

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
(619) 767-2370 FAX (619) 767-2384

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SAN DIEGO COAST DISTRICT DEPUTY DIRECTOR'S REPORT

For the

February 2016 Meeting of the California Coastal Commission

February 08, 2016

To: Commissioners and Interested Parties
From: Sherilyn Sarb, San Diego Coast District Deputy Director

Following is a listing for the waivers, emergency permits, immaterial amendments and extensions issued by the San Diego Coast District Office for the February 2016 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.

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.

Applicant	Project Description	Project Location
<p>6-15-2048-W City of San Diego Public Works Dept, Attn: Matt DeBeliso</p>	<p>In Crown Point West & East: Replace 4.8 miles of 6" and 8" vitrified clay (VC) sewer mains with new 8" PVC mains; replace 2.8 miles of 6", 8" and 16" cast Iron (CI) and asbestos cement (AC) water mains with 8" and 16" PVC mains; in Pacific Beach Drive: replace 1.32 miles of 12", 15" and 18" VC sewer mains with 12" and 15" PVC mains; replace 1.05 miles of 6" and 8" AC water mains with 8" and 12" PVC mains; and abandonment of 3 miles of sewer main easements and water mains in the Crown Point area of Pacific Beach.</p>	<p>Crown Point area, Pacific Beach, San Diego, San Diego County.</p>
<p>6-15-2071-W University of California, San Diego</p>	<p>Construction of a new permanent outdoor, open air RIMAC Events Stage, with a stage 4 ft. above grade and a 40-ft. tall open trellis structure erected on the concrete base, with related lighting, video, and access improvements connected to the stage.</p>	<p>South of RIMAC Field, adjacent to RIMAC Area, La Jolla, San Diego, San Diego County. APN: 342-010-24.</p>
<p>6-15-2121-W Bret & Brandy Gossett</p>	<p>Demolition of an existing 1-story, 1,518 sq. ft. single-family residence, and construction of a new 1-story, 3,814 sq. ft. single-family residence with a 529 sq. ft. attached garage on a 15,500 sq. ft. lot.</p>	<p>435 Granados Avenue, Solana Beach, San Diego County. APN: 298-093-20.</p>
<p>6-15-2125-W Chris Twitty & Sandra Aung</p>	<p>Demolition of an existing 174 sq.ft. sunroom and construction of a 340 sq.ft. first-floor addition, 1,075 sq.ft. new second floor, and interior remodels to an existing single-story, 1,762 sq. ft. single-family residence with an approximately 459 sq.ft. attached garage on a 9,076 sq.ft. lot.</p>	<p>407 Hilmen Place, Solana Beach, San Diego County. APN(s): 263-393-07.</p>
<p>6-16-0018-W SeaWorld</p>	<p>Construction of an approximately 18-foot tall, 900 sq. ft. culinary cart area that is open on three sides and 2,300 sq. ft. concrete patio at the Explores Reef area within the park entrance area to provide self-service food and beverages.</p>	<p>500 Seaworld, Mission Bay, San Diego, San Diego County. APN 760-037-01-01.</p>

SAN DIEGO COAST DISTRICT DEPUTY DIRECTOR'S REPORT CONTINUED

<p>6-16-0055-W Dean & Annette Fargo</p>	<p>Demolition of an existing 1-story, 1,425 sq. ft. single-family residence, and construction of a new 1-story, 1,869 sq. ft. single-family residence with a 431 sq. ft. attached garage, and associated landscaping on a 4,700 sq. ft. lot.</p>	<p>770 Solana Circle, Solana Beach, San Diego County. APN: 298-340-08.</p>
<p>6-16-0057-W Coronado Cays Homeowners Association, Attn: Daniel Bick</p>	<p>Remove existing, damaged Coronado Cays channel marker #3 and replace with the same size channel marker, consisting of a 14 in. by 14 in. concrete pile that is 42 in. in length. The project also includes biological monitoring during construction, BMPs to avoid impacts to eelgrass, completion of an eelgrass survey immediately following construction and a second survey 12 months later, and eelgrass mitigation consistent with the California Eelgrass Mitigation Policy if any negative impacts are discovered during surveys.</p>	<p>South San Diego Bay</p>

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.

Applicant	Project Description	Project Location
<p>A-6-NOC-05-050-A1 Pardee Homes</p>	<p>Modify Special Condition No. 10 to permit brush management on Parcel 142; modify the Offer to Dedicate Open Space for Parcel 142 required by Special Condition No. 10 so as to avoid inclusion of two brush management areas required for adjacent residential development.</p>	<p>Calle Cristobal & Camino Santa Fe, North City, San Diego, San Diego County. APNs: 308-040-15, 311-020-43, 311-020-44, 311-020-45, 311-021-08, 311-021-10, 311-031-23, 311-031-24, 311-031-25.</p>

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.

Applicant	Project Description	Project Location
G-6-16-0009 City of Encinitas, Glenn Pruim	Temporary placement of approximately 18 cu. yds. of cobble blended with existing rock in response to El Nino related storms during the 2015 winter/2016 spring.	West side of Coast Highway 101, Encinitas, San Diego County. APN: 261-171-07.
G-6-16-0008 City of Encinitas, Ed Deane	Temporary placement of approximately 62 cu. yds. of large cobble adjacent to bridge abutment and 15 cu. yds. of large cobble 500 feet further south in response to El Nino related storms during the 2015 winter/2016 spring. Additionally, temporary closure of the northbound lane adjacent to the damaged site is authorized until emergency stabilization work has been completed.	East side of Coast Highway 101, Encinitas, San Diego County.
G-6-16-0010 City of Encinitas, Ed Deane	Removal of sand covering existing rip-rap, consolidation of rip-rap, and temporary placement of approximately 17 cu. yds. of 24 2.5-ton rock, subsequently covered with sand, to protect the foundation of the lifeguard tower at Moonlight Beach in response to El Nino related storms during the 2015 winter/2016 spring.	400 West C Street, Encinitas, San Diego County. APN: 258-042-30.

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January 28, 2016

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

Based on the project plans and information provided in your permit application for the development described below, the Executive Director of the Coastal Commission hereby waives the requirement for a Coastal Development Permit pursuant to Section 13238.1, Title 14, California Code of Regulations. If, at a later date, this information is found to be incorrect or the plans revised, this decision will become invalid; and, any development occurring must cease until a coastal development permit is obtained or any discrepancy is resolved in writing.

Waiver: 6-15-2048-W

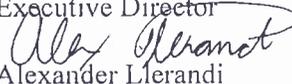
Applicant: City of San Diego Public Works Dept.

Location: Crown Point area (Riviera Dr, Ingraham St, Pacific Beach Dr, and side streets) Pacific Beach, San Diego, (San Diego County) APN: N/A

Proposed Development: In Crown Point West & East: Replace 4.8 miles of 6" and 8" vitrified clay (VC) sewer mains with new 8" PVC mains; replace 2.8 miles of 6", 8", and 16" cast iron (CI) and asbestos cement (AC) water mains with 8" and 16" PVC mains; in Pacific Beach Drive: replace 1.32 miles of 12", 15", and 18" VC sewer mains with 12" and 15" PVC mains; replace 1.05 miles of 6" and 8" AC water mains with 8" and 12" PVC mains; and abandonment of 3 miles of sewer main easements and water mains in the Crown Point area of Pacific Beach.

Rationale: The proposed sewer and water improvements are designed to reduce maintenance requirements and bring services into modern standards, not to increase service capacity. The proposed work will occur over four years and include summer work, but work will not occur on the main coastal roads of Pacific Beach Dr, Riviera Dr, Buena Vista St, Crown Point Dr, and Corona Oriente Dr, and Ingraham St during the busy summer months. Construction staging and storage will be limited to disturbed City right-of-way with traffic control plans implemented to permit traffic through the work area. All traffic lanes and staging areas will be reopened during the summer months to minimize access impacts, and the project will be consistent with the applicable Chapter 3 policies of the Coastal Act. Any revisions to the project will require a new permit unless the Executive Director determines no permit is required.

This waiver will not become effective until reported to the Commission at their February 2016 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,
Executive Director

Alexander Llerandi
Coastal Program Analyst

cc: File

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Waiver: 6-15-2071-W

Applicant: University of California, San Diego

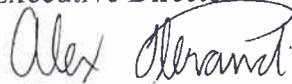
Location: South of RIMAC Field, adjacent to RIMAC Arena, La Jolla, San Diego (San Diego County) APN: 342-010-24

Proposed Development: Construction of a new permanent outdoor, open air RIMAC Events Stage, with a stage 4 ft. above grade and a 40-ft. tall open trellis structure erected on the concrete base, with related lighting, video, and access improvements connected to the stage.

Rationale: The proposed stage will be located where UCSD historically erects temporary stages to house events such as commencement and concerts. The proposed stage is located on an already developed site within the UCSD campus and will not be visible from outside the campus. The volume and nature of events is expected to remain substantially the same, with the largest events held during the summer, when campus population is lower and existing parking resources are the most open. UCSD is served by multiple parking facilities and a shuttle system that many of the students utilize when not already walking or biking to the area. The proposed development is not anticipated to have an adverse impact on parking and traffic in the coastal community and will be in conformance with the applicable Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their February 2016 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,
Executive Director


Alexander Llerandi
Coastal Program Analyst

cc: File

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January 29, 2016

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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Waiver: 6-15-2121-W

Applicant: Bret and Brandy Gossett

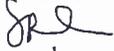
Location: 435 South Granados Ave., Solana Beach (San Diego County) (APN: 298-093-20)

Proposed Development: Demolition of an existing 1-story, 1,518 sq. ft. single-family residence and construction of a new 1-story, 3,814 sq. ft. single-family residence with a 529 sq. ft. attached garage on a 15,500 sq. ft. lot.

Rationale: The proposed development is located on an existing developed lot within an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development. The project is not subject to any of the special overlays in the City of Solana Beach certified Land Use Plan, and is consistent with the zoning and plan designations for the City. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their February 2016 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,
Executive Director


Sarah Richmond
Coastal Program Analyst

cc: File

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Waiver: 6-15-2125-W

Applicant: Chris Twitty and Sandra Aung

Location: 407 Hilmen Place, Solana Beach (San Diego County) (APN: 263-393-07)

Proposed Development: Demolition an existing 1-story, 1,762 sq. ft. single-family residence and construction of a new 2-story, 3,062 sq. ft. single-family residence with an approximately 459 sq. ft. attached garage on a 9,076 sq. ft. lot.

Rationale: The proposed development is located on an existing developed lot within an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development. The project is not subject to any of the special overlays in the City of Solana Beach certified Land Use Plan, and is consistent with the zoning and plan designations for the City. The proposed development will not adversely impact coastal resources, public access, or public recreation opportunities, and is consistent with past Commission actions in the area and Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their February 2016 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,
Executive Director

A handwritten signature in black ink, appearing to read "SR", written over the printed name of Sarah Richmond.

Sarah Richmond
Coastal Program Analyst

cc: File

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Waiver: 6-16-0018-W

Applicant: SeaWorld San Diego

Location: 500 SeaWorld Dr, Mission Bay Park, San Diego (San Diego County)
APN: 760-037-01-01

Proposed Development: Construction of an approximately 18-foot tall, 900 sq. ft. culinary cart area that is open on three sides and 2,300 sq. ft. concrete patio at the Explores Reef area within the park entrance area to provide self-service food and beverages.

Rationale: The proposed development is located within the developed park boundaries and will not be visible from outside of the park. The development will serve visitors already within the park and is not expected to result in increased traffic or demand for additional parking spaces. Any runoff from the development area will enter the existing storm water treatment system serving the park. The proposed development is consistent with the zoning and land use of the park and consistent with the applicable Chapter 3 policies of the Coastal Act.

This waiver will not become effective until reported to the Commission at their February 2016 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester,
Executive Director

A handwritten signature in black ink that reads "Alex Llerandi".

Alexander Llerandi
Coastal Program Analyst

cc: File

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January 28, 2016

Coastal Development Permit De Minimis Waiver Coastal Act Section 30624.7

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Waiver: 6-16-0055-W

Applicant: Dean & Annette Fargo

Location: 770 West Solana Circle, Solana Beach (San Diego County) (APN(s): 298-340-08)

Proposed Development: Demolition of an existing 1-story 1,425 sq. ft. single-family residence, construction of a new 1-story 1,869 sq. ft. single-family residence with a 431 sq. ft. attached garage on a 4,700 sq. ft. lot.

Rationale: The proposed development is located on an existing developed lot within an established residential neighborhood consisting of single-family residences similar in size and scale to the proposed development. The development will not block any public views or impact public access, is not subject to any of the special overlays in the City of Solana Beach certified Land Use Plan, and is consistent with the zoning and plan designations for the City. The project is consistent with all Chapter 3 policies of the Coastal Act and no impacts to coastal resources are expected.

This waiver will not become effective until reported to the Commission at their December 2015 meeting and the site of the proposed development has been appropriately noticed, pursuant to 13054(b) of the California Code of Regulations. The Notice of Pending Permit shall remain posted at the site until the waiver has been validated and no less than seven days prior to the Commission hearing. If four (4) Commissioners object to this waiver of permit requirements, a coastal development permit will be required

Charles Lester,
Executive Director

A handwritten signature in cursive script that reads "Lisa Schlembach".

Lisa Schlembach
Coastal Program Analyst

Coastal Development Permit De Minimis Waiver
6-16-0057-W

Commissioners object to this waiver of permit requirements, a coastal development permit will be required.

Charles Lester
Executive Director



Melody Lasiter
Coastal Program Analyst

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NOTICE OF PROPOSED IMMATERIAL PERMIT AMENDMENT

Coastal Development Permit Amendment No. **A-6-NOC-05-050-A1**

February 8, 2016

To: All Interested Parties

From: Charles Lester, Executive Director

Subject: Permit No. **A-6-NOC-05-050-A1** granted to **Pardee Homes** for: Implementation of a Planned Residential Development on 185.2 acres including subdivision of land and construction of 128 single-family homes and 144 multi-family units (272 units total) in 15 buildings, associated street, drainage and landscaping improvements, and dedication of open space; the project includes retirement of development rights on six of nine existing parcels.

Project Site: North, east, and west of intersection of Calle Cristobal and Camino Santa Fe, East Mira Mesa Community Plan, North City, San Diego (San Diego County) (APN(s): 308-040-15-00, 311-020-43-00, 311-020-44-00, 311-020-45-00, 311-021-08-00, 311-021-10-00, 311-031-23-00, 311-031-24-00, 311-031-25-00)

The Executive Director of the California Coastal Commission has reviewed a proposed amendment to the above referenced permit, which would result in the following change(s):

Modify Special Condition No. 10 to permit brush management on Parcel 142; modify the Offer to Dedicate Open Space for Parcel 142 required by Special Condition No. 10 so as to avoid inclusion of two brush management areas for adjacent residential development.

FINDINGS

Pursuant to 14 Cal. Admin. Code Section 13166(b) 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 Commission hearing. This amendment has been considered "immaterial" for the following reason(s):

The amendment is necessary to address required brush management for an adjacent residential development approved under a separate coastal development permit. That residential development requires that Zone 2 brush management occur in a small portion of an area set aside for open space by the original subject permit. However, the approximately 0.63-acre area now required for brush management was not specifically required to be placed in open space as part of the original permit; it was additional land area the applicant voluntarily included in the open space area. After removal of the brush management area, the amount of open space area not subject to brush management (7.93 acres) will still be larger than was originally required by the Commission (approximately 6.5 acres). Thus, no significant impacts to coastal resources will occur.

If you have any questions about the proposal or wish to register an objection, please contact Alexander Llerandi at the phone number provided above.

cc: Commissioners/File

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**EMERGENCY PERMIT**

Issue Date: February 1, 2016
Emergency Permit No. G-6-16-0009

APPLICANT:

City of Encinitas, Glenn Pruiam
505 South Vulcan Avenue, Encinitas, CA 92024
California State Parks, Robin Greene
2680 Carlsbad Blvd., Carlsbad, CA 92008

LOCATION OF EMERGENCY:

WEST SIDE OF COAST HIGHWAY 101 ACROSS FROM LAS OLAS RESTAURANT,
ENCINITAS (SAN DIEGO COUNTY) (APN: 261-171-07)

EMERGENCY WORK:

Temporary placement of approximately 18 cu. yds. of cobble blended with existing rock in response to El Nino related storms during the 2015 winter/2016 spring.

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 wave erosion and overtopping flooded restaurants, closed public beach access locations, and posed a threat to Coast Highway 101, requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to Section 13009 of Title 14 of the California Code of Regulations. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

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

Sincerely,
Charles Lester
Executive Director

Handwritten signature of Sherilyn Sarb in cursive.

By: Sherilyn Sarb, Deputy Director

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

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 property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The proposed placement of cobble shall extend no more than approximately 50 feet long, 20 feet wide, and 2 feet high per specifications submitted by the applicant on January 27, 2016 (Exhibit 1).
4. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
5. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
6. The applicant recognizes that the emergency work is considered temporary and only authorized through May 15, 2016, at which point the work is subject to removal unless and until a regular Coastal Development Permit (CDP) permanently authorizing the work is approved. The applicant may apply for a CDP to extend, on an interim basis, the time period authorized for placement of cobble, or portions thereof, until a long-term Cardiff Living Shorelines Project is implemented. If the applicant applies for a CDP to retain the cobble, or any portion thereof, in place, such application shall include a new date certain for removal, unless retention of the cobble in some form is authorized through a CDP pursuant to the Cardiff Living Shorelines Project. A CDP would satisfy the requirements of Section 13056 of Title 14 of the California Code of Regulations and would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
7. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with

February 1, 2016

Emergency Permit No.: G-6-16-0009

California Coastal Commission (CCC) staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

8. 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.
9. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
10. Failure to a) submit a complete follow-up CDP application that complies with Conditions 6 and 7 above, or b) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.



20ft x 50ft FOOTPRINT
20 ft wd x 2ft hi x 50 ft long
 $2' \times 10' \times 0.5 \times 50 = 500$ cu ft or
18 yds of cobble blended with
the existing.

EXHIBIT NO. 1
EMERGENCY PERMIT NO. G-6-16-0009
Specifications
 California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
PH (619) 767-2370 FAX (619) 767-2384
WWW.COASTAL.CA.GOV

**EMERGENCY PERMIT**

Issue Date: February 1, 2016
Emergency Permit No. G-6-16-0008

APPLICANT:

City of Encinitas, Ed Deane
505 South Vulcan Avenue, Encinitas, CA 92024

LOCATION OF EMERGENCY:

EAST SIDE OF COAST HIGHWAY 101 AT THE MOUTH OF SAN ELIJO LAGOON,
ENCINITAS (SAN DIEGO COUNTY)

EMERGENCY WORK:

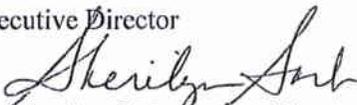
Temporary placement of approximately 62 cu. yds. of large cobble adjacent to the bridge abutment and 15 cu. yds. of large cobble 500 feet further south in response to El Nino related storms during the 2015 winter/2016 spring. Additionally, temporary closure of the northbound lane adjacent to the damaged site is authorized until emergency stabilization work has been completed.

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 high tides caused erosion of the roadway fill slopes in two locations, requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to Section 13009 of Title 14 of the California Code of Regulations. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

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

Sincerely,
Charles Lester
Executive Director


By: Sherilyn Sarb, Deputy Director

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

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 property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The proposed placement of large cobble shall extend no more than approximately 52 feet long, 8 feet wide, and 8 feet high adjacent to the bridge abutment and 20 feet long, 10 feet wide, and 4 feet high further south per specifications submitted by the applicant on January 27, 2016 (Exhibit 1).
4. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
5. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
6. The applicant recognizes that the emergency work is considered temporary and only authorized through May 15, 2016, at which point the work is subject to removal unless and until a regular Coastal Development Permit (CDP) permanently authorizing the work is approved. The applicant may apply for a CDP to extend, on an interim basis, the time period authorized for placement of the large cobble, or portions thereof, until a long-term San Elijo Lagoon Restoration Plan is implemented. If the applicant applies for a CDP to retain the large cobble, or any portion thereof, in place, such application shall include a new date certain for removal, unless retention of the large cobble in some form is authorized through a CDP pursuant to the San Elijo Lagoon Restoration Plan. A CDP would satisfy the requirements of Section 13056 of Title 14 of the California Code of Regulations and would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
7. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs

the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with California Coastal Commission (CCC) staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

8. 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.
9. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
10. Failure to a) submit a complete follow-up CDP application that complies with Conditions 6 and 7 above, or b) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

¹ In some instances, a permit may also be required for removal.

² As noted above, in some instances, a permit may also be required for removal.

³ The Coastal Act is codified in sections 30000 to 30900 of the California Public Resources Code. All further section references are to that code, and thus, to the Coastal Act, unless otherwise indicated.

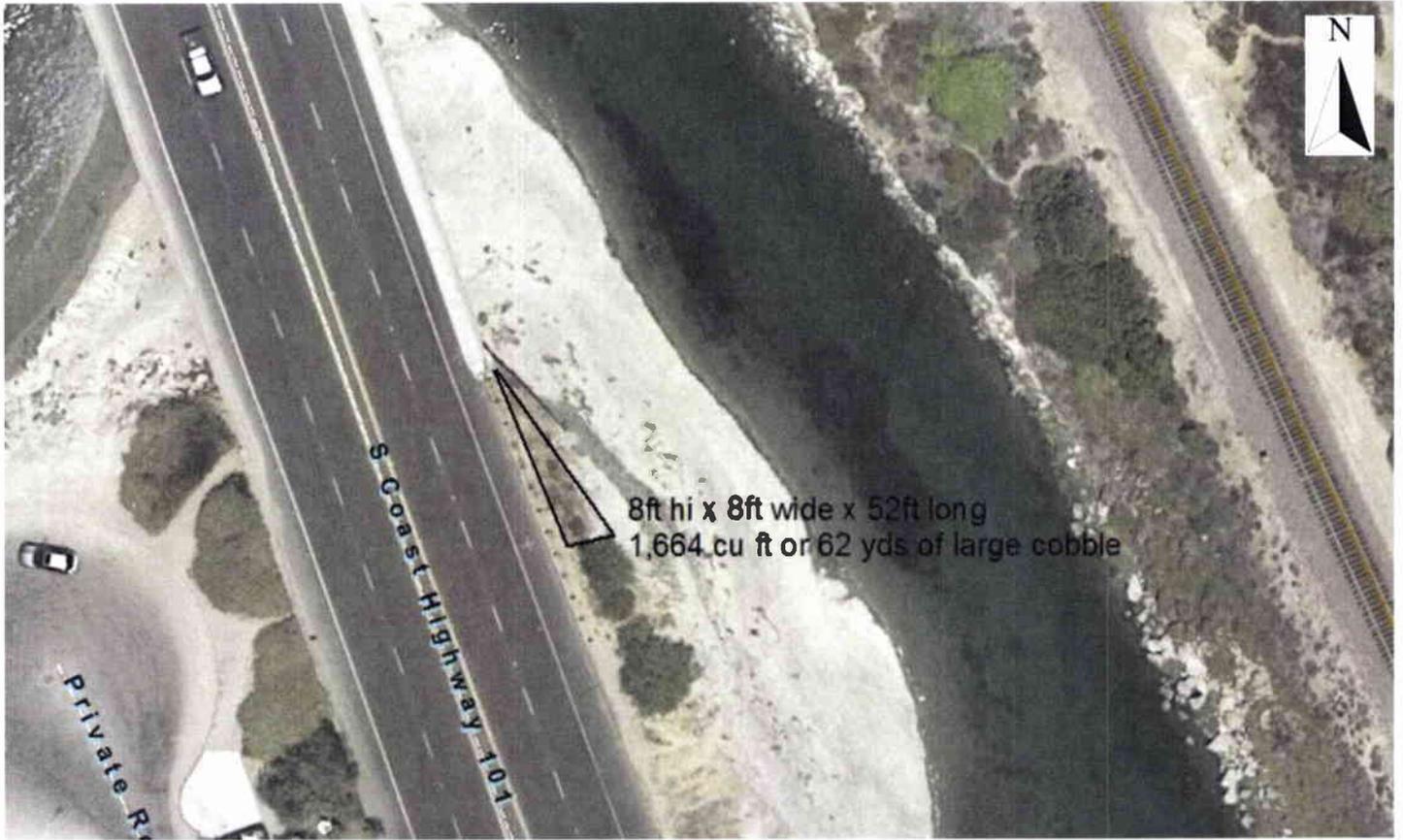


EXHIBIT NO. 1
EMERGENCY PERMIT NO. G-6-16-0008
Specifications
 California Coastal Commission

CALIFORNIA COASTAL COMMISSION

SAN DIEGO COAST DISTRICT OFFICE
7575 METROPOLITAN DRIVE, SUITE 103
SAN DIEGO, CALIFORNIA 92108-4402
PH (619) 767-2370 FAX (619) 767-2384
WWW.COASTAL.CA.GOV

**EMERGENCY PERMIT**

Issue Date: February 1, 2016
Emergency Permit No. G-6-16-0010

APPLICANT:

City of Encinitas, Ed Deane
505 South Vulcan Avenue, Encinitas, CA 92024

LOCATION OF EMERGENCY:

400 C ST, ENCINITAS (SAN DIEGO COUNTY) (APN: 258-042-30)

EMERGENCY WORK:

Removal of sand covering existing rip-rap, consolidation of rip-rap, and temporary placement of approximately 17 cu. yds. of 24 2.5-ton rock, subsequently covered with sand, to protect the foundation of the lifeguard tower at Moonlight Beach in response to El Nino related storms during the 2015 winter/2016 spring.

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 high tides caused erosion of the slopes protecting the foundation of the lifeguard tower, requiring immediate action to prevent or mitigate loss or damage to life, health, property or essential public services pursuant to Section 13009 of Title 14 of the California Code of Regulations. The Executive Director of the California Coastal Commission hereby finds that:

- (a) An emergency exists that requires action more quickly than permitted by the procedures for administrative or ordinary coastal development permits (CDPs), and that the development can and will be completed within 30 days unless otherwise specified by the terms of this Emergency Permit; and
- (b) Public comment on the proposed emergency development has been reviewed if time allows.

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

Sincerely,
Charles Lester
Executive Director

A handwritten signature in cursive script, appearing to read "Sherilyn Sarb".

By: Sherilyn Sarb, Deputy Director

cc: Local Planning Department

Enclosures: 1) Acceptance Form;
2) Regular Permit Application Form

February 1, 2016

Emergency Permit No.: G-6-16-0010

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 property listed above is authorized. Any additional work requires separate authorization from the Executive Director.
3. The proposed placement of rock shall extend no more than approximately 20 feet long, 8 feet wide, and 6 feet high per specifications submitted by the applicant on January 27, 2016 (Exhibit 1).
4. All work shall take place in a time and manner to minimize any potential damages to any resources, including intertidal species, and to minimize impacts to public access.
5. The work authorized by this permit must be completed within 30 days of the date of this permit, which shall become null and void unless extended by the Executive Director for good cause.
6. The applicant recognizes that the emergency work is considered temporary and only authorized through May 15, 2016, at which point the work is subject to removal unless and until a regular Coastal Development Permit (CDP) permanently authorizing the work is approved. The applicant may apply for a CDP to extend, on an interim basis, the time period authorized for placement of the rock, or portions thereof, until a long-term Moonlight Beach Marine Safety Center Project is implemented. If the applicant applies for a CDP to retain the rock, or any portion thereof, in place, such application shall include a new date certain for removal, unless retention of the rock in some form is authorized through a CDP pursuant to the Moonlight Beach Marine Safety Center Project. A CDP would satisfy the requirements of Section 13056 of Title 14 of the California Code of Regulations and would be subject to all of the provisions of the California Coastal Act and may be conditioned accordingly. These conditions may include provisions for public access (such as offers to dedicate, easements, in-lieu fees, etc.) and/or a requirement that a deed restriction be placed on the property assuming liability for damages incurred from storm waves.
7. If the Executive Director determines that the follow-up CDP application is incomplete and requests additional information, the applicant shall submit this additional information by a certain date, as established by the Executive Director. If such a follow-up CDP application is withdrawn by the applicant or is denied by the Commission, or if the follow-up CDP application remains incomplete for a period of 120 days after the Executive Director informs the applicant that the application is incomplete, the emergency-permitted development shall be removed and all affected areas restored to their prior condition, after consultation with

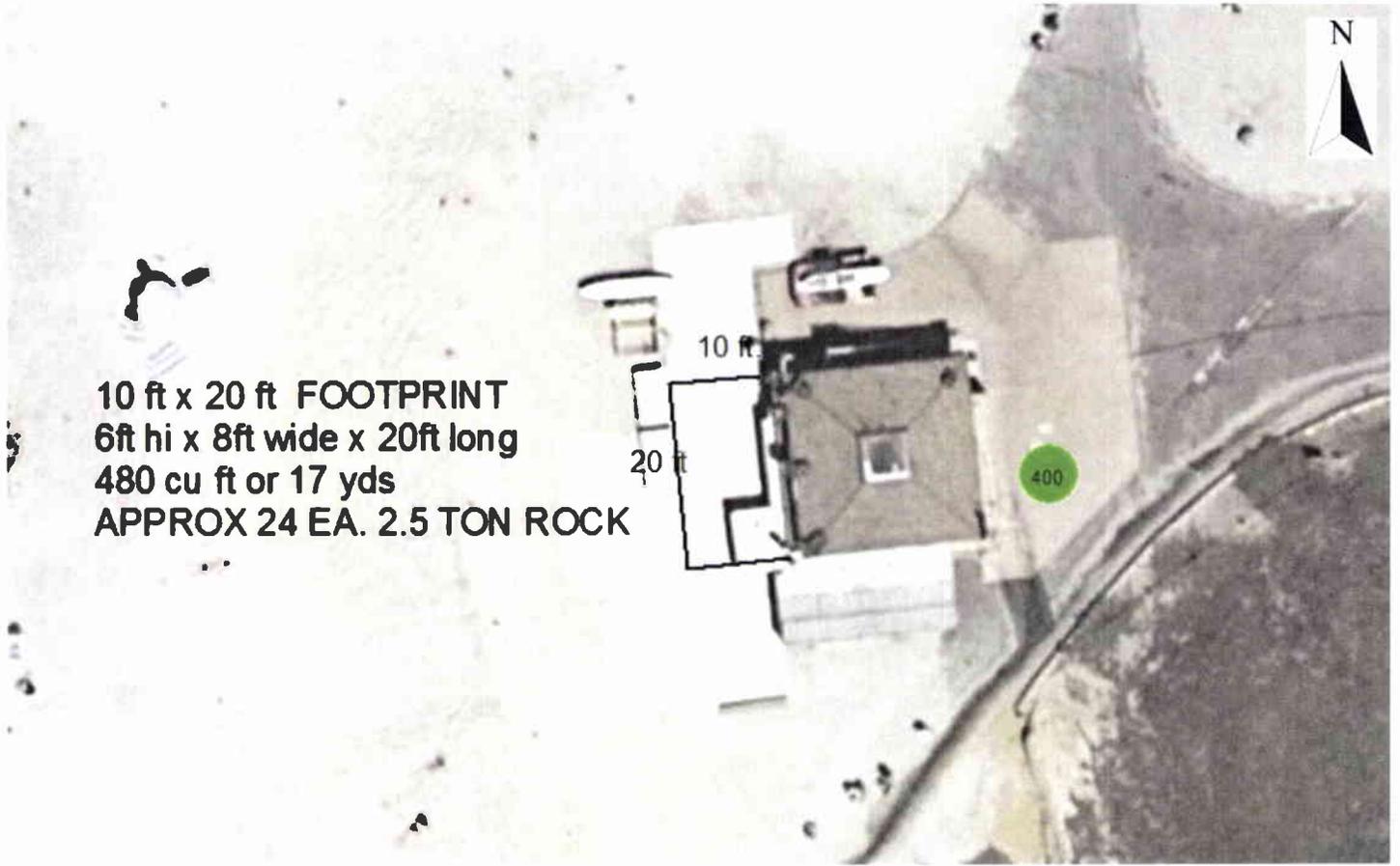
California Coastal Commission (CCC) staff and consistent with the Coastal Act, within 30 days, subject to any regulatory approvals necessary for such removal. In some instances, a permit may be needed for removal.

8. 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.
9. This permit does not obviate the need to obtain necessary authorizations and/or permits from other agencies, including but not limited to the California Department of Fish & Wildlife, U.S. Fish & Wildlife, U.S. Army Corps of Engineers, and the California State Lands Commission.
10. Failure to a) submit a complete follow-up CDP application that complies with Conditions 6 and 7 above, or b) remove all of the materials placed or installed in connection with the emergency development authorized in this Permit and restore all affected areas to their prior condition after consultation with CCC staff, and consistent with the Coastal Act (if required by this Emergency Permit) by the date specified in this Emergency Permit¹, or c) comply with all terms and conditions of the required follow-up CDP, including any deadlines identified therein, or d) remove the emergency-permitted development and restore all affected areas to their prior condition after consultation with CCC staff and consistent with the Coastal Act immediately upon denial of the required follow-up CDP² will constitute a knowing and intentional violation of the Coastal Act³ and may result in formal enforcement action by the Commission or the Executive Director. This formal action could include a recordation of a Notice of Violation on the applicant's property; the issuance of a Cease and Desist Order and/or a Restoration Order; imposition of administrative penalties for violations involving public access; and/or a civil lawsuit, which may result in the imposition of monetary penalties, including daily penalties of up to \$15,000 per violation per day, and other applicable penalties and other relief pursuant to Chapter 9 of the Coastal Act. Further, failure to follow all the terms and conditions of this Emergency Permit will constitute a knowing and intentional Coastal Act violation.

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10 ft x 20 ft FOOTPRINT
6ft hi x 8ft wide x 20ft long
480 cu ft or 17 yds
APPROX 24 EA. 2.5 TON ROCK

EXHIBIT NO. 1
EMERGENCY PERMIT NO. G-6-16-0010
Specifications
 California Coastal Commission