

CALIFORNIA COASTAL COMMISSION

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Th7a

NE-0001-19 - SANDAG

March 7, 2019

CORRESPONDENCE

RECEIVED

JAN 25 2019

VIA Email and U.S. Mail
kanani.leslie@coastal.ca.gov
California Coastal Commission
7575 Metropolitan Drive, #103
San Diego, CA 92108

CALIFORNIA
COASTAL COMMISSION
SAN DIEGO CO.

Subject: Construction of Access Road at Staging Area 5 on San Elijo Avenue

Dear Commissioners,

We live directly across the street from the access road on San Elijo Ave., I believe Staging area 5, at 2465 San Elijo Ave. My husband John has lived here since 1982 and I have lived here since 1993. As you can imagine, my husband bought here to enjoy the unobstructed views and the natural, quiet, environment. We never anticipated the chaos that the double track project would bring to our lives, home and quality of life. We never expected the extreme traffic, dust, noise and stress this project would create, and we never imagined an access road would be built directly across the street from our home. We were told, "the access ramp is projected to be removed around 3rd quarter 2018" by Landon Lovingfoss.

Now it is January 2019, and not only is the access road still here, but we have heard that they may not be removing it at all!!! This is absolutely outrageous, and we will do whatever it takes to make sure this road is removed ASAP! Not only was it never in the plan that was laid out to us, but it has destroyed the entire reason we live here. It most definitely has destroyed and devalued our property value, and our quality of life. It is not only an eyesore, but a looming danger in so many ways!!! On several occasions, I have called the Sheriff as in two different incidences, cars have backed in at night directly facing our property. Were they staking out our home? Getting ready to break in and speed off? I didn't want to find out, so calls were made to the Encinitas Sheriff in both instances. In many other instances, this area has been used during the day and at sunset for vans and cars to play loud music and party-they now have free parking with a great view and we see a mess of cars parked and have to listen to loud music. Not only is it noisy and a mess to look at, but it causes traffic jams as they try and park haphazardly and again when they leave. This has got to be removed and NOW!

Please contact my husband and me at the following numbers so we may further discuss this:

John Kies 760-505-5627
Sheryl Kies 760-402-7403

From: [Diane Zeiger](#)
To: Energy@Coastal
Cc: [Delaplaine, Mark@Coastal](mailto:Delaplaine.Mark@Coastal)
Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Tuesday, February 26, 2019 6:46:54 PM

Dear Coastal Commission Representatives:

I have lived for close to six years at 2512 San Elijo Avenue, Cardiff by the Sea, Ca 92007 which is just south of the temporary construction access road on San Elijo Avenue. Our house overlooks the San Elijo Double Track Construction (SEDT) site on the western side of San Elijo Avenue. The location of our property allows us to have a front and center view of the construction, rail maintenance, and civilian activities that occur in the SEDTC site.

When the double track construction began, representatives of both Flatiron and SANDAG informed us and other neighbors along San Elijo Avenue that the access road would be temporary and removed at the end of the project. We believed this to be the fact but later heard rumors otherwise and when I discussed this with SANDAG's Community Liaison, Kara Kong, I was told that the permanence of the road was being discussed, but not decided and that we would be noticed of venue in which we could voice our concerns. Apparently, NCTD, SANDAG, and The City of Encinitas have decided the matter without any input from the residents that are affected by such decision. Furthermore, only a handful of residents were noticed by the Coastal Commission of the hearing on March 7th in Los Angeles which by selection of the location is a basic denial of the residents right to voice their opinions. The neighborhood has been shutout and not considered in the decision regarding the permanence of the access road.

If NCTD, SANDAG, and the City of Encinitas took the appropriate step of soliciting input from the neighbors, they would understand why the road should not become permanent. The access road has provided unfettered access into the western side of the Lagoon whereby people use it as an entry point to walk the rail track to Solana Beach, walk their dogs, fish off the new rail bridge, party under the bridge, launch paddle boards into the Lagoon, ride mountain bikes along the train track trail, and a landing strip for ultralight aircraft, etc. We have witnessed it all and can only imagine how it will be in the future once the access road becomes permanent and not maintained. I understand that SANDAG has stated that they have a gate at the bottom of the access road, they do, and it is a joke. It is left open most of the time, people can easily walk around it, and it has about a 24" gap to slide thru. Furthermore, the proposed fencing to be placed parallel to the access road ramp will last a short period of time until people violate it thus rendering it useless.

Prior to the double track construction, people could not easily access the area and it was a lushly vegetated nature preserve. With the proposed plan of revegetating the area with non-

irrigated hydroseed, combined with draught conditions and now significant pedestrian activity, the area will not have a chance to revegetate and more than likely become a barren, trash strewn, blight. I live here I see how people that are not from the area have no regard for protecting the environment. It makes me sadden to see people park on the unofficial parking areas along San Elijo Avenue and throw their junk food bags, beer/soda cans, construction debris, etc. on the ground and over the embankment. In addition, to the pedestrian access into the Lagoon, the access road provides a significant area at the top of the ramp for people to park, party, perform U-turns, park backwards shining their headlights into neighbor's homes, and all sorts of nefarious activities. Again, those that park there, throw their garbage out of their cars, all of which eventually ends up in the Lagoon and then the ocean.

Finally, the argument that the access road is needed for increased safety of maintenance workers is over embellished. In the six years I have lived here, never have I seen a rail maintenance crew physically walk onto the site to check the tracks. They use a maintenance vehicle which is designed to ride on the rail or a small robot that surveys the rail. I have never seen a worker drive their car to the rail and get out to inspect. Even if this is the case, crossing the rail six times per monthly visit is infinitesimal compared to the daily trespassing that will occur on the railroad as a result of the access road. Access means access, it is just that simple!

We bought our house because of its unique location and the beauty that surrounded it. We have lived through two years of total hell with the construction of the double track and have been horrified by the destruction of the surrounding vegetation. What was once a beautiful nature preserve, flush with vegetation and wildlife, is not replaced with ugly asphalt, barren dirt, and man-made cut elevations. I ask you to make the right choice by denying the permanence of the access road and allow the area a better chance to return to the beautiful place it once was. I trust the Coastal Commission will take the time to consider all voices in this matter.

Regards,

Diane M. Zeiger, CPA
2512 San Elijo Avenue
Cardiff by the Sea, CA 92007

Mobile 858.945.7874
dihorvath@gmail.com

Received Feb 26, 2019

Dear Commissioners,

My wife and I live at 2520 Newport Avenue in Cardiff by the Sea. It has come to our attention that the ugly temporary access road on San Elijo Avenue that was to be closed and removed in 2018 will now be permanent. Since construction has started to add a second track we have endured noise, dirt, increased traffic, construction trucks clogging our once quiet streets, construction workers parking on the bluffs leaving trash when they leave at night. That trash gets blown into our yards and into our homes.

The once beautiful street we live by that was once covered with green vegetation is now an ugly gray wall of sand and clay. The access road is also an eyesore and has become a parking lot for people to stop and party which also creates more trash. The fencing you installed does not fit an ocean landscape.

Has there been an environmental review of the work that was already finished, and the continuing work being done to insure that it is safe for our many young children and senior citizens. That includes my 82 year father in law who enjoyed walking the bluffs every morning. Please forward this information immediately.

Why would a hearing for Cardiff by the Sea be held at the American African Museum at 9:00am in Los Angeles? This seems like an intentional move to make it impossible for most of the community to attend. What is the motive to keep that road open? Have you been to the road? You are turning our once beautiful road(San Elijo) into a eyesore of sand and concrete. How would you like it if someone did that do your street.

I can be reached on my cell 310 926 5751.

We look forward to hearing your reasons for this awful decision.

Best Regards,

Christine and Pat Magnarella

From: [Rhonda L. Etzwiler Houck](mailto:Rhonda.L.Etzwiler.Houck@CoastalEnergy.com)
To: [Energy@Coastal](mailto:Energy@CoastalEnergy.com)
Cc: [Home; Greg Houck](mailto:Greg.Houck@CoastalEnergy.com)
Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Saturday, February 23, 2019 5:09:00 PM

February 23, 2019

TO: California Coastal Commission

FROM: Greg and Rhonda Houck, telephone 760-415-2134

RE: Construction Access Road at Staging Area 5 San Elijo Ave Cardiff by the Sea CA 92007

Dear Sirs and Mesdames,

We live at 119 Kilkenny Dr in Cardiff by the Sea, just two houses east of San Elijo Ave and four houses south of the Area 5 access road. This **temporary** access road was to have been closed and removed in late 2018. It has come to our attention that this **temporary** access road is to become permanent, a circumstance decidedly not part of the original travesty of a plan for the double track and lagoon restoration projects scheduled from 1/2018 through 12/2021. The noise, dirt, traffic and general chaos of this entire and seemingly endless project have been horrendous.

There have been constant and lengthy traffic delays on San Elijo, Kilkenny and other streets in this area. The noise at the bottom of the access road and in the lagoon, particularly the constant, shrill, infernal back-up beeping is mind numbing and uncondusive to a tranquil life and health-affirming nighttime sleep. The dirt on every surface from the construction and the worker traffic is ten times worse than "just" RR traffic. Workers park haphazardly along the bluff, with vehicles extending into the street across painted road lanes. Workers regularly litter the area with food bags and wrappers, bottles, receipts, etc, which blow onto private property, too. Residents and visitors with a lesser regard for the privilege of living in Cardiff by the Sea park on/near this access road just as poorly as do the construction workers, also making a lot of noise and increasing the dirt and litter.

Impromptu gatherings last for hours at times. Finally, the access road and close environs are stripped of natural vegetation and the replacement is not vegetation, but ugly "sand" walls and rocks and asphalt.

This lengthy, unattractive road has no permanent place near the lagoon, Pacific inlet and beaches. At most, a short access road off PCH MIGHT be appropriate. Prove necessity.

What is most troublesome about this situation is the 360 turn from **temporary** to permanent access road. Well, that, and the lack of notice of this egregious change and the lack of SAN DIEGO-AREA hearing venue. It is sharp practice, at the very least, to hold a hearing concerning a SAN DIEGO-AREA matter in Los Angeles.

Sadly, we Cardiff by the Sea residents expect this treatment, given the torturous course of this project since inception: noise, unnatural light at all hours, dirt, traffic

delays, rude workers, more noise, and general disrespect for residents. Please hold up your end of the bargain and close this temporary access road. This area should return to its previous natural state, not remain an area for troublemakers, noise, dirt, and a funnel for increased parking and unsavory activities in a quiet, residential area.

Sincerely,

Rhonda and Greg Houck

Sent from my iPhone

From: [Ellen Burr](mailto:Ellen_Burr@Coastal)
To: Energy@Coastal
Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Wednesday, February 27, 2019 2:03:32 PM

I am strongly opposed to any changes allowing the temporary access to become permanent.

The road was not planned, designed, engineered or constructed to be permanent. It is a 4-5 inch thick blacktop coat on an earthen ramp constructed across the face of the hillside. The SANDAG website states the asphalt layer was for dust control to benefit the neighbors. It would have been better if the hundreds of truckloads of gravel, earth and fill had been covered by the tarps or canopies as required by law. Not once did the street sweeper or water truck mitigate on our side of San Elijo.

This road is not necessary. The justifications alleged by the NCTD are false and ridiculous.

- 1- access to the east side of the tracks already exists but would require coordination, notice, or "permission" of other public utilities or agencies which, in the case of an emergency, would not be required
- 2- an at grade crossing is permitted and under construction just north of the Chesterfield intersection, at the very busy edge of towncenter and across from park and school. So a crew of professional railway employees performing a scheduled inspection or maintenance by way of a crossing a short distance away is at greater risk ? An event that might occur once per month.
- 3- access for inspection or maintenance of the east side of the bridge and railway located on the south side of the lagoon would require a crossing. That would be ok and safe ?

This road is a public and an attractive nuisance and is contrary to all that federal and state law is to provide for the protection and preservation of coastal waters and habitat.

- 1- this road may not be visible from Hwy. 101, but it is very visible to anyone on a train, on the south side of the lagoon, traveling by any means on San Elijo and certainly from the nearby homes
- 2- this road will become the skatepark, BMX park and off leash dog park of choice; not exactly what is or should be provided.
- 3- there is no plan for the future. Who or what is responsible for the maintenance, repair, liability,?

The concern with parking has now created both a cause for an enforcement action and the same issues of responsibility.

- 1- SANDAG caused or allowed the construction of the cliff top guardrail barrier WITHOUT a permit. There was no soil testing, engineering, provision for any storm water run off, much less the habitat destruction that occurred or was caused.
- 2- what was once not lawful parking now appears to be safe and lawful. Again, who or what is responsible for the maintenance, repair, liability of this area and the barrier ? Representatives of CALTRANS have asserted no prior knowledge and no responsibility.
- 3- an area that was once attractive, and given time could have recovered, is now a permanent eyesore, a source of or a contributing factor to air and water pollution, and a real endangerment to the public and private property.

The lack of proper or timely public notice or engagement is a cause of great concern. 1- gutter service of a few notifications to a handful of interested parties does not fulfill the obligations of any of the public and taxpayer funded entities associated with this rail project

2- the entities most concerned and responsible for the San Elijo lagoon project were not consulted or apprised of this proposed change

To approve this request by SANDAG on behalf of the NCTD would not be in the best interest of the habitat, the public, or the taxpayers. There are too many questions, possible liabilities, probable conflicts of interest, violations and instances of bad governance.

Respectfully submitted this February 27, 2019
Ellen Burr
2471 San Elijo
Cardiff, CA. 92007

Sent from my iPad

From: [Ellen Burr](#)
To: Energy@Coastal
Subject: Public Comment on March 2019 Agenda Item Thursday 7a - NE-0001-19 (SANDAG, Encinitas)
Date: Thursday, February 28, 2019 11:11:25 AM

I am writing today because I have just discovered that the plan for restoration and revegetation of this site is no more than hydro seeding, unirrigated no less. This is outrageous. At best the view from the coast will be a collapsing cliff, at worst a mass of dry or dying grasses just waiting for the first butt tossed from a parked car or someone enjoying the view from the stadium seating guardrail.

Additionally, I have recalled that in the 16 plus years in residence prior to this project, not once did I see anyone from the NCTD, Caltrans, or the railroad, near the bridge or tracks. I did see single engines - tampers maybe ? - , pickup trucks modified to run on the tracks and equipment that looked like a little Zamboni for the rails. I find it difficult to believe that in California, in the 21st Century, the responsible entities are not using or do not have at their disposal the devices and equipment like drones, robots and speciality bots which have or are quickly becoming the norm in similar projects and infrastructure. There should be little or no need for future land vehicle access to this site and no reason to put any employee or contractor at risk. Emergencies are not the norm and, if currently, that is the standard for this project then it needs to be halted immediately. Thank you for your time and consideration.

Respectfully,
Ellen Burr
2471 San Elijo
Cardiff, CA 92007
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Sent from my iPad