



April 3, 2013

RECEIVED

APR 08 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

OFFICERS

MIKE PEGRAM
CHAIR
PABLO SUAREZ
VICE CHAIR, SOUTHERN CA.
JACK OWENS
VICE CHAIR, NORTHERN CA.
GEORGE KRIKORIAN
SECRETARY/TREASURER
ED MOGER
AT LARGE
JOHN SADLER
AT LARGE

DIRECTORS

MADELINE AUERBACH
BOB BAFFERT
DENNIS CARDOZA
MARK DEDOMENICO
MIKE HARRINGTON
WILLIAM E. MOREY
GEORGE TODARO
KATHY WALSH
MICHAEL WELLMAN

EXECUTIVE STAFF

KELLEE BREEN
CHIEF FINANCIAL OFFICER
MARY FORNEY
DIRECTOR OF OPERATIONS
RICHARD SCHEIDT
NO. CA. DIRECTOR OF
OPERATIONS

CHAIRS EMERITUS

ED FRIENDLY (1996-97)
ROBERT B. LEWIS (1997-2001)
GARY BURKE (2001)
JACK B. OWENS (2001-03, 04-05,
2011)
RON CHARLES (2003-04)
ALAN LANDSBURG (2005-07)
MARSHA NAIFY (2007-10)
ARNOLD ZETCHER (2010-11)

CORPORATE OFFICE

285 W. HUNTINGTON DRIVE
ARCADIA, CA 91007
T: 626-574-6620
F: 626-821-1515
WWW.TOCONLINE.COM

Mary Shallenberger, Chair
California Coastal Commission
San Diego Coast District Office
7575 Metropolitan Dr. Ste. 103
San Diego, CA 92018

Dear Ms. Shallenberger,

This past summer at Del Mar, I had the opportunity to review drawings of the new turf course that Del Mar is proposing to install. Leif Dickenson thoroughly explained all aspects of the project, including the dimensions and nature of the grass itself.

I can tell you, unequivocally, that the Thoroughbred Owners of California wholeheartedly endorses the project, as we know it will enable the Del Mar Thoroughbred Club to take what is already a first-class program to an even higher level. Moreover, we feel that such an improvement will result in a safer course both for the horses and jockeys, and that is of utmost importance to the industry.

Sincerely,

Signature on File

Mike Pegram
Chairman

Letters of Support

9

AL

RECEIVED

APR 02 2013

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO COAST DISTRICT

March 29, 2013

California Coastal Commission
San Diego Coast District
7575 Metropolitan District #103
San Diego CA 92108-4421

RE: Permit 6-13-04 Widening turf course at San Diego County Fairground

I favor widening the course. It will provide greater safety for horses and their riders as well as make possible larger fields in each event.

With respect

Signature on File

6

BILL ARBALLO
1718 Belle Meade Road
Encinitas CA 92024
(News reporter retired)

10

CALIFORNIA COASTAL COMMISSION

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



W22b

Filed: 3/1/13
180th Day: 8/28/13
Staff: A. Llerandi-SD
Staff Report: 3/18/13
Hearing Date: 4/10/13

STAFF REPORT: REGULAR CALENDAR

Application No.: 6-13-004

Applicant: 22nd District Agricultural Association

Agent: Dustin Fuller

Location: Del Mar Fairgrounds, 2260 Jimmy Durante Boulevard, Del Mar, San Diego County (APN No. 299-030-01)

Project Description: Widen existing inner turf horse racing track by 25% with new, imported bedding material, installation of a new run off collection system, increase the height of berms encircling existing infield pond by 3 feet, and dispose of excess spoils legally outside of the Coastal Zone.

Staff Recommendation: Approval with Conditions

SUMMARY OF STAFF RECOMMENDATION

Staff is recommending approval of this project, with conditions. The proposed project is to widen the existing inner turf horse racing track by 25% (129,000 square feet) with new, imported bedding material (gravel, sand, and peat) so as to increase capacity and improve safety for the horse and rider. A new runoff drainage system consisting of a perforated drainage pipe and impermeable liner running along the inner boundary of the track and draining into the existing infield pond would be installed. Some of the construction cut material will be used to raise the height of the berm surrounding the existing infield pond by 3 feet to increase storage capacity, while excess construction spoils will be disposed of legally

outside of the Coastal Zone. The project site is the Del Mar Fairgrounds horse racing facility and is already used as a race track and infield.

The proposed project raises issues of water quality, potential channelization of the floodplain, and the potential increase in intensity of use. Water quality and channelization issues arise due to the project site's location within the San Dieguito River floodplain and the track's proximity to Stevens Creek and the San Dieguito River. Intensity of use issues arise due to the widened track's ability to host a greater number of horses during races.

Special conditions prohibiting channelization of rivers, mandating assumption of liability by the applicant, adherence to BMP plans, and disposal of spoils outside of the Coastal Zone will mitigate impacts to water quality by preserving the natural features of the river valley and reducing the likelihood of flooding and spillover into adjacent wetlands. The Special condition mandating adherence to approved final plans will ensure that the development does not become overly large and lead to a substantial increase in intensity of use.

Commission staff recommends **approval** of coastal development permit application 6-13-004, as conditioned.

TABLE OF CONTENTS

I. MOTION AND RESOLUTION.....	4
II. STANDARD CONDITIONS.....	4
III. SPECIAL CONDITIONS.....	5
IV. FINDINGS AND DECLARATIONS.....	7
A. PROJECT DESCRIPTION/HISTORY.....	7
B. PUBLIC ACCESS.....	7
C. WATER QUALITY.....	10
D. VISUAL RESOURCES.....	12
E. LOCAL COASTAL PLANNING.....	14
F. CALIFORNIA ENVIRONMENTAL QUALITY ACT.....	14

EXHIBITS

Exhibit 1 – Location Map

Exhibit 2 – Aerial View

Exhibit 3 – Site Plan

Exhibit 4 – BMP Plan

I. MOTION AND RESOLUTION

Motion:

*I move that the Commission **approve** Coastal Development Permit No. 6-13-004 pursuant to staff recommendation.*

Staff recommends a **YES** vote. Passage of this motion will result in approval of the permit as conditioned and adoption of the following resolution and findings. The motion passes only by affirmative vote of a majority of the Commissioners present.

Resolution:

The Commission hereby approves a coastal development permit for the proposed development and adopts the findings set forth below on grounds that the development as conditioned will be in conformity with the policies of Chapter 3 of the Coastal Act and 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. Approval of the permit complies with the California Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the development on the environment, or 2) there are no further feasible mitigation measures or alternatives that would substantially lessen any significant adverse impacts of the development on the environment.

II. STANDARD CONDITIONS

This permit is granted subject to the following standard conditions:

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the applicant or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director of the Commission.
4. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

5. **Terms and Conditions Run With the Land.** These terms and conditions shall be perpetual, and it is the intention of the Commission and the applicant to bind all future owners and possessors of the subject property to the terms and conditions.

III. SPECIAL CONDITIONS

The permit is subject to the following conditions:

1. **No Future Flood Protection.** No berms, walls, or any other form of protection against flooding shall ever be constructed for the purpose of protecting the development approved by this permit from flooding. By acceptance of this permit, the applicant hereby waives, on behalf of itself and all successors and assigns, any rights to construct such channelization or substantial alteration of a river or stream for the purpose of protecting the permitted development.
2. **Assumption of Risk, Waiver of Liability, and Indemnity Agreement**
 - i. By acceptance of this permit, the applicant acknowledges and agrees (i) that the site may be subject to hazards from flooding; (ii) to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development; (iii) to unconditionally waive any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards; and (iv) to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, damages, costs, (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
 - ii. **PRIOR TO ANY CONVEYANCE OF THE PROPERTY THAT IS THE SUBJECT OF THIS COASTAL DEVELOPMENT PERMIT**, the applicant shall execute and record a deed restriction, in a form and content acceptable to the Executive Director: (1) indicating that, pursuant to this permit, the California Coastal Commission has authorized development on the subject property, subject to terms and conditions that restrict the use and enjoyment of that property (hereinafter referred to as the "Standard and Special Conditions"); and (2) imposing all Standard and Special Conditions of this permit as covenants, conditions, and restrictions on the use and enjoyment of the Property. The restriction shall include a legal description of the applicant's entire parcel or parcels. It shall also include that, in the event of an extinguishment or termination of the deed restriction for any reason, the Standard and Special Conditions of this permit shall continue to restrict the use and enjoyment of the subject property so long as either this permit or the development it authorizes – or any part, modification, or amendment thereof – remains in existence on or with respect to the subject property.

3. **Final Plans.** PRIOR TO THE ISSUANCE OF THIS COASTAL DEVELOPMENT PERMIT, the applicant shall submit to the Executive Director for review and written approval final project and BMP plans. Said plans shall be in substantial conformance with the plans drafted by Fuscoe Engineering and submitted by Dustin Fuller on February 1, 2013, and March 6, 2013.

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

IV. FINDINGS AND DECLARATIONS

A. PROJECT DESCRIPTION/HISTORY.

The proposed project is to widen the existing inner turf track by 25% (129,000 square feet) with new, imported bedding material (gravel, sand, and peat). A new runoff drainage system consisting of a perforated drainage pipe and impermeable liner running along the inner boundary of the track and draining into the existing infield pond would be installed. Some of the construction cut material will be used to raise the height of the berm surrounding the existing infield pond by 3 feet to increase storage capacity, while the remaining, excess construction spoils will be disposed of legally outside of the Coastal Zone. The project site is within the Del Mar Fairgrounds and is already used as a race track and infield. The horse race track facility is comprised of two oval race tracks with entrance and exit chutes surrounding an infield with existing ponds and open space.

The Del Mar Fairgrounds is a state-owned and operated facility originally built to support agricultural activities and horse racing. It hosts an annual fair and annual thoroughbred horse-racing meet, along with a variety of smaller events year round. The facility includes exhibit buildings, a grandstand, barns, stables, a show arena, a satellite wagering building, maintenance areas, parking lots, and the horse racing track, that facility being located within the west-central area of the overall complex.

On December 12, 2006, the Coastal Commission approved Coastal Development Permit (“CDP”) No. 6-06-054, which permitted the applicant to improve the then dirt outer track at the current project site by replacing the turf with PolyTrack synthetic material. In analyzing that project many of the same concerns inherent in this permit were addressed at that time, including water quality impacts and disposal of construction spoils. In that permit, the Commission conditioned the approved permit with waivers of future flood protection, assumption of risks from natural hazards, and construction measures meant to mitigate and monitor water quality impacts. The applicant agreed to all conditions and operates the outer PolyTrack to this day.

The project site is geographically within the City of Del Mar, which has an effectively certified LCP and issues its own coastal development permits. However, the Fairgrounds represents an area of deferred certification. Moreover, it was principally built on filled tidelands. Thus, the vast majority, if not the entirety, of the site is within the Coastal Commission’s area of original jurisdiction, with Chapter 3 of the Coastal Act being the legal standards of review for permits and the Del Mar LCP being used for guidance.

B. PUBLIC ACCESS.

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

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and

recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30211 of the Coastal Act states:

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

Section 30212 of the Coastal Act states, in part:

- (a) *Public access from the nearest public roadway to the shoreline and along the coast shall be provided in new development projects except where: (1) it is inconsistent with public safety, military security needs, or the protection of fragile coastal resources, (2) adequate access exists nearby, or, (3) agriculture would be adversely affected. Dedicated accessway shall not be required to be opened to public use until a public agency or private association agrees to accept responsibility for maintenance and liability of the accessway.*

[...]

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

Section 30213 of the Coastal Act states, in part:

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

[...]

Section 30604 of the Coastal Act states, in part:

[...]

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

*public access and public recreation policies of Chapter 3
(commencing with Section 30200).*

The fairgrounds is located near the mouth of the San Dieguito River and Lagoon, west of I-5, but east of Camino del Mar (Old Highway 101) and the railroad tracks. It is between the river and Via de la Valle, which is the first public east-west road north of the river, while El Camino Real is currently the first north-south public road east of the site. Thus, the entire fairgrounds complex is located between the sea and first public roadway, where maintaining shoreline public access to the river/lagoon and west to the municipal beaches is of greatest concern. As the property owner is another state agency, the property is in public ownership, and, for the most part, the public can freely access various portions of the grounds, including the riverfront, particularly when no formal events are taking place. In addition, a portion of the Coast to Crest Trail is sited on Fairgrounds property, which will further enhance public access in this area.

Thoroughbred racing in Del Mar was initiated in the 1930's, with the annual race meet now running for approximately 43 days every summer. It begins mid-July, approximately two weeks after the close of the annual fair, and ends in mid-September. The number of attendees varies from day to day, with only a handful of special races drawing huge crowds. Racing attendance, even on peak days, never approaches the number of people attending the annual fair on a daily basis. However, less parking is available during the racing season, as the practice track and backstretch areas, which are used for parking during the fair, are not available for parking during race season.

The identified parking facilities include use of the South and East Overflow parking lots (SOL and EOL, respectively) during much of the racing season. Historically, the SOL and EOL have been used by the applicant as a public parking reservoir during the annual fair and thoroughbred race meet. Because use of the lots for parking for these two main yearly events predated the Coastal Act, the Commission has not challenged the continued use of this area for overflow parking during these events, even though major portions of these areas are wetlands. However, the Commission has been reluctant to approve any new development that might increase use of these areas during the fair and races, or require their use for other times of the year. Furthermore, on November 15, 2012, the Commission approved CDP No. 6-12-040, authorizing Phase I of the SOL wetland restoration, which includes restoration of 2.41 acres of salt marsh habitat, .55 acre of high marsh habitat, and .22 acre of upland transition. In the future it is expected that 22nd District Agricultural Association will apply for a CDP authorizing Phase II of the restoration and complete the total conversion of the SOL into wetlands.

Currently, the inner turf track can accommodate up to 10 horses at a time during a racing event. With the proposed track widening, that number will increase to 14. During racing season, the applicant holds 3-4 turf track races a day, a schedule that the applicant does not plan on changing even with the widening. Because the number of daily races will not change, the applicant does not foresee a substantial increase in attendance numbers because of the widening. Instead, the widening will allow the applicant to race more of the horses that currently are held in reserve in the event of a scratch in the race schedule and have safer race conditions. This in turn is anticipated by the applicant to increase the

likelihood of more bets being placed on a given race by spectators. Thus, widening the inner turf track will not result in substantially increased usage of the EOL and SOL beyond what is currently occurring during the race meet.

Finally, the thoroughbred horse races, like most other fairgrounds events, provide a comparatively inexpensive recreational experience, as addressed in Section 30213 of the Coastal Act, cited above. Thus, in addition to accommodating public access to nearby parks and beaches, the fairgrounds is itself a public recreational destination.

In summary, the Commission finds the proposed track widening will not result in adverse impacts to coastal access. Parking remains adequate for the annual race meet, and the public can access the shoreline of both the San Dieguito River and Pacific Ocean through various areas of the fairgrounds. Access along the riverfront is soon to be enhanced through provision of a public trail and boardwalk at the southern perimeter of the EOL and SOL. A day at the races remains a relatively lower cost recreational experience. Therefore, the Commission finds that all access and resource concerns associated solely with the development approved herein are adequately addressed, and that the proposed development, as conditioned, is consistent with the cited policies of the Coastal Act.

C. HYDROLOGY/FLOOD HAZARDS

Section 30236 of the Act addresses natural hazards, and states, in part:

Channelization, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible, and be limited to (1) necessary water supply projects, (2) flood control projects where no other method for protecting existing structures in the floodplain is feasible and where such protection is necessary for public safety or to protect existing development.

[...]

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.*

[...]

The Del Mar Fairgrounds is located within the 100-year floodplain of the San Dieguito River, and is thus subject to flooding during storm events. However, a large number of permanent and temporary structures already exist on the site, many of them pre-dating the Coastal Act, including the main racetrack. In past actions, the Commission has found that the placement of fill or permanent structures in a floodplain significantly alters flood flows and therefore is inconsistent with Coastal Act section 30236. On the other hand, structures that can accommodate periodic inundation without being damaged do not cause flood waters to be redirected and therefore can be found consistent with 30236. The entire Fairgrounds complex is comprised of structures, which are, and will continue to be, able to withstand periodic inundation occasionally during severe rain events. This is certainly true of the racetrack facility.

Any additional fill or net increase in building footprints could result in changes in the hydrology of the adjacent San Dieguito River and Stevens Creek. Modifications to the current flooding patterns, in which a large portion of the 100-year flood waters are contained on the Fairgrounds property, could result in increased flood hazards to existing up- and downstream developments. This could, in turn, lead to proposals for further channelization of the river. In this particular case, the proposed improvements are not adding new structures to the floodplain; though they are increasing the footprint of an existing structure: the turf track. The track widening and the replacement of the existing drainage system with a new one requires some modifications in gradient, which will expand portions of the existing track and raise the track elevation by roughly one foot overall. Thus, there will be a small increase in floodplain coverage and elevation, but still little potential for significant adverse affects to flood flows as the new track surface is still permeable, and, even with a expansion of the track itself, the boundaries of the track complex as a whole are not substantially changed. The 3-foot increase in height of the berm surrounding surrounding the existing infield pond will not substantially alter flood patterns because there is already an existing berm around the pond and will in fact reduce the likelihood of runoff from the track flooding out of the pond and into the adjacent river valley.

The applicant is proposing, however, to import 129,000 square feet of new material overall. The material removed from the strip of land adjacent to the interior boundary of the turf track is approximately 8,450 cubic yard in volume. Approximately 6,000 cubic yards will be used to increase the height of the berm around the infield pond, with the excess construction spoils being disposed of legally outside the Coastal Zone. Historically, such “fill” has been allowed within the main, developed, partially paved area of the Fairgrounds west of Jimmy Durante Boulevard, as much of this development predates the Coastal Act, with the racetrack itself dating back to the 1930’s. Most of the permits the Commission has acted on in the developed area of the Fairgrounds are for the replacement of various structures that do not meet today’s building standards for earthquake safety and structural design, as well as not meeting human and animal health and safety needs. The subject widening of the race track is intended to increase the safety of both horses and riders.

In addition, the Fairgrounds is primarily an agricultural and equestrian facility, uses generally acceptable within floodplains as long as there are no permanent structures that block flood flows. Although there are many permanent structures within this facility, they are designed to be compatible with periodic inundation and allow the passage of flood waters, such that there is no redirection of flood flows, nor damages to downstream lands. Because of their design and function, the structures at the Fairgrounds can sustain extended periods of time in a flooded state. Therefore, these structures, of which the racetrack is one, do not constitute a substantial alteration of a stream, such that Section 30236 of the Coastal Act does not apply, as long as the structures are allowed to flood, as designed. If steps were taken to prevent flooding, such as berms, walls, or other protective devices there would be alteration of the flood flows, which would be inconsistent with 30236.

Thus, an issue is raised over the potential that, in the future, the applicant might propose some form of channelization to protect the race track surface from flooding. Of particular concern is the potential that such protection would take the form of further channelizing Stevens Creek or the San Dieguito River, both of which flood portions of the Fairgrounds during major storm events. Channelization can include a range of different actions, such as redirection of flow, realignment of channel banks, filling or dredging, hardening of channel banks and/or bottom with riprap or concrete, even planting or removal of vegetation in some circumstances. **Special Condition No. 1** provides that the applicant waives any rights to construct some form of channelization or substantial alteration of a river or stream for the purpose of protecting the race track. In addition, **Special Condition No. 2** requires the applicant to accept full liability for the construction of development in a hazardous location.

In summary, the Commission finds that the widening of the existing inner turf track and installation of a new drainage system will not result in a significant change to current flood flows across the site. The amount of impermeable surfaces will not increase, and the race track, as always, will continue to allow the passage of flood waters. Also, the new racetrack improvements are designed to improve drainage over what now exists by installing a new drainage system along the track. Special Conditions address the issues of future shoreline protective devices and the waiving of any liability on the part of the Commission on future damages. Therefore, the Commission finds the proposed development, as conditioned, consistent with Chapter 3 of the Coastal Act.

D. WATER QUALITY

The following Coastal Act Policies are most pertinent and state:

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations

of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

The proposed track widening and new drainage system will better capture and filter run off before directing water flows into the existing infield pond. No run off flows from the inner turf track are expected to flow into the surrounding wetlands. Run off directed into the infield ponds will be treated by aeration and infiltration. The possibility of run off flows into surrounding wetlands is further reduced by the lack of any capacity to pump the water within the infield ponds into the surrounding streams and rivers. The increased height of the berm surrounding the existing infield pond will increase its capacity and lessen the likelihood of a storm event causing major flooding that could spill out into the adjacent wetlands.

To control construction run off, the applicant will institute a plan of construction BMPs during the widening of the track and ancillary development. These BMPs will include, among other measures, silt fencing, fiber rolls, tarps, and sand bags. The widening will be implemented in stages so as to limit the amount of land and spoils susceptible to run off at any one time.

To ensure that the applicant constructs the proposed development in conformance with approved methods, **Special Condition No. 3** requires the applicant to submit and adhere to final construction and site plans that are in substantial conformance with Commission-approved plans.

Thus, as proposed and conditioned, impacts to water quality are avoided or mitigated and the proposed project can be found in conformance with the policies of Chapter 3 of the Coastal Act.

E. LOCAL COASTAL PLANNING

Section 30604(a) 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.

Although the project site is in an area of original jurisdiction and thus not subject to the policies and regulations of Del Mar's certified LCP, it is nonetheless consistent with the Fairgrounds/Racetrack land use designation and zone of that plan. As conditioned, the proposed development is consistent with Chapter 3 of the Coastal Act. Approval of the project, as conditioned, will not prejudice the ability of the City of Del Mar to continue to implement its certified LCP.

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

The 22nd District Agricultural Association is the lead agency for purposes of CEQA review for this project, and the Coastal Commission is a responsible agency. Section 13096 of the Commission's Code of Regulations requires Commission approval of coastal development permits to be supported by a finding showing the permit, as conditioned, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse effect which the activity may have on the environment.

The proposed project has been conditioned in order to be found consistent with the Chapter 3 policies of the Coastal Act. Mitigation measures, including conditions addressing water quality and disposal of spoils, will minimize all adverse environmental impacts. As conditioned, there are no feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment. Therefore, the Commission finds that the proposed project is the least environmentally-damaging feasible alternative and is consistent with the requirements of the Coastal Act to conform to CEQA.

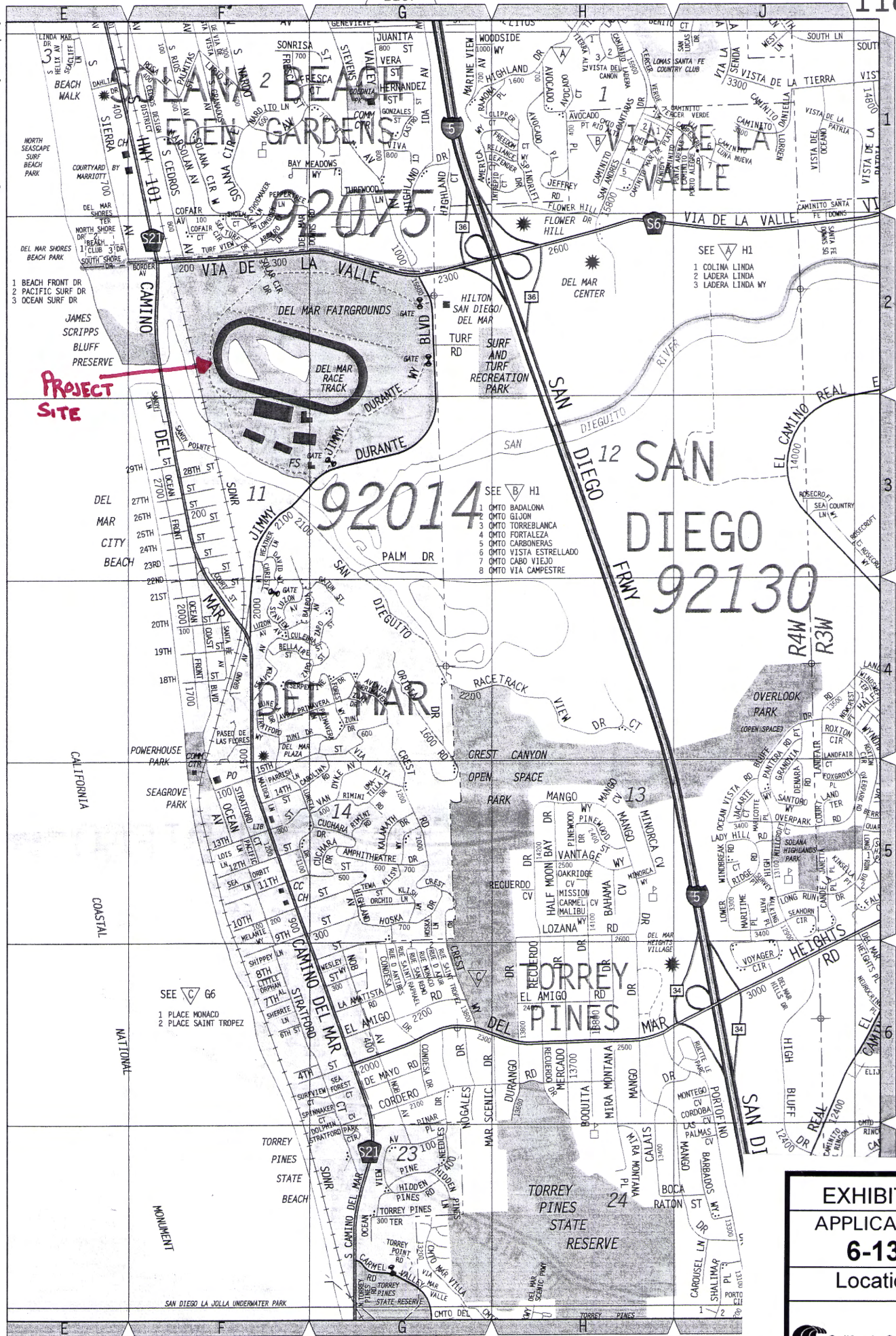


EXHIBIT NO. 1

APPLICATION NO.

6-13-004

Location Map


California Coastal Commission

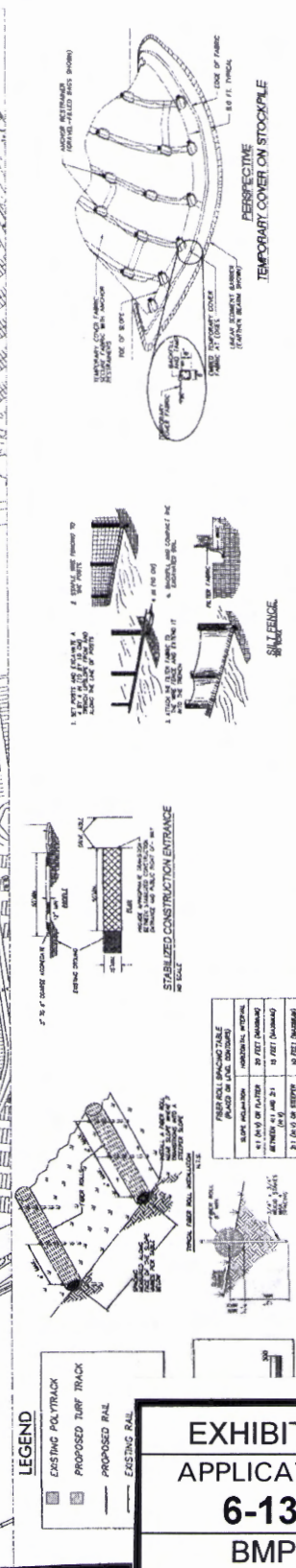


Google earth

feet 3000
km 1



EXHIBIT NO. 2
APPLICATION NO.
6-13-004
Aerial View
 California Coastal Commission

[illegible]

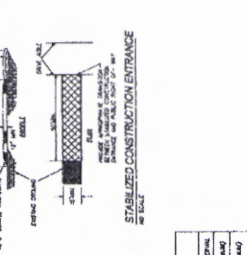
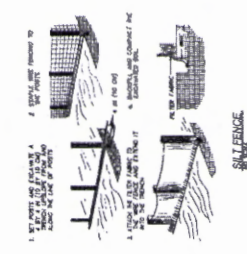
GRAZED, DESTABILIZED, OR ENDOSED APPEARS TO BE TREATED WITH NON-ANCHORIZED HYDROLYZED MAT SHALL BEZEE AN INTRON BRICKER/TACKLER AS NEEDED IN THE FIRST APRIL 2001 AND SEPTEMBER 2001 FOR DUST-ENDESED CONTROL. WITH A SATELLITE APPLICATION OF HYDROLYZED MAT. DURING THE PAST SEASON BETWEEN OCTOBER 11 AND APRIL 1981.

BOTANICAL NAME	COMMON NAME
ARTEMISIA CALIFORNICA	CALIFORNIA
SAGEBRUSH	
ERIGONUM TASCULUM	CALIFORNIA
ROCKWEED	
ERIGONUM TASCULUM	DEERWEED
MAHARUA LONGIFOLIA	STICKY
MAHARUA LONGIFOLIA	

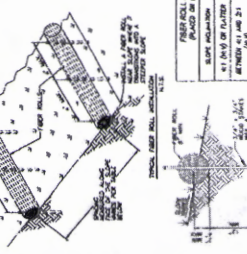
ENGONIM FASCICULATUM	10	10	5/1.85/AC
LOTUS SCOPARIUS	9	9	5/1.85/AC
MAEULUS LONCHITIS	2	2	5/1.85/AC
WEDD CELLULOS MALLUM	2,500	2,500	1.85/AC
18-19 COMMERCIAL FIBRE	400	400	1.85/AC
ECOLOGICAL CONTROL W-BINDER	240	240	1.85/AC

5. A MIXING CONSISTING OF 35 PERCENT ALKYL POLYETHYLENE GLYCOL (THIS SHALL BE APPLIED AS PER FIBER MATCH) SHALL BE APPLIED AT A MINIMUM RATE OF 2,000 POUNDS PER ONE THOUSAND SQUARE FEET. IF THE MIXING CONSISTING OF 35 PERCENT ALKYL POLYETHYLENE GLYCOL (THIS SHALL BE APPLIED AS PER FIBER MATCH) SHALL BE APPLIED AT A MINIMUM RATE OF 400 POUNDS PER ACRE.

6. EQUIPMENT USED FOR THE APPLICATION OF SLURRY SHALL HAVE A BUILT-IN AGITATION SYSTEM TO SUSPEND AND HOMOGENEOUSLY MIX THE SLURRY. THE SLURRY MIX SHALL BE DIED GREEN. THE EQUIPMENT MUST HAVE A PUMP CAPABLE OF APPLYING SLURRY UNIFORMLY.



PISER ROLL SPACING TABLE (PLACES OF LINE COINCIDE)	
SLOPE INDICATION	HORIZONTAL INTERVAL
4:1 (60°) OR FLATTER	25 FEET (SPACING)
BETWEEN 3:1 AND 2:1 (45°)	15 FEET (SPACING)
2:1 (60°) OR STEEPER	10 FEET (SPACING)







 EXISTING POLYTRACK
 PROPOSED TURF TRACK
 PROPOSED RAIL
 EXISTING RAIL

EXHIBIT NO. 4
APPLICATION NO.
6-13-004
BMP Plan