roads
- Highways
- Major Highways
- Water Body
- Bay
- Lake or Pond minor category unknown
- Perennial Lake or Pond
- Intermittent Lake or Pond
- Reservoir, Major Category
- Perennial Reservoir
- Intermittent Reservoir
- County Boundary
- SDG&E 2008 West



Scale: 1:2,500

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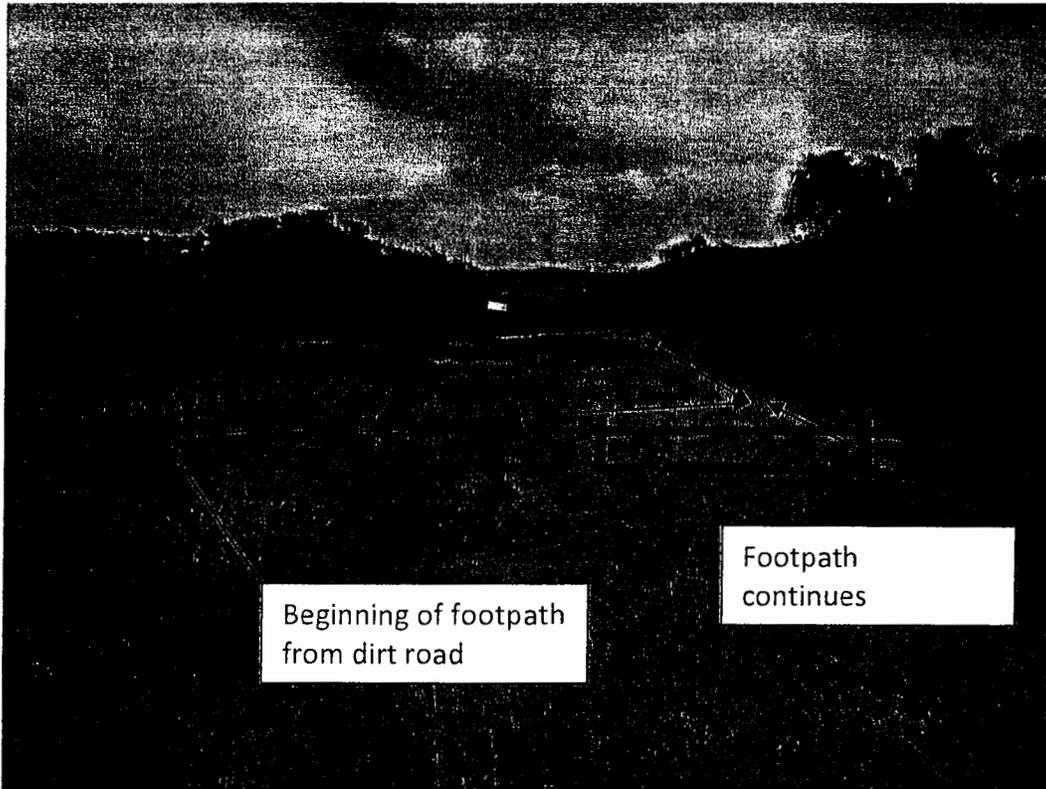
North-facing view of structure 90948



North-facing view of the west anchor associated with structure 90948



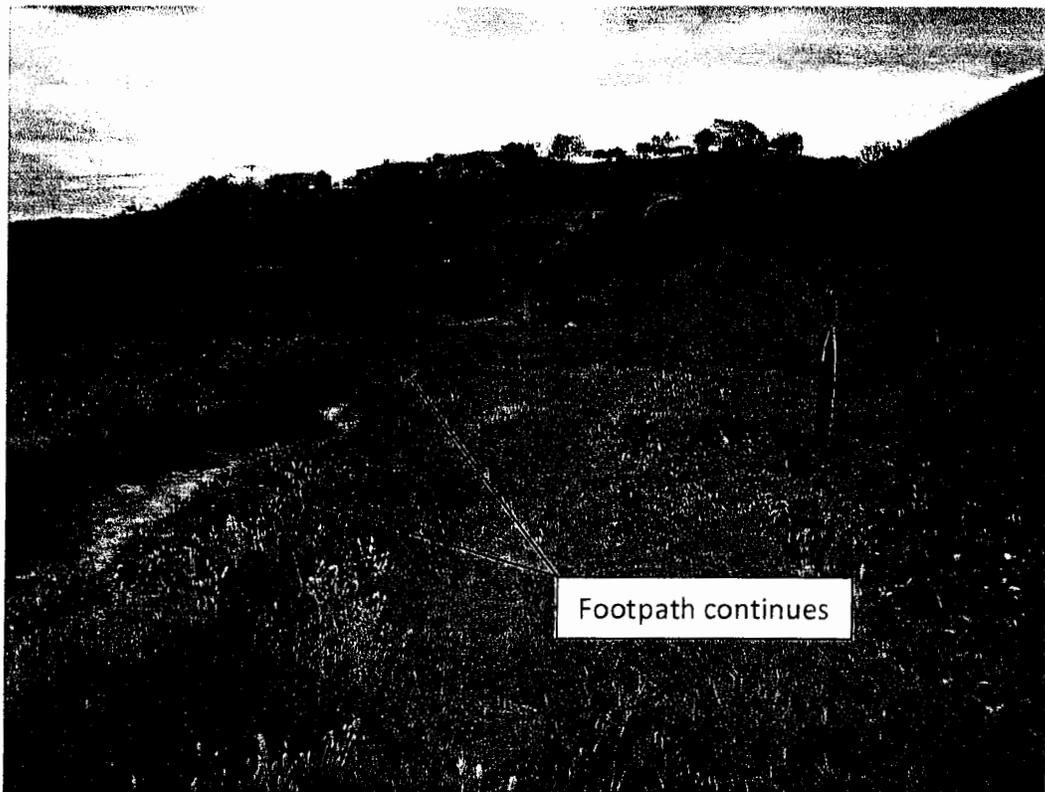
East-facing view of east anchor associated with structure 90948



East-facing view of the beginning of the proposed footpath to structure 90948



East-facing view of the middle of the proposed footpath towards structure 90948



East-facing view of the middle of the proposed footpath towards structure 90948



North-facing view of proposed footpath ending at structure 90948



North-facing view of proposed helicopter staging and landing area

CALIFORNIA COASTAL COMMISSION

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SAN DIEGO, CA 92108-4421
(619) 767-2370 FAX (619) 767-2384
www.coastal.ca.gov

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director
DATE: November 22, 2011
SUBJECT: **Permit No: 6-08-056-A1**
Granted to: Pardee Homes, Attn: Allen Kashani

Original Description:

for **Subdivision of 41.83 acres into 15 lots (ten single-family lots and five open space, brush management and private road lots); project includes construction of ten residences and potential guest quarters, 28,000 cu.yds. of balanced grading, road improvements along Old El Camino Real, and improvement of a public trail link.**

at **West side of Old El Camino Real south of San Dieguito Road, North City, San Diego (San Diego County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Replace Special Condition No. 6 with the attached Deed Restriction for Public Access Trail Special Condition.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

The City of San Diego will be granted ownership of the property on which the public access trail is located. The City would therefore both be the underlying fee owner of the property and the holder of an easement over the area. Given that easements are typically merged with the underlying property interest when they are held by the same person or entity as the owner of the underlying fee interest, the applicant is proposing to replace the condition requiring an offer to dedicate an easement for public access purposes with a condition requiring that a deed restriction be recorded against the property that prevents development in the public access trail area that would inhibit use of the trail. The deed restriction will remain as a restriction on use of the property, regardless of who owns the property, ensuring that the public access trail area will be required to be open for public access.

If you have any questions about the proposal or wish to register an objection, please contact Eric Stevens at the San Diego Coast District office.

6. Deed Restriction for Public Access Trail.

- (a) Public Access Area.** The area defined as follows shall be known as the Public Access Area: the area of current Assessor Parcel Number 304-020-18 consisting of a five (5) foot wide trail that traverses across the northern edge of the proposed development, north of Parcels 1, 2, 3, and 4, as depicted in Exhibit #3 attached to this report. No development, as defined in Section 30106 of the Coastal Act, shall occur in the Public Access Area except for construction and maintenance of a five foot wide trail that shall be available for public access purposes from sunrise to sunset daily.

- (b) PRIOR TO ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT,** the Permittee shall execute and record a deed restriction in a form and content acceptable to the Executive Director incorporating all of the above terms of this condition for the purpose of protecting public access on APN 304-020-18. The Public Access Protection Deed Restriction (Deed Restriction) shall apply to the Public Access Area (Deed Restricted Area) and shall include a legal description and site plan of: (1) current Assessor Parcel Number 304-020-18; and (2) the Public Access Area. 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. The Deed Restriction shall not be removed or changed without a Commission amendment to this coastal development permit.

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

**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director
DATE: November 23, 2011
SUBJECT: **Permit No: A-6-ENC-09-003-A2**
Granted to: Carlos Wellman

Original Description:

for **Demolish existing 12-unit apartment building that spans two blufftop lots (lots 1 and 2), remove remnants of a dilapidated stairway on the face of the bluff and construct a two-story 4,297 sq. ft. single family residence with 715 sq.ft. garage and 1,818 sq. ft. basement on lot #2.**
at **708 Fourth Street, Encinitas (San Diego County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Modification of building plans to delete the 1,818 sq. ft. basement.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

The removal of the basement will not adversely impact the structural stability of the single family residence or decrease the factor of safety against bluff erosion. As such, no adverse impacts to coastal resources are anticipated.

If you have any questions about the proposal or wish to register an objection, please contact Eric Stevens at the San Diego Coast District office.

cc: Local Planning Dept.
Alex Stolarski

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**NOTICE OF PROPOSED PERMIT AMENDMENT**

TO: All Interested Parties
FROM: Peter Douglas, Executive Director
DATE: November 23, 2011
SUBJECT: **Permit No: A-6-ENC-09-002-A1**
Granted to: Carlos Wellman

Original Description:

for **Demolish existing 12-unit apartment building that spans two blufftop lots (lots 1 and 2) and construct a two-story 4,521 sq. ft. single family residence with 724 sq. ft. garage and 2,121 sq. ft. basement on lot #1.**
at **708 Fourth Street, Encinitas (San Diego County)**

The Executive Director of the Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following changes:

Modification of building plans to delete the 2,121 sq. ft. basement.

FINDINGS

Pursuant to Title 14, Section 13166(b) of the California Code of Regulations this amendment is considered to be IMMATERIAL and the permit will be amended accordingly if no written objections are received within ten working days of the date of this notice. If an objection is received, the amendment must be reported to the Commission at the next regularly scheduled meeting. This amendment has been considered IMMATERIAL for the following reason(s):

The removal of the basement will not adversely impact the structural stability of the single family residence or decrease the factor of safety against bluff erosion. As such, no adverse impacts to coastal resources are anticipated.

If you have any questions about the proposal or wish to register an objection, please contact Eric Stevens at the San Diego Coast District office.

cc: Local Planning Dept.
Alex Stolarski

MAILED
11/30/11**CALIFORNIA COASTAL COMMISSION**

SAN DIEGO COAST DISTRICT
7575 METROPOLITAN DRIVE, SUITE 103
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November 30, 2011

NOTICE OF EXTENSION REQUEST FOR COASTAL DEVELOPMENT PERMIT

Notice is hereby given that: **City of Imperial Beach, Attn: James Nakagawa**
has applied for a one year extension of Permit No: **6-09-030-E1**
granted by the California Coastal Commission on: **November 5, 2009**

for **Renovation of the public works yard to expand existing one-story building by 800 sq. ft.; relocate truck staging area, add 16 public parking spaces and create access to adjacent Bayshore Bikeway.**

at **495 10th Street, Imperial Beach (San Diego County)**

Pursuant to Section 13169 of the Commission Regulations the Executive Director has determined that there are no changed circumstances affecting the proposed development's consistency with the Coastal Act. The Commission Regulations state that "if no objection is received at the Commission office within ten (10) working days of publishing notice, this determination of consistency shall be conclusive. . . and the Executive Director shall issue the extension." If an objection is received, the extension application shall be reported to the Commission for possible hearing.

Persons wishing to object or having questions concerning this extension application should contact the district office of the Commission at the above address or phone number.

Sincerely,
CHARLES LESTER
Executive Director

Signature on file

By: *DIANA ELLIOTT*
Coastal Program Analyst

Supervisor:

Signature on file